



**CITY COUNCIL MEETING
OF THE CITY OF CEDAR HILLS
Tuesday, July 18, 2017 7:00 p.m.**

Notice is hereby given that the City Council of the City of Cedar Hills, Utah, will hold a **City Council Meeting on Tuesday, July 18, 2017, beginning at 7:00 p.m.** at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah. This is a public meeting and anyone is invited to attend.

COUNCIL MEETING

1. Call to Order, Pledge led by C. Geddes and Invocation given by C. Rees
2. Approval of Meeting's Agenda
3. Public Comment: Time has been set aside for the public to express their ideas, concerns and comments (comments limited to 3 minutes per person with a total of 30 minutes for this item)

CONSENT AGENDA (Consent items are only those which require no further discussion or are routine in nature. All items on the Consent Agenda are adopted by a single motion)

4. Minutes from the June 8, 2017 Special City Council Meeting

CITY REPORTS AND BUSINESS

5. City Manager
6. Mayor and Council

SCHEDULED ITEMS

7. Discussion on Cedar Hills Insurance Coverage for Utilities
8. Review/Action on an Ordinance Regulating Fireworks
9. Review/Action on Adoption of an Ordinance Adjusting the Common Boundary between the City of Cedar Hills and Pleasant Grove City (Thayne Property)
10. Review/Action on a Resolution Placing an Opinion Question on the November 7, 2017 Municipal General Election Ballot Regarding the Imposition of a PARC Tax
11. Review/Action on a Resolution Adopting the Mountainland Pre-Disaster Hazard Mitigation Plan
12. Discussion on Private Signs on Public Property

ADJOURNMENT

13. Adjourn

Posted this 14th day of July, 2017

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the city's website at www.cedarhills.org.
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-785-9668 at least 48 hours in advance of the meeting.
- An Executive Session may be called to order pursuant to Utah State Code 54-4-204 & 54-4-205.
- The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.
- This meeting may be held electronically via telephone to permit one or more of the council members to participate.



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	July 18, 2017

City Council Agenda Item

SUBJECT:	Discussion on Cedar Hills Insurance Coverage for Utilities
APPLICANT PRESENTATION:	Brian and Darrell Child, Olympus Insurance
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: Darrell and Brian Child, from Olympus Insurance have agreed to present to the City Council an overview of the City's insurance policy and coverage regarding the recent Morgan Blvd. PI line break, with additional information provided by staff for council review.	
PREVIOUS LEGISLATIVE ACTION: N/A	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: N/A	
RECOMMENDATION: N/A	
MOTION: No motion necessary, discussion item only.	



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	July 18, 2017

City Council Agenda Item

SUBJECT:	Review/Action on an Ordinance Regulating Fireworks
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

The City Council is granted the authority, by Utah State Code, to adopt ordinances that are “necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City.” Due to the dry environment that exists on the hillside, it is necessary to prohibit certain types of fireworks that pose a threat to residences in the area. This ordinance would amend Cedar Hills City Code 5-2-3 by prohibiting the discharge of aerial fireworks in any part of Cedar Hills east of Canyon Road where the threat of fire is greatest.

PREVIOUS LEGISLATIVE ACTION:

Annual resolutions have been enacted prohibiting aerial fireworks east of Canyon Road.

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

See proposed ordinance amending City Code 5-2-3

RECOMMENDATION:

Staff recommends that the Council review the proposed ordinance, make necessary changes for adoption.

MOTION:

To approve Ordinance _____, amending City of Cedar Hills City Code 5-2-3, making it unlawful to discharge aerial fireworks in any area of Cedar Hills east of Canyon Road.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 5 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, PROHIBITING THE DISCHARGE OF AERIAL FIREWORKS EAST OF CANYON ROAD.

