

MINUTES OF HIGHLAND CITY COUNCIL MEETING

Tuesday, August 7, 2007

PRESENT: Mayor Jay W. Franson
Councilperson Steve King
Councilperson Kathryn Schramm
Councilperson Claudia Stillman
Councilperson Glen Vawdrey

STAFF PRESENT: Barry Edwards, City Administrator
David Church, City Attorney
Winifred Jensen, City Recorder
Lonnie Crowell, Community Development Director
Matt Shipp, City Engineer
Lynn W. Ruff, Finance Director

EXCUSED: Councilperson Brian Brunson

OTHERS: Vaughn Burton, Sam Allman, Leena Allman, Kevin Pace, Debbie Isaacson, Cliff Isaacson, Al Paxman, Valois Paxman, Tina Howard, Charlotte Poulsen, Darwin Poulsen, Gary Gibb, Sam Knight, Paulette Knight, Donald Boyle, Ann Boyle, Elizabeth Neibaur, Glen Neibaur, Ron Palmer, Janice Palmer, Ron Ulloa, Wendy Dent, Carol Stump, Robert J. Christoherson, Curtis Terry, Stephen Jon, Jennifer Winder, Gary Gray, Shellie Gray, Brent Gardner, Dave Iverson, Craig Carol Carson, Rule Mitton, Keith Paskett, Jeannine Savage, Joseph Savage, Christie Dalley, Kent Savage, Kathy Bruner, Shannon Ballard, Bruce Ballard, Andrew Vanderpool, Scott Harris, Aimme Stephens, Jamie Brown, Ben Fietkau, Julee Shepherd, Tina Howard, Liz Rice Macfarlane, Rich Slack, Joseph Simmons, Ted Hellstrom, Jean Hellstrom, Shirley Diamond, John C, Vik VaJes Jr., Madison Ver Steeg, Shelley Ver Steeg, Don Ruzicka, Rick Adamson, Amy Rootsart, Kyle Rootsart, Justin Rootsart, Devin Rhoton, Robert Stephens, Neal Peterson, Rosemary Peterson, Rebecca Angerhofer, Larry Hansen, Paul Anderson, David K. Larsen, Janet Lewis, Rodney John, Joan John, Lisa Lindow, Jim Lindow, Krissy Greening, Arlen Johnson, Dorrie Layne, Stephanie Miess, Roselee Shelley, Ryan Manfino, Beverly Hansen, Doug Hatton, Wendy Hatton, Vern Hancock, Rob Clauson, Cathy Helman, Amy Ingram, Kara Schofield, Brad Christensen, Brice Cook, Michael Eagar, Clint Anderson, Cecilee Nelson, Delwin Thomson, Mike Bishop, Mike Raymond,

The meeting was called to order as a regular session at 7:00 p.m., and notice of the time, place, and agenda had been provided the *Deseret Morning News*, *Daily Herald*, *Salt Lake Tribune*, and *Lone Peak Press* August 6, 2007. The prayer was offered by Lynn Ruff, and those assembled were led in the Pledge of Allegiance by Lonnie Crowell.

1. Approval of Minutes (Agenda 4)

Motion: Steve King moved to approve the minutes of the June 19, 2007 City Council Meeting, as amended. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

Motion: Kathryn Schramm moved to approve the minutes of the Joint Work Session of the City Council and Planning Commission for July 10, 2007, as amended. Motion was seconded by Steve King, and it passed by unanimous vote.

Motion: Glen Vawdrey moved to approve the minutes of the July 17, 2007 City Council Meeting, as amended. Motion was seconded by Steve King, and it passed by unanimous vote.

2. Appearances (Agenda 5)

A. Fire in Bull River. Mayor Franson recognized the efforts of the following for efforts in containing a fire which burned seven acres in Bull River: Alpine Highland Police and Fire, Highland City Public Works staff, and the Mayors of American Fork and Lehi for providing additional fire fighting equipment.

