

## MINUTES OF HIGHLAND CITY COUNCIL MEETING

**Tuesday, February 6, 2007**

**PRESENT:** Mayor Pro Tem Brian Brunson  
Councilperson Steve King  
Councilperson Kathryn Schramm  
Councilperson Claudia Stillman  
Councilperson Glen Vawdrey

**STAFF PRESENT:** Barry Edwards, City Administrator  
Winifred Jensen, City Recorder  
Matt Shipp, City Engineer/Public Works Director  
Lonnie Crowell, Community Development Director  
Lynn W. Ruff, Finance Director

**OTHERS:** Christie Dalley, Rob Clauson, Geoff Dupaix, Dan Avila, Emily Gillingwater, Stephanie Thacker, Liz Macfarlane, Debbie Maughn, David Henry, Ann Jeppson, Christie Dalley, Will Jones, Glade Tuckett, Tom Hulbert, Terri Kent, Stephanie Jones

**EXCUSED:** Mayor Jay W. Franson

The meeting was called to order at 7:25 p.m. by Mayor Pro Tem Brian D. Brunson. 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 *Lone Peak Press* February 5, 2007. The prayer was offered by Winifred Jensen, and those assembled were led in the Pledge of Allegiance by Matt Shipp. Mayor Pro Tem Brunson congratulated Highland resident, Rob Morris, a member of the Colts team which won the Super Bowl.

Lonnie Crowell introduced Carly LeDuc, who was recently hired as a planner for Highland City.

### **1. Approval of Minutes**

**Motion: Steve King moved approval of the minutes of the January 11, 2007 Work Session, as amended. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.**

**Motion: Kathryn Schramm moved approval of the minutes of January 16, 2007 City Council Meeting, as amended. Motion was seconded by Steve King, and it passed by unanimous vote.**

### **2. Appearances (Agenda 5)**

A. Rob Clawson, a resident, also noted recognition to Highland residents Rob Morris, who played in the Super Bowl, and Katie Millar, who placed in the top ten at the Miss America Pageant.

B. Steve King asked the Council to recommend two couples to assist Brenda and Alan Olsen as advisors to the Youth City Council. Glen Vawdrey recommended putting a notice in the City Newsletter.

**3. Consent Calendar** (Agenda 6.1)

Beautification Committee Chairman Appointment was postponed until Mayor Franson has an opportunity to make a recommendation.

**4. Public Presentations, U.D.O.T. Projects Update and Invitation to Open House**  
(Agenda 7.1)

Geoff Dupaix, Regional Coordinator, and Dan Avila, Project Manager, of U.D.O.T., met with the City Council for the purpose of providing project updates for SR-92. The City Council and residents were invited to a public meeting at IM Flash on February 22, 2007, from 5:30 - 7:30 p.m. to submit concerns and address solutions as part of the environmental analysis. It was reported \$20 million had been appropriated for doing the study and begin making some improvements to the corridor within the next two years. The environmental process must be submitted to the Federal Highway Commission and then they can move into the design stage. U.D.O.T. representatives plan to come back to the Council in a month to present a summary report during the scoping phase. Also, they are looking at a 13-month time frame to send the report to the Federal Highway Commission for the first phase of the project.

U.D.O.T. representatives further addressed other projects for Utah County, which includes a feasibility study on location and installation of ground metering, adding turn lanes and a turn signal at 1200 West in Lehi, installation of an auxiliary lane from an on-ramp to an off-ramp between American Fork and Lehi Main Street at those interchanges. Additional public hearings are planned for late summer on five alternatives for I-15. Also, U.D.O.T. is looking at congestion management ramp meters, the option of widening I-15 to permit six lanes in each direction, re-surfacing SR-74 from 11200 North down to Main Street in American Fork.

Discussion ensued. Claudia Stillman recommended the press advertise the open house in the newspaper. Brian Brunson suggested U.D.O.T. consider snow fences on SR-92 and re-stripping a lane. As to any planning for U-92 through Highland, Barry Edwards suggested the City plan for five lanes up to the mouth of the canyon, even though U.D.O.T. can't commit to planning for U-92 through Highland at this point in time.

