

## MINUTES OF HIGHLAND CITY COUNCIL MEETING

Tuesday, September 5, 2006

**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  
Matthew F. Shipp, Director Public Works/City Engineer  
Lonnie Crowell, Asst. Dir. Planning & Zoning  
Winifred Jensen, City Recorder

**OTHERS:** Lynn Warr, K. Brimhall, Carl Hull, Donna Jex, Kennan Larsen, Bryant Larsen, Jane Carlisle, Roger Tracy, Members of the Highland City Youth Council

The meeting was called to order at 7:13 p.m. by Mayor Jay W. Franson. 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 September 1, 2006. The prayer was offered by Mayor Jay W. Franson, and those assembled were led in the Pledge of Allegiance by Matt Shipp.

### **1. Swearing in Youth City Council**

City Recorder, Winifred Jensen, administered the oath of office to Elise Smith, a member of the YCC and she, in turn administered the oath of office to the Youth Council. Mayor Franson expressed appreciation to Youth Council for their service to the City. Steve King announced he and his wife, Janet, would be terminating their service as advisors to the Youth City Council after seven years, and indicated it had been an honor for them to serve. Mayor Franson expressed appreciation to Steve and Janet King for their service.

### **2. Introduction of New Engineer**

City Engineer, Matt Shipp, introduced Nathan Lunstad, who has been hired to assist the City Engineer. Nathan indicated he has 10 years of engineering experience .

### **3. Approval of Minutes (Agenda 4.)**

**Motion: Brian Brunson moved to approve the minutes of August 15, 2006, as amended.**

**Substitute Motion: Brian Brunson moved to table approval of the minutes of August 15, 2006. The motion was seconded by Steve King, and passed by unanimous vote.**

**4. Appearances (Agenda 5)**

**A.** Carl Hull inquired on the status of improvements for a pedestrian walkway adjacent to Mitchell Hollow Park. He reported there was an accident in that vicinity a week ago and a gentleman was coming through in the evening and he did not know the barricade was jutting out in the road and hit the cement barricades. Mr. Hull indicated he was surprised how the barricades were moved from the impact, and that is where the children are walking to school. Mayor Franson explained the project was put out for bid, but no contractors responded. He indicated the City went ahead, at its expense on a temporary basis, and installed a gravel base walkway, and concrete barriers, in order to keep the children and the road separate. Staff will try again to get quotes for the needed improvements. Mr. Hull indicated he knew contractors who could do the work. Matt Shipp explained the requirements placed on the City for bonding requirements and noted that a certain portion of the project has to be completed by a general contractor.

**B.** Donna Jex also expressed concern for the needed improvements in the vicinity of the Mitchell Hollow Park. She indicated when the gentleman hit the barricade that if a child had been on the other side it would have been hit. She indicated the road juts out such that she questioned where bikers can ride. She indicated there is not room for two cars and a child on a bike. She was concerned the next accident in the vicinity could involve a child. She also asked for a street sign to be placed on her street at Mountain View Drive and noted the street changes names in three places and people cannot find her home. Her address is 10150 North.

**5. Consent Calendar**

Brian Brunson requested pulling items **6.5 Agreement with ITRON for Water Meters, 6.9 Bad Debt Write-Off, and 6.11 Grant to be Accepted for \$3,100 Received by Highland Justice Court for Metal Detector** from the Consent Calendar. Kathryn Schramm requested pulling **6.2 Adoption of Resolution No. 2006-14, "A Resolution of the Governing Board of Highland City Annexing Additional Territory in the Open Space Special Service District on Sunset Mountain Plat B", and 6.3 Adoption of Resolution No. 2006-15, "A Resolution of the Governing Board of Highland City Annexing Additional Territory in the Open Space Special Service District on Beacon Hill The Highlands Plat F"** from the Consent Calendar.

The following items on the Consent Calendar were approved by consent: **6.1 Adoption of Ordinance No. 2006-27, "Storm Water Ordinance"; 6.4 11800 North Church Conditional Use Permit** (that the City Council amend the Conditional Use Requirements for the 11800 North Street Church eliminating conditional use requirement and condition #3, "two parking stalls removed on the northwest driveway to allow a lesser slope - this will leave 200 parking stalls); **6.6 Purchase of Two (2) Trucks for Public Works Department** (approve the purchase of two bobtail dump trucks from Lake City International Trucking for the amount of

One Hundred Thirty Thousand (\$130,000) dollars and authorize the City Administrator to sign the checks for these purchases); **6.7 Fire Station** (reject all bids received on July 18, 2006 for the construction of the Highland City Fire Station); **6.8 Contract for Access Improvements for City Building** (authorize the City Administrator to sign a contract with G & L Electrical Services to provide access to the City Hall Building in the amount of \$10,904); **6.10 Deed of Easement Requested by American Fork for Pillar Boundary Adjustment** (approve a deed of easement granted to American Fork City to service the Pillar Annexation).

