

**AGENDA**  
**HIGHLAND CITY COUNCIL MEETING**  
**February 3, 2015**

**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 – Dennis LeBaron  
PLEDGE OF ALLEGIANCE –Tim Irwin

**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.)*

**REPORTS/PRESENTATIONS:**

- 2. PRESENTATION: Proposed New Piano Purchase - Highland City Arts Council**

**CONSENT**

- 3. MOTION: Approval of Meeting Minutes for City Council Work Session – January 13, 2015**
- 4. MOTION: Approval of Meeting Minutes for City Council Regular Session – January 20, 2015**

**ACTION ITEMS**

- 5. RESOLUTION: Intent to Annex 37.18 acres of Real Property - Northeast Corner of Highland Boulevard and 11800 North.**
- 6. MOTION: Selection of Consultant to Prepare Cost Projection for D and F Roads - King Engineering.**
- 7. MOTION: Recommended Mid-Year Budget Adjustments - Fiscal Year 2014-2015**

**MAYOR/ CITY COUNCIL & STAFF COMMUNICATION ITEMS**

**ADJOURNMENT**

*(These items are for information purposes only.)*

<b>Description</b>	<b>Requested/Owner</b>	<b>Due Date</b>	<b>Status</b>
Certified Impact Fee – Completed Report	City Council Nathan Crane	1 <sup>st</sup> quarter of 2015	Zion’s Bank approved – report in progress
Impact Facilities Plan	City Council	1 <sup>st</sup> Quarter of 2015	In Progress
Road Capital Improvement Plan for FY 15-16 <i>Prioritize and Communicate to Residents</i>	City Council	January	Nov - Emailed for clarification
HW Bldg. – PW Storage Status	City Council Mayor/PW		In Progress
Determine Park Use for Recreation	City Council Parks Staff	1 <sup>st</sup> quarter of 2015	Staff to make recommendations
SR74 Median at Pebble Lane Subdivision			

**CERTIFICATE OF POSTING**

The undersigned duly appointed City Recorder does hereby certify that on this **29<sup>th</sup> day of January, 2015**, 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](http://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 WORK SESSION

Tuesday, January 13, 2015

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

**PRESENT:** Mayor Mark S. Thompson, conducting  
Councilmember Brian Braithwaite  
Councilmember Dennis LeBaron  
Councilmember Tim Irwin  
Councilmember Jessie Schoenfeld  
Councilmember Rod Mann

**STAFF PRESENT:** Aaron Palmer, City Administrator  
Nathan Crane, Community Development Director  
JoD’Ann Bates, City Recorder  
Justin Parduhn, Public Works O&M Director

**OTHERS:** Linda Walton, Robert Uzelac, Bill Bennett, Johathan Myres, Curtis Smith, Brian Kap, Trista Willardson, Tanya Colledge, Coby Kap, Tyler Kap, Steve Hulet, Deanna Golden, David Golden, Anne Sward Hansen, Larry Mendenhall, George Harris, Vickie Harris, Garrett Lyman, Robert Holmes, Julainne Taylor, Braden Taylor, Harold Glade, Day Christensen, Steven West and Jeff Davis.

The meeting was called to order by Mayor Mark S. Thompson as a work session at 6:01 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 Dennis LeBaron

 **WORK SESSION: Dry Creek Neighborhood Option Trail**

Nathan Crane stated the trail was built in approximately 2003 as part of the Dry Creek Subdivision. There are several areas where the trail extends outside the boundaries of the easement and they would like to discuss and address some of the issues related to the trail. Nathan presented a map showing the area.

Anne Sward Hansen a Bull River resident stated she was present during the construction phases and walked the property as it was being graded. She feels the roads were not constructed in the proper place and that pushed the homes further back towards the conservation area.

# DRAFT

1 Day Christensen a Bull River resident stated it was his understanding the trail and the  
2 conservation area was to help with the mitigation between the subdivisions and the conservation  
3 area to preserve the hollow. He does not know why the easement is not in the correct place but  
4 feels it is an important asset to have a trail in that area and the city should do what it takes to  
5 rectify the issue in order to keep the trail.

6  
7 Brian Kap a Dry Creek Highland resident, stated he is a property owner where the trail is on his  
8 property and not in the easement. The development originally did not have the trail there until  
9 later in the building phase after most the homes were built. The developer did not inform the  
10 home owners of the easement and conservation area. The development was well under way and  
11 the trail was constructed towards the end of the development. He had tried to get this corrected  
12 with Ivory early on and was sent right to their lawyers. The city was notified time and time  
13 again, this is the third Mayor and the third City Administrator that has been notified and he has  
14 discussed this issue with all of them.

15  
16 Vickie Harris a Dry Creek Highland resident, stated she also agrees the trail should be there. She  
17 doesn't understand why the city was not more diligent in making sure the developer do what they  
18 should have done per the plans. She feels the city needs to correct the issue, take responsibility  
19 and maintain it better.

20  
21 Linda Walton a Bull River resident, stated she feels they need to identify what it is that they are  
22 trying to accomplish with the session. Highland has changed over the years and she feels that  
23 some of what has transpired is history and they need to move forward from here.

24  
25 Brian Braithwaite stated those individuals that the trail is on their personal property feel a sense  
26 of liability and as a city it is their responsibility to fix that issue. He feels the options are to  
27 purchase an easement on the property of those infringed upon, negotiated some kind of common  
28 benefit in order to leave it where it is, move it at a large cost or abandon the trail. There can be  
29 numerous variations of those choices, the city needs to choose what is important and best for the  
30 city as a whole.

