

MINUTES OF HIGHLAND CITY COUNCIL

Tuesday, February 21, 2006

PRESENT: Mayor Jay W. Franson
Councilperson Brian Brunson
Councilperson Kathryn Schramm
Councilperson Claudia Stillman
Councilperson Glen Vawdrey

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

OTHERS PRESENT: Kim Barker, Jenny Jones, Bruce Tucker, Scott Hansen, Jacob Kleinman, Braden Shelley, Kyle Laird, Ethan Welch, Stephanie Thacker, Jenny Eldredge, Brad Eldredge, Terri Breinholt, Brian Breinholt, Ladawn Kastlene, Kevin Kleinman, Jeff Davis, Bob Ballantyne, Matt Halbleib, Lynn Ruff, Brett Hansen, Mike Swasey, Tom Gordon, Pat L. Smith, Randy Young, Wendy Young, Craig Hendricks, Randall Crockett, Dave Summers, Nancy Summers, Lori Davis, Don Kaufer, DeLynn Rodeback, Randy Graham, Diana Graham, Thomas Whitchurch, Lee Snell, Nancy Snell, Teri Jerman

EXCUSED: Councilperson Steve King

The meeting was called to order at 7:00 p.m. The meeting was called as a regularly scheduled meeting, and notice of the time, place, and agenda had been provided the *Deseret News*, *Daily Herald*, *Salt Lake Tribune*, and *New Utah* on February 16, 2006. The prayer was offered by Winifred Jensen, and those assembled were led in the Pledge of Allegiance by Councilperson Glen Vawdrey.

1. Minutes of February 7, 2006.

Minutes of the meeting held February 7, 2006 were approved, as amended, by motion from Brian Brunson. Motion was seconded by Claudia Stillman. The motion passed by the following voting in favor: Claudia Stillman, Kathryn Schramm, and Brian Brunson. Glen Vawdrey abstained.

2. Appearances

Don Kaufer inquired as to why the City's microphone system isn't working. The answer was given we have problems with feedback.

3. Consent Calendar

Claudia Stillman requested item 6.4 (Request for Proposal to Update the General Plan) be taken off the consent calendar. Kathryn Schramm requested item 6.5 (Adopt Ordinance No. 2006-8 Adding Section 12.12.040 Within the Highland City Municipal Code Requiring the Completion and Acceptance of 100% of the Public Improvements Prior to Accepting Building Permit) be taken off the consent calendar.

The following were approved on the consent calendar:

- 6.1 Adoption of Resolution No. 2006-5, "A Resolution of the Governing Body of Highland City Finding that the Annexation of Only a Portion of an Island of Unincorporated Land Within Highland City is in the Best Interest of the City (for Waterford Estates Annexation) and Repealing Resolution No. 2005-13"**
 - 6.2 Council Board of Appointments**
 - 6.3 Adoption of Ordinance No. 2006-7 "An Ordinance of the City Council of the City of Highland Amending the FY 2005-06 Budget"**
 - 6.6 Request to Go Out to Bid to Complete Right-of-Way and Storm Drain Improvements on 10250 North (South End of Mitchell Hollow Park)**
- 4. Adoption of Ord. No. 2006-6, "Adoption of 4.8.1 Parkland Bonus Overlay Subdivision in Highland City Development Code"**

Motion: Brian Brunson moved to continue "Adoption of Ord. No. 2006-6, "Adoption of 4.8.1 Parkland Bonus Overlay Subdivision in Highland City Development Code", and ask Staff to address the following amendments: (1) specify a buffering requirement along adjacent existing private properties; (2) provide a process similar to the matrix approval process wherein the City Council grants the density bonus prior to any subdivision process; (3) identify minimum lot sizes, street widths, and setbacks; (4) the ordinance provide a requirement for trails, in addition to the open space property; (5) ordinance require a transportation/circulation plan; and (6) upon these revisions to the ordinance that an additional public hearing be scheduled to solicit input to the revised ordinance. Motion was seconded by Glen Vawdrey.

Motion: Claudia Stillman moved to approve an amendment to the motion that all members of the Planning Commission and City Council be involved in the discussion of the revision of Ordinance No. 2006-6 on all six items. Motion was seconded by Kathryn Schramm. Those voting against the motion were Brian Brunson and Glen Vawdrey. Those voting in favor of the motion were Kathryn Schramm, and Claudia Stillman. As this created a tie vote, Mayor Franson voted in favor of the motion and the amendment to the motion passed.

The amended motion was voted on and passed by unanimous vote.

5. City Aerial for GIS

Motion: Claudia Stillman moved to approve a contract with Olympus Aerial Surveys for an aerial contract for \$48,000. Motion was seconded by Kathryn Schramm, and it passed. Brian Brunson voted against the motion.

6. Approval of UP & L Conditional Use Permit

Motion: Brian Brunson moved that the City Council approve a Conditional Use Permit for Utah Power & Light Pole Repair and Replacement subject to all conditions of staff and Planning Commission, and further subject to the applicant reviewing the master plan street widths and having those poles located in a position now that will be consistent with those street widths. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

7. Approval of Engineering Agreement for Cemetery Improvements

Motion: Glen Vawdrey moved to approve the contract agreement with Bingham Engineering for \$28,400 to finish the engineering design of the City Cemetery and Memorial. Motion was seconded by Brian Brunson, and it passed by unanimous vote.

