7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)
Call to Order – Mayor Rod Mann
Invocation – Council Member Scott L. Smith
Pledge of Allegiance – Jaxson Ingus

The meeting was called to order by Mayor Rod Mann as a regular session at 7:02 p.m. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting. The prayer was offered by Merrill Frost and those assembled were led in the Pledge of Allegiance by Jaxson Dingus.

1. UNSCHEDULED PUBLIC APPEARANCES
Mayor Mann presented a Recognition Award to Dr. Bill Parker and Rusty Parker for their service to the community. Dr. Parker had delivered over 7,800 babies over his 37 years of practice, and Mayor Mann was confident that he would continue to serve the community. The recipients were given certificates and a Highland Hero Pin.

Alan Rencher, a Highland resident, thanked the Council for meeting with him to discuss the plans for Mountain Ridge Park. He wanted the park to serve the diverse community of Highland, which means they would need a variety of playing fields and playgrounds. Mr. Rencher volunteered to help with the plans, public outreach, and fundraising for the park.

Michael Bronson, a Highland resident, said that Item 4 should not have been put on the agenda, even though it had been removed. He felt that the item was at odds with “who we are as a City.” Regarding the petition, he understood that many people had asked to have their names removed from the petition now that they
understood the potential impact. The petition was signed so long ago that some of those that had signed had moved away. He felt that if the City wanted to revisit the item, better notice should be given.

Lowell Nelson, a Highland resident, expressed his support for rank choice voting. He encouraged the Council to choose the vote by mail option with the County.

Adam Gerulat, a Highland resident, echoed the comments of Michael Bronson. Upon reviewing past agendas and hearing, it seemed to him that one City Council Member had a personal interest in the issue. He had also researched the City Council Rules of Procedures, and he was not impressed with those rules. He suggested that if a Council Member had a conflict of interest, they should recuse themselves from the discussion and the vote.

Mayor Mann assured Mr. Gerulat that anything that needed to be disclosed, had been done so. Council Member Brian Braithwaite added that the State requires that a conflict of interest be disclosed, but there was no restriction on the Council Member’s ability to vote.

Brent Wallace, a Highland resident, said they recently found out that Item 4 was on the agenda, and when they arrived at the meeting, they discovered that the Item had been removed. That made him very uncomfortable. He also felt that the petition process was flawed, including the fact that the petition did not have a reasonable expiration date. The petition should have written text describing the petition, and dates signed. The intent to remove the entire trail should have been reflected in the petition. Mr. Wallace questioned the effectiveness of the Open Space Committee and suggested that they consider dissolving it. He also asked that the Council consider the damage that the process has brought to Highland neighborhoods.

Sherry Kramer, a Highland resident, requested that the City continue with the noise and traffic studies for the development of Mountain Ridge Park. Mrs. Kramer said that she would be happy to help with fundraising for the park. She commented that having a few pickleball courts would be good for the park, but no matter what fields were put in the park, there would need to be noise abatement. She was also concerned that there would be a lack of parking.

Merrill Frost, a Highland resident, said that it was premature to put Item 4 on the agenda. He encouraged the Council to make everything as transparent as possible, to vet every option, and to allow the community to be part of the process and give their input. He thanked Council Member Kurt Ostler for listening to his concerns via telephone earlier.

Vanessa Moody, a Highland resident, said that she was a member of the Friends of Mountain Ridge Park Coalition. In working with many residents, she found an overwhelming response that 27 pickleball courts were too many. She had obtained over 700 signatures of residents against the tournament-sized facility. She encouraged the Council to heed the results of the citizens’ survey that was recently taken.

Carley Tall, a Highland resident, was excited about the results of the survey because she believed it showed a united community. Everyone was excited about the potential for an all-abilities park, and she was willing to help with that. Ms. Tall briefly expressed her opposition to rank choice voting and stated that it would be difficult to do on a City level.

Natalie Ball, a Highland resident, was disappointed that the trail issue was coming back before them and said that the process was awful. They were creating divided neighborhoods all over the City. She encouraged the Council to reconsider having an Open Space Committee and to consider charging an open space fee to all residents of Highland.
Doug Cortney, a Highland resident, said that the problems of Highland come from the residents. The residents of Highland enjoy a low property tax and many amenities, but the government spends more than it collects. The residents were now paying for road maintenance and there was a burnout of debt on public works staff. The residents had expected too much from too little resources; they have felt entitled. If the residents wanted things to happen in their community, they needed to donate and volunteer. He was sure that the residents, City officials, and staff could pull together to make Highland a great City.

Wayne Tanaka, a Highland resident, liked the idea of increased volunteerism and recommended that Highland look to Provo as an example of how to better promote it. If Highland did even a fraction of what Provo had done, they could do a lot for parks and trails. Volunteerism is a huge resource for any community.

Council Member Ed Dennis briefly spoke about the history and purpose of the Open Space Committee. They had spent thousands of hours looking into the issue of neighborhood trails, and in 2013 the City Council unanimously passed an ordinance allowing for the disposal of neighborhood option trails. One of the biggest concerns for everyone is that the City did not have enough funds to maintain all of the trails. The ordinance regarding the disposal of neighborhood option trails required a significant percentage of the neighborhood for the removal of a trail to be considered. He had a personal interest in the issue because he wanted to fix a problem that was difficult to live next to. He had requested the item be on the agenda only so the Council could discuss whether or not they would reconsider the issue. There would have been additional notices had the Council chosen to reconsider the issue.

