

MINUTES
HIGHLAND CITY COUNCIL MEETING

Tuesday, July 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
JoD'Ann Bates, Executive Secretary/ Recorder
Nathan Crane, Community Development Director
Gary LeCheminant, Finance Director
Tim Merrill, City Attorney

OTHERS: Chris Dodson, Maxwell Hunter, Dale Wheeler, Brian Cook, Eric Jacobs, Linda Walton, Kent Mullington, Devirl Barfuss, Robert Uzelac, Rachel Springer.

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 Pastor Chris Dodson of the New Hope Bible Church and those assembled were led in the Pledge of Allegiance by Mayor Mark Thompson.

APPEARANCES:

Dale Wheeler, Highland resident stated he moved to Highland to have a large garden and fruit trees, but he has had problems with the deer ruining his garden. He used netting to try and stop them but was unsuccessful. Dale stated he planted a Fuji apple tree and the deer ate it right down to the ground. Last year he built a cage around it until it gets large enough to keep the deer away from it. He feels they need to continue with the urban deer program. It is his understanding that the meat from this program turned in to 33 thousand meals to needy people. He feels it is not only benefiting Highland it also benefits those in need of meals.

Brian Cook, Highland resident and program coordinator wanted to make sure it was understood this is a management program and not a hunting program. Those involved are specialists and have been refined through a shooting program and are very highly skilled. Brian commented

that there were over 400 volunteer man hours spent in the program. Highland City by way of those volunteers donated 5,550 pounds of ground venison, through the 3 mission centers in Salt Lake, which fed 33 thousand meals to the homeless shelters for 83 days. Those specialist not only donated their time but spend \$3,900 dollars out of their out pocket to take care of the deer last year. They were not compensated or reimbursed, they donated their time and equipment so that those deer didn't get unused. Not one arrow was lost, not one animal was unrecovered, there were 74 animals removed out of the city that all went to the feeding of the hungry.

Linda Walton, resident of Highland and the Bull River subdivision, commented she feels that illegal hunting with a bow or a gun is possibly giving this program a black eye. They had several cases in their neighborhood where they had illegal hunters coming into their private property. There is a concern of hunting does and fawns within city limits and feels it is dangerous. Another concern is the hunting areas are unmarked, when she asked for map from city she was told they would not disclose those areas due to hunters safety. There is a petition being circulated against this program and the media has been contacted. She stated she in not against hunting in fact she was taught by her father at a young age to shoot a gun, and participated in archery shooting in high school. She is concerned about the safety of domestic animals and children. Their neighborhood is recommending that people place fences around their gardens and place orange vests on their children and domestic animals that are the size of a deer.

Brian Braithwaite suggested the residents take time to meet with the program facilitators and discuss their concerns in a possible open house type of setting regarding the program. He feels there is some miscommunication that could be discussed. This is a two year pilot program and there are things that can be enhanced and discussed. He feels if they got accurate information out it would be helpful to everyone.

Robert Uzelack, a resident in the Bull River subdivision stated he did not sign the petition because he felt there was lot of error in it. He feels there are some larger concerns of cougars being spotted in the Bull River area that residents need to be aware of.

Brian Cook stated he understands the concerns that Linda brought up. As a resident the reason he got involved was because of the original proposal of what the program was going to be. His concerns were the same as Linda's. Some of the fear and concerns voiced by Linda was due to the media. The media actually showed hunters walking through the street with orange vests on and rifles over their shoulders. There are designed areas and the reason they were left non-disclosed is due to the loss of \$3000. worth of hunter's personal equipment because of those areas being identified. Those areas are only in public parks and the stipulation was that if there was anyone in the park, those specialists removed themselves from the park. There were two private property owners that engaged the specialist and asked for help on their property. The most efficient time that the specialists were engaged in the removal of the deer was in October and November when the parks were not being used due to the colder weather. The police department, the Division of Wildlife Resources and the city had access to a file that knew where the hunters were at any given time. There was some miscommunications and there were some kinks, again this is a pilot program, but those specialist involved are the best of the best. Removing the deer in the city is a lot more stressful than removing them in the wild. They were

watched for weeks, so they knew where the deer wanted to go, where they were coming from and the specialist had to make sure the situations were perfect.

