

MINUTES OF HIGHLAND CITY COUNCIL MEETING

Tuesday, June 19, 2007

PRESENT: Mayor Jay W. Franson
Councilperson Brian Brunson
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
Lynn W. Ruff, Finance Director

OTHERS: Those in attendance at the 5:00 p.m. portion of the meeting: Christine Dalley, Geoff Butler, Rob Clauson, Neil L. Blackburn, Jan Strife

Those in attendance at the 7:00 p.m. portion of the meeting: Christine Dalley, Neil L. Blackburn, Steve Koncilja, Irene Koncilja, Rob Clauson, Gayle Burnham, Jared Burnham, Brent Fox, Helen Anderson, Lee Johnson, Justin Englebright, Bruce Robinson, Sam Robinson, Cris Schulz, Tom Hulbert

The meeting was called to order at 5:00 p.m. by Mayor Jay W. Franson as a review of the draft of the General Plan. 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* June 14, 2007, and an addendum was posted and noticed to the *Deseret Morning News*, *Daily Herald*, *Salt Lake Tribune*, and *Lone Peak Press* on June 18, 2007. The prayer was offered by Barry Edwards, and those assembled were led in the Pledge of Allegiance by Matt Shipp.

1. Draft of the General Plan

The City Council reviewed Chapter 6, Affordable Housing Element.

Mayor Franson recommended the language, at the end of the third paragraph on page 6-17 of Chapter 6, Affordable Housing Element, state that Highland City will attempt to create, where possible, affordable housing knowing it may not reach 17%. Mayor Franson requested that paragraphs three and four on p. 6-17 be revised and that the City Council approve what is written.

Other changes to Chapter 6 were recommended. Chapter 1 - "Introduction" was also reviewed and suggested changes made.

Mayor Franson recommended the City Council review the section entitled “Executive Summary” after the City Council has reviewed a revised draft of the General Plan.

A work session was set for August 7, 2007, at 5:00 p.m., for the purpose of reviewing the next draft of the General Plan. He indicated the City Council will need to look at changes in the draft, in particular the chapters on Affordable Housing, Executive Summary, and any other policies or implementation measures the Council wants to add into the document.

2. Approval of Minutes

Motion: Brian Brunson moved to approve the minutes of the Highland City Council Work Session for May 29, 2007, as amended. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

Motion: Kathryn Schramm moved to approve the minutes of the Highland City Council Meeting of June 5, 2007, as amended. Motion was seconded by Steve King, and it passed by unanimous vote.

Motion: Claudia Stillman moved to approve the minutes of the Highland City Council work Session for June 12, 2007, as amended. Motion was seconded by Kathryn Schramm, and it passed by the following voting in favor: Claudia Stillman, Kathryn Schramm, Steve King, and Brian Brunson. Glen Vawdrey abstained.

3. Appearances

There were no appearances.

4. Consent Calendar

Kathryn Schramm asked to pull agenda 6.1, “Open Space Agreement,” and agenda 6.3. “Refer to Planning Commission Transfer of Development Rights - Open Space” from the consent calendar.

Brian Brunson asked to pull agenda 6.4. “Firefighters Request to Join/Amend Cafeteria Plan” from the Consent Calendar.

The following was approved by unanimous consent.

- 6.2 Refer to Planning Commission Park Strip Issue (Refer the park strip ordinance to the Planning Commission to consider an amendment to the existing ordinance and make a recommendation back to the City Council)**

ACTION ITEMS

Mayor Franson reported the following two items were removed from the agenda and will be addressed on the July 17, Agenda: 8.2 Qwest Franchise Agreement and Adoption of Ordinance No. 2007-15, and 8.8 Land Swap in Exchange for an Irrevocable Conservation Easement.

5. Open Space Agreement (Agenda 6.1)

Motion: Glen Vawdrey to approve the Open Space Agreement, as presented by staff. Motion was seconded by Steve King.

A brief discussion ensued. Brian Brunson indicated he wanted a red-lined version of the Open Space Agreement with the changes that had been recommended. Matt Shipp noted the items which were amended in the agreement dealt with markers and curbing. Brian Brunson felt from the May 8, 2007 meeting that staff was suppose to visit with David Church on the insurance issue.

Substitute Motion: Brian Brunson moved to continue until the next Council Meeting. Motion seconded by Kathryn Schramm, and it passed by unanimous vote.

6. Refer to Planning Commission Transfer of Development Rights - Open Space (Agenda 6.3)

Motion: Brian Brunson moved that the Council refer the consideration of transferring development rights to exchange certain pre-determined open space property for pre-determined more accessible open space property and to provide an option for maintaining agricultural lands in their current or similar uses to the Planning Commission for a recommended code amendment that would provide the opportunity for this exchange. Motion was seconded by Steve King, and it passed by unanimous vote.