31  
32 Garrett Lyman a Dry Creek Bench resident, commented they were in their home prior to the  
33 trails being in place. The trail has an unfortunate past, the trail was placed on his property and  
34 they went through a process to have the trail fixed and moved to where it was supposed to be.  
35 He would like to know if the city has any intention of maintaining the trail properly if it is kept  
36 and maintain the safety of the trail and who would be liable if someone got hurt.

37  
38 Several comments were made regarding the maintenance and safety of the trails and possible  
39 options the city can do to help mitigate those issues along the trails.

40  
41 Jonathan Myers a Dry Creek Highland resident, stated this trail encroaches on his property and  
42 this is an undue burden and feels he has lost property and it's a liability for him having it on his  
43 property. There is an economic impact and it has impeded them the ability to use their property

# DRAFT

1 as they would like. They appreciate the Mayor and Council taking the time to walk the property  
2 and hold this meeting that will hopefully benefit the area in the future.

3  
4 Harold Glade a Dry Creek Highland resident, stated the trail is in the easement on his property  
5 and just had a questions regarding the liability if something happens to someone while on the  
6 trail.

7  
8 Mayor Thompson stated he is not prepared to answer that but will get a legal determination and  
9 make it available

10  
11 Braden Taylor a Dry Creek Highlands resident, stated he walked the trail with previous  
12 administration and Mayor and asked the same question regarding liability for which he did not  
13 get an answer that he was comfortable with. He continued that he has protected himself through  
14 insurance policies. He has two concerns 1) safety, and 2) liability. He has multiple situations of  
15 people on the trail doing things that shouldn't be happening. Not matter what he does if they are  
16 on his property he will be held liable and that doesn't set well with him. He questioned where  
17 the trail gets very steep, does it need to meet the disability act and if so, he feels it does not meets  
18 those needs. He feels it needs to be removed.

19  
20 Anne Sward Hansen supports the use of the trail. At the time of the planning she feels it was a  
21 compromise with the home owners in order to allow a buffer between varying sizes of lots  
22 between the Bull River subdivision and the Dry Creek Highlands subdivision. They went to the  
23 City Administrator at the time and had concerns of the trails and drainage issues. It would be a  
24 mistake to abandon the trail. She feels it was never built to code and feels it should have never  
25 been passed off by the city. If the trail is moved the city would need to build retaining walls and  
26 work with the Bull River ditch company to ensure it doesn't disturb the drainage.

27  
28 Larry Mendenhall a Bull River resident, stated this is a community asset and the city should keep  
29 the trail. He was on the Planning Commission at the time the Dry Creek subdivision was platted.  
30 One problem they have is they don't know exactly the number of properties that are directly  
31 impacted. He suggested they ask the Community Development Director to take a look at each  
32 lot and determine what needs to be done and respectively what it would cost to correct those  
33 issues He feels it might not be worth the cost to fix the trail. If the city needs to purchase  
34 easements, can it be purchased or will that property owner allow that easement to be moved. He  
35 would like to keep this trail in tact but feels there needs to be more information before something  
36 can be done.

37  
38 Brain Braithwaite commented they started down that direction and do have some of that  
39 information but felt they needed to know how the residents felt about keeping the trail or not.

40  
41 Nathan Crane indicated that a portion of the trail is a neighborhood option trail which can be  
42 removed and the other is a city trail that is based on the general plan.

# DRAFT

1 Discussion continued regarding the options and locations of the neighborhood option trails.  
2

3 Bob Uzelac a Bill River resident, stated when he first bought his home, Highland lots were one  
4 acre lots, now they are allowing half acre lot sizes if the developer gives space for parks and  
5 trails. He is concerned that if they start abandoning these areas, developers are going to want to  
6 come in and get the half acre lots without giving the city open space areas. He feels the city  
7 keeps backing down, in other areas of the city things have changed from what was originally  
8 promised.  
9

10 Tanya Colledge a Dry Creek Highland resident, stated she doesn't feel there is a consensus about  
11 keeping the trail simply due to the concerns voiced. She also has a concern with the property  
12 owner's liability not only for those homes that back the trail but as residents and tax payers. She  
13 also has a concern regarding the maintenance and safety of the trail. She would like some  
14 assurance if the trail stays, there be better maintenance.  
15

16 Curtis Smith a Dry Creek Highlands resident, stated he feels they all love the idea of a nice trail.  
17 The fact is, does the city have the money to fix and maintain the trail. The city hasn't had the  
18 funds for the last 9 years and he doesn't see anything changing. If there is money to fix and  
19 maintain the trail great but if there is not they could talk all night and nothing will ever get done.  
20

21 Steve Hulet a Dry Creek Highlands resident, stated he feels Ivory should be responsible for some  
22 of the costs, they are the ones that recorded the plat map showing the easement and the trail  
23 where it was to be. If they didn't do it the way they designed it to be, they should be responsible.  
24 If the trail goes away the easement remains and it still gives into the possibility of people  
25 walking thought that area.  
26

27 Brian Kap commented on his ordeals with past administration and Ivory regarding the trail and  
28 the easement and the lack of faith he has with this being resolved.  
29

30 Day Christensen feels that the alignment of the easement was never placed in the right place.  
31 Part of the responsibility of the city is to have more foresight than the property owners. He  
32 stated it's frustrating to see the city not follow through with and deal with issues like this one  
33 being discussed.  
34

35 Anne Sward Hansen agrees that this is a public trust issue. She was involved before any homes  
36 were built or lots sold. Highland City committed themselves to this project and didn't follow  
37 through with what they said was going to happen and to abandon it now years later is not right.  
38

39 Brian Braithwaite stated he doesn't thing they can go back to the developer at this stage and  
40 require them to fix the issue. The city has to fix it and this council is working towards a  
41 resolution. Not everyone is going to be happy with the decision that will be made but they are  
42 trying to make sure they are making the best decision for the city as a whole. They can't go  
43 back, previous administration is not here, and they have to deal with what they have. He

# DRAFT

1 continued that this is not an easy issue, the city does not have money to maintain trails, fix roads  
2 or other things residents would like the city to do. They tried to get additional funds which were  
3 voted down in the last election which means there are a portion of residents that would prefer to  
4 have the roads and trails maintained as they are rather than have them improved. There is a  
5 balance they are struggling with.