CONSENT:

MOTION: Approval of Meeting Minutes for City Council Work Session – June 3, 2014.

MOTION: Approval of Meeting Minutes for City Council Regular Session – June 3, 2014.

MOTION: Approval of Meeting Minutes for City Council Tour – June 12, 2014.

MOTION: Ratifying the Mayor’s Appointment to the Highland City Beautification Committee – Laura Dawson, Ginger Ford, Mary Ann Jenkins, Judy Clayton and Denise Nydegger.

MOTION: Ratifying the Mayor’s Appointment to the Highland City Economic Development Committee – Roger Dixon, Jon McDaniel and Manuel Bueno.

MOTION: Final Plat Approval – Highland Fields

MOTION: Approval of the Amended Contract with Highland Town Plaza, LLC(WPI) – The purchase of the 0.36 acres and a 0.178 acre easement known as the Highland Water Company Building.

MOTION: Ratifying the Mayor’s Appointment to the Highland Library Board- Tim Irwin

MOTION: Tim Irwin moved the City Council approve the consent items as presented.

**Rod Mann seconded the motion.
Unanimous vote, motion carried.**

ACTION ITEMS:

ORDINANCE: Amending Section 2.36.060 of the Highland City Municipal Code – Authority of the Community Tree Commission.

Mayor Thompson stated that they are striking one line to clarifying where the authority rests and the authority rests with the City Council and those that are designated under that commissions guidelines from the City Council.

Brian Braithwaite indicated he would like to make an additional change. Under section “E” it states the Tree Commission reports to the City Council once a year, he would like to add the

language that they report “on activities of the prior year and plans and goals for the coming year”.

Brian Braithwaite moved the City Council to approve the Ordinance amending Section 2.36.060 of the Highland City Municipal Code as presented, adding language to section “E” to read to report “on activities of the prior year and plans and goals for the coming year”.

Tim Irwin seconded the motion.

Those Voting Aye: Brian Braithwaite, Dennis LeBaron, Tim Irwin, Jessie Schoenfeld and Rod Mann.

Motion carried.

RESOLUTION: Ratifying the Mayor’s Appointment as Alternate on the Lone Peak Safety Board – Rod Mann.

Mayor Thompson stated the city wants full representation and there is a need to have an alternate if other members are not able to attend.

Tim Irwin moved the City Council approve the Resolution appointing Rod Mann as an alternate to the Lone Peak Public Safety Board.

Brian Braithwaite seconded the motion.

Those Voting Aye: Brian Braithwaite, Dennis LeBaron, Tim Irwin, Jessie Schoenfeld and Rod Mann.

Motion carried.

MOTION: Bull River Trail Easement – Brian Kap Property.

Mayor Thompson stated this is a situation where the trail was place improperly by the developer outside of what was a designated easement. There are a number of ways to possibly solve this issues some of which are: 1) The trail be removed and terminated at the point where it has a path to go in a different direction; 2) the city purchase the easement which would eliminate property owners potential exposure to a lawsuit; and 3) remove the trail and restore the condition of the property.

Brian Braithwaite commented this area has a very steep drop off and the alignments were not proper and the trail followed the edge of the hill which was out of the easement. The alignment is in the middle of the steep hill and it would be extremely expensive to accommodate the trail in the prescribed easement. This has been looked at and prior councils felt that placing the trial in the easement where it was intended would not be possible. There is a current trail on private property which has been blocked for use due to concerns of liability.

Discussion ensued regarding the location of the trail, possible options and what action is possible.

Jessie Schoenfeld suggested the Council tour the trail and talk with property owners as to what they would like to see done with the trail.

