

MINUTES OF HIGHLAND CITY COUNCIL MEETING

Tuesday, April 4, 2006

PRESENT: Mayor Jay W. Franson
Councilperson Brian Brunson (present for a portion of the meeting)
Councilperson Steve King
Councilperson Kathryn Schramm
Councilperson Claudia Stillman
Councilperson Glen Vawdrey

STAFF PRESENT: Matthew F. Shipp, Director Public Works/City Engineer
Lonnie Crowell, Asst. Dir. Planning & Zoning
Winifred Jensen, City Recorder

OTHERS: Gordon Crofts, Larry Gibson, Chad Copier, Janet King, Kris Melonas, Sam Melonas, Parker Bassett, Chris Burton, Christopher Hurley, Adam Armsby, Keann Molutua, Justin Maughan, Elise Smith, Kanen Catus, Danielle Smith, Jenna Garrett, Whitney Ward, Jason Mitchell, Spencer Loong, Kimberly Westwood, Julia Westwood, David Josee, Jared Stoddard, Dean Wallace, Nate Stoddard, Laura Wood, Randy Graham, Diana Graham, Bret Mortensen, Zach Mortensen, Bruce Tucker, Jed Lawrence, Greg Watts

EXCUSED: Barry Edwards, City Administrator

The meeting was called to order at 7:00 p.m. The meeting was called as a regular session, and notice of the time, place, and agenda had been provided the *Deseret News*, *Daily Herald*, *Salt Lake Tribune*, and *New Utah* on March 30, 2006. The prayer was offered by Glen Vawdrey, and those assembled were led in the Pledge of Allegiance by Mayor Jay W. Franson.

1. Minutes

Motion: Glen Vawdrey moved to approve the minutes of March 14, 2006, as amended. Motion was seconded by Kathryn Schramm, and it passed by the following voting in favor: Claudia Stillman, Glen Vawdrey, Kathryn Schramm, and Steve King.

Motion: Steve King moved to approve the minutes of March 23, 2006, as amended. Motion was seconded by Glen Vawdrey, and it passed by the following voting in favor: Claudia Stillman, Glen Vawdrey, and Steve King. Kathryn Schramm abstained as she was not present for this meeting.

Motion: Glen Vawdrey moved to approve the minutes of March 28, 2006. Motion was seconded by Steve King, and it passed by the following voting in favor: Claudia Stillman, Glen Vawdrey, Kathryn Schramm, and Steve King

2. Appearances

David Josse, President of Youth Soccer League, reported he works with youth from Lindon to Eagle Mountain, and he reported there are between 950 and 1150 youth from Highland who participate in the Soccer League. This program involves 1,150 youth per field. He indicated Alpine had put in five soccer fields within the last few years, which were needed and appreciated. He expressed the need for more open space and grassy areas for playing fields.

Brian Brunson joined the meeting at this point in time.

3. Consent Calendar

Brian Brunson requested the following item be pulled off the Consent Calendar: 6.1 Adoption of Ordinance No. 2006-14 "Amendment to Sec. 3-612(5) Retaining Walls in the Highland City Development Code".

Kathryn Schramm requested the following be pulled off the Consent Calendar: 6.2 Court Administration Position.

The following was approved on the Consent Calendar by unanimous vote of the Council: 6.3 Sidewalk Completion Policy, and 6.4 Public Notice in Lone Peak Press Concerning the City Council Agenda Being Posted on City's Web Page.

ACTION ITEMS

4. Retaining Walls

Motion: Brian Brunson moved to adopt Ordinance No. 2006-14, "Amendment to Sec. 3-612(5) Retaining Walls in the Highland City Development Code," as recommended by the Planning Commission and Staff, with a modification in the second sentence stating that "Retaining walls in the front yard shall not exceed a height of four feet. A retaining wall shall not be placed within any utility easement." Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

5. Court Administration Position

Motion: Kathryn Schramm moved to discuss the court administration position. Motion was seconded by Claudia Stillman.

Substitute Motion: Kathryn Schramm moved to continue the Court Administration position in order to clean up and clarify some of the language and give the Council a chance to go over it and question Barry Edwards about exactly what is meant by the definition of duties." Motion was seconded by Glen Vawdrey, and it passed by the following voting in favor: Claudia Stillman, Glen Vawdrey, Steve King, and Kathryn Schramm. Brian Brunson voted against the motion.

6. Procurement Process

Motion: Steve King moved to adopt Ord. No. 2006-13, "An Ordinance Amending Title 3, Procurement Code in the Highland City Municipal Code". Motion was seconded by Brian Brunson, and it passed with the following voting in favor: Glen Vawdrey, Brian Brunson, and Steve King. Those voting against the motion included: Kathryn Schramm and Claudia Stillman.