B. 9600 North Road Issues. Residents living along 9600 North appeared before the City Council with concerns for transportation planning which could affect 9600 North. Mayor Franson apologized for the way the information went out on plans to approve a redline version of the General Plan draft. He indicated the item was pulled from the agenda. He also indicated he understood American Fork has had meetings on 9600 North. He set a work session for August 22, 2007, at 7:00 p.m., for the public to attend in order to discuss the road issue. He further indicated the City Council didn't intend to do something without involving the public and also indicated the City Council won't approve the General Plan for several months. He requested staff provide information for citizen review and indicated the work session would be held as a problem solving session. He further noted the planning is a North Utah County issue, and not just a Highland City issue.

Kevin Pace asked if Highland City had made any promises or agreements with other cities on widening 9600 North. Mayor Franson reported in Mountainlands' meetings when Lehi, American Fork, and Pleasant Grove said they would be willing to take a road over the north end of the Tri City Golf Course, he said Highland City would entertain a connection to that road. He also stated he had voted to fund a Mountainland study that will be completed by the end of the year in terms of looking at the entire issue, but any commitment is premature until the study is completed.

Barry Edwards explained in a meeting held in January they were given markers and asked to mark some corridors and city staff marked the corridor which covered a one-quarter mile as it was felt a way is needed to move traffic from one side of the community to another and this is how it was designated.

Cliff Isaacson reported some people have talked to city officials and been told 9600 North was a done deal and didn't want to entertain any further discussion. He felt to know the commitment is a "slam dunk" is very distressful. Mr. Isaacson indicated he had received the information second hand.

3. Consent Calendar (Agenda 6)

6.6 Adoption of Changes to the General Plan was pulled from the agenda.

Kathryn Schramm requested to pull **6.1 Interlocal Agreement with American Fork Regarding Pressurized Irrigation**, and **6.7 Open Space Agreement** from the Consent Calendar.

The following items on the consent calendar were approved by unanimous consent by the following voting in favor: Kathryn Schramm, Claudia Stillman, Glen Vawdrey, and Steven King:

6.2 Interlocal Agreement with American Fork Regarding a Debris Basin (Approval of an Interlocal Agreement with American Fork City to make a joint offer to Utah County to purchase the debris basin at the mouth of American Fork Canyon)

6.3 Memo of Understanding for the American Fork Recreation Programs (approval of a Memo of Understanding with American Fork City for recreation programs)

6.4 Authorization to Combine the Bonneville Trail Underpass and the SR-92 Projects (approval of the proposal to combine the Bonneville Trail Underpass with the SR-92 Project)

6.5 Adoption of Highland City Storm Water Master Plan (adoption of the Highland City Storm Water Master Plan)

4. Presentations (Agenda 7.1)

Mayor Franson presented a plaque honoring Darwin and Charlotte Poulsen as the 2007 Highland Fling Grand Marshals. He also expressed appreciation to Emily Gillingwater, along with the many volunteers, who put on an outstanding Highland Fling. He further thanked the History Committee for the excellent booklet they produced of Highland's history, and he encouraged residents to obtain a copy.

5. Public Hearing for Patterson Senior Housing General Plan Land Use Map & Zoning Map Amendment (Agenda 7.2)

Mayor Franson opened the public hearing on the Senior Housing General Plan Land Use Map and Zoning Map Amendment. Lonnie Crowell reported Patterson Construction had been

before the City Council and Planning Commission for three years requesting consideration of an assisted living unit north of the P.O. Zone. The previous plan had an application for an Alzheimer unit, along with attached and independent units, but is now being proposed for one single unit to include an Alzheimer unit and a single living unit. The proposal will provide 35% open space and is suggested to be attached to the P.O. Zone. Patterson Construction has recently suggested proposing an R-1-40 development, a church and/or a charter school for the remaining property which is already permitted in the R-1-40 zone.

Brief comment was taken by the City Council. Mayor Franson closed the public hearing and indicated this matter would come back before the City Council as a consent item on the next agenda.