Nathan Crane stated this trail has been deemed as a neighborhood option trail, if the neighborhood wants to petition to have it removed they have that option without having to go through changing the general plan.

Mayor Thompson stated he would entertain a motion to table it for a later time or schedule a tour of the trail.

Brian Braithwaite moved the City Council continue this item until such they have an opportunity to visit the site.

**Tim Irwin seconded the motion.
Unanimous vote, motion carried.**

Discussion from council determined that a tour of the property would take place on July 22, 2014 at 7:00 pm. The Council will meet on site being the Kap property located at 6479 West Bull River Road, Highland, Utah.

MAYOR/CITY COUNCIL & STAFF COMMUNICATION ITEMS:

REPORT: Road Maintenance Plan Introduction and Distribution

Marty Beaumont, JUB Engineers handed out the road maintenance plan. He indicated Mark Christensen of JUB Engineers has helped with the plan and will be explaining some of the concepts of road maintenance. (PowerPoint attached)

Mark Christensen stated Highland City designated 5 different categories of roads based on the pavement condition index, and gave them grades from A-F.

- A) The road has no cracks and looks as if it was just build.
- B) The road has a few cracks, looking very good.
- C) The road starts to see more cracking and some settling.
- D) There is alligator cracking letting water in and under the asphalt and on its way to needing full reconstruction.
- E) More alligator cracking, some asphalt flaking.
- F) Full cracking and needing full reconstruction.

Mark continued by reviewing treatment types and the cost to maintain the road based on the condition of the road. Mark discussed Pavement Management Philosophy and possible cost per mile for that management.

General discussion and questions ensued.

Marty Beaumont stated after the last time they met, he felt there were 3 main ideas that the council was wanting to see. 1) A 5 year maintenance plan utilizing a budget of approximately

\$500,000. Dollars; 2) determine what an adequate amount of funding would be to try to maintain the roads in good condition and continue to maintain them over a long period of time; 3) understand the value of putting those funds into the roads. Marty continued that this is still a rough draft and is for council review, changes will continue to happen. Marty continued to discuss a 5 year plan, current conditions, how to use their findings based on a budget and their recommendations. There are specific plans for every year of what roads would be recommended to do. The idea was to make this with the least amount of human intervention in making those decisions. Those decision are purely made by a model that says we are trying to optimize the use of this funding. The plan has maps that show what happens every year and the recommended roads. There is also a list that states what roads are done and their estimated value of the recommend treatment for that road and the end cost. The second issue they wanted to address was to determine what level of pavement condition index is optimum to maintain the roads and based on the funding what the PCI level would drop to. They looked at a 10 year horizon, and found that the best value is to deal with the good roads first and then apply funding to some of the lower roads. If you focus so much of your funds on the lower roads, you don't have any funds left to put in to the good roads, losing value. Marty concluded by reviewing the recommendations.

General discussion ensued.

Tim Irwin expressed his thanks to JUB and staff for the work and information and felt this is what they had been looking for and feels they are on the right road.

**Mayor Thompson called for a recess at 8:55 pm
Mayor Thompson reconvened the meeting at 9:08 pm**

Mayor Thompson stated there were some residents that had some concerns with certain roads they would like to address the Council and he would be allowing that at this time. .
Devirl Barfuss, Highland resident commented on the condition of the Country Club road. He indicated after the city approved a swimming pool at the Country Club they had a large amount of large trucks driving over this road. The potholes have been packed numerous times, the road is in the shade for the most part and water sits on the road which contributes to the deterioration of the road. He would recommend when it is re-done there be some sloping for drainage of the water off the road. Other reasons for the deterioration is they have 110 homes, an LDS meeting house and the Alpine Country Club which has a swimming pool, reception and meeting areas and they are open seven days a week. At one time there was a count done by UDOT that accounted for 1,800 cars a day traveling on Country Club road. Devirl stated there had been other roads done in the last year or so that were not as bad as Country Club road. There have also been numerous accidents due to speed and blind corners. Devirl concluded that they are requesting is two speed humps, one by the church and one by his home.