**5. Approval of Library Board** (Agenda 8.1)

**Motion: Steve King moved to authorize the Mayor to appoint a Library Board**

**consisting of nine members to plan the development of a Highland City Library, to be housed in a wing of the new Highland City Hall. Motion was seconded by Kathryn Schramm.**

**Motion to Amend: Glen Vawdrey moved to amend the motion to state “with consent of the Council”. Motion was seconded by Steve King, and it passed by unanimous vote.**

**Amended Motion: to authorize the Mayor to appoint a Library Board consisting of nine members, with consent of Council, to plan the development of a Highland City Library to be housed in a wing of the new Highland City Hall. Motion passed by unanimous vote.**

Claudia Stillman explained the Library Committee’s proposal was to appoint a nine member board to include Stephanie Thacker and Justin Englebright, and seven more members. She explained 13 volunteer forms have been submitted from individuals interested in a library. She noted there are 12,000 books to be inventoried, the University of Utah is willing to give the City shelving which will be available in 2008, and for a budget of \$195,000 a library could be established. She recommended the appointment of a library board, which is required in order to be accredited and receive state funding.

**6. Recreation Survey** (Agenda 8.2)

**Motion: Glen Vawdrey moved to approve the Recreation Survey. Motion was seconded by Claudia Stillman.**

Glen Vawdrey explained the change in questions 18 and 19 were identical, except for the word “sports”. Kathryn Schramm indicated she had called Ted Stillman and Cedar Hills to point out the deletion of the word and thought there should have been another question. She indicated Ted Stillman called back to report he had sent an email to Conrad Hildebrandt. She wondered if it was a different question on 19, or if it should be deleted. She also questioned 18 and 23, and didn’t think 23 was necessary. Barry Edwards explained the survey will have a random sampling with 2,000 questionnaires.

**Substitute Motion: Kathryn Schramm moved to delete, or suggest to Cedar Hills they delete, question 19 from the survey. Motion was seconded by Steve King.**

**Second Substitute Motion: Claudia Stillman moved to delete question 19 and if question no. 18 is left in, it needs to include a price range in order to indicate the respondent’s support for the recreation center and willingness to commit their tax dollars. Motion was seconded by Glen Vawdrey. Motion passed by the following voting in favor: Claudia Stillman, Glen Vawdrey, Steve King, and Brian Brunson. Kathryn Schramm voted against the motion.**

**7. Highland Marketplace Subdivision Final Approval** (Agenda 8.3)

**Motion:** Claudia Stillman moved that the City Council grant Final Approval for the Highland Marketplace Subdivision subject to conditions and recommendations of the Planning Commission and staff, and subject to the applicant working with staff to address and ensure the remaining concerns/conditions, as indicated below which are to be included on the recorded document.

- That the applicant install and improve the parkway detail along SR-92 and SR-74 which include the landscaping from the curb and include trees, grass, plantings and a meandering sidewalk per the Highland City Specification. The applicant needs to work with UDOT when putting in the landscaping and allow enough room for the road widening and still meet the 15' CR zone requirements for landscaping from the future curb (29 feet in from existing curb); and
- That the applicant be required to install any improvements along SR-92 and SR-74 that are not existing and be required to remove the monolithic sidewalk to install the parkway detail; and
- That the applicant work with the City to install half of the medians on SR-92 and SR-74; and
- That the city reserve the right to alter or remove the ingress/egress on the southeast corner of the proposed subdivision along SR-92 with this note shown on the plat; and
- That the applicant construct and install a masonry wall along the western and northern boundary of this proposed subdivision consistent with setbacks defined in the Development Code and that the Planning Commission approve a Variance to allow an 8 foot wall along this boundary per the request of adjacent residential property owners. The Planning Commission may consider a variance for the masonry wall in the "front yard" which would permit a wall taller than 3 feet within the 30 foot front yard setback (if a wall is considered necessary in this location). This wall should be constructed prior to any alteration of this property; and
- That the applicant obtain a demolition permit for existing structures on the property prior to their removal. Those structures which require a demolition permit shall be determined by the City Building Inspector; and
- That the applicant obtain approvals for all ingress/egress from UDOT for access from SR-92 or SR-74; and
- That the applicant strictly adhere to the Dust and Mud Prevention Plan during grading and construction of this subdivision; and
- That all UDOT approvals be submitted to the City prior to Final subdivision approval with City Council.
- The City Council should have CC&R's or a recorded development agreement protecting the following elements associated with the approval of this project as follows:
  - (1) Protection of the landscaping as approved during site plan approval including the parkway detail landscaping requirements. This will be important in the future when a tenant will want to request to remove some trees so their signs can be seen from the highway (ironically, the larger center

