

MINUTES OF HIGHLAND CITY COUNCIL

Tuesday, January 17, 2006

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

OTHERS 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: Tracy Smith, Bob Woods, Justin Englebright, Christie Dalley, Randy Graham, Diana Graham, Lloyd R. Stone, Blake B. Buhler, David M. Beck, John Bowman, Trulan Preece, Kurt Jewkes

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 January 12, 2006. The prayer was offered by Brian Brunson, and those assembled were led in the Pledge of Allegiance by Claudia Stillman.

1. Minutes

Motion: Brian Brunson moved to approve the minutes of December 6, 2005, as amended. Motion was seconded by Kathryn Schramm, and it passed by the following voting in favor: Kathryn Schramm, Brian Brunson, Glen Vawdrey, and Claudia Stillman. Steve King abstained as he was not present for the December 6, 2005 meeting.

Motion: Kathryn Schramm moved to table the minutes of January 3, 2006 until the next meeting as she was not able to insert comments on Mr. Stone's question during the public hearing, and subsequent discussion later in the meeting. Motion was seconded by Brian Brunson. Motion failed as the following voted against the motion: Claudia Stillman, Glen Vawdrey, and Steve King. Brian Brunson and Kathryn Schramm voted in favor of the motion.

Steve King moved to approve the minutes of January 3, 2006, as amended. Motion

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was seconded by Brian Brunson. The motion passed by the following voting in favor: Steve King, Brian Brunson, Claudia Stillman, and Glen Vawdrey. Kathryn Schramm voted against the motion.

2. Appearances

A. Justin Englebright, a resident of Highland, reported his interest in Highland having a library. He indicated his willingness to be a volunteer on a library committee. Steve King requested Mr. Englebright contact him as he has the assignment to review the City committees. Glen Vawdrey explained to Mr. Englebright, even though the City doesn't have a library, it subsidizes residents in the amount of \$40 per family toward a library card for use at any community library.

B. Lloyd Stone addressed his inquiry in the minutes of the January 3, 2006 meeting wherein he requested a response to who was providing land for the storm drain system. He had other questions which weren't referred to in the minutes wherein he asked who was paying for the storm drain system which would be installed. He was told the system improvement was coming out of building permit fees and impact fees, so residents who were not responsible for the need to install the storm drain system, were not being asked to subsidize the system. He had heard that was not the final conclusion of the Council. He recommended establishing special service districts wherein residents being benefitted by an improvement could vote for a special assessment district and in doing so would pay for the improvements. Mayor Franson requested Mr. Stone meet with city staff (City Administrator and City Engineer) and clear up the understanding of this matter.

1. Consent Calendar

Mayor Franson called for acceptance of the consent calendar (Adoption of Ordinance No. 2006-4 "Ordinance Adopting City Council Meeting Schedule") Brian Brunson objected.

Motion: Brian Brunson moved to bring Ord. 2006-4, "Ordinance Adopting City Council Meeting Schedule" for a vote. Motion was seconded by Steven King. Motion passed by unanimous vote.

Motion: Brian Brunson moved to adopt Ord. 2006-4, Adoption of Ordinance No. 2006-4 "Ordinance Adopting City Council Meeting Schedule". Motion was seconded by Claudia Stillman. There was no vote for this motion.

Motion: Brian Brunson moved to approve a substitute motion to adopt Ord. 2006-4, "Ordinance Adopting City Council Meeting Schedule", and strike the meeting of July 4 and 5, 2006 from the City Council Meeting Schedule. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.

5. Reports**A. General Plan**

Lonnie Crowell gave a report on the need to update the General Plan. Mayor Franson explained the report was to let the City Council know what is coming up and that this will be on a future City Council agenda. He encouraged the Council to review the matter, work with staff, so when the information is available the Council can take action.

Claudia Stillman asked whether the City staff had considered using Mountainland Association of Governments as a cost-saving resource. She also noted youth groups could be used for free to conduct the citizen surveys, and a member of the staff at Mountainland Association teaches planning classes at B.Y.U. and could offer assistance with the planning components. Mayor Franson requested staff look into this option.

B. Aerial Survey

Matt Shipp reported that staff is looking at obtaining an aerial photo of Highland, which would be a design grade to be used in engineering, planning and zoning, and for City Council meetings.

Brian Brunson reported Utah County has an aerial photo of the County and he asked Matt Shipp to address this information, as well as other options, when he does his research. Mayor Franson invited the City Council to bring up any questions on this matter with Matt Shipp.

C. Road Design

Matt Shipp noted the City Council recently adopted the Public Works Association design specifications, and with the expansion of the city in the northwest area the cross section isn't always working. He proposed a minimum cross section for the City in the northwest (Dry Creek North) to be 3" asphalt, 8" road base, 18" imported subgrade, and Geotextile fabric (barrier), and for a Standard Section 3" asphalt and 8" road base. These standards will be required for subdivision development and are based on standard engineering practices. Matt Shipp will provide an ordinance for adoption of these standards at the next City Council meeting.