Dave Dorton a resident of Highland, had a concern with the speed of the traffic and members coming out of the Country Club that are possibly impaired. Two years ago his daughter pulled onto Castle Pine Dr., there was another kid coming from the golf course, it was estimated he was traveling at a speed of about 50 mph and hit her broadside. There has been some confusion to the road being a public road or a private road. Country Club road is definitely a public road and

feels the police should patrol it more and he is hopeful they can have some speed humps to help slow the traffic down.

Lynn Bullock, lives on the east side, three house before the entrance of the Country Club. One of the challenges they see are the members coming out of the Country Club being on their cell phone or if they have been drinking they tend to pick up speed quickly. There is no speed limit sign coming out of the Country Club and there is no control for those speeding. They have discussed this issue previously with other Councils and have not been allowed speed humps for various reasons. Now with the new swimming pool and increased traffic he feels it would be a great opportunity to do something to take care of the safety issues.

Rachel Springer stated the south side of Country Club Dr. has no established sidewalks. There is a sidewalk to the north, so those living on the south side have no type of safety buffer from the road. She feels she represents the new families coming into the area with small children that are concerned with the speed of the traffic that travels down those areas.

Brian Braithwaite realizes there are issues with clear views from bushes that need to be trimmed per code for safety reasons. His concern with speed humps and speed bumps is with snowplowing and the maintenance of those roads. He feels they need to look at all the possibilities and involve multiple entities.

Tim Irwin stated they want to make sure they don't do something that has unintended consequences. Maybe a neighborhood meeting could be conducted and discuss what are some of the ways they can mitigate the issue. He feels there are some safety issues and they need to address them to help residents feel and be safe.

Dennis LeBaron inquired how they go about finding a solution. It has been an issue for many years and they now need to take some action.

Tim Irwin feels the City Council does not have the answers, he feels it really needs to fall into the neighborhood and where it is a public safety issue he would like to see some recommendations form the Lone Peak department to how they can make it a safer issue.

Brian Braithwaite feels this is not just a public safety issue this is also a public works and staff issue. We need representatives to take the lead to sit down and discuss some possible issues with both the residents and the Country Club.

Justin Parduhn, Pubic Works O&M Director stated they would be able to place a speed limit sign at the exit of the Country Club parking lot within the next day or two.

Mayor Thompson stated Lehi has installed permanent speed limit signs, which can be an option, but agrees they need to have this looked at, determine the cost and move forward.

REPORT: Water Board

Mayor Thompson stated the Chairman asked that he report on things that were discussed at the last Water Board Meeting. Water Conservation was the main issue, there are procedures that have been adopted that don't produce water conservation. At some point they need to choose what's more important. They also discussed a need for a change in the development standards like the 4 foot median and the sidewalks repair due to trees. They also need to identify water that is available to areas other than lots. They need to audit all public areas, and if there is water being put on public areas that didn't have water contributed to them they need to look at how they are going to supply the water to those areas. Water has become more scarce, and over the years it has been over appropriated which is going to reduce the water supply.

DISCUSSION: Committee Assignments

Mayor Thompson commented his challenge to the council was to outline the committees and areas they have interest in and those areas where they would be willing to serve. The committees that they are assigned to need to keep better minutes and notification of the meetings, those are areas that are required for availability to the public. He asked them to review the list and if they have an interest in them, they need to let him know so he can make those assignments.

EXECUTIVE SESSION

MOTION: Jessie moved to enter into Executive Session.

**Rod seconded the motion.
Unanimous vote, motion carried.**

Council Entered into Executive Session at 9:53 pm

ADJOURNMENT

MOTION: Rod Mann moved to adjourn.

**Tim Irwin seconded the motion.
Unanimous vote, motion carried**

Meeting adjourned at 10:04 p.m.


JoD'Ann Bates, City Recorder

Date Approved: August 5, 2014

