

MINUTES OF HIGHLAND CITY COUNCIL

Tuesday, June 20, 2006

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

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

OTHERS: Thomas Whitchurch, Luke Decker, Brandon Dyer, Kip Bodkin, Liz McFarlane, Alex Dobson, Justin Dimmer

EXCUSED: Councilperson Brian Branson

The meeting was called to order at 7:00 p.m. 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 *New Utah* on June 15, 2006. The prayer was offered by Claudia Stillman, and those assembled were led in the Pledge of Allegiance by Glen Vawdrey. Mayor Franson noted the next City Council meeting will be July 18, because the meeting normally scheduled on July 4th will be canceled due to the holiday.

1. Minutes

Motion: Kathryn Schramm moved to continue with the approval of the June 6, 2006 minutes. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

2. Appearances

Luke Decker invited the Mayor and City Council to attend Cedar Hills Family Festival events July 15-22. He reported on the activities which are planned.

3. Consent Calendar

Glen Vawdrey requested pulling 6.6, "Valve Exerciser" from the Consent Calendar. Kathryn Schramm requested pulling 6.7 "Planning Commission Appointments" from the Consent Calendar.

The following items on the Consent Calendar were approved: 6.1 Adoption of

Ordinance No. 2006-20, "Adoption of Amended Budget for FY 2005-06", 6.2 Architecture Services for Police Station, 6.3 Adoption of Ordinance No. 2006-19, "Electronic Meetings Ordinance", 6.4 BFI Rate Increase, 6.5 Funding Request by Aimee Gummow to Attend Girls State, 6.8 Award General Plan Contract.

ACTION ITEMS:

4. Valve Exerciser

Motion: Glen Vawdrey moved to approve the expenditure of \$9,500 from the capital purchases funds to purchase a GPS based water valve exerciser. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

5. Planning Commission Appointments

Motion: Claudia Stillman moved to support the Mayor in his appointment to the Planning Commission of Elizabeth McFarlane, Roger Dixon, Brent Wallace, and Jerry Gorrell, as an Alternate, with the terms of appointment as listed: Motion was seconded by Glen Vawdrey.

Substitute Motion: Kathryn Schramm moved to appoint the Planning Commission members one by one. Motion was seconded by Steve King. Motion passed by the following voting in favor: Claudia Stillman, Kathryn Schramm, and Steve King. Glen Vawdrey voted against the motion.

Motion to approve Larry Mendenhall to the Planning Commission, for a term to expire February, 2007, passed by unanimous vote.

Motion to approve Brent Wallace to the Planning Commission, for a term to expire February, 2007, passed by the following voting in favor: Claudia Stillman, Steve King, and Glen Vawdrey. Kathryn Schramm voted against the motion.

Motion to approve Roger Dixon to the Planning Commission, for a term to expire February, 2008, passed by unanimous vote.

Motion to approve Elizabeth McFarlane to the Planning Commission, for a term to expire February, 2008, passed by the following voting in favor: Claudia Stillman, Steve King, and Glen Vawdrey. Kathryn Schramm voted against the motion.

Motion to approve Brian Braithwaite to the Planning Commission, for a term to expire February, 2009, passed by unanimous vote.

Motion to approve Michael Walch to the Planning Commission, for a term to expire February, 2009, passed by unanimous vote.

Motion to approve Jennifer Tucker to the Planning Commission, for a term to expire February, 2010, passed by unanimous vote.

Motion to approve Jerry Gorrell as an alternate member of the Planning Commission, for a term to expire February, 2008, passed by unanimous vote.

Mayor Franson indicated all the nominations for the Planning Commission were approved and he would take care of swearing them in at the next Planning Commission Meeting.

Barry Edwards explained the following items were not ready for action and would come back on the next meeting agenda: 8.1 "Adoption of Resolution No. 2006-11, "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 (Matheny Annexation), 8.3 "Open Space Improvement Agreement Procedure", 8.8 "Back Taxes Paid to County for Parks".

6. Perry Homes Model Home in Beacon Hill Plat C

Motion: Steve King moved that the City Council approve the Perry Homes Model Home Conditional Use Permit, subject to all recommended conditions of staff and the Planning Commission. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.

7. Approve Elevation and Materials for City Hall

Motion: Kathryn Schramm moved to approve elevations and materials for the exterior of city hall as stated on the configuration. Motion was seconded by Glen Vawdrey.

Substitute Motion: Glen Vawdrey moved to continue, until July 18, in order to view another option for elevation and materials for City Hall. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.