**6. Public Hearing on Adoption of Engineering & Construction Manual (Agenda 7)**

Mayor Franson opened the public hearing. Matt Shipp indicated the City Council previously adopted the American Public Works Association (APWA) Manual of Standards Practices and Specifications, The Manual of Uniform Traffic Control Devices (MUTCD), and the American Water Works Association (AWWA), which lays out the requirements for construction in Highland City. There are also some requirements which are not in the manuals used by Public Works to ensure the City is getting design requirements for plans, which are found in the Engineering & Construction Manual. This manual will address addendums to the standards adopted. It addresses process, standard drawings, and pre construction information. Mayor Franson asked for input from the City Council and public. There being no comment, Mayor Franson closed the public hearing. This item will come forward at the next meeting for adoption.

**7. Adoption of Resolution No. 2006-14, “A Resolution of the Governing Board of Highland City Annexing Additional Territory in the Open Space Special Service District on Sunset Mountain Plat B” (Consent Agenda 6.2)**

**Motion: Glen Vawdrey moved to adopt Resolution 2006-14, “A Resolution of the Governing Board of Highland City Annexing Additional Territory in the Open Space Special Service District on Sunset Mountain Plat B”. Motion was seconded by Brian Brunson, and it passed by unanimous vote.**

**8. Adoption of Resolution No. 2006-15, “A Resolution of the Governing Board of Highland City Annexing Additional Territory in the Open Space Special Service District on Beacon Hill The Highlands Plat F” (Consent Agenda 6.3)**

**Motion: Claudia Stillman moved to adopt Resolution No. 2006-15, “A Resolution of the Governing Board of Highland City Annexing Additional Territory in the Open Space Special Service District on Beacon Hill The Highlands Plat F . Motion was seconded by Steve King, and it passed by unanimous vote.**

**9. Agreement with ITRON for Water Meters (Consent Agenda 6.5)**

**Motion: Brian Brunson moved to table agreement with ITRON for water meters until getting a recommendation from the Water Advisory Board. Motion was seconded by**

**Glen Vawdrey.** Following discussion, Kathryn Schramm called for question on the motion. **Motion did not pass with the following voting against the motion: Kathryn Schramm, Claudia Stillman, and Steve King. Those voting in favor of the motion were: Brian Brunson and Glen Vawdrey.**

**Motion: Claudia Stillman moved to approve the agreement for ITRON water meters and authorize Mayor Franson to sign the agreement. Motion was seconded by Kathryn Schramm.**

**Motion to Amend: Brian Brunson moved to amend the motion that approval be subject to review of agreement by the City Attorney, David Church. The motion to amend passed by the following voting in favor: Claudia Stillman, Glen Vawdrey, Steve King, Brian Brunson. Kathryn Schramm voted against the motion. (Kathryn Schramm originally voted against the motion, but later changed her vote in favor.)**

**Amended Motion: to approve agreement with ITRON to purchase automated water meter reading system and authorize Mayor Franson to sign the agreement, after review by David Church, City Attorney. Motion passed by the following voting in favor: Claudia Stillman, Steve King, and Kathryn Schramm. Those voting against the motion were: Glen Vawdrey and Brian Brunson. (Glen Vawdrey wanted the record to show that he wanted a recommendation from the Water Advisory Board.)**

**10. Bad Debt Write-Off (Consent 6.9)**

**Motion: Brian Brunson moved the City Council adopt Resolution No. 2006-16, declaring the attached list of debts as bad debts and uncollectible. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.**

**11. Grant to be Accepted for \$3,100 Received by Highland Justice Court for Metal Detector (Consent 6.11)**

**Motion: Brian Brunson moved to not accept a grant for \$3,100 for Justice Court. Motion was seconded by Steve King.**

**Substitute Motion: Brian Brunson moved to continue this item for two more weeks to solicit information from Judge Terry, staff, and Chief Botkin on how it will be implemented and staffed before making the decision. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.**

**ACTION ITEMS**

**12. Adoption of Ordinance No. 2006-28 “An Ordinance Adding the CR Zone to the Land Use Ordinance (Agenda 8.1)**

**Motion: Claudia Stillman moved the City Council continue motion to adopt Ordinance No. 2006-28 to enable the City Council to submit amendments by September 12, to the staff, and be able to take action on it on September 19. Motion was seconded by Kathryn Schramm.**

**Substitute Motion: Claudia Stillman moved to amend the motion to continue to enable the Council to study results of survey, have their comments in to staff by October 10, with a decision to be made on October 17. Motion was seconded by Brian Brunson, and it passed by unanimous vote.**