2. CONSENT ITEMS

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council Members may pull items from consent if they would like them considered separately.

a. ACTION: Approval of Meeting Minutes
   Regular City Council Meeting March 5, 2019

b. ACTION/ORDINANCE: ADOPTION OF HIGHLAND CITY MUNICIPAL CODE
   SECTION 2.04.130 APPLICANT BACKGROUND CHECKS
   Council will consider approving the adoption of a new section in the Highland City
   Municipal Code for new employee and volunteer Applicant Background Checks. The
   Council will take appropriate action.

c. ACTION: REAPPOINTMENT AND CONSULTANT CONTRACT FOR VAUGHN
   PICKELL AS THE HIGHLAND CITY APPEAL AUTHORITY
   Council will consider ratifying the reappointment of Vaughn Pickell and approving a
   consultant contract with him to continue serving as the Highland City Appeal Authority.
   The Council will take appropriate action.

d. ACTION: AMENDED INTERLOCAL AGREEMENT WITH UTAH COUNTY ON THE
   4800 WEST PROJECT
   Council will consider approving an amended Interlocal Agreement with Utah County for
   the 4800 West Project. The Council will take appropriate action.

e. ACTION: APPROVE SPRING CREEK HIGHLAND PLAT ‘A’ PRELIMINARY PLAT
   Council will consider a request from Millhaven Development for a ten lot preliminary plat
   on 12 acres of property located approximately at 10029 N 6300 W (PP-19-01). The Council
   will take appropriate action.
Council Member Brian Braithwaite requested that Item 2e, be pulled off the consent agenda for further discussion. Council Member Ed Dennis requested that Item 2b. also be pulled off the consent agenda for further discussion.

Council Member Tim Irwin MOVED to approve consent items a., c and d. as listed on the agenda. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:
Council Member Brian Braithwaite  Yes
Council Member Ed Dennis  Yes
Council Member Tim Irwin  Yes
Council Member Kurt Ostler  Yes
Council Member Scott L. Smith  Yes

The motion passed.

Council Member Ed Dennis initiated a discussion regarding Item 2b by asking if an individual could request a copy of their background check. City Attorney Tim Merrill was not sure, but said he would look into it. There was some discussion and the Council and staff agreed that this option should be offered.

Council Member Brian Braithwaite initiated a discussion about Item 2e. He asked that the background information in the staff report be changed to reflect the real reason for not building the park, which was not only budgetary constraints. The primary reasons the park did not get built had more to do with the traffic, type of park, and access to the park. He did not believe the property was an appropriate size for the type of park proposed. He requested the same change in the staff report for Item 6.

Council Member Brian Braithwaite MOVED to make amendments to the Highland City Municipal Code 2.04.130 for Background Checks that the City agrees to provide a copy if requested and make amendments to the staff report of item 2e and 6 in the background of the staff reports that the reason for not building the park were primarily due to the traffic, type of park, and access to the park for that neighborhood. (amended staff reports attached)
Council Member Ed Dennis SECONDED the motion.

The vote was recorded as follows:
Council Member Brian Braithwaite  Yes
Council Member Ed Dennis  Yes
Council Member Tim Irwin  Yes
Council Member Kurt Ostler  Yes
Council Member Scott L. Smith  Yes

The motion passed.

3. ACTION: APPROVAL OF SURPLUS AND DISPOSAL OF PERSONAL PUBLIC PROPERTY AND EQUIPMENT
Joann Scott, Planning Commission and Community Development Secretary, oriented the City Council regarding surplus items that staff wished to dispose of per Municipal Code guidelines. She noted that these items would be listed on the public surplus website.

Council Member Ed Dennis MOVED to approve the surplus and disposal of personal and public property equipment as recommended.
Council Member Tim Irwin SECONDED the motion.
The vote was recorded as follows:

Council Member Brian Braithwaite  Yes
Council Member Ed Dennis  Yes
Council Member Tim Irwin  Yes
Council Member Kurt Ostler  Yes
Council Member Scott L. Smith  Yes

The motion passed.

4. **ACTION: RECONSIDERATION OF CANTERBURY TRAIL DISPOSAL**  
City Council will discuss a request by Council Members Ed Dennis and Scott L. Smith to reconsider the Council’s denial regarding the designation of open space property for disposal and removal of neighborhood option trails in the Canterbury North Subdivision. The Council will take appropriate action.

The item was withdrawn at the request of the applicant.

5. **ACTION: APPROVAL OF THE MOUNTAIN RIDGE PARK MASTER DESIGN PROCESS**  
City Administrator Nathan Crane oriented the City Council regarding revisions to the Final Master Plan for Mountain Ridge Park. In January, the Council chose to move forward with a set of drawings that would complete 60% of the park. They had spent approximately $36,000 of the budget on the design. He presented the designs for their review and feedback.

Mayor Mann allowed public comment.

Amy Johnson, a resident, asked that the City Council take the results of the survey seriously, because they were clearly opposed to a tournament-level facility. She hoped that they would consider a variety of sports courts and fields.

Carley Tall, a resident, requested that the all-abilities playground be located closer to the parking lot. She also suggested reaching out to the local universities to see if the students would take on the project of designing the rest of the park.

Cody Dingus, a resident, asked that they reconsider the location of the maintenance building and move it away from the homes.

Sherry Kramer, a resident, reemphasized the need for more parking.

Robert Williams a resident, thanked the Council for allowing the residents to provide input on the design of the park. He wondered why they were discussing the design of the park before the studies on traffic and noise had been complete. He didn’t feel that 27 pickleball courts made sense for this park.