ACTION ITEMS

6. Interlocal Agreement with American Fork Regarding Pressurized Irrigation
(Agenda 6.1)

Motion: Kathryn Schramm moved to accept an agreement with American Fork to define the future relationship between Highland City and American Fork Cities in regard to shares of American Fork Irrigation stock. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

7. Open Space Agreement (Agenda 6.7)

Motion: Kathryn Schramm moved to approve the Open Space Agreement and Open Space Application, as presented in the attachments. Motion was seconded by Steve King, and it passed by the following voting in favor: Claudia Stillman, Glen Vawdrey, and Steve King. Kathryn Schramm voted against the motion.

8. Highland Square Final Subdivision Approval (Agenda 8.1)

Motion: Steve King moved that the City Council grant Final Approval for the Highland Square Subdivision, located in the Town Center, subject to recommendations by staff and previous conditions of the Planning Commission. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.

9. Alpine Credit Union Conditional Use Permit (Agenda 8.2)

Motion: Claudia Stillman moved that the City Council grant approval for the Alpine Credit Union Conditional Use Permit subject to Planning Commission and Staff recommendations. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.

10. Conditional Use Permit for L.D.S. Church in Days Meadows Subdivision (Agenda

8.3)

Motion: Glen Vawdrey moved that the City Council grant approval for the L.D.S. Church at 6000 West 10700 North Conditional Use Permit subject to Planning Commission and staff recommendations. Motion was seconded by Steve King, and it passed by unanimous vote.

11. Conditional Use Permit for Sunset Mountain Properties Office Building 2 (Agenda 8.4)

Motion: Steve King moved that the City Council grant conditional use approval for the Sunset Mountain Properties Office Building 2, subject to Planning Commission and Staff recommendations, and a condition that Patterson Construction vacate the current property known as a model home/office in the Hunter Ridge Subdivision on 11000 North in Highland prior to issuing a building permit. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

12. Set a Public Hearing for Mayor and City Council Compensation

Motion: Glen Vawdrey moved that the City Council set a public hearing for the purpose of increasing the Mayor and City Council Compensation at the next appropriate meeting. Motion was seconded by Steve King, and it passed by unanimous vote.

13. Adoption of Ordinance No. 2007-20, "Ordinance Amending Section 3-4203: Area and Width Requirements in the Highland City Development Code"

Motion: Claudia Stillman moved that the City Council adopt Ordinance No. 2007-20, "Ordinance Amending Section 3-4203: Area and Width Requirements in the R-1-20 Zone," as recommended by Planning Commission and staff. Motion was seconded by Steve King.

Amendment to the Motion: Kathryn Schramm moved to propose in the R-1-20 residential zone that 25% of the lots may be between 16,000 sq. ft. and 20,000 sq. ft. The amendment died for a lack of a second.

A vote was taken on the original motion and it passed by the following voting in favor: Claudia Stillman, Steve King, and Glen Vawdrey. Kathryn Schramm voted against the motion.

FUTURE BUSINESS

14. Alpine School District Parking Lot (Agenda 9.1)

Barry Edwards reported that Alpine School District would like to use property behind their new portable classrooms at Lone Peak High School for a parking lot. The parking lot would

provide parking for both classrooms and new athletic fields. It would be accessed through Lone Peak High School. He indicated he and Mayor Franson met with the Superintendent and Rob Smith and it was felt the parking for a ballfield could provide good use for both Highland City and Lone Peak High School

15. Ordinance Dealing with Nuisances (Agenda 9.2)

Barry Edwards reported there have been issues raised by City Council members on various nuisances which are bothersome and which seem to fall outside of current regulation, i.e motor cross tracks.

Mike Bishop reported he has two neighbors with motor cross tracks in his neighborhood and they ride their motorbikes eight hours a day on weekends, and he hoped someone could do something because he doesn't want it there because of the problem with noise and dust.

Following a discussion by City Council and legal counsels David Church and Tucker Hansen, Mayor Franson requested the Council members prepare a list of items which they consider to be nuisances, and if there is anything in the existing code to list them, as well. He asked Council members to give these issues to staff by August 21, 2003 in order for staff and Highland City's two legal counsels to draft an ordinance to address those nuisances.

