

AGENDA
HIGHLAND CITY COUNCIL MEETING
May 6, 2014

7:00 p.m. Regular City Council Session
Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

7:00 P.M. REGULAR SESSION – CITY COUNCIL CHAMBERS

CALL TO ORDER – Mayor Mark Thompson
INVOCATION – Jessie Schoenfeld
PLEDGE OF ALLEGIANCE – Rod Mann

APPEARANCES

- 1. Time has been set aside for the public to express their ideas, concerns, and comments.**
(Please limit your comments to three minutes each.)

CONSENT

- 2. MOTION: Approval of Meeting Minutes for City Council Regular Session – April 15, 2014**
- 3. RESOLUTION: Creation of an ADHOC Committee – Beautification Committee**
- 4. RESOLUTION: Creation of an ADHOC Committee – Economic Development Committee**
- 5. RESOLUTION: Creation of an ADHOC Committee – Web and Social Media Committee**
- 6. RESOLUTION: Setting a Public Hearing – Tentative 2014-2015 Fiscal Year Budget**
- 7. RESOLUTION: Confirming appointment of Justice Court Judge – Douglas J. Neilsen**
- 8. MOTION: Surplus of Personal Property – Asset Disposal of Backhoe**
- 9. MOTION: Condominium Plat Request – Christopher Munday for the Highland corner office building located east of the south east corner of Alpine Highway and Timpanogos Highway**

ACTION ITEMS

- 10. PUBLIC HEARING/ORDINANCE –Amend the General Plan – Eliminating the parkway detail on Alpine Highway from 9700 North to City limits.**

11. **MOTION: Preliminary Plat Approval** – David and Amber Clegg
12. **MOTION: Lot 602 Spruces Subdivision** – Steve Eldridge Request
13. **MOTION: Preliminary Plat Approval** – Dry Creek Highlands Phases 5-7
14. **MOTION: Conditional Use Permit** – Rocky Mountain Power, Power Line Corridor Upgrade
15. **MOTION: Sewer Project** – Dry Creek
16. **MOTION: Storm Water Coalition** – Interlocal Agreement with Utah County

DISCUSSION ITEMS

17. **Victor Property** – Site Review

MAYOR/ CITY COUNCIL & STAFF COMMUNICATION ITEMS

(These items are for information purposes only.)

Description	Requested/Owner	Due Date	Status
Funding plan for Capital Facilities Plan update and certified impact fee.	Nathan Crane		In Progress
Committee assignments for council members	Rod Mann Mayor Thompson		On Going
Handicap Parking/ Freedom Elementary School	Mayor Thompson		On Going
5 Year Road Maintenance Plan for FY 14-15 <i>Budget for Maintenance Plan</i>	City Council Matt Shipp	April 2014	Plan Complete
Parks Presentation	City Council Matt Shipp/ Nathan Crane	June 2014	In Progress
Road Capital Improvement Plan for FY 15-16 <i>Prioritize and Communicate to Residents</i>	City Council Matt Shipp	Fall 2014	
Economic Development <i>Create Highland Chamber of Commerce</i> <i>Create ADHOC Committee</i> <i>Create City Direction/Brand</i>	City Council		
Improve Resident to Council Communication	City Council		
Website Improvement <i>Ensure Information is up to date</i> <i>Organize and assign an "owner"</i> <i>Refresh the look</i>	City Council		In Progress

ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed City Recorder does hereby certify that on this **30th day of April, 2014**, the above agenda was posted in three public places within Highland City limits. Agenda also posted on State (<http://pmn.utah.gov>) and City websites (www.highlandcity.org).

JOD'ANN BATES, City Recorder

- In accordance with the Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-772-4505, at least 3 days in advance to the meeting.
- The order of agenda items may change to accommodate the needs of the City Council, the staff and the public.
- This meeting may be held electronically via telephone to permit one or more of the council members to participate.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.

MINUTES
HIGHLAND CITY COUNCIL MEETING
Tuesday, April 15, 2014

Highland City Council Chambers, 5400 West Civic Center Drive, Highland, Utah 84003

PRESENT: Mayor Mark Thompson, Conducting
Councilmember Brian Braithwaite
Councilmember Rod Mann
Councilmember Tim Irwin
Councilmember Dennis LeBaron
Councilmember Jessie Schoenfeld

STAFF PRESENT: Aaron Palmer, City Administrator
Matthew Shipp, Public Work Director/ City Engineer
JoD'Ann Bates, Executive Secretary/ Recorder
Nathan Crane, Community Development Director
Gary LeCheminant, Finance Director
Kasey Wright, City Attorney
Shannon Garlick, Secretary

OTHERS: JayRoundy, Ron Jewett, Cindy Jonsson, Marlene Brooks, Michelle DeKorver,
Robert DeKorver, Kent Slade, Blythe Shupe, Kelly Sobotka, Ed Dennis, Andrea Fuller, Curtis
Whimpy, Barbara Stevens, Janeen Ashcraft, Scott L. Smith, Kathryn Schramm, Deborah Kinjo,
Masahiko Kinjo, Mialah Hassard, McLain Hassard, Thomas Saunders, Scott Collings, Julie
Hyder, Kristen Chevrier, Brad Freeman,

The meeting was called to order by Mayor Mark Thompson as a regular session at 7:01 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 Mayor Mark Thompson and those assembled were
led in the Pledge of Allegiance by Scout Curtis Whimpey.

SUMMARY

Table with 2 columns: Description, Pass/Fail. Rows include: Motion: Approval of Meeting Minutes for City Council Regular Session 1/18/2014 (P), Motion: Approval of Meeting Minutes for City Council Regular Session 4/1/2014 (P)

DETAILED MINUTES

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1
2 **APPEARANCES:**
3

4 Chief Brian Gwilliam stated Councilmember Mann sent out an email concerning a Fox News
5 article about a disagreement between the Lone Peak Police Department and the Roy City Police
6 Department over the use of similar patches. He expressed his apologizes that Fox News
7 presented the story the way they did and explained it was his desire to create unity and brand
8 awareness for the Lone Peak Police Department and their great officers. He stated
9 Councilmember Mann asked when the letter was sent and how much it cost; he replied the letter
10 was sent on March 10th and there was no cost. He stated the third question was why he sent the
11 letter and stated the answer was included with the correspondence to the Council.
12

13 Jay Roundy, former member of the Planning Commission, commended the City for the work that
14 has been done on the Planning Commission within the last few years. He explained the duty of
15 the Planning Commission is to enhance the property values throughout the City, which is easier
16 said than done. He stated he worked for a Fortune 100 Corporation and from time to time it was
17 hard to find the appropriate funds to do everything they needed to do. He explained they had
18 several studies done, which showed the value of the employees within the company had a direct
19 effect on the value of the stock in the company. He stated the company was sending their
20 employees to get their MBA or Doctorate degrees and there was one employee who turned \$24
21 million profit for that corporation and later another \$10 million profit. He explained a lot of the
22 employees went to school, increased their abilities, and in turn were able to put back into the
23 corporation. He explained this relates to the library along with other issues the City faces,
24 because the City can decide not to do certain things, but they need to look at what the effect is
25 down the road. He explained the library provides better educated people and a nicer place to
26 raise a family, which are some of the things that make Highland so wonderful. He stated some of
27 these things are going to cost the City a little extra money, but the residents have come to expect
28 excellent service from the City. He explained if inflation goes up, he would be happy to be taxed
29 a little more and continue to have these wonderful services.
30

31 Scott Smith, member of the Library Board, explained he looked at the State Code and seven
32 years ago in August 2007; the City had a Truth and Taxation Hearing where they established a
33 dedicated property tax for the library. He stated in Code 9-7-401, it reads, "A city governing
34 body may establish and maintain a public library. For this purpose, cities may levy annually a
35 tax, not to exceed .001 of taxable value of taxable property in the City. The tax is in addition to
36 all taxes levied by cities and is not limited by the levy limitation imposed on cities by law." He
37 stated in Code 9-7-404 Section 3 it reads, "All tax money received for the library shall be
38 deposited in the City Treasury to the credit of the library fund and may not be used for any
39 purpose except that of the City Library." He explained the Council has the right to eliminate the
40 dedicated tax for the library, but if so, they need to lower the residents' property taxes by that
41 same amount. He stated there may be a legal issue if the City tries to take away the dedicated tax
42 for the library, but continue to collect that same tax money and put it in the General Fund for
43 other purposes. He stated even though the library is small, it is a community gathering place and
44 it brings a great value to the families throughout the community. He explained the library is
45 especially valuable to families on limited incomes with young children and cannot afford to buy

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1 all of the picture books and for the senior citizens with limited incomes and disabled residents
2 who use the library extensively. He stated Highland is a community and library is one area where
3 they help many people with disadvantages. He encouraged the Council to maintain the dedicated
4 tax and support the library.
5

6 Dean Warnock, resident of Highland, encouraged the Council to complete the Murdock Trail
7 through the City. He stated the portion that goes through the park and across the Alpine Highway
8 is the most dangerous part of the trail system and he has been injured more there than anywhere
9 else. He stated after 19 years of trying, he does not believe the City will ever get an East West
10 Corridor, so holding the trail up for that process will not accomplish anything. He also stated
11 there is a sign by Caddie Lane next to the trail that causes safety concerns for bikers. He
12 explained the sign is on the edge of the trail and the trail makes a 90 degree angle turn, so bikers
13 are extremely concerned about running into the sign.
14

15 Brian Braithwaite asked where Dean Warnock would like the trail finished. He stated the trail
16 will be finished by the County when the East West Corridor comes in. He explained they are
17 making good progress with the Corridor, but it is possible it will never happen. He stated the
18 State just passed the ability for the Developmental Center to move forward with the process.
19

20 Dean Warnock replied he would like the trail completed from the end of the tunnel that goes
21 under the Alpine Highway over to the other side of the park where it continues to 4800 West. He
22 stated they currently have to go through the park and onto the sidewalk.
23

24 Brian Braithwaite clarified Dean Warnock wanted the trail to continue to follow the aqueduct
25 through Pheasant Hollow. He explained the trail was never designed to go down through that
26 area, but was designed to go onto the sidewalk and head south down toward where the East West
27 Corridor would be built.
28

29 Dean Warnock expressed his concern that the sidewalk is a lot narrower than the trail.
30

31 Brian Braithwaite replied he believes they are going to widen the sidewalk.
32

33 Julie Hyder, resident of Highland, stated the Mayor had helped get a cat out of the canal and
34 expressed her appreciation for his help. She stated she is a frequent user of the library and she is
35 very much in favor of the library. She explained there has been talk about expanding the library,
36 but they should not do so until they figure out a way to pay for the library. She stated if the City
37 does not have money to pay for the library, then they certainly do not have money to expand it.
38 She stated when they were looking for a place to live; they wanted to live in a city that had a
39 library. She stated it is a wonderful resource and it is worth keeping.
40

41 Christine Chevrier, resident of Highland, encouraged the Council to discuss every option when
42 looking at the budget. She stated there should not be any sacred cows and the City needs to
43 address the necessities of living, before they address the frills which includes the library. She
44 stated when she first moved to Highland there was not a library, so the City would give the
45 residents a contribution towards a library card for another city, so that could still be an option.

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1 She mentioned the Orem Library has a lot more to offer than the Highland Library. She stated if
2 the City cannot afford something, they should not spend the money.

3
4 Kathryn Schramm, former member of the City Council, stated she never wanted anything in the
5 city to become a burden and the library is not a burden, but a solution. She stated she has many
6 friends that have MS and they cannot leave their homes, but can have taped books sent to them
7 or have people pick them up for them. She stated she really appreciates the library providing
8 large print books, because she used to buy most of her books from the thrift store and they do not
9 usually have large print. She stated children need to have the feel of an actual book, because it
10 makes for a better educated population. She explained she was organizing her office and found
11 her notes from the City Council Meeting on August 14, 2007 and the Council members were
12 split down the middle; they wanted a library for the reasons already expressed, but the concern
13 was funds would be allocated for the library and those funds would be taken and used for another
14 purpose. She explained in 2007 the legislation was not in place that would protect the funds, so
15 they could be removed by another City Council. She stated if the City held \$200,000 a year then
16 people would join together on Foundations/Associations and the Library Board to help raise
17 funds for the library and they have done so. She explained she does not believe the library should
18 grow into another building until they have all of the funds needed. She stated she has lived in the
19 community for 42 years and many times groups have tried to form a library system in Utah
20 County that is similar to the library system in Salt Lake County and they just cannot do so. She
21 stated the library is a wonderful service for the whole community and if it comes down to adding
22 more trails or keeping the Certified Tax Rate for the library; she would fully support the library.

23
24 Ed Dennis, resident of Highland, expressed his support for the continued funding of the library
25 through the dedicated property tax. He stated it is important to recognize that the library
26 represents a significant community effort. He explained there are thousands of hours that have
27 gone into the creation of the library and the Library Foundation had initially risen over \$300,000
28 to buy volumes for the library. He explained the Library Foundation currently has \$68,000 to go
29 toward the expansion of the library. He stated based on experience, the community is committed
30 to maintaining the library. He stated the library is a great resource and a great branding for
31 Highland City, because it represents a serious commitment to the education of the community.

32
33 Debbie Kinjo, resident of Highland, expressed her concern that the agenda read “Library
34 Funding Options”, but gave no additional information. She explained she does not know the
35 intentions of the City Council, but wanted to make sure her voice was heard in regard to the
36 library. She stated in 2008 her family contributed to the Library Foundation to start up the library
37 and they were very excited when the library opened. She stated in 2012 the statistics stated the
38 City had 16,440 Highland residents and approximately 45% of those were library patrons. She
39 explained most people visit a public library at least once a year, but many visit much more often.
40 She stated library use varies by class, race, age, and educational levels, but the majority of
41 Americans, regardless of those categories, use the public library. She stated economic hard times
42 encourage people to borrow rather than purchase media and use public computers for work or
43 educational purposes. She stated knowledge is the power to better one’s self. She stated not
44 everyone can afford to own a computer or pay for internet access, but public libraries provide
45 free access to the necessary information. She stated all Highland residents regardless of income

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1 have the right to have free access to that information and their only obligation is to return the
2 materials on time and in good condition to allow others to exercise that same right. She
3 explained the Highland City library staff, with the exception of the Director and Assistant
4 Director, has wages that have been frozen at \$9 an hour and whose hours have been kept to 16 a
5 week to avoid providing additional benefits; yet all, but one employee, has at least a Bachelor's
6 Degree. She stated Kent Slade runs a tight ship and the staff are expected to be the original
7 search engines, to know the information or at least where to find it and behave in a courteous and
8 professional manner at all times. She stated the employees were expected to wear business casual
9 attire, even on Casual Fridays, when the other City employees wore jeans. She asked that closing
10 the library or making an all-volunteer library not be part of the discussion for alternative funding
11 options.
12

13 **PRESENTATION:**

- 14 • Highland Fling 2014 – Ron Jewett

15
16
17
18 Ron Jewett, Chairman of the Highland Fling, stated the City spent just over \$33,000 for the Fling
19 last year, but they brought in \$12,000. He stated the City cost to run the Fling will always be
20 between \$33-35,000. He explained he was not aware last year's budget was \$30,000 and it ended
21 up costing \$33,000, so the Council had to reopen the budget to give the Fling more funds.
22

23 Gary LeCheminant clarified the budget was \$25,000 for the Fling last year.
24

25 Ron Jewett stated the Fling actually cost the City \$21,000, but the City had spent \$33,000. He
26 explained that is the cost to run the Fling each year, but they bring in revenue from the booklet,
27 parade, 5K, and vendor booths. He stated last year they brought in \$12,000, but this year they
28 anticipate bringing in approximately \$20,000. He questioned if the budget should be \$33-35,000,
29 because that is what they are going to spend or that amount minus the \$20,000 they are expecting
30 to bring in. He stated reopening the budget caught them off guard, because it did not really cost
31 the City \$25,000.
32

33 Ron Mann questioned if some of the costs come in before the revenue comes in to match it. He
34 stated they spend ahead of the revenue, so there is a time when they have spent more than they
35 have collected, but in the end they'll collect it.
36

37 Brian Braithwaite replied in the past the accounting has been strange, because the City sets a
38 budget of how much they will spend; it is not the net cost to the City, but rather how much the
39 City will pay out in expenses. He explained when the item is placed in the budget; it is based
40 upon the gross expense, not the net, so however much money is raised by the Fling lowers the
41 gross cost of the event, but does not change the budget amount. He explained if they say the
42 budget is \$25,000 and the Fling raises \$12,000; the City actually only pays \$13,000 as long as
43 they do not go over the budget. He stated last year's budget was set at \$25,000, but they brought
44 in \$12,000, so they could have spent \$37,000 and the net difference would have been the same to
45 the City.

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1
2 Ron Jewett stated last year they set the budget at \$25,000 which is what they believed would be
3 the overall cost to the City and it ended up being \$21,000. He explained because they spent
4 \$33,000, they had to reopen the budget.

5
6 Ron Mann questioned if the accounting allows the City to set a budget item to be the net cost,
7 instead of what will be paid out.

8
9 Gary LeCheminant replied he is not sure, but the City could open a revenue account for all of the
10 money the Fling has. He stated there are a couple revenue accounts in the budget and the
11 Miscellaneous Revenue account is called Fling Revenue and there is currently \$17,695 in that
12 account.

13
14 Brian Braithwaite stated the issue is when an individual looks at the budget, they see the expense
15 and unless they dig into it, they don't see the revenue coming in to offset those amounts. He
16 stated the issue is finding a way to communicate that information to anyone who looks at the
17 budget.

18
19 Ron Jewett stated the reason it shows \$17,000 is because they have already brought in \$5,000 for
20 this year. He stated they are expecting the Fling to cost \$35,000 this year because they are
21 bringing back the BMX bikes. He stated they anticipate bringing in \$20,000 this year, so the net
22 will end up being even lower than last year. He stated every year more and more revenue is
23 brought in.

24
25 Ron Mann stated he understands they need to write checks when they need to write checks. He
26 asked if the issue can be looked into further.

27
28 Ron Jewett stated he believes the answer is to give the Fling a budget of \$35,000.

29
30 Gary LeCheminant stated he will take a look at the issue.

31
32 Brian Braithwaite stated he agrees with Ron Jewett, but there also needs to be a note, so the
33 Council is aware and can communicate to the residents how much is coming and what the City is
34 paying. He stated they need to have a clear delineation from staff of what was spent for 2014
35 Highland Fling and what was brought in and make sure they are balanced each year. He
36 explained because the Fling falls in between the two budget years, they need to have a separate
37 document that makes sure things are running properly, because the system does not handle it
38 well. He stated it is not difficult to balance it out, because there are not many expenses or
39 income. He questioned if they have already spent \$10,000 for the fireworks this year.

40
41 Ron Jewett replied they have only given them \$5,000, but have committed to \$10,000.

42
43 Brian Braithwaite clarified they have already begun spending for 2014 and asked that the
44 Council receive something with the clear numbers, so they can show residents how it works out.

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1
2 Dennis LeBaron stated they are spending for the 2015 year budget during this year, so by the
3 time they approve the budget, they may already be overspent. He suggested the City look ahead a
4 year.

5
6 Ron Jewett stated last year they projected they would have a net of \$25,000, so that was what
7 budget was given.

8
9 Brian Braithwaite stated the budgeted dollar amount could go up every year, but if they are
10 bringing in more revenue, then the City's contribution becomes less and less. He stated the
11 residents may question why the City is spending so much money on the Fling when there are
12 other needs, but the reality is the City is actually spending less; the budget is just going up.

13
14 Ron Jewett stated every year the net cost of the Fling has gone down \$5-8,000. He stated the goal
15 was to have a zero net budget by 2015, and although that won't be the case, they should be under
16 \$20,000 net for 2014.

17
18 Mayor Thompson stated he understands the constraints but asked Gary LeCheminant to find a
19 way to explain the budget item more clearly. He thanked Ron Jewett for the time he has spent
20 working on the Fling.

21
22 Ron Jewett stated they will have something going every day. He explained on Saturday, the 26th
23 of July, there will be the Car Show, Monday will be a Movie Night in the Park, Tuesday will be
24 the Baby Contest; Wednesday is Kids Night, Thursday is the Art Show, Friday is the Dance
25 Competition and the Highland Games begin; Saturday is the parade and all of the festivities. He
26 stated the booklet is what helps them earn more revenue this year than previous years. He
27 explained last year they brought in \$9,000 with the booklet, but this year they have already
28 brought in \$7,000 with commitments of \$10,000. He explained they are trying to get
29 sponsorships and the end goal is to have a great City Celebration and not have it be a burden on
30 the budget.

31
32 Brian Braithwaite questioned which band would be playing before the fireworks on Saturday
33 night.

34
35 Ron Jewett replied it will be Tom Butler's band. He stated they will have a Grand Marshall this
36 year and it should be a great event. He stated they will have a booth in a park and encouraged the
37 Council to come visit with the residents.

38
39
40 **CONSENT:**

41
42 MOTION: Approval of Meeting Minutes for City Council Regular Session – March 18, 2014.

43
44 MOTION: Approval of Meeting Minutes for City Council Regular Session – April 1, 2014.

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1 **MOTION: Tim Irwin moved the City Council to approve the consent items on the agenda.**

2
3 **Rod Mann seconded the motion.**

4 **Unanimous vote, motion carried.**

5
6
7 **MAYOR/CITY COUNCIL & STAFF COMMUNICATION ITEMS:**

- 8
9
 - Library Funding Options – City Council

10
11 Mayor Thompson stated the City currently has a dedicated tax rate for the library that has
12 become an issue the Council needs to discuss.

13
14 Rod Mann explained he has four reasons why the City should eliminate the property tax and roll
15 that amount over the General Property Tax Rate. He stated he has talked to the County Clerk's
16 Office and they do not see any legal issues in doing so. He stated one of the reasons why the
17 State created that dedicated tax was to provide a buffer for cities so they could go over their fixed
18 amount if they wanted to fund a library.

19
20 Kasey Wright stated the City can eliminate the dedicated library tax with no problem. He
21 explained if the Council would like to take that money and make it part of the Certified Tax Rate
22 then they would have to do a Truth and Taxation and increase that tax rate proportionally to the
23 tax that was dropped. He stated they cannot just legally drop the tag from the library tax; they
24 have to follow the correct process.

25
26 Rod Mann replied the County Clerk stated because they report it to the residents on the tax bills,
27 they do not put what they receive, just the total amount. He stated if the total amount did not
28 change, then there would be no net tax impact.

29
30 Kasey Wright stated that is inaccurate; when the City passed the dedicated tax for the library,
31 that money had to go to the library. The City can switch the funds, but they have to follow the
32 specific procedure. He explained the Council would need to drop the library tax and then go back
33 and increase the property tax by that same amount. He stated he understands ultimately there is
34 no net change, but because of what is in place, there would be a net change for the Certified Tax
35 Rate.

36
37 Tim Irwin questioned if the Council did a Truth and Taxation when approving the dedicated tax.

38
39 Kasey Wright replied he believes they went through a Truth and Taxation Hearing when the
40 library tax was approved and the money was then earmarked for the library.

41
42 Rod Mann stated he has four reasons why the library tax should be dropped and the library
43 should be funded out of the General Fund. He stated the first reason is removing the dedicated
44 tax puts the library on the same footing as the other departments. He stated the second reason is
45 having the library funded out of the General Fund means it would benefit the City if the library

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1 finds ways to economize and reduce their budget. He explained this year the library has a budget
2 that is \$9,000 less than last year, but if the budget does not exceed the amount collected by the
3 property tax, it will not make a difference. He stated the allocated money will go to the library
4 even though their budget has been reduced. He stated the third reason is as income from property
5 taxes rise due to property growth, the library budget grows correspondently and automatically;
6 whereas, if the City has control of the money, the additional money could be used elsewhere. He
7 explained the fourth reason is the dedicated tax reduces the Council's ability to direct how public
8 funds are spent which is one of the key responsibilities of the City Council. He stated by putting
9 the fixed revenue stream in place, the Council gave up its responsibility to manage that amount
10 of money. He stated this is not a "for" or "against" the library issue, but a matter of principle. He
11 stated it is in the best interest of the City for the Council to function as it should and be steward
12 over the City funds.

13
14 Dennis LeBaron questioned if dropping the library tax and going through a Truth and Taxation
15 to add the money to the General Fund can be done simultaneously.

16
17 Kasey Wright replied his understanding is the Council has the authority to drop the library tax
18 purely by vote. He explained increasing the Certified Tax Rate it would require a specific
19 process which includes a hearing.

20
21 Tim Irwin clarified the Council could indicate their intent to add the funds to the General Fund
22 when dropping the dedicated tax.

23
24 Kasey Wright stated the Council could wait to drop the dedicated tax until they had
25 accomplished the initial process and then do both at the same meeting.

26
27 Brian Braithwaite explained the concept is the budget wouldn't change; if they dropped it earlier
28 the taxes would stop coming in, but if they did it simultaneously then the amount stays the same
29 and reduces the risk.

30
31 Dennis LeBaron stated he is not in favor of shutting the library down, but the issue the City faces
32 is competing priorities. He explained his interpretation of the election results was that it is not
33 that the citizens do not want to fix the roads, but they want the City to make do with the budget
34 they currently have. He stated the Council needs to look at every possible option. He stated
35 removing the dedicated tax for the library means they remove funding completely, but it gives
36 the Council the ability to cut back and reallocate some of the resources. He stated he agrees with
37 Rod Mann that the Council is responsible to hear the voices of the residents and make decisions
38 accordantly without having their hands ties. He stated he understands the reasoning behind the
39 dedicated tax is the City needs a certain amount to keep the library going. He suggested the City
40 consider not removing all of the dedicated funding.

41
42 Brian Braithwaite stated the things the City deals with will not be agreed upon by all the
43 residents. He explained there will always be a percentage that are in favor of something and a
44 percentage that are against something; the Council will never be able to make everyone happy.
45 He stated the tax was passed because the majority of residents wanted it. He stated the Council is

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1 not giving up their responsibility to the funding, because at any given time the Council can
2 remove the dedicated tax. He stated one of the reasons for having a separate library budget is it
3 gives continuity; the majority of residents wanted a library and they were willing to pay an
4 additional tax because they knew it was going to the library. He explained taking away the
5 dedicated tax, puts it at the whim of the Council to take away the funding without notifying the
6 residents. He stated the residents do not attend the majority of the budget meetings, so it is at the
7 will of the Council. He stated the budget for the library is so thin that if it were not for all of the
8 volunteers and donations, the library would not survive. He explained the library has just enough
9 money to function, so if there was a significantly larger budget he wouldn't mind having more
10 flexibility over the library funds. He stated the City can take all of the fees and fines that go to
11 the library and put them in the General Fund; but just like the dedicated funds, the City Council
12 had chosen to make that a clear deposit into the library. He stated the Council has control over
13 that aspect as well; if they saw that the fines and the fees going up, the Council could change that
14 at any time. He stated property tax does not include inflation, so there should not be large
15 amounts of property tax growth.

16
17 Rod Mann replied it does not include inflation, but every time another residential property is
18 added the property taxes go up. He stated the tax rate fluctuates when taxes are raised or
19 lowered, but also as property values rise and fall. He stated the net tax goes up as property gets
20 developed. He stated the portion that is collected for the library will be increased at that time,
21 when the City could elect to put those additional funds elsewhere if they were in the General
22 Fund in principle. He stated if the library is collecting fees and fines, those should go back to the
23 library. He stated it is the dedicated tax issue that concerns him, because it constrains the Council
24 to some degree. He explained he does not care how much the dedicated tax is, but rather, the
25 principle of it.