Council Member Ed Dennis suggested continuing the item while the studies were being completed. Mayor Mann said that the purpose of the Item was to decide how to continue with the project.

There was a brief discussion regarding the traffic study, and it was explained that the count would be based off current traffic and additional traffic from playing fields.
Council Member Brian Braithwaite said that there were no funds available. There could be funds in the future, but the majority of the donations to-date were based on the tournament-level pickleball facility. They would have to approach the donors again to request money for the park.

Council Member Kurt Ostler suggested that they hold back on the traffic study until they knew exactly what would be going into the park. The resident survey was geared toward what was being presented. Since the residents were opposed to a tournament level facility, they should consider something like eight pickleball courts.

Council Member Scott L. Smith briefly described how the idea of 27 courts came about. Having 27 courts would enable tournaments to happen in Highland, and most of the park would have been built with donations. In discussions with Lorna Reed, it was clear that they didn’t have the cash they needed for the project. He supported pickleball, but having eight to twelve courts would be more appropriate. Whatever they do with the park, they needed a plan to maintain it.

Council Member Brian Braithwaite said that the park needed to meet the needs of Highland residents, and there were many interests beyond pickleball. He suggested having a few different sporting fields at Mountain Ridge Park.

Mayor Mann directed staff to take the input from the residents and Council, and come back with a few options.

Council Member Tim Irwin MOVED to amend the current master plan as suggested using the information that was already gathered at the open houses and through the resident survey. Pickleball needs to be included but not at the level on the original plan. Bring the amended plan back to a future Council meeting and hold another open house. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

- Council Member Brian Braithwaite  Yes
- Council Member Ed Dennis  Yes
- Council Member Tim Irwin  Yes
- Council Member Kurt Ostler  Yes
- Council Member Scott L. Smith  Yes

The motion passed.

6. ACTION: CONDITIONAL USE PERMIT FOR SPRING CREEK PARK

Planner Tara Tannahill presented a request from Highland City for a conditional use permit for 2.32 acres of park located at approximately 10029 N 6300 W. She gave a background of the property and stated that Millhaven Development had submitted a preliminary plat for the park. The plat showed a six-foot masonry fence along the properties in the Spring Creek subdivision that abut the park. The entrance to the park would be from Mountain View Drive with a walking path entrance between Lots 7 and 8 of the Spring Creek subdivision.

Council Member Brian Braithwaite said that some residents already had access to the property through their existing fences. It should be clarified as to whether those accesses will remain. Council Member Ed Dennis thought that the neighbors should have the option to have a gate access to the park. City Administrator Nathan Crane said that residents did not see the City as a good neighbor, so he recommended staying with the masonry fencing.
Council Member Kurt Ostler asked if the City was able to give their input on the park design, and City Administrator Nathan Crane said that there had been an open house a few months ago. Some residents came and spoke to the Planning Commission as well, and the comments were positive.

Council Member Kurt Ostler said that it looked like a nice park, but it might be too decorative. Council Member Ed Dennis agreed and said that he favored more grass and less gravel. Council Member Tim Irwin was concerned about conserving water. They suggested fewer flower beds and the use of rubber instead of gravel.

Council Member Brian Braithwaite asked staff to send a copy of the park design to the neighborhood representative.

Mayor Mann allowed time for public comment.

Deanne Dixon, a resident, said that the tree that were planned next to the fence line would eventually grow very large and obstruct the residents’ views. She would prefer to have those trees toward the interior of the park to provide shade for those playing in the park.

Council Member Tim Irwin MOVED that the City Council accept the findings and recommend approval of the conditional use permit subject to the stipulations recommended by the Planning Commission
Council Member Scott L. Smith SECONDED the motion.
1. The final plat shall be in substantial conformance with the concept plan and plat received March 14, 2019.
2. All signage shall require a separate permit and comply with the development code.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.

Council Member Brian Braithwaite asked to amend the motion to remove the first stipulation, because the word “substantial” was in the eye of the beholder. Council Member Kurt Ostler seconded the amendment. Council Member Tim Irwin accepted the amendment.

Council Member Tim Irwin MOVED to recommend approval of the conditional use permit with Planning Commission stipulations 2 and 3.
Council Member Scott L. Smith SECONDED the motion.
2. All signage shall require a separate permit and comply with the development code.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.

The vote was recorded as follows:
Council Member Brian Braithwaite  Yes
Council Member Ed Dennis  Yes
Council Member Tim Irwin  Yes
Council Member Kurt Ostler  Yes
Council Member Scott L. Smith  Yes
The motion passed.

7. ACTION: ADOPTION OF HIGHLAND CITY MUNICIPAL CODE SHORT TERM RENTALS
City Attorney Tim Merrill presented the proposal for a new section of the Municipal Code that would enact regulations for short term rentals, such as Airbnb’s. This was something that had been discussed several
times over the last year, and the City currently had no regulations for the use. The proposal would allow short term rentals, as long as the home owner had a business license. It would also limit the number of renters that could be in the home at once. He noted that staff received calls about this use weekly, from interested parties and for complaints. State law permits the City to enact a transient room tax of 1%.

City Administrator Nathan Crane said that rentals were currently being handled through business licensing. Mayor Mann commented that the benefit to requiring a business license was that they would have contact information for the property owner.

Council Member Kurt Ostler asked how many rentals were in the City, and City Attorney Tim Merrill said that they had no way of gathering that information because the City did not regulate it.

