

**CITY COUNCIL MEETING  
OF THE CITY OF CEDAR HILLS  
Tuesday, November 21, 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, November 21, 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. Andersen and Invocation given by C. Geddes
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)

**REPORTS/PRESENTATIONS/RECOGNITIONS**

4. Youth City Council - Introduction of Members and Administration of the Oath of Office

**PUBLIC HEARING**

5. Amendments to the City Code Title 10, Chapter 7, Section 2, Relating to Building Plans

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)

6. Minutes from the September 19, 2017, the October 3, 2017, and the October 17, 2017 Work Session and City Council Meetings
7. Appointment of Barry Hallsted to the Beautification, Recreation, Parks and Trails Citizens Advisory Committee

**CITY REPORTS AND BUSINESS**

8. City Manager
9. Mayor and Council

**SCHEDULED ITEMS**

10. Review/Action on the Canvass of the Election Returns for the 2017 Municipal General Election
11. Review/Action on an Ordinance Amending Title 10, Chapter 3 Regarding the Re-zoning of Certain Portions of Area Currently in the PF Public Facilities Zone to the R-1-11,000 Residential Zone, and to Amend the Official Zone Map to Reflect these Zone Changes
12. Review/Action on an Ordinance Amending Title 3, Chapter 1 Article E: Premises Occupations
13. Review/Action on Signage for Walmart
14. Review/Action on Acceptance of the 2017 Fiscal Year Audit
15. Review/ Action on an Ordinance Amending Title 10, Chapter 7, Section 2, Relating to Building Plans
16. Review/Action on an Ordinance Amending Title 4, Chapter 2, Section 3: Nuisance, Relating to Weeds
17. Review/Action on a Golf Cart Lease Agreement
18. Discussion on Request for Qualifications (RFQ) for Professional Services – Outdoor Grounds Maintenance Services, Solid Waste Collection and Curbside Recycling Services

**ADJOURNMENT**

19. Adjourn

Posted this 17th day of November, 2017

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the city's website at [www.cedarhills.org](http://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

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Colleen Mulvey, City Recorder
<b>DATE:</b>	11/21/2017

## City Council Agenda Item

<b>SUBJECT:</b>	2017 Municipal General Election Canvass
<b>APPLICANT PRESENTATION:</b>	n/a
<b>STAFF PRESENTATION:</b>	Colleen Mulvey, City Recorder

**BACKGROUND AND FINDINGS:**

The City and Utah County Clerk’s office jointly administered the November 7th General Election. All Cedar Hills ballots were received and processed by and under the direction of the Utah County Clerk’s office.

Pursuant to state law, it is necessary for the City Council to act as the board of canvassers and to canvass the election returns by reviewing and verifying the Statement of Votes Cast provided to us by the Utah County Clerk’s office.

It will be necessary for the City Council, by motion, to officially certify the results of the canvass and declare “elected” those persons who had the highest number of votes. Also, it will be necessary for the City Council, by motion, to officially certify the results of the canvass and declare “approved” those ballot propositions that had more “yes” votes than “no”, or declare “rejected” those ballot propositions that had more “no” votes than “yes” votes.

**PREVIOUS LEGISLATIVE ACTION:**

n/a

**FISCAL IMPACT:**

n/a

**SUPPORTING DOCUMENTS:**

The following supporting documents will be presented at the meeting:  
Statement of Votes Cast – prepared by Utah County Clerk’s office

**RECOMMENDATION:**

Staff recommends the City Council accept the results for the 2017 Municipal General Election and canvass and declare the persons with the highest number of votes to be elected, and declare Proposition #7 “approved” or “rejected.”

**MOTION:**

To accept and certify the results of the 2017 Municipal General Election and canvass, and declare 4-year term Mayor candidate Jenney Rees, and 4-year term City Council candidates Denise Andersen and Ben Ellsworth to be elected. and declare the Cedar Hills PARC Tax Proposition #7 to be approved.



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	11/21/2017

## City Council Agenda Item

<b>SUBJECT:</b>	Review/Action on Amendments to the Official Zoning Map of Cedar Hills, Oak Road Open Space Public Facility Zone
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Chandler Goodwin, City Manager/City Planner

**BACKGROUND AND FINDINGS:**

Applicant and land owner, Alan Parsons, has applied for a zone change for his parcel, Lot 26 of Cedar Hills Subdivision Plat I. The parcel in question has been recorded as open space from the time that Cedar Hills Subdivision Plat I was recorded in 1976. The subdivision was built by the Associated Industrial Developers, who owned the parcel in question from the time the plat was recorded. In 1983 the property changed hands through a tax deed, and Alan Parsons received the property by quitclaim deed.

From Utah State Code §10-9a-102, "municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.

Further, §10-9a-505 states, "The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter."

Authority is granted to the municipality to regulate zoning, open space and density within the municipal boundaries. The current piece is identified as "open space" on the plat, and is zoned as public facility. In order to put density onto the property, the legislative body of Cedar Hills would need to rezone the parcel into the R-1, 11,000 zone, vacate the plat identifying Lot 26 as open space, and re-plat Plat I as Plat I Amended. The owner of Lot 26, or the developer would be responsible for surveying and re-plating Plat I

**PREVIOUS LEGISLATIVE ACTION:**

Planning Commission made recommendation to move subject parcel into the R-1, 11,000 zone, but to not amend the recorded plat vacating the open space provision.

**FISCAL IMPACT:**

N/A

**SUPPORTING DOCUMENTS:**

Current Zoning Map showing areas of proposed changes, Minutes from previous meetings, Letters to the Planning Commission, Cedar Hills Plat I

**RECOMMENDATION:**

Staff recommends that the City Council consider the Planning Commission recommendation; as well as consider an alternative process of amending the nuisance ordinance to include language subjecting the parcel in question to the requirements of the weed abatement code.

**MOTION:****ZONE CHANGE:**

Approval: To approve ordinance \_\_\_\_\_ adopting the proposed changes to the zoning map, by changing the zoning of the subject parcel from the Public Facilities Zone to the R-1, 11,000 zone;

Denial: To deny the proposed ordinance, and to leave the zoning of the parcel in question in the Public Facilities Zone.

**OPEN SPACE PROVISION:**

Approval: ...and to vacate the open space provision of Cedar Hills Plat I

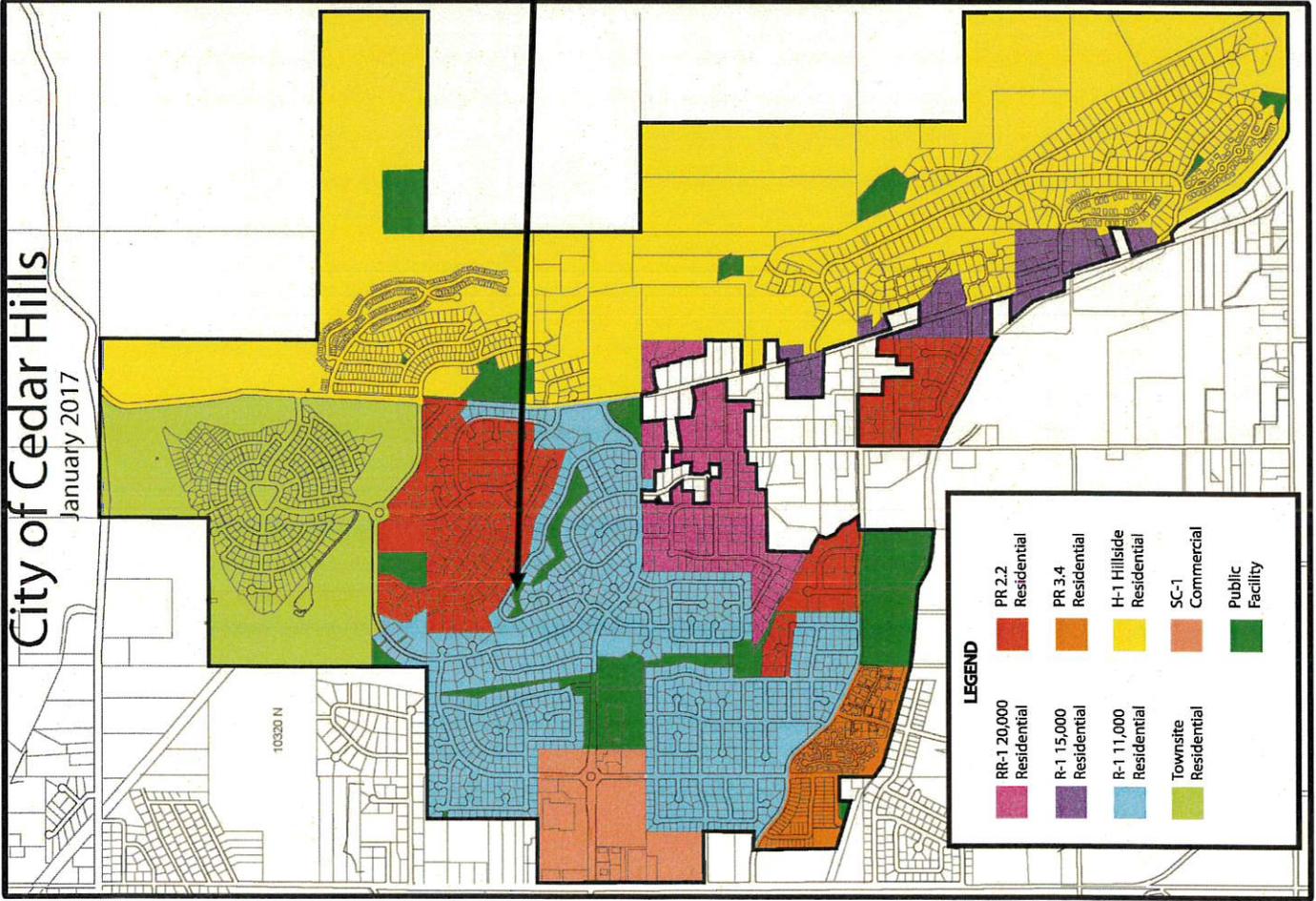
Denial: ...to deny the request to remove the open space provision on Cedar Hills Plat I



# City of Cedar Hills

January 2017

10320 N



**LEGEND**

RR-1 20,000 Residential	PR 2.2 Residential
R-1 15,000 Residential	PR 3.4 Residential
R-1 11,000 Residential	H-1 Hillside Residential
Townsite Residential	SC-1 Commercial
	Public Facility

## Parcel # 36:145:0026



Re-Zoning of Certain Portion of Area  
Currently in the  
PF Public Facilities Zone  
to the  
R-1-11,000 Residential Zone

TOWN OF CEDAR HILLS

Regular Town Council Meeting  
Wednesday, May 12, 1993 7:00 p.m.  
Manila Elementary Media Center

NOTICE is hereby given that the Regular Town Council Meeting of the Town of Cedar Hills, Utah, will be held Wednesday, May 12, 1993, at the Manila Elementary Media Center at 7:00 p.m.

COUNCIL MEETING

1. Call to Order and Pledge of Allegiance
2. Approval of Minutes and Agenda
3. Finances
4. Department Reports
5. Attorney Reports - Tony Schofield & Craig Carlile
  - A. Northstar Cablevision Status Report
  - B. Pretreatment of Industrial Waste Ordinance Amendment
  - C. Herrera Status Report
  - D. Other Issues
6. Adjourn to Executive Session
7. East Cove
8. Cedar Cove - Reestablishment of Performance Guarantee
9. Park Maintenance Sealed Bids
10. Hullinger Annexation
- ~~11.~~ Street Between Prestwich & Olson (Cedar Hills Dr & 4280 West)
- ~~12.~~ Extend Meter Reading Period *184 billed 120 credits*
- ~~13.~~ Fine for Contractors for Taking Out or Bypassing Meters
14. **Lots 26 and 19 (Greenbelt) - Mr. Parsons**
15. Other Business
16. Adjournment

MOTION: C. Johnson - That we will agree to meet with Carl Warnick in one last effort in two weeks to see site proposals and a cost breakdown of moving the reception station and that Carl, the attorneys and two Council members will be present and that we will then discuss the outcome at the next Council meeting. Seconded by C. Peaslee and unanimously approved.