7. Firefighters Request to Join/Amend Cafeteria Plan (Agenda 6.4)

Motion: Brian Brunson moved to amend the Highland City Employee Cafeteria Plan to include the Lone Peak Public Safety District. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

8. Open Space Improvement Requests (Agenda 8.1)

Motion: Steve King moved to (1) approve the request by Mr. Stephen Koncilja for the proposed open space improvement adjacent to his home located at 4181 West Park Drive in View Point and (2) approve the request by Mr. Russ Johnson to improve the open space beyond the 30' located at 9878 North Coventry Court, provided Mr. Johnson's open space plans meet the allowed improvements as outlined in the open space application and the open space agreement. Motion was seconded by Brian Brunson, and it passed by unanimous vote.

9. Adoption of Resolution No. 2007-13, Moderate Income Housing State Report (Agenda 8.3)

Motion: Steve King moved to adopt Resolution No. 2007-13, Adopting Moderate Income Housing State Report, as indicated in the Resolution, and include the attached report, also that changes be made to the documents as requested. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

Kathryn Schramm requested a copy of the revised letter.

10. CR Zone Architecture Approval (Agenda 8.4)

Motion: Claudia Stillman moved to grant Architectural Approval for Buildings A, B, G & F, as amended by the applicant, and according to all of the previous requirements and conditions of City Council, Planning Commission, and staff that have not been affected by the change in the current design. Motion was seconded by Kathryn Schramm.

Motion to Amend: Kathryn Schramm moved as follows: (1) on Building G on the southwest corner the store front is allowed to be modified in consultation with Lonnie Crowell, and (2) the wall is to be extended up to 10' to match the adjacent building wall. Motion was seconded by Brian Brunson, and it passed by unanimous vote.

Amended Motion: to grant Architectural Approval for Buildings A, B, G & F, as amended by the applicant, and according to all of the previous requirements and conditions of City Council, Planning Commission, and staff that have not been affected by the change in the current design, and (1) on Building G on the southwest corner the store front is allowed to be modified in consultation with Lonnie Crowell, and (2) the wall is to be extended up to 10' to match the adjacent building wall. The motion passed by unanimous vote.

Tom Hulbert reported he would be holding a ground breaking ceremony on the development Tuesday, June 26, 2007, at 10:00 a.m. and invited anyone who wants to attend.

11. Contract with Geneva Rock for Dry Creek Bench Reconstruction (Agenda 8.5)

Motion: Brian Brunson moved to approve the agreement with Geneva Rock for the reconstruction of Dry Creek Bench roads for a fee not to exceed \$239,724 and authorize the Mayor to sign the agreement with Geneva Rock for the amount of \$199,770. Motion was seconded by Steve King, and it passed by unanimous vote.

12. Contract with Geneva Rock on 10400 North Pre Construction (Agenda 8.6)

Motion: Brian Brunson moved to approve the agreement with Geneva Rock for a fee not to exceed \$174,176 for the reconstruction of 10400 North from 6000 West to the

Lehi City border and authorize the Mayor to sign the agreement with Geneva Rock for the amount of \$158,342.80. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

13. Motion to Adopt Resolution No. 2007-14, “A Resolution of the City Council Amending Resolution No. 2007-6 Adjusting the Water Connection Fee” (Agenda 8.7)

Motion: Steve King moved to adopt Resolution No. 2007-14, “A Resolution of the City Council Amending Resolution No. 2007-6 Adjusting the Water Connection Fee” with the correction being a \$1,625 fee. Motion was seconded by Glen Vawdrey.

Motion to Amend: Kathryn Schramm moved to reimburse those who paid the increased fees in the interim. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

Amended Motion: to adopt Resolution No. 2007-14, “A Resolution of the City Council Amending Resolution No. 2007-6 Adjusting the Water Connection Fee” with the correction being a \$1,625 fee, and to reimburse those who paid the increased fees in the interim. Motion passed by unanimous vote.

14. Adoption of Ordinance No. 2007-16, Adoption of Budget for FY 2007-08 (Agenda 8.9)

Motion: Claudia Stillman moved to adopt Ordinance No. 2007-16, “Adoption of Budget for FY 2007-08,” with staff changes. Motion died for a lack of a second.

Barry Edwards explained to the Council if it was the desire to adopt a tax increase the Council would first need to set a truth in taxation hearing.

15. Adoption of Resolution No. 2007-12, Adoption of Tax Rate for FY 2007-08 (Agenda 8.11)

Barry Edwards explained to the Council if a truth in taxation hearing was desired for a library budget of \$200,000 then the Council would need to approve a proposed tax rate of .001419.