6  
7 Julainne Taylor a Bull River resident, stated she feels most people moved to Highland due to the  
8 rural quality, the good people and she feels the trails add to that. She feels the trail increases the  
9 quality of the community all around.

10  
11 Harold Glade commented he does value trails but questions ways to be able to get those trails in  
12 the easements and the cost and code compliance that it would take. He feels whatever needs to  
13 be done needs to be done quickly it is overdue.

14  
15 Rod Mann excused himself from the meeting at 7:20 p.m.

16  
17 Jonathan Myres commented he feels the numbers regarding the cost to fix this issue that have  
18 been lightly discussed is way under estimated, and feels it is the residents that are the ones that  
19 are truly paying the cost for the mistake. He feels there is a certain amount of reasonableness  
20 that has to be assumed that is long overdue. It needs to be resolved in a timely manner that  
21 benefits the city and its residents today and in the future.

22  
23 Bob Uzelac stated he thinks the issue really needs to start higher up, and one of those things is  
24 how the council is going to get more money coming into Highland. They need to work on  
25 businesses bringing in tax dollars which will help give them money to fix the roads and take care  
26 of the open spaces not just for now but in the future. We have got to get some business coming  
27 in to bring the tax dollars into Highland.

28  
29 Mayor Thompson stated he appreciates the comments made, they understand by having this type  
30 of meeting the ideas are diverse. He is not sure where they are heading yet but feels they do  
31 need to protect people's property rights. He feels at this time the violation is from the city to the  
32 homeowners by continuing to not work on a solution for this issue. He continued he feels they  
33 are going to find a solution and a balance. He feels they need to gain that trust back and they are  
34 working on making a discussion that will allow that trust to be rebuilt. He feels the issues they  
35 need to keep in consideration are money, personal property and, maintenance.

36  
37 Rob Holmes a Bull River resident, stated it seems to him that the city builds its infrastructure off  
38 one time fees and the city will not make it on that. There is no way to do this without recurring  
39 fees. He likes trails but not at the expense of other property owners and feels there needs to be a  
40 compromise.

41  
42 Brian Braithwaite stated the city population doubled from 2000 to 2010 and they learned a lot  
43 and made a lot of mistakes as a city. City's would like to build it with one time fees but you

# DRAFT

1 have to be thinking about the re-accruing maintenance cost and that was not considered. They  
2 are paying the price and they are trying to make adjustments. There are a lot of positive things  
3 prior administrations did for this city but there are still issues that need to be fixed that weren't  
4 thought of at the time.

5  
6 Trista Willardson a Dry Creek Highland resident, inquired what the process was going forward  
7 after the close of this meeting.

8  
9 Mayor Thompson stated he would like to set a goal to have an answer within the next three  
10 months. He unofficially asked those in attendance to raise their hands in answer to the  
11 following:

12 Those in favor of removing the trail – 8 responded

13 Those in favor of keeping the trail – 7 responded

14 Those interested in making it a private trail – 3 responded.

15 Mayor again thanked all those that attended and participated in the discussion.

16  
17 Work Session concluded at 7:41 pm  
18  
19  
20  
21  
22  
23  
24  
25

26  
27 \_\_\_\_\_  
JoD'Ann Bates, City Recorder

28  
29 Date Approved: February 3, 2015  
30

**MINUTES  
HIGHLAND CITY COUNCIL MEETING  
Tuesday, January 20, 2015**

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

**PRESENT:** Mayor Mark S. Thompson, conducting  
Councilmember Brian Braithwaite  
Councilmember Dennis LeBaron  
Councilmember Tim Irwin  
Councilmember Jessie Schoenfeld  
Councilmember Rod Mann

**STAFF PRESENT:** Aaron Palmer, City Administrator  
Nathan Crane, Community Development Director  
Gary LeCheminant, Finance Director  
JoD’Ann Bates, City Recorder  
Justin Parduhn, Public Works O&M Director  
Brian Gwilliam, Chief of Police  
Tim Merrill, City Attorney

**OTHERS:** Shari Beck, Thomas Beck, Valerie Koeber, Ralph Koeber, Tom Martin, Edward Perez, Marc Modersitzki, Brett Palmer, Terry Melondez, Fernando Salazar, Steve Arnold, Cami Arnold, Jonathan Hall, Nathan Whiting, Matt Brinton, Jayden Brinton, Thor Patane, Weston Brockbank, James Pyper, Adam Schwartz, Nathan Llath, Steven Schwartz, Morgan Ashton, Josh Ries, David Hunter, Michelle DeKorver, Steven Rowley, Marilee Bassett, Doug Bassett, Christie Smith, Jennifer Christensen, Jennifer Platt, Kaley Quist, Amy VanWoerkom, Laura Gardanier, Steve Gardanier, Marci Modersitzki, Diana Wakefield, Blake Wakefield, Lori Murdock, Mindy Christensen, Kevin Busby, Summer Strickland, Nicole Hadlock, Natascha Perez, Edward Perez, Cindy Burton, Shaunna Godwin, Cindy Westwood, Jackie Whitlock and Tom Harward.

 **6:00 P.M. WORK SESSION – IMPACT FEE STUDY**

The meeting was called to order by Mayor Mark S. Thompson as a work session at 6:07 p.m. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting.