14. Lots 26 and 19 (Greenbelt) - Mr. Parsons (9:00 p.m.)

Mayor Memmott - Written letter that the open space be removed from plats I and D.  
Allen Parsons - I would like to build on the North end and would need the open space designation removed.  
Jeff Lindstrom - I bought a lot that states that it is not a buildable lot.  
Allen Parsons - Mine does not say this.  
Rodney Despain - Lot numbers were given to convey the property but the Town did not claim the property and let it go to tax sale. The position is that this is privately held but not buildable because of the open space on it. We must amend the plat and remove the open space. Petition before the Town Council and a plat made. There is no guarantee that it will be further divided. My comments to Mr. Parson is that you keep it as a single lot or sell portions to adjoining lots.  
Cindy Huntbach - I check plats when I buy them and if someone bought it then that is how it is.  
Tony Schofield - I believe that open space means that it is not buildable but that is my opinion.  
Steve Kesler - Could we put this in writing to the Council. Mr. Hansen does not plan to divide Lot 19 at the present time but may in the future.  
Tony Schofield - We may sue. He does have legal council advising as well.  
R.L. Peay - You have the ability to tell me what fence I can put in, etc. I talked to Mr. Hansen and he will put 9 lots in Lot 19 if he is to sue the Town.  
C. Peaslee - If the Town keeps this as open space then the Town ~~has~~<sup>should</sup> to buy it. This information comes from Utah League of Cities and Towns one year ago.  
Tony Schofield - It comes down to what open space means on the plat. Ordinances are upheld.  
Rodney Despain - Any property that is divided two or more times, they become a subdivider and must go through process of plat amendment. Lot 26 meets frontage and area requirements but the lot is open space. Our ordinance states that it is then not buildable.  
Paul Massicotte - We won't address that this area is causing flooding? A home could cause more problems.  
MOTION: C. Peaslee - That we firm up the term "open space" and what we require that it be and address this issue at our next meeting. No second, motion dies.  
Rodney Despain - If you say that it is not buildable then Mr. Parsons will try to get a judge to change that definition. The Town in the past has said that it appears that the portion fronting Oak Road W could be built upon. I believe that Mr. Parsons has a strong right to a building permit but not without limitations. We have some strong feelings to just say "no".  
Mayor Memmott - If this is the way we want to go, do we keep it that way or do we give it up.  
Citizens - NO!  
(Kim Holindrake excused at 10:45 p.m. and remaining minutes taken by Rodney Despain)  
MOTION: C. Snively - Table Consideration to get an opinion as to the meaning of open space and put on next agenda. Seconded by C. Peaslee and unanimously approved.  
MOTION: C. Peaslee - Extend meeting for 25 minutes. Seconded by C. Howard and unanimously approved.

7. East Cove (10:16 p.m.)

Verl Hebertson inquired as whether the Town wanted all of the property or just the portion previously negotiated. The Mayor indicated that he discussed this with other Council members and the Town was interested in at least part of the property. Two alternatives were discussed.  
1. \$30,000 plus a tax credit letter for the drainage basin and properties fronting the Canyon Road.  
2. Entire parcel at a cost of approximately \$125,000 plus the tax credit letter on the 4 lots facing Canyon Road.

TOWN OF CEDAR HILLS

Public Hearing and Regular Town Council Meeting  
Wednesday, June 9, 1993 7:00 p.m.  
Manila Elementary Media Center

NOTICE is hereby given that a Public Hearing will be held on the 1993-94 Tentative Budget followed by the Regular Town Council Meeting of the Town of Cedar Hills, Utah, beginning at 7:00 p.m.

PUBLIC HEARING

1. Call to Order
2. 1993-94 Tentative Budget
3. Adjournment

TOWN COUNCIL MEETING

1. Call to Order and Pledge of Allegiance
  2. Approval of Minutes and Agenda
  3. Finances
  4. 1993-94 Budget Adoption
  5. Department Reports
  6. Street Between Prestwich & Olson (Cedar Hills Dr & 4280 W)
  7. Extend Meter Reading Period
  - ~~8.~~ Fine Contractors for Taking Out or Bypassing Meters
  - 9. Lot 26 (Open Space)**
  10. Park Maintenance Bids
  11. Park Street Light
  12. High Meadows Streets - Tom Harward
  13. Other Business
  14. Adjournment
-

up rocks on the ball field. Steve Kesler donated some redwood for picnic tables. I may chain them down. If I catch kids doing vandalism, they do work in the park for free. The Town celebration is July 30 and 31. BBQ and dance on 30th and rest on the 31st.

C. Snively - Mr. Haily is going to paint the street lines.

C. Peaslee - Also the water company has done a good job keeping the weeds down on their pump station.

6. Street Between Prestwich and Olson (Cedar Hills Dr & 4280 W) (8:07 p.m.)

Mayor Memmott - I propose that we make an offer to the owners to buy the piece.  
Rodney Despain - Property owners to amend the plat. Then set terms of dividing. The Town could vacate interest but you then don't have a say in requiring improvements.  
Mayor Memmott - Should the Town improve this or give it up? If the beautification offsets giving it to the citizens then that's what we should do.  
C. Howard - First step is to find out if the property owners want it and then go from there.  
Rodney Despain - You don't have much alternative uses.  
C. Peaslee - I will talk to the property owners.

7. Extend Meter Reading Period (8:20 p.m.)

C. Peaslee - I get a lot of calls every Spring about big bills.  
C. Snively - There were no big water checks. This was talked about before and people pay extra if they feel they need to.  
Kim Holindrake - I billed 184 people for water last month and 120 of them received a credit for their winter use.

MOTION: C. Peaslee - That we read the meters at the end of April instead of the end of May. (Resolution to be changed) Seconded by C. Howard.

Aye C. Howard  
C. Peaslee  
Nay Mayor Memmott  
C. Snively

Motion dies.

9. Lot 26 (Open Space) (8:29 p.m.)

Allen Parsons - I talked to Hansen and he agreed to sell to the adjoining lot owners. The upper lots feel it is too low and the others are giving me a counter offer. R.L. Peay is interested in the lower 1/3.  
Mayor Memmott - First item of business is to remove the open space.  
Rodney Despain - Discussed open space with the attorney. Best definition is from the dictionary. The Town has maintained that this was not to be built upon. A judge may say differently but this has been the Town's intent. The shape of the lot and statement of open space was the intent not to be buildable.  
R.L. Peay - Has any one looked at this to see if it meets the criteria to be built upon?  
Rodney Despain - Western edge of Oak Road gives area for a building to be built. There must be a petition to amend the plat to remove the designation of open space. The citizens have a strong feeling to not let that occur. Mr. Parsons wants a building permit but needs to comply with the plat standards. The Town needs the name and address of everyone in the plat.  
Allen Parsons - The above owners are not against it.  
Dawn Cattermole - That's not true.  
Rodney Despain - You need the signature of each owner. This would be all in Plat I. If all consent, then there is no need for a hearing. All owners are notified and a public hearing held. We need a plat to remove the open space and a list of the adjoining owners. ~~This gives the right to move forward Then the Town Council decides to go forward or not. Then you have a replacement plat. If you do remain with one lot then I suggest that the eastern 2/3 still be labeled as open space so that it remains unbuildable.~~

TOWN OF CEDAR HILLS

Regular Planning Commission Meeting  
Wednesday, July 27, 1994 6:30 p.m.  
Alpine City Council Building  
20 North Main, Alpine, Utah

NOTICE is hereby given that the Regular Planning Commission Meeting of the Town of Cedar Hills, Utah, will be held Wednesday, July 27, 1994, at the Alpine City Council Building at 6:30 p.m.

PLANNING COMMISSION MEETING

- |        |    |   |
|--------|----|---|
| 2 min  | 1. | Call to Order   |
| 2 min  | 2. | Swearing in of new Planning Commission Member -<br>Jim Howe   |
| 2 min  | 3. | Approval of Minutes - July 25, 1994, Regular<br>Meeting       |
| 30 min | 4. | Preliminary Plan Review of 16 Acres - Vilmar<br>Gaertner      |
| 30 min | 5. | Review of Lot 26 (Open Space) - Allen Parsons                 |
| 15 min | 6. | Impact Fees   |
| 15 min | 7. | Zoning Ordinance Amendments<br>A. Commercial Zone<br>B. Other |
|        | 8. | Adjournment   |

TOWN OF CEDAR HILLS

Regular Planning Commission Meeting  
Wednesday, July 27, 1994 6:30 p.m.  
Alpine City Council Building  
20 North Main, Alpine, Utah

NOTICE of this meeting was properly posted throughout the Town and the press notified.

Present: Chairperson Meredith Simpson  
Planning Commissioners Priscilla Leek, Dolores Gardiner, Lori Martin,  
Jim Howe, Doug LeDoux  
Councilmembers Elizabeth Johnson and Mike Robertson  
Kim Holindrake, Town Clerk  
Rodney Despain, Town Planner  
Citizens: Alan Parsons

This meeting of the Planning Commission was called to order by Chairperson Meredith Simpson at 6:42 p.m.

2. Swearing in of New Planning Commission Member - Jim Howe

Jim Howe was sworn in as a member of the Planning Commission by Kim Holindrake, Town Clerk, with a term through December, 1996.

3. Approval of Minutes - July 25, 1994, Regular Meeting

MOTION: C. Gardiner - To accept the minutes from May 25, 1994, with changes on page 2. Seconded by C. Leek and unanimously approved.

4. Preliminary Plan Review of 16 Acres - Vilmar Gaertner (6:45 p.m.)

C. Simpson - I received a call and apparently Mr. Scow has taken a second offer on the property and Vilmar Gaertner and Robert Mount are going to take him to court. Apparently they had a meeting with Mr. Scow Monday. He is planning to sell it for one home. He does not have frontage and he needs this in order to build.

Rodney Despain - Lot 1 does not conform to our ordinance. That could move a couple of property lines to have it conform. Part of the discussion last time was do we need a collector class road going through. A road with a sewer under would probably not have enough slope to run. So we may shift up to 9600 North for the collector class road and then to the west where the LDS Church is planning a building. I have talked to them about a collector class road there.

C. Simpson - What will happen to this piece with the sewer?

Rodney Despain - They were planning to run a line to 4000 West and then pick it up when the sewer came down that road. The Mayor and I have talked with Pleasant Grove about putting the sewer down at their line but she said that meeting did not go well. Much of it is uncertain at this time.

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5. Review of Lot 26 (Open Space) - Allen Parsons (6:51 p.m.)

Alan Parsons - \*\*See map handout\*\* Scott Oldroyd has bought the property. We have been negotiating with the neighbors to buy 2/3 of the property.

C. Howe - My position and others is that we do not want to buy anything. If it is broken up then we might consider it.

Alan Parsons - Then maybe I should sell the whole thing to Scott Oldroyd. Mr. Swenson's house was open space and now has a house.

Rodney Despain - Lot 26 is an open space lot and the question of erasing

and making it a building lot has been the issue for some time. There is nothing that says he can't sell the property. It was acquired with that indication on it. The Town has continued that this be required to go through the plat amendment process to get rid of the open space designation. This is a determination of the Council. The Planning Commission is responsible for recommending to the Council what the replacement plat would be. Question, is this a suitable alignment of the property for those who have expressed interest. For the sake of discussion, let's say the Council will approve the plat vacation and the removal of the open space. I believe that the property that Scott Oldroyd wants could accommodate a lot. The question comes, what happens to the rest of the property. He has discussed it with many property owners. Ray Layne, Jim Howe, Mark Grant, R.L. Peay, A.J. Michaels and Paul Massicotte would all have a portion. We need a subdivision plat that includes all those lots with the portion of their lot. All these people would become co-subdividers. The question really before us is assuming that this alignment would be acceptable.

C. LeDoux - How does this affect those people who bought lots to be along open space. Can we do that?

Rodney Despain - The Planning Commission does not make that call. The Council will make the determination after a public hearing. The public or any individual can not be harmed. The Planning Commission recommends to the Council. We are trying to flush out the issues that are here. Everyone will sign this plat, if they are in it. All the citizens will have an opportunity to express their issue about if this will affect them. The issues are do we feel strongly about the open space. There are a lot of political issues. It will be and always be a weed patch.

Michael Robertson - Do we not have a weed ordinance?

Alan Parsons - I don't know that you want to cut what is holding that side up.