7. Adoption of Ordinance No. 2006-6, "Ordinance Adding Article 4.81 Parkland Bonus Overlay Subdivision to the Highland City Development Code"

Motion: Brian Brunson moved to adopt Ordinance No. 2006-6 "Ordinance Adding Article 4.81 Parkland Bonus Overlay Subdivision in the Highland City Development Code", as amended. Motion was seconded by Claudia Stillman.

Amended Motion: Claudia Stillman moved to approve an amendment to the motion to change the side yard setbacks from 12 ½' to 15'. Motion was seconded by Brian Brunson, and the amendment passed by unanimous vote.

Final Motion: Brian Brunson moved to approve the amended motion to adopt Ord. 2006-6, "Ordinance Adding Article 4.81 Parkland Bonus Overlay Subdivision in the Highland City Development Code" as presented, and including the side yard setbacks from 12 ½' to 15'. Motion was seconded by Claudia Stillman, and it passed by the following voting in favor: Glen Vawdrey, Brian Brunson, and Claudia Stillman. Those voting against the motion were: Steve King and Kathryn Schramm.

8. Publishing City Council Agenda Notice in Lone Peak Press

Brian Brunson was excused from the meeting at this point in time.

Motion: Kathryn Schramm moved to publish in the Lone Peak Press, on an ongoing basis, a notice that agendas for City Council and Planning Commission can be found on the Highland City web site at www.highlandcity.org. Motion was seconded by Steve King. (Note: Mayor Franson indicated this matter was taken care of under the Consent Calendar and took the motion off the table.)

Motion: Kathryn Schramm moved to continue to do more research and look at other newspapers for purpose of noticing agendas. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote of the following present: Steve King, Kathryn Schramm, Claudia Stillman, and Glen Vawdrey.

9. Cell Tower/Highland City Ordinance/Legality

Motion: Claudia Stillman moved that the City Council create a committee,

including a Planning Commission member and staff, and request services from an attorney with professional experience in telecommunications, to amend and update the telecommunications ordinance in the Municipal Code. Motion was seconded by Steve King, and it passed by unanimous vote of the following present: Steve King, Kathryn Schramm, Claudia Stillman, and Glen Vawdrey.

10. Plat Amendment for Meadow Ridge Subdivision

Motion: Glen Vawdrey moved that the City Council approve Meadow Ridge Plat C Subdivision, as recommended by the Planning Commission and Staff. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote of the following present: Steve King, Kathryn Schramm, Claudia Stillman, and Glen Vawdrey.

11. Final Approval for Lone Peak Fire Station Subdivision

Motion: Steve King moved that the City Council grant final approval of Lone Peak Fire Station Subdivision, as recommended by the Planning Commission. Motion was seconded by Claudia Stillman, and it passed by unanimous vote of the following present: Steve King, Kathryn Schramm, Claudia Stillman, and Glen Vawdrey.

FUTURE BUSINESS

12. Ordinance Amending Sign Ordinance in Highland City Development Code to Permit Electronic Sign

Lonnie Crowell reported, after discussion with the City Attorney, that he learned the City can't amend the sign ordinance to only permit an electronic signs for the City, but it has been determined the City could establish a public institutional zone that would allow this type of sign for schools, public buildings, and parks. This ordinance will be drafted and presented as future business.

13. Ordinance Amending Development Code to Include Vicinity Maps be Mailed with Public Notices Which are Required by the Development Code

Lonnie Crowell reported the Planning Commission recommended language to amend the Development Code to require vicinity maps to be mailed with public notices, and it also held a public hearing on that amendment. The City Council will also hold a public hearing and address this matter in upcoming meetings.

14. Open Space Improvement Agreement

Mayor Franson recommended the City Council get any changes to staff for the Open Space Improvement Agreement before April 13, as the agreement will be on the next agenda for adoption.

15. Proposed Code Amendment in P.O. Zone to Allow Assisted Living

Lonnie Crowell noted the applicant proposing an assisted living facility has been before the City Council and Planning Commission and showed proposals for this type of use. The code amendment allowing Assisted Living in the P.O. Zone will be coming forward.

16. Request by Laura Wood for Funding from the City to Attend Girls State

The request by Laura Wood for funding to attend Girls State will be coming forward. Lonnie Crowell indicated the City Council has approved this expenditure in the past.

17. Resolution Approving an Easement in Highland Hollow to Allow Access by Lehi City Across Open Space

Lehi City has a subdivision being developed to the north of Highland Hollow where they are building a detention pond and access is difficult. Lehi City is requesting Highland City to allow a maintenance easement in order for Lehi City staff to access their pond which will follow along Highland City's trail. Lehi has agreed to improve the trail if they are permitted to operate their equipment on the trail. Lonnie Crowell explained Highland City's ordinance doesn't allow unauthorized people to ride on the trail, but this action would make it legal for Lehi City to do so with permission from Highland City. Glade Tuckett explained Dean Wallace is developing the property above the easement and has a time frame for getting this accomplished. Mayor Franson directed Matt Shipp to contact Lehi City and tell them the Council would address this issue at the April 18, meeting.