26
27 Brian Braithwaite replied if every lot in the City was filled and the City was able to receive 2
28 million dollars in taxes, they would receive that perpetually. He stated even if inflation went up,
29 they would still receive the same amount, until the City Council decided to raise taxes. He
30 explained that because of this, when a house price goes up, the tax rate goes down, and when the
31 house price goes down, the tax rate goes up. He stated it is designed to keep a consistent amount
32 coming to the City, so the taxes do not fluctuate when all of the home prices go up and down. He
33 stated the reason it adds money when each home is built is because it is adding more people that
34 the City needs to service, so there are additional funds to help pay for the additional service. He
35 stated it could be money that may not be needed today, but essentially they could need it,
36 because if there are more people they may need more books. He stated the City has a library
37 system that is barely getting by and it works because there are dedicated people supporting it. He
38 explained if the City put instability on the library, those who are employed there and those who
39 engaged in it may determine it is not worth it, because they may not have a job from year to year.
40 He stated the dedicated tax gives the stability for them to know how much money they have to
41 work with each year, so if they can benefit one area by saving money in another area, then they
42 personally benefit from that. He explained the budget is so tight for the library, that it works
43 because they have those funds; if the budget was three times the size, there may be room to move
44 around funds. He stated he is watching where their money goes and is very impressed by how

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1 Kent Slade runs the library. He stated he likes what Rod Mann stated about concept, but in this
2 particular application he would have to disagree.

3
4 Rod Mann stated when the Certified Library Tax was passed it was the vote of four Council
5 members and the Mayor, because one Councilmember was not present. He stated it cannot be
6 accurately stated that it was passed by the majority of the residents or Council.

7
8 Brian Braithwaite stated that is fair and he is going off his own interactions with the residents.

9
10 Rod Mann stated he believes the library adds value to the community in terms of property value.
11 He questioned what the point is of having the Council review and approve the library budget if it
12 does not matter, because they are going to get the money regardless.

13
14 Brian Braithwaite replied if the Council feels the library is overspending, they can either ask the
15 Kent Slade to change or let him go or they can stop the dedicated tax at any time. He stated the
16 Council is watching their budget and can determine if they want the dedicated tax to continue or
17 not at any time.

18
19 Dennis LeBaron stated they are discussing the stability of the library, but the City needs
20 \$700,000 a year for roads. He stated the citizens have stated they are not ready to put forth more
21 money for the roads, so the Council needs to look at all the issues and tighten their belt in
22 different areas. He stated he is not in favor of closing the library. He questioned if the roads
23 failing is a lesser priority than the library.

24
25 Brian Braithwaite stated at some point in time the process will fail if there is not proper funding
26 and the City is on that edge with the library. He explained the alternative is for the City to go out,
27 get private funds to completely pay for the library, and remove it from the budget completely. He
28 stated before that could happen, the City would need to go through the process of notifying the
29 Library Board and allow them to prepare for it and give them sufficient time to do so.

30
31 Rod Mann questioned how much time would be sufficient.

32
33 Brian Braithwaite stated he does not know, but it would be at least a year before he would be in
34 favor of even considering it. He stated the City's financial issues are much larger than this.

35
36 Rod Mann stated increasing library spending right now would be difficult while staying in the
37 confines of the library. He stated there is no space for additional books and the City could decide
38 not to buy as many pieces of media in a given year if the budget is tight. He explained it might
39 affect the adults who want the latest best seller, but it wouldn't affect the kids because there are
40 plenty of good quality children books, or affect the space, because it's still a quiet space. He
41 stated it does not affect the computers or story time. He explained the City could state all budgets
42 would suffer a little bit during a rough year. He stated that is not his reason for getting rid of the
43 dedicated tax, but it would be an option if necessary.

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1 Jessie Schoenfeld stated she believes Dennis LeBaron may have been reading too much into
2 what the residents were saying when they decided they did not want an increase in taxes for
3 roads. She stated she does not believe they were saying they want to do with what they have and
4 take funds from the library. She stated she believes the residents were saying they want to make
5 do with how things are and leave the library like it is. She stated part of the taxes is dedicated to
6 the Public Service, so it is the same thing as the library. She explained when Rod Mann went to
7 the Library Board meeting, he stated they did not need to worry about the City changing their
8 budget, but is now saying the City could maybe cut certain areas. She stated the City is not in as
9 bad of shape as everyone seems to believe. She explained the City has the money they already
10 have for the roads and if the residents do not want to spend more than they the City just won't do
11 it and then they will find out sooner or later they need to raise taxes. She stated they don't need
12 to dig into the library fund, when it is something that is such a valuable asset to the community.

13
14 Rod Mann stated he was responding to Brian Braithwaite's comment that there is no room to cut
15 in the library's budget. He stated he has no real intention of cutting into the budget at this time.

16
17 Jessie Schoenfeld stated the City can do that in the future if need be, but they do not need to take
18 away the dedicated tax right now.

19
20 Tim Irwin stated he agrees it is a matter of principle and does not see why the library should be
21 treated differently than any other service provided by the City. He stated he is not in favor of
22 reducing the budget or eliminating the library, but stated it should be subject to the same
23 economic whims as every other part of the budget and is currently not. He explained he would
24 prefer to have those who use the service pay for it. He stated the Council has asked a number of
25 times for a number that shows how many people use the library and still do not have an accurate
26 number. He stated the Council has the number of approximately 6-7,000 people a month, but it
27 may not be accurate, based on how the numbers are collected. He stated the whole city is funding
28 a service that is being used by less than 50% of the population. He stated the City has an
29 excellent Library Board and there is a reduction in the library budget, so they are being fiscally
30 responsible, but it goes back to the principle of why the library would have dedicated funding
31 and other departments would not.

32
33 Brian Braithwaite stated Kent Slade and the employees that work for the library know there is a
34 certain amount of funding that provides a level of stability for them. He stated he does not
35 believe the dedication of staff will be the same if the funds roll into the General Budget and can
36 be removed at any time. He stated he understands they could do it now, but there is a certain
37 level of commitment from the City to dedicate those funds to the library. He stated there are a lot
38 of things the whole city pays for, but only a minority use like parks and trails, so the library is no
39 exception. He stated the Council needs to identify the things that are the most beneficial for the
40 majority of the residents while being fiscally sound in what they give each of those items. He
41 stated although they may not show up in the budget, there are basic amounts the City puts into
42 everything, like watering the parks, to keep them from falling apart.

43
44 Tim Irwin stated because the City has those basic funds for the roads and the parks, they would
45 do the same for the library. He questioned why the library needs a special dedicated tax.

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1
2 Dennis LeBaron stated during his campaign he heard from a number of citizens that the City
3 needs to take a look at not only the library, but all areas of expense. He stated he is on the
4 Council to represent their voices and it has been on the mind of some citizens. He explained he
5 does not know exactly how many, so it would be wise to have a survey done, so they can
6 actually get the data and find out.

7
8 Jessie Schoenfeld stated the library fund is only 2% of the whole city budget, so it would not
9 make a lot of difference in fixing the roads and needs to stay right with the library. She stated the
10 argument that the majority of residents do not use the library is not completely valid, because the
11 majority of residents do not use the schools anymore, but they have to pay taxes for them
12 because it makes for a better, more educated community. She stated there is a dedicated tax
13 because some residents were insightful enough to make sure there was enough money to keep
14 the library going.

15
16 Brian Braithwaite suggested the Council can look at the library budget and has the power to stop
17 the dedicated tax at any time. He stated if the Council believes they should cut the library budget,
18 they can address the issue at that time. He stated unless the Council is suggesting a cut, then it is
19 just a mood issue, because the Council would provide those same funds either way.

20
21 Rod Mann stated that is partially correct, but if the Council looks at the growth in property tax
22 revenue with Skye Estates and other commercial and residential properties; there is going to be
23 growth in the meantime and the growth is being automatically allocated to the library. He stated
24 the library is not asking for additional funds at this time, so he would propose the additional
25 funds do not automatically go to the library.

26
27 Brian Braithwaite stated the library can take the money and put it aside to help fund the
28 expansion of the library or pay for books when there is the expansion of the library.

29
30 Rod Mann stated the problem is the funds are all being directed at the library, when there may be
31 other areas that have higher needs. He proposed the City follow the option that would allow them
32 to redirect the growth elsewhere.

33
34 Mayor Thompson stated it was simply a discussion item and the Council had the opportunity to
35 discuss how they felt on the issue. He stated the system the City lives under is they have the
36 opportunity to vote and whatever number of people votes elect people, and those elected officials
37 vote on issues. He stated for a number of years before the City created the secondary system,
38 they educated in many different ways and in the end it was approximately 92% in favor with
39 about 18% of people voting. He stated there has not been a huge amount of education done on
40 these other issues. He explained maybe the dedicated fund should have gone to a vote with the
41 residents before going that direction, because there is currently a split on beliefs. He stated it is
42 the Council's obligation as elected officials to get it out to the public, find out what their beliefs
43 are, and act accordingly. He stated just because they are elected, does not mean they get to do
44 whatever they would like. He stated geo bonds settle a lot of things, because they have to be
45 voted on and if they are repeatedly voted down time after time, they try again time after time. He

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1 stated they need to educate the people if they would like them to fund things and the City has
2 done a somewhat inadequate job in doing so.

3
4
5 • ADHOC Committees – City Council

6
7 Mayor Thompson stated an ADHOC Committee is a group of people that want to get together
8 for a specific reason and the establishment is sanctioned by the City to help the Council collect
9 data and make decisions. He explained if an ADHOC Committee is sanctioned by the City, they
10 are required to have public agendas and advertise that they are going to meet and keep minutes.
11 He stated if any group of citizens is interested in a concern they can organize and lobby the
12 Council, but if the City sanctions an ADHOC Committee, they have to make it public and follow
13 the rules associated with the Open Meeting Act. He stated Jessie Schoenfeld has two Committees
14 she would like to discuss with the Council and then they can be placed on the next meeting
15 agenda.

16
17 Jessie Schoenfeld stated she has a brief outline of the duties and functions for the Highland
18 Beautification Committee, but the Council is welcome to make changes. She stated the
19 Beautification Committee would have seven members; one member being a member of the
20 Public Works Department and one being a City Councilmember. She explained it is not an
21 advisory Council, but a hands-on Committee that would do work with the City employees. She
22 stated they help recommend, develop, support, and implement the programs to promote
23 awareness and participation in City beautification; most notably with the planning, coordinating,
24 and planting of plants and flowers in public areas. She stated they would also implement the
25 citywide “Yard of the Month” program; where during the summer months they would choose the
26 yard of the month and special awards for holiday decorations during the holiday season. She
27 explained the Committee would need a little seed money to have a “Yard of the Month” sign
28 made. She stated there is already enough money in the budget through the Public Works
29 Department for flowers for this year. She stated the Committee would have to report back to the
30 City Council. She stated there are already volunteers that are ready to go.

31
32 Mayor Thompson stated during the application process the City tries to obtain information as to
33 their interests and qualifications. He stated residents can fill out the application with the desire to
34 be on several committees.

35
36 Tim Irwin questioned what kind of expenses would be included in the Committee’s budget.

37
38 Jessie Schoenfeld stated they would need to have a “Yard of the Month” sign along with a small
39 gift card or award from a City retailer to give out each month. She stated the proposed budget
40 would be \$500 a year.

41
42 Brian Braithwaite questioned what account the proposed budget would be under.

43
44 Matt Shipp stated this year the Public Works have a line item for flowers, trees, and shrubs in
45 two budgets. He stated one of the proposals for the Beautification Committee would be to work

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1 on projects like the entrance to the Highland Cemetery, which is what the money is intended for.
2 He explained the Public Works can fund the Beautification Committee for the current year, until
3 the next budget when the Council would decide the funds.
4

5 Rod Mann suggested the Committee speak to Ace Hardware and see if they would sponsor the
6 “Yard of the Month” program.
7

8 Jessie Schoenfeld replied the plan was for the Committee to speak with Ace Hardware and other
9 retailers to see if they would help support, but she has not spoken to them yet.
10

11 Tim Irwin stated the best idea would be for the Committee to be self-funding.
12

13 Mayor Thompson stated the more the City gets people involved, the more they educate and their
14 understanding grows to accomplish what needs to be done. He stated this is a good start to get
15 more involvement in the community.
16

17 Brian Braithwaite stated an ADHOC Committee is a committee that is formed for a short period
18 of time and once they’ve completed their purpose it is then dissolved. He stated the
19 Beautification Committee might not fall under that category because they would like to make it a
20 permanent structure.
21

22 Dennis LeBaron questioned if it could fall under a different kind of committee.
23

24 Jody Bates stated the Council could make the Beautification Committee a standing committee if
25 that is what they would like to do.
26

27 Brian Braithwaite stated an ADHOC Committee decides what they need to do to complete a
28 project, work together for a couple months, give a final report, and then it is dissolved. He stated
29 he does not believe a committee that would be around for five years falls under an ADHOC
30 Committee.
31

32 Rod Mann suggested the Beautification Committee could begin as an ADHOC Committee and if
33 it works out, turn it into a standing committee at that time.
34

35 Brian Braithwaite stated he is in favor of the Committee and would hope the Committee would
36 turn into a standing committee.
37

38 Jessie Schoenfeld questioned if the Committee could just begin as a standing committee.
39

40 Brian Braithwaite stated they would have to work with by-laws, whereas an ADHOC Committee
41 is very basic and to the point.
42

43 Tim Irwin stated he is in favor of the Beautification Committee.
44

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1 Jessie Schoenfeld stated because the Council is concerned with funds and believes the City is
2 struggling, they could make good use out of an Economic Development Committee. She
3 explained it would be a 5-7 member Committee and they would see what they can do to promote,
4 encourage, and facilitate the development of responsible and properly planned business and
5 employment growth. She stated there has been Economic Development Committees in the past
6 and they did not reach the apex of their potential. She stated with the help of Nathan Crane they
7 have formulated the results they would like to see from the Committee. She explained there are
8 six items that are a starting point that could lead to good economic development for the City and
9 can be changed or added to as the Council sees fit.

10
11 Dennis LeBaron stated this is a great start and explained Alpine has an Economic Panel that is
12 comprised of a Councilmember, a Planning Commission member, and other staff members that
13 meet regularly and address all of the new business owners that would like to start a business in
14 Alpine. He explained they answer feasibility questions and any questions the business owner has
15 to help coordinate and make sure the businesses get in place within the City. He stated it is a
16 wonderful concept and could one day become a part of the Economic Development Committee
17 in Highland. He stated the City needs to make it easier in answering perspective business
18 owner's questions and make them feel welcome.

19
20 Jessie Schoenfeld stated she would like to see the Committee go out and with their expertise,
21 knowledge, and connections; invite and welcome businesses to come to Highland. She stated
22 part of what Dennis LeBaron is suggesting could and should be accomplished by the Chamber of
23 Commerce.

24
25 Rod Mann stated on the Alpine Economic Panel the staff members and Council help the
26 businesses navigate whatever Ordinances and regulations the City requires. He stated a Chamber
27 of Commerce would not be able to navigate those Ordinances as easily.

28
29 Tim Irwin stated he has had conversations recently with business owners who want to come to
30 Highland and struggle with the City being closed on Sundays. He stated they understand that will
31 not change, but they need some help to convince the Corporate Executives that the demographics
32 in the Highland area would support their business and would be successful.

33
34 Rod Mann stated Nathan Crane and Jody Bates helped put together a charter for the Web and
35 Social Media Committee. He explained the goal would be to help improve the web and social
36 media experiences and increase the level of engagement between the residents and the City. He
37 stated it would be a 3-5 member committee and their expectation would be 1-2 hours a week of
38 work; the Committee must have a Chair and a Secretary to help comply with the Open Meeting
39 Laws. He stated they have different goals for the website and social media portions and there are
40 already people willing to volunteer for the Committee. He stated there are immediate mechanical
41 things like updating the City Facebook page that can be done.

42
43 Mayor Thompson stated the founding fathers for Highland divided responsibilities between all of
44 the Councilmembers because they did not have any staff. He stated their division of
45 responsibilities was good and in placing Councilmembers on various committees it gives the

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1 Council an opportunity to become familiar with some of the budget areas the City has to deal
2 with and what goes on within them.

3
4 Tim Irwin stated he has been approached by an individual involved with a home schooling group
5 that is interested in renting the Community Center. He stated according to the discussions she has
6 had with Emily Gillingwater, it requires some action by council. He stated the group would like
7 to rent the Community Center for half a day one day a week during the school year. He
8 explained they are a nonprofit organization with approximately 100 students and many of them
9 come from Highland. He questioned if there is anything that would prevent the group from
10 renting out the Community Center.

11
12 Aaron Palmer stated the only thing that could prevent them from renting the building is the
13 existing schedule for the Community Center. He stated they would have to schedule the building
14 with Emily Gillingwater and pay the appropriate fees.

15
16 Jody Bated stated the only conflict there is the Arts Council and other City groups take
17 precedence over other individual reservations, so it could cause reservation bumping. She
18 explained there is no scheduling allowed more than three months in advance in order to prevent
19 monopolization of the building. She mentioned there are no desks or tables at the Community
20 Center to accommodate the kids.

21
22 Tim Irwin stated he does not agree with bumping other reservations that have already been
23 scheduled. He stated they need to be able to schedule the building for the full school year.

24
25 Aaron Palmer replied they can schedule the building on a three month basis with Emily
26 Gillingwater, but if they need to schedule more than three months in advance, the Council would
27 need to change the Building Use Policy. He stated they will have to make sure the occupancy
28 load for the Community Center can handle that size of group.

29
30 Brian Braithwaite suggested the group identify a time with staff that has the least possible
31 conflict and if there is a potential it could conflict with a Committee. He stated City business
32 takes precedence, but it is unlikely that there will be a Committee meeting that early in the
33 morning and if it is planned in advance they could move the meeting to another day. He stated if
34 it happens, they need to make it clear that the City will allow it to be more than three months in
35 advance for these kinds of situations.

36
37 Dennis LeBaron stated he appreciates the initial budget draft that has been given to the Council
38 and questioned what the plan is for initial review of the budget.

39
40 A Budget Work Session was scheduled for April 29th at 6:00 p.m.

41 42 ADJOURNMENT

43
44
45 **MOTION: Tim Irwin moved to adjourn.**

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Brian Braithwaite seconded the motion.
Unanimous vote, motion carried.

Meeting adjourned at 9:20 p.m.

JoD'Ann Bates, City Recorder

Date Approved: May 6, 2014



CITY COUNCIL AGENDA REPORT

Item # 3

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Jessie Schoenfeld
City Council Member

SUBJECT: CREATION OF A BEAUTIFICATION ADHOC COMMITTEE

BACKGROUND:

The Highland City Council has discussed the need for a Beautification ADHOC Committee to foster beauty, safety, goodwill, character, and contentment in and about the City of Highland.

Pursuant to Highland City Municipal Code 4.12.010, the City Council authorizes the creation of boards, commissions and committees to be advisory bodies with the purpose to research issues, provide information and make recommendations to the City Council.

PROPOSED MOTION:

Motion to approve the Resolution to create a Beautification ADHOC Committee to help foster beauty, safety, goodwill, character, and contentment in and about the City of Highland.

FISCAL IMPACT:

Proposed \$500. in the 2014-2015 Tentative Budget

ATTACHMENTS:

- Proposed Resolution
- Proposed By-laws
- Highland City Municipal Chapter 4.12.010, 4.12.020 and 4.12.100

RESOLUTION NO. R-2014-**

**A RESOLUTION OF HIGHLAND CITY, UTAH
DESIGNATING A BEAUTIFICATION ADHOC COMMITTEE FOR ASSISTNACE IN
FOSTERING BEAUTY, SAFETY, GOODWILL, CHARACTER, AND CONTENTMENT IN
AND ABOUT THE CITY OF HIGHLAND .**

WHEREAS, Pursuant to the Highland City Municipal Code Chapter 4.12, the City Council may authorize the creation of a committee to assist the council in carrying out the work of the city in an efficient and cost effective manner.

WHEREAS, the Highland City Council desires to foster beauty, safety, goodwill, character, and contentment in and about the City of Highland.

NOW, THEREFORE be it resolved by the City Council of Highland City designates that a Beautification ADHOC Committee be formed pursuant to by-laws as wet out in “Attachment A”.

This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of Highland City, Utah, this 6th day of May, 2014.

HIGHLAND CITY, UTAH

Mark S. Thompson, Mayor

ATTEST:

JoD’Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Jessie Schoenfeld	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>

HIGHLAND CITY BEAUTIFICATION ADHOC

COMMITTEE BYLAWS

PURPOSE:

Foster beauty, safety, goodwill, character, and contentment in and about the City of Highland.

COMMITTEE:

This committee will consist of 7 resident volunteers.

Members to be appointed by the Mayor with the advice and consent from the City Council. One member of the City Council along with one member of the Public Works Department of the City Staff shall be appointed as non-voting liaisons to the committee.

The Committee must have a designated Chairman and a Secretary.

The Committee shall comply with all Open Meeting Laws as set forth in the UCA §52-4

DIRECTION:

Oversee and make recommendations to the City Council regarding the beautification and the aesthetics for the City.

Recommend, develop, support, implement programs and activities to promote community awareness and participation in city beautification, and help maintain the aesthetics of Highland City.

Assist in the planning, coordinating and actual planting and maintaining of flowers and gardens in and on public lands and organizing volunteers in completing the projects.

Make improvements to landscaped area owned by the city.

Establish, administer, and publicize the annual city wide “Yard of the Month” recognition program. (Recognitions may be extended to businesses and rental properties as well as single-family dwellings, entire neighborhoods or districts, and may be seasonal in nature—e.g awards for well-manicured yards during spring and summer months, and for properties with beautiful, unusual and/or extraordinary holiday decorations during fall and winter months, etc.)

Recommend to the Parks and Recreation Department for park site amenities and improvements.

Make an annual report to the City Council on all activities of the committee of the past year, and make recommendations to the City Council on issues pertaining to the Committee’s mission and responsibilities and to enhance and preserve the aesthetics of private and public properties.

Highland City Municipal Code:

4.12.010 - Boards, commissions, and committees authorized.

The city council hereby authorizes the creation of boards, commissions, and committees to assist the council in carrying out the work of the city in an efficient and cost effective manner. All boards, commissions, or committees are not vested with the authority to make decisions regarding the public's business, but are advisory bodies whose purpose is to research issues, provide information, and make recommendations to the city council. They are also to implement policies and decisions of the council as the policies and decisions may pertain to each particular board, commission, or committee.

Members shall be appointed by the mayor with the advice and consent of the city council. Vacancies on any board, commission, or committee shall be filled for the unexpired term in the same manner as the original appointments. As long as they remain eligible for the position, board, commission, or committee, members may continue to serve until their successor has been qualified and appointed. Unless otherwise set forth herein, or unless membership is based upon a position, all terms shall commence on January 1st and end on December 31st. Unless otherwise indicated herein, members of boards, commissions, or committees may serve successive terms. Unless otherwise set forth by ordinance, each board, commission, or committee shall meet after the annual appointments have been made and designate a chairperson to conduct the meetings during the coming year. Additional officers, such as a vice chair or secretary may be designated, as needed. A majority of the members of a board, commission, or committee is necessary to constitute a quorum in order to conduct business. Agendas and minutes shall be provided to be posted on the city website.

No member of a board, commission, or committee shall receive any compensation for so serving unless otherwise noted by city ordinance, but may be reimbursed for their authorized and reasonable expenses if such expenses are approved by the city administrator in advance.

4.12.020 - Ad hoc committees.

A. These committees are created to deal with a specific issue which is anticipated to have a short duration. Ad hoc committees generally deal with a single topic and once a solution or recommendation is arrived at, they report to the full city council in a formal city council meeting and the committee is dissolved.

B. The need for ad hoc committees varies from time to time and these committees do not take the place of the city council or planning commission. The number on the committee may vary from project to project as determined by the mayor.

4.12.100 Compliance with Open and Public Meetings Act.

Highland City strives to show transparency in local government and to that end requires each board, committee or commission to comply with notification requirements for meetings and minutes as outlined in Utah Code Annotated Section 52-4.



CITY COUNCIL AGENDA REPORT

Item # 4

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Rod Mann
City Council Member

SUBJECT: CREATION OF AN ECONOMIC DEVELOPMENT ADHOC COMMITTEE

BACKGROUND:

The Highland City Council has discussed the need for an Economic Development Committee to work proactively to promote, encourage, and facilitate the development of responsible and properly planned business and employment growth within the City in order to expand and strengthen the local economy and diversify the community's tax base.

Pursuant to Highland City Municipal Code 4.12.010, the City Council authorizes the creation of boards, commissions and committees to be advisory bodies with the purpose to research issues, provide information, and make recommendations to the City Council.

PROPOSED MOTION:

Motion to approve the Resolution to create an Economic Development ADHOC Committee to help strengthen the local economy and diversify the community's tax base.

FISCAL IMPACT:

Proposed \$500. in the 2014-2015 Tentative Budget

ATTACHMENTS:

- Proposed Resolution
- Proposed By-laws
- Highland City Municipal Chapter 4.12.010, 4.12.020 & 4.12.100

RESOLUTION NO. R-2014-**

**A RESOLUTION OF HIGHLAND CITY, UTAH
DESIGNATING AN ECONOMIC DEVELOPMENT ADHOC COMMITTEE TO ASSIST IN
STRENGTHENING THE LOCAL ECONOMY AND DIVERSIFY THE COMMUNITY'S TAX
BASE.**

WHEREAS, Pursuant to the Highland City Municipal Code Chapter 4.12, the City Council may authorize the creation of a committee to assist the council in carrying out the work of the city in an efficient and cost effective manner.

WHEREAS, the Highland City Council desires to work proactively to promote, encourage, and facilitate the development of responsible and properly planned business and employment growth within the city in order to expand and strengthen the local economy and diversify the community's tax base.

NOW, THEREFORE be it resolved by the City Council of Highland City designates that an Economic Development ADHOC Committee be formed pursuant to by-laws as wet out in "Attachment A".

This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of Highland City, Utah, this 6th day of May, 2014.

HIGHLAND CITY, UTAH

Mark S. Thompson, Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Jessie Schoenfeld	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>

HIGHLAND CITY ECONOMIC DEVELOPMENT ADHOC

COMMITTEE BYLAWS

PURPOSE:

Work proactively to promote, encourage, and facilitate the development of responsible and properly planned business and employment growth within the city in order to expand and strengthen the local economy and diversify the community's tax base.

COMMITTEE:

Members be appointed by the Mayor with advice and consent from the City Council. One member of the City Council along with the Community Development Director of the City Staff shall be appointed as non-voting liaisons to the committee.

The Committee must have a designated Chairman and a Secretary.

The Committee shall comply with all Open Meeting Laws as set forth in the UCA §52-4

DIRECTION:

1. Create an Economic Development Plan with the following elements:
 - a. Current and future market analysis
 - b. S.W.O.T. (strengths, weaknesses, opportunities and threats) study in conjunction with key business leaders
 - c. Creation of a city brand
 - d. Creation of a city economic profile (demographics, education, income, housing types, etc.)
 - e. Target business identification
 - f. Economic development location identification
 - g. Creation of a marketing plan
 - h. Implementation plan with specific goals to measure progress.
2. Prepare a brochure supporting "Sunday Closing" and how to still promote, entice and obtain new businesses for Highland City.
3. Identify and recruit potential business.
4. Work with the chamber of Commerce to promote, expand, and retain current businesses.
5. Encourage resident business leader's investment in the City.

Highland City Municipal Code:

4.12.010 - Boards, commissions, and committees authorized.

The city council hereby authorizes the creation of boards, commissions, and committees to assist the council in carrying out the work of the city in an efficient and cost effective manner. All boards, commissions, or committees are not vested with the authority to make decisions regarding the public's business, but are advisory bodies whose purpose is to research issues, provide information, and make recommendations to the city council. They are also to implement policies and decisions of the council as the policies and decisions may pertain to each particular board, commission, or committee.

Members shall be appointed by the mayor with the advice and consent of the city council. Vacancies on any board, commission, or committee shall be filled for the unexpired term in the same manner as the original appointments. As long as they remain eligible for the position, board, commission, or committee, members may continue to serve until their successor has been qualified and appointed. Unless otherwise set forth herein, or unless membership is based upon a position, all terms shall commence on January 1st and end on December 31st. Unless otherwise indicated herein, members of boards, commissions, or committees may serve successive terms. Unless otherwise set forth by ordinance, each board, commission, or committee shall meet after the annual appointments have been made and designate a chairperson to conduct the meetings during the coming year. Additional officers, such as a vice chair or secretary may be designated, as needed. A majority of the members of a board, commission, or committee is necessary to constitute a quorum in order to conduct business. Agendas and minutes shall be provided to be posted on the city website.