8. Approval to Hire Staff Engineers

Motion: Brian Brunson moved to approve hiring two staff engineers for the Public Works Department. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

9. Request for Proposal to Update the General Plan

Motion: Claudia Stillman moved to approve the staff request for an RFP for private persons to update the Highland City General Plan, not to exceed \$100,000, contingent on City Council review and approval of RFQ, and the time schedule that it sets. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

10. Adoption of Ordinance No. 2006-8, "Ordinance Adding Section 12.12.040 Within the Highland City Municipal Code Requiring the Completion and Acceptance of 100% of the Public Improvements Prior to Accepting Building Permit"

Motion: Kathryn Schramm moved to adopt Ordinance No. 2006-8 adding Section 12.12.040 with the exception of inserting the words "need to be flexible and adjust to change to weather circumstances or other pertinent circumstances prior to accepting building permits." The motion died for a lack of a second.

Brian Brunson moved to adopt Ordinance No. 2006-8. "Adding Section 12.12.040 Within the Highland City Municipal Code Requiring Completion and Acceptance of 100% of Public Improvements Prior to Accepting Building Permits." Motion was seconded by

Glen Vawdrey, and it passed by the following voting in favor: Brian Brunson, Claudia Stillman, and Glen Vawdrey. Kathryn Schramm voted against the motion.

11. Future Business

A. Council Assignments

Mayor Franson recommended that council members not be given specific committee assignments; however, they will each be appointed to a specific board. A staff person will be hired to fill the duties of Highland Fling Chairman, Youth Council, etc. Wini Jensen was asked to prepare letters to the County Clerk appointing Council members to the designated boards.

B. Open Space Report

Barry Edwards gave a report on the open space subdivision issues and felt the conclusion was that there isn't a process to gain consensus of property owners in the open space subdivisions, and there isn't a way to bind them because of private property rights. He recommended the City Council represent the citizens and continue with the open space agreement and bring it back for the City Council's action. He noted previously the committee comprised of Glen Vawdrey, Gwyn Franson, Lonnie Crowell, Matt Shipp, and himself only got through three-fourths of the open space subdivisions and made recommendations where the open space should be approved and where it shouldn't be approved. He recommended appointing two ad hoc members of the Council to help complete the process, and then bring the recommendations back for Council hearings, and adopt a tentative document. Staff can then put the numbers to it as to the fiscal impact. Mayor Franson recommended the City Council work with Lonnie Crowell and Barry Edwards on ideas and come back with a draft resolution. Claudia Stillman recommended a work session of the City Council on the matter.

It was determined the City Council would meet in a work session March 7, 2006, from 6:00 - 7:00 p.m. to discuss the open space agreement and the parkland bonus overlay.

C. Qualification Based on Selection of Professional Services

Mayor Franson discussed a brochure he distributed to the Council on qualification based selection for the process of acquiring professional services. He indicated the desire to incorporate the process into the procurement code.

D. Building Height Ordinance

Lonnie Crowell reported staff met with the Mayor and representatives from the local building community relating to the existing ordinance that restricts foundation height to 42" above the curb. Mayor Franson indicated this matter would come back on the next Council agenda and he encouraged the City Council to discuss the issue with builders and staff. He also recommended a time be arranged where staff can show the City Council members the problem in

the field.

D. Recreational Task Force Recommendations

Glen Vawdrey discussed a report of recommendations on recreation which was the result of seven months of discussion with six surrounding cities. The recommendation will be for Highland, Alpine, and Cedar Hills to form a recreation special service district, with contractual arrangements with American Fork and the Alpine School District. This matter will come back on the March 7, agenda.

Mayor Franson requested Glen Vawdrey continue to represent Highland City and bring back periodic reports.

12. Information

A. Fire Department Report

Brian Brunson reported Steve King was voted Chairman of the Lone Peak Public Safety District for 2006-07. He further reported on decisions of the Lone Peak Public Safety District Board as follows: authorization to hire the 17th police officer, the purchase of two snowmobiles to be used in winter rescue operations, authorization for purchase of a fire engine, efforts to try and get a satellite phone at the mouth of American Fork Canyon for rescue services, and planning a four to five year process for paid firemen in place of a volunteer fire department.

B. Sidewalk Map

Matt Shipp reported he hoped to have the sidewalk map ready for the next Council Meeting.

C. Planning Commission Appointments

Mayor Franson reported he is seeking resumes of individuals who are interested in serving on the Planning Commission. He will come back with recommendations for appointments in the future.

D. Agricultural Protection Right

Lonnie Crowell reported the matter of agricultural protection right will be brought up at a future Council meeting.

E. Legislative Update

Barry Edwards updated the City Council on issues of interest being addressed at the legislature.

F. Laptops for Council

Barry Edwards informed the City Council of plans to provide the City Council members with laptop computers for use in providing data for City Council agendas. The total cost would be \$7,500. Kathryn Schramm inquired if the Development Code, Land Use Plan, etc. could be available on the laptop, and Brian Brunson asked if zone maps could be provided in pdf format. Barry Edwards indicated this matter would be brought back on a future agenda.

13. Other

A. Mayor Franson reported a letter has been prepared to be sent to the four L.D.S. stakes in Highland regarding a meeting to be held March 14, at 6:00 p.m. with Public Safety personnel. This meeting will address emergency preparedness chain of command issues, and a potential concern for volunteers in case of potential flooding in the spring.

B. Mayor Franson reported approval has been received to cover the Provo Reservoir Canal and provide a trail. The project will take 5-10 years. Approval has been given to appropriate over \$11 million to put in the trail. The Provo Reservoir Canal staff will be working with communities on trailheads, etc. Title is being transferred from the Federal Government to local water agencies.

C. Mayor Franson reported a hearing is scheduled in mid-March on the issue between Utah County and Mountainlands Association of Governments on aging services.

14. Adjournment

Meeting adjourned at 9:30 p.m.