C. Howe - Some owners have said that they would like it to be open space. A.J. Michaels said she was concerned about the fire problem and the weeds.

Rodney Despain - If the amendment process takes the open space off and you want it on then you would put it back on at that time of the new plat.

C. Leek - Have you entertained an offer from one person to buy it?

Alan Parsons - Scott Oldroyd is interested in buying the whole thing. Open space has only been applied to public property and not private property.

C. LeDoux - What are we deciding here? This will set a precedence for the other lot.

Rodney Despain - 1. That the Scott Oldroyd piece is buildable. 2. Other parcels would be divided off and title given. These people would know that it would be open space.

C. LeDoux - Is there a building envelope there?

Rodney Despain - Yes. I believe a building could be placed in that piece.

C. Howe - You have a frontage between Laynes and Howes. If we allow one for Scott Oldroyd, could others come and put houses there?

Rodney Despain - Yes, but Laynes will put the property to his lot. There is no guarantee that people won't ask but will they receive this?

C. Martin - What are we here to decide without the proper presentation?

C. Leek - You have talked to these people but we don't have anything before us from these people that they want the property.

Rodney Despain - It has been represented to me that these people do want this. This is a concept review. Everything will have to be resolved.

Elizabeth Johnson - What if the one building lot is given and the rest turned to the Town as it was in the past?

C. Martin - Mr. Sears called me and he says that this will affect his building lot value.

Elizabeth Johnson - Mr. Sears and Mr. Layne will not be happy with a building lot there.

C. LeDoux - Our leverage is if we give one lot then others will want the same.

Rodney Despain - In some way we need a distribution of the property and Mr. Parsons wants a building lot out of this. Until Lot 26 is owned by someone adjacent to it then it will always be a fire hazard. It is a possibility that the Town gets it but they may not be financially set to maintain it. Is the lot between Laynes and Howes buildable?

C. Howe - It is not as steep as some areas on Lot 19. In Salt Lake on the east bench, there are homes built like this.

Rodney Despain - You put the open space back on this area and then the Town has control.

C. Martin - Do the people intend to keep it open space or do they plan to use it how they want to? We need to determine what they plan to do. One gentleman intends to put his heavy equipment on it.

Rodney Despain - You can be more definitive and restrictive. The property owners need to be involved early on. To some degree, if Gardners get it, do they want to remove their fence. I don't think so. Most would want to enlarge their own lot if they got the property.

C. Howe - A number of us would prefer that it remains as it is; but if it is parceled, then we would be forced to buy this.

C. LeDoux - It is not the concept that is our concern. It is other issues.

Rodney Despain - Nothing vests at a concept. You have to go through preliminary approval. You have to go through the process.

Alan Parsons - My original intent was to sell the whole thing to Mr. Oldroyd. We do not want to build a home that would antagonize the neighbors. The people there wanted to have it pieced or sold in whole. The other 2/3 is worth \$65,000.

Rodney Despain - The question I raise again is if all came to pass would the Planning Commission be willing to approve a plat?

C. Simpson - We are looking to have a lot for Mr. Oldroyd and the rest being open space.

**\*\*Discussion of Open Space designation\*\***

Rodney Despain - I discussed the open space with legal council and one argument is that it is there and you treat this as a request. I don't know what a judge would do because this one area meets building requirements. The Town has addressed the issue of allowing a building lot.

C. Simpson - We could then put restrictions on the rest so this does not happen again.

Rodney Despain - I believe that Lot 19 will come with a similar request. Mr. Hansen has said in the past that it is good for 8 lots, but it is one lot and was bought as one lot. The owners think differently. The Council will make the call.

Michael Robertson - If the Planning Commission gives concept then it goes to the Council for public hearing and a decision?

Rodney Despain - The Council decides if it burdens others after the public hearing is held. The history is clear. It was intended to be dedicated to the Town. For whatever reason, it did not happen and was sold for taxes. I suggest that you express your point of view and not have a motion.

Elizabeth Johnson - 1. Leave as open space. 2. Make one lot and allow a building permit on the west side. 3. Allow one lot and divide remaining to neighbors. 4. Have a building lot and negotiate with the Town to take the remainder. You need to decide and let the Council know.

Rodney Despain - If this is done, these people will have to come and be a definite part of the process.

Alan Parsons - If I sold it to one neighbor and Mr. Oldroyd?

C. Simpson - They have to be here.

C. Howe - Some of the neighbors would want to know what the plans are.

Alan Parsons - Can I ask for the open space to be erased?

Rodney Despain - You are asking this now. You did that in the past. If you want to do this it is the same process. It has a high probability of denial.

C. Martin - If Mr. Oldroyd gets his permit, then there is no access for a brush truck.

**\*\*Priscilla Leek excused at 7:50 p.m.\*\***

Elizabeth Johnson - The point we are getting hung up on is that these other people are co-developers and need to be here.

Alan Parsons - To simplify this then I will sell the entire thing to Mr. Oldroyd.

C. Simpson - There is no conclusion.

6. Impact Fees (7:55 p.m.)

C. Simpson - Roger Zundel did a study of other towns.

Elizabeth Johnson - He came up with just throwing in a number. That is not the process that holds up in the courts. We have to have a specific study of our Town.

C. Simpson - The Council is addressing this issue.

7. Zoning Ordinance Amendments (7:58 p.m.)

Elizabeth Johnson - Issues we had. Change from a shopping zone to a professional zone. Part of the deal was Lyle Smart giving the property for the road and making it a SC-1 Zone. We need to make sure that he agrees with this. I have been told that it is a very staff intensive ordinance and we don't have any staff. I feel we need to go back and look at our goals for this area. List the businesses we want and don't want and then go from there.

C. Howe - I think a shopping center is a horrible idea. People raised \$75,000 to fight a shopping center.

**\*\*Discussion of road property being given to Town for zoning property to SC-1\*\***

C. Gardiner - We do need revenue.

Elizabeth Johnson - We might want a professional area, medium retail and then Walkers would be on the corner. Get the lowest impact to the residential and the highest at the Training School Road.

C. Simpson - The State has set the plans for the Training School Road.

Elizabeth Johnson - We need a feel of what we want before we talk to Lyle Smart. We need to plan carefully. We could say that we will allow only one convenience store. Do you like the idea of a progressive commercial area? The area is 41 acres.

C. LeDoux - I would like to see it as small as we can.

C. Simpson - We need to find out the specifics from the road property and Lyle Smart's deal.

Elizabeth Johnson - I want to know how you want it to look. Do you want a strip mall or small house type businesses?

C. Howe - I would like a "James Town Square" type look with trees, bike trails and such. I will see if I can get a copy of their requirements.

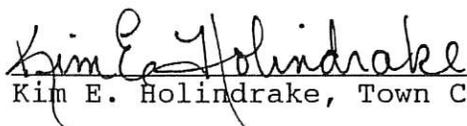
Elizabeth Johnson - We could say that we are predominantly residential and we want our commercial zone to fit in.

**\*\*Discussion of building types and SC-1 Zone Ordinance\*\***

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8. Adjournment

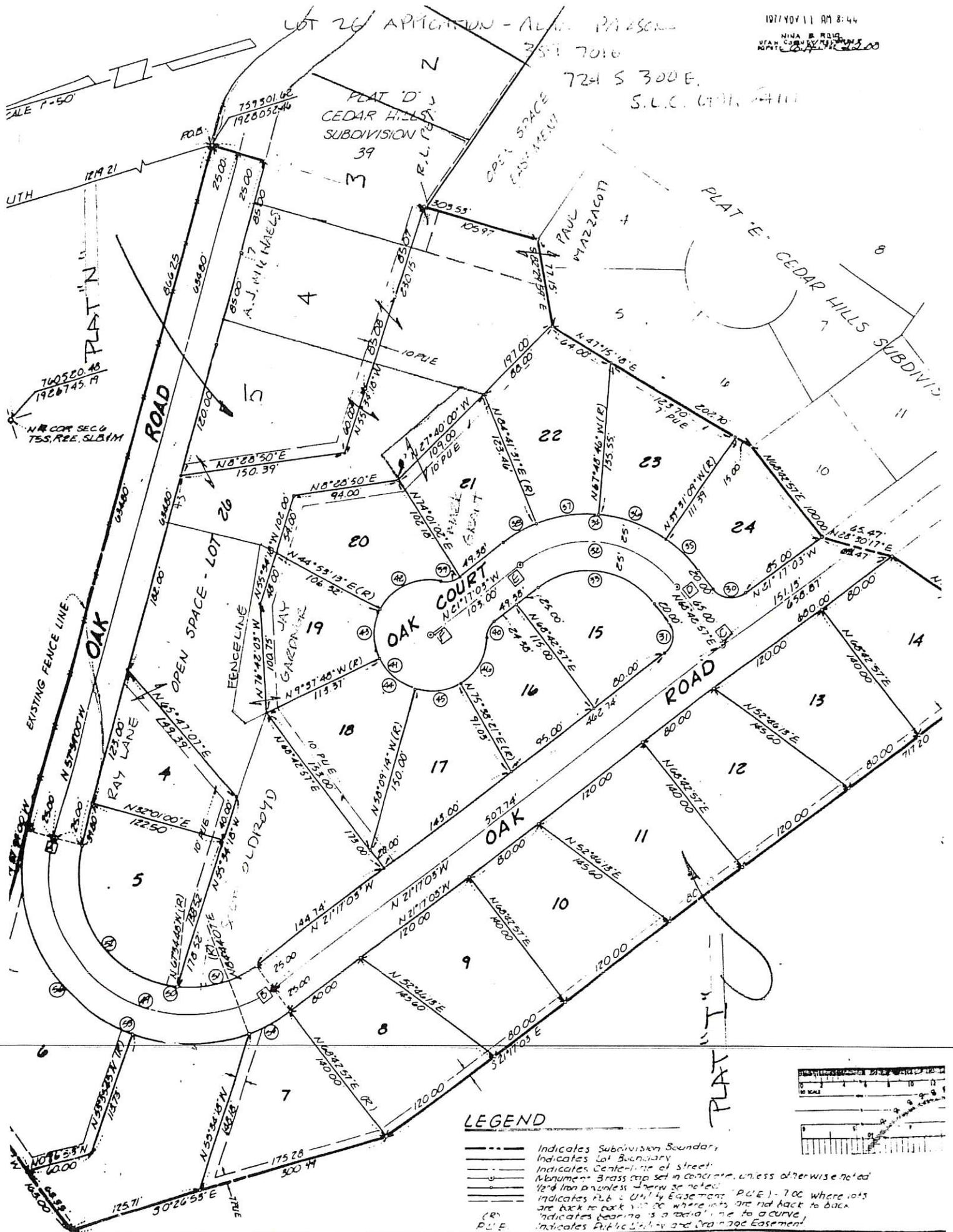
This meeting was adjourned at 8:35 p.m. on a motion by C. Gardiner and seconded by C. LeDoux.

  
\_\_\_\_\_  
Kim E. Holindrake, Town Clerk

LOT 26 APPLICANT - ALAN PEARSON

1977 NOV 11 AM 8:44  
NINA B. ROSS  
NATE ROSS  
NATE ROSS

724 S 300 E.  
S.L.C. 6741, 6741



**LEGEND**

- Indicates Subdivision Boundary
- Indicates Lot Boundary
- Indicates Center-line of street
- Monument - Brass cap set in concrete, unless otherwise noted
- 1/2" Iron pinless - Iron set in concrete
- Indicates Right of Way Easement (P.U.E.) - 7.00' where lots are back to back with easement, where lots are not back to back
- (R) Indicates bearing is a radial line to a curve
- P.U.E. Indicates Right of Way and Drainage Easement



Cedar Hills Planning Commission  
via Colleen Mulvey, City Recorder

July 20, 2017

Re: Amendment to City Code, Rezoning Parcel #36:145:0026

Honorable Commissioners:

I urge you to deny your approval of the proposed zone change.

I moved here from Idaho last year. We lived in a small community that was kind of out in the middle of nowhere. I appreciate that Cedar Hills is a nice place because it has both the charm of a little town and the access to large city attractions. I came here because this new neighborhood of ours has open space right in our back yards. Open space makes me feel good. Open space is a good treatment for stress. It's a break from too much crammed development and asphalt. It's a rest for the eyes and the mind. I voted for the CARE tax last year and was happy to do it.