No member of a board, commission, or committee shall receive any compensation for so serving unless otherwise noted by city ordinance, but may be reimbursed for their authorized and reasonable expenses if such expenses are approved by the city administrator in advance.

4.12.020 - Ad hoc committees.

A. These committees are created to deal with a specific issue which is anticipated to have a short duration. Ad hoc committees generally deal with a single topic and once a solution or recommendation is arrived at, they report to the full city council in a formal city council meeting and the committee is dissolved.

B. The need for ad hoc committees varies from time to time and these committees do not take the place of the city council or planning commission. The number on the committee may vary from project to project as determined by the mayor.

4.12.100 Compliance with Open and Public Meetings Act.

Highland City strives to show transparency in local government and to that end requires each board, committee or commission to comply with notification requirements for meetings and minutes as outlined in Utah Code Annotated Section 52-4.



CITY COUNCIL AGENDA REPORT

Item # 5

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Rod Mann
City Council Member

SUBJECT: CREATION OF A WEB AND SOCIAL MEDIA ADHOC COMMITTEE

BACKGROUND:

The Highland City Council has discussed the need for a Web and Social Media ADHOC Committee to improve the Web and Social Media of Highland.

It has been requested an Web and Social Media ADHOC Committee be formed in order to increase the level of engagement between residents and the city.

Pursuant to Highland City Municipal Code 4.12.010, the City Council authorizes the creation of boards, commissions and committees to be advisory bodies with the purpose to research issues, provide information and make recommendations to the City Council.

PROPOSED MOTION:

Motion to approve the Resolution to create a Web and Social Media ADHOC Committee to increase the level of engagement between residents and the city.

FISCAL IMPACT:

Unknown

ATTACHMENTS:

- Proposed Resolution
- Proposed By-laws
- Highland City Municipal Chapter 4.12.010, 4.12.020 & 4.12.100

RESOLUTION NO. R-2014.**

**A RESOLUTION OF HIGHLAND CITY, UTAH
DESIGNATING A WEB AND SOCIAL MEDIA ADHOC COMMITTEE TO INCREASE THE
LEVEL OF ENGAGEMENT BETWEEN RESIDENTS AND THE CITY.**

WHEREAS, Pursuant to the Highland City Municipal Code Chapter 4.12, the City Council may authorize the creation of a committee to assist the council in carrying out the work of the city in an efficient and cost effective manner.

WHEREAS, the Highland City Council desires to increase the level of engagement between residents and the city by means of web and social media.

NOW, THEREFORE be it resolved by the City Council of Highland City designates that a Web and Social Media ADHOC Committee be formed pursuant to by-laws as wet out in “Attachment A”.

This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of Highland City, Utah, this 6th day of May, 2014.

HIGHLAND CITY, UTAH

Mark S. Thompson, Mayor

ATTEST:

JoD’Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Jessie Schoenfeld	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>

HIGHLAND CITY WEB AND SOCIAL MEDIA ADHOC

COMMITTEE BYLAWS

PURPOSE:

Improve Web and Social media experiences and increase the level of engagement between residents and city.

COMMITTEE:

This committee will consist of 3-5 resident volunteers willing to work approximately 1-2 hours a week.

Members to be appointed by the Mayor with the advice and consent from the City Council. One member of the City Council and the City Staff shall be appointed as non-voting liaisons to the committee.

The Committee must have a designated Chairman and a Secretary.

The Committee shall comply with all Open Meeting Laws as set forth in the UCA §52-4

DIRECTION:

Website:

Recommend and implement changes to website to improve usability and appearance. Web usage reports should be used to help inform decisions and measure improvement.

Social Media:

Focus on the content links for the following:

- Meeting Minutes
- Meeting Agendas
- City Announcements
- City Events
- City Calendar
- Photos related to City activities, events and residents.

Highland City Municipal Code:

4.12.010 - Boards, commissions, and committees authorized.

The city council hereby authorizes the creation of boards, commissions, and committees to assist the council in carrying out the work of the city in an efficient and cost effective manner. All boards, commissions, or committees are not vested with the authority to make decisions regarding the public's business, but are advisory bodies whose purpose is to research issues, provide information, and make recommendations to the city council. They are also to implement policies and decisions of the council as the policies and decisions may pertain to each particular board, commission, or committee.

Members shall be appointed by the mayor with the advice and consent of the city council. Vacancies on any board, commission, or committee shall be filled for the unexpired term in the same manner as the original appointments. As long as they remain eligible for the position, board, commission, or committee, members may continue to serve until their successor has been qualified and appointed. Unless otherwise set forth herein, or unless membership is based upon a position, all terms shall commence on January 1st and end on December 31st. Unless otherwise indicated herein, members of boards, commissions, or committees may serve successive terms. Unless otherwise set forth by ordinance, each board, commission, or committee shall meet after the annual appointments have been made and designate a chairperson to conduct the meetings during the coming year. Additional officers, such as a vice chair or secretary may be designated, as needed. A majority of the members of a board, commission, or committee is necessary to constitute a quorum in order to conduct business. Agendas and minutes shall be provided to be posted on the city website.

No member of a board, commission, or committee shall receive any compensation for so serving unless otherwise noted by city ordinance, but may be reimbursed for their authorized and reasonable expenses if such expenses are approved by the city administrator in advance.

4.12.020 - Ad hoc committees.

A. These committees are created to deal with a specific issue which is anticipated to have a short duration. Ad hoc committees generally deal with a single topic and once a solution or recommendation is arrived at, they report to the full city council in a formal city council meeting and the committee is dissolved.

B. The need for ad hoc committees varies from time to time and these committees do not take the place of the city council or planning commission. The number on the committee may vary from project to project as determined by the mayor.

4.12.100 Compliance with Open and Public Meetings Act.

Highland City strives to show transparency in local government and to that end requires each board, committee or commission to comply with notification requirements for meetings and minutes as outlined in Utah Code Annotated Section 52-4.



CITY COUNCIL AGENDA REPORT

Item # 6

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: JoD'Ann Bates
City Recorder

SUBJECT: ADOPTING A RESOLUTION SETTING A BUDGET PUBLIC HEARING ON
MAY 20, 2014 FOR THE FY2015 BUDGET.

BACKGROUND:

The working budget for the 2014-2015 Fiscal Year was distributed for review by the Council on April 22, 2014. Some budget comments have been submitted by Council members. Both the working budget and the suggested City Council changes will be posted on the City's website at the conclusion of the work session.

State Code requires the tentative budget be accepted by resolution of the City Council. This is planned for the City Council meeting on May 20, 2014 and is not included in this resolution. The resolution before the City Council will **only** set the public hearing. This is a similar action from the budget process last year. It is planned that the public hearing will be held and the tentative budget accepted on May 20, 2014. The City Council needs to set a public hearing for the budget so a notice can be published in the newspaper.

It is anticipated that the final budget for the fiscal year 2014-2015 will be adopted by June 17, 2014 pursuant to UCA 10-6-111.

The public hearing for the final amendments to the current year budget (FY2013-2014) is scheduled for June 3, 2013.

PROPOSED MOTION:

Motion to approve the Resolution setting a public hearing on May 20, 2014 for the FY2015 Budget.

FISCAL IMPACT:

N/A

ATTACHMENTS:

- Proposed Resolution

RESOLUTION NO. R-2014-**

A RESOLUTION BY THE HIGHLAND CITY COUNCIL
TO SET A BUDGET PUBLIC HEARING
ON MAY 20, 2014, AT 7:00 P.M.
FOR THE TENTATIVE FY2015 BUDGET

WHEREAS on April 22, 2014, the City Administrator submitted a working budget to the City Council; and

WHEREAS the City Council desires to make the tentative budget available for public review and comment at least ten days prior to the public hearing; and

WHEREAS the City Council desires to set a public hearing for May 20, 2014, at 7:00 p.m. to receive additional public input on the budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, as follows:

1. The City Council will hereby conduct a public hearing to review the tentative budget for Fiscal Year 2014-2015 on May 20, 2014, at 7:00 p.m.
2. The City Council plans to accept the tentative budget for Fiscal Year 2014-2015 on May 20, 2014.
3. The City Council plans to adopt the final budget for Fiscal Year 2014-2015 on June 17, 2014.

This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of Highland City, Utah, this 6th day of May, 2014

HIGHLAND CITY, UTAH

Mark S. Thompson, Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>
Jessie Schoenfeld	<input type="checkbox"/>	<input type="checkbox"/>



CITY COUNCIL AGENDA REPORT

Item # 7

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Mark S. Thompson, Mayor
Aaron Palmer, City Administrator

SUBJECT: CONFIRMING THE APPOINTMENT OF HIGHLAND/ALPINE JUSTICE COURT JUDGE

BACKGROUND:

January 2014, Highland/Alpine Justice Court Judge Darwin Poulsen announced his retirement after 23 years of dedicated service to the residents of Highland and Alpine. The Administrative Office of the Courts proceeded with the process of advertising and reviewing nominees for the Justice Court vacancy. A Utah County Nominating Commission was selected that included the City Administrators from Highland and Alpine, a representative from the Utah County Bar Association, Utah County Prosecutor's Office and the Utah County Commissioners Office. All nominees qualifications were reviewed and a public hearing was held on March 19, 2014. Further public comments were accepted in writing through April 9, 2014 at which time the Nominating Commission selected four finalists.

On April 23rd and 24th 2014, Mayor Watkins, City Administrator Rich Nelson of Alpine City, Mayor Thompson and City Administrator Aaron Palmer of Highland City personally interviewed the four finalists chosen by the Nominating Commission. Upon unanimous decision an offer was extended and accepted by Douglas Neilsen.

Judge Poulsen's last day was Wednesday April 30, 2014 and Judge Doug Neilsen will begin with the Highland/Alpine Court on Thursday May 5, 2014.

PROPOSED MOTION:

Motion to confirm the Mayor Thompson and Mayor Watkins appointment of Douglas J. Neilsen as Highland/Alpine Justice Court Judge.

FISCAL IMPACT:

None

ATTACHMENTS:

- Proposed Resolution
- Applicant Information

RESOLUTION NO. R-2014.**

**A RESOLUTION OF HIGHLAND CITY, UTAH
CONFIRMING THE APPOINTMENT OF THE HIGHLAND/ALPINE
JUSTICE COURT JUDGE.**

WHEREAS, it is proposed that the Mayor's appointment of Douglas J. Neilsen as judge in the Highland/Alpine Justice Court be confirmed, and,

WHEREAS, on March 19 , 2014 the Municipal Council held a duly noticed public meeting to ascertain the facts regarding this matter, which facts are found in the meeting record; and,

WHEREAS, after considering the facts presented, the Municipal Council finds that (i) Douglas J. Neilsen has the requisite skills and abilities to perform the duties of a judge in the Highland/ Alpine Justice Court, and (ii) his appointment will further the health, safety and general welfare of the residents of Highland and Alpine.

NOW, THEREFORE be it resolved by the Municipal Council of Highland and Alpine, Utah, hereby confirms the appointment of Douglas J. Neilsen as a judge in the Highland/Alpine Justice Court.

This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of Highland City, Utah, this 6th day of May, 2014.

HIGHLAND CITY, UTAH

Mark S. Thompson, Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Jessie Schoenfeld	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>

Douglas John Nielsen

Objective	Highland City Justice Court Judgeship
Education	<p>August 2004 - May 2007 Oklahoma City University Oklahoma City, OK Juris Doctorate Degree</p> <p>May 2002 – May 2004 Utah State University Logan, UT Bachelor of Science Degree in Business Management</p> <p>August 1996 – May 2002 Utah Valley State College Orem, UT Associate of Science Degree in Business Management</p>
Interests and activities	My primary interests include spending time with family, the outdoors, and participating in sporting events. Although no longer fluent, I speak Polish as a second language and enjoy anything related to Eastern European culture.
Work experience	<p>January 2013 - Current Lehi City Justice Court</p> <p>July 2010 - January 2013 Petro & Nielsen Law Office</p> <p>August 2007 – July 2010 Young, Kester & Petro Law Office</p> <p>April 2006 – April 2007 Oklahoma Public Defender's Office</p>
References	Available upon request



CITY COUNCIL AGENDA REPORT

Item # 8

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Matthew F. Shipp, P.E.
Public Works Director/City Engineer

SUBJECT: SURPLUS OF PERSONAL PROPERTY – ASSET DISPOSAL OF BACKHOE

STAFF RECOMMENDATION:

Authorize the disposal of the 1998 Case 580 L backhoe

BACKGROUND:

This is a piece of equipment that we are not using due to the cost to repair and make it operable again. We already have two other backhoes in the equipment fleet that meet the needs of the department

FISCAL IMPACT:

No negative fiscal impact only what we would collect in an auction for the machine

ATTACHMENTS:

- Asset disposal sheet

Highland City Asset Disposal Sheet

Number	Inventory Control Number	Asset Type Description	Original Purchase Price	Current Value	Method of Disposal	Third Party Detail (New Owner)	Disposal Price Received
1	HE-03	1988 Case 580 L Backhoe (JJG0267149)	????		sealed auction		
2							
3							
4							
5							

Department Head

Finance Director

City Recorder

City Administrator

April 30, 2014

Date

Date

Date

Date

Remarks:	This is a backhoe that does not get used anymore as we have two others that we have in the equipment fleet. The controls are very lose and without a great deal of money to repair this we cannot use it.
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CITY COUNCIL AGENDA REPORT

Item # 10

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Administrator

BY: Nathan Crane, AICP
Community Development Director

SUBJECT: Christopher Munday is requesting approval of a condominium plat for the Highland corner office buildings located east of the south east corner of Alpine Highway and Timpanogos Highway (FP-14-03).

STAFF RECOMMENDATION:

The City Council review a request for condominium plat approval for the Highland corner office buildings located east of the south east corner of Alpine Highway and Timpanogos Highway.

BACKGROUND:

The property is 1.38 acres in size. The property designated as Commercial on the General Plan Land Use Map. The property is zoned RP (Residential Professional).

Subdivision review is an administrative decision.

SUMMARY OF THE REQUEST:

1. The applicant is requesting condominium plat approval. A condominium plat allows the owner to see individual units within a building and defines ownership of common areas. This application takes a small existing common area between suites 275 and 200 and makes it one complete office.
2. Access to the site is provided from Alpine Highway and Timpanogos Highway.

ANALYSIS

- The property is designated as Commercial on the General Plan Land Use Map. The proposed subdivision is consistent with the General Plan.
- The building has been constructed and all improvements have been completed. The proposed subdivision is compatible with the existing surrounding uses.

FINDINGS:

The proposed plat meets the following finding with stipulations:

- It is in conformance with the General Plan, the RP District, and the Highland City Development Code.

RECOMMENDATION AND PROPOSED MOTION:

The City Council should hold a public meeting and **APPROVE** the proposed final plat subject to the following stipulation:

1. The recorded plat shall conform to the final plat date stamped March 20, 2014.

I move that the City Council accept the findings and **APPROVE** case FP-14-03 a request for condominium plat approval subject to the one stipulation recommended by staff.

ALTERNATIVE MOTION:

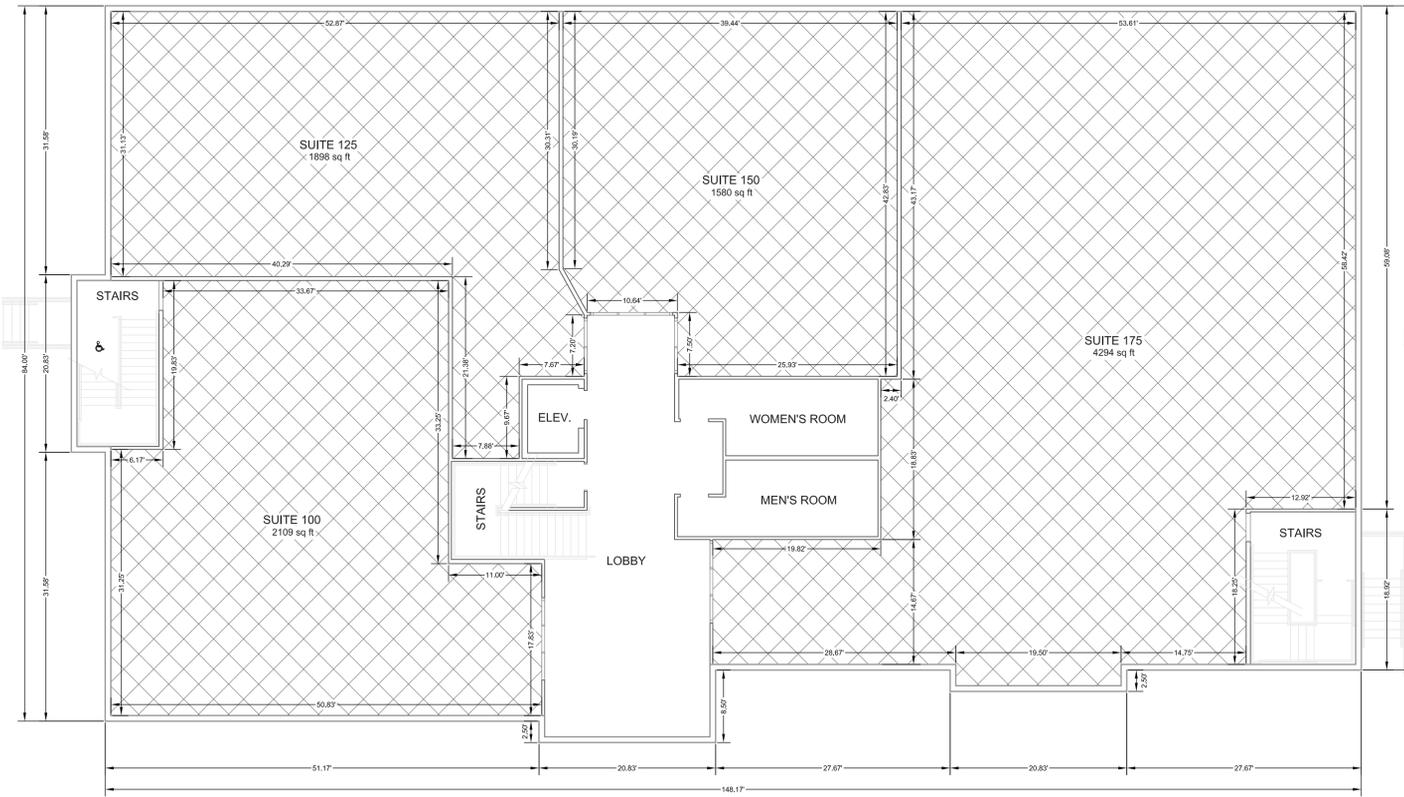
I move that the City Council **DENY** case FP-14-03 based on the following findings: (The Council should draft appropriate findings.)

FISCAL IMPACT:

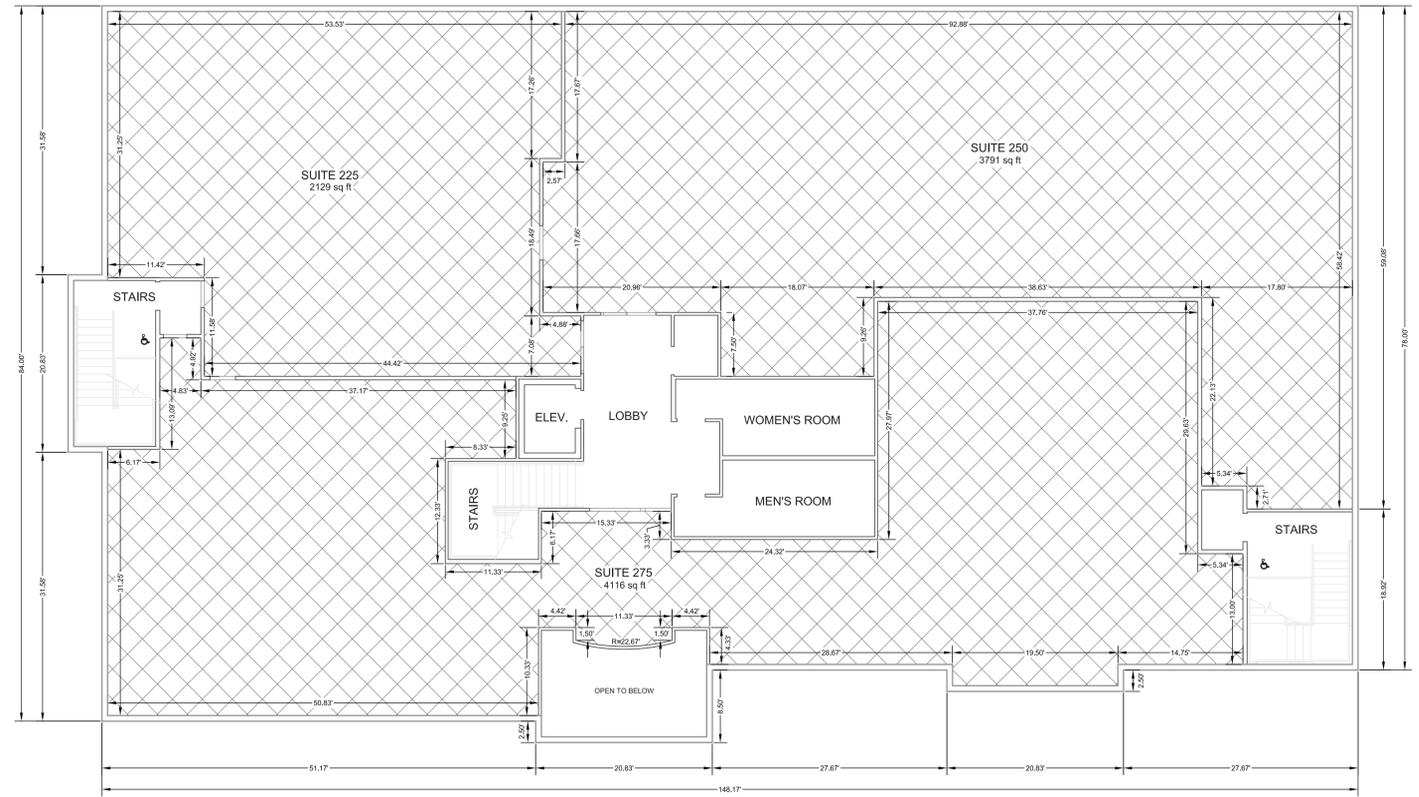
Unknown

ATTACHMENTS:

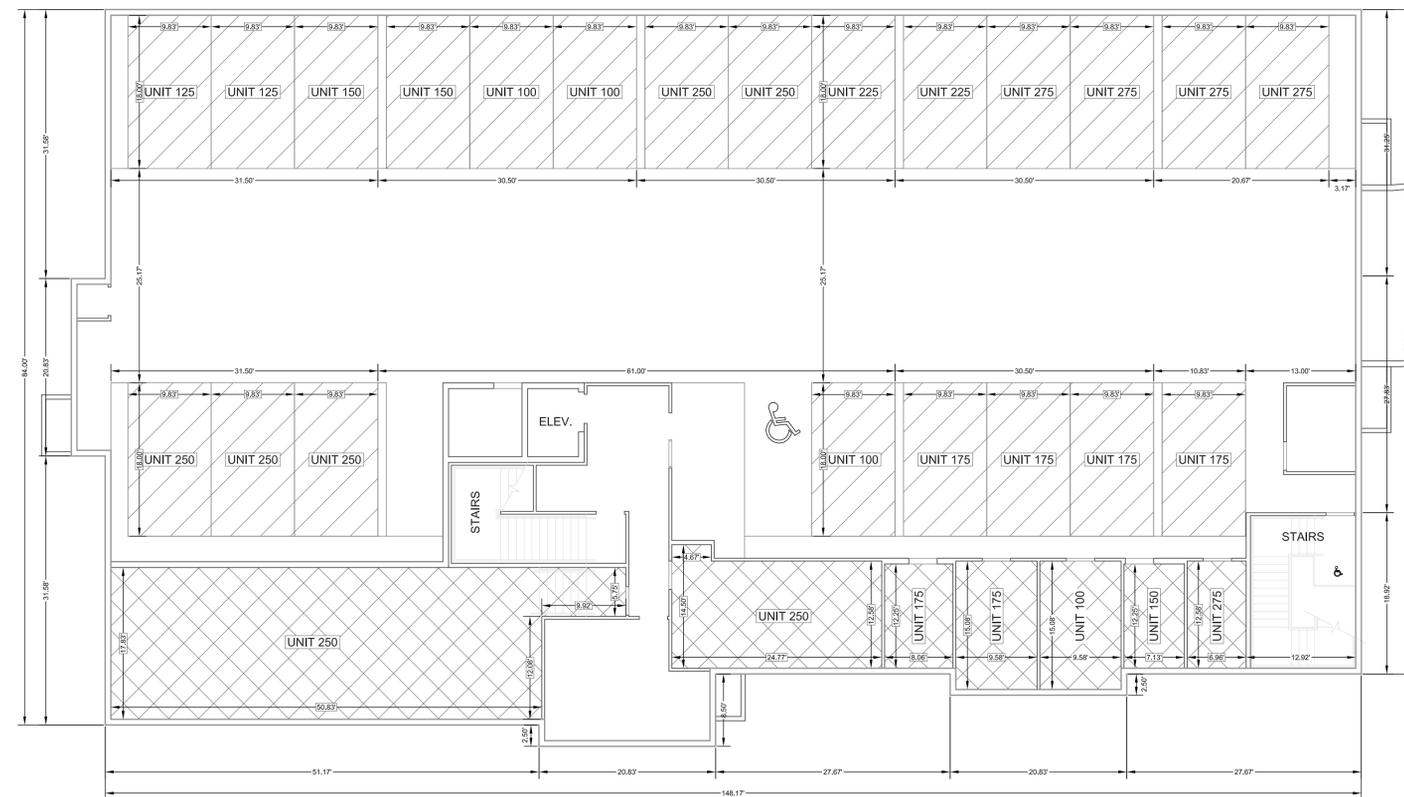
1. Proposed Plat



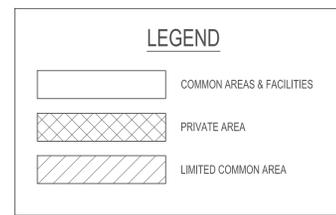
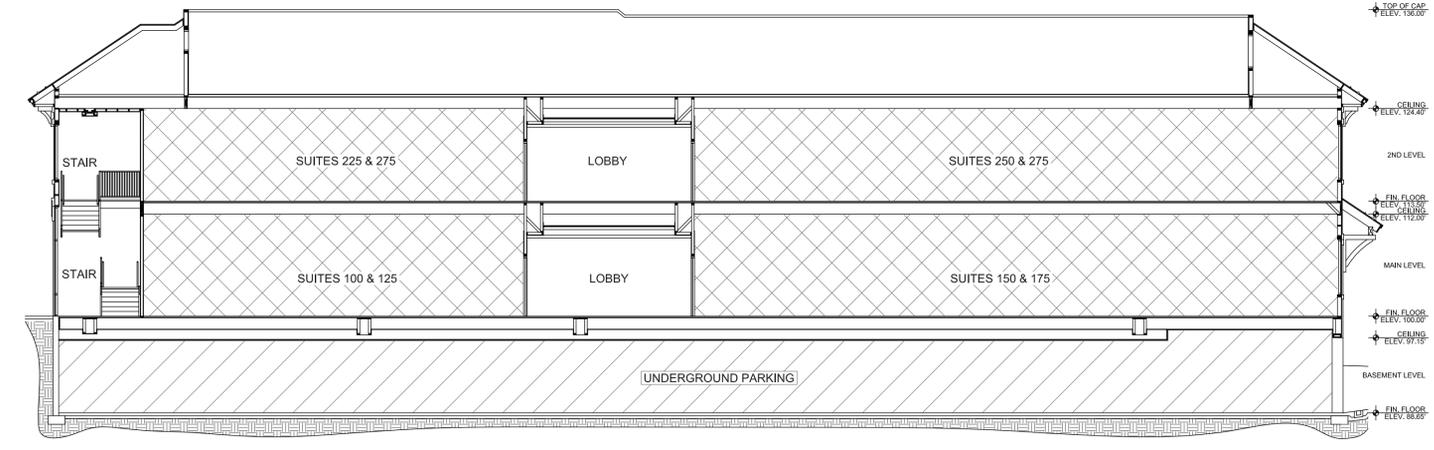
MAIN LEVEL



2ND LEVEL

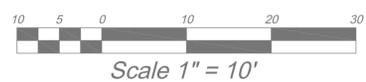


BASEMENT LEVEL



GENERAL NOTES

1. ALL ANNOTATED BUILDING WALLS ARE PARALLEL WITH OR PERPENDICULAR TO EACH OTHER.
2. ALL INTERIOR DIMENSIONS AND ELEVATIONS ARE TO FINISHED SURFACES.
3. ALL BUILDING DIMENSIONS ARE TYPICAL.