Council Member Scott L. Smith said that there was a rental home next to him, and the only issue was that garbage cans fill up and are taken out to the road before garbage pickup day, so the cans would sit on the road for days. City Attorney Tim Merrill said that the code would require the property to remain clean of accumulated garbage, and the cans could not be left on the curb for more than 24 hours. The way to deal with this was to enforce the code.

There was a brief discussion about the number of guests and language that prohibits single-night rentals. Council Member Brian Braithwaite felt that the restrictions should be in the ordinance, but up to the individual home owners. Council Member Tim Irwin was worried about the intended consequences of the ordinance.

City Attorney Tim Merrill said that a lot of communities have these ordinances, and he thought it was highly appropriate for Highland to have an ordinance that was less restrictive.

After some discussion, the Council agreed that the ordinance was not necessary at this time.

*Council Member Tim Irwin MOVED to postpone the ordinance discussion indefinitely.*
*Council Member Brian Braithwaite SECONDED the motion.*

*The vote was recorded as follows:*
*Council Member Brian Braithwaite Yes*
*Council Member Ed Dennis Yes*
*Council Member Tim Irwin Yes*
*Council Member Kurt Ostler Yes*
*Council Member Scott L. Smith Yes*

*The motion passed.*

8. PUBLIC HEARING/RESOLUTION: ADOPTION OF A MUNICIPAL TRANSIENT ROOM TAX
Being that the Transient Room Tax was part of the short term rental ordinance, it was also postponed indefinitely.

9. MAYOR/COUNCIL AND STAFF DISCUSSION AND COMMUNICATION ITEMS
a. 2019 Election Options – City Recorder Cindy Quick
City Recorder Cindy Quick presented information regarding three options for elections next year: a precinct election, a vote-by-mail election run by the City, or a vote-by-mail election run by the County. She noted
that the last three elections were vote-by-mail. If the Council chooses to run its own election, the County asks that they do not include voting in schools due to security issues. They also suggested not having voting in churches.

Council Member Scott L. Smith expressed his concerns about having one central voting location rather than giving the residents several options.

Rozan Mitchell, Elections Director for Utah County, stated that one table of poll workers could process 800 voters per day the old-fashioned way. If they chose this method, they needed to consider locations that would have adequate parking to accommodate that many voters.

City Recorder Cindy Quick briefly explained the process of the precinct election and noted that they would need to recruit 18 poll workers, five counters, and two judges. There would be costs for advertising, noticing, educating the public, and the time of staff and the poll workers. They would also need to verify signatures on absentee ballots with the County. Vote-by-mail run by the City would have a similar process to the precinct election, but they would only be required to have one voting location on election day. She noted that this option would be less confusing to the residents, as they’d been having vote-by-mail elections for the past three elections. There would also most likely be an initiative to change the form of government through the County, which would require a vote-by-mail for the general election, and all future County elections would be vote-by-mail.

Rozan Mitchell stated that the County was working hard to inspire confidence in the election process. They would be implementing new voting equipment and increasing election security, including permanent drop boxes. There was grant money available through the State for cities to install these drop boxes. Those funds could also be used for voter education. Utah County Elections had four new staff members, which was double the number they had last year. Collectively, they have more than 20 years of election experience between them. Rozan Mitchell said one of her greatest concerns was voter confusion. The last three elections had been vote-by-mail, and next year there would be three elections that would all be vote-by-mail with the County. They wanted to keep consistent with that, so she encouraged the City to choose a vote-by-mail option this year. She briefly discussed signature verification and the reasons why a ballot could be rejected. A lot of them could be resolved with greater voter education. Highland City already had 2,616 voters that had requested ballots by mail, which was one-fourth of their active voters. She said that election security was a national hot topic, and the County was doing everything they could to increase voter confidence.

City Recorder Cindy Quick presented a summary slide showing the cost of each option, as follows:

- **Option 1 – Precinct Election**
  - $10,215 / election
- **Option 2 – Vote by Mail – City**
  - $16,387 / election
- **Option 3 – Vote by Mail – County**
  - Not to exceed $18,580 / election

Council Member Tim Irwin was opposed to vote-by-mail for many reasons, but some of those concerns had been addressed during the presentation. He agreed that it would be confusing to the citizens to switch the election style back and forth. His primary concern, however, was the cost, because they were not sure if they would have a primary election this year or not. There would be three seats available, but they did not know how many candidates they would have. This issue would be resolved if they chose to do rank choice voting. As he understood, the County had software that would handle rank choice voting, which would take the burden off of the City Recorder and her team. He was in favor of doing vote-by-mail, but only with rank choice voting.
Rozan Mitchell briefly explained rank choice voting and said that there had been a few jurisdictions that were interested in it. There was a lot of grant money available for voter education on this style of voting.

Council Member Scott L. Smith was in favor of the vote-by-mail run by the County. He needed to understand rank choice voting a little more before he made a decision on that. It would be nice to cut costs by eliminating a primary election, but he did not understand how that would work if they had more than 10 candidates. There was some discussion regarding rank choice voting, and Rozan Mitchell said that she could have someone come to the Council and make a presentation.

Council Member Brian Braithwaite was not in favor of rank choice voting, because he did not believe the citizens were ready for it. He wanted to see results from other cities using rank choice voting before moving forward with it. His preference would be to have the City run a vote-by-mail election, but not pay for the return ballot postage.

Council Member Ed Dennis wanted to know the overhead costs for staff for the first two options, since those costs were not included in the estimate. He was leaning toward a vote-by-mail run by the County to maintain consistency.

Council Member Tim Irwin was not convinced that there was greater participation with a vote-by-mail election than a precinct election. He did not want more voters if those voters were not educated. He agreed with Council Member Brian Braithwaite’s suggestion. He was also still concerned about funding any of the options.