**13. Consideration for Moving City Hall/Police Site (Agenda 8.2)**

**Motion: Glen Vawdrey moved the City Council agrees to move the new city hall site and police station site to the proposed locations submitted by JRCA Architects. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.**

**14. IHC Report (Agenda 11.1)**

Bryant Larson, Director of Governmental Affairs, and Jane Carlisle, Chair of the Urban South Region Governing Board for IHC, met with the City Council for the purpose of letting community leaders know about Intermountain Health Care and indicated by calling a Board member they would be willing to serve the residents of the community. Jane Carlisle reported that Mayor Franson is on the IHC Outreach Committee. She distributed a handout and covered the issues in the handout. (A copy is attached to the minutes.) Contact telephone numbers for Jane Carlisle is 374-8518, and 310-6940 for Bryant Larson.

Mayor Franson reported one of the things the Outreach Committee is looking at, with IHC taking the lead, is the social cost of the drug problem as it impacts police, residents, charity care, and trying to work on a coordinated effort on the north end of the County with other organizations. He explained it is a city function because it impacts our police force and quality of life. Most of our young people obtain drugs from their parents by going into their medicine cabinets, and then selling the drugs to students.

Barry Edwards indicated the Lone Peak Public Safety District provides medical transports to the American Fork Hospital and has been endeavoring to get an agreement with the American Fork Hospital. So far it hasn't been successful because of issues with American Fork City. He indicated a number of patients are residents of the Lone Peak Public Safety District and he felt there should be an equitable solution. He requested help for getting an arrangement with the American Fork Hospital and American Fork City. Bryant Larson agreed to have a member of the American Fork Hospital staff follow up with Barry Edwards on this matter.

**FUTURE BUSINESS**

**1. Library Committee (Agenda 9.1)**

Mayor Franson reported he would come back in two weeks with information on library issues.

**16. Water Advisory Committee (Agenda 9.2)**

Mayor Franson reported he would be presenting some names of individuals to serve on the Water Advisory Committee.

**17. Hobby Breeders License (Agenda 9.3)**

Mayor Franson reported Kathryn Schramm wants to address changes to the Hobby Breeder's License Ordinance. He recommended that Kathryn Schramm meet with Lonnie Crowell or Barry Edwards in order to place suggested changes in the agenda packet.

**18. Pebble Lane Water Right (Agenda 9.4)**

Barry Edwards explained the developer of Pebble Lane Subdivision would like to use well water to meet their water requirement. The City Ordinance permits the City to transfer well rights provided it has been used on the property. This requires City Council approval to move forward with the application, and then whatever the State Engineer approves could be transferred to the City.

**19. Utah Lake Commission (Agenda 9.5)**

Lonnie Crowell reported he attended a meeting on the forming of a Utah Lake Commission which involved representatives from municipalities around Utah County. The Utah Lake Commission is being created to reflect the same thing as the Bear Lake Commission and will serve as an advisory committee regarding the future of Utah Lake. He reported a 45-day public comment period began September 1. Information is on the web site on the agreement. Every entity that wants to be involved is being given the opportunity to be a voting member, or present for the meetings.

Mayor Franson indicated the 45 days for public comment is patterned after the Bear Lake Commission. He recommended the City become involved, even though we don't have property which borders the lake. He felt the City has a strong interest because of affluent which goes into the Lake, land use will be dictated, our aquifer and where we get our drinking water are issues tied to the Lake. He indicated the City may be asked to participate in the amount of \$5,000, but he felt it would be worth it. Mayor Billings has taken the lead and the web site is [www.provo.org](http://www.provo.org).

**20. Design Guidelines Work Session (Agenda 9.6)**

Lonnie Crowell reported the design guidelines are part of the CR Zone. He had put text

together and was seeking input and direction from the City Council. It was expressed that the City Council and Mayor liked the information Lonnie Crowell had provided. Mayor Franson requested the Council get any comments back to Lonnie by September 19, and there would be no work session on the design guidelines.

## **INFORMATION (Agenda 10)**

### **1. Boundary Adjustment Request with Cedar Hills (Agenda 10.1)**

Mayor Franson explained the request for a boundary adjustment with Cedar Hills will be coming up in the future. Lonnie Crowell indicated the City has received a request from Kjar's and the developer to disconnect some of the Kjar property in order to allow 12 units in the bottom corner, thus being the reason for the boundary adjustment. Most of the Kjar property which is within Highland's boundary is undevelopable. Lonnie Crowell reported the owner met with staff. It was recommended he first go to Cedar Hills to seek the boundary adjustment. This process has been started with Cedar Hills.