Discussion reflected concerns for the elevation and materials proposed for the City Hall, and it was felt there needed to be more presence and the roof line improved. Mayor Franson recommended the Council get comments back to staff.

8. Public Hearing on Public Institution Zone

Mayor Franson opened the public hearing, and there being no public comments, he closed the hearing. He explained this item would come back on the July 18, 2006 agenda for action.

9. Purchase of Water Meter System

Motion: Claudia Stillman moved to approve the purchase of an ITRON Automated Water Meter Reading System (AMR), at a cost not to exceed \$575,000. Motion was seconded by Steve King, and it passed by unanimous vote.

10. Appeal Authority for Two-Year Term

Motion: Glen Vawdrey moved to approve Mayor Franson's recommendation to appoint Mike Walch as the Appeal Authority for a two-year term. Motion was seconded by Steve King, and it passed by unanimous vote.

Discussion: Discussion addressed the appointment of Michael Walch as the Appeal Authority and the fact he had also been appointed on the Planning Commission. Mayor Franson explained Mr. Walch's appointment on the Planning Commission would be vacant and he would need to be replaced.

11. Approval of Amended Supplementary Agreement to Sewer Treatment Service Contract

Motion: Steve King moved to approve the Amended Supplementary Agreement to the Sewer Treatment Service Contract. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

12. Approval of Contract with Sunroc Excavation for Northwest Pressurized Irrigation Pond

Discussion: Kathryn Schramm thanked Glen Vawdrey for asking questions about the role of the Highland Water Advisory Board and asked if the Water Board had approved the contract with Sunroc Excavation. She was told they had not participated in that decision to approve the contract with Sunroc Excavation. Claudia Stillman indicated the Water Advisory Board was not involved in the decision because it was considered to be an operation matter, rather than policy.

Motion: Kathryn Schramm moved to approve a contract with Sunroc Excavation for the amount of \$688,000 for the construction of the master planned Northwest Pressurized Irrigation Pond. Motion was seconded by Steve King, and it passed by unanimous vote.

13. Adoption of Resolution No. 2006-12, "Adoption of 2006-07 Tax Rate"

Motion: Glen Vawdrey moved to adopt Resolution No. 2006-12, "Adoption of 2006-07 Tax Rate". Motion was seconded by Kathryn Schramm.

Discussion: Mayor Franson didn't recommend adopting the certified tax rate at this

time. He recommended going through a truth and taxation hearing with a proposal for .001459 for the tax rate. He noted the Police Department has asked Alpine City to commit to hiring three additional police officers, which would result in an increase of \$190,000, and an additional \$200,000, over two years, for the fire department. He recommended the City fund the services and it would require a property tax increase.

Substitute Motion: Steve King moved to propose a tax rate of .001547, hold a public hearing for truth and taxation, and get public input on the proposed tax increase. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

14. Adoption of Ordinance No. 2006-21, "Adoption of Budget for FY 2006-07"

Motion: Claudia Stillman moved to adopt Resolution No. 2006-13, "Resolution Adopting Tentative Budget for FY 2006-07", pending a tax hearing with the staff changes listed below. Motion was seconded by Kathryn Schramm.

Steve King moved to approve the amendment to the Youth Council budget in the sum of \$1,900. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

Glen Vawdrey moved to approve the net change of \$5,000 to the Shade Tree budget for the City to purchase additional trees. Motion was seconded by Steve King, and it passed by unanimous vote.

Glen Vawdrey moved to increase expenditure in the sidewalk funds in the amount of \$25,000, for a total of \$50,000. Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

Glen Vawdrey moved to increase by \$100,000, for a total of \$150,000, to capital outlay for open space subdivision improvements. Motion was seconded by Steve King, and it passed by unanimous vote.

Motion: Glen Vawdrey moved to increase the special projects fund for an increase of \$21,900. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.

Motion: Steve King moved to increase the police portion of the PSD budget in the amount of \$190,000 (This amount to be linked to the truth and taxation hearing.). Motion was seconded by Claudia Stillman, and it passed by unanimous vote.

The motion to adopt Resolution No. 2006-13, "Resolution Adopting Tentative Budget for FY 2006-07, pending a tax hearing with the amendments, passed by unanimous vote.

Discussion: Barry Edwards reported the truth and taxation hearing would be held August 15, 2006, and at that time the Council would adopt the budget. Mayor Franson expressed

appreciation to the Council and staff for their efforts with the budget.