Council Member Kurt Ostler was intrigued by rank choice voting, but he wanted to hear more about it before jumping into that option. He was in favor of a vote-by-mail run by the County.

There was a discussion about the permanent drop boxes and Rozan Mitchell confirmed that the County would cover the cost to install it and maintain it. The comment was made that postage was metered, and the drop box would not use the return postage. It would cut costs if more people dropped off their ballot, and she felt they would being that there was a level of distrust with the post office. Rozan Mitchell said that two County elections workers would collect the ballots every other day and take those ballots back to the County.

The Council consensus was that staff pursue the permanent drop box and contract with the County for a vote-by-mail election.

b. Lone Peak Public Safety Department Interlocal Agreement – Mayor Rod Mann

Mayor Mann explained that there were concerns about having an even-numbered board for the Lone Peak Public Safety board. With Highland paying the lion’s share of the bill, they should have one more vote. One of the possible changes to the interlocal agreement was the number of board members. The interlocal agreement would also require the majority of both City Councils’ support for funding changes. He briefly explained the funding mechanism for the Safety District, and the interlocal agreement would allow each city to figure out how to pay their portion of the bill. He reported that there had been arguments about the Alpine station and how that would be funded. They determined to raise the percentage that Alpine pays for that station.

Council Member Brian Braithwaite wanted to make sure that everything in the agreement was simple and defendable. The changes would allow the board to act more like a district, and it would be simpler for the residents to understand.
City Attorney Tim Merrill requested time to review the proposed agreement. Mayor Mann said that he would send each of them a copy of the agreement and request their feedback.

The Council discussed the upcoming meeting, and it was revealed that only one Council Member could be physically present for the meeting. They decided to move the work session to either April 18th or early on the 16th. Staff would explore both options and email the Council about the replacement date.

10. FUTURE MEETINGS
   a. Future Meetings
      i. April 9, City Council Work Session, 7:00 pm, City Hall
      ii. April 16, City Council Meeting, 7:00 pm, City Hall
      iii. April 30, Planning Commission Meeting, 7:00 pm, City Hall

ADJOURNMENT
Council Member Tim Irwin MOVED to adjourn the meeting and Council Member Brian Braithwaite SECONDED the motion. All voted yes and the motion passed unanimously.

The meeting adjourned at 10:23 PM.

I, Cindy Quick, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 2, 2019. This document constitutes the official minutes for the Highland City Council Meeting.

Cindy Quick, MMC
City Recorder
The City Council should hold a public meeting and approve the preliminary plat subject to the four stipulations recommended by the Planning Commission.

BACKGROUND:
In October of 2007, Highland City acquired 12 acres of property located at 10029 N 6300 W from Alpine School District. At that time, it was the City’s intent to develop this property as a park. Unfortunately, due to budget constraints, traffic, type of park, and access to the park for that neighborhood the park was not developed. (amended by motion during City Council meeting)

On November 13, 2018, Highland City Council decided to surplus the property for residential development and the proceeds generated from the sell would be utilized to develop the Mountain Ridge Park property.

The proposed property is 12 acres located at approximately 10029 North 6300 West. The proposed development includes a 2.32-acre park and 10 single-family residential building lots.

The property is designated as Private Recreation & Mini Park on the General Plan Land Use Map. The current zoning is R-1-40. The R-1-40 District allows for one home per 40,000 square feet of land within the development. The minimum lot width is 130 feet.

Parks are permitted in the R-1-40 District subject to approval of a conditional use permit. The City of Highland will be applying for the Conditional Use Permit (CU-19-04).

Preliminary Plat approvals are an administrative process.
SUMMARY OF THE REQUEST:

1. The applicant is requesting approval of a preliminary plat approval for 10 single-family residential building lots and a 2.32-acre park located approximately at 10029 N 6300 W.

2. The City will be responsible to provide culinary and pressurized irrigation water shares for the subdivision.

3. Access to the site will be from Mountain View Drive. The road matches up with 9960 north cul-de-sac across Mountain View Drive road.

4. A masonry entry monument sign will be placed at the entrance of the subdivision on Mountain View Drive.

CITIZEN PARTICIPATION:
The City of Highland held a neighborhood meeting on November 1, 2018. The purpose of the meeting was to inform the neighboring residents that the property would be sold. The City of Highland and Millhaven Development held a Design Review Committee (DRC) meeting on March 7, 2019. No residents attended the meeting.

Notice of the Planning Commission public hearing was published in the March 10, 2019 edition of the Daily Herald and mailed to all property owners within 500 feet on March 7, 2019. We have not received any comment from adjacent property owners expressing concern of the potential development.

Notification is not required for City Council.

ANALYSIS:

- The property is designated as Private Recreation & Mini Park on the General Plan Land Use Map.

- The surrounding properties are zoned R-1-40 and are single family homes. Properties to the south of 9600 N are zoned R-1-20 and are single family homes.

- Utilities currently exist in Mountain View Drive.

- The property has ten (10) single-family residential lots with three (3) of those lots being 30,000 square feet or less. The R-1-40 District allows thirteen (13) single-family residential lots with three (3) of those lots being 30,000 square feet or less. The proposed plat meets the requirements of the R-1-40 District.

- Each lot has 130 feet of frontage demonstrated with a 10-foot utility easement on each property. This meets the requirements of the R-1-40 District.

- The setbacks are 30 feet from the front and rear property line with 15 feet for the side property lines. This meets the requirements of the R-1-40 District’s setbacks.