Communities that value and protect passive open space recreational areas are helping to advocate for biodiversity. The cedar trees here in their natural environment attract local birds, helping us to connect to the other creatures that share this space on earth with us. I'm totally delighted to see deer. To me, this is a public good. To me, the deer and trees have a right to be protected. You can do good to your residents through the preservation of natural features.

There are detailed studies about the health benefits of open space to our community. Depression and other mental illness seem to get worse the more urbanized our living spaces become. The aesthetics of parkland provide recovery from stress and fatigue. The serenity of space elevates mood and self-esteem. Passive recreation sites are needed for aged residents who are not involved in team-sports and need a place for quiet contemplation. But restful awareness of natural features is appreciated by old and young alike. Passive recreational space is more than just a secondary little nicety — it is a key aspect of urban planning.

As much as I like this parcel just as it is, it could be improved for walking. Along W. Oak Road North, one must traverse the street back and forth to

find a sidewalk to walk on, dodge weeds and face ugly non-matching retaining walls. How much better would it be to be able to walk through a small nature park to get to our friends across the way? It would be so much more pleasant! The availability of parkland is first and foremost a key requirement for any city's plan to update their park inventory. Access is another. In the case you will be discussing now, you already have both. Don't give up your rights to future parkland.

Please deny the petitioner's request for a rezone.

Respectfully,  
Cheri Condie  
4221 W. Oak Road North  
208-358-1166

Cedar Hills Planning Commission  
via Colleen Mulvey, City Recorder

July 20, 2017

John Condie  
4221 W. Oak Road North  
Cedar Hills, Utah 84062

208-293-4971

Honorable Commissioners:

I just want to relay some of my thoughts concerning the proposed rezoning of the parcel of open space of land that runs below West Oak Road North.

I purchased my home here after checking with the city office and being told it was designated for a park. Since then, I've found out that being designated doesn't mean it will happen. I was also told by the previous owner that it could never be developed for housing and would remain open space. However, it proved to be that neither information was official as to what could really happen if it ever got rezoned.

So here I sit sometimes wondering about the fire hazard in the summer next to the homes that border it. I would like to see it remain open space; even if we don't get a passive park established there, what we've got now is far and away better than some homes jammed in there (assuming they could be). I know there are a lot of issues and facts that you weigh, besides the surrounding homeowners' wishes and concerns, in making your recommendations. I am asking you to value what the land means to our community as it sits and to deny your recommendation to rezone it for residential.

Thanks,

John Condie

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONE MAP OF THE CITY OF CEDAR HILLS, TO CHANGE A PORTION OF AREA CURRENTLY IN THE PF PUBLIC FACILITIES ZONE TO THE R-1 11,000 RESIDENTIAL ZONE.; AND PROVIDING FOR THE ADOPTION AND ADMINISTRATION OF THIS ORDINANCE.**

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

**PART I**

**TEXT OF ORDINANCE**

**SECTION 1.** Official Zone Map The Official zone map of the City is hereby amended to show the zone designation applicable to the area set forth on Attachment A to be changed from the PF, Public Facilities Zone; to the R-1 11,000 Residential Zone.

**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 10.

**D. PENALTY**

Hereafter these amendments shall be constructed as part of the Zoning 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 zoning 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 PUBLISHED BY THE CITY COUNCIL OF THE CITY OF  
CEDAR HILLS, UTAH, THIS 21ST DAY OF NOVEMBER, 2017.**

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Gary R. Gygi, Mayor

ATTEST:

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Colleen A. Mulvey, City Recorder



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	11/21/2017

## City Council Agenda Item

<b>SUBJECT:</b>	Review/Action on an Ordinance Amending Title 3, Chapter 1, Article E: Premises Occupations
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Chandler Goodwin, City Manager/City Planner

**BACKGROUND AND FINDINGS:**

A resident has applied for a premises occupation business license, subject to the provisions in City Code §3-1E. The applicant meets the various provisions except for a requirement for the property to be a minimum of one acre. Premises occupations are only allowed where a home has ingress/egress on an arterial roadway (Canyon Road). Currently there is only one premises occupation in Cedar Hills, Shelly's School of Irish Dance. The new proposal is for a bike shop area to be located in a new accessory building in the rear of a property that totals .65 of an acre. The homes along Canyon Road are zoned in either the R-R 1 20,000, R-1 15,000 or H-1 zone. Staff is recommending that three changes be made to the premises occupation code:

1-Change the approval body to be the City Staff as was approved in §10-5-37, conditional use code. The chart in that section of code identifies Admin as the approval body; in this case the appropriate administrator would be the Business License Official. This change would bring the two separate codes into agreement.

2-Change the provision requiring one acre. This size provision may be reduced and still meet the intent of the code, that the use remain primarily residential in nature. By reducing the area required, it will allow additional homes to have the option to have a premises occupation (see map prepared by staff). By making the change, six additional homes would meet this requirement.

3-Change the provision requiring a BCI background check to be only for those businesses as outlined in §3-1C, businesses that involve minors or elderly individuals.

**PREVIOUS LEGISLATIVE ACTION:**

N/A

**FISCAL IMPACT:**

N/A

**SUPPORTING DOCUMENTS:**

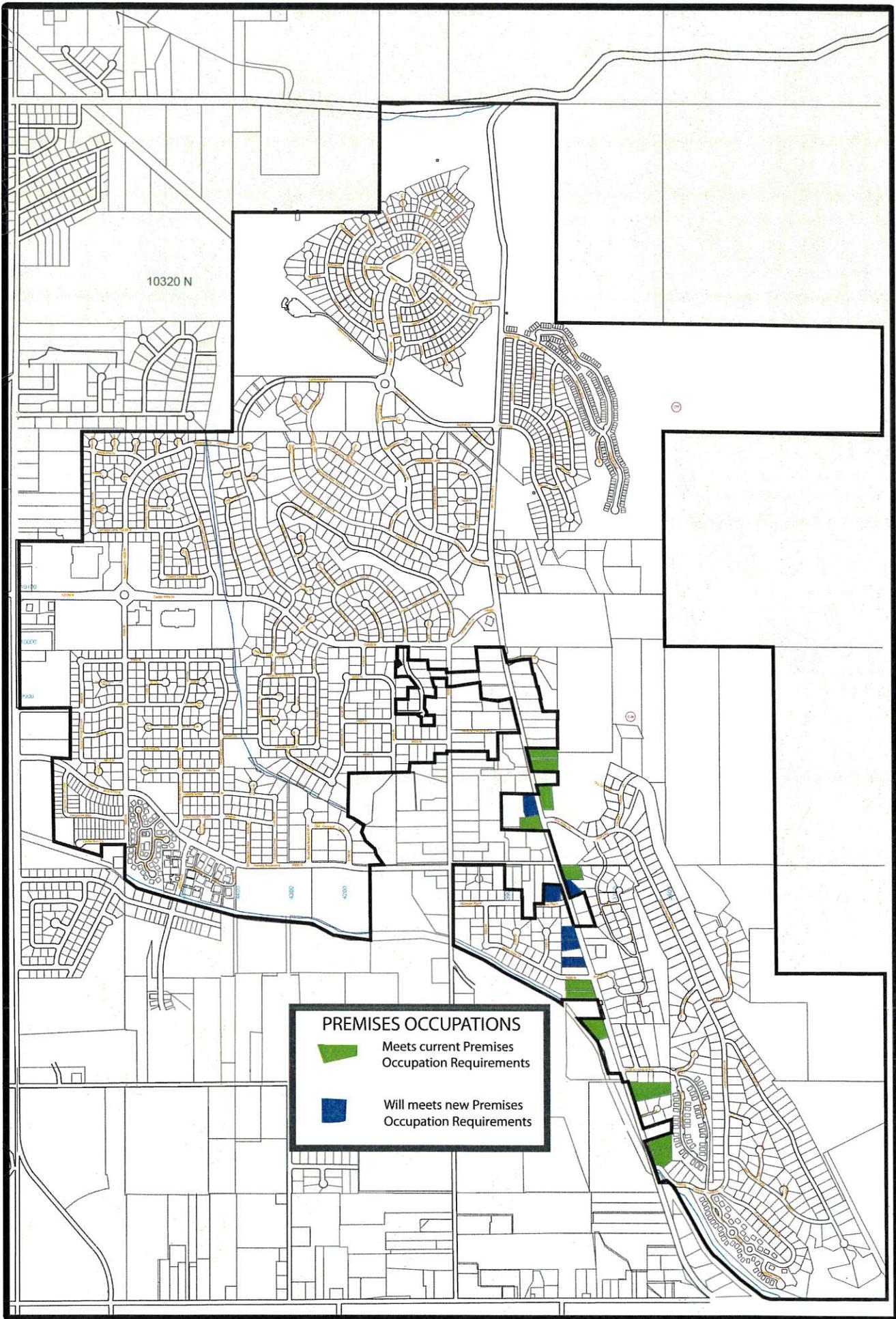
Map showing areas of proposed changes

**RECOMMENDATION:**

Staff recommends that the City Council consider the proposed changes and make any additional suggestions.

**MOTION:**

To approve Ordinance \_\_\_\_\_, amending Cedar Hills City Code §3-1E related to Premises Occupations with the following changes {LIST ANY APPLICABLE CHANGES}.



**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 1, ARTICLE E, OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE PREMISES OCCUPATION ORDINANCE REQUIREMENTS.**

**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 3 of the City Code relating to premises occupations;

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

**AMENDMENTS**

- A. Premises occupations may be permitted and operated by **approval of the City Business License Official** ~~action of the planning commission~~ following receipt and approval of an application for such use, and subject to, and in compliance with the following conditions:
  2. The lot upon which the premises occupation is conducted shall have a lot area of not less than **one-half** ~~one~~ acre, contain a dwelling that is occupied by the owner of the premises occupation and be adjacent to and have ingress and egress to an arterial road.
18. BCI background check **may be required according to the provisions of Chapter 1, Section C of this title.**

**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 of constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

**EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 21<sup>ST</sup> DAY OF NOVEMBER, 2017.

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Gary R. Gygi, Mayor

ATTEST:

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Colleen A. Mulvey, City Recorder



# CITY OF CEDAR HILLS

<b>TO:</b>	City Council
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	11/21/2017

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Review/Action on Elevation Sign Update for Walmart
<b>APPLICANT PRESENTATION:</b>	n/a
<b>STAFF PRESENTATION:</b>	Chandler Goodwin, City Manager

**BACKGROUND AND FINDINGS:**

Walmart is in the process of updating their store to fit in with the current color and design scheme of their brand. Walmart is proposing to alter their current signage by adding a blue background to the current "Walmart" sign, as well as add a "Pickup" sign on the northwest corner of the building with an orange badge. The pickup is a new service offered by Walmart, this portion is a new sign location on the building.

During the April 3, 2007 City Council meeting, the Walmart site plan was accepted with the provision that, "signs shall be subject to all provisions of the Cedar Hills sign ordinance. The City Council will make a finding at final site plan approval as to which facades of the building will be determined to be the front." The proposal alters the current signage on the front as stated above, as well as changing the verbiage of the sign on the south of the structure from "Outdoor Living" to "Lawn & Garden".

Planning Commission split their vote, 3-2 in favor of recommending the proposed changes. The concerns of the Planning Commission centered on the colonial aspect of changing the colors of the signage. Cedar Hills has conflicting language in the code regarding commercial signage. §10-5-26 (D) (4) limits commercial signage to a cumulative display area of 25% or 90 square feet, whichever is greater.

However, recently adopted code §10-6A-(E) (5) limits signage to 10% or 75 square feet. The more recent code would trump the older code, however in this instance Walmart's signage was approved prior to the adoption of §10-6A.