- sign that is being requested by the applicant will be harder to see the taller it is because of the trees associated with the approved landscaping plan and the trees required with the parkway detail which can be corrected with tree placement); and**
- (2) The protection of a sign theme for the project as a whole (per ordinance (CR) and per the ordinance that will be drafted which is consistent with the existing); and**
  - (3) The protection of a lighting style and theme - on building, parking, and walkway; and**
  - (4) The protection of the architectural quality as currently approved - this should include any building associated with this subdivision; and**
  - (5) Insurance for the improvement of significant landscaping/hardscape requirements for the development that was significantly associated with the approval of this project. This should include a specific list of materials that will be used for this portion of the improvements - these will be bonded for and this step will save you time when you record this plat.**

**Substitute Motion: Glen Vawdrey moved to continue for two weeks and give staff time to work out conditions and recommendations. Motion seconded by Kathryn Schramm. Motion passed by unanimous vote.**

**Discussion:** Tom Hulbert felt the development agreement and code site plan approval has safeguards in place for the development, but he had a concern about the City changing the ingress and egress near lot 6. He felt the solution on the entrance is a “right in right out” configuration and when it is appropriate that U.D.O.T., the City, or the City Engineer would inform them. He wanted to remove the language “or remove” from item 4, on page 7.

Mr. Hulbert inquired about the medians. Barry Edwards indicated the City had talked to U.D.O.T. He indicated the Town Center would pay for half of the medians and Highland Marketplace Subdivision would pay for one-half.

Claudia Stillman inquired whether plans are established for the parkway detail easement with a five-lane road. Tom Hulbert indicated they had met with U.D.O.T. and were told they were doing the scoping and looking at the future, but the present road width is what they would be dealing with. Their traffic engineer, Horrocks Engineering, indicated the width of the road at the intersection is going to be wide enough, but as it moves west they were advised to taper the curb into the road and continue a second lane to the second entrance and then taper back into one lane. He indicated there would be little change to the curb, and the parkway detail would be as shown. U.D.O.T. would need to come to them and the City in the future if there are any changes. Lonnie Crowell explained the parkway detail is 29' from the curb and is planned for the future.

Glen Vawdrey inquired concerning the significance of lot 2A being split off from lot 2 on the plat. Tom Hulbert explained this is Paula Platt’s property, for which they have a contract to purchase, and they have discovered the property has an underground storage tank on it. They are

trying to work with Mrs. Paula Platt to close on the property. In doing so they are trying to give flexibility should the tank be removed that it could be contained on lot 2A. Thus they could pay Mrs. Platt for the remaining property and have one strip in her name until the property is cleaned up. Then she would be paid the rest of the money. He further explained they have to work with the Department of Environmental Quality and follow the site plan.

Brian Brunson felt most of the items on page 8 of the staff report, written by Lonnie Crowell, could be written into the CC& R's and add Highland City as a third party beneficiary so the City could enforce the CC& R's. Barry Edwards felt people should know what they are buying and some of the issues should be placed on the plat. He felt they could also be placed in the CC & R's, but felt they should also be on the plat. Brian Brunson felt there needed to be an easement for hardscape areas. Tom Hulbert indicated he didn't see a separation between the parkway detail and the hardscape. He indicated the parkway and fence would be installed at the same time. Barry Edwards recommended those areas be common areas and tied back to the CC & R's so owners can maintain the areas. Tom Hulbert felt it needs to be part of the recording of the plat. Brian Brunson indicated the need to approve reciprocal easements.

Brian Brunson felt the southeast access point should be similar to what was approved for the Lone Peak Development. Barry Edwards indicated he hadn't pulled the plat to see what was required for the Lone Peak Development, but he felt the southern access could be removed. Brian Brunson felt it was on both the north and east accesses where there was a concern.