- A masonry theme wall is not required along Mountain View Drive.
**FINDINGS:**

With the proposed stipulations, the preliminary plat meets the following findings:

- It complies with all zoning requirements as set forth by the Development Code.

**PLANNING COMMISSION ACTION:**

The Planning Commission held a public meeting on March 26, 2019. There were comments from the public regarding the proposal. The Commission voted unanimously to recommend approval of the final plat subject to the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat received March 14, 2019.
2. All signage shall require a separate permit and comply with the development code.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.
4. A note shall be included on the final plat stating: Highland City Ordinances currently permit larger animals on surrounding properties.

**RECOMMENDATION AND PROPOSED MOTION:**

I move that the City Council recommend **APPROVAL** of Spring Creek Highland Plat ‘A’ Preliminary Plat subject to the four stipulations recommended by the Planning Commission.

**ALTERNATIVE MOTION:**

I move that the City Council recommend **DENIAL** of the Spring Creek Highland Plat ‘A’ Preliminary Plat subject to the following findings: (Council should state appropriate findings).

**FISCAL IMPACT:**

The City will pay for the park which is estimated to cost $556,994.50. The City will provide culinary and pressurized irrigation water shares. The City will be responsible to maintain the landscaping in the park.

**ATTACHMENTS:**

1. Vicinity Map
2. Preliminary Plat Map
3. Entry Monument Sign
4. Narrative
The City Council should hold a public meeting and approve the conditional use permit subject to the three stipulations recommended by the Planning Commission.

BACKGROUND:
In October of 2007, Highland City acquired 12 acres of property located at 10029 N 6300 W from Alpine School District. At that time, it was the City’s intent to develop this property as a park. Unfortunately, due to budget constraints, traffic, type of park, and access to the park for that neighborhood the park was not developed. (amended by motion during City Council meeting)

On November 13, 2018, Highland City Council decided to surplus the property for residential development and the proceeds generated from the sell would be utilized to develop the Mountain Ridge Park property. The Mountain Ridge Park property is located on 5600 W 10400 N, west of the Junior High, and is approximately 17 acres in size. On January 22, 2019, City Council sold Spring Creek Park to Millhaven Development for $1,915,000.

The proposed development includes a 2.32-acre park. Parks are permitted in the R-1-40 District subject to approval of a conditional use permit.

The property is designated as Private Recreation & Mini Park on the General Plan Land Use Map. The current zoning is R-1-40.

Conditional Use Permits are an administrative process.

SUMMARY OF THE REQUEST:
1. The applicant is requesting approval of a 2.32-acre park located approximately at 10029 N 6300 W.

2. Access to the site will be from Mountain View Drive and a path between lot seven
and eight.

3. The park is estimated to cost $556,994.50. The City will also be responsible to maintain the landscaping in the park.

4. The park will provide two pavilions, one playground, two swing sets, four park tables, a walking path, and a grass field.

5. The park will have a 6-foot masonry fence along the rear property line of the properties that abut the park in this subdivision. There is currently a 6-foot vinyl fence for the properties that abut the park in the Willow Ridge Subdivision.

6. The applicant will provide culinary and pressurized irrigation water shares.

CITIZEN PARTICIPATION:
The City of Highland held a neighborhood meeting on November 1, 2018. The purpose of the meeting was to inform the neighboring residents that the property would be sold. The City of Highland held a Design Review Committee (DRC) meeting on March 7, 2019. No residents attended the meeting.

Notice of the Planning Commission public hearing was published in the March 10, 2019 edition of the Daily Herald and mailed to all property owners within 500 feet on March 7, 2019. We have not received any comment from adjacent property owners expressing concern of the potential development.

Notification is not required for the City Council meeting.

ANALYSIS:
• The property is designated as Private Recreation & Mini Park on the General Plan Land Use Map.

• The surrounding properties are zoned R-1-40 and are single family homes. Properties to the south of 9600 N are zoned R-1-20 and are single family homes.

• Utilities currently exist in Mountain View Drive.

REQUIRED FINDINGS:
The City Council must determine that the proposed use meets three findings prior to granting a Conditional Use Permit. The burden of proof rests with the applicant. Each finding is presented below along with staff's analysis.

1. The use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

   The surrounding properties are zoned R-1-40 and R-1-20. The current zoning is R-1-40. The proposed use is compatible with the existing land use.

2. The use complies with all applicable regulations in the Development Code Parks are permitted in the R-1-40 District subject to approval of a conditional use permit.
The park has a 6-foot masonry theme wall on the rear property line for the properties that abut the park in this subdivision and there is currently a 6-foot vinyl fence for the properties that abut the park in the Willow Ridge Subdivision.

3. **Conditions are imposed to mitigate any detrimental effects.**
   The Council should include any stipulations which are deemed necessary to mitigate any potential impacts. Staff has provided draft stipulations.

**PLANNING COMMISSION ACTION:**
The Planning Commission held a public meeting on March 26, 2019. There were comments from the public regarding the proposal. The Commission voted unanimously to recommend approval of the final plat subject to the following stipulations:

1. The final plat shall be in substantial conformance with the concept plan and plat received March 14, 2019.
2. All signage shall require a separate permit and comply with the development code.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.

**RECOMMENDATION AND PROPOSED MOTION:**
I move that the City Council accept the findings and recommend **APPROVAL** of the conditional use permit subject to the three stipulations recommended by the Planning Commission.

**ALTERNATIVE MOTION:**
I move that the City Council recommend **DENIAL** of the conditional use permit subject to the following findings: (Council should state appropriate findings).