**PREVIOUS LEGISLATIVE ACTION:**

City Council made final approval 4-3-2007, Planning Commission made recommendation 10-24-2017

**FISCAL IMPACT:**

n/a

**SUPPORTING DOCUMENTS:**

Walmart Signage Elevations

**RECOMMENDATION:**

Review proposal, make any recommendations necessary

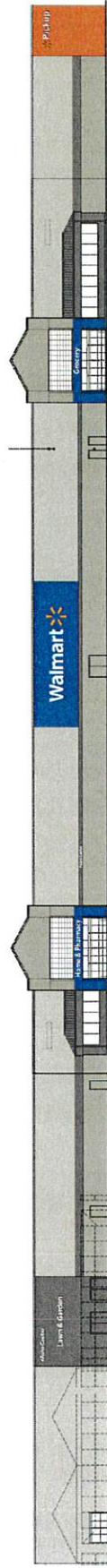
**MOTION:**

To approve/not approve the changes proposed to the current Walmart signage {SUBJECT TO THE FOLLOWING CHANGES}.

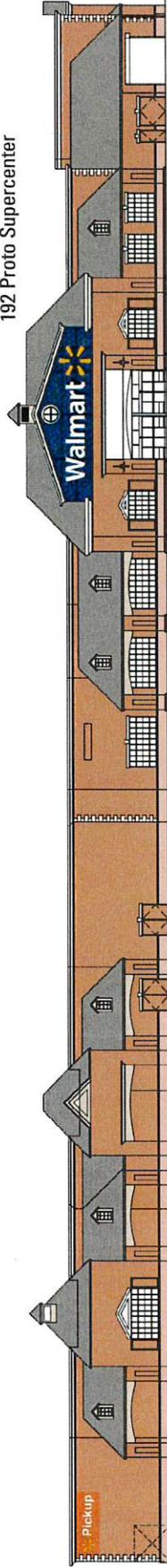


Exceptions	Revision History	
Brand Blue	TBD	09/19/2017
Brand Orange	Not Allowed	BRC Approval 09/19/2017
Brand Grays	Not Allowed	AHJ Submittal TBD
Active Special Projects	No	AHJ Approval TBD
FM Painted 2017	No	

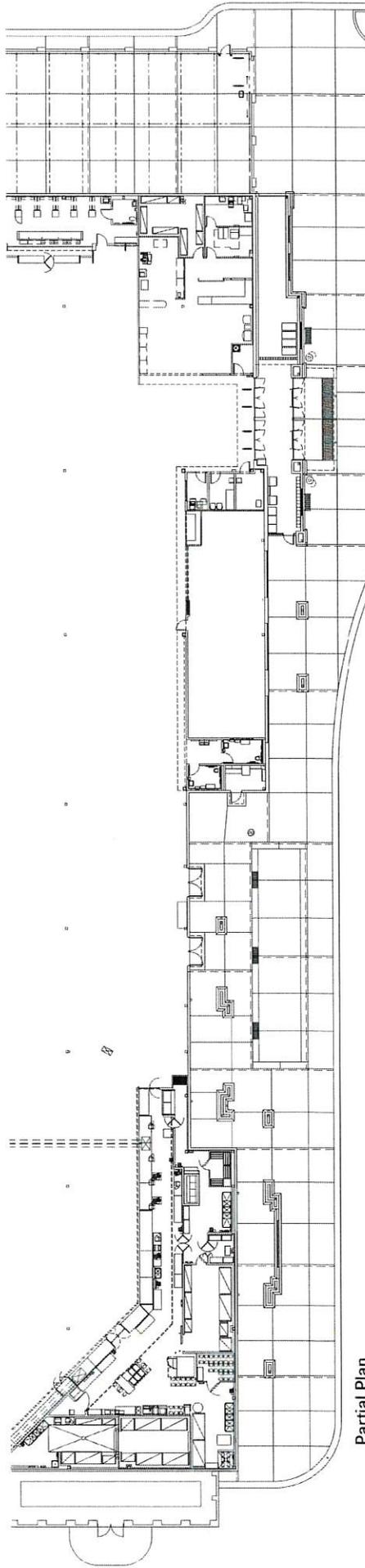
**Paint Disclosures:**  
 This store is part of a shopping zone district built with similar materials and earthtones. Change of those colors would not be allowed to change since Walmart was used as a base for new construction to be designed from. There is an opportunity to provide a blue badge on the brand wall. This proposed change can be submitted for preliminary office review prior to a Planning Commission and City Council Approval.  
 Planning Board meets the 4th Tuesday each month and the city council meets the 1st and 3rd Tuesday each month (but only once in Nov & Dec). The process will take approximately 2 - 2.5 months depending on when we submit.



192 Proto Supercenter



Front Elevation



Partial Plan

SGA Design Group, P.C.  September 22, 2017

Cedar Hills, UT - Store #4689

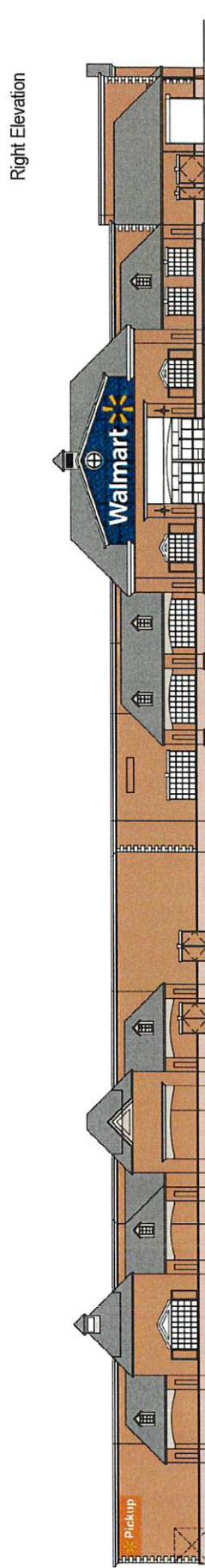
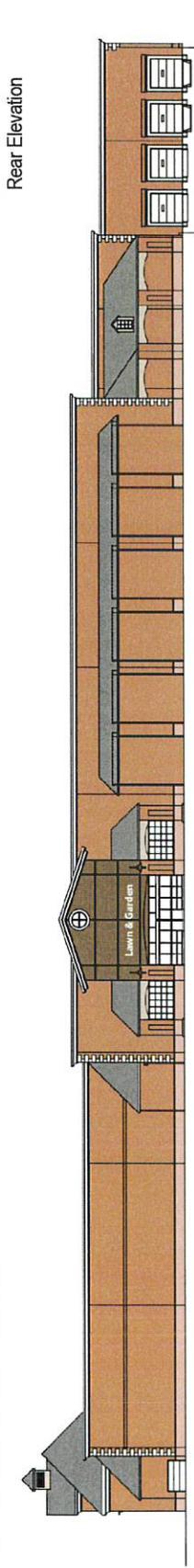
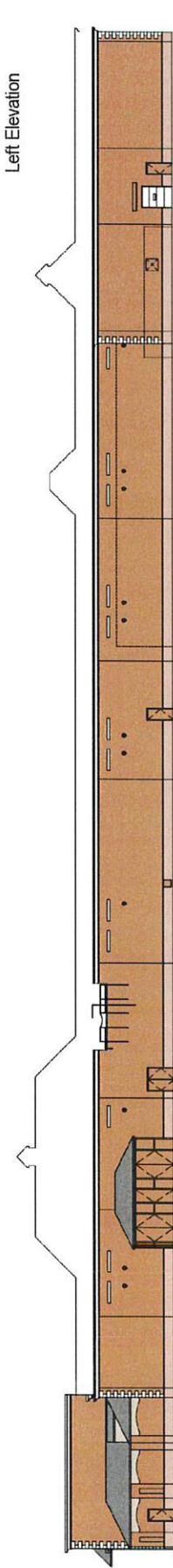
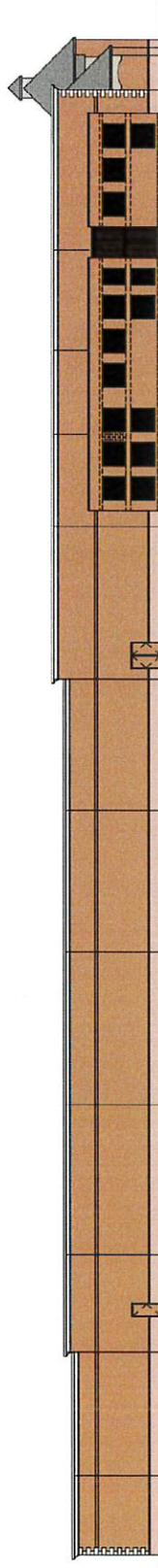
FOR AHJ DESIGN REVIEW ONLY NOT FOR CONSTRUCTION

Proto Comparison

1

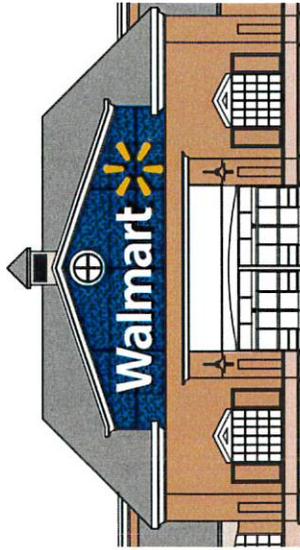
DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION The building images shown are a representation of the current design intent only. The building images may not reflect variations in color, tone, hue, tint, shading, ambient light intensity, materials, textures, contrast, font style, construction variations required by building codes or inspectors, material availability or final design detailing.

Color Legend	
PH	COLOR NAME
	SW #7019 "GAUNTLET GRAY"
P49	MEDIUM WALMART BLUE (URETHANE)
P76U	SW #6885 "KNOCKOUT ORANGE"
P126J	SW #7015 "REPOSE GRAY"
P134	SW #7017 "DORIAN GRAY"
P135	SW #7005 "SNOWBOUND"
P140	HEAT RESISTANT COATING TO MATCH SW #7019
HRC4	"GAUNTLET GRAY"
P103	SW #6095 "TOASTY"





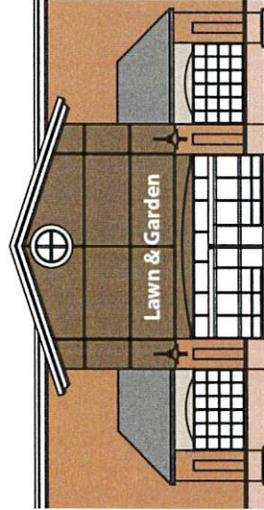
5'-6" Walmart (298.00 SF) ETR



EXISTING SIGNAGE SCHEDULE					
SIGNAGE LOCATION	QTY	LIGHTED	COLOR	SIZE	TOTAL AREA
<b>FRONT SIGNAGE</b>					
Walmart	1	LED	WHITE	5'-6"	
Spark	1	LED	YELLOW	8'-0"	298.00 SF
<b>TOTAL FRONT SIGNAGE</b>					<b>298.00 SF</b>
<b>SIDE SIGNAGE</b>					
Outdoor Living	1	N/A	WHITE	2'-0"	49.48 SF
<b>TOTAL SIDE SIGNAGE</b>					<b>49.48 SF</b>
<b>TOTAL EXISTING BUILDING SIGNAGE</b>					<b>347.48 SF</b>



2'-0" Lawn & Garden (41.02 SF)

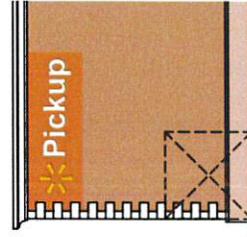


NEW SIGNAGE SCHEDULE					
SIGNAGE LOCATION	QTY	LIGHTED	COLOR	SIZE	TOTAL AREA
<b>FRONT SIGNAGE</b>					
Walmart	1	LED	WHITE	5'-6"	
Spark	1	LED	YELLOW	8'-0"	212.48 SF
Pickup	1	LED	WHITE	2'-6"	
Spark	1	LED	YELLOW	4'-0"	51.68 SF
<b>TOTAL FRONT SIGNAGE</b>					<b>264.36 SF</b>
<b>SIDE SIGNAGE</b>					
Lawn & Garden	1	N/A	WHITE	2'-0"	41.02 SF
<b>TOTAL SIDE SIGNAGE</b>					<b>41.02 SF</b>
<b>TOTAL NEW &amp; EXISTING BUILDING SIGNAGE</b>					<b>305.38 SF</b>

EXISTING SIGNAGE AREA: 347.48 SF  
 PROPOSED SIGNAGE AFE: 305.38 SF  
 SIGNAGE AREA ALLOWABLE: 276.14 SF @ 75 SF  
 NO SITE SIGNAGE EXISTING



2'-6" Pickup (66.76 SF)



**Signage Disclosures:**

Section 10-5-26(D)(4) is for Commercial Zones and allows for a cumulative total max sign area of 25% of the facade area for signs. However, Section 10-6A-4(E) is for Planned Commercial Developments. It allows a cumulative total max sign area of the lesser of 10% of the facade or 75 sq. ft. A preliminary sign package can be submitted to the department for evaluation and direction. The proposed signs may comply and be approved based on their review of the ordinances and original building submittals. If not, the signs may follow the variance process with the Board of Adjustment whose meetings are scheduled on an as-needed basis.  
 No site signage existing.