Nathan Crane stated that due to changes in state law regarding impact fees, staff felt it necessary to bring the council up to speed and how those changes will impact the city. They will not be presenting any numbers at this time, the discussion will be hypothetical in order to give them a

# DRAFT

1 clear understanding of what is called the “gap theory”. Nathan turned the time over to Tenille  
2 Tingey of Zion’s Bank.

3  
4 Tenille Tingey of Zions Bank presented a power point regarding the changes and effects it will  
5 have on the study. (power point attached) She stated a lot of the changes since May of 2011 has  
6 been a shift to a shorter planning horizon of 6-10 years and clearly defining the level of service.  
7 The level of service has to be justified, have documentation and those can be different with each  
8 utility.

9 Tenille gave an example of impact fees for varying utilities and how that will change the impact  
10 fees. The push came from developers feeling that impacts in certain areas of the city were not  
11 directly affecting where they were developing.

12  
13 Brian Braithwaite stated he feels this is a good thing. He feels that cities get complaisant and  
14 don’t review their fees. This forces them to review them more often to keep in line with what is  
15 truly and impact to the city not just a straight across amount for an undetermined timeframe.

16  
17 Tenille Tingey continued to state that as before there are no operation and maintenance costs that  
18 can be included, only project level improvements. There are different policy issues and she  
19 would like to discuss specifically parks and the level of service in regards to impact fees. What  
20 they are looking for at this time is dollars invested in capita which gives some flexibility. Tenille  
21 discussed the different methodologies.

22 Tenille continued to explain the issue with “funding gaps” and how they are funded. She  
23 indicated that one option is through General Fund Transfers.

24  
25 Gary LeCheminant commented currently he is estimating collecting approximately \$633  
26 thousand dollars for park impact fees and the bond payment is \$527 thousand. If park impact  
27 fees are cut in half, they would only collect \$300 thousand dollars but they still have to make the  
28 \$527 thousand dollar bond payment.

29  
30 Tim Irwin indicated that previous councils had purchased park property based on build out and  
31 his concern is now with the change of the shorter window that the impact fees are based off of.

32  
33 Tenille Tingey stated as they look at the impact fees they do see changes and some are down and  
34 some are up. With the new laws and the need for strict documentation they are seeing cities run  
35 into cash flow issues. She just wanted to make sure they covered those issues so there are no  
36 surprises. If the impact fees were reduced the city would be able to recoup those costs but it  
37 would just be over a longer period of time.

38  
39 Brian Braithwaite stated if they are considering lowering the impact fees he feels they need to  
40 look at the fact they have property that hasn’t been developed yet, and they should look at a plan  
41 so they don’t lower the cost and use those impact fees for development of those lands.

# DRAFT

1 Tenille Tingey stated that is where parks are hard because it is not tied to the future plan base, it  
2 is tied to the level of service which is what is being provided to your existing residents. Tenille  
3 continued to explain how the level of service works in regards to the impact fee.  
4

5 Rod Mann inquired what cities due when they find they have this “gap” with their impact fees.  
6

7 Nathan Crane stated it generally comes out of the General Fund. This is one of the reasons they  
8 wanted to have this work session. They anticipate this study being done before they adopt the  
9 new budget. They will be taking a look at all the funds and see if there are any gaps that need to  
10 be covered, if so they can work that into the new budget.  
11

12 Tenille Tingey commented they are expecting most of the information to them by the end of the  
13 month and they are proposing to have drafts by the end of February. They would have to go  
14 through the notice and public hearing process prior to adoption of the fees.  
15

16 Nathan Crane suggested bringing in councilmember’s a few at a time to discuss the numbers as  
17 they get them and then do a work session with everyone. Nathan commented that there are  
18 different levels of plans. 1) Capital Facilities Plan, which tells the ultimate build out of what  
19 they are going to do. 2) Impact Facility Plan, which takes the 6-10 year time frame out of the  
20 Capital Facilities Plan as to what they are going to build, and then you build your fee off of that.  
21

22 Dennis LeBaron inquired what funds would be impacted with the study.  
23

24 Nathan Crane stated they would be looking at parks, public safety, culinary, pressurized  
25 irrigation, storm sewer, sanitary sewer and roads. Each one of those carry a plan and  
26 documenting.  
27

28 Work Session ended at 6:55 pm  
29  
30  
31



## **7:00 P.M. REGULAR SESSION**

32  
33  
34 The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:01 p.m.  
35 The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior  
36 to the meeting. The prayer was offered by Brian Braithwaite and those assembled were led in  
37 the Pledge of Allegiance by Dennis LeBaron.  
38

39 Mayor Thompson suggested they move the presentation of the Youth Council to the first of the  
40 agenda.  
41

## **PRESENTATIONS**

# DRAFT

1 **Oath of Office:** Highland City Youth Council

2  
3 Jody Bates, City Recorder stated every year they have a Youth City Council that takes an oath of  
4 office in order to serve the residents of Highland. This year there are 48 Youth Council  
5 members. She asked the Youth Council Advisors to come forward and present the Highland  
6 Youth Council for 2015. Youth Council Advisors being: Shannan Busby, Jodie Jamison,  
7 Jennifer Christensen, Lisa Shelton, Diana Wakefield, Marci Moderdrsitzi and Lisa Bullington.