SHEET 2 OF 2

PLAT "B" AMENDED
HIGHLAND CORNER
 OFFICE CONDOMINIUMS
 HIGHLAND CITY, UTAH COUNTY, UTAH
 SCALE: 1" = 10 FEET



CITY COUNCIL AGENDA REPORT

Item # 10

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Administrator

BY: Nathan Crane, AICP
Community Development Director

SUBJECT: PUBLIC HEARING AND ORDINANCE – A REQUEST BY THE HIGHLAND CITY COUNCIL TO AMEND THE GENERAL PLAN BY ELIMINATING THE PARKWAY DETAIL ON ALPINE HIGHWAY FROM 9700 NORTH (CANAL BOULEVARD) SOUTH TO THE CITY LIMIT LINE.

STAFF RECOMMENDATION:

The City Council hold a public to review a request to amend the General Plan by eliminating the Parkway Detail on Alpine Highway from 9700 North (Canal Boulevard) south to the city limit line.

BACKGROUND:

The Parkway Detail is a specific landscape design required on specified arterial and collector roads.

David and Amber Clegg are requesting to subdivide their property located at the southwest corner of Alpine Highway and 9700 North. They are requesting that the requirement for the Parkway Detail on their property. As a result, the City Council directed staff to process the amendment.

A General Plan Amendment is a legislative process.

SUMMARY OF REQUEST:

1. The applicant is requesting Eliminate the Parkway Detail on Alpine Highway from 9700 North (Canal Boulevard) south to the city limit line.

CITIZEN PARTICIPATION:

Notice of the April 22, 2014 Planning Commission meeting was published in the Daily Herald on April 6, 2014. No comments were received.

Notice of the May, 6, 2014 City Council meeting was published in the Daily Herald on May 20, 2014. No comments have been received.

ANALYSIS:

- The Parkway Detail is mentioned in the Transportation and Community Design Chapters of the General Plan.
- As stated in the General Plan the purpose of the Parkway Detail is intended:
 - “To provide major roads in Highland City with a side treatment that is attractive and functional for pedestrians and other road users.”
 - “SR92, Alpine Highway, and 4800 West are important roadways to the driving public. Each of these streets should be developed with a special streetscape helping to provide an attractive travel experience.”
- The Goals, Policies and Implementation Measures in the General Plan relating to the Parkway Detail include:
 - Create appropriate corridor treatments along major roadways leading into the community.
 - Create unified streetscape on the outskirts of the community for each identified roads
 - Implementation of the Parkway Detail along major corridors should be continues to enhance and preserve existing view corridors and the historically significant visual experience of the surrounding mountains.
 - Create an entry mode at Alpine Highway and 9600 north.
 - “SR92, Alpine Highway, and 4800 West are important roadways to the driving public. Each of these streets should be developed with a special streetscape helping to provide an attractive travel experience.”

PLANNING COMMISSION ACTION:

The Planning Commission held a public hearing on April 22, 2014 and voted 3-2 to recommend denial of the amendment based on the following findings:

- The discussion regarding the policy is not appropriate on a case by case basis.
- Many of the arguments revolved around the policy decision of the city maintaining open space areas and are not justification for a change. The Planning Commission was not prepared to abandon the policy and change the Parkway detail for one developer.
- The request is a variance for the existing regulations as it applies to one property owner. No substantial justification for the variance was found.
- Highland's unique environment should be maintained. As an entrance to Highland City, the area needs to look attractive.
- 15-foot width is too narrow for adequate landscaping and does not allow for sufficient tree planting.
- 30-foot Parkway detail was required of other developers.
- Parkway detail plan had been previously approved by preceding governing bodies

- 30-foot Parkway detail maintenance is virtually the same as maintaining a 15-foot Parkway detail as a unique feature for Highland.
- The General Plan supports the implementation of the Parkway detail.
- Highland City is maintaining the 30-foot Parkway detail to the north and has the ability to maintain this area with little extra cost.

RECOMMENDATION:

The City Council will need to debate the issue, draft findings (justification for the decision) and make a decision.

FISCAL IMPACT:

Unknown

ATTACHMENTS:

- Ordinance
- Parkway Detail
- Robinson Lane Subdivision
- Draft Minutes of the April 22, 2014 Planning Commission Meeting

ORDINANCE NO. 2014-****AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING THE GENERAL PLAN BY ELIMINATING THE PARKWAY DETAIL ON ALPINE HIGHWAY FROM 9700 NORTH (CANAL BOULEVARD) SOUTH TO THE CITY LIMIT LINE AS SHOWN IN FILENAME (GP-14-01).**

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Planning Commission (the "Commission") and the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held public hearing on this Ordinance on April 22, 2014; and

WHEREAS, the City Council held a public meeting on this Ordinance on May 6, 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1. That the Highland City General Plan Parkway Detail page 3-46 is hereby amended as follows:

Parkway Detail

Highland City has developed a Parkway Landscape Detail that is intended to provide major roads in Highland City with a side treatment that is attractive and functional for pedestrians and other roadway users. Roads on which Highland City has implemented or is planning to implement the Parkway Landscape Detail include:

- SR-92*
- SR-74* (ENDING SOUTH AT 9700 NORTH (CANAL BOULEVARD))
- 11800 North
- 10400 North
- 4800 West*
- Highland Boulevard
- Beacon Hill Boulevard

* Except where the Streetscape Enhancement is recommended. See Element 7 – Community Design, for more details.

SECTION 2. That the Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 3. This Ordinance shall take effect immediately upon its first posting or publication.

SECTION 4. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining

portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, May 6, 2014.

HIGHLAND CITY, UTAH

Mark Thompson, Mayor

ATTEST:

Jody Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Rodd Mann	<input type="checkbox"/>	<input type="checkbox"/>
Jessie Schoenfeld	<input type="checkbox"/>	<input type="checkbox"/>

HIGHLAND CITY Parkway Detail Specification

The parkway detail is designed as a 30 foot wide strip with a 5 foot sidewalk, landscaping and fence.

The length of the parkway will be sodded or planted in grass. The trees will be spaced on average of 30 feet apart and no closer than 7.5 feet from the curb or the fence. Each tree must have a 24" cement mow ring for maintenance.

All trees will be at least 2 inch caliper and be properly staked. Trees will be guaranteed by the developer for two years after planting. Tree types are to be approved by the city forester.

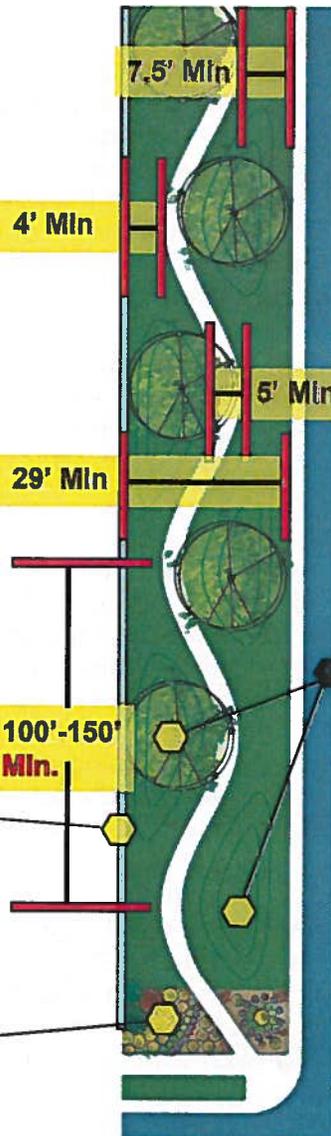
The back side of the parkway

An encroachment permit is required from the Region 3 UDOT office before landscaping work can begin if adjacent to a state road.

6' decorative privacy fence to be approved by the city. Fence shall not exceed 3' in height from 14' to 30' setback on local street.

The entrance ways to the subdivision will be bordered by a 20'x15' planter area with shrubs, flowers, rocks and ground cover. The landscaping shall conform to the clear sight requirements with the vegetation in the clear sight area not exceeding 3 feet in height.

6' decorative privacy fence to be approved by the city. Fence shall not exceed 3' in height from 14' to 30' setback on local street.



PARKWAY LANDSCAPING DETAIL PLAN

This plan will be submitted by the developer with the construction drawings following Council approval and include the following information:

1. The location of the trees
2. Fence design and material
3. Sidewalk design
4. Irrigation design
5. Topography of parkway
6. Planter area design

SPRINKLING SYSTEM

The parkway detail shall be watered with a HUNTER I-20 POP-UP HEAD spaced at 20 foot intervals. Each head will cover a 30 foot arc. All valve boxes shall be installed on the back side of the sidewalk.

GENERAL LANDSCAPE DESIGN

All grass areas shall be SODDED or HYDRO-SEEDED. If hydro-seeding the grass will be seeded first and after the seed is established. Trees will be planted after the grass has been established.

All grassed areas shall be bermed to 2 feet high within the widest portion of each bulb

PLANTER AREAS

Decorative Planters are planned at all Entrances to the Subdivision.

The basic size of the Planters will be approximately 20ft x 15ft and each will be decorated with a variety of trees, shrubs, rocks and ground cover. Vegetation may not infringe on required clear area.

Ground Cover within the Planter will be the Shredded Bark approximately 2 inches in depth.

Planters must have a cement mow edge for maintenance.

The suggested design of the Planter is indicated in the outline specified ABOVE.

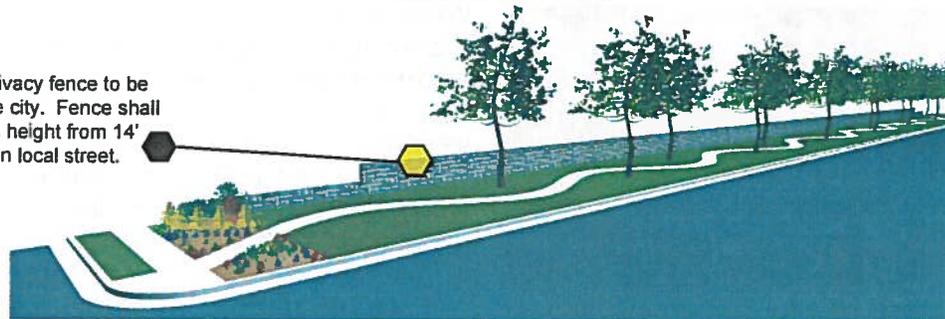


Figure 3-17. Parkway Detail Specifications

SURVEYOR'S CERTIFICATE

I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418780 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT

BOUNDARY DESCRIPTION

Beginning at a point located North 00°20'30" West along section line 184.87 feet and East 300.32 feet from the Southwest Corner of Section 1, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 00°11'33" West along a fence line a distance of 594.14 feet; thence North 89°59'53" East along the southerly boundary of Apple Blossom Lane Subdivision Plat "A" as recorded in the office of the Utah County Recorder a distance of 481.88 feet; thence along the westerly right-of-way line of the Alpine Highway the following five course and distances: 1) South 16°11'37" West 95.37 feet, 2) South 18°30'01" West 116.38 feet, 3) South 20°56'21" West 124.98 feet, 4) South 23°06'32" West 104.16 feet, and 5) South 25°26'22" West 201.61 feet; thence North 89°26'25" West along the northerly right-of-way line of 9600 North Street a distance of 244.22 feet to the point of beginning.

Area = 5,120 Acres

DATE _____ SURVEYOR (SEE SEAL BELOW)

OWNERS' DEDICATION

WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS _____ DAY OF _____, A.D. 20____

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH } S.S.
ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 20____

APPROVED BY MAYOR _____

APPROVED _____ CITY ENGINEER (SEE SEAL BELOW) ATTEST _____ CLERK-RECORDER (SEE SEAL BELOW)

LIEN HOLDER CONSENT

THE UNDERSIGNED BENEFICIARY HEREBY CONSENTS TO THE RECORDING OF THIS PLAT FOR THE HEREIN DESCRIBED PROPERTY AND THE DEDICATIONS PROVIDED HEREIN.

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____ HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____ PLANNING COMMISSION CHAIR
COMMUNITY DEVELOPMENT DIRECTOR

CONDITIONS OF APPROVAL

There are conditions of approval attached to this subdivision which are indicated on this plat. These conditions have also been recorded with this subdivision. Potential buyers are requested to read these conditions carefully and obtain a copy of these conditions and restrictions prior to purchasing or contracting to purchase any lots within this subdivision. These conditions are binding and have been imposed by the legislative body of Highland City. A copy of these conditions may be obtained through the Utah County Recorder's office or the Highland City Recorder's office. In addition, Highland City has approved binding zoning laws through a legally binding Development Code. It is the responsibility of the buyer to do their due diligence in obtaining all accurate information and/or regulations that may directly or indirectly affect the use of property prior to purchasing or contracting to purchase any property anywhere. Conditions of approval conveyed on this property by the legislative body of Highland City, which are in addition to the Development Code, are as follows:

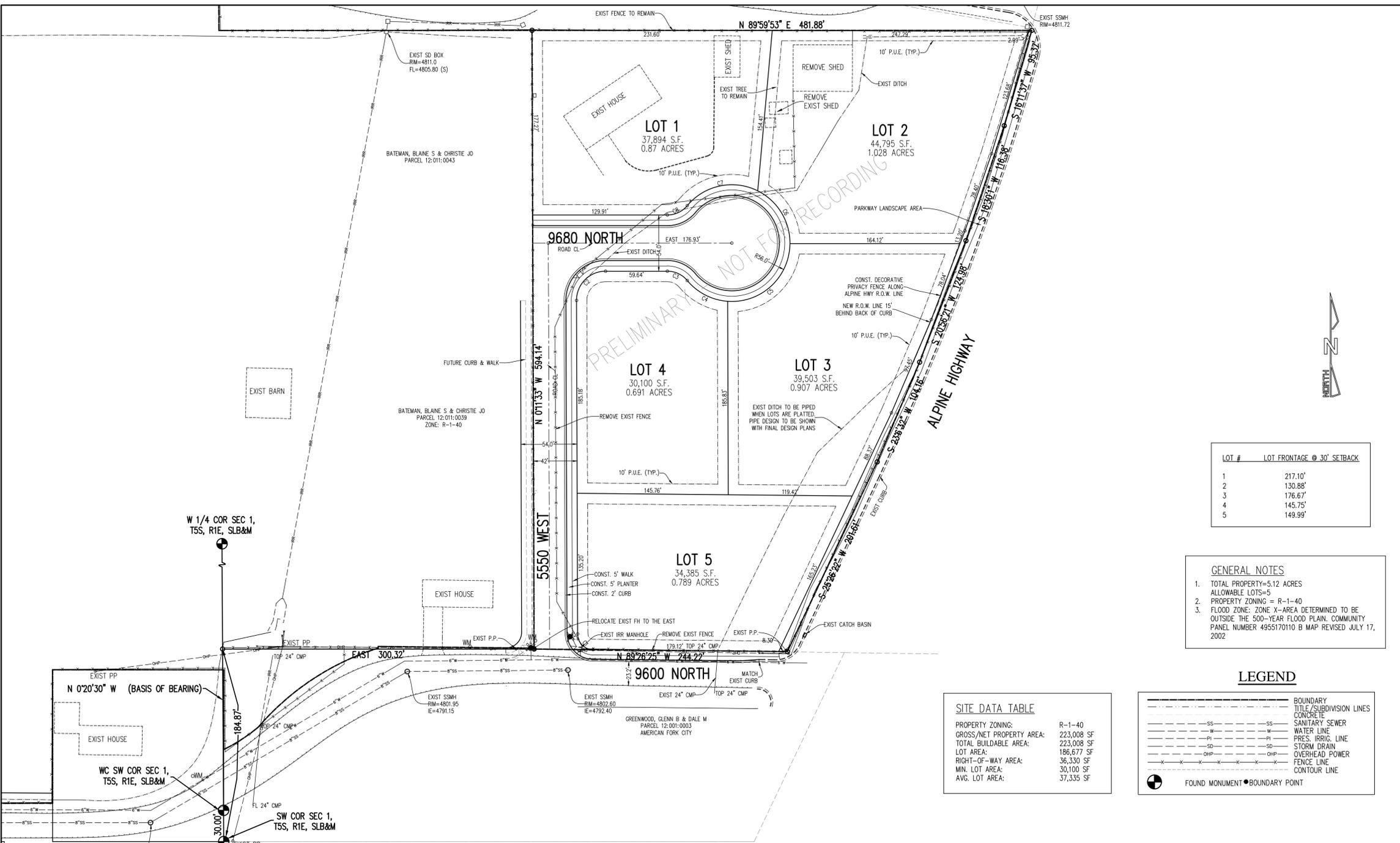
- Each homeowner is entitled to one tree per lot which will be installed by the city. The tree will be planted in the parkstrip and be planted within 2 years from the date of the certificate of occupancy. Once planted, maintenance of the tree shall be the responsibility of the homeowner.
- 70% of the front yard landscaping shall be installed by the homeowner within one year after receiving a certificate of occupancy.
- Landscaping and construction materials of any type are not permitted upon or within the street, curb & gutter, park strip or sidewalk (street right-of-way) with the exception of the parkstrip which requires 75% to be landscaped.
- A fence that abuts open space or has a trail has additional restrictions of size and opacity. Fences along open space or a trail must comply with Highland City Ordinance. All fences require a fence permit prior to installation. In addition, retaining walls are regulated by ordinance and require a retaining wall permit prior to construction.
- Highland City Ordinances restrict height of foundation above curb. It is the responsibility of the buyer to contact the city prior to purchasing any lot. This restriction applies to all lots in this subdivision.

ROBINSON LANE SUBDIVISION PLAT "A"

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

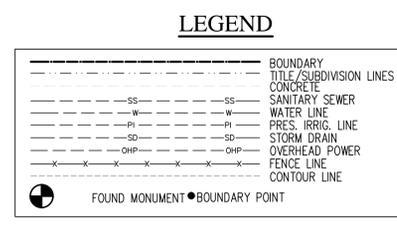
NAD 87
SCALE: 1" = 50 FEET

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL



LOT #	LOT FRONTAGE @ 30' SETBACK
1	217.10'
2	130.88'
3	176.67'
4	145.75'
5	149.99'

- GENERAL NOTES**
- TOTAL PROPERTY=5.12 ACRES
ALLOWABLE LOTS=5
 - PROPERTY ZONING = R-1-40
 - FLOOD ZONE: ZONE X-AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAN. COMMUNITY PANEL NUMBER 4955170110 B MAP REVISED JULY 17, 2002



SITE DATA TABLE

PROPERTY ZONING:	R-1-40
GROSS/NET PROPERTY AREA:	223,008 SF
TOTAL BUILDABLE AREA:	223,008 SF
LOT AREA:	186,677 SF
RIGHT-OF-WAY AREA:	36,330 SF
MIN. LOT AREA:	30,100 SF
AVG. LOT AREA:	37,335 SF

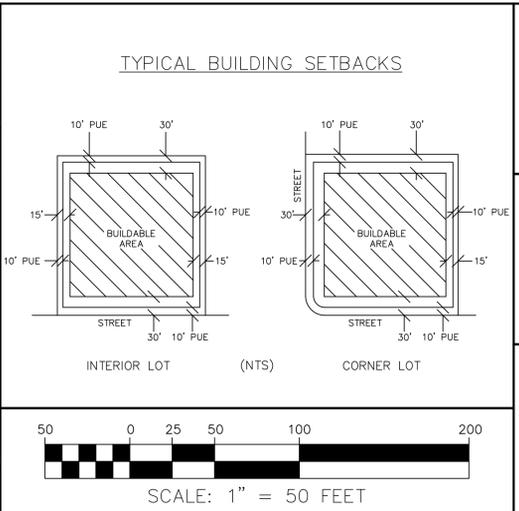
CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	15.00	23.37	89°14'52"	21.07	N 44°48'59" W
C2	28.00	44.08	90°11'33"	39.66	N 44°54'14" E
C3	25.00	21.84	50°3'39"	21.15	S 64°58'11" E
C4	56.00	44.94	45°58'39"	43.74	S 62°35'41" E
C5	56.00	91.44	93°33'13"	81.61	N 47°18'24" E
C6	56.00	62.56	64°0'41"	59.36	N 31°28'33" W
C7	56.00	74.85	76°34'45"	69.40	S 78°13'44" W
C8	25.00	21.84	50°3'39"	21.15	S 64°58'11" W

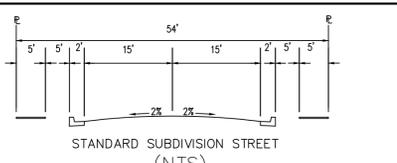
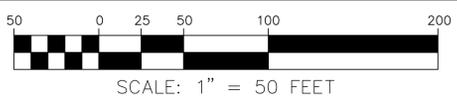
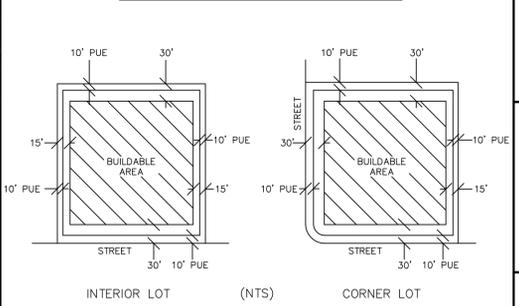
MONUMENT TABLE

A	N:
A	E:
B	N:
B	E:
C	N:
C	E:
D	N:
D	E:
E	N:
E	E:
F	N:
F	E:
G	N:
G	E:
H	N:
H	E:
I	N:
I	E:
J	N:
J	E:
K	N:
K	E:
L	N:
L	E:
M	N:
M	E:
N	N:
N	E:
O	N:
O	E:

VICINITY MAP



TYPICAL BUILDING SETBACKS



QUESTAR GAS COMPANY

Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute derogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's right-of-way department.

Approved this _____ day of _____, 20____, Questar Gas Company By _____ Title _____

UTILITIES APPROVAL

Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utilities Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove such structures at the owner's expense, or the utility may remove such structures at the owner's expense. At no time any permanent structures be placed within the PUE or any other obstructions with interferes with the use of the PUE with out the prior written approval of the utilities with facilities in the PUE.

Rocky Mtn. Power _____ West _____ Comcast _____
Date: _____ Date: _____ Date: _____

Surveyor: Aztec Engineering, Inc.
491 North 450 West
Orem, UT 84057
(801) 224-7308

Developer: David & Amber Clegg
5528 West 9620 North
Highland, UT 84003
(801) 836-4180

Engineer: Excel Engineering, Inc.
12 West 100 North, #201
American Fork, UT 84003
(801) 756-4504

Date: 03/25/14

EXCERPT OF THE DRAFT MINUTES OF THE APRIL 22, 2014 PLANNING COMMISSION MEETING

PRESENT: Commissioner: Christopher Kemp
Commissioner: Brady Brammer
Commissioner: Steve Rock
Commissioner: Tim Heyrend
Commissioner: Abe Day

EXCUSED: Commissioner: Scott Temby
Commissioner: Sherry Carruth

3. **GP-14-01:** *The Highland City Council is requesting to amend the General Plan to eliminate the parkway detail on the Alpine Highway from 9600 North to 9700 North (Canal Boulevard).*

Chair Kemp opened the public hearing for item GP-14-01 at 7:45 PM.

Mr. Crane review background information concerning item GP-14-01 and said it was a request by the Highland City Council to amend the General Plan to remove the requirement for the Parkway Detail from 9700 North going south to the Highland boundary. He said the request was to accommodate the Robinson Lane subdivision. Chair Kemp asked for additional comments.

Mr. David Clegg, representing the Robinson Lane subdivision, said his family was not trying to get the Parkway detail waived in its entirety. Instead, they were hoping to reduce the Parkway width from 30 feet to 15 feet to matched the width across the street. He hoped it would be a win-win situation for the city and land owner. He thought 15 feet might be easier for the city to maintain than 30 feet. He said it would also allow them to keep the lot sizes they hoped to achieve. He said they would keep the same plans for landscaping, but work within the 15-foot width. Mr. Clegg said they thought that since the property was on the city border it could be a transition area and match what was across the street.

Mr. Crane explained that they would be using the existing UDOT right of way and that there would be some trees, but not as much as what the Parkway detail required. He explained that the American Fork detention pond was across the street and was not sure why they did not put in the full Parkway landscaping detail.

Ms. Amber Clegg, representing the Robinson Lane subdivision, said they envisioned the curb and gutter with a 2-foot sod strip with a 5-foot meandering sidewalk from 9600 North to 9700 North, then the remainder of the space would be sod with trees and a 6-foot fence, as stipulated by Highland code.

Commissioner Heyrend addressed the environment of Highland. He said Highland was a good city with expensive homes and nice parks. He said when driving into the city you get a feel of the environment and entrances needed to look nice, especially corridor streets. Commissioner Heyrend did not think it took anything away from the developer because they still had the density they wanted with large lots. He thought having the 30-foot width created a much better look for the area. He pointed out that the applicant's property was the first that was seen when entering Highland. He thought the Planning Commission needed to decide what standards were going to be upheld for the city. He said there were few entrances to Highland and thought the main entrance was coming from American Fork. He wanted that entrance to look good by having a nice park setting. He thought maintaining the 30-foot setback would improve the value of the lots.

Ms. Clegg explained that they had 5.12 acres of property and Highland City was requiring them to put in a full road, which was 56 feet. She said the development was a family community and that they were not profiting from it. Ms. Clegg thought that they were giving up a great deal of property when calculating the improvements for the existing lane, a 12-foot sidewalk, a road, and a 30-foot easement for the Parkway. She thought it was a perfect transition area. She thought 15 feet was plenty of space and 30 feet was excessive. She thought Highland City was not maintaining the public areas they already had and hoped the Planning Commission would consider 15 feet.

Ms. Pat Robinson, Robinson Lane subdivision property owner, said when talking to the neighbors about the property to the north, many said the area was an eyesore because it usually had weeds or was dry and had not been taken care of. She said they had talked to the city and they agreed that 30 feet was too much to take care of. She agreed that Highland City was a nice place, but said that sometimes it was too much. She said she owned the property for 35 years and did not understand the reasoning with the beautification. She said what they put in would be nice and would match the width across the street. She said she would appreciate it if they could match the east side of the road from 9600 North to 9700 North.

Commissioner Rock pointed out that he had property by his house that hardly ever looked nice and had stained cedar fences. He said it was hard for Highland to maintain all the orphaned spaces they had. He thought different fencing would be better.

Commissioner Heyrend wondered how they could require a development to the north to have the 30-foot Parkway detail and not Robinson Lane. Mr. David Clegg said he thought it could be done because it was a transition area. Mr. Brian Robinson, representing the Robinson Lane subdivision, said the north development was different because they were selling off the lots instead of having a family subdivision. He mentioned that Highland City had to contract with a company five years ago to maintain the city landscaping and that it cost more than it was worth. He thought the 30-foot requirement should not apply to them because of what was on the other side of the road.

Mr. Clegg said that he could make 15 feet look very beautiful. He added that he would be happy to help the city maintain the 15 feet of frontage as long as the city took care of the watering. He thought 30 feet would not be as easy for him to maintain.

Chair Kemp thought it would be helpful if they had a detailed landscape plan for the area. Mr. Crane pointed out that 15 feet with a sidewalk left five feet for a tree due to UDOT's requirement.

Commissioner Rock asked to see what they had planned for a fence. Mr. Clegg explained that the minimum option started with what Ivory installed in the development to the North. He understood why the Planning Commission would want to see a landscaping plan.