WHEREAS, pursuant to Utah Code Annotated § 10-9a-501, the City Council of the City of Cedar Hills (“City Council”) may adopt ordinances to govern the use and development of land within the City; and

WHEREAS, pursuant to Utah Code Annotated § 10-8-84, the City Council may adopt ordinances “necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City”; and

WHEREAS, the City Council, has determined that it is in the best interest of the public health, prosperity, comfort, and convenience of the City of Cedar Hills, and the residents thereof, to enact certain amendments to Title 5 of the City Code relating to the designation of streets and highways;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH COUNTY, STATE OF UTAH:

**PART I
AMENDMENTS**

SECTION 1. Title 5, Chapter 2, of the City Code, entitled Crimes, Offenses, and Traffic Regulations, is hereby amending Section 3 to read as follows:

5-2-3: FIREARMS, WEAPONS, EXPLOSIVES, AND FIREWORKS:

A. Prohibited Discharge Of Firearms, **Explosives, Fireworks** And Similar Weapons:

4. **It shall be unlawful to discharge or ignite an aerial device as defined by Utah Administrative Code R710-5-3 on any property east of Canyon Road within the city limits of the City of Cedar Hills.**

**PART II
PENALTY AND ADOPTION**

A. CONFLICTING PROVISIONS

Whenever the provisions of this Ordinance conflict with the provisions of any other Ordinance, resolution or part thereof, the more stringent shall prevail.

B. PROVISIONS SEVERABLE

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it

is hereby declared that the remainder of the ordinance shall not be affected thereby.

C. AMENDMENT TO BE ADDED TO CITY CODE

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 5.

D. PENALTY

Hereafter these amendments shall be construed as part of the Public Safety and Traffic Regulations Ordinance of the City Code of the City of Cedar Hills, Utah, to the same effect as if originally a part thereof, and all provisions of said regulations shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

E. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication as required by law.

**PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF CEDAR HILLS, UTAH,
THIS 20TH DAY OF SEPTEMBER, 2011.**

Gary Gygi, Mayor

ATTEST:

Colleen Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manger
DATE:	7/18/2017

City Council Agenda Item

SUBJECT:	Boundary Adjustment – Thayne Property
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin

BACKGROUND AND FINDINGS:

In accordance with Utah Code both municipalities involved in a boundary adjustment are required to pass a resolution indicating the intent to boundary adjust, hold a public hearing, pass an ordinance authorizing the boundary adjustment and submit the ordinances and supporting documentation simultaneously to the Lt. Governor’s Office within 30 days of enacting the ordinance.

Cedar Hills adopted Resolution No. 01-17-2017D, indicating the intent to boundary adjust the Dennis and Karla Thayne property (4087 Canyon Road, Cedar Hills, Utah) held a public hearing and adopted Ordinance No. 03-07-2017A authorizing said boundary adjustment.

Pleasant Grove City adopted their ordinance on April 18, 2017 but submitted their documentation outside of the 30-day filing period. The Lt. Governor’s Office informed them that they are unable to process the boundary adjustment because of the missing the deadline. This now requires both municipalities to adopt another ordinance authorizing the boundary adjustment and get it submitted within the 30-day filing period.

PREVIOUS LEGISLATIVE ACTION:

Resolution 01-17-2017D, Ordinance 03-07-2017A

FISCAL IMPACT:**SUPPORTING DOCUMENTS:**

Ordinance authorizing boundary adjustment.

RECOMMENDATION:

Staff recommends that the City Council approve the ordinance and authorize staff to move forward in submitting the ordinance and supporting documentation to the Lt. Governor’s Office.

MOTION:

To approve/not approve Ordinance No. _____. An Ordinance Adjusting the Common Municipal Boundary Between the City of Cedar Hills and Pleasant Grove City.

ORDINANCE NO. _____

AN ORDINANCE ADJUSTING THE COMMON MUNICIPAL BOUNDARY BETWEEN THE CITY OF CEDAR HILLS AND PLEASANT GROVE CITY.