8  
9 Shannon Busby Advisor, presented the 2015 Highland Youth Council:

10 Curtis Bassett, Danielle Kemp, Paige Modersitzki, Brynne Shelton, Fernando Salazar, Quinton  
11 Strom, McKenzie Platt, Tara Bullinton, Emily Jensen, Dallin Whitlock, Richard Westwood,  
12 Jenny Westwood, Matthew Herron, Cynthia Beck, McKenna Martin, Kaitlin Strickland, Lyndsey  
13 Draper, Jaden Hall, Abby Wakefield, Mykel Godwin, Tanner Wakefield, Ben Koeber, Adrian  
14 Perez, Brittney Jones, Madison Murdock, Ashley VanWoerkom, Cami Christensen, Matt  
15 Jamison, Eric Jamison, Lindsay Gardanier, Taylor Siri, Kelsey Hadlock, Josh Burton, McKaiden  
16 Carruth, Alyssa Clark, Madeleine Arnold, Kelsey Busby, Jacob Busby, Malonie Withworth,  
17 David Quist, Nicole Smith, Abby Christensen and Mary Alice Jackson.

18

19 Jody Bates conducted the Oath of Office.

20

21 Tim Irwin stated he would like the parents to know the Youth Council had their opening social at  
22 his home and he commented they are terrific young men and young women and the parents can  
23 be very proud of them.

24

25

26  **APPEARANCES:**

27

28 Mayor Thompson invited those that would like to address the council can do so at this time. He  
29 indicated that the item involving the West Park Road site for the park maintenance building has  
30 been removed from consideration due to a time restraint related to potential environmental  
31 review.

32

33 Terry Melendez resident, stated he met with some of the members of the council who presented  
34 the idea of the maintenance building being located on West Park Road and felt it was important  
35 for neighbor input. He was concerned with the way the permission was obtained. In talking  
36 with the State that day, they were surprised to say the least with the information he conveyed to  
37 them that was presented by the council members. His concern is if there is any liability for  
38 wrong use of the property, the tax payers would be held responsible. He feels things need to be  
39 transparent, they discuss to discuss things openly and then do what is best for the city.

40

41 Nathan Whiting resident, would like to comment on suggestions for road taxation. It had been  
42 mentioned the bond the city has for the water will end and the money collected for that will stop.  
43 He would like to propose to see if the residents would be willing to put those funds that were

# DRAFT

1 being collected for water continue and put that amount towards the roads. He also commented  
2 that those not on pressurized irrigation, has occurred a significant cost being on culinary that  
3 would possibly be open to pay the original fee for the pressurized irrigation, in turn adding that  
4 amount to the roads.

## 5 6 7 **REPORTS:**

8  
9 **Report:** Audit for the 2013-2014 fiscal year.

10  
11 Steve Rowley of Keddington and Christensen stated he was there to present the 2013-2014  
12 budget year financial audit. He indicated there had been a few changes since the audit report was  
13 distributed last week and he had new copies for the Council. He commented this audit is  
14 prepared to give reasonable assurance that the Highland City financials are correct. This is the  
15 opinion of the auditors but it is ultimate responsibility of the Council to ensure there are policies  
16 and procedures in place to make sure the financials for the city are correct. As part of the audit  
17 they check for internal control to keep the checks and balances. They looked over the policies  
18 and procedures of the city and did not find and significant issues or risks. One issue based on the  
19 state compliance testing is that the council is not receiving financial reports on a monthly basis.  
20 Management has taken discussed this issue and has since steps to provide those statements to the  
21 council on a monthly basis. They look at all aspects of money coming in and going out and  
22 checks and balances in all financial aspects and found no findings and no fraud.

23  
24 Brian Braithwaite inquired of page 6 of the report regarding expenditures. He felt those listed  
25 funds that came into the city had not been expended.

26  
27 Steve Rowley responded this is a schedule which shows allocations from the state and that they  
28 were spent appropriately.

29  
30 Gary LeCheminant indicated that page 17 and 19 would be important for the council to review as  
31 they start to discuss the new budget.

32  
33 Discussion continued as to what they council would like to see regarding the monthly financial  
34 report Gary LeCheminant will be providing to the Council.

## 35 36 37 **CONSENT ITEMS:**

38  
39  
40 ***MOTION: Approval of Minutes for the January 6, 2015 Regular City Council Meeting***  
41 ***Pulled by Jessie Schoenfeld***

42  
43 ***MOTION: Approval of Minutes for the November 18, 2014 Regular City Council Meeting***

# DRAFT

1 *Pulled by Jessie Schoenfeld*  
2  
3

4 MOTION: Ratifications of the Re-Appointment of Planning Commissioner Christopher Kemp  
5  
6

7 **MOTION: Tim Irwin moved the City Council approve the remaining consent item on the**  
8 **agenda.**  
9

10 **Dennis LeBaron seconded the motion.**  
11 **Unanimous vote, motion carried.**  
12  
13



## **ACTION ITEMS:**

14  
15  
16 Jessie Schoenfeld stated even though there was discussion regarding changing the language of  
17 the November 18, 2014 minutes, she does not think it would be right to change what was said.  
18 She feels the comments made were pertinent and relevant to the discussion.  
19

20 Jody Bates, Recorder indicated that the January 6, 2015 meeting minutes are not be affected by  
21 the changes made in the November minutes and could be approved as they have been presented.  
22

23 *MOTION: Approval of Minutes for the January 6, 2015 Regular City Council Meeting*  
24 *Pulled by Jessie Schoenfeld*  
25

26 **Tim Irwin moved the City Council approve the meeting minutes for January 6, 2015.**  
27

28 **Dennis LeBaron seconded the motion.**  
29 **Unanimous vote, motion carried. All**  
30

31 *MOTION: Approval of Minutes for the November 18, 2014 Regular City Council Meeting*  
32 *Pulled by Jessie Schoenfeld*  
33

34 Jessie Schoenfeld stated she would like the wording in the November 18, 2014 minutes to read  
35 as it did in the original draft.  
36

37 Rod Mann feels statements were made in the heat of the discussion between the Mayor and  
38 Jessie and the way it was re-worded still provides clarity and reflects the intent.  
39

40 Jessie Schoenfeld respectfully disagrees and would like it to remain as originally stated.  
41

42 Mayor Thompson stated the communication he had with the state is clear. He feels if they get in  
43 to the detail as to who is misled following information should always be included. The original

# DRAFT

1 agreement was this was to be a state park. The agreement did not last, the park went into being  
2 operated by the county and the city then went from leasing the park to owning the park. He feels  
3 there were many misrepresentations from the state to the city during that process. Upon legal  
4 counsel they needed to clarify the fact that this facility would not only be used for the park but  
5 other areas throughout the city. They are up against a timeline and feels that they would not be  
6 able to work through some issues in that timeframe.