INFORMATION ITEMS**18. Quarterly Report on Timpanogos Special Service District**

Glen Vawdrey reported on the first meeting he attended representing Highland City on the Timpanogos Special Service District Board. He reported discussion addressed Vineyard City's request for membership in the Timpanogos Special Service District. Also board members are to provide research to determine the population build-out and do a study to see if the present site is going to be sufficient for the whole area, or whether additional property will need to be purchased in the future. One concern is if development encroaches closer to the facility the District may have to abandon the compost operation. Glen Vawdrey reported residents can take their organic material to the District free and then the District sells it back for \$15 per cubic yard and with added improvements.

19. Emergency Preparedness Report

Mayor Franson reported over the past couple of weeks considerable snow pack has been added to the mountains and presently the snow pack is at, or above, where it was last year. Flooding concerns will depend on how quickly temperatures warm up.

Mayor Franson reported the Public Safety staff has prepared a DVD on levels of incident for emergency issues which will be distributed to various volunteer groups as a means of training and information in case of emergencies. Mayor Franson asked Steve King to thank Brad Freeman and Craig Carlisle for the good job they are doing.

20. Tuscany Hills Subdivision

Jed Lawrence, of Bingham Engineering; Greg Watts, of the Watts Group; and Gordon Crofts, developer; met with the City Council to discuss a proposal for an open space development which would require a new ordinance to include land owned by the Metropolitan Water District for dedicated open space. The proposed project would include approximately 22 acres of property owned by Gordon Crofts, and 27 acres owned by the Metropolitan Water District within the northwest hillside property. Lonnie Crowell explained the proposal would be to grant an open space lease of the Metropolitan Water property which could be used as a park, and the purpose for bringing the matter forward was to receive input from the City Council. He explained the developer was exploring this proposal before the City Council placed a moratorium for six months, or until the General Plan is updated.

Mr. Crofts explained the 1/3 acre subdivision proposal, derived with the Metropolitan Water parcel, is in the County and the properties would need to be annexed. The developer would be willing to improve the Metropolitan Water parcel which would lend itself to a city park and ball fields. Councilmember Schramm asked the developers if the area they thought would serve as a city park and ballfields if they are already flat and the answer was they are on a hill.

Mayor Franson suggested the City Council consider the proposal in the master planning, as the current General Plan does not address the northwest area. He also felt it would be appropriate for the developer to bring the issue up during the public hearings which will be ongoing with the update of the General Plan. He recommended the developer look into one acre lots in order to get value on the hillsides.

OTHER BUSINESS

21. Aspen Hollow/6800 West Road Issue

Chris Dalley inquired concerning the road issues on 6800 West adjacent the Aspen Hollow Subdivision.

Mayor Franson reported the City met with the developer of Aspen Hollow and because Aspen Hollow is a recorded subdivision the City has no legal right to stop the development and the developer chose to move forward. He explained the City Council will still need to make a decision on widening the road on 6800 West. He reported a strong commitment was made from Lehi, American Fork, Utah County, and hopefully Mountainlands to look at the road from State Street north as a regional road. It is being planned and can have a uniform width in order to take care of traffic.

22. Irrigation Issues

Kathryn Schramm inquired concerning irrigation problems in the vicinity of 9600 North and 6800 West. Mayor Franson reported he asked Matt Shipp to look at budgeting in the next fiscal year for a storm water master plan. Matt Shipp addressed irrigation water issues that were brought to his attention by Ken Wilson.

23. Highland Glen Park Issues

Steve King requested an appearance from Jeff Appel for an update on where the City is with EIS and the Highland Glen Park.

24. Parkland Bonus Overlay

Bruce Tucker inquired whether there had ever been a joint work session with the City Council and Planning Commission on the Parkland Bonus Overlay. Discussion addressed the fact the City Council held two public hearings and the Planning Commission held a public hearing. Lonnie Crowell reported the Planning Commission had recommended the ordinance and the City Council approved the ordinance by a vote of 3 to 2.

25. Executive Session

Motion: Glen Vawdrey moved to go into Executive Session. Motion was seconded by Steve King, and it passed by unanimous vote of the following present: Steve King, Kathryn Schramm, Claudia Stillman, and Glen Vawdrey.

Motion: Claudia Stillman moved to go out of Executive Session. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote of the following present: Steve King, Kathryn Schramm, Claudia Stillman, and Glen Vawdrey.

26. Adjournment

Meeting adjourned at 9:50 p.m.