Commissioner Brammer wondered about the 83-foot wide area to the north. He wondered if there were any plans to mark the entrance into the city. Mr. Crane explained the landscaping for the 83-foot area. He said that when the subdivision was approved, each lot was required to touch open space. He said the maintained landscaping was on the Parkway easement and the portion that was not maintained was the subdivision's open space. He said at that time, it was to be a natural vegetated area. Mr. Crane also explained that in the General Plan there was a community design element that dealt with entrances and corridors. It was pointed out that there was an existing sign in the subject area.

Commissioner Brammer thought it was more important to maintain the standards of the city to the greatest extent possible. He said there was a rational basis to why the Parkway detail specification was there. He said to overcome the specifications because larger lots were wanted was disconcerting to him. He said the issue of the city maintaining public property was a different discussion. He said he understood the concerns, but did not think the rational was at the level it needed to be in order to change the policy.

Commissioner Day thought what they were planning would be a benefit to the property. He thought there was logic to what they were doing in relation to the detention pond. He thought there was an issue regarding the city being able to maintain the various open space areas.

Commissioner Day requested a landscaping plan from the applicant. He said he might consider a 20-foot Parkway detail.

Commissioner Heyrend thought that maintaining a 20-foot Parkway detail was very similar to maintaining a 30-foot Parkway detail.

Chair Kemp called for additional comments or questions. Hearing none, he called for a motion.

MOTION: Commissioner Day moved to table a decision and recommended that the Robinson Lane property owners provide a landscaping plan showing the proposed 15-foot Parkway detail.

Mr. Crane mentioned that there was a small detail of the Robinson Lane Preliminary Plat showing a general landscaping plan. After reviewing the landscaping plan, Commissioner Day asked to withdraw his motion due to finding sufficient information.

MOTION: Commissioner Brammer moved to deny the application to eliminate the Parkway detail on Alpine Highway from 9700 North south to the city limit line. Commissioner Heyrend seconded the motion. Commissioner Kemp, Commissioner Brammer, and Commissioner Heyrend were in favor. Commissioner Day and Commissioner Rock were opposed. The motion carried with two opposed and two absent.

When stating reasons for the denial, the following explanations were given:

- 15-foot width is too narrow and does not allow for sufficient tree spacing
- As an entrance to Highland City, the area needs to look nice
- 30-foot Parkway detail was required of other developers
- Parkway detail plan had been previously approved by preceding governing bodies
- 30-foot Parkway detail maintenance is virtually the same as maintaining a 15-foot Parkway detail
- Highland City is maintaining the 30-foot Parkway detail to the north very well
- Highland's unique environment should be maintained
- No substantial justification for the variance was found
- Many of the arguments revolved around the policy decision of the city maintaining open space areas. The discussion regarding the policy is not appropriate on a case by case basis. Planning Commission members were not prepared to abandon the policy and change the Parkway detail



CITY COUNCIL AGENDA REPORT

Item # 11

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Administrator

BY: Nathan Crane, AICP
Community Development Director

SUBJECT: A REQUEST BY DAVID AND AMBER CLEGG FOR PRELIMINARY PLAT APPROVAL FOR A FIVE LOT SINGLE FAMILY SUBDIVISION LOCATED AT THE NORTHWEST CORNER OF 9600 NORTH AND ALPINE HIGHWAY.

STAFF RECOMMENDATION:

The City Council consider a request by David and Amber Clegg for preliminary plat approval for a five lot single family subdivision located at the northwest corner of 9600 north and Alpine highway.

BACKGROUND:

The property is 5.12 acres in size and zoned R-1-40 (Single Family Residential). The R-1-40 District allows one home per 40,000 square feet. The minimum lot width is 130 feet. The maximum length of a dead end street or cul-de-sac is 600 feet.

Subdivision review and approval is an administrative process.

SUMMARY OF REQUEST:

1. The applicant is requesting approval of a five lot single family residential subdivision. Lot sizes are as follows:

Lot	Square Footage
1	37,894
2	44,795
3	30,100
4	39,503
5	34,385

2. Access to the site will be from 9600 North. Access to Alpine Highway is prohibited by UDOT.

CITIZEN PARTICIPATION:

Notice of the April 16, 2014 Development Review Committee meeting was mailed to all property owners within 500' of the proposed plat on April 9, 2014. Two residents attended the meeting.

Notice of the April 22, 2014 Planning Commission meeting was published in the Daily Herald on April 7, 2014. No comments have been received.

ANALYSIS:

- The property is designated as low density residential on the General Plan Land Use Map. The proposed subdivision density of 1.0 unit per acre is consistent with the General Plan.
- The property to the north, west, and south is zoned R-1-40 (Single Family Residential). The property to the north is the Apple Blossom Subdivision. The property to the west is large lot agricultural. The property to the south is vacant. The property to the east is an American Fork City Pressurized Irrigation Pond.
- Utilities will be extended from 9600 North to serve the site. The applicant may purchase additional land to the north for additional lot frontage and access to the sewer line in 9750 North.
- 9600 North is not constructed to city standard. The applicant will be responsible for the dedication and construction of improvements on the north half of the street.
- The City of American Fork has indicated a desire to realign 9600 North. However, the project is not funded. The realignment of 900 North is not shown on the Highland City Transportation Master Plan. American Fork is requesting accommodation of a proposed cul-de-sac on lot 5. The applicant has stated that they are not interested in providing the additional right-of-way. The Development Code requires dedication of right-of-way and construction of required improvements on adjacent street frontages. This issue will need to be addressed between the property owner and American Fork City when the alignment of 9600 North is designed and funded.
- There is an existing ditch that is currently in use and is used to convey water downstream. The ditch will need to be relocated and piped. The applicant is required to provide a letter from the ditch company approving their plan.
- Water will be dedicated as required by the Development Code prior to final plat recordation.

FINDINGS:

The proposed plat meets the following findings with stipulations:

- It is in conformance with the General Plan, the R-1-40 District and the Highland City Development Code.

PLANNING COMMISSION ACTION:

The Planning Commission held a public hearing on April 22, 2014 and voted 5-0 to recommend approval of the preliminary plat subject to the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat date stamped April 17, 2014.
2. Prior to approval of the preliminary plat the applicant shall provide a letter from the American Fork irrigation company regarding the relocation and piping of the irrigation ditch.
3. Final landscape plans shall be approved prior to recording the final plat.
4. The applicant shall be responsible for the right-of-way dedication and the construction of the north half 9660 North as required by the Development Code.
5. All required public improvements shall be installed as required the City Engineer.
6. The civil construction plans shall meet all requirements as determined by the City Engineer.
7. Installation of the Parkway Detail.

RECOMMENDATION AND PROPOSED MOTION:

The City Council should hold a public meeting, accept the findings and **APPROVE** the preliminary plat subject to the seven stipulations recommended by the Planning Commission.

ALTERNATIVE MOTION:

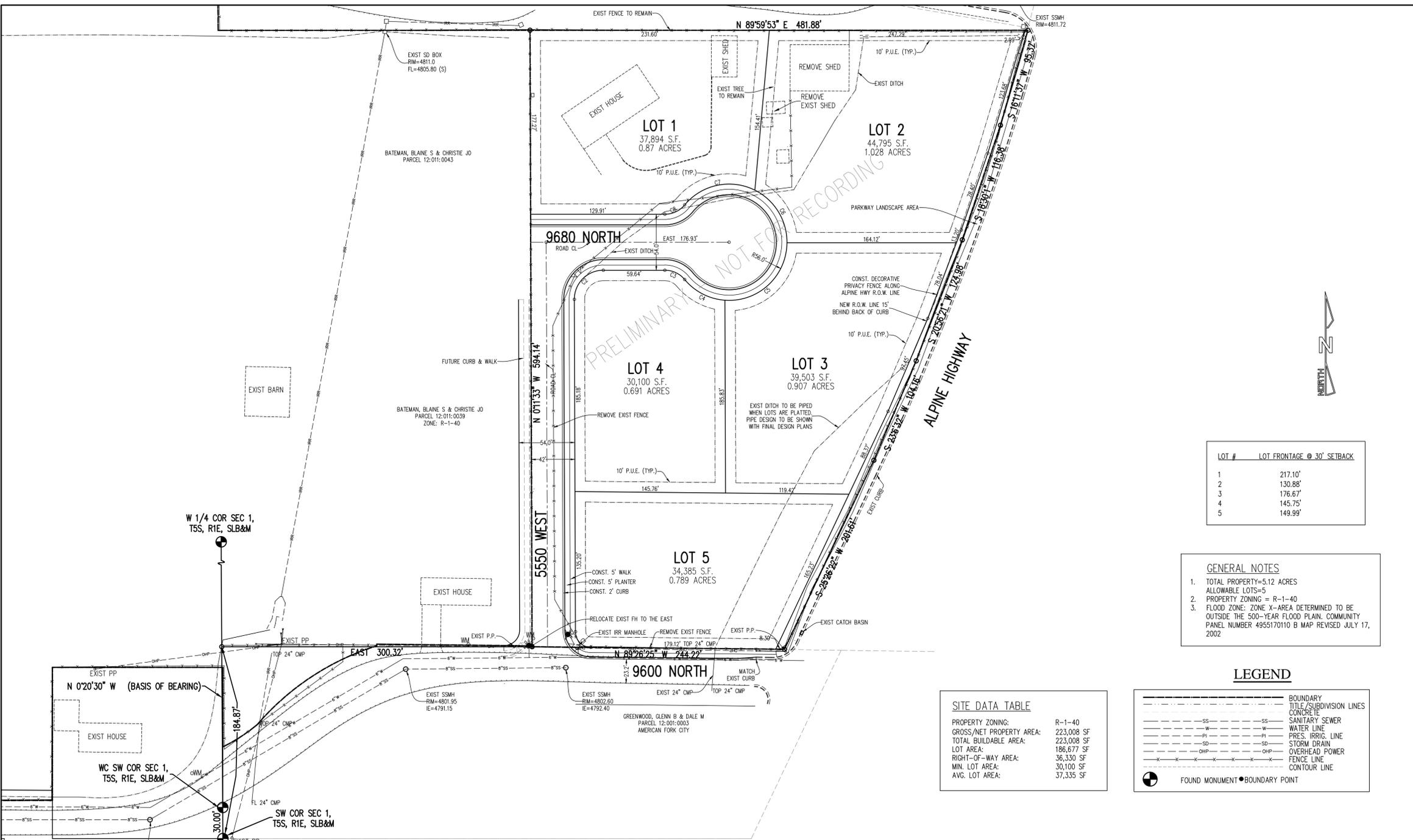
I move that the City Council deny the proposed preliminary plat based on the following findings: (The Council should draft appropriate findings.)

FISCAL IMPACT:

Unknown

ATTACHMENTS:

- Proposed Plat date stamen April 17, 2014
- Letter from American Fork City dated April 14, 2014
- Transportation Master Plan
- Draft Minutes of the April 22, 2014 Planning Commission Meeting



SURVEYOR'S CERTIFICATE
 I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418780 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT

BOUNDARY DESCRIPTION
 Beginning at a point located North 00°20'30" West along section line 184.87 feet and East 300.32 feet from the Southwest Corner of Section 1, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 00°11'33" West along a fence line a distance of 594.14 feet; thence North 89°59'53" East along the southerly boundary of Apple Blossom Lane Subdivision Plat "A" as recorded in the office of the Utah County Recorder a distance of 481.88 feet; thence along the westerly right-of-way line of the Alpine Highway the following five course and distances: 1) South 16°11'37" West 95.37 feet, 2) South 18°30'01" West 116.38 feet, 3) South 20°56'21" West 124.98 feet, 4) South 23°06'32" West 104.16 feet, and 5) South 25°26'22" West 201.61 feet; thence North 89°26'25" West along the northerly right-of-way line of 9600 North Street a distance of 244.22 feet to the point of beginning.
 Area = 5,120 Acres

DATE _____ SURVEYOR (SEE SEAL BELOW) _____

OWNERS' DEDICATION
 WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY.
 IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS _____ DAY OF _____, A.D. 20____

ACKNOWLEDGEMENT
 STATE OF UTAH } S.S.
 COUNTY OF UTAH } S.S.
 ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.
 MY COMMISSION EXPIRES _____

ACCEPTANCE BY LEGISLATIVE BODY
 THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 20____

APPROVED BY MAYOR _____ ATTEST _____
 CITY ENGINEER (SEE SEAL BELOW) CLERK-RECORDER (SEE SEAL BELOW)

LIEN HOLDER CONSENT
 THE UNDERSIGNED BENEFICIARY HEREBY CONSENTS TO THE RECORDING OF THIS PLAT FOR THE HEREIN DESCRIBED PROPERTY AND THE DEDICATIONS PROVIDED HEREIN.

HIGHLAND CITY ATTORNEY
 APPROVED AS TO FORM THIS _____ DAY OF _____, 20____ HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL
 APPROVED THIS _____ DAY OF _____, 20____ PLANNING COMMISSION CHAIR
 COMMUNITY DEVELOPMENT DIRECTOR

CONDITIONS OF APPROVAL
 There are conditions of approval attached to this subdivision which are indicated on this plat. These conditions have also been recorded with this subdivision. Potential buyers are requested to read these conditions carefully and obtain a copy of these conditions and restrictions prior to purchasing or contracting to purchase any lots within this subdivision. These conditions are binding and have been imposed by the legislative body of Highland City. A copy of these conditions may be obtained through the Utah County Recorder's office or the Highland City Recorder's office. In addition, Highland City has approved binding zoning laws through a legally binding Development Code. It is the responsibility of the buyer to do their due diligence in obtaining all accurate information and/or regulations that may directly or indirectly affect the use of property prior to purchasing or contracting to purchase any property anywhere. Conditions of approval conveyed on this property by the legislative body of Highland City, which are in addition to the Development Code, are as follows:

- Each homeowner is entitled to one tree per lot which will be installed by the city. The tree will be planted in the parkstrip and be planted within 2 years from the date of the certificate of occupancy. Once planted, maintenance of the tree shall be the responsibility of the homeowner.
- 70% of the front yard landscaping shall be installed by the homeowner within one year after receiving a certificate of occupancy.
- Landscaping and construction materials of any type are not permitted upon or within the street, curb & gutter, park strip or sidewalk (street right-of-way) with the exception of the parkstrip which requires 75% to be landscaped.
- A fence that abuts open space or has a trail has additional restrictions of size and opacity. Fences along open space or a trail must comply with Highland City Ordinance. All fences require a fence permit prior to installation. In addition, retaining walls are regulated by ordinance and require a retaining wall permit prior to construction.
- Highland City Ordinances restrict height of foundation above curb. It is the responsibility of the buyer to contact the city prior to purchasing any lot. This restriction applies to all lots in this subdivision.

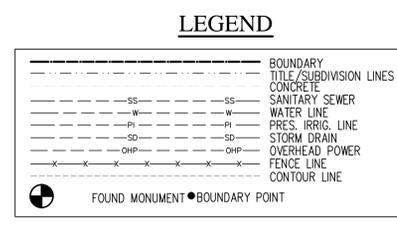
ROBINSON LANE SUBDIVISION PLAT "A"
 LOCATED IN THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

NAD 87
 SCALE: 1" = 50 FEET

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL

LOT #	LOT FRONTAGE @ 30' SETBACK
1	217.10'
2	130.88'
3	176.67'
4	145.75'
5	149.99'

- GENERAL NOTES**
- TOTAL PROPERTY=5.12 ACRES
ALLOWABLE LOTS=5
 - PROPERTY ZONING = R-1-40
 - FLOOD ZONE: ZONE X-AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN. COMMUNITY PANEL NUMBER 4955170110 B MAP REVISED JULY 17, 2002



SITE DATA TABLE

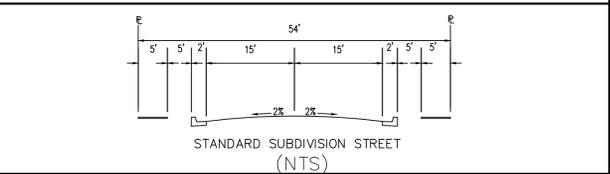
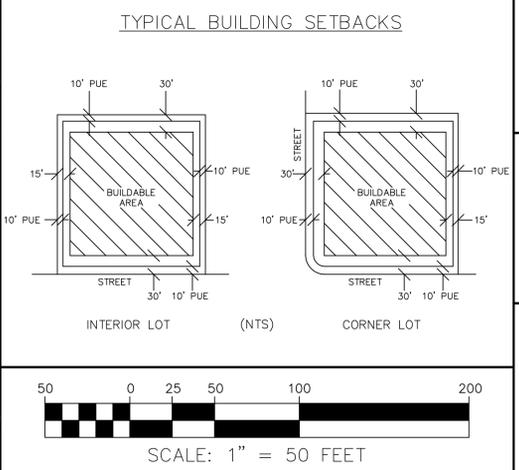
PROPERTY ZONING:	R-1-40
GROSS/NET PROPERTY AREA:	223,008 SF
TOTAL BUILDABLE AREA:	223,008 SF
LOT AREA:	186,677 SF
RIGHT-OF-WAY AREA:	36,330 SF
MIN. LOT AREA:	30,100 SF
AVG. LOT AREA:	37,335 SF

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	15.00	23.37	89°14'52"	21.07	N 44°48'59" W
C2	28.00	44.08	90°11'33"	39.66	N 44°54'14" E
C3	25.00	21.84	50°3'39"	21.15	S 64°58'11" E
C4	56.00	44.94	45°58'39"	43.74	S 62°35'41" E
C5	56.00	91.44	93°33'13"	81.61	N 47°18'24" E
C6	56.00	62.56	64°0'41"	59.36	N 31°28'33" W
C7	56.00	74.85	76°34'45"	69.40	S 78°13'44" W
C8	25.00	21.84	50°3'39"	21.15	S 64°58'11" W

MONUMENT TABLE

A N:	E:
B N:	E:
C N:	E:
D N:	E:
E N:	E:
F N:	E:
G N:	E:
H N:	E:
I N:	E:
J N:	E:
K N:	E:
L N:	E:
M N:	E:
N N:	E:
O N:	E:



QUESTAR GAS COMPANY
 Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute derogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's right-of-way department.
 Approved this _____ day of _____, 20____, Questar Gas Company By _____ Title: _____

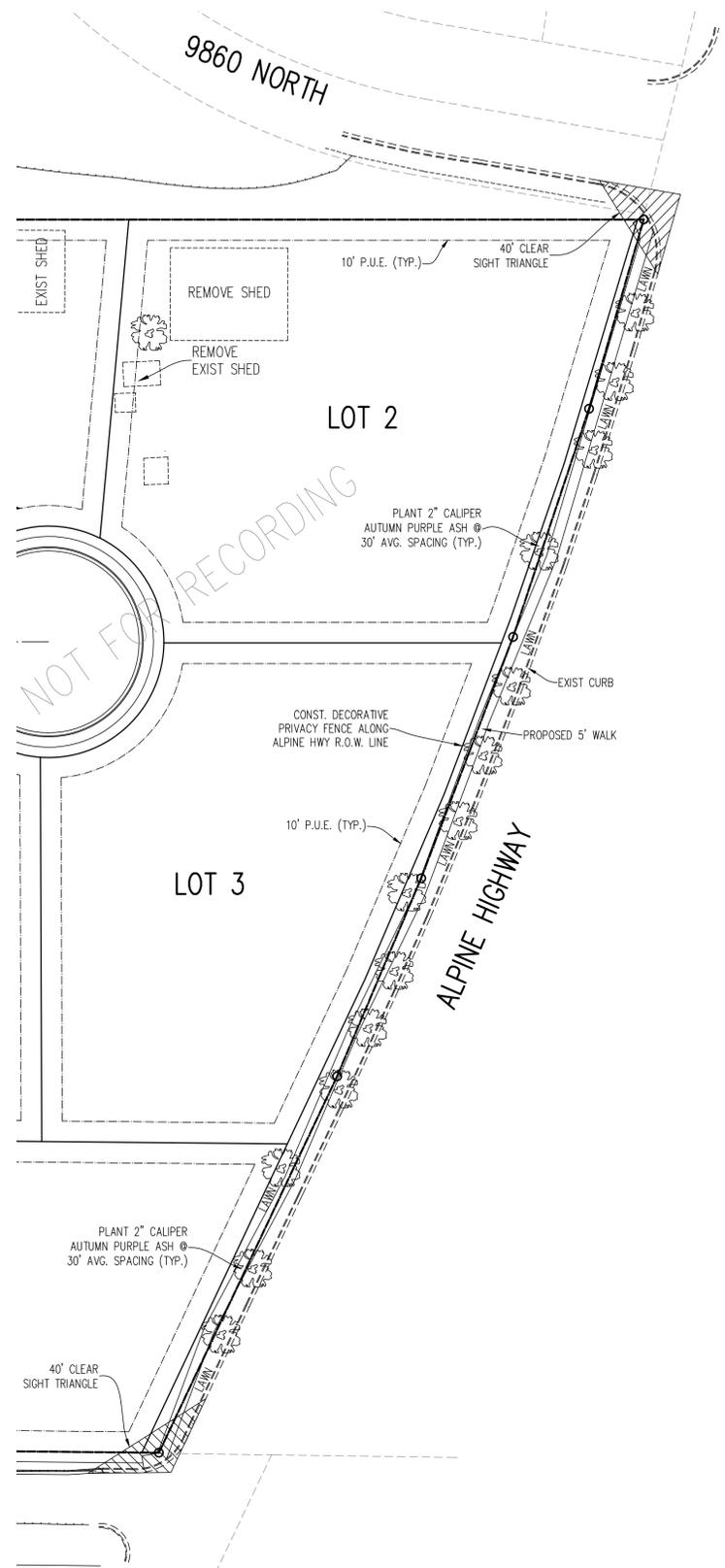
UTILITIES APPROVAL
 Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utilities Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove such structures at the owner's expense, or the utility may remove such structures at the owner's expense. At no time any permanent structures be placed within the PUE or any other obstructions with interferes with the use of the PUE with out the prior written approval of the utilities with facilities in the PUE.
 Rocky Mtn. Power _____ West _____ Comcast _____
 Date: _____ Date: _____ Date: _____

Surveyor: Aztec Engineering, Inc.
 491 North 450 West
 Orem, UT 84057
 (801) 224-7308

Developer: David & Amber Clegg
 5528 West 9620 North
 Highland, UT 84003
 (801) 836-4180

Engineer: Excel Engineering, Inc.
 12 West 100 North, #201
 American Fork, UT 84003
 (801) 756-4504

Date: 03/25/14

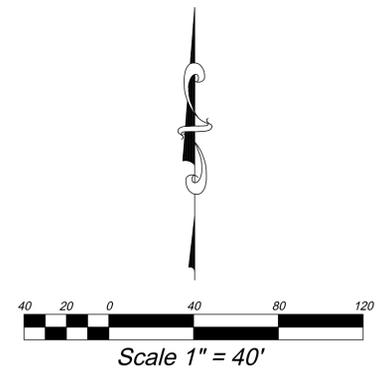


NOT FOR RECORDING

LANDSCAPE AREA:
LANDSCAPE AREA = 9,654 S.F.

IRRIGATION NOTE:
ALL LAWN AND TREES TO BE WATERED WITH AN UNDERGROUND SPRINKLER SYSTEM.

MAINTENANCE NOTE:
HOME OWNERS ADJACENT TO LANDSCAPE STRIP ARE TO MAINTAIN THE LAWN WEEKLY DURING APRIL-OCT.



REVISIONS		
Rev.	Date	Description

Developer/Property Owner:
David & Amber Clegg
5528 West 9620 North, Highland, UT 84003
(801) 836-4180

EXCE ENGINEERING
David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; F: (801) 756-4511

ROBINSON LANE SUBDIVISION
HIGHLAND 9600 N. 5500 W. UTAH

Drawn by: D.W.P.
Designed by: D.W.P.
Checked by: D.W.P.

PRELIMINARY LANDSCAPE PLAN

Scale: 1"=40'
Date: 03/25/14
4 OF 4



Office of the Mayor

April 14, 2014

Mark S. Thompson, Mayor
Highland City
5400 W Civic Center Drive
Highland UT 84003

RE: CASE PP-12-02, PRELIMINARY PLAT OF ROBINSON LANE SUBDIVISION AT
APPROXIMATELY 5528 WEST 9620 NORTH

Dear Mayor Thompson:

On March 5, 2014, we met together to discuss a preliminary realignment of 9600 North (County Coord) 1500 North (AF Coord) with SR-74 and disconnect of the current alignment with SR-74 as shown in the enclosed drawing. This discussion and proposal is in conformance with both City Transportation Master Plans.

Recently American Fork City received a letter from Nathan Crane, Highland Community Development Director, proposing the Robinson Lane Subdivision in the vicinity of 5528 West 9620 North. A copy of the letter is enclosed for your convenience. At this time American Fork City's concern is that the proposed Robinson Lane Subdivision does not incorporate the proposed new alignment to SR-74 and plan for a cul-de-sac for future turnaround when the current connection to SR-74 is abandoned. Therefore as said Subdivision is set for a public hearing on April 22, 2014, American Fork City respectfully requests that the proposed street disconnection and a cul-de-sac at Lot 5 be included in the plan design.

Thank you for your attention to this matter. I appreciate our continued work together on this issue and future projects. If you have any questions, please give me a call at 801-763-3000.