**FISCAL IMPACT:**
This property was previously purchased with Park impact fees. The City sold the park to Millhaven Development on January 22, 2019 for $1,915,000. Sixty percent of the net proceeds will be placed in the account Park Capital Fund 40-40-78 Mountain Ridge Park and the remaining forty percent will be placed in account Park Capital Fund 40-40-71 Major Park Construction/Repair. The park impact fee will need to be adjusted accordingly.

The City will pay for the park which is estimated to cost $556,994.50. The City will provide culinary and pressurized irrigation water shares. The City will be responsible to maintain the landscaping in the park.

**ATTACHMENTS:**
1. Vicinity Map
2. Spring Creek Subdivision Preliminary Plat
3. Park Concept Plan
4. Park cost estimate
Welcome to the Highland City Council Meeting
April 2, 2019

7:00 PM REGULAR SESSION
Call to Order – Mayor Rod Mann
Invocation – Council Member Scott L. Smith
Pledge of Allegiance – Mayor Rod Mann

UNSCHEDULED PUBLIC APPEARANCES
Time set aside for the public to express their ideas and comments on non agenda items. Please limit comments to three (3) minutes and state your name and address.

CONSENT ITEMS
• Item 2a. – Approval of March 5, 2019 Meeting Minutes
• Item 2b. – Adoption of Highland City Municipal Code Section 2.04.130 Applicant Background Checks
• Item 2c. – Reappointment and Consultant Contract for Vaughn Pickell as Highland City Appeal Authority
• Item 2d. – Amended Interlocal Agreement with Utah County for 4800 West Project
• Item 2e. – Approve Spring Creek Highland Plat ‘A’ Preliminary Plat

APPROVAL OF SURPLUS AND DISPOSAL OF PERSONAL PUBLIC PROPERTY AND EQUIPMENT
Item 3 – Action
Presented by – JoAnn Scott, Public Works Community Development

RECONSIDERATION OF CANTERBURY TRACT DISPOSAL
Item 4 – Action
Presented by – Nathan Crane, City Administrator/Community Development Director
APPROVAL OF THE MOUNTAIN RIDGE PARK MASTER DESIGN PROCESS

Item 5 – Action
Presented by – Nathan Crane, City Administrator/Community Development Director

Current Status

Options

• Proceed as previously planned
• Start a new master plan process
• Amend the current master plan
  – Use the information already gathered
  • Open Houses
  • Survey(s)
  – Hold another open house

CONDITIONAL USE PERMIT FOR SPRING CREEK PARK

Item 6 – Action
Presented by – Tara Tannahill, Planner & GIS Analyst

Background

• October 2007 - Highland city purchased the property from Alpine School District.
• November 13, 2018 - Highland City Council decided to surplus the property.
• January 22, 2019 - Highland City Council deiced to sell the property to Millhaven Development.
Preliminary Plat

- 2.32 acre park.
- 6' masonry fence for the properties that abut the park in the Spring Creek Subdivision.
- Entrance from Mountain View Drive and walking path between lots 7 and 8.

Park Concept Plan

- 2 pavilions
- 2 swing sets
- 4 park benches
- 1 playground
- Grass field
- Walking path

Fiscal Impact

- The City will pay for the park which is estimated to cost $556,994.50.
- The City will provide culinary and pressurized irrigation water shares.
- The City will be responsible to maintain the landscaping in the park.

Citizen Participation

- Neighborhood Meeting – November 1, 2018
- Design Review Committee (DRC) – March 7, 2019.
  - No residents attended
- Radius Notification
  - Planning Commission
  - Daily Herald – March 10, 2019
  - Mailed the notice March 11, 2019
  - No written correspondence has been received
  - No notification is required for City Council

Planning Commission Action

- Planning Commission March 26, 2019
  - Recommend approval subject to the following stipulations:
    1. The final plat shall be in substantial conformance with the concept plan and plat received March 14, 2019
    2. All signage shall require a separate permit and comply with the development code
    3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.

Consideration

1. Recommend approval of the conditional use permit with appropriate stipulations. Planning Commission has prepared draft stipulations that could be used. Additional stipulations may also be needed. The Council may include any conditions which are deemed necessary to mitigate potential impacts and insure compatibility of the use with surrounding development, insure compliance with this ordinance, and which are required to preserve the public health, safety, and general welfare.
2. Recommend denial the conditional use permit. If the Council recommends denial the conditional use permit, appropriate and specific findings will need to be drafted; or
3. Continue the conditional use permit to allow the applicant to address the issues outlined by the Commission in accordance with Section 3-4902.
Item 7 – Public Hearing / Resolution
Presented by – Tim Merrill, City Attorney

ADOPTION OF A HIGHLAND CITY MUNICIPAL CODE SHORT TERM RENTALS

Item 8 – Public Hearing / Resolution
Presented by – Tim Merrill, City Attorney

ADOPTION OF A MUNICIPAL TRANSIENT ROOM TAX

MAYOR/COUNCIL AND STAFF DISCUSSION COMMUNICATION ITEMS

• Item 9a. – 2019 Election Options – City Recorder Cindy Quick
• Item 9b. – Lone Peak Public Safety Department Interlocal Agreement – Mayor Rod Mann