WHEREAS, the owners of certain property currently located within the City of Cedar Hills corporate boundary but contiguous to the boundary of Pleasant Grove City have submitted an application to each municipality requesting an adjustment to the common boundary for the purpose of disconnecting said territory from the City of Cedar Hills and boundary adjust the same to Pleasant Grove City, and

WHEREAS, the City Council of the City of Cedar Hills, has heretofore: (1) adopted a resolution (Resolution No. 01-17-2017D) indicating its intent to adjust the location of the common boundary between the City of Cedar Hills and Pleasant Grove City and transfer said property to the municipal jurisdiction of Pleasant Grove City, (2) advertised and held a public hearing regarding the proposed boundary adjustment, and (3) determined that no protests to the proposed adjustment have been filed with the city recorder, all of the above in accordance with the applicable provisions of Utah State Law (UCA 10-2-419).

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH:

SECTION 1. In accordance with the provisions of Section 10-2-419 Utah Code Annotated, 1953, as amended, the City of Cedar Hills requests that the following property owners parcel be transferred from the municipal jurisdiction of the City of Cedar Hills to Pleasant Grove City: Dennis and Karla Thayne, 4087 Canyon Road, Cedar Hills, Utah. The legal descriptions and maps describing the location of the territory proposed for adjustment are set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.

SECTION 2. This ordinance shall take effect upon passage of a similar ordinance by Pleasant Grove City providing for the disconnection of said area from the City of Cedar Hills and the recording of the Boundary Adjustment Plat relating thereto at the office of the Utah County Recorder.

SECTION 3. SEVERABILITY. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases of this ordinance.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of the City of Cedar Hills, Utah County, Utah, this 18th day of July, 2017.

Attest:

Gary R. Gygi, Mayor

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	7/18/2017

City Council Agenda Item

SUBJECT:	Review/Action on a Resolution Placing an Opinion Question on the November 7, 2017 Municipal General Election Ballot Regarding the Imposition of a PARC Tax
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin

BACKGROUND AND FINDINGS:

Per Utah State Code Title 59, Chapter 12, Part 14, the tax may be reauthorized at the end of the eight-year period in accordance with said code, by submitting an opinion question to the residents of the city regarding the possible imposition of a city wide PARC Tax.

The city's intent is to include this opinion question on the 2017 municipal general election ballot for the residents of the city to consider. The proposed resolution is the next step in the process to advance the proposed opinion question to the ballot.

PREVIOUS LEGISLATIVE ACTION:

PARC Tax Resolution 05-02-2017D

FISCAL IMPACT:

Tax revenue estimated at \$40,000 annually.

SUPPORTING DOCUMENTS:

PARC Tax Resolution

RECOMMENDATION:

Staff recommends the City Council approve the PARC Tax resolution placing an opinion question on the November 7, 2017 Municipal General Election ballot regarding a possible imposition of a PARC Tax.

MOTION:

To approve/ not approve resolution _____, a resolution placing an opinion question on the November 7, 2017 Municipal General Election ballot as to whether or not the City of Cedar Hills should impose a local sales and use tax of one-tenth of one percent to fund cultural, recreational, botanical and zoological organizations and facilities in the City of Cedar Hills, and approving the ballot title and propositions.

RESOLUTION NO. _____

A RESOLUTION PLACING AN OPINION QUESTION ON THE NOVEMBER 7, 2017 MUNICIPAL GENERAL ELECTION BALLOT AS TO WHETHER OR NOT THE CITY OF CEDAR HILLS SHOULD IMPOSE A LOCAL SALES AND USE TAX OF ONE-TENTH (1/10) OF ONE PERCENT (0.1%) TO FUND CULTURAL, RECREATIONAL, BOTANICAL AND ZOOLOGICAL ORGANIZATIONS AND FACILITIES IN THE CITY OF CEDAR HILLS, AND APPROVING THE BALLOT TITLE AND PROPOSITIONS.