Sincerely,

James H. Hadfield, Mayor
American Fork City

Enclosures

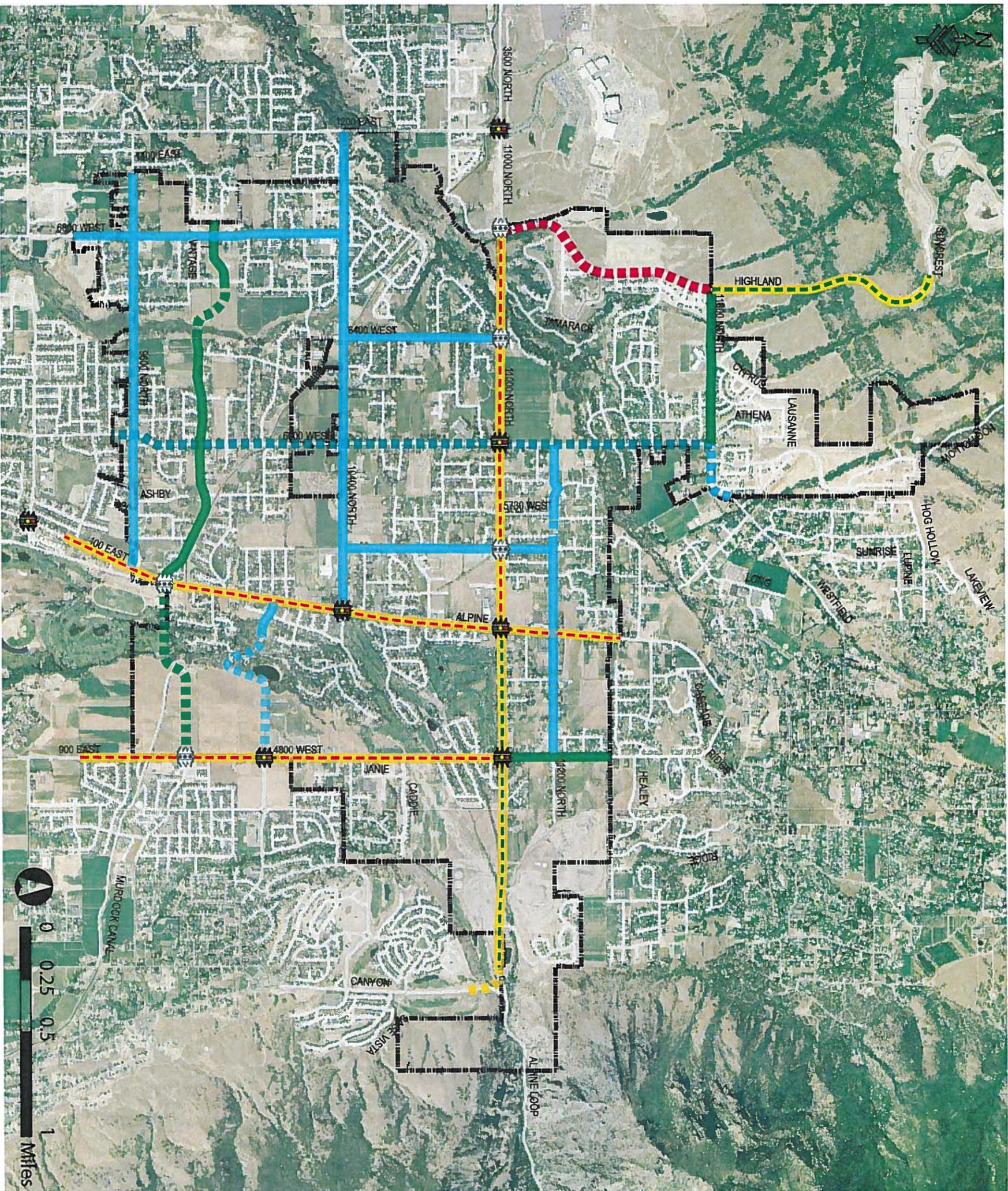
Cc: Nathan Crane AICP
Highland Community Development Director
5400 W Civic Center Drive
Highland UT 84003

51 EAST MAIN - AMERICAN FORK, UT 84003 - TEL: 801-763-3000 - FAX: 801-763-3033



OUR STRATEGIC VISION: *Customer Service Excellence – Continuous Improvement – Teamwork*





MAP 3-2 RECOMMENDED TRANSPORTATION NETWORK

- 5-Lane Arterial - Constructed
- - - 5-Lane Arterial - Proposed
- 3-Lane Major Collector - Constructed
- - - 3-Lane Major Collector - Proposed
- 3-Lane Minor Collector - Proposed
- - - 2-Lane Residential Collector - Constructed
- · · 2-Lane Residential Collector - Proposed
- - - Other Jurisdiction (State, County, Municipal)
- Highland City
- Existing Signals
- Planned Signals



InterPlan Co.
Transportation Planning



Highland City
General Plan Update

Modified by Highland
City Staff
January 2008

EXCERPT OF THE DRAFT MINUTES OF THE APRIL 22, 2014 PLANNING COMMISSION MEETING

PRESENT: Commissioner: Christopher Kemp
Commissioner: Brady Brammer
Commissioner: Steve Rock
Commissioner: Tim Heyrend
Commissioner: Abe Day

EXCUSED: Commissioner: Scott Temby
Commissioner: Sherry Carruth

PP-12-02: *Amber Clegg is requesting preliminary plat approval for a 5-lot single family residential subdivision located at the northwest corner of 9600 North and the Alpine Highway.*

Mr. Crane mentioned that a letter was received from American Fork City. He explained that American Fork indicated a desire to relocate 9600 North. They were requesting accommodation of a proposed cul-de-sac that would impact Lot 5. He said the property owners were not supportive of the request. Mr. Crane explained that the Highland City Council had not yet made a decision on how it related to the Highland Master Plan.

Chair Kemp opened the public hearing for item PP-12-02 at 8:33 PM. He asked for public comment.

Mr. Robinson was concerned they were losing property because of the previously discussed 30-foot easement and the request from American Fork. He suggested leaving the road as is.

Ms. Robinson explained that American Fork wanted to increase the road width to 88 feet. She said she talked to American Fork and wondered where the collector road would go. She said she didn't understand how two different cities could request different things on property that she owned. She said she had already given up land and would fight against American Fork's request.

Mr. Clegg said he did not know what American Fork had to gain with their request. He said the road would not get any further to the west and it was not going to go to the freeway. He said the current design of the road slowed traffic.

Chair Kemp said he understood them wanting to keep their property. He said he could not speak for American Fork and had not seen their road plan. He assumed there was a way to make everyone happy. Mr. Crane said he discussed the situation with Highland staff and the attorney. He explained that they had to process the application in accordance with existing regulations. He said the negotiation of 9600 North and the accommodation of a cul-de-sac would be between the property owner and whoever built the road in the future. He understood the road was within Highland City boundaries.

Mayor Mark Thompson said he was given the assignment to visit with American Fork because there were a couple of complications associated with 9600 North at that location. He said the angle of entrances was not safe. Mayor Thompson explained that the Robinson's owned property to the east. He said an extension of 9600 North was on the American Fork Master Plan, but whether or not it was going to come to fruition was still to be debated. He explained that 9600 North was probably not the best placement of streets for Highland. He said it might be a T-intersection, but was not feasible to have it continue to the east. Mayor Thompson said there was another property owner involved. He discussed future scenarios for 9600 North and the future cul-de-sac and said Highland did not need to meet American Fork's demands right now. He said it would be very difficult to have an 88-foot easement on 9600 North in the future.

Commissioner Heyrend did not think American Fork gained anything by shifting a 90 degree turn down a few hundred feet. He said American Fork had property east of their road so they could expand it and turned to a 90 degree angle and still connect to the Highland road. He said it would be very expensive to make changes to the road because of utilities and moving sewer and water lines. He wondered who would pay for the changes. Commissioner Heyrend thought the alignment worked fine and would be better if it was wider. He said, as an engineer, he did not see many issues with the road the way it was, other than the width of the road was too narrow and that it needed work within the American Fork boundaries. He mentioned that American Fork had already requested Highland to move a road to the south. He thought American Fork needed to rethink the request for 9600 North.

Chair Kemp called for additional comments or questions. Hearing none, he called for a motion.

MOTION: Commissioner Rock moved that the Planning Commission accept the findings and recommend approval of Case PP-12-02 a request for preliminary plat approval subject to the follow six stipulations recommended by staff and denial of Case GP-14-01 pertaining to the Parkway detail:

- 1. The final plat shall be in substantial conformance with the preliminary plat date stamped April 17, 2014.**

2. Prior to approval of the preliminary plat the applicant shall provide a letter from the American Fork irrigation company regarding the relocation and piping of the irrigation ditch.
3. Final landscape plans shall be approved prior to recording the final plat.
4. The applicant shall be responsible for the right-of-way dedication and the construction of the north half 9600 North as required by the Development Code.
5. All required public improvements shall be installed as required the City Engineer.
6. The civil construction plans shall meet all requirements as determined by the City Engineer.
7. Installation of the Parkway Detail.

Commissioner Brammer seconded the motion. All present were in favor. The motion carried unanimously with two absent.

Commissioner Heyrend said he noticed there was only a six inch water line in 9600 North to serve the subdivision. Mr. Crane said it was being modeled and that they were looking at a couple different options.



CITY COUNCIL AGENDA REPORT

Item # 12

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Matthew F. Shipp, P.E.
Public Works Director/City Engineer

SUBJECT: LOT 602 SPRUCES SUBDIVISION, STEVE ELDRIDGE REQUEST

STAFF RECOMMENDATION:

Staff does not have a recommendation for this property. Staff is looking to City Council to give direction on how the City Council would like to proceed with his request.

BACKGROUND:

Mr. Eldridge owns the property located in the Spruces Subdivision, Lot 602. The Spruces is located off of 11000 North (SR-92) at approximately 4490 West (See attached map, highlighted area).

Mr. Eldridge contacted the City to inquire about using part of the City property to construct a berm along his east property line. He would like to have half of the berm (toe of slope) on the City property. Mr. Eldridge is looking to landscape the berm with trees and shrubs in order to have privacy and improve the aesthetics of his view. The width of the piece on City property would be approximately 12' to 15' wide.

There is a road that leads back to our filter station for the pressurized irrigation water on the east side of the Victor property. If City Council decides to allow Mr. Eldridge the use of this property for a berm, staff is requesting the following stipulations:

- Toe of slope not touch the road going back to the filter station; and,
- Mr. Eldridge will be responsible for the maintenance of any landscaping on the berm; and,
- Mr. Eldridge's pressurized irrigation bill reflect the new lot size; and,
- City Council should also consider a quit claim deed for this piece of property to Mr. Eldridge in order to avoid any confusion and problems for a future home owner. This would need to be addressed by legal counsel in order to ensure we are following the proper procedures for property disposal.

FISCAL IMPACT:

There is no fiscal impact to the City.

ATTACHMENTS:

- Aerial of the Spruces
- Photos of the area taken by Mr. Eldridge



11000 NORTH

SPRUCE

4365

4351

4431

4461

4460

4480

4452

4446

4444

4445

4447

4438

4558

4560

4582

4491

4474

4430

4422

4560







CITY COUNCIL AGENDA REPORT

Item # 13

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Nathan Crane, AICP
Community Development Director

SUBJECT: IVORY DEVELOPMENT, INC IS REQUESTING PRELIMINARY PLAT APPROVAL – DRY CREEK HIGHLANDS PHASES 5-7 (PP-14-01).

STAFF RECOMMENDATION:

The City Council review a request for preliminary plat approval for Dry Creek Highlands Phases 5-7, a 44 lot single family residential subdivision located at the southwest corner of Highland Boulevard and 11800 North.

BACKGROUND:

The property is 36.30 acres and is owned by Ivory Development Inc. The property was annexed in 2003 and is subject to an annexation agreement that allowed 199 lots of 142 acres.

The property is designated as Low Density Residential on the General Plan Land Use Map. The property is zoned R-1-40 (Single Family Residential). The R-1-40 District allows one home per 40,000 square feet. The minimum lot width is 130 feet.

A preliminary plat for the property was approved in 2003 and has since expired.

Subdivision review and approval is an administrative process.

SUMMARY OF REQUEST:

1. The applicant is requesting approval of a 44 lot single family residential subdivision. Lot sizes range from 20,301 square feet to 39,763 square feet.
2. Access to the site will be from Highland Boulevard.

CITIZEN PARTICIPATION:

Notice of the March 6, 2014 Development Review Committee meeting was mailed to all property owners within 500' of the proposed plat on February 25, 2014. Three residents attended the meeting. The residents had general questions about the project.

Notice of the April 22, 2014 Planning Commission meeting was published in the Daily Herald on April 7, 2014. No one spoke in favor or opposition of the project at the Planning Commission meeting.

Notification is not required for the City Council meeting.

ANALYSIS:

- The property is designated as low density residential on the General Plan Land Use Map. The Dry Creek Highlands development is consistent with the General Plan.
- The property to the north is vacant and is in the County. The property owner and Lehi City have indicated their intent to annex this property. The property to the west is Micron and in Lehi City. The property to the east and south is zoned R-1-40 and has been developed as single family residential. The proposed subdivision is compatible with the surrounding land uses.
- Utilities will be extended from Highland Boulevard to serve the site. The applicant will need to get permission from the Timpanogos Special Service District (TSSD) to access the sewer line in Highland Boulevard.
- The Highland City Transportation Master Plan 11800 North ends at Highland Boulevard. Micron has prepared a master plan that shows the extension of 11800 North to the west to Highland Boulevard. The applicant has contacted Lehi City and shown possible right-of-way along lots 720 and 721. In the event that this road is built the lots will need to be combined as the square footage for lot 721 will be less than the minimum allowed.
- A preliminary drainage plan has been provided. The plan protects the site from offsite flows. The final design will be reviewed and approved with the civil drawings. The detention pond shown adjacent to lot 507, this area will need to be dedicated to the city.
- The parkway detail will be installed as required and will be consistent with the existing Dry Creek Highlands development.
- Water will be dedicated as required by the Development Code prior to final plat recordation.

FINDINGS:

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

- It is in conformance with the General Plan, the R-1-40 District and the Highland City

Development Code.

PLANNING COMMISSION ACTION:

The Planning Commission held a public hearing on April 22, 2014. No one spoke in favor or opposition of the project. The Planning Commission discussion focused on the size of the detention pond and the alignment of 11800 North. The Commission voted 5-0 to recommend approval of the preliminary plat subject to the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat date stamped April 17, 2014.
2. Prior to approval of the final plat the applicant shall provide a letter from TSSD regarding use of the sewer line in Highland Boulevard.
3. Final landscape plans shall be approved prior to recording the final plat.
4. The detention pond adjacent to lot 507 shall be constructed and landscaped by the developer and dedicated to the City. The landscape plan shall be approved by the City prior to final plat recordation.
5. Lots 721 and 720 shall be combined if the lots are reduced for the future location of 11800 North. This issue shall be resolved prior to recordation of the final plat for phase 7.
6. All required public improvements shall be installed as required by the City Engineer.
7. The civil construction plans shall meet all requirements as determined by the City Engineer.
8. One lot shall be increased to 30,000 square feet.

PROPOSED MOTION:

I move that the City Council accept the findings and **APPROVE** case PP-14-01 a request for preliminary plat approval subject to the eight stipulations recommended by the Planning Commission.

ALTERNATIVE MOTION:

I move that the City Council deny the proposed preliminary plat subject to the following findings: (The Council should draft appropriate findings).

FISCAL IMPACT:

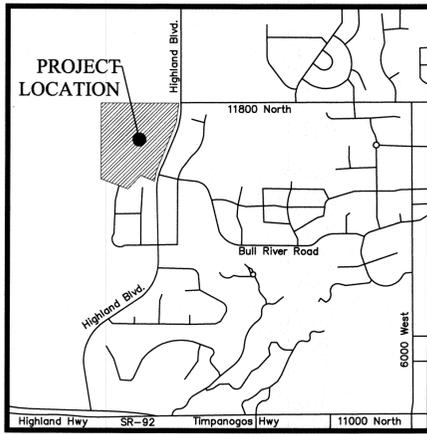
Unkown

ATTACHMENTS:

- Proposed Plat date stamped April 17, 2014
- Transportation Master Plan

PRELIMINARY IVORY - DRY CREEK HIGHLANDS

PREPARED FOR:
IVORY DEVELOPMENT
LOCATED IN:
HIGHLAND, UTAH



VICINITY MAP
N.T.S.

ENGINEER'S NOTES TO CONTRACTOR

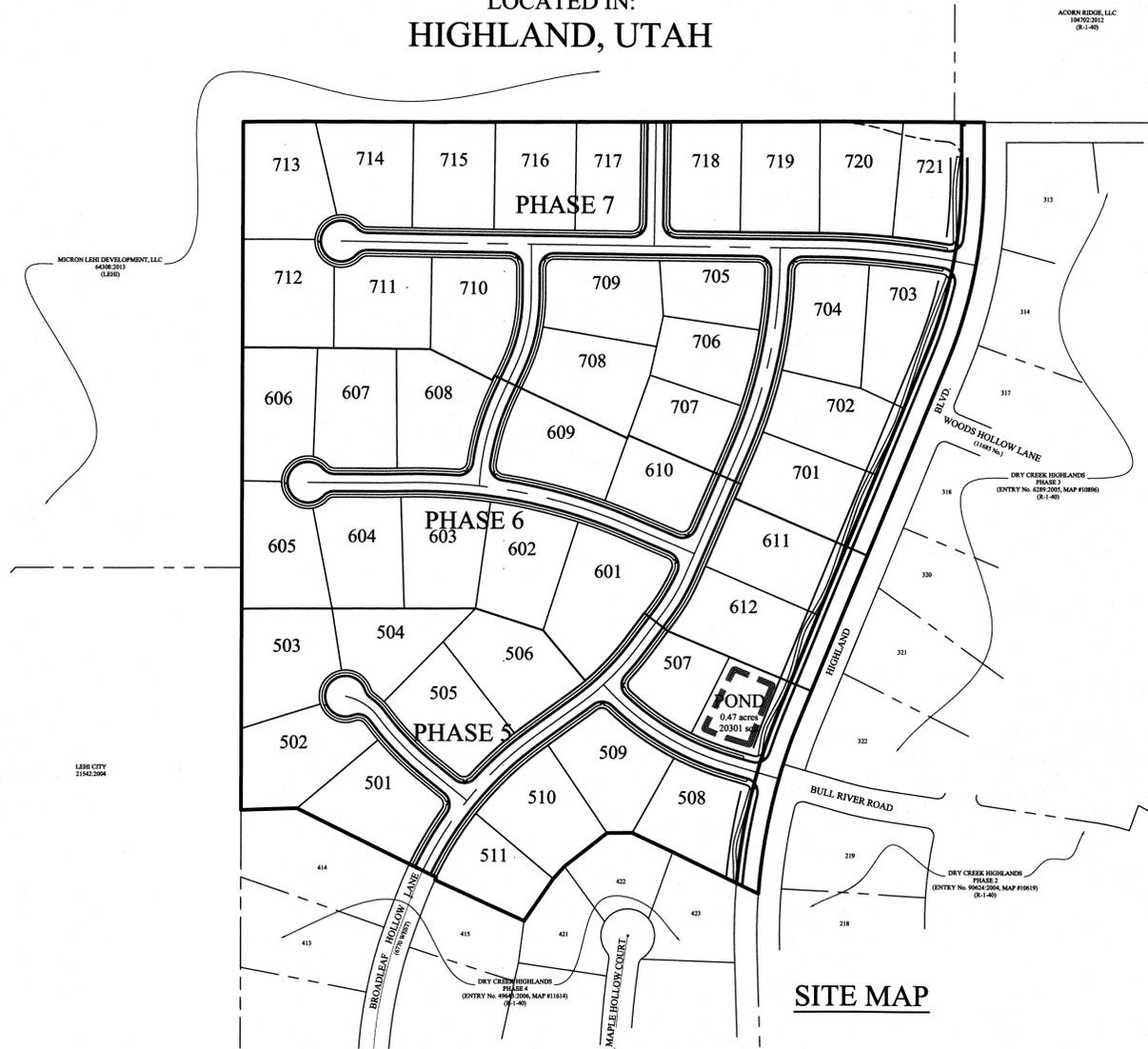
- THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS, TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS. IF UTILITY LINES ARE ENCOUNTERED DURING CONSTRUCTION THAT ARE NOT IDENTIFIED BY THESE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
- CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
- UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.
- ALL CONTOUR LINES SHOWN ON THE PLANS ARE AN INTERPRETATION BY CAD SOFTWARE OF FIELD SURVEY WORK PERFORMED BY A LICENSED SURVEYOR. DUE TO THE POTENTIAL DIFFERENCES IN INTERPRETATION OF CONTOURS BY VARIOUS TYPES OF GRADING SOFTWARE BY OTHER ENGINEERS OR CONTRACTORS, FOCUS DOES NOT GUARANTEE OR WARRANT THE ACCURACY OF SUCH LINEWORK. FOR THIS REASON, FOCUS WILL NOT PROVIDE ANY GRADING CONTOURS IN CAD FOR ANY TYPE OF USE BY THE CONTRACTOR. SPOT ELEVATIONS AND PROFILE ELEVATIONS SHOWN IN THE DESIGN DRAWINGS GOVERN ALL DESIGN INFORMATION ILLUSTRATED ON THE APPROVED CONSTRUCTION SET. CONSTRUCTION EXPERTISE AND JUDGMENT BY THE CONTRACTOR IS ANTICIPATED BY THE ENGINEER TO COMPLETE BUILD-OUT OF THE INTENDED IMPROVEMENTS.

GENERAL NOTES

- CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
- ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL CONSTRUCTION SHALL ADHERE TO APWA STANDARD PLANS AND HIGHLAND CITY STANDARDS AND SPECIFICATIONS
- ALL SANITARY SEWER CONSTRUCTION SHALL ADHERE TO HIGHLAND CITY SEWER IMPROVEMENT DISTRICT STANDARDS AND SPECIFICATIONS
- ALL UTILITIES AND ROAD IMPROVEMENTS SHOWN ON THE PLANS HEREIN SHALL BE CONSTRUCTED USING REFERENCE TO SURVEY CONSTRUCTION STAKES PLACED UNDER THE SUPERVISION OF A PROFESSIONAL LICENSED SURVEYOR WITH A CURRENT LICENSE ISSUED BY THE STATE OF UTAH. ANY IMPROVEMENTS INSTALLED BY ANY OTHER VERTICAL OR HORIZONTAL REFERENCE WILL NOT BE ACCEPTED OR CERTIFIED BY THE ENGINEER OF RECORD.

NOTICE

BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.



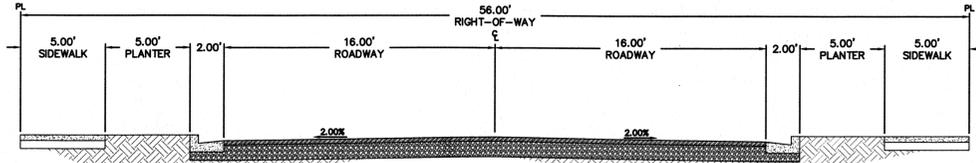
SITE MAP

LEGEND	
---	BOUNDARY
---	ROW
---	CENTERLINE
---	LOT LINE
---	EASEMENT
---	REVERSE-PAN CURB & GUTTER
---	15" SD
---	8" SANITARY SEWER
---	8" W
---	8" SW
---	CONTOUR MAJOR
---	CONTOUR MINOR
---	EXIST. STORM DRAIN
---	Ex. SD
---	Ex. SS
---	Ex. W
---	Ex. SW
---	EXIST. SANITARY SEWER
---	EXIST. CULINARY WATER
---	EXIST. FENCE
---	EXIST. CONTOUR MAJOR
---	EXIST. CONTOUR MINOR
---	SIGN
---	STREET LIGHT
---	SD MH, INLET, AND COMBO
---	SEWER MANHOLE
---	VALVE, TEE & BEND
---	WATER BLOW-OFF
---	FIRE HYDRANT
---	STREET MONUMENT
---	EXIST. SD INLET & MH
---	EXIST. SEWER MH
---	EXIST. VALVE, TEE, & BEND
---	EXIST. FIRE HYDRANT

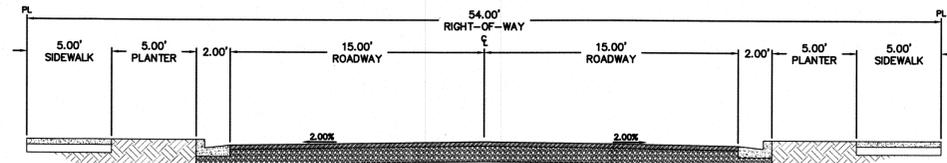
TABULATIONS

ZONE	R-1-40
AREA	36.30 ACRES
BUILDING LOTS	44 LOTS
DENSITY	1.21 UNITS/ACRE

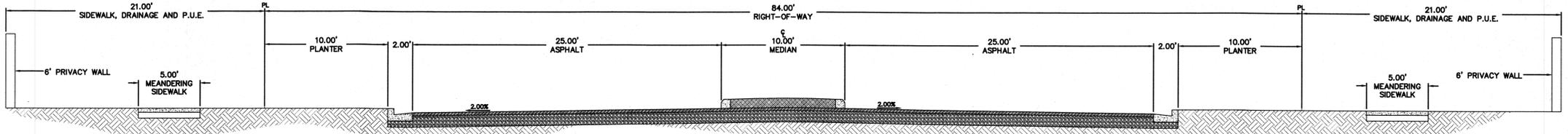
Sheet List Table	
Sheet Number	Sheet Title
C1	COVER SHEET
C2	PRELIMINARY PLAT
C3	UTILITY PLAN
C4	GRADING PLAN
C5	LANDSCAPE DETAIL



56' RESIDENTIAL ROAD
N.T.S.



54' RESIDENTIAL ROAD
N.T.S.



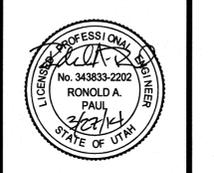
HIGHLAND BLVD.
N.T.S.

CONTACTS

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www.focusnh.com



PRELIMINARY
IVORY - DRY CREEK HIGHLANDS
HIGHLAND, UTAH
COVER SHEET

REVISION BLOCK	
#	DATE
1	
2	
3	
4	
5	
6	

COVER SHEET

Scale: NONE	Drawn: BP
Date: 3/17/2014	Job #: 14-003
C1	

Z:\2014\14-003 Ivory-Highland Dry Creek Ph. 546 Vdesign 14-003.dwg \sheets\preliminary\C1 - Cover (preliminary).dwg

QUESTAR GAS COMPANY
 QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE A GUARANTEE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION, PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

UTILITIES APPROVAL
 "UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES FACILITIES IN THE PUE"