HIGHLAND VOTER INFORMATION

<table>
<thead>
<tr>
<th>Election</th>
<th>Registered Voters</th>
<th>Votes Cast</th>
<th>Turnout</th>
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</thead>
<tbody>
<tr>
<td>2011 Municipal Election</td>
<td>9,084</td>
<td>1,840</td>
<td>21.36%</td>
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<tr>
<td>(3 Council Seats)</td>
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<td></td>
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<tr>
<td>2013 Municipal Election</td>
<td>9,139</td>
<td>2,955</td>
<td>32.33%</td>
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<tr>
<td>(Mayor &amp; 2 Council Seats)</td>
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<tr>
<td>2015 Municipal Election</td>
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<td>1,949</td>
<td>20.07%</td>
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<td>(3 Council Seats)</td>
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<tr>
<td>2017 Municipal Election</td>
<td>9,280</td>
<td>3,811</td>
<td>41.07%</td>
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<tr>
<td>(Mayor &amp; 2 Council Seats)</td>
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<td></td>
</tr>
<tr>
<td>Run by County - Vote by Mail</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OPTION 1 – PRECINCT ELECTION

City Requirements
• Ballot Layout, Design, Printing
• Absentee Ballot Layout, Design, Printing, Postage and Processing
• Early Voting Required (City Hall)
  – Four six-hour days
• Two Voting Locations on Election Day (City Hall and Community Center)
• Poll Worker Recruitment, Training & Food
• 18 Poll Workers, 5 Counters, 2 Judges
• Newspaper Ads – Noticing Requirements
• Flyers – Education
• Supplies & Extra Staff Hours

Estimated Cost: $10,215* / election

*Hard Cost only (Printing + Poll Worker) Does not include Soft Costs (Two employees travel to County for Signature Verification on absentee, provisional and overseas ballots. Estimated two weeks of payroll for City Recorder + OT on election day)
### Counting Process/Security

**City (Precinct & Vote by Mail)**
- Process is outlined in UCA 20A-4-101 Counting Ballots and Tabulating Results; and 20A-4-102 Counting Paper Ballots After Polls Close
- Signatures of Absentee, Overseas and Provisional Ballots cast would be verified at County (no more access to VISTA, two employees required)
- Unofficial Election Results are reported night of Election
- Results are Separated by Precinct

### Option 2 – Vote by Mail - City

**City Requirements**
- Ballot Layout, Design, Printing, Mailing, Postage and Processing
- No Early Voting Required
- One Voting Location on Election Day (City Building)
- Poll Worker Recruitment, Training & Food
- 7 Poll Workers, 2 Counters, 2 Judges
- Flyers – Education
- Newspaper Ads – Noticing Requirements
- Other Expenses & Staff Extra Hours

Estimated Cost $16,387*/election (providing return postage)
Estimated Cost $14,804*/election (not including return postage)

*Hard Cost only (Printing + Poll Worker) Does not include Soft Costs (Two employees travel to County for Signature Verification of absentee, provisional and overseas ballots. Estimated two weeks of payroll for City Recorder + OT on election day)

### Counting Process/Security

**City (Precinct & Vote by Mail)**
- Process is outlined in UCA 20A-4-101 Counting Ballots and Tabulating Results; and 20A-4-102 Counting Paper Ballots After Polls Close
- Signatures Verification for all ballots cast by Mail, Absentee, Overseas and Provisional done at the County (no more access to VISTA, two employees required)
- Unofficial Election Results are reported night of Election
- Results are Separated by Precinct

### Option 3 – Vote by Mail-County

**County Provides:**
- Ballot Layout, Design, Printing, Mailing, Postage and Processing
- Ballot Scanning Equipment - Counted by Precinct
- No Early Voting Required
- Poll Worker Recruitment & Training
- One Voting Location on Election Day (City Building)
- Tabulate & Report Election Results on County Website
- Provisional Ballot Verification
- Election Day Administrative Support and County Wide Vote Centers

Estimated Cost $18,580* / election

### Counting Process/Security

**County (Vote by Mail)**
- Vote by Mail ballots can be mailed or dropped off at City Hall or other locations
- Picked up and delivered to the County by County reps and processed at the County
- Ballots are scanned by a machine and separated by City & Precinct
- Signature verification is done at the County by machine and then kicked to a person
- Votes are tallied on Election Day
- Unofficial Election Results reported night of Election

### Surrounding City Election Choices

<table>
<thead>
<tr>
<th>City/Town</th>
<th>Election Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alpine</td>
<td>Vote by Mail - contract with County</td>
</tr>
<tr>
<td>American Fork</td>
<td>Vote by Mail - contract with County</td>
</tr>
<tr>
<td>Cedar Hills</td>
<td>Vote by Mail - contract with County</td>
</tr>
<tr>
<td>Eagle Mountain</td>
<td>Vote by Mail - contract with County</td>
</tr>
<tr>
<td>Lehi</td>
<td>Vote by Mail - contract with County</td>
</tr>
<tr>
<td>Lindon</td>
<td>Vote by Mail - contract with County</td>
</tr>
<tr>
<td>Mona</td>
<td>Precinct Election</td>
</tr>
<tr>
<td>Nephi</td>
<td>Precinct Election</td>
</tr>
<tr>
<td>Orem</td>
<td>Vote by Mail - contract with County</td>
</tr>
</tbody>
</table>
## Summary of Options

- **Option 1 – Precinct Election**
  - $10,215 / election

- **Option 2 – Vote by Mail – City**
  - $16,387 / election

- **Option 3 – Vote by Mail – County**
  - $18,580 / election

## Questions and Direction

**FUTURE MEETINGS**

- Item 10a. – Future Meetings
  - April 9, City Council Work Session, 7:00 pm
  - April 16, City Council Meeting, 7:00 pm
  - April 23, Planning Commission Meeting, 7:00 pm