Motion: Brian Brunson moved to set the proposed certified tax rate of .001419 pending outcome of the public hearing. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

16. Set Truth in Taxation Hearing (Agenda 8.12)

Motion: Brian Brunson moved to set August 14, 2007, at 7:30 p.m., as a date to

hold a Truth in Taxation Hearing to consider adopting the proposed tax rates. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

17. Adoption of Budget for FY 2007-08 (Agenda 8.9)

Motion: Brian Brunson moved to adopt Resolution No. 2007-15, "A Resolution Adopting the Tentative Budget for the FY 2007-08 Budget Pending a Tax Hearing", including the amendments submitted. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

Mayor Franson explained on August 7th the City Council will deal with changes, and set a final budget at the August 14th meeting.

18. Adoption of Ordinance No. 2007-17, "Adoption of Amended Budget for FY 2006-07" (Agenda 8.10)

Lynn Ruff distributed the final budget adjustments for FY 2006-07.

Motion: Brian Brunson moved to adopt Ordinance No. 2007-17, "Adoption of Amended Budget for FY 2006-07". Motion was seconded by Steve King, and it passed by unanimous vote.

19. Set Work Session for Town Center Amendments

The City Council set a work session for July 10, 2007, at 5:00 p.m., to address Town Center Amendments in the Highland City Development Code.

FUTURE BUSINESS

20. Temporary Signs

Mayor Franson indicated the item concerning temporary signs will come back on a future agenda. He indicated plans to meet with staff from the Parade of Homes prior to bringing this matter back to the City Council.

21. Request by Brent Fox for Sprinkling System in Windsor Meadows

Matt Shipp reported that Brent Fox is requesting that the City Council approve a project that would install irrigation sprinklers and manicure a piece of City property adjacent to his home in Windsor Meadows Subdivision. His address is 9947 North Yorkshire Court. The property is adjacent to the main road that passes through the subdivision. Staff is looking for direction from the City Council and Matt Shipp will bring back an estimate for the costs.

22. Alpine Joint Venture Site Plan/Development Agreement

Barry Edwards reported staff has been working with Alpine Joint Venture concerning the boundary adjustment/development of 300 acres currently located in Draper City. It conforms to the R-1-40 open space bonus density overlay. It protects the hillside and lot sizes meet the zoning. This item will come back on the July 17th agenda as an action item.

Cris Schulz reported he had been working to address the concerns the Council had addressed, most of which addressed ridge line protection. He noted they had gotten rid of development on ridges 2 and 3 and would establish protected open space. He indicated he had created a project which integrates with Highland wherein 325 units would have an average lot size of 20,026. It will include a wildlife corridor. There would be a 30' right-of-way pedestrian access on phase 4 where Highland's P.I. pond would be located. They are providing open space on the western side. They want to have a traffic calming device on Highland Boulevard using a roundabout which services two lanes with landscaping in the center. Mr. Schulz was desirous of getting Council support and will move forward with an annexation agreement. He further explained Draper is waiting for Highland's action on a boundary adjustment.

23. "The Oaks at Lone Peak" Active Adult Living Community

Rob Clauson met with the City Council and made a brief presentation on a proposal to develop an adult community with twin homes on property now in the county just north of Highland. It would include a conservation easement, trails, a club house, tennis court, restaurant, and a senior citizen hall with classrooms which could be used as a public facility for seniors in the community. He indicated the desire for a deed restriction that would remain under HUD housing forever.

INFORMATION

24. Report on Public Safety District

Steve King reported the Public Safety District amended the budget for 2006-07 and adopted the 2007-08 budget. Also approved was a vehicle rotation plan for the police department wherein every five years cars will be sold and new ones purchased. Approval was granted to upgrade a dual pulse defibrillator for \$37,000, as well as the bid for a new ambulance in the amount of \$116,000. A 1988 ambulance will be auctioned.

25. Letter to Citizens Purchasing PI Water

Lynn Ruff reviewed two letters to be sent to people who had partial irrigation water shares or to those who did not have any water shares to commit to the pressurized irrigation system. The correspondence is an effort to encourage these residents to pay off the balance they owe on the water. They are being offered a 5% discount and upon acquiring the funds the City would be able to pay off the P.I. bonds up to ten years ahead of schedule. He explained there is \$2,000,000 owed for water, the proposed discount would cost \$100,000, but would save \$800,000 on the interest on the bonds if they are paid off early. The letters will go out around July 1.

OTHER BUSINESS**26. UTA**

Mayor Franson reported beginning August 27, 2007, UTA will have two express buses (morning and evening) going from Highland to downtown Salt Lake. They will start in north Pleasant Grove, near Cedar Hills, and go down SR92 with two stops in Highland, one of which will be near Kohler's. This information should go in the August newsletter.

27. Executive Session

Motion: Glen Vawdrey moved to go into Executive Session for land acquisition issues . Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

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

28. Adjournment

Motion: Steve King moved to adjourn. Motion was seconded by Brian Brunson, and it passed by unanimous vote.

Meeting adjourned at 10:05 p.m.