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	11/21/2017

## City Council Agenda Item

<b>SUBJECT:</b>	Exit Conference—Fiscal Year 2017 Financial Audit
<b>APPLICANT PRESENTATION:</b>	Steven Rowley, Keddington & Christensen L.L.C.
<b>STAFF PRESENTATION:</b>	Charl Louw, Finance Director
<b>BACKGROUND AND FINDINGS:</b> Review of the annual financial report and the related audit results.  Annually we contract with independent auditors to review the basic financial statements. The independent auditors are expected to obtain reasonable assurance that the financial statements are free from material misstatement and are fairly presented in accordance with generally accepted accounting principles.  The City received an unqualified opinion, or clean opinion.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> None	
<b>FISCAL IMPACT:</b> None	
<b>SUPPORTING DOCUMENTS:</b> The 2017 comprehensive annual financial report is available online: <a href="http://www.cedarhills.org/finance-documents/financial-statements">http://www.cedarhills.org/finance-documents/financial-statements</a>	
<b>RECOMMENDATION:</b> To accept the 2017 annual financial report.	
<b>MOTION:</b> To accept the 2017 annual financial report.	



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Jeff Maag, Building Official
<b>DATE:</b>	11/21/2017

## City Council Agenda Item

<b>SUBJECT:</b>	IBC construction documents to be prepared by design professional
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Jeff Maag, Building Official

**BACKGROUND AND FINDINGS:**

The Cedar Hills building department, currently and in the past, has required Utah registered design professionals to provide design documents for all structures being built under the I-Codes with the exception of the IRC (International Residential Code). The most recent (2015) International Building Code (IBC) Section 107.1 indicates that this is required only if the statutes of the jurisdiction issuing permit for construction requires it.

“IBC Section 107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report, and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.”

In an effort to continue providing for the safety of individual structures and the community as a whole, the requirement to provide registered design professional prepared building permit plan submittals should be recognized by Cedar Hills statutes.

**PREVIOUS LEGISLATIVE ACTION:**

10-7-2 Plans Required: All applications for building permits shall be accompanied by plans that have been drawn to scale showing the actual dimensions of the lot to be built upon, the size and location of existing buildings, and buildings to be erected. (ord. 6-20-78A, 6-20-1978)

Planning Commission made 5-0 recommendation on 10-24-2017.

**FISCAL IMPACT:**

NA

**SUPPORTING DOCUMENTS:**

See Building Department Submittal Requirements report.

**RECOMMENDATION:**

Staff recommends that City Council review the Proposed language change and adopt the proposal as code.

Proposed Language:

10-7-2: Plans Required:

A. All applications for building permits shall be accompanied by plans that have been drawn to scale

showing the actual dimensions of the lot to be built upon, the size and location of existing buildings, and buildings to be erected.

B. Building permit submittal documents shall comply with the currently adopted International Building Codes including being prepared by a registered design professional.

Exception: Submittal documents for construction completed within the International Residential Code prescriptive methods shall be prepared in a professional manner but do not require preparation by a registered design professional.

**MOTION:**

To approve/not approve Ordinance No. \_\_\_\_\_, amending City Code §10-7-2 related to building plans, subject to the following changes {LIST ANY APPLICABLE CHANGES}.

# Building Department

## Building Permit Submittal Requirements

### Plans

The City of Cedar Hills requires that all building permit applications include (2) two copies of plans indicating the scope of the proposed project and details for the construction of the proposed project.

The International Residential Code (IRC) 2015 edition, Chapter 3, provides requirements for the planning and design of residential projects. Residential construction can be completed without an Architect or Structural Engineered design/plan being submitted to the City if all construction is completed per the prescriptive code requirements.

*R301.1 Buildings and structures, and parts thereof, shall be constructed to safely support all loads, including dead loads, live loads, roof loads, flood loads, snow loads, wind loads and seismic loads as prescribed by this code... Buildings and structures constructed as prescribed by this code are deemed to comply with the requirements of this section.*

Where alternative construction methods (non-IRC prescriptive) are used for residential construction the International Building Code (IBC) requirements are to be used as per IRC R301.1.3.

*R301.1.3 Where a building of otherwise conventional construction contains structural elements exceeding the limits of section R301 or otherwise not conforming to this code, these elements shall be designed in accordance with accepted engineering practice... Engineered design in accordance with the International Building Code is permitted for buildings and structures, and parts thereof, included in the scope of this code.*

During a recent review of building code requirements for construction documents, the City building official recommended that clarification of the City's requirements would be beneficial to the City as well as building permit applicants. Both the IBC and IRC language is non-prescriptive (IRC R106.1 & IBC 107.1) and indicates that plans do not necessarily need to be completed by a design professional.

*R106.1 Submittal documents consisting of construction documents and other data shall be submitted in two or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.*

*Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.*

*IBC 107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geo-technical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.*

*Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.*

Building department staff recommends:

- 1) The City of Cedar Hills, by statute, require that all Commercial building plans and any non-prescriptive Residential building plans fulfil International Code requirements, as per IBC 107.1 & IRC R301.1.3 including being completed by a *registered design professional* when being submitted with a building permit application.
- 2) Plans submitted for residential building permits being completed fully under the International Residential Code (IRC) prescriptive methods should be prepared in a professional manner but do not require preparation by a *registered design professional*.
- 3) The adopted International Building and Residential Code exceptions apply to both of the above.

The City building department feels that this clarification will provide direction for future building permit applicants and reduce the time required between permit submittal and approval. This can be beneficial to both the City and builders by reducing costs incurred for repeated design, review and communications.

Thank you for your consideration.

Jeff Maag  
Building Official  
City of Cedar Hills

**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 10, CHAPTER 7, SECTION 2, OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE NUISANCE ORDINANCE AS IT RELATES TO BUILDING PLAN REQUIREMENTS.**

**RECITALS**

**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 10 of the City Code relating to building plan requirements;

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

**AMENDMENTS**

~~10-7-2 Plans Required: All applications for building permits shall be accompanied by plans that have been drawn to scale showing the actual dimensions of the lot to be built upon, the size and location of existing buildings, and buildings to be erected.~~

**A.** All applications for building permits shall be accompanied by plans that have been drawn to scale showing the actual dimensions of the lot to be built upon, the size and location of existing buildings, and buildings to be erected.

**B.** Building permit submittal documents shall comply with the currently adopted International Building Codes including being prepared by a registered design professional. Exception: Submittal documents for construction completed within the International Residential Code prescriptive methods shall be prepared in a professional manner but do not require preparation by a registered design professional.

**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 of constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

**EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 21<sup>ST</sup> DAY OF NOVEMBER, 2017.

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Gary R. Gygi, Mayor

ATTEST:

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Colleen A. Mulvey, City Recorder



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	11/21/2017

## City Council Agenda Item

<b>SUBJECT:</b>	Review/Action on an Ordinance Amending Title 4, Chapter 2, Section 3: Nuisance, Relating to Weeds
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Chandler Goodwin, City Manager/City Planner

**BACKGROUND AND FINDINGS:**

Based on the discussion on the rezoning proposal of the Oak Road parcel, it has come to staffs attention that the weed ordinance needs to be amended to account for large properties that should have some type of annual weed abatement. Additionally, the ordinance needs to account for natural open space that should be preserved, while balancing the need for fire protection. The ordinance as proposed uses the Utah State Code definition of weeds, and provides for the Zoning Administrator to determine the practicality of the abatement program. Additionally, landowners may make written request to receive an exemption to the provisions of the code. The Zoning Administrator may determine whether the real property poses a fire risk to the surrounding neighbors and what the compliance method shall be.

**PREVIOUS LEGISLATIVE ACTION:**

N/A

**FISCAL IMPACT:**

N/A

**SUPPORTING DOCUMENTS:**

Proposed Ordinance

**RECOMMENDATION:**

Staff recommends that the City Council consider the proposed changes and make any additional suggestions.

**MOTION:**

To approve Ordinance \_\_\_\_\_, amending Cedar Hills City Code §4-2-3 related to Weeds with the following changes {LIST ANY APPLICABLE CHANGES}.

ORDINANCE NO: \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 4, CHAPTER 2, SECTION 2, OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, AMENDING THE NUISANCE ORDINANCE AS IT RELATES TO WEEDS.**

**RECITALS**

**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 4 of the City Code relating to nuisances;

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

**AMENDMENTS**

j. Weeds: Vegetation which is uncultivated, useless, unsightly, or which has become a fire hazard or is otherwise determined by the city to be noxious, dangerous, or a nuisance. The term “weeds” shall also include, but is not limited to , poison ivy (*Rhus toxicodendron*), poison oak (*Rhus diversiloba*), poison sumac (*Rhus vernix*), and those plants named in or listed pursuant to the Utah noxious weed act, as set forth in Utah Code Annotated section 4-17-1 et seq., as amended. Weeds on developed commercial and residential lots shall be maintained at a height of not more than six inches (6”) at any time, and shall be cleared from real property in the city. Weeds on undeveloped lots shall be maintained at a height of not more than six inches (6”) at any time, within thirty feet (30’) of any property line, road or structure. Lots being used for livestock pasture or agricultural crops are exempt from the maximum height limit. Noxious weeds located on vacant lots or other property, along public sidewalks or the outer edge of any public street, or weeds in any other location that constitute a fire hazard.

(1) Weeds on any property shall be eradicated by chemicals, cutting or some other acceptable method so they do not exceed six inches (6”) in height.

(2) Weeds that are rototilled, plowed, or harrowed shall be buried under the soil as part of the eradication.

(3) If the Zoning Administrator determines that the large size of the property makes cutting of all the weeds impractical, the Zoning Administrator may issue an order limiting the required cutting of weeds to a firebreak of not less than fifteen feet (15’) in width around any structures and around the complete perimeter of the property or part thereof, except as allowed by subsection 4 of this section.

(4) Upon written request by the owner of real property, and upon good cause showing, real property not in close proximity to buildings or other structures or not creating a serious nuisance or fire hazard may be exempted by the Zoning Administrator from the weed control requirements.

(5) Lots being used for livestock pasture or agricultural crops are exempt from the maximum height limit.

**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 of constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

**EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 21<sup>ST</sup> DAY OF NOVEMBER, 2017.

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Gary R. Gygi, Mayor

ATTEST:

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Colleen A. Mulvey, City Recorder



# CITY OF CEDAR HILLS

<b>TO:</b>	Mayor and City Council
<b>FROM:</b>	Greg Gordon
<b>DATE:</b>	11/21/2017

## City Council Agenda Item

<b>SUBJECT:</b>	New Golf Club Cart Lease for Cedar Hills Golf
<b>APPLICANT PRESENTATION:</b>	
<b>STAFF PRESENTATION:</b>	Greg Gordon

**BACKGROUND AND FINDINGS:**

Staff has been looking into golf carts the entire year as our extended lease is up at the end of the 2017. Based on our prior experience and the topography of the course itself staff feels strongly that we need to get a different cart and go with the new lithium ion batteries this time. There is no battery maintenance required and it will also save on acid drips on the cement in the cart area. We will also save 4-8% on our electric bills with this new battery. In addition we estimated that we will save approximately 180-200 hours per year on labor with the new carts.

There is no other company that currently has lithium ion batteries in the market yet so this is a single source provider. We also were able to have them bring down a cart for our staff to demo; we had our mechanic go over it top to bottom, he is very much in favor of this to free him up to work on other pressing maintenance issues throughout the year. RMT is scheduled to pick up our current carts at the end of December and deliver the new carts sometime in the middle to the end of February, allowing us time to organize the cart area in preparation for the new fleet. In order to keep within our budgeted amount we are reducing from 80 carts to 78 for the duration of the lease. This reduced number of carts will still allow the golf course to host full-field tournaments. Because the batteries are fully warranted for the duration of the lease we also would be extending our lease from 4 years to 5 years.