QUESTAR GAS COMPANY DATE

ROCKY MOUNTAIN POWER DATE

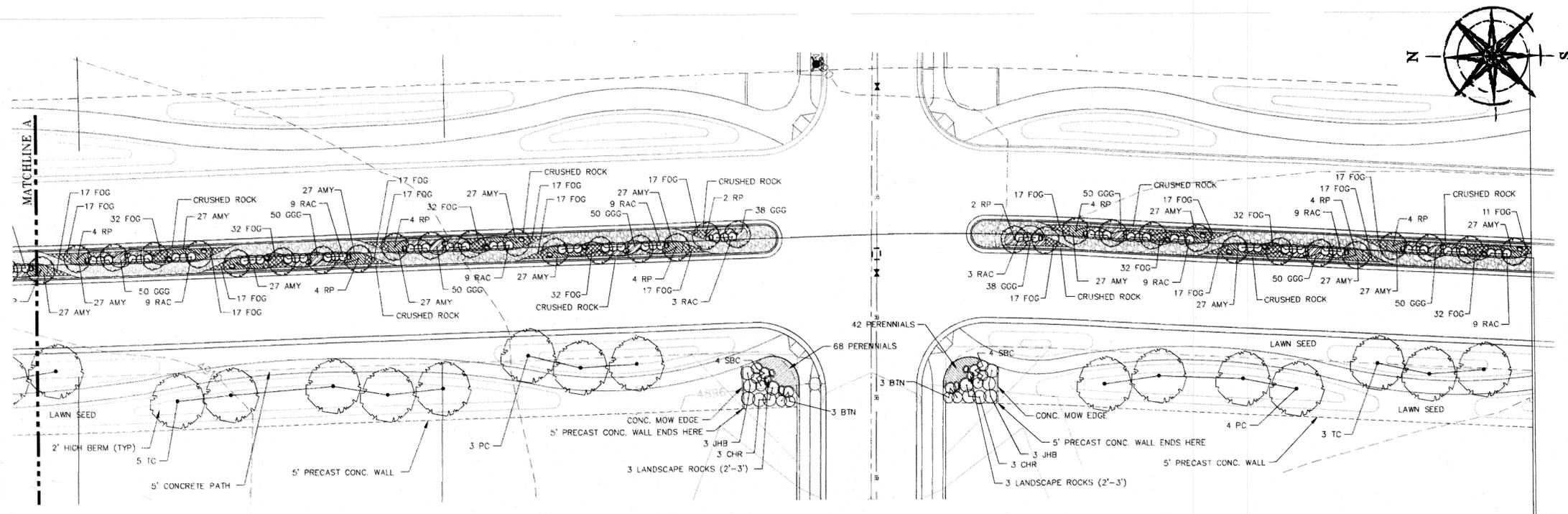
CENTURY LINK DATE

COMCAST DATE

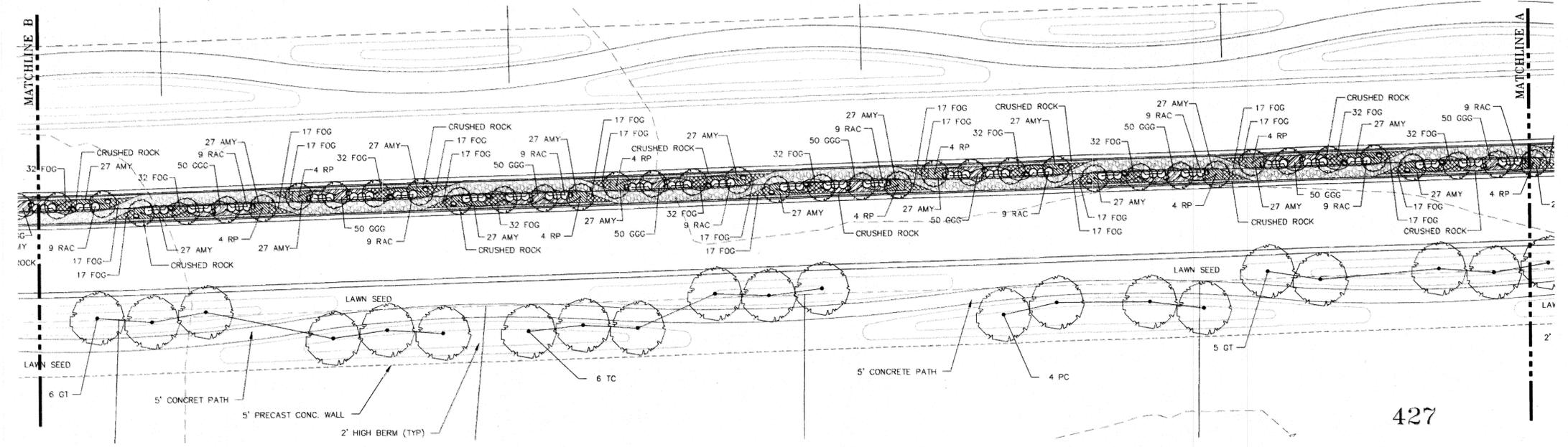
Curve Table					Curve Table						
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH	CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	1510.00	10°38'12"	280.32	N83°57'49"W	279.92	C71	49.00	7°29'54"	66.28	N35°53'27"W	61.34
C2	310.00	24°57'01"	134.99	N12°29'32"E	133.93	C72	49.00	6°31'32"	54.07	S73°44'51"W	51.37
C3	450.00	21°11'38"	166.46	S14°32'14"W	165.51	C73	959.00	0°30'56"	8.64	N88°16'27"E	8.64
C4	985.00	1°58'37"	33.98	N89°00'16"E	33.98	C74	957.33	1°27'41"	24.42	N89°15'45"E	24.42
C5	985.00	25°02'45"	430.58	N79°27'40"W	427.16	C75	48.76	37°18'25"	31.75	S59°59'03"E	31.19
C6	885.00	22°39'16"	349.92	N12°02'43"E	347.65	C76	49.07	10°00'702"	85.74	N51°18'14"E	75.24
C7	350.00	13°33'44"	82.85	N89°09'12"E	82.65	C77	49.00	101°56'54"	87.19	N49°49'18"W	76.13
C8	500.00	16°59'31"	148.28	N45°25'50"E	147.74	C78	49.00	37°47'34"	32.32	S60°18'28"W	31.74
C9	500.00	31°14'43"	272.67	S58°14'05"E	269.30	C79	1012.00	1°47'10"	31.55	S89°05'59"W	31.55
C10	650.00	28°40'14"	325.26	S39°39'45"W	321.88	C80	1012.00	0°11'26"	3.37	S88°06'41"W	3.37
C11	500.00	14°30'10"	126.56	S43°49'09"E	126.22	C81	958.00	9°47'45"	163.79	N87°05'10"W	163.59
C12	985.00	8°21'38"	143.73	N87°48'14"W	143.60	C82	958.00	10°01'38"	167.66	N77°10'28"W	167.44
C13	985.00	16°41'08"	286.85	N75°16'51"W	285.83	C83	958.00	5°13'22"	87.32	N69°32'58"W	87.29
C14	500.00	10°27'13"	91.22	N42°09'40"E	91.10	C84	472.00	12°56'02"	106.55	N43°24'05"E	106.32
C15	500.00	6°32'19"	57.06	N50°39'26"E	57.03	C85	472.00	4°03'29"	33.43	S51°53'51"W	33.42
C16	649.93	15°04'10"	170.94	S46°27'48"W	170.45	C86	677.98	2°02'42"	24.20	S52°58'31"W	24.20
C17	649.93	13°36'17"	154.32	S32°07'44"W	153.95	C92	527.00	10°49'21"	99.54	N45°59'33"W	99.40
C18	15.00	90°00'00"	23.56	N45°43'05"E	21.21	C93	621.90	12°53'25"	139.91	S31°44'26"E	139.62
C19	1538.96	4°34'21"	122.82	S86°59'45"E	122.78	C94	622.10	15°48'37"	171.66	N46°05'28"E	171.12
C21	16.00	48°34'58"	13.57	S64°59'26"E	13.16	C95	528.00	16°36'37"	153.07	N54°19'44"W	152.53
C22	49.00	27°09'55"	23.03	S00°43'05"W	64.83	C97	1483.79	5°17'15"	136.93	N83°13'37"W	136.88
C23	16.00	48°34'58"	13.57	S66°25'36"W	13.16	C98	472.00	16°49'16"	138.57	S55°03'10"E	138.07
C24	16.00	89°27'57"	24.98	N44°32'57"W	22.52	C99	913.00	2°43'52"	43.52	S22°00'24"W	43.52
C25	283.00	24°57'01"	123.24	N12°29'32"E	122.26	C100	913.00	7°34'14"	120.64	S16°51'21"W	120.55
C26	477.00	17°16'41"	143.84	S16°29'42"W	143.30	C101	917.82	11°39'29"	186.75	S07°12'38"W	186.43
C27	16.00	86°05'08"	24.04	N50°53'55"E	21.84	C102	1483.00	3°06'35"	80.49	N87°43'38"W	80.48
C28	958.00	1°58'37"	33.05	N89°00'16"E	33.05	C103	15.00	94°04'33"	24.63	N33°50'38"W	21.95
C29	16.00	48°34'58"	13.57	S65°42'57"E	13.16	C104	864.47	9°01'16"	136.11	N17°44'19"E	135.97
C30	49.00	27°09'55"	23.03	S00°00'26"E	64.83	C105	337.00	9°32'00"	56.07	S04°57'01"W	56.01
C31	16.00	48°34'58"	13.57	S65°42'05"W	13.16	C106	337.00	15°23'11"	90.68	S17°25'32"W	90.41
C32	1012.00	1°58'37"	34.92	N89°00'16"E	34.91	C107	1012.00	11°05'06"	195.80	S75°49'10"E	195.49
C33	958.00	25°02'45"	418.77	N79°27'40"W	415.45	C108	1011.94	3°12'20"	57.20	S68°33'27"E	57.19
C36	858.00	7°12'58"	108.06	N03°44'14"E	107.99	C109	857.00	4°48'55"	72.03	N20°57'53"E	72.01
C38	49.00	94°29'27"	80.81	N64°44'37"W	71.96	C110	857.00	9°42'00"	145.09	N13°42'25"E	144.92
C39	15.00	69°59'55"	18.32	N69°59'33"W	17.21	C111	864.90	7°22'24"	111.30	N05°08'10"E	111.23
C40	73.00	5°25'42"	6.92	N39°16'55"W	6.91	C112	1083.98	4°02'03"	76.32	N20°15'45"E	76.31
C41	49.00	27°43'34"	234.95	S25°22'27"W	66.38	C124	683.53	10°01'05"	119.51	N30°24'19"E	119.36
C42	527.00	3°40'49"	33.85	N38°24'28"W	33.84	C125	15.00	86°31'32"	22.65	N07°48'27"W	20.56
C43	49.00	98°31'19"	84.26	N31°45'46"E	74.25	C127	15.00	90°41'8"	23.62	N21°49'09"W	21.26
C45	127.00	11°15'42"	24.96	S49°57'10"E	24.92	C128	15.00	89°41'22"	23.48	N68°13'01"E	21.16
C46	1538.96	3°53'29"	104.52	S82°45'50"E	104.50	C129	378.00	13°33'44"	89.47	S30°09'12"W	89.27
C47	15.00	91°50'12"	24.04	N53°15'49"E	21.55	C130	326.45	13°26'52"	76.62	N30°07'02"E	76.44
C48	15.00	90°00'00"	23.56	S44°16'55"E	21.21	C131	15.00	82°09'03"	21.51	N87°05'46"W	19.71
C49	1084.00	8°49'46"	167.05	N09°20'47"E	166.88	C132	15.00	89°22'07"	23.40	S01°57'29"E	21.10
C50	15.00	87°37'08"	22.94	N30°02'52"W	20.77	C133	15.00	90°41'51"	23.74	N43°50'00"W	21.34
C51	14.99	87°56'56"	20.01	N62°11'33"E	20.82	C134	15.00	89°22'02"	23.40	S46°02'04"W	21.10
C52	15.00	38°19'15"	13.03	S36°25'24"E	9.85	C145	1538.97	8°27'30"	227.34	N85°03'00"W	227.14
C53	49.00	81°42'49"	69.88	S58°07'11"E	64.11						
C56	678.00	9°32'54"	112.99	N47°10'43"E	112.86						
C57	15.00	86°31'31"	22.65	N85°40'01"E	20.56						
C58	1483.00	8°24'00"	217.42	N85°04'55"W	217.23						
C59	473.00	14°30'10"	119.73	S43°49'09"E	119.41						
C60	16.00	90°32'03"	25.28	S45°27'03"W	22.73						
C61	337.00	24°57'01"	146.75	N12°29'32"E	145.59						
C62	423.00	16°57'28"	125.19	S16°39'18"W	124.74						
C63	16.00	89°26'18"	24.98	S36°32'34"E	22.52						
C64	1012.00	14°19'26"	253.00	N74°06'00"W	252.34						
C65	127.00	7°45'15"	17.19	S40°26'41"E	17.17						
C66	100.00	42°23'49"	74.00	N57°45'58"W	72.32						
C69	48.95	59°01'00"	50.42	S70°10'17"E	48.22						
C70	49.00	77°29'54"	66.28	N41°36'27"E	61.34						

Curve Table					Curve Table						
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH	CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C71	49.00	7°29'54"	66.28	N35°53'27"W	61.34	C101	917.82	11°39'29"	186.75	S07°12'38"W	186.43
C72	49.00	6°31'32"	54.07	S73°44'51"W	51.37	C102	1483.00	3°06'35"	80.49	N87°43'38"W	80.48
C73	959.00	0°30'56"	8.64	N88°16'27"E	8.64	C103	15.00	94°04'33"	24.63	N33°50'38"W	21.95
C74	957.33	1°27'41"	24.42	N89°15'45"E	24.42	C104	864.47	9°01'16"	136.11	N17°44'19"E	135.97
C75	48.76	37°18'25"	31.75	S59°59'03"E	31.19	C105	337.00	9°32'00"	56.07	S04°57'01"W	56.01
C76	49.07	10°00'702"	85.74	N51°18'14"E	75.24	C106	337.00	15°23'11"	90.68	S17°25'32"W	90.41
C77	49.00	101°56'54"	87.19	N49°49'18"W	76.13	C107	1012.00	11°05'06"	195.80	S75°49'10"E	195.49
C78	49.00	37°47'34"	32.32	S60°18'28"W	31.74	C108	1011.94	3°12'20"	57.20	S68°33'27"E	57.19
C79	1012.00	1°47'10"	31.55	S89°05'59"W	31.55	C109	857.00	4°48'55"	72.03	N20°57'53"E	72.01
C80	1012.00	0°11'26"	3.37	S88°06'41"W	3.37	C110	857.00	9°42'00"	145.09	N13°42'25"E	144.92
C81	958.00	9°47'45"	163.79	N87°05'10"W	163.59	C111	864.90	7°22'24"	111.30	N05°08'10"E	111.23
C82	958.00	10°01'38"	167.66	N77°10'28"W	167.44	C112	1083.98	4°02'03"	76.32	N20°15'45"E	76.31
C83	958.00	5°13'22"	87.32	N69°32'58"W	87.29	C113	472.00	10°23'38"	85.62	S68°39'37"E	85.51
C84	472.00	12°56'02"	106.55	N43°24'05"E	106.32	C114	528.00	11°13'34"	103.45	N68°14'39"W	103.29
C85	472.00	4°03'29"	33.43	S51°53'51"W	33.42	C117	1012.00	5°55'31"	104.66	N89°01'17"W	104.61
C86	677.98	2°02'42"	24.20	S52°58'31"W	24.20	C124	683.53	10°01'05"	119.51	N30°24'19"E	119.36
C92	527.00	10°49'21"	99.54	N45°59'33"W	99.40	C125	15.00	86°31'32"	22.65	N07°48'27"W	20.56
C93	621.90	12°53'25"	139.91	S31°44'26"E	139.62	C127	15.00	90°41'8"	23.62	N21°49'09"W	21.26
C94	622.10	15°48'37"	171.66	N46°05'28"E	171.12	C128	15.00	89°41'22"	23.48	N68°13'01"E	21.16
C95	528.00	16°36'37"	153.07	N54°19'44"W	152.53	C129	378.00	13°33'44"	89.47	S30°09'12"W	89.27
C97	1483.79	5°17'15"	136.93	N83°13'37"W	136.88	C130	326.45	13°26'52"	76.62	N30°07'02"E	76.44
C98	472.00	16°49'16"	138.57	S55°03'10"E	138.07	C131	15.00	82°09'03"	21.51	N87°05'46"W	19.71
C99	913.00	2°43'52"	43.52	S22°00'24"W	43.52	C132	15.00	89°22'07"	23.40	S01°57'29"E	21.10
C100	913.00	7°34'14"	120.64	S16°51'21"W	120.55	C133	15.00	90°41'51"	23.74	N43°50'00"W	21.34
C101	917.82	11°39'29"	186.75	S07°12'38"W	186.43	C134	15.00	89°22'02"	23.40	S46°02'04"W	21.10
C102	1483.00	3°06'35"	80.49	N87°43'38"W	80.48						
C103	15.00	94°04'33"	24.63	N33°50'38"W	21.95						
C104	864.47	9°01'16"	136.11	N17°44'19"E	135.97						

PRELIMINARY
IVORY - DRY CREEK HIGHLANDS
HIGHLAND, UTAH
LANDSCAPE DETAIL



- LANDSCAPE NOTES:**
1. LAWN AREAS SHALL BE HYDROSEEDING WITH SILVA FIBER MULCH.
 2. STREET TREES SHALL NOT BE PLANTED CLOSER THAN 1.5' FROM CURB.
 3. GUTTER OR FENCE.
 4. EACH TREE PLANTED IN THE LAWN AREA MUST HAVE A 24" CONCRETE MOW RING.
 5. ALL TREES SHALL BE PROPERLY STAKED AND GUARANTEED FOR 18 MONTHS AFTER PLANTING.
 6. ALL PLANTER BEDS SHALL HAVE 2" DEPTH SHREDDED BARK MULCH.
 7. PLANTER BEDS AGAINST LAWN SHALL HAVE A CONCRETE MOW EDGE.
 8. PERENNIAL PLANTS TO BE ONE GALLON SIZE.
 9. SEE HIGHLAND CITY FOR STANDARD PLANTING DETAILS.



- LEGEND**
- FOG Festuca ovina glauca (Space plants 12" o.c.)
 - AMY Achillea 'Moonshine' (Space plants 12" o.c.)
 - GGG Gallardia grandiflora 'Goblin' (Space plants 12" o.c.)
 - 3" DEPTH OF 1/2" TO 1-1/2" CRUSHED ROCK OVER WEED BARRIER FABRIC
 - 6" DEPTH OF 3" TO 12" RIVER ROCK TO MATCH AFLINE HIGHWAY MEDIAN OVER WEED BARRIER FABRIC
 - 2" TO 3" DIAMETER LANDSCAPE ROCKS (81 ROCKS TOTAL)

PERENNIAL SCHEDULE

BOTANICAL NAME	COMMON NAME
Aconitum bicolor	M Monkhood
Aster frikartii	Aster
Astilbe species	Goatsbeard
Bergenia cordifolia	Saxifrage
Brunnera macrophylla	Heartleaf Brunnera
Campanula rotundifolia	Bellflower
Chrysanthemum maximum	Shasta Daisy
Dianthus gratiopolitanus	Cottage Pink
Hemerocallis stellata d'oro	Day Lily
Iberis sempervirens	Candy Tuft
Iris cristata	Crested Iris
Iris sibirica	Siberian Iris
Knapthofia flame	Red Hot Poker
Lavandula angustifolia	Lavender
Lupinus hybrid	Lupines
Rudbeckia goldatum	Blackeyed Susan
Salvia superba	Meadow Sage

Note: Plant in groups of 6 to 12 with 12" to 18" spacing.

PLANT MATERIAL LIST

KEY	BOTANICAL NAME	COMMON NAME	SIZE
GT	Gleditsia triacanthos l. 'Shademaster'	SHADEMASTER HONEYLOCUST	2" CAL
PC	Pyrus calleryana 'Redspire'	REDSPIRE FLOWERING PEAR	2" CAL
RP	Robinia Pseudacacia 'Purple Robe'	PURPLE ROBE BLACK LOCUST	1 1/2" CAL
TC	Tilia cordata 'Greenspire'	LITTLELEAF LINDEN	2" CAL

KEY

KEY	BOTANICAL NAME	COMMON NAME	SIZE
AMY	Achillea 'Moonshine'	YARROW	#1
BTN	Berberis Thunbergii s. nana	CRIMSON FIGMY BARBERRY	#1
CHR	Cotoneaster horizontalis	ROCK COTONEASTER	#5
FOG	Festuca ovina glauca	FESCUE GRASS	#1
GGG	Gallardia grandiflora 'Goblin'	BLANKET FLOWER	#1
JHB	Juniperus horizontalis 'Blue Chip'	BLUE CHIP JUNIPER	#5
RAC	Ribes alpinum 'Green Mound'	GREEN MOUND CURRENT	#5
SBC	Spiraea bumalda 'Crispa'	CRISPA SPIREA	#2

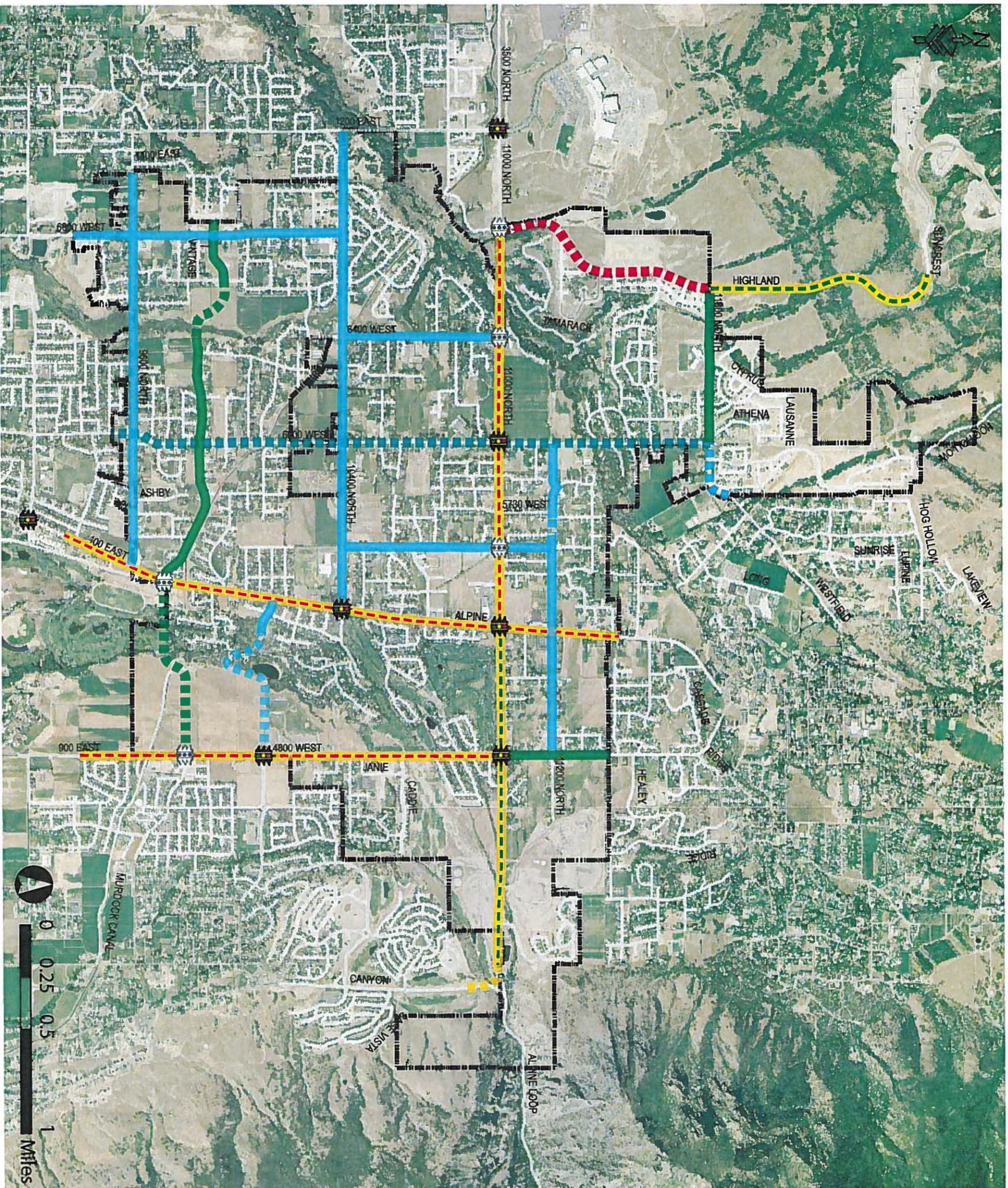
REVISION BLOCK

#	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

LANDSCAPE DETAIL

Scale: NONE Drawn: BP
Date: 3/17/2014 Job #: 14-003
Sheet: C5

427



MAP 3-2 RECOMMENDED TRANSPORTATION NETWORK

- 5-Lane Arterial - Constructed
- - - 5-Lane Arterial - Proposed
- 3-Lane Major Collector - Constructed
- - - 3-Lane Major Collector - Proposed
- 3-Lane Minor Collector - Proposed
- - - 2-Lane Residential Collector - Constructed
- · · 2-Lane Residential Collector - Proposed
- - - Other Jurisdiction (State, County, Municipal)
- Highland City
- Existing Signals
- Planned Signals

Highland City
General Plan Update



Modified by Highland
City Staff
January 2008



CITY COUNCIL AGENDA REPORT

Item # 14

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Nathan Crane, AICP
Community Development Director

SUBJECT: ROCKY MOUNTAIN POWER IS REQUESTING APPROVAL OF A CONDITIONAL USE PERMIT TO UPGRADE THE EXISTING POWER LINE CORRIDOR ON THE SOUTH SIDE OF SR92 (CU-14-01).

STAFF RECOMMENDATION:

The City Council review a request by Rocky Mountain Power for a conditional use permit to upgrade an existing power line on the south side of SR92 from 5600 West to Highland Boulevard.

BACKGROUND:

Section 3-622 of the Development Code requires a conditional use permit for the repair or replacement of above ground transmission lines.

A Conditional Use Permit is an administrative action.

SUMMARY OF REQUEST:

1. The applicant is requesting to upgrade the existing power line corridor on SR 92 from 5600 West to Highland Boulevard. The upgrade will add 21 poles with new wood poles up to 64 feet in height. The new poles will accommodate a 138 kv transmission line. The request also includes future plans for additional transmission lines within the corridor.

CITIZEN PARTICIPATION:

The neighborhood meeting was held on March 12, 2014. Notice of the neighborhood meeting was sent to 200 property owners on February 17, 2014. The neighborhood meeting notice sign was posted on February 25, 2014. Ten property owners attended the meeting. A summary of the meeting is attached.

Notice of the April 22, 2014 Planning Commission meeting was published in the Daily Herald on April 6, 2014. Notification letters were mailed out to 200 property owners on April 2, 2014. One request for additional information was received.

Notification is not required for the City Council meeting.

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.**

SR 92 is five lane arterial street and a major transportation corridor. It runs from 1-15 on the west to American Fork Canyon on the east.

The property along the corridor is zoned R-1-40, R-1-20 and Residential Professional.

Upgrading the existing transmission line corridor is a preferable option to building an additional corridor in an alternative location.

- 2. The use complies with all applicable regulations in the Development Code.**

The proposed use complies with the provisions of Section 3-622 Public, Private and Individual Utilities of the Development Code.

- 3. Conditions are imposed to mitigate any detrimental effects.**

Three stipulations have been included to ensure compliance with the Development Code.

CONCLUSION:

Based on the information provided by the applicant and the analysis by staff, the proposed conditional use appears to meet the required findings for approval.

PLANNING COMMISSION ACTION:

The Planning Commission held a public hearing on April 22, 2014. No one spoke in favor or opposition of the project. The Planning Commission discussion focused the technical aspects of the project. The Commission voted 5-0 to recommend approval of the conditional use permit subject to the following stipulations:

1. The project shall be completed in substantial conformance with the project plan and narrative date stamped April 17, 2014.

2. The applicant shall provide approval from the irrigation companies when the poles are being replaced adjacent to irrigation pipes, ditches or facilities.
3. The applicant shall obtain the appropriate right-of-way permits from UDOT and Highland City as applicable.

PROPOSED MOTION:

I move that the City Council accept the findings and **APPROVE** case CU-14-01 a request for conditional use permit approval subject to the three stipulations recommended by the Planning Commission.

ALTERNATIVE MOTION:

I move that the City Council deny the proposed conditional use permit subject to the following findings: (The Council should draft appropriate findings).

FISCAL IMPACT:

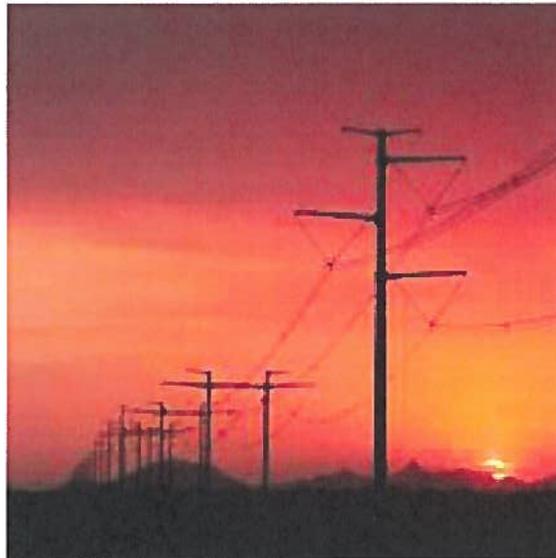
Unknown

ATTACHMENTS:

- Proposed Transmission Line Upgrade Project Plan and Narrative
- Neighborhood Meeting Summary



Highland - Lehi 138kV Transmission Line Upgrade



Highland City Conditional Use Permit Application Packet

0. Table of Contents

Section

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1. Purpose, Necessity and Short Summary

Rocky Mountain Power is committed to providing safe and reliable energy to its communities. The Highland-to-Lehi transmission line upgrade will improve voltage support and reliability in the Highland City area. The upgrade will include the replacement of 20 poles and increasing the size of the conductor. The replacement poles average a height of 64 ft.

This improvement will significantly increase electric capacity in the area.