### **2. Park Strip (Agenda 10.2)**

Mayor Franson reported city staff has started enforcing the park strip ordinance and, as a consequence, he has spent many hours listening to people who have been cited who are not in compliance. He explained the pictures in the packet are properties of owners who have been noticed for being out of compliance. City ordinance requires 75% of the park strip needs to be covered with vegetation. The Mayor noted people have said they were trying to exercise water conservation. He felt when the ordinance was approved the City wasn't as conscious of water conservation.

Lonnie Crowell indicated staff has addressed the issue of park strips with residents and it is common knowledge that park strips waste more water than anything else. He indicated there is information from Jordan Water District wherein they have sites you can visit where they are planted for drought conditions. He felt the park strips can look good without planting grass. Mayor Franson suggested looking further at the ordinance and requested the Council get back to Lonnie on ways to address it.

### **3. Public Safety District Police Report (Agenda 10.3)**

Brian Brunson reported on the last Public Safety District meeting wherein Chief Botkin presented good statistics. He indicated the desire to be proactive, and not reactive, and asked the Police Department to look at our trails, do patrol at the Highland Glen Park, and be on the look-out for vandalism. He indicated false alarms haven't been focused upon, and as a result this has become a big portion of the police department's time. He indicated the cities may need to have alarm companies get an agreement with the City. Another thing which is unique to Highland/Alpine police officers is that they can't afford to live in our city, and upon discussing staffing and coverage we don't have many officers living in our city.

Chief Botkin indicated the City Council adopted an alarm ordinance and it requires business licensing for alarm companies doing business in the City. He indicated it isn't uncommon to use those services as casing methods to go into a home and see what is going on. He recommended requiring a business license from those people, and a fee. When the alarm company requires police to respond it is labor intensive for both agencies.

Brian Brunson commended the City Council for its recent budget commitment to the police department.

**4. North Point Solid Waste Board (Agenda 10.4)**

Claudia Stillman reported on the North Point Solid Waste Board meeting, which was held in August. She indicated the Board is still negotiating on the megabaler, and it made an offer to the Peterson Company, the entity who sold the District the megabaler. The District is changing its method of transferring waste by using trucks instead of the railroad as a means of saving money. Further, there is a pond being closed to fishing on the Solid Waste District's property because of liability issues.

**5. Temporary Trails by Ridgeline Elementary School (Agenda 10.5)**

Matt Shipp provided an update on the status of the trail by the Ridgeline Elementary School (11800 North and south of Mitchell Hollow Park (1250 North). The trails are built of road base material and crushed asphalt. He indicated a construction company, Earth Movers, donated time with a grader to help with the trail, which would have taken the City a day to accomplish. Further the City is finishing 100' of the crushed asphalt trail on the west side which will connect to Church property.

**6. Report on Preparedness Conference (Agenda 11.6)**

Claudia Stillman reported on the Preparedness Conference she attended, and stressed, as elected officials and city staff, to be prepared for an emergency and disaster, as well as have families prepared. She indicated the need for a written plan for our families and the City, as well. She indicated there is training available for City staff and everyone should be trained with CPR and other training. Also, City staff could be compensated for attending the training sessions.

Barry Edwards indicated the City has a consultant updating the emergency action plan.

**OTHER BUSINESS**

**7. Mayor's Report (Agenda 11.2)**

Mayor Franson reported CDBG (Community Development Block Grants) have strict requirements on limited income and Highland hasn't come close to complying, but there are

some opportunities for historical preservation and senior citizens. Kathryn Schramm volunteered to attend a session on the CDGB grants for September 6.

**8. Mayor's Visit with Congressman Matheson (Agenda 11.3)**

Mayor Franson reported he, Barry, and Claudia Stillman met with Congressman Matheson a month ago and talked to him about Highland getting its own zip code. Congressman Matheson committed to do some checking into it.

**9. Mayor's Visit with School District (Agenda 11.4)**

Mayor Franson reported on a meeting he had with Superintendent Henshaw of the Alpine School District wherein they had discussion on issues the City and School District face with the new Ridgeline Elementary School as it deals with access. He indicated the Siggards were willing to let the City provide access for students through a leased easement. He further noted they had a follow-up meeting and learned that the District plans on additional students attending Lone Peak High School wherein portable classrooms will be installed on the northwest area by the school. There is no place for students to park. The District will come back to the City with a plan to purchase property north of the Seminary Building.

**10. North Utah County Transportation Study (Agenda 11.5)**

Mayor Franson reported 4800 West is high on the list for right-of-way and 4800 West will be rebuilt for access to the Interstate. Discussions have been held with neighboring communities on this matter.

**11. Executive Session**

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

**Motion: Claudia Stillman moved to go back into regular session. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote.**

**12. Adjournment**

Meeting adjourned at 11:00 p.m.