FUTURE BUSINESS

15. Piping Lehi Ditch and Building a Trail

Matt Shipp explained in Mule Acres Subdivision there is a portion of the Lehi Ditch which wouldn't be covered. In talking with the Lehi Ditch Company the idea was discussed to pipe a portion of the ditch around 10620 North. This would allow the ditch to be piped all the way over through Stoneshire and Days Meadows. This will permit finishing the trail. The proposal for engineering will be brought back to the Council for a final estimate.

16. Feasibility Study for Recreation Center

Glen Vawdrey indicated the Recreation Task Force has been meeting once a month for the past year and it is at the point of requesting money to do a feasibility study with Cedar Hills. There is an interest in building a facility, and the City would be requested to provide funding in the amount of \$8,000 to see what the citizens want. It is recommended the facility compliment what American Fork City provides for recreation, and not compete.

17. Setbacks and Retaining Walls on Hillside Subdivisions

Lonnie Crowell indicated the City is having a difficult situation daily with hillside lots and setbacks as it involves the public utility easements. Presently the City requires a 10' setback around the lot, which leaves no setback for the homeowner to do anything to grade their lot, control the drainage, and put in anything because of changes in state law. He suggested, in the future, when subdivisions come in that the City not consider the 10' side setback and require 15' side setbacks on both sides.

18. Buhler Annexation

Kathryn Schramm restated her opposition to the annexation and the proposed subdivision because it was not in keeping with the present zoning ordinance of R-1-40 and it wasn't in support of what the other residents expected when they purchased their acre lots.

Barry Edwards recommended the Ordinance of Annexation for the Buhler Annexation not come back to the City Council for action until the property is cleaned up. He indicated the City can't put conditions on an annexation and the law only permits 30 days after the ordinance is enacted for it to be recorded.

INFORMATION

19. Report on Timpanogos Special Service District

Glen Vawdrey reported on the issues confronting the Timpanogos Special Service District which include businesses and homes which are encroaching closer to the sewer plant. This includes odor problems and the composting operations. Presently the sewer plant receives 12 to 16 million gallons per day, and at build-out it is expected to be closer to 100 million gallons per day. The plant has been there for 30 years, and the District is looking at adding on by going to phase 3. The Plant wants to be a good neighbor, but doesn't feel it should raise the rates to get rid of the odor. Also, with the increase of construction the District is looking at changing the impact fees because it will be more expensive to build. The issue for consideration is whether to purchase property contiguous to the present plant, or go out west and do another site which is closer to Eagle Mountain and Saratoga Springs. There is a possibility to move the compost operations out west.

Mayor Franson suggested taking back the recommendation to the Timp District to write a letter to American Fork and Pleasant Grove requesting they look at their planning and zoning because they are allowing development to come in on top of the Timp District and there is a need to plan some buffer zones.

20. Lehi Irrigation Company

Mayor Franson reported Lehi Irrigation Company had some accounts which were delinquent and they sold those shares to cover the delinquencies, but in the process questions were asked if they duly notified the people. Another issue was they took all the shares and sold them even though they may have been delinquent. It was challenged and, because Highland City is a stock holder, the City was lobbied to join in the suit. The City didn't get involved because it was felt it would be inappropriate for the City to get into the middle of the issue. As a result of the lawsuit and hearings, the Irrigation Company said it made a mistake and the transactions have been reversed and it will go through another process. Mayor Franson felt the policy should go to the Water Advisory Committee and be looked at in terms of the City's investments. This matter will be brought before the Water Advisory Committee.

21. Work Session with Planning Commission for CR Zone

Lonnie Crowell indicated the matter was brought up to hold a work session with the Planning Commission and City Council on the General Plan update. Mayor Franson suggested after the new Planning Commission gets organized a meeting could be scheduled prior to July 18, or after the Planning Commission July 11. Claudia Stillman inquired whether the kick-off meeting with Landmark with the City Council and Planning Commission should be held first. Barry Edwards indicated he would get the Planning Commission going ahead with the CR zone.

OTHER BUSINESS

22. Highland Fling. Mayor Franson recommended having Emily Gillingwater send out an email to the Council, within the next week or two, and update them on the planning for the Highland Fling.

23. Schedule on the Fire Station. Barry Edwards reported the bid documents will be out next week and the bid opening is set for July 18.
24. Mayor Franson indicated the City Council has been through the process for City Council meetings for six months. He reminded the City Council if they had agenda items to let him know at least two weeks before hand. He also welcomed any comments on how the process is going.

25. Adjournment

Motion: Glen Vawdrey moved to adjourn. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote. Meeting adjourned at 9:15 p.m.