I have included a testimonial from PGA professional Brent Fleshman from Jackpot Nevada. They have had the carts since June and have had very few issues, the ones they did have were picked up immediately and repaired by RMT. This upcoming year Sleepy Ridge and Salt Lake Country Club are also switching over to these new carts through RMT.

**PREVIOUS LEGISLATIVE ACTION:**

N/A

**FISCAL IMPACT:**

The cart lease was budgeted as part of the FY18 budget, and fits within the budgeted amount.

**SUPPORTING DOCUMENTS:**

The proposal from RMT is included. No other bids were received as EZ-GO is the only manufacturer with lithium ion batteries.

**RECOMMENDATION:**

Staff recommends that the City Council approve the proposal to lease 78 carts from RMT for the length of 5 years beginning 2018.

**MOTION:**

To approve/not approve the proposed lease agreement between Cedar Hills Golf and RMT for the lease of 78 carts for the period of 60 months.



## PROPOSAL

Cedar Hills Golf Course  
10640 N. Clubhouse Dr.  
Cedar Hills, UT 84062  
Attn: Wade Doyle

June 27, 2017

**Thank you for the opportunity to provide you with the following proposal for your new 2017 golf cart fleet. This proposal outlines the following for you:**

### **78 New Electric Golf Cars:**

- **2017 EZGO RXV Electric Golf Car** with 48V AC motor with Patented Intellibrake System in the ivory color, charger, sweater basket, canopy, fold down windshield, hub caps.

### **Lease Details:**

\_\_\_\_\_ FMV Lease payments are set for 48 months  
Payments - \$6,212.63 per month

\_\_\_\_\_ Capital Lease payments with \$1 buyout 48 months  
Payments - \$8,131.09 per month

### **Purchase Accessories Separately:**

- 1 sand and seed bottle - \$1,326.00
- ball and club washer - \$4,525.00
- one message holder - \$1,092.00
- battery fill system - \$9,594.00

**Total for Accessories: \$17,863.00**

By signing below, Cedar Hills Golf Course authorizes RMT to place the above cars on order with EZGO. Furthermore Cedar Hills Golf Course accepts responsibility for any and all costs associated with any cancellation charges that could be incurred.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

4225 South 500 West - Salt Lake City, Utah 84123 - ph. 801.261.2100 - fax 801.262.9740

**SLC - Boise - Hammett - Lewiston - Portland - Chehalis**

## Limited Warranty Terms and Conditions - RXV and TXT Elite Fleet Vehicles

Textron Specialized Vehicles Inc. ("Company") provides that any new Model Year 2018 E-Z-GO RXV Fleet and TXT Fleet Elite electric vehicle (Vehicles factory equipped with a lithium battery pack) (the "Vehicles") and/or the battery charger for the Vehicle's lithium battery pack purchased from the Company, a Company affiliate, or an authorized Company dealer or distributor, or leased from a leasing company approved by the Company, shall be free from defects in material or workmanship under normal use and service (the "Limited Warranty"). This Limited Warranty with respect only to parts and labor is extended to the Original Retail Purchaser or the Original Retail Lessee ("Purchaser") for defects reported to the Company no later than the following warranty periods for the Vehicle parts and components set forth below (the "Warranty Period"):

Part or Component	Warranty Period
FRAME - WORKMANSHIP	LIFETIME
SUSPENSION - Steering Gearbox, steering column, shocks and leaf springs	4 years
MAJOR ELECTRONICS - Electric motor, solid state speed controller, and battery charger	4 years
LITHIUM BATTERY PACK AND BATTERY MANAGEMENT SYSTEM	5 Years
PEDAL GROUP - Pedal assemblies, and motor brake	4 years
SEATS - Seat bottom, seat back and hip restraints	4 years
CANOPY SYSTEM - Canopy and canopy struts	4 years
POWERTRAIN - Electric axle	3 years
BODY GROUP - Front and rear cowl, side panels and instrument panel	3 years
OTHER ELECTRICAL COMPONENTS - Solenoid, limit switches, DC/DC converter, F&R switch, charger cord and charger receptacle, wiring harness	3 years
ALL REMAINING COMPONENTS - All options and accessories supplied by E-Z-GO at time of delivery, and all components not specified elsewhere	2 years
INITIAL ADJUSTMENTS - Initial alignment, adjustments, fastener tightening	90 days

The Warranty Period for all parts and components of the Vehicle other than Lithium Batteries shall commence on the date of delivery to the Purchaser's location or the date on which the Vehicle is placed in Purchaser-requested storage. The Warranty Period for Lithium Batteries shall commence on the earliest of the following dates:

- of Vehicle delivery to the Purchaser's location,
- on which the Vehicle is placed in Purchaser-requested storage or
- that is sixty (60) days from the date of sale or lease of the Vehicle by the Company to an authorized Company dealer or distributor.

Parts repaired or replaced under this Limited Warranty are warranted for the remainder of the length of the original Warranty Period. This Limited Warranty applies only to the Purchaser and not to any subsequent purchaser or lessee without the prior written approval from the Director of the Company's Customer Care / Warranty Department.

**EXCLUSIONS:** Specifically **EXCLUDED** from this Limited Warranty are:

- routine maintenance items, normal wear and tear, cosmetic deterioration or electrical components damaged as a result of fluctuations in electric current;
- damage to or deterioration of a Vehicle, part or battery charger resulting from an accident or collision, or from the neglect, abuse, or inadequate maintenance of the Vehicles;
- damage resulting from installation or use of parts or accessories not approved by Company, including but not limited to subsequent failures of the Vehicle, other parts or the battery charger due to the installation and/or use of parts and accessories not approved by Company;
- warranty repairs performed by someone other than a Company branch or an authorized and qualified Dealer designee. Warranty repairs performed by someone other than a Company branch or an authorized and qualified Dealer or designee shall void the Limited Warranty;
- damage or loss resulting from acts of nature, vandalism, theft, war or other events over which Company has no control;
- any and all expenses incurred in transporting the Vehicle to and from the Company or an authorized and qualified Dealer, distributor or designee for warranty service or in performing field warranty service; and
- any and all expenses, fees or duties incurred relative to inbound freight, importation, or customs.

**THIS LIMITED WARRANTY MAY BE VOIDED OR LIMITED AT THE SOLE DISCRETION OF COMPANY IF THE VEHICLE AND/OR BATTERY CHARGER:**

- shows indications that routine maintenance was not performed in accordance with the Owner's Manual provided with the Vehicle, including but not limited to rotation of fleet, proper tire inflation, lack of charging, loose battery hold downs, corroded battery cables and loose battery terminals;
- shows indications that non-recommended lubricants were applied to the Vehicle and any part thereof;
- shows indications that the speed governor was adjusted or modified to permit the Vehicle to operate beyond Company specifications;
- shows indications that it has been altered or modified in any way from Company specifications, including but not limited to alterations to the speed braking system, electrical system, passenger capacity or seating;
- has been altered to be used or operated outside of Company approved applications, specified environments or performance conditions;
- is equipped with tires not expressly approved by Company for use with the Vehicles;
- lacks an adequate number of operating battery chargers, or uses unapproved battery chargers for the Vehicle or uses extension cords with battery chargers;
- shows indication that the battery charger has been modified to charged vehicles not approved for the charger;
- has electrical accessories that are not manufactured or sold by the Company for use with the Vehicle or any other electrical energy consuming devices installed directly to the battery pack;
- shows indications that the battery pack was disassembled, opened, or tampered with in any way;
- shows indications that attempts may have been made to intentionally reduce the battery pack life;
- contain lithium battery packs that are not paired with the battery management system as supplied by the Company;

FOR FURTHER INFORMATION, CALL 1-800-774-3946, GO TO WWW.EZGO.COM, OR WRITE TO TEXTRON SPECIALIZED VEHICLES INC., ATTENTION: TSV CUSTOMER CARE / WARRANTY DEPARTMENT, 1451 MARVIN GRIFFIN ROAD, AUGUSTA, GEORGIA 30906 USA.

TSV P/N 657284G18--

MODEL YEAR 2018

Storage and Operation Limitations Condition	Time Allowed
STORAGE BETWEEN CHARGE CYCLES	3 months
STORAGE BETWEEN -22°F (-30°C) AND -4°F (-20°C) STORAGE ONLY – NO CHARGING OR DISCHARGING OF BATTERY PACK	1 month
OPERATION OF VEHICLE BELOW -4°F (-20°C) OR ABOVE 140°F (60°C)	NOT ALLOWED

**USE OF NON-APPROVED PARTS AND ACCESSORIES:** THIS LIMITED WARRANTY SHALL NOT APPLY TO ANY PROPERTY DAMAGE OR ADDITIONAL ENERGY CONSUMPTION ARISING FROM OR RELATED TO PARTS OR ACCESSORIES NOT MANUFACTURED OR EXPRESSLY AUTHORIZED BY THE COMPANY, OR WHICH WERE NOT INSTALLED BY THE COMPANY, ITS DEALERS OR DISTRIBUTORS, INCLUDING BUT NOT LIMITED TO GPS SYSTEMS, COOLING AND HEATING SYSTEMS, COMMUNICATION SYSTEMS, INFORMATION SYSTEMS, OR OTHER FORMS OF ENERGY CONSUMING DEVICES WIRED DIRECTLY OR INDIRECTLY TO THE VEHICLE BATTERIES.

**REMEDY:** Purchaser's sole and exclusive remedy under this Limited Warranty in the event of a defect in material or workmanship in the Vehicle, any part or component, or battery charger during the applicable Warranty Period is that Company will, at its sole option, repair or replace any defective parts. For such warranty repairs or replacements, the Company may, at its discretion, provide factory reconditioned parts or new components from alternate suppliers. All replaced parts become the sole property of the Company. This exclusive remedy will not be deemed to have failed of its essential purpose so long as the Company has made reasonable efforts to repair or replace the defective parts.

**DISCLAIMER:** THIS LIMITED WARRANTY IS THE SOLE AND EXCLUSIVE WARRANTY PROVIDED FOR THE VEHICLES AND BATTERY CHARGER AND IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ALL SUCH OTHER WARRANTIES BEING EXPLICITLY DISCLAIMED.

**LIABILITY LIMITATIONS:** IN NO CASE SHALL THE COMPANY BE LIABLE FOR INDIRECT, INCIDENTAL, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES, INCLUDING BUT NOT LIMITED TO DEATH, PERSONAL INJURY OR PROPERTY DAMAGE ARISING FROM OR RELATED TO ANY ALLEGED FAILURE IN A VEHICLE OR BATTERY CHARGER, OR ANY DAMAGE OR LOSS TO THE PURCHASER OR ANY THIRD PARTY FOR LOST TIME, INCONVENIENCE OR ANY ECONOMIC LOSS, WHETHER OR NOT THE COMPANY WAS APPRISED OF THE FORESEEABILITY OF SUCH DAMAGES OR LOSSES. ANY LEGAL CLAIM OR ACTION ARISING THAT ALLEGES BREACH OF WARRANTY MUST BE BROUGHT WITHIN THREE (3) MONTHS FROM THE DATE THE WARRANTY CLAIM ARISES. THIS LIMITED WARRANTY GIVES YOU SPECIFIC LEGAL RIGHTS AND YOU MAY HAVE OTHER RIGHTS WHICH VARY FROM STATE TO STATE. SOME STATES DO NOT ALLOW THE EXCLUSION OF INCIDENTAL DAMAGES OR LIMITATIONS ON HOW LONG AN IMPLIED WARRANTY MAY LAST, SO THE ABOVE EXCLUSIONS AND LIMITATIONS MAY NOT APPLY TO YOU

**WARNING:** ANY MODIFICATION OR CHANGE TO THE VEHICLE OR BATTERY CHARGER WHICH ALTERS THE WEIGHT DISTRIBUTION OR STABILITY OF THE VEHICLE, INCREASES THE VEHICLE'S SPEED, OR ALTERS THE OUTPUT OF THE BATTERY CHARGER BEYOND FACTORY SPECIFICATIONS, CAN RESULT IN PROPERTY DAMAGE, PERSONAL INJURY OR DEATH. DONOTMAKEANYSUCHMODIFICATIONSORCHANGES. SUCH MODIFICATIONS OR CHANGES WILL VOID THIS LIMITED WARRANTY. THE COMPANY DISCLAIMS RESPONSIBILITY FOR ANY SUCH MODIFICATIONS, CHANGES OR ALTERATIONS WHICH WOULD ADVERSELY IMPACT THE SAFE OPERATION OF THE VEHICLE OR BATTERY CHARGER.