2. Site Map

3. Plan and Profile

4. Pole Detail & Elevations

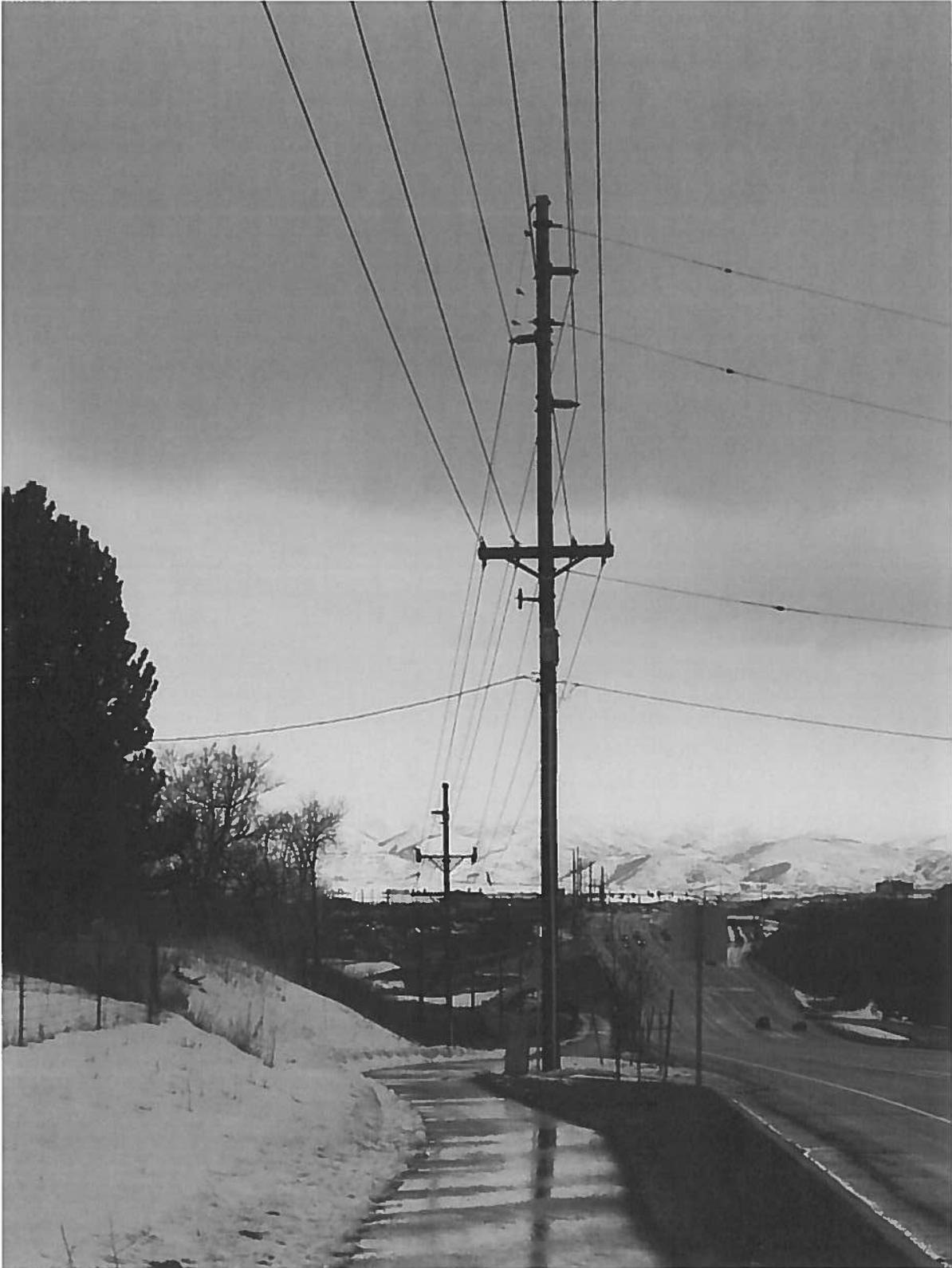
Structure Number	Total Structure Height (ft)	Embedment Depth (ft)	Height Above Ground Level (ft)	STRUCTURE TYPE
FUTURE HIGHLAND SUB	30	0	30	(TYPE, HEIGHT, CLASS)
1 FUTURE	83.5	11.5	72	TG252-STEEL
2 FUTURE	83.5	11.5	72	TG251-STEEL
3 EXISTING	70	0	70	TG285-85'-STEEL
4 EXISTING	70	0	70	TG271-90-H5
5 EXISTING	70	0	70	TG271-90-H5
6 EXISTING	70	0	70	TG271-90-H5
7 EXISTING	70	0	70	TG271-90-H5
8 EXISTING	70	0	70	TG271-90-H4
9 EXISTING	70	0	70	TG271-90-H4
10 EXISTING	70	0	70	TG271-90-H4
11 EXISTING	70	0	70	TG271-90-H4
12 EXISTING	70	0	70	TG271-90-H4
13 EXISTING	70	0	70	TG271-90-H4
14 EXISTING	70	0	70	TG271-90-H4
15 EXISTING	70	0	70	TG285-85'-STEEL
16 NEW	72.5	12.5	60	TG201-85-H2
17 NEW	72.5	12.5	60	TG201-85-H2
18 NEW	72.5	12.5	60	TG201-85-H2
19 NEW	72.5	12.5	60	TG201-85-H2
20 NEW	72.5	12.5	60	TG201-85-H2
21 NEW	72.5	12.5	60	TG201-85-H2
22 NEW	72.5	12.5	60	TG201-85-H2
23 NEW	72.5	12.5	60	TG201-85-H2
24 NEW	72.5	12.5	60	TG201-85-H3
25 NEW	72.5	12.5	60	TG201-85-H3
26 NEW	75	15	60	TG201-90-STEEL
27 NEW	72.5	12.5	60	TG201-85-H3
28 NEW	75	15	60	TG201-90-STEEL
29 NEW	72.5	12.5	60	TG201-85-H2
30 NEW	72.5	12.5	60	TG201-85-H2
31 NEW	72.5	12.5	60	TG201-85-H3
32 NEW	72.5	12.5	60	TG201-85-H2
33 NEW	72.5	12.5	60	TG201-85-H2
34 EXISTING	72.5	12.5	60	TG201-70-H1

5. Old Structures

Examples of poles being replaced



Examples of poles being replaced



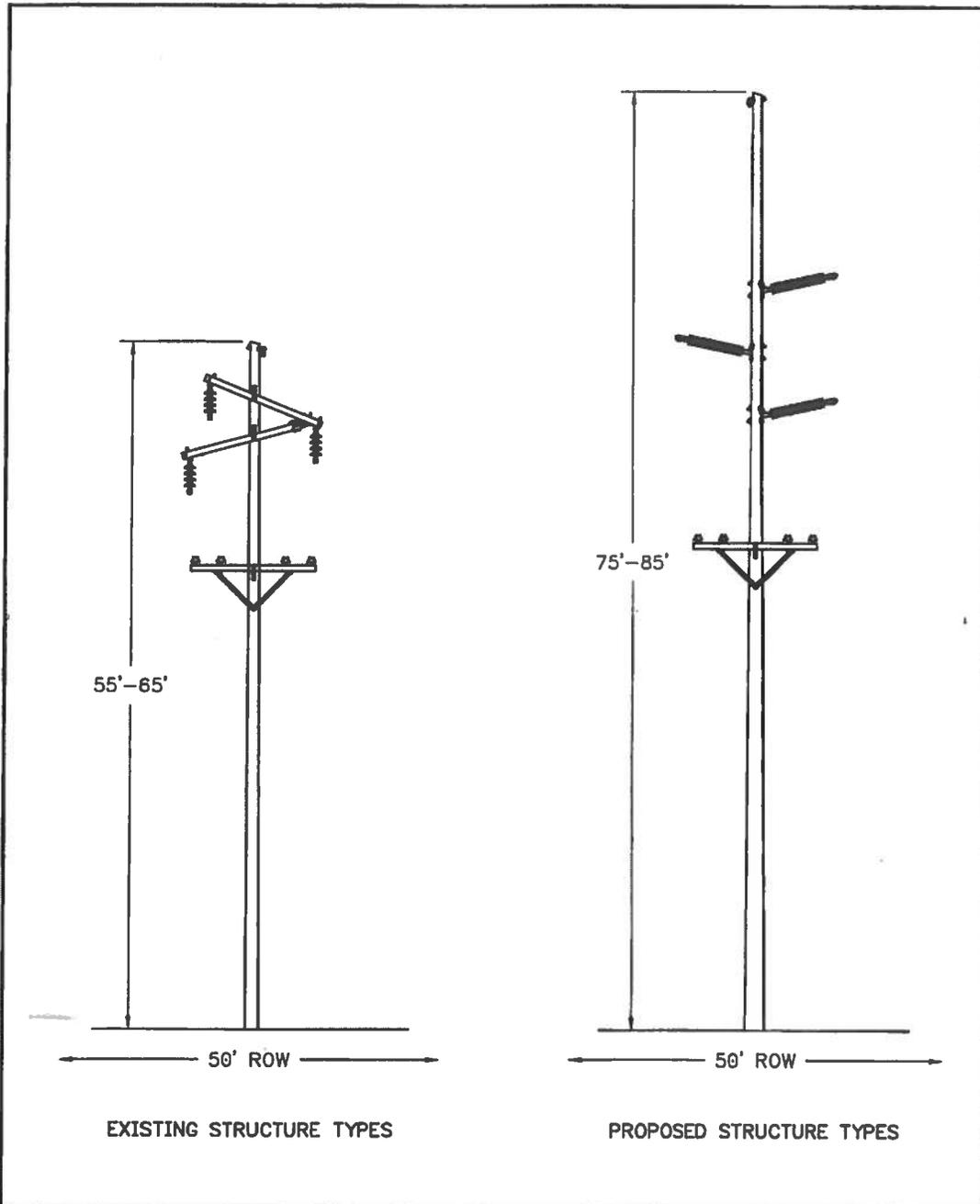
6. New Structures

Example of new pole



7. Structure Comparison

Drawing of the typical structure comparison



NO.	DATE	REVISIONS	ENGINEER	DES./ DR.	CHECKED	APPROVED
TRANSMISSION			HIGHLAND - LEHI 138 KV LINE REBUILD PROJECT EXISTING & PROPOSED CONDITIONS 138 KV STRUCTURES			
DISCIPLINE ENG.	PROJ/ENG 16650457	IFL				
PROJECT ENG.	DATE 2/17/2014					
	ENG: JFO	DES: SDB				
	DR: BCF	CR: SDB	167878.001			
APPROVAL ENG.	SCALE: NONE					
FRANC P. OWSEN						

8. Equipment

Bucket Truck



Boom Truck/Crane



9. Community Outreach

We will notify all affected customers of the outage at least 48 hours in advance. If we need to access their property we will contact the land owner at least a week in advance to coordinate access into their property. We will ensure all affected areas are reclaimed/landscaped back to the condition prior to construction.

10. Construction Plan

It is anticipated that the RMP crews will start on the west end of the project at the Lehi Substation and move east to the Highland Substation replacing structures. The line will be constructed as per the work-to-be-done-list.

11. Traffic Control Plan

RMP will adhere to City and State traffic control measures.

12. Outage Plan

This will require two outages to install the new structures and conductor. RMP will coordinate the outages for this project.

13. Reclamation Plan

Rocky Mountain Power shall restore disturbed areas to pre-disturbance conditions to the maximum extent practicable following construction activities.

14. Baseline Schedule & Goal Dates

Notice to Proceed:	March 2014
Issued for Construction:	March 2014
Begin Construction:	April 2014
Substantially Complete:	June 2014

15. Safety

Rocky Mountain Power is committed to an accident-free workplace. To achieve this, we actively support efforts to create and maintain safe work environments, promote employee health, and continually improve our health and safety performance. RMP crews will follow all safety policies while performing this work.

The transmission line upgrade 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 transmission line upgrade will comply with applicable regulations and conditions specified in the Highland City Development Code for such use.

Rocky Mountain Power

Neighborhood Notification Meeting

March 12, 2014

5:30 – 7:30 PM

Meeting Summary

The Neighborhood Notification Meeting was held March 12, 2014 from 5:30 – 7:30 PM at the Highland City Office Building at 5400 W. Civic Center Drive.

The purpose of the meeting was to discuss the Highland-Lehi 138kV Transmission Line upgrade. The transmission line upgrade will improve voltage support and reliability in the Highland City area. The upgrade will include the replacement of 20 poles and an increase in the size of the conductor. This improvement will significantly increase electric capacity in the area.

The meeting included a PowerPoint presentation showing the current transmission line, photos of what the line will look like once the changes have been made, maps showing the line, pictures of pole detail and elevations, and photos of the trucks that may be used during the upgrade project. A copy of the presentation was made available to the attendees.

Ten customers/residents attended the meeting and general questions regarding the line were addressed. Most were concerned about how it would impact them and after the presentation they realized that there was low impact. No power outages are required and residents will be notified when the work begins. However, one resident was concerned about proximity of the line and exposure to EMF by the students at the elementary school. She mentioned that she had researched information about EMF on the internet and didn't understand transmission lines and its impact. Rocky Mountain Power explained that extensive research on EMF exposure and safety has been conducted by international and national scientists. The results from this research have been evaluated by reputable international and national scientific and public health organizations and agencies. The company relies on the evaluations from these organizations and agencies when assessing potential risks. All of our proposed transmission facilities follow the rules, regulations and standards for electromagnetic field exposure to provide safe and reliable electric service. It was also explained that the electric fields near transmission lines are typically stronger than those found in homes because they have a higher voltage, however, the magnetic fields around electrical appliances in homes can be as high as or higher than the magnetic fields near outdoor power lines and that more information could be found on the company internet site. No additional information was requested.

An attendee inquired about undergrounding the transmission line. There was discussion about the high cost being prohibitive and that the requester for underground service would be responsible for payment. Also, it was stated that there is more exposure to EMF because of the closer proximity.

Two of the attendees made requests for the old poles. Rocky Mountain Power said that all they need to do is talk with the crew when they are there, fill out a release form and they will be happy to give them the poles.

Rocky Mountain Power

Nathan Crane

From: Rodeback, Delynn <Delynn.Rodeback@rockymountainpower.net>
Sent: Friday, March 21, 2014 10:06 AM
To: Hoffman, Kathleen
Subject: Highland Lehi 138kV Transmission Upgrade Project

Kathy,

The following are property owners who either attended the meeting or who I reviewed the project with at their homes on March 20th.

Attended the meeting: James and Carol Emery 10987 N. 6400 W. Highland

Reviewed project details:

1. Anna Purser 10980 N. 6000 W. Highland
2. Kelly Griffiths 10986 N. 5870 W. Highland
3. Jennifer Tupilla 11026 N. 5730 W. Highland
4. Mrs. Webb 10984 N. 5730 W. Highland
5. Vicki Forsyth 11000 N. 5930 W. Highland
6. Gwen Squires 11000 N. 5950 W. Highland

I also attempted at least another 6 contacts along the route but no one was home.

Delynn

*Delynn Rodeback
Rocky Mountain Power
Right of Way Services
1407 W. North Temple
SLC, Utah 84116
801-220-4627 O
801-376-8763 C
Delynn.rodeback@rockymountainpower.net*



CITY COUNCIL AGENDA REPORT

Item # 15

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Matthew F. Shipp, P.E.
Public Works Director/City Engineer

SUBJECT: DRY CREEK SEWER PROJECT

STAFF RECOMMENDATION:

Direct staff to proceed with the Request for Qualifications to hire an engineering firm to design the Dry Creek sewer line.

BACKGROUND:

With the growth of the northwest area of Highland, it has become necessary to move forward with recommendations put forward in the September 2007 Wastewater Collection System Master Plan. The WCSMP calls for the upsizing of a sewer line in the Dry Creek subdivision that runs from 6000 West to the Dry Creek Sewer Lift Station. The sewer line is nearing capacity and needs to be upsized to meet the growth of the northwest area.

Staff would like to move forward with request for qualifications from chosen firms for the design of the line upsizing and preparation of the bid package.

The process will be as follows:

- Approval from City Council to go out for Request For Qualifications.
- Approval from City Council for the contract to design (cost for the design will be seen at this phase).
- Approval from City Council to bid the construction project (engineers estimate on the construction cost will be during this phase).
- Approval from City Council to award the construction contract (actual construction cost will be known during this phase).
- Construction of the sewer line.

Money for this project will come from the Sanitary Sewer Impact fee money collected for these types of projects.

FISCAL IMPACT:

There is no fiscal impact for the RFQ. Costs for the design team will be brought back to the City Council for approval of the contract.

ATTACHMENTS:

- Aerial map showing the location and the line to be upsized



CITY COUNCIL AGENDA REPORT

Item # 16

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Matthew F. Shipp, P.E.
Public Works Director/City Engineer

SUBJECT: STORM WATER COALITION INTERLOCAL AGREEMENT WITH UTAH COUNTY

STAFF RECOMMENDATION:

Approve the agreement with Utah County and authorize the Mayor to sign the agreement for the Storm Water Coalition with Utah County.

BACKGROUND:

As part of the National Pollutant Discharge Elimination System (NPDES) Phase II permitting process, the City elected to join the Utah County Coalition. By joining this coalition, there are parts of the permitting process that the coalition does for the entire county such as public education and training as required by the permitting.

This agreement is an update of the original agreement signed by the City and the coalition in 2008. The difference between the two agreements is the duration of time. The 2008 agreement ended on December 31, 2013 and the new agreement is for a 50 year duration meaning it will be renewed without action unless an entity chooses to opt out per the agreement.

FISCAL IMPACT:

The annual cost for the coalition is \$2,500.00 per year.

ATTACHMENTS:

- Interlocal Agreement

**INTERLOCAL COOPERATION AGREEMENT FOR NPDES
PHASE II STORM WATER PUBLIC EDUCATION AND
OUTREACH BEST MANAGEMENT PRACTICE COMPLIANCE**

THIS AGREEMENT, is entered into this _____ day of _____, 2014, by and between PROVO, OREM, PLEASANT GROVE, AMERICAN FORK, SPRINGVILLE, SPANISH FORK, LEHI, PAYSON, UTAH COUNTY, LINDON, HIGHLAND, ALPINE, MAPLETON, SALEM, CEDAR HILLS, and EAGLE MOUNTAIN, political subdivisions of the State of Utah.

WITNESSETH:

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953 as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative action; and

WHEREAS, the parties to this Agreement are public agencies as defined in the Interlocal Cooperation Act; and

WHEREAS, the parties desire to establish a joint undertaking to comply with National Pollution Discharge Elimination System (NPDES) Phase II Storm Water Permit Coverage;

NOW, THEREFORE, the parties do mutually agree, pursuant to the terms and provisions of the Interlocal Cooperation Act, as follows:

Section 1. EFFECTIVE DATE; DURATION

This Interlocal Cooperation Agreement shall become effective and shall enter into force, within the meaning of the Interlocal Cooperation Act, upon the submission of this Interlocal Cooperation Agreement to, and the approval and execution thereof by Resolution of the governing

bodies of each of the parties to this Agreement. Unless otherwise terminated as provided for herein, this Interlocal Cooperation Agreement shall be effective for a period of up to, but not exceeding, fifty (50) years. This Interlocal Cooperation Agreement shall not become effective until it has been approved by Resolution of all parties and reviewed as to proper form and compliance with applicable law by the attorney authorized to represent each of the parties hereto. Prior to becoming effective, this Interlocal Cooperation Agreement shall be filed with the official keeper of records of each of the parties hereto.

Section 2. ADMINISTRATION OF AGREEMENT

The parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Interlocal Cooperation Agreement. The parties hereto agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953 as amended, UTAH COUNTY shall act as the administrator responsible for the administration of this Interlocal Cooperation Agreement. The parties further agree that this Interlocal Cooperation Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as the Utah County Clerk/Auditor shall specify and further agrees that said books shall be open for examination by all parties to this Agreement, at reasonable times. The parties agree that they will not acquire, hold nor dispose of real or personal property pursuant to this Interlocal Agreement during this joint undertaking.

Section 3. PURPOSES

This Interlocal Cooperation Agreement has been established and entered into between the parties, for the purpose of a joint undertaking to comply with NPDES Phase II Storm Water Permit Public Education and Outreach Best Management Practices.

Section 4. MANNER OF FINANCING

The parties agree that they shall provide the following resources and/or assistance for this joint undertaking:

- a. COUNTY shall act as the administrator of this Agreement, pursuant to the terms of Section 2 hereof, and shall :
 1. Schedule and conduct Utah County Storm Water Coalition meetings which are necessary to correlate activities, set proposed budgets, and provide training opportunities.
 2. Provide information regarding best management practices for preventing storm water pollution that can be placed in a newsletter or other form of communication as determined by each member agency to be distributed to the public as each agency deems appropriate.
 3. Maintain contract with approved Storm Water Educational Instructor and ensure proper teaching material is being presented. Maintain a master list of approved schools to be given to approved Storm Water Educational Instructor. Provide for each member agency a list of schools visited, the dates of all visits, an estimated number of attending students, and the number of classes taught.
 4. Become a central warehouse for storm water educational materials and provide on demand materials for distribution. These materials could include informational pamphlets, activity books, pencils, note pads, magnets, videos, etc.
 5. Maintain storage of display information for booths to be used for city and

county activities and other events.

6. Provide, maintain, and promote an information system to the public for the disposal of household materials and chemicals to include internet and phone services. Citizens will be able to call a local, countywide phone number or access a website where gathered information for disposal sites will be distributed.
- b. Each party to this agreement will pay to Utah County within 30 days of receipt of an annual invoice from Utah County, the sums listed in Exhibit A to this Agreement, said sums to be used solely for the NPDES Storm Water Phase II Public Education and Outreach Best Management Practices. The sums listed in Exhibit A shall be reviewed, approved, and modified by agency representatives on an annual basis, based on a combination of the percentage of the party's total population to the total population of the County as determined by the most recent Mountainland Association of Government figures and the percentage of the party's total number of schools to the total school count as submitted by the member agencies.

Section 5. METHOD OF TERMINATION

This Interlocal Cooperation Agreement will automatically terminate at the end of its term herein, pursuant to the provisions of paragraph one (1) of this Agreement. Prior to the automatic termination at the end of the term of this Agreement, any party to this Agreement may terminate its participation in and responsibilities under this Agreement at any time and for any reason by providing a sixty (60) day written notice of termination to the other parties. This Agreement may not be terminated in any event, if termination would cause a violation of the parties' NPDES Storm Water Permit.

Section 6. INDEMNIFICATION

The parties to this Agreement are public entities. Each party agrees to indemnify and save harmless the other for damages, claims, suits, and actions arising out of a negligent error or omission of its own officials or employees in connection with this Agreement.

Section 7. ADDITION OF OTHER MEMBERS

Other entities may become parties to this Interlocal Cooperation Agreement, by executing an Addendum to this Agreement. In order for an entity to be added to this Agreement by Addendum, the Addendum must be approved by resolution of the governing body of the entity to be added and the Addendum must be reviewed for proper form and compliance with applicable law by the attorney for the entity to be added. Prior to becoming effective, this Interlocal Cooperation Agreement and any Addendum shall be filed with the official keeper of records of the entity being added to this Agreement.

Section 8. FILING OF INTERLOCAL COOPERATION AGREEMENT

Executed copies of this Interlocal Cooperation Agreement shall be filed with the official keeper of records of all parties to this Agreement and shall remain on file for public inspection during the term of this Interlocal Cooperation Agreement.

Section 9. ADOPTION REQUIREMENTS

This Interlocal Cooperation Agreement shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Section 11-13-202.5(3), Utah Code Annotated, 1953 as amended, and (d) filed in the official records of each party.

Section 10. LAWFUL AGREEMENT

The parties represent that each of them has lawfully entered into this Agreement, having complied with all relevant statutes, ordinances, resolutions, by-laws, and other legal requirements applicable to their operation.

Section 11. AMENDMENTS

This Interlocal Cooperation Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Section 11-13-202.5(3), Utah Code Annotated, 1953 as amended, and (d) filed in the official records of each party.

Section 12. SEVERABILITY

If any term or provision of the Interlocal Cooperation Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Interlocal Cooperation Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law which would render any of the terms of this Interlocal Cooperation Agreement unenforceable.

Section 13. NO PRESUMPTION

Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against the party, by reason of the rule of construction that a document is to be construed more strictly against the person who himself or through his agents prepared the same, it being

acknowledged that all parties have participated in the preparation hereof.

Section 14. BINDING AGREEMENT

This Agreement shall be binding upon the heirs, successors, administrators, and assigns of each of the parties hereto.

Section 15. NOTICES

All notices, demands and other communications required or permitted to be given hereunder shall be in writing and shall be deemed to have been properly given if delivered by hand or by certified mail, return receipt requested, postage paid, to the parties' recorder or clerk/auditor as the case may be; or at such other addresses as may be designated by notice given hereunder.

Section 16. ASSIGNMENT

The parties to this Agreement shall not assign this Agreement, or any part hereof, without the prior written consent of all other parties to this Agreement. No assignment shall relieve the original parties from any liability hereunder.

Section 17. GOVERNING LAW

All questions with respect to the construction of this Interlocal Cooperation Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

Section 18. ENTIRE AGREEMENT

This Agreement shall constitute the entire Agreement between the parties and any prior understanding or representation of any kind proceeding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

IN WITNESS WHEREOF, the parties have signed and executed this Interlocal Cooperation Agreement, after resolutions duly and lawfully passed, on the dates listed below:

UTAH COUNTY

Authorized by Resolution No. _____, authorized and passed on the _____ day of _____, 2014.

**BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH**

By: _____
GARY J. ANDERSON, Chairman

ATTEST: Bryan Thompson
Utah County Clerk/Auditor

By: _____
Deputy

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:
Jeff Buhman, Utah County Attorney

By: _____
Deputy Utah County Attorney

PROVO CITY STORM WATER SERVICE DISTRICT

TITLE

ATTEST: _____
RECORDER FOR DISTRICT

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR DISTRICT

CITY OF OREM

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF PLEASANT GROVE

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF AMERICAN FORK

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF SPRINGVILLE

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF SPANISH FORK

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF LEHI

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF PAYSON

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF LINDON

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF HIGHLAND

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF ALPINE

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF MAPLETON

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF SALEM

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF CEDAR HILLS

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF EAGLE MOUNTAIN

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY



CITY COUNCIL AGENDA REPORT

Item # 17

DATE: Tuesday, May 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Matthew F. Shipp, P.E.
Public Works Director/City Engineer

SUBJECT: VICTOR PROPERTY SITE REVIEW

STAFF RECOMMENDATION:

Move forward with master planning the Victor Property as a future Public Works Yard.

BACKGROUND:

Staff was directed by City Council to look at the Victor Property as a possible location for a public works storage shed to be used for storage of lawn equipment. Staff was also asked to evaluate other properties and a report was previously filed with the City Council regarding those properties.

Staff has always been in favor of the Victor Property as a possible location for moving the storage building from the HW site. In evaluating the Victor Property staff looked at the possibility of moving the public works yard from the mouth of American Fork Canyon and moving the operations to this location. The reason for the interest in the move is the lack of space at the existing yard. Staff does not have a reason as to why the yard was built the size it was as no one was here during that decision process but it can be assumed that at the time, it met the required need at that time.

Staff is recommending that instead of just using this property for a single storage building, that the City Council authorize a full master planned site evaluation for this location for a new public works yard. This space will allow for the equipment, vehicles, salt sheds, storage racks, storage sheds, and the consolidation of three different locations within the City that are used in the public works maintenance operations.

The Victor property is 4.66 acres with a possibility of expansion with a property trade with neighboring properties (not yet negotiated or spoken with about such a move) while the existing public works yard is approximately 1.1 acres with approximately 0.40 acres for storage of vehicles and equipment. The existing public works yard is becoming increasingly over crowded and a dangerous place to work with large trucks and equipments moving in and out of there.

Attached is a schematic that shows a possible yard layout and a location for the shed that has been discussed as a new storage facility for the HW building. The yard could be developed in phases and does not need to be built all at once until funding becomes available for such a project.

Staff is also recommending that the City Council look into the possibility of selling the existing public works yard to help fund a move to the Victor Property. Some possible candidates for this sites could be the Forrest Service or UDOT. It should be noted that neither entity has been approached with this idea and is just a thought by staff as a possible way to fund this move. UDOT and the Forrest Service appear to be two ideal candidates for a facility of this nature.

FISCAL IMPACT:

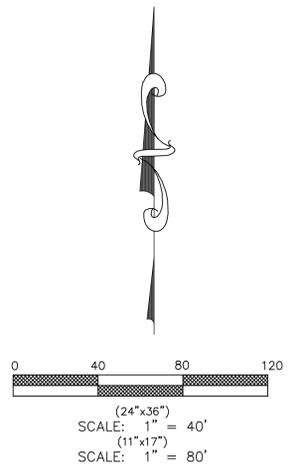
Staff has not done a full analysis on a cost impact for the complete public works yard as this was not the direction from council rather we were asked to evaluate the feasibility of the site. The site is a good location and is suited very well for the intended purpose and is still the recommended site by Public Works.

The cost to replace the HW building is approximately \$135,000 as was previously presented and to run utilites to this site for the building is estimated to be approximately \$16,500.00 added to the cost

The site preparation is estimated to be approximately \$10,000.00. The entire site would need to be addressed at that time.

ATTACHMENTS:

- Schematic drawing showing a proposed yard layout
- Aerial photo of the Victor Property
- Aerial Photo of the existing public works yard



REVISIONS			
NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
 27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

HIGHLAND, UTAH

HIGHLAND CITY
PUBLIC WORKS YARD

CONCEPTUAL
 SITE PLAN

JOB
 HIGHLAND
 SHEET NO.
 1 OF 1



4365

11072

4430

4451

4430

4423

4431

4451

4451

4441

4364

11000 NORTH

4366

5300

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PARK