16. Allied Waste Increase Request (Agenda 9.3)

Allied Waste has requested an increase in their contract due to increased costs they have absorbed over the last few years. This new increase would be effective August 1, 2007, with an increase of \$.50 per home. Barry Edwards proposed this matter be placed on the agenda for action.

17. Road Connections (Agenda 9.4)

Barry Edwards explained there are three specific roads in Highland that currently do not connect to nearby existing roads. Due to an increase in homes and residents, there is a need to connect these roads to make smoother traffic flow through the city. These roads include the area in front of Telfer's Home and Kate's Farm Subdivision, 11200 North 5710 West, and 10620 North 5800 West. Barry Edwards recommended holding a public hearing and bringing this item back as future business.

18. Improvements to Dry Creek Park (Agenda 9.5)

Residents of Dry Creek Bench are requesting amenities to the neighborhood park similar to those in the Canterbury North Park, i.e. tot lot, pavilion, and basketball court. Barry Edwards noted the parks impact fee allows \$200,000 to improve the park and it is designated as a neighborhood park in the master plan. This item will be brought back in the future with a scope of service and a price.

Kathryn Schramm indicated the Dry Creek Park has a lot of rodent holes. Barry Edwards will research this matter.

19. Beacon Hills Sports Park (Agenda 9.5)

Matt Shipp presented a proposal on how the Beacon Hills Sports Park could be used. He explained in order to get amenities on this site there would need to be grading and a storm drain. Funds for the improvements would come from park impact fees and storm drain fees. A plan for site work will be brought back for City Council consideration.

20. 4800 West Centerline (Agenda 9.6)

In order for the City to proceed with future transportation corridor improvements along 4800 West, the centerline of the road has to be determined. This determination will allow for the preservation of the corridor and enable the City to apply for preservation funds. Barry Edwards indicated this matter would be brought back and property owners could be notified where properties need to be acquired. He recommended holding a public hearing. Kathryn Schramm recommended putting an article in the City newsletter and post it on the web site.

21. Definition of Rural (Agenda 9.8)

Mayor Franson indicated before the City Council adopts the General Plan it needs to identify what "rural" means in order to make the General Plan consistent. He set a work session with the Planning Commission for August 29, 2007 at 7:00 p.m. to deal with this issue.

INFORMATION

22. Lone Peak Public Safety District

This item was removed from the agenda.

OTHER BUSINESS

20. Other Business (Agenda 11.1)

A. Mayor Franson reported the City will hold the Primary Election September 11. The November General Election will be conducted by the County, and the State will match funds for the election in order to have the school voucher issue on the ballot.

B. Mayor Franson indicated he had been approached to adopt a resolution for a safe child community by protecting commercial establishments. He will put a copy of the information in the Council member's boxes.

C. Mayor Franson reported Lehi City is trying to put together a study to count the number

of large semi trucks which go down I-15. The purpose for the study is in consideration for having these vehicles taken down along the west side of the lake. The presumption is that even if truckers participated with half of the savings there is enough to pay for the road. This will entail a contribution of \$2,000 from Highland to get the numbers. This matter will come back on an agenda in the future.

21. Set Joint Work Session for Senior Housing (Agenda 11.2)

Mayor Franson set September 5, 2007, at 7:00 p.m., to address a Joint Work Session for Senior Housing.

Mayor Franson also indicated the City Council will have a field trip on August 28, 2007, at 5:00 p.m., in order to see projects developed in the City.

22. Executive Session

Motion: Kathryn Schramm to go into executive session for land acquisition and personnel. Motion was seconded by Steve King, and it passed by unanimous vote.

Motion: Glen Vawdrey moved to go back into Executive Session. Motion was seconded by Steve King, and it passed by unanimous vote.

23. Adjournment

Motion: Kathryn Schramm moved to adjourn. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

Meeting adjourned at 10:25 p.m.