Brian Brunson did not feel it was wise to take a configuration of lots and plat them separate as it dealt with lot 2A. He preferred continuing for two weeks and obtain advice from David Church on lot 2A and see how staff will conclude the issue of giving notice on what should be on the plat and what shouldn't.

**8. Spruce Estates Subdivision Final Approval (Agenda 8.4)**

**Discussion:** Barry Edwards explained the description on the plat for Spruce Estates doesn't permit 14 lots, which is too many lots for the R-1-40 ordinance. However, the developer may be able to add some property to increase the acreage. Will Jones explained when the subdivision was presented to the Planning Commission it had two cul-de-sacs and 13 lots. Subsequently it was presented at DRC for modification of the plat with a proposal to provide better circulation by taking a road to another subdivision and adding additional property in order to permit a 14-lot subdivision. Glade Tuckett, developer of adjacent property to Spruce Estates Subdivision, explained he had a parcel of land which is of no use to his subdivision. He was willing to work with Spruce Estates to provide the additional property so there could be 14 lots and also a road to access his subdivision.

**Motion: Claudia Stillman moved to continue Spruce Estates. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.**

**9. Land Use Agreement with Lehi City for Zone Protection (Agenda 8.5)**

**Motion: Steve King moved to approve Resolution No. 2007-3. Land Use Agreement with Lehi City Regarding the Lehi City Well Protection Zone, and authorize the Mayor to sign. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.**

## **FUTURE BUSINESS**

### **10. Change to Water Fee** (Agenda 9.1)

Matt Shipp indicated he met with the Highland Water Advisory Board to discuss water fee changes for installation of water meters and service. Prices have gone up in copper and brass and this will reflect increase in the cost. At the next Council Meeting he will have the price increase to recommend, which will be \$250, or more.

### **11. Update of Parks and Recreation Facilities Plan** (Agenda 9.2)

Barry Edwards explained with the price of land escalating the City needs to concede we won't have adequate parks, and he recommended looking at increasing the park fees. This item will be on the next agenda for a public hearing. He also recommended having Jonathan Ward come to a Council meeting and discuss an option for bonding to pay off the purchase of ground for park property.

### **12. Timpanogos Special Service District Report - Glen Vawdrey** (Agenda 10.1)

Glen Vawdrey reported the TSSD Board approved the issuance of \$56 million in sewer revenue bonds in order to fund \$79 million for a new water treatment facility. The remaining \$23 million will come out of cash revenues. TSSD still owes \$34 million from the 1998 expansion and has decided it can't defease the bonds. It is going to place \$34 million in an escrow account that will go into a safe investment wherein, at the first chance, it will defease the bonds from 1998. The bonds will be paid off instead of putting up the \$34 million for expansion because the newer rate is lower than what the District was paying in 1998. Glen Vawdrey also reported, because construction costs have gone up, the TSSD impact fee has been increased to \$3,250.

### **13. General Plan "Touchstone" Meeting** (Agenda 10.2)

Lonnie Crowell reviewed the Touchstone Meeting schedules for the General Plan. A copy is attached to the minutes.

### **14. Other Business**

A. Claudia Stillman reported Emergency Preparedness Training would be held February 9, from 9:00 a.m. - 4:30 p.m., at Alpine City Hall and the City Council was invited to attend.

B. The League of Cities and Towns Conference will be held April 11-13. Barry Edwards asked the City Council members to contact JoD' Bates and she could make reservations. He will have JoD' put information in the Council members' boxes.

C. Brian Brunson requested the Council receive an email notice when items are placed in the Council members' boxes.

D. Kathryn Schramm requested city staff provide information on residents' bills for specifying the amount they have paid on their purchase of pressurized irrigation water. Lynn Ruff indicated he was working on providing a balance once a year, and agreed to look at the options, but doing this monthly would be too cumbersome.

**15. Executive Session**

**Motion: Claudia Stillman moved to go into Executive Session to discuss property acquisition. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.**

**Motion: Kathryn Schramm moved to go out of Executive Session. Motion was seconded by Glen Vawdrey, and the motion passed by unanimous vote.**

**16. Adjournment**

Meeting adjourned at 10:55 p.m.