7  
8 Jessie Schoenfeld feels they have a responsibility to be honest, forthright and not try to gain  
9 anything with misrepresentations and half-truths, that's why she would like it left in as originally  
10 stated.

11  
12 **Jessie Schoenfeld moved the City Council approve the meeting minutes for November 18,**  
13 **2014 as originally presented.**

14  
15 **Brian Braithwaite seconded the motion.**

16 **Those voting Aye: Brian Braithwaite and Jessie Schoenfeld.**

17 **Those voting Nye: Dennis LeBaron, Tim Irwin and Rod Mann.**

18 **Motion failed.**

19  
20 **Dennis LeBaron moved the City Council approve the meeting minutes for November 18,**  
21 **2014 as amended.**

22  
23 **Rod Mann seconded the motion.**

24 **Those voting Aye: Dennis LeBaron, Tim Irwin and Rod Mann.**

25 **Those voting Nye: Brian Braithwaite and Jessie Schoenfeld.**

26 **Motion carried.**



29 **MOTION: Approval of a location for a Park Maintenance Location**

30 Mayor Thompson indicated based on the previous comment they have removed the West Park  
31 Road location from consideration and will move forward on the other locations.

32  
33 Tim Irwin inquired as to the specifics why the West Park Road location was taken off the list.

34  
35 Tim Merrill Attorney, stated in their discussions with the state it was a possible the state may  
36 require and environmental impact study because this property is classified as 6-F property. The  
37 cost is extensive and it would take longer than the timeline to build a building would allow.

38  
39 Tim Irwin indicated the city should have been aware of this requirement earlier. He stated this  
40 council and future council should not take federal money there are always strings attached. He  
41 feels the decision to have a maintenance facility in that area should be at the discretion of the city  
42 and not the federal government. He feels this park is a gem to the city and for the federal  
43 government to require us to spend the funds for a study to make an improvement is out of line.

# DRAFT

1  
2 Mayor Thompson stated they were asking the state from the beginning if this was a compatible  
3 use for the property. Putting up the building does not constitute a harm to the land or the water  
4 so it can be built. There are other options, and the concern he has is that they are up against a  
5 time line.

6  
7 Rod Mann felt they could have found out this requirement earlier had they approached it  
8 differently. He inquired if the city had the park services contracted out again, would that change  
9 the need for a building.

10  
11 Brian Braithwaite indicated they wouldn't want to sale the equipment, it would need to be stored  
12 somewhere. One other reason for the building would be to possibly house other supplies like  
13 mulch and fertilizer. They could possibly outsource everything then the need for the building  
14 and land would not be necessary.

15  
16 Discussion continued regarding possible costs and the process of bidding out the maintenance of  
17 the parks. Comments were made regarding the need to also look at and re-assessing the open  
18 space areas.

19  
20 Dennis LeBaron inquired if anyone had talked to Jordan Valley Water to see if they would be  
21 willing to sale the small parcel next to the Town Center proposed site.

22  
23 Discussion continued regarding the property of the Town Center site, the ownership of the  
24 portion of the land next to the city's, if Jordan Valley Water would be willing to sale that parcel,  
25 the amount they might require and the size difference with or without that parcel.

26  
27 Brian Braithwaite inquired of the staff based on the time frame what location they felt would be  
28 the best.

29  
30 Justin Parduhn Public Works, responded both properties have their own set of issues. The  
31 Community Center has zoning issues and the Town Center is the land ownership. He feels if  
32 they can own the Jordan Valley property they would prefer the Town Center property.

33  
34 Nathan Crane indicated that both properties are zoned R-1-40 and would require a conditional  
35 use permit.

36  
37 Mayor Thompson indicated the procedure needs to be the council choose a site and then go  
38 forward with public hearings.

39  
40 Council and Staff discussed concerns with parking issues, the amount of parking needed, and  
41 traffic issues that would be a concern with both the Town Center and Community Center  
42 proposed areas.

# DRAFT

1 Brian Braithwaite feels on either location there would need to be a block wall along some of the  
2 boundaries. He feels the Town Center property has a better feel and would fit better.

3  
4 **MOTION: Jessie Schoenfeld moved the City Council move forward with the Town Center**  
5 **property being the first choice for a Park Maintenance Building and direct staff to put**  
6 **together some construction figures and contact Jordan Valley Water Conservancy District**  
7 **for the possible purchase of their property and bring that information back the City**  
8 **Council.**

9  
10 **Tim Irwin seconded the motion.**

11  
12 Tim Merrill stated that if the Mayor is going to commence with those discussions it should be  
13 placed on the next agenda for an executive session to discuss the purchase of that property.

14  
15 Dennis LeBaron inquired the size difference between the two properties.

16  
17 Nathan Crane responded the unused portion of the Community Center is approx.  $\frac{3}{4}$  of an acre  
18 where the Town Center parcel not including Jordan Valley's property is 1.2 acres. Although the  
19 Jordan Valley property is a triangle piece of property it would add an additional 1 acre.