D. Request by Sprint for Antenna

Barry Edwards reported on the request by Sprint Communications to install a cellular antenna either in Windsor Park or Merlin Larsen Park. He indicated antennas can only go on City property. He indicated the current estimate by 2010 is for 18 cell sites in Highland. Federal law does not allow cities to preclude cell towers. Brian Brunson recommended placing the towers on city-owned open space along the Alpine Highway, or along 6000 West, but not in

the parks. Mayor Franson requested staff put a map together and proactively look at the whole community for potential cell sites and be ready to look at the big picture to deal with it once, and not every time there is a request. Lonnie Crowell clarified cell towers are permitted in residential zones based upon conditional use.

6. Scheduled Items

A. Adoption of Ordinance No. 2006-2, "Ordinance Deleting Sections 12.08.010, 12.08.020, 12.08.030, 12.08.040, 12.08.050, 12.08.060 (Road Cuts) From the Highland City Municipal Code"

Motion: Steve King moved to adopt Ord. 2006-2, Ordinance Deleting Sections 12.08.010, 12.08.020, 12.08.030, 12.08.040, 12.08.050, 12.08.060 (Road Cuts) from the Highland City Municipal Code. Motion was seconded by Glen Vawdrey. Motion passed by unanimous vote.

B. Dry Creek Bench Road Reconstruction

Motion: Brian Brunson moved to approve expenditure of a sum not to exceed \$500,000 for reconstruction of the roads within Dry Creek Bench Subdivision. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

C. Adoption of Resolution No. 2006-2, "A Resolution of the Governing Body of the City of Highland Adopting a Northwest/Southeast Culinary Water Capital Facilities Plan"

Barry Edwards reported he talked to Alan Lunceford of DCFM and he requested the City Council consider postponing action on an impact fee for the southeast portion of the City (State Lands) in order to have a chance to look into the matter.

Brian Brunson moved to consider only the northwest culinary water capital facilities plan at this point. Motion was seconded by Steve King. Barry Edwards recommended the City Council continue this item, and he will bring back an amended resolution and ordinance.

Motion: Kathryn Schramm moved adoption of a substitute motion to postpone action for 60 days on Resolution 2006-2. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

D. Adoption of Ordinance No. 2006-3, "An Ordinance Enacting an Impact Fee for Highland City Culinary Water Improvements"

Motion: Kathryn Schramm moved to table Ordinance No. 2006-3, “An Ordinance Enacting an Impact Fee for Highland City Culinary Water Improvements”. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

E. Adoption of Resolution No. 2006-3 “A Resolution Appointing the City Recorder and City Treasurer”

Motion: Claudia Stillman moved to adopt Resolution No. 2006-3, “A Resolution Appointing the City Recorder and City Treasurer” for one year. Motion was seconded by Brian Brunson, and it passed by unanimous vote.

F. Highland Hills Storm Drain

Motion: Glen Vawdrey moved to approve the expenditure, not to exceed \$19,000, for storm drainage and drainage of open space in Highland Hills. Motion was seconded by Steve King, and it passed by unanimous vote.

6. Communication Items

A. Alpine Joint Venture Group (Report attached to the minutes.)

B. Sidewalks (Report attached to the minutes.)

C. Follow-Up Items

Mayor Franson reported he would like follow-up items to come back to the City Council in the format under communications on the agenda, and if it isn't what the Council wants they are to let him know. Also, if there is something the Council wants to know they should let the Mayor know, and he will have staff prepare the information.

D. Board of Adjustment Results

Mayor Franson made a report on a recent Board of Adjustment variance request on lots in the Twin Bridges (Beacon Hill Plat I) development wherein the builders could not meet the requirement of the foundations to be set 42" above curb. Tracy Smith, Bob Woods, Kurt Jewkes, and Trulan Preece were present for the discussion.

7. Other Business

A. Council Retreat

Council Retreat was rescheduled to March 11, 2006. This will be confirmed at the

February 7, 2006 meeting.

B. **Other**

Mayor Franson commended City Council and staff for efforts to prepare for this meeting. It was determined for the next agenda packets each item would begin on a new page, and minutes will be prepared as a separate item from the agenda packet. Agenda packets will be placed in Council boxes and not E-mailed; however, a notice will be E-mailed to Council when the packets are available. Mayor Franson will include a Mayor's Report on future agendas.

8. **Adjournment**

Motion Brian Brunson moved to adjourn. Motion was seconded by Glen Vawdrey. Meeting adjourned at 9: 25 p.m.