**LITHIUM BATTERY WARRANTY LIMITATIONS, CONDITIONS AND EXCEPTIONS:**

- Claims for battery replacement require specific testing, as specified by Company's Customer Care / Warranty Department. The Company, or an authorized Company dealer or distributor, should be contacted to obtain a copy of the required tests.
- IF IT IS DETERMINED THAT PARTS OR ACCESSORIES WERE INSTALLED DIRECTLY TO THE VEHICLE'S BATTERY PACK WITHOUT THE COMPANY'S EXPRESS WRITTEN APPROVAL, THEN THE WARRANTY FOR THE BATTERY PACK AND THE BATTERY MANAGEMENT SYSTEM SHALL BE VOID.
- ALL NON-FACTORY INSTALLED ACCESSORIES REQUIRE THE INSTALLATION AND USE OF A COMPANY APPROVED DC TO DC CONVERTER THAT USES ENERGY FROM ALL BATTERIES.
- Electric Vehicle storage facilities must provide the following:
  - ample electrical power to charge all Vehicles and allow the charger to shut off automatically;
  - battery chargers must each have an independent dedicated 15 amp circuit;
  - each battery charger must be connected to its circuit with at minimum a NEMA 15-5R three-pin receptacle;
  - one (1) functional charger for each Vehicle in the fleet with a proper electrical supply as specified above; and
  - BATTERY CHARGERS MUST BE THE COMPANY APPROVED CHARGERS FOR LITHIUM BATTERY PACK VEHICLES.

**OTHER COMPANY RIGHTS:**

- Company may perform semi-annual vehicle inspections (directly or through assigned Company representatives) through the term of any fleet lease.
- Company may improve, modify or change the design of any Company vehicle, part or battery charger without being responsible to modify previously manufactured vehicles, parts or battery chargers.
- Company may audit and inspect the Purchaser's facility, maintenance records and its Vehicles prior to approving any warranty claim; furthermore, Company may use a third party to perform such audit or inspection of the Purchaser's storage facilities, and/or batteries.
- THE WARRANTY FOR ALL VEHICLES IN A FLEET SHALL BE VOIDED IF DATA SUBMITTED FOR AN INDIVIDUAL VEHICLE WARRANTY CLAIM CONTAINS FALSE OR MISLEADING INFORMATION.

**AUTHORITY:** No Company employee, dealer, distributor or representative, or any other person, has any authority to bind Company to any modifications of the terms and conditions of this Limited Warranty without the express written approval from the Director of the Company's Customer Care / Warranty Department.

**EMISSIONS CONTROL WARRANTY:** The Vehicle may also be subject to an emissions control warranty, as required by the U.S. Environmental Protection Agency and California Air Resources Board, which is provided separately with the Vehicle.

FOR FURTHER INFORMATION, CALL 1-800-774-3946, GO TO WWW.EZGO.COM, OR WRITE TO TEXTRON SPECIALIZED VEHICLES INC., ATTENTION: TSV CUSTOMER CARE / WARRANTY DEPARTMENT, 1451 MARVIN GRIFFIN ROAD, AUGUSTA, GEORGIA 30906 USA.

TSV P/N 657284G18--



## PROPOSAL

Cedar Hills Golf Course  
10640 N. Clubhouse Dr.  
Cedar Hills, UT 84062  
Attn: Wade Doyle

October 18, 2017

**Thank you for the opportunity to provide you with the following proposal for your new 2018 golf cart fleet. This proposal outlines the following for you:**

### **78 New Electric Golf Cars:**

- **2018 EZGO RXV ELiTE Electric Golf Car** with 48V AC motor with Patented Intellibrake System and Lithium Ion Batteries. Ivory color, charger, sweater basket, canopy, fold down windshield, hub caps.

### **Lease Details:**

\_\_\_\_\_ FMV Lease payments are set for 60 months  
Payments - \$6,516.39 per month

### **Purchased Accessories Separately Already:**

- 1 sand and seed bottle - \$1,326.00
- ball and club washer - \$4,525.00
- one message holder- \$1,092.00

Propose Contract with EZ Links Tee Times Purchase agreement for guaranteed monthly income to Cedar Hills Golf Course of (see proposal) per month for the duration of the lease contract selected.

By signing below, Cedar Hills Golf Course authorizes RMT to place the above cars on order with EZGO. Furthermore Cedar Hills Golf Course accepts responsibility for any and all costs associated with any cancellation charges that could be incurred.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

4225 South 500 West - Salt Lake City, Utah 84123 - ph. 801.261.2100 - fax 801.262.9740

**SLC - Boise - Hammett - Lewiston - Portland - Chehalis**

## Colleen Mulvey

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**To:** fletch@pga.com  
**Subject:** RE: Golf carts

**From:** fletch@pga.com [mailto:fletch@pga.com]  
**Sent:** Thursday, November 9, 2017 6:24 PM  
**To:** Greg Gordon  
**Subject:** RE: Golf carts

Hi Greg,

Sorry just getting back to you. Been away from the computer.

My experience for the first season on the 72 lithium ion battery carts that I purchased has been 'A' plus. They've gone 54 holes in a day with no loss of power, which has given us piece of mind on our double shotguns. The maintenance has been zero hours. No wasted time and money spending a day every couple months filling and checking the countless of water filled batteries. The charge time is more than half of what water filled batteries are, saving a ton on the steadily rising cost of electricity. I was a little worried being one of the first accepting a fleet this large with the usual problems that occur when a new product comes out, however we've only had 2 issues and one had nothing to do with the battery. RMT was quick to pick up the cart and took care of it right away under the warranty, which in fact is several years on this new battery. Even though with the extra cost of these carts, I feel it pays for itself when it comes to maintenance, electricity bill and security knowing that your product that you rented out will have no problem getting your customer around the golf course in style. I would highly recommend a fleet of these carts to anyone.

*Brent Freshman  
Director of Golf, General Manager  
Jackpot Golf Club*



-----Original Message-----

**From:** "Greg Gordon" <GGordon@cedarhills.org>  
**Sent:** Tuesday, November 7, 2017 2:03pm  
**To:** "fletch@pga.com" <fletch@pga.com>  
**Subject:** Golf carts

Brent,

Great talking to you today about the lithium ion battery carts that you currently have. If you don't mind responding to me at this email with your testimonial on your experience with them, the cost savings, etc. that would be fantastic.



# CITY OF CEDAR HILLS

<b>TO:</b>	City Council
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	11/21/2017

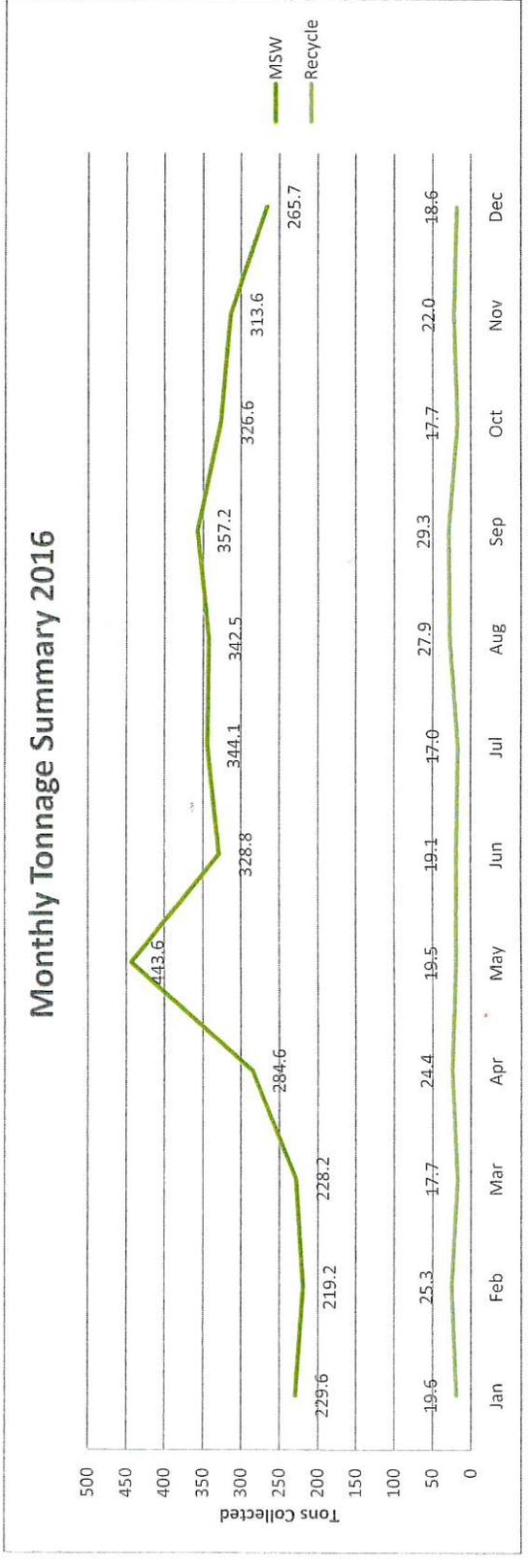
Planning Commission  
**Agenda Item**

<b>SUBJECT:</b>	Discussion on Request for Qualifications for Professional Services – Outdoor Maintenance Services, Solid Waste Collection and Curbside Recycling Services
<b>APPLICANT PRESENTATION:</b>	n/a
<b>STAFF PRESENTATION:</b>	Chandler Goodwin, City Manager
<b>BACKGROUND AND FINDINGS:</b> As a best practice, Cedar Hills attempts to put professional services contracts out for bid through an RFP/RFQ process every five years, or as needed. The current service agreements for Wilkinson Outdoor Maintenance and Waste Management are set to expire in the next 2-6 months. The RFP/RFQ process will allow the City to obtain quotes that ensure competitive pricing and ensures quality of service.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> Waste Management agreement was extended in March 2016 to April 2018. Landscaping and Grounds Maintenance Contract was renewed in 2014, expires at the end of 2017	
<b>FISCAL IMPACT:</b> TBD	
<b>SUPPORTING DOCUMENTS:</b> N/A	
<b>RECOMMENDATION:</b> Make any recommendations or provide staff with any direction needed.	
<b>MOTION:</b> No motion necessary, discussion item only.	



YEAR TO DATE DIVERSION REPORT - 2016

		Diversion Tons														
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total		
MSW		229.6	219.2	228.2	284.6	443.6	328.8	344.1	342.5	357.2	326.6	313.6	265.7	3683.7		
Recycle		19.6	25.3	17.7	24.4	19.5	19.1	17.0	27.9	29.3	17.7	22.0	18.6	258.1		
<b>Recycling Goal</b>		<b>124.6</b>	<b>122.3</b>	<b>123.0</b>	<b>154.5</b>	<b>231.6</b>	<b>174.0</b>	<b>180.6</b>	<b>185.2</b>	<b>193.3</b>	<b>172.2</b>	<b>167.8</b>	<b>142.2</b>	<b>1970.9</b>		
<b>Total Combined (MSW &amp; RCY)</b>		<b>249.2</b>	<b>244.5</b>	<b>245.9</b>	<b>309.0</b>	<b>463.1</b>	<b>347.9</b>	<b>361.1</b>	<b>370.4</b>	<b>386.5</b>	<b>344.3</b>	<b>335.6</b>	<b>284.3</b>	<b>3941.8</b>		
<b>Diversion %</b>		<b>7.87%</b>	<b>10.35%</b>	<b>7.20%</b>	<b>7.90%</b>	<b>4.21%</b>	<b>5.49%</b>	<b>4.71%</b>	<b>7.53%</b>	<b>7.58%</b>	<b>5.14%</b>	<b>6.56%</b>	<b>6.54%</b>	<b>6.55%</b>		



# Recycling Actual Compared to Recycling Goal (50%)