20  
21 **Unanimous vote, motion carried.**

22  
23  
24  **MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS**

25 *(These items are for information purposes only and do not require action or discussion by the City Council)*

- 26  
27
  - Rod Mann suggested the council look at the fees, deposit and possible rate changes for  
28 the rental of the Community Center due to the recent improvements and would like to  
29 direct staff to look at those prices in comparison to other cities and bring that back before  
30 the council.

31  
32 Tim Irwin agreed with Rod and would like that information to include the City Hall multi-  
33 purpose room and Council Room.

- 34  
35
  - Jessie Schoenfeld commented they previously had a discussion regarding bikers coming  
36 in and out of West Park Road onto SR74. She has seen numerous times where they come  
37 out of West Park Road heading east and turn south but stay on the east side of the road  
38 until they get to the Murdock canal trail which puts them going against traffic. This has  
39 become dangerous to both the bikers and traffic heading south on SR74 then needing to  
40 turn east, sometimes not seeing the bikers alongside the road. The bikers really should be  
41 traveling with traffic and if headed south should travel on the west side of the highway.  
42 The city asked for signage from the county, which they did get except it was placed

# DRAFT

1 facing the wrong way. She inquired if staff could go and replace the sign in the  
2 appropriate place.

3  
4 Justin Parduhn of Public Works stated he would talk to the County or State to see if they will  
5 change it or give them the permission to place it in a different location.

6  
7 Tim Merrill, attorney quoted state law that indicates the local entity cannot regulate traffic  
8 patterns on a state highway and suggested they contact the county to have them look at the issue.  
9

10  
11  **EXECUTIVE SESSION**

12  
13 **MOTION: Tim Irwin moved the City Council adjourn into Executive Session to discuss**  
14 **the sale of real property.**

15  
16 **Dennis LeBaron seconded the motion**  
17 **Unanimous vote, motion carried.**

18  
19  
20 **ADJOURNMENT**

21  
22 **MOTION: Jessie Shoenfeld moved to adjourn.**

23  
24 **Rod Mann seconded the motion.**  
25 **Unanimous vote. Motion carried.**

26  
27 **Meeting adjourned at 9:46 p.m.**  
28

29  
30 \_\_\_\_\_  
31 JoD'Ann Bates, City Recorder

32 Date Approved: February 3, 2015  
33



# CITY COUNCIL AGENDA REPORT

---

ITEM #5

**DATE:** February 3, 2015

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Aaron Palmer, City Administrator

**BY:** Nathan Crane, AICP  
Community Development Director

---

**SUBJECT:** RESOLUTION INDICATING INTENT TO ANNEX 37.18 ACRES OF REAL PROPERTY LOCATED AT THE NORTHEAST CORNER OF HIGHLAND BOULEVARD AND 11800 NORTH.

---

## **STAFF RECOMMENDATION:**

Adopt a resolution indicating intent to annex 37.18 acres of real property located at the northeast corner of Highland Boulevard and 11800 North.

## **BACKGROUND:**

In Utah there are two distinct steps for the review and approval of an annexation of an island or peninsula without a petition (Utah State Code 10-2-418. Each step is outlined below:

### *Notice of Intent*

The Council adopts a resolution of indicating intent to annex property. Accepting the petition for further consideration does not approve the annexation. Rather it allows the applicant and staff to complete the notification and review requirements outlined in State Code. After adoption of the resolution, the City notifies affected entities (ex. Alpine School District, Lone Peak Public Safety District, TSSD, etc.) and provides other public notice as required.

### *Action*

After the petition is accepted, notice has been provided and the city has received the Notice of Certification time is provided for a legislative body or affected entity to protest the annexation. If an annexation is protested the item is heard by the Boundary Commission. If no protest is filed a public hearing is held and the City Council approves or denies the proposed annexation.

## **DISCUSSION:**

- An Annexation Policy Plan was approved by the City Council in June 2002. Detailed infrastructure studies and planning were completed for the annexation area. These plans/studies identify the infrastructure needs to serve the areas identified for future annexation. The proposed annexation is within the area identified for future annexation.

- The requested action does not approve or deny the annexation petition. The action requested allows the Council to further consider the annexation. The decision on whether or not to annex the property will be made at a future Council meeting after all noticing requirements are complete. The Council will have complete discretion whether or not to approve the annexation at this time.
- The property owner has submitted an application for a Planned Development (PD) District which is currently under review by staff. It is anticipated that the annexation and PD District will be considered concurrently at a future City Council meeting. A public hearing before the Planning Commission will also be held prior to Council consideration.

**FISCAL IMPACT:**

Unknown

**ATTACHMENTS:**

1. Proposed Resolution
2. Annexation Plat

**RESOLUTION NO. R-2015-\*\***

**A RESOLUTION OF HIGHLAND CITY, UTAH  
INDICATING ITS INTENT TO ANNEX REAL PROPERTY**

WHEREAS, Highland City has received a request from CARLING, KARIN S & RONALD L and SIGGARD, CHERYLIN A & KIPLEY JOHN (Property Owners) of property located contiguous to Highland City; and

WHEREAS, the Property Owners desires to have their property annexed into the corporate limits of Highland City; and

WHEREAS, the Highland City Council has determined that the property is within the Highland City Annexation Policy Plan and contiguous to Highland City Corporation and should be annexed into Highland City; and

WHEREAS, the proposed annexation meets the requirements of Section 10-2-418 of the Utah State Code;

NOW THEREFORE BE IT RESOLVED, by the City Council of Highland City, Utah:

Section 1. Pursuant to Section 10-2-418 of the Utah State Code, the Highland City Council hereby intends to annex the parcel of real property located at Northeast Corner of Highland Boulevard and 11800 North, consisting of 37.18 acres of unincorporated territory in Utah County, State of Utah. Said parcel is more particularly described as set forth on Exhibit "A" attached hereto.

Section 2. Staff is hereby directed to publish notice of this proposed annexation as required in Section 10-2-418 of the Utah State Code.

Section 3. This Resolution shall be effective upon date of its adoption.

ADOPTED by the City Council of Highland City, Utah, this 3<sup>rd</sup> day of February 2015.

HIGHLAND CITY, UTAH

\_\_\_\_\_  
Mark 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"/>

Exhibit A  
Legal Description

PARCEL 1:

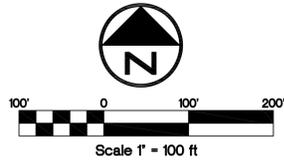
BEGINNING AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 00°09'34" WEST ALONG THE SECTION LINE 1310.25 FEET TO THE NORTHERLY LINE OF LAND CONVEYED TO HIGHLAND CITY CORPORATION AS ENTRY NO. 33631:2003 AND ALONG SAID NORTHERLY LINE THE FOLLOWING FIVE (5) CALLS: (1) 250.73 FEET ALONG THE ARC OF A 4,963.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 88°25'27" WEST 250.70 FEET); (2) NORTH 86°58'37" WEST 72.08 FEET; (3) 274.08 FEET ALONG THE ARC OF A 5,037.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS NORTH 88°32'09" WEST 274.05 FEET); (4) SOUTH 89°54'19" WEST 618.82 FEET; (5) SOUTH 00°31'44" EAST 37.00 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE ALONG SAID SOUTH LINE SOUTH 89°50'02" WEST 15.14 FEET TO THE EAST LINE OF THE "DEED OF DEDICATION" RECORDED AS ENTRY NO. 154716-2002; THENCE ALONG SAID EAST LINE NORTH 00°07'29" EAST 1328.06 FEET TO THE NORTH LINE OF SAID SECTION 27; THENCE NORTH 89°52'52" EAST ALONG SAID NORTH LINE 1230.91 FEET TO THE POINT OF BEGINNING.

CONTAINS 36.61 ACRES OR 1,594,907 SF

PARCEL 2:

BEGINNING AT A POINT SOUTH 89°52'52" WEST ALONG THE SECTION LINE 1323.80 FEET FROM THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT OF BEGINNING ALSO BEING THE EAST 1/16 CORNER OF SECTION 22 AND 27 OF TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°52'52" EAST 18.88 FEET TO THE WEST LINE OF THE "DEED OF DEDICATION" RECORDED AS ENTRY NO. 154716-2002; THENCE SOUTH 00°07'29" WEST ALONG SAID WEST LINE 1328.12 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 89°50'02" WEST ALONG SAID SOUTH LINE 18.43 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 00°06'19" EAST ALONG SAID WEST LINE 1328.13 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.57 ACRES OR 24,776 SF



# HIGHLAND OAKS ANNEXATION

HIGHLAND BOULEVARD AND 11800 NORTH

LOCATED IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN UTAH COUNTY, UTAH

**SURVEYOR'S CERTIFICATE:**  
 I, SCOTT W. DERBY, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 186126 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS MAP, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AS SHOWN ON THIS MAP.

DATE \_\_\_\_\_ SURVEYOR (SEE SEAL BELOW)

**BOUNDARY DESCRIPTION**  
 BEGINNING AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 00°09'34" WEST ALONG THE SECTION LINE 1327.05 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 89°50'02" WEST ALONG SAID SOUTH LINE 1322.55 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 00°06'19" EAST ALONG SAID WEST LINE 1328.13 FEET TO THE NORTH LINE OF SAID SECTION 27; THENCE NORTH 89°52'52" EAST ALONG SAID NORTH LINE 1323.80 FEET TO THE POINT OF BEGINNING.

CONTAINS 40.33 ACRES OR 1,756,614 S.F.

**BASIS OF BEARING**  
 THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 89°52'52" EAST FROM THE FOUND BRASS CAP MONUMENT MARKING THE NORTH QUARTER CORNER OF SECTION 27 TO THE FOUND BRASS CAP MARKING THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

**ACCEPTANCE CERTIFICATE**

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, \_\_\_\_\_ HAVE RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO THE CITY OF HIGHLAND AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith ALL IN ACCORDANCE WITH THE UTAH COUNTY ANNOTATED (1953) 10-2-401 TO 10-2-424 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE \_\_\_\_\_ ANNEXATION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

ATTEST \_\_\_\_\_  
 CLERK-RECORDER

**HIGHLAND OAKS ANNEXATION**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN UTAH COUNTY, UTAH

SURVEYOR'S SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL

NORTH QUARTER CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDAIN (FOUND BRASS CAP)

S89°53'02"W 2647.72' (MEASURED MON TO MON)

NORTHWEST CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDAIN (FOUND BRASS CAP)

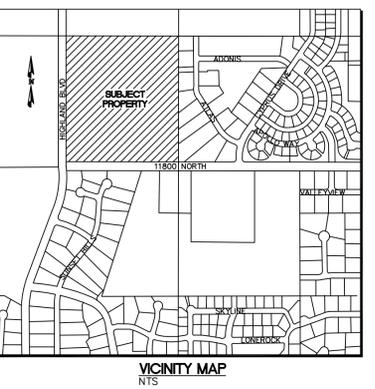
**LEGEND**

SECTION LINE FOUND SECTION CORNER

SECTION LINE NOT FOUND OR CALCULATED SECTION CORNER

BOUNDARY LINE

ADJACENT PROPERTY / ROW LINE