WHEREAS, Title 59, Chapter 12, Part 14 of the Utah Code authorizes cities in Utah to submit to the registered voters of the city an opinion question of whether the city should impose a local sales and use tax of 0.1 percent within the city on authorized transactions to fund cultural, recreational, botanical and zoological organizations and facilities in the city (commonly referred to as the “PARC Tax”); and

WHEREAS, a city may not impose a PARC Tax if the county in which the city is located has either enacted a countywide PARC Tax or has declared its intent to submit an opinion question to county voters as to whether the county should impose a countywide PARC Tax; and

WHEREAS, the Board of Utah County Commissioners has determined that it is not in the best interest of Utah County at this time to submit an opinion question to the county’s voters regarding the imposition of a countywide PARC Tax; and

WHEREAS, the City of Cedar Hills submitted to Utah County a notice of its intent to submit a PARC Tax opinion question to the registered voters within the City of Cedar Hills;

WHEREAS, a copy of the resolution adopted by the Utah County Commission is attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, the Cedar Hills City Council intends to proceed with a PARC Tax election.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, AS FOLLOWS:

1. The Cedar Hills City Council hereby agrees to submit an opinion question to the Cedar Hills residents as to whether or not the City of Cedar Hills should impose a local sales and use tax of 0.1 percent to fund botanical, cultural arts and recreational facilities in the City of Cedar Hills. The opinion question shall be placed on the November 7, 2017 Municipal General Election ballot. The City of Cedar Hills specifically determines that it will not use the PARC Tax revenues to fund zoological facilities or zoological organizations.

2. The City of Cedar Hills City Council hereby approves the ballot title and proposition to be used for the PARC Tax election, which shall be in substantially the same form and language as set forth in Exhibit "B," which is attached hereto and incorporated herein by reference.
3. The mayor and city staff are hereby authorized to initiate all actions and execute any documents necessary to place the PARC Tax opinion question on the November 7, 2017 Municipal General Election ballot.
4. If any provision or clause of this Resolution is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provision, clauses, or applications which can be implemented without the invalid provision, clause, or application. To this end, the provisions of the Resolution are declared severable.
5. This Resolution shall take effect immediately upon its adoption

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 18TH DAY OF JULY, 2017.

Gary R. Gygi, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder

RESOLUTION

WHEREAS, the City Council of Cedar Hills City adopted its Resolution No. 05-02-2017D on May 2, 2017 declaring its intent to submit an opinion question to Cedar Hills City residents regarding the imposition of a city wide tax to fund recreational and zoological facilities and botanical, cultural, and zoological organizations ("PARC tax") in Cedar Hills City, and

WHEREAS, Title 59, Chapter 12, Part 14, Utah Code Annotated, 1953 as amended, requires that before a city submits an opinion question to its voters regarding the imposition of a PARC tax, that it must first submit to the county legislative body a written notice of its intent to submit the question to the city's voters ("Notice"), and

WHEREAS, Title 59, Chapter 12, Part 14, Utah Code Annotated, 1953 as amended, requires the county legislative body, in response to a city's Notice, to provide the city legislative body within sixty (60) days of its receipt of the city's Notice, either a resolution indicating the county is not seeking to impose a PARC tax, or a written Notice that the county will submit an opinion question to the residents of the county regarding the imposition of a PARC tax, and

WHEREAS, the Board of County Commissioners of Utah County, Utah, has determined that it is not in the best interest of Utah County at this time to submit an opinion question to the County's voters regarding the imposition of a County-wide PARC tax,

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Utah County, Utah, as the legislative body of Utah County, that:

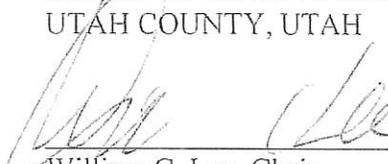
1. Utah County, in accordance with Title 59, Chapter 12, Part 14, Utah Code Annotated, 1953 as amended, is not seeking to impose a tax under Title 59,

Chapter 12, Part 7, Utah Code Annotated, 1953 as amended, entitled County
Option Funding for Botanical, Cultural, Recreational, and Zoological
Organizations or Facilities.

RESOLVED, APPROVED AND ADOPTED this 30th day of May, 2017.

