

WOODLAND HILLS CITY COUNCIL
City Council Meeting
Woodland Hills City Center, 690 South Woodland Hills Dr.
Tuesday, September 23rd, 2025

CONDUCTING	Brent T. Winder, Mayor
ELECTED OFFICIALS	Council Member Ben Hillyard Council Member Brian Hutchings (remotely) Council Member Janet Lunt Council Member Kari Malkovich (remotely) Council Member Dorel Kynaston
STAFF PRESENT	Ted Mickelsen, Public Works Dir./Fire Chief Chris Helvey, Finance Director Jody Stones, City Recorder Wayne Frandsen, Code Enforcement and Planning Commission

City Council Agenda

- 1. Call to Order:** Mayor Winder called the meeting to order at 6:00 p.m.
- 2. Invocation:** Council Member Hillyard offered the invocation.
- 3. Pledge-** Council Member Kynaston led the pledge of allegiance.

Public Hearing

4. Request for a change in zoning from R1-1 to R1-19 for the property located at 90 E Highline Drive

Resident Alan Wakefield noted for the record that he is planning to build an addition to his home and is requesting a zoning change to accommodate the setback.

Wayne Frandsen mentioned that the planning commission met and recommended the zone change.

Resident Milan Malkovich spoke in favor of the proposed zoning change.

Diana Sackett has a problem with spot zoning and feels the council has violated it of several occasions. She would propose that Mr. Wakefield look for an exemption.

5. Proposed Amendment to City Code 8-5-1 Water Requirements and Policies

Ted Mickelsen clarified that the current rule requires developers to transfer water shares to the city at a rate of 0.90 acre-feet per lot when proposing land development. The city currently has an abundance of water shares that could be allocated to support these projects. This policy allows developers to pay a fee instead of transferring water rights to the city. If necessary, the city can tighten restrictions in the future and require the transfer of water rights. Presently, the city has a significant surplus of water rights

expected to last for decades, so this policy enables us to generate some revenue from them while allowing ongoing development.

Mayor Winder called for public comment.

Lynn Bennett asked if anyone had calculated the build-out, considering that zoning throughout the city was being changed, and whether the surplus or excess water rights at present would be sufficient to support these changes. She emphasized that having excess water rights today did not guarantee they would remain available in the future, such as in five or ten years, especially given developments around Woodland Hills. She urged that the city should continue to ask for water rights, as growth was unpredictable. She noted that if zoning continued to reduce lot sizes, more water rights would be required due to increased population. She expressed hesitation about the city's perception that there was an excess of water rights today, as she believed that would not be the case in the future. Ultimately, she hoped the city would consider long-range water planning and management, particularly in relation to growth in Salem, Elk Ridge, and the new resort development.

Ted Mickelsen reiterated the city could revert to requiring water shares once all allocations for fees had been utilized. He added that he has looked at the population growth and anticipated growth and that there is sufficient water regardless of zoning or densities. The proposed approach would provide a revenue stream and would not jeopardize future water needs because the city could rescind the policy.

Mayor Winder provided background information for those in attendance regarding the City's ongoing discussions with the Three Bridges development. He explained that Three Bridges is seeking to develop a parcel it owns in Woodland Hills and, as part of that effort, had requested that traffic be redirected into the roundabout to allow access into its development. This request would require the relocation of the existing mailboxes. Three Bridges is also requesting certain rezoning actions associated with the project.

Mayor Winder explained that City staff have been working on a proposal for the City Council to review and decide on. Throughout this process, the City's goal has been to create a win-win situation for both the community and the developer. He noted that the development would proceed regardless of whether the City cooperates, and staff has aimed to negotiate terms that benefit residents while still allowing the developer to exercise its property rights. He highlighted several concessions included in the development agreement. First, the City negotiated for a new water storage tank. While initial talks considered a 500,000-gallon tank, Three Bridges agreed to supply an 850,000-gallon tank, with the city providing a cash contribution to support the upgrades. Second, the City identified drainage issues related to runoff from Woodland Hills into Salem and Utah County. Three Bridges agreed to construct a drainage solution on its property to address these concerns. Third, as part of the mailbox relocation, Three Bridges expressed willingness to build a new mailbox facility with expanded capacity. The mayor noted that the City has outgrown the current setup, and the new structure would roughly double the existing capacity. Mayor Winder also emphasized that it was important to prevent Three Bridges from annexing the parcel in Woodland Hills into Salem. In exchange for these commitments, Three Bridges requested access to its development via the roundabout and certain density changes for the parcel that is currently in Woodland Hills. The Mayor concluded by reiterating that he believes the proposal strikes a balance between the community's needs and the rights and requests of the developer.

Heather McDougal, attorney for Three Bridges, clarified that the parcel in Woodland Hills under discussion is actually owned by Saratoga 262, which is also owned by Three Bridges. She expressed uncertainty about why it was purchased through a different entity, noting that this complicated the drafting but essentially involves the same owners. Additionally, there is an ongoing conversation

regarding an adjacent parcel owned by the Parkers, who have signed a consent to agree to the development terms. The Parkers have expressed a desire for higher density on their parcel if Three Bridges or the same entity purchases it.

Mayor Winder noted that the agreement stated the overlay would apply and emphasized the importance of ensuring that the terms of the agreement, in general, would also be applicable if the parcel were acquired. He suggested a minor adjustment, pointing out that the current wording referenced only the overlay zone. He believed that the other terms of the agreement should also be included in such a case. For the council's purpose, he recommended that any approval be made contingent upon these conditions. He then opened the floor to public comments.

Scott Abbott stated that he had a couple of questions. He noted that in the new proposed agreement, it did not mention that the City would provide water "if available," and he asked whether that language had been changed.

Ted Mickelsen explained that the City could only allow surplus water to be shared. He clarified that if the City had excess water and Salem City needed some, that arrangement fell under the surplus water provisions.

Mr. Abbott stated that he did not see that clarification in the new proposed agreement.

Mr. Mickelsen explained that the surplus-water provision existed in the interlocal agreement with Salem City, who would be the entity the City was actually exchanging water with.

Mr. Abbott then asked whether this agreement would make zoning changes elsewhere in the City easier, such as allowing six residences per acre, and how that would be determined from the agreement.

Mayor Winder explained that the City already had different zoning classifications for various developments and that he did not know whether there would be any "precedential effect" that would entitle another property owner to demand higher density simply because it was allowed elsewhere.

Mr. Mickelsen added that the development agreement was structured specifically so that no new zoning classification was being created. He clarified that the agreement applied only to the parcel involved and was, in fact, more restrictive than a zoning change. It did not create a new zoning district that others could automatically utilize.

Lynn Bennett asked why the storage-tank sizing in the agreement was listed as a range rather than a specific capacity. She noted that she had seen references from 550,000 gallons up to 800,000 gallons and asked why the agreement did not simply commit to the higher amount.

Mr. Mickelsen explained that the project initially began with a 550,000-gallon tank, fully funded by Three Bridges. He noted that the agreement now contemplated an 800,000-gallon tank, which represented the City's build-out capacity.

Diana Sackett reiterated previous concerns about water pricing.

Mr. Mickelsen stated that water pricing for the development would be proportionate to the increases applied to City residents.

Ms. Sackett commented that commercial water use was typically billed at a higher rate nationwide, which might be worth considering. She noted that she believed the development's use was intended to be residential but asked whether allocations could be made differently. She added that, because this water would be part of Salem's water system, Salem's classifications and billing structures would ultimately apply.

Mr. Mickelsen confirmed that the water system belonged to Salem City, even though the water passed through the Three Bridges development. The City would be providing surplus water to Salem, not to the developer, and Salem would allocate it for the Three Bridges development under its system.

Ms. Sackett noted that the agreement included more detailed tank descriptions and asked whether the City had considered third-party oversight, warranty requirements, and assurance that the structure would be adequately protected long-term. She emphasized that a contractor-built facility should include clear warranty and performance requirements.

Mayor Winder stated that the agreement required a performance bond for both the tank and the mailbox facility.

Ms. Sackett then asked whether the tank included a cathodic protection system.

Mr. Mickelsen stated that cathodic systems were used only for metal tanks and that the proposed tank was concrete.

Ms. Sackett asked additional questions about long-term liability and responsibility for repairs, noting that the tank would be located on Woodland Hills property but constructed by the developer.

Mayor Winder clarified that once dedicated, the tank would become City infrastructure.

Mr. Mickelsen added that the tank would actually become part of Woodland Hills City's infrastructure, not Salem. He explained that Woodland Hills City would inspect the tank during construction to ensure compliance with specifications. Upon completion, the City required a one-year warranty, after which responsibility transferred to the owning municipality.

Ms. Sackett also asked questions regarding the mailbox facility, including whether capacity was being doubled and who determined the correct amount.

Heather McDougal stated that Three Bridges was committing to provide whatever the City required, up to doubling the current number of boxes.

Ms. Sackett asked additional questions regarding available parking at the mailbox location.

Mr. Mickelsen stated that USPS would be involved in the design.

Council Member Hillyard stated that the Council had reviewed the mailbox elements extensively, sent them to legal counsel, and made numerous revisions. He thanked Ms. McDougal for her cooperation during the process.

Lynn Bennett asked whether the north side of the church was intended to be the main entrance of the resort and what the traffic study had shown. She noted current issues in that area, including limited mailbox parking used by church patrons on Sundays.

Ms. McDougal stated that the issue had been discussed and that the project was still in design phases. She noted it would likely be a significant entrance, possibly including a monument feature, but she could not confirm whether it would be the primary entrance.

Mr. Mickelsen reported that he had obtained the traffic study the previous day after several requests. He reviewed the findings, explaining:

- The study did not designate a “main entrance”; rather, it analyzed traffic patterns.
- The two access points studied were the 1280 South connection and the connection to Woodland Hills Drive.
- The roundabout maintained a Level of Service (LOS) “A” under all conditions reviewed, including existing conditions, initial opening, full build-out, and a 2050 horizon scenario.
- Current peak-hour delays averaged approximately 3.5 seconds, which the study projected would increase to roughly 6 seconds at full build-out of Three Bridges—still well within LOS A (<10 seconds).
- 1280 South would eventually require a stop-controlled intersection with some dedicated turn lanes to improve flow.
- Utah County planned to redesign the roundabout the following year to accommodate future growth.
- Future phases could include an eventual bypass lane allowing southbound traffic to bypass the roundabout entirely.

Mike Meyers asked whether the developer would be bringing water for the higher-density parcel or whether the City would be selling water for that use.

Mr. Mickelsen stated that it depended on the outcome of the agreement and that the option would exist only if the agreement were approved.

Mr. Meyers asked whether City residents currently paid only \$1 per 1,000 gallons of water.

Mr. Mickelsen explained the tiered rate system:

- \$1 per 1,000 gallons for the first 5,000 gallons;
- higher rates for 5,000–10,000 gallons and 10,000+ gallons. He clarified that the developer (or property owner) would pay the same tiered rates.

Mr. Meyers stated he would prefer all new mailboxes rather than reusing existing ones.

Mr. Mickelsen said USPS would likely influence that decision because construction and access changes would require coordination. He also noted that reusing functional boxes had environmental benefits.

Rod Sager stated that the agreement did not appear to specify that water charges would follow the adopted City rate schedule and instead referenced a flat rate of \$1 per 1,000 gallons.

Mayor Winder stated that the agreement had been revised and now reflected the tiered, scaled rate.

Scott Parker asked whether the lighting at the new mailbox facility had been designed to comply with dark-sky principles, noting that lighting spillover could impact neighboring properties.

Mayor Winder stated that lighting would be reviewed as part of the site-plan process and must comply with City ordinances, which permitted lighting for such facilities.

Lynn Bennett raised concerns about migrating elk herds and the impact the resort could have on established wildlife movement. She encouraged the City to involve the Division of Wildlife Resources (DWR) and hold a public meeting on the topic. She noted that wildlife preservation consistently ranked among the top priorities in City surveys and emphasized the importance of considering the resort's impact on two major elk migration routes.

Heather McDougal briefly addressed the issue, stating that wild animals generally do what they want. She acknowledged discussions with other golf property owners and noted that her team has been working closely with the Department of Wildlife Resources (DWR) to track the animals on the property. She mentioned seeing foxes, coyotes, bears, cougars, elk, and turkeys, and noted that although they haven't seen wolves yet, they are aware of their presence in the area. Her team hopes the elk herd and other wildlife will move to nearby undeveloped properties, such as those owned by the Relief Mine Company.

Council Member Kynaston noted that several lengthy meetings were held with multiple entities, including DWR and representatives from Three Bridges. Numerous findings were discussed, with several ideas remaining under discussion. An announcement from DWR was anticipated once a report was completed.

Mayor Winder closed the public portion of the meeting at 6:55 p.m.

Business and Discussion

7. Ordinance 2025-32, adopting a change in zoning from R1-1 to R19 for property located at 90 East Highline

Motion: Council Member Kynaston moved to adopt the ordinance.

Second: Council Member Lunt seconded the motion.

Vote: The motion passed following a roll call vote in which Council Member Hillyard recused himself.

8. Ordinance 2025-33, Adoption of a Development Agreement between Woodland Hills and Three Bridges.

Motion: Council Member Kynaston moved to adopt Ordinance 2025-33.

Second: Council Member Hutchings seconded the motion.

Vote: The ordinance passed by roll call, with all members of the council voting in favor of the ordinance.

9. Resolution 2025-20 Appointing a City Community Development Director.

Motion: Councilmember Hillyard moved to appoint Ted Mickelsen as the City Community Development Director.

Second: Council Member Kynaston seconded the motion.

Vote: The resolution passed unanimously.

10. Approval of funds for the Engineering portion of Phase 3 of the Pavement Management Preservation Plan

Motion: Councilmember Hillyard moved to approve the fund for the engineering portion of phase 3 of the pavement preservation plan.

Second: Council Member Malkovich seconded the motion.

Vote: The motion passed unanimously.

11. Approval of funds for repairs to the Maple Canyon Booster Station

Ted Mickelsen explained that the pump at the booster station, used to draw water from Maple Canyon, needed repairs. He noted that the city had two pumps at the station; one had blown a seal and required motor repair, so the focus was on fixing that pump.

Motion: Council Member Kynaston moved to approve \$22,983.50 to repair the Maple Canyon Booster Station pump.

Second: Council Member Hutchings seconded the motion.

Vote: Motion passed unanimously.

12. Approval of Contract with Sunrise Engineering for Building Inspections and Building Official assistance.

Motion: Council Member Hutchings moved to approve the contract.

Second: Council Member Hillyard seconded the motion.

Vote: The motion passed unanimously.

ADJOURNMENT

Motion: Council Member Lunt moved to adjourn the meeting.

The meeting was adjourned at 7:00 p.m.