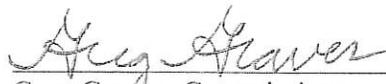
BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

VOTE



William C. Lee, Chair

aye



Greg Graves, Commissioner

aye



Nathan Ivie, Commissioner

aye

ATTEST:
BRYAN E. THOMPSON
Utah County Clerk/Auditor

By: 

Deputy

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
Utah County Attorney

By: 

Deputy

Exhibit “B”

OFFICIAL SAMPLE BALLOT FOR
THE CITY OF CEDAR HILLS, UTAH COUNTY, STATE OF UTAH
MUNICIPAL GENERAL ELECTION
NOVEMBER 7, 2017
/s/ Colleen A. Mulvey
Cedar Hills City Recorder

TITLE

THE CITY OF CEDAR HILLS PROPOSAL TO IMPOSE A SALES AND USE TAX FOR
CULTURAL ARTS AND RECREATION ORGANIZATIONS OR FACILTIES

PROPOSITION

Shall the City of Cedar Hills, Utah, be authorized to impose a 0.1% sales and use tax within the
city to fund cultural, recreational, botanical and zoological organizations or facilities.

FOR the Imposition of the 0.1% Sales and Use Tax

AGAINST the Imposition of the 0.1% Sales and Use Tax



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	July 18, 2017

City Council Agenda Item

SUBJECT:	Review/Action on Adopting the 2017 Mountainland Pre-Disaster Hazard Mitigation Plan
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS:	
<p>The Mountainland Association of Governments has updated their Pre-Disaster Hazard Mitigation Plan which is meant, "to fulfill federal, state, and local hazard mitigation planning responsibilities; to promote pre and post disaster mitigation measures, short/long range strategies that minimize suffering, loss of life, and damage to property resulting from hazardous or potentially hazardous conditions to which citizens and institutions within the state are exposed; and to eliminate or minimize conditions which would have an undesirable impact on our citizens, the economy, environment, and well-being of the state of Utah." The plan being presented is an updated version of a previous plan that was adopted by Cedar Hills by Resolution 2-15-2005A.</p>	
PREVIOUS LEGISLATIVE ACTION:	
Resolution 2-15-2005A	
FISCAL IMPACT:	
N/A	
SUPPORTING DOCUMENTS:	
MAG Pre-Disaster Hazard Mitigation Plan	
RECOMMENDATION:	
Staff recommends that the Council review the proposed resolution and plan, make necessary changes for adoption.	
MOTION:	
To approve Resolution _____, adopting the 2017 Mountainland Association of Governments Pre-Disaster Hazard Mitigation Plan.	

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CEDAR HILLS, UTAH, ADOPTING THE MOUNTAINLAND PRE-DISASTER HAZARD MITIGATION PLAN.

WHEREAS, The City Council of the City of Cedar Hills recognizes the threat that natural hazards pose to people and property within Cedar Hills; and

WHEREAS, Cedar Hills has participated in the creation of a multi-hazard mitigation plan, hereby known as the Mountainland Pre-Disaster Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Mountainland Pre-Disaster Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Cedar Hills from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City Council of the City of Cedar Hills demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Mountainland Pre-Disaster Hazard Mitigation Plan

NOW THEREFORE, be it resolved by the City Council of the City of Cedar Hills, Utah, and on behalf of the residents do hereby adopt the Mountainland Pre-Disaster Hazard Mitigation Plan.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 18TH DAY OF JULY, 2017.

APPROVED:

Gary R. Gygi, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	July 18, 2017

City Council Agenda Item

SUBJECT:	Discussion on Private Signs on Public Property
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: With Ernie's Sports Deli taking over the grill space, discussions have been had about how to best advertise for whoever the tenant is. Currently, City Code regulates commercial signage in 10-5-26 (D). Staff is seeking City Council input to take to the Planning Commission in order to begin to possibly draft code. Additionally, any amendment would need to be reviewed by Kirton McConkie for legal issues.	
PREVIOUS LEGISLATIVE ACTION: See 10-5-26	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: N/A	
RECOMMENDATION:	
MOTION: No motion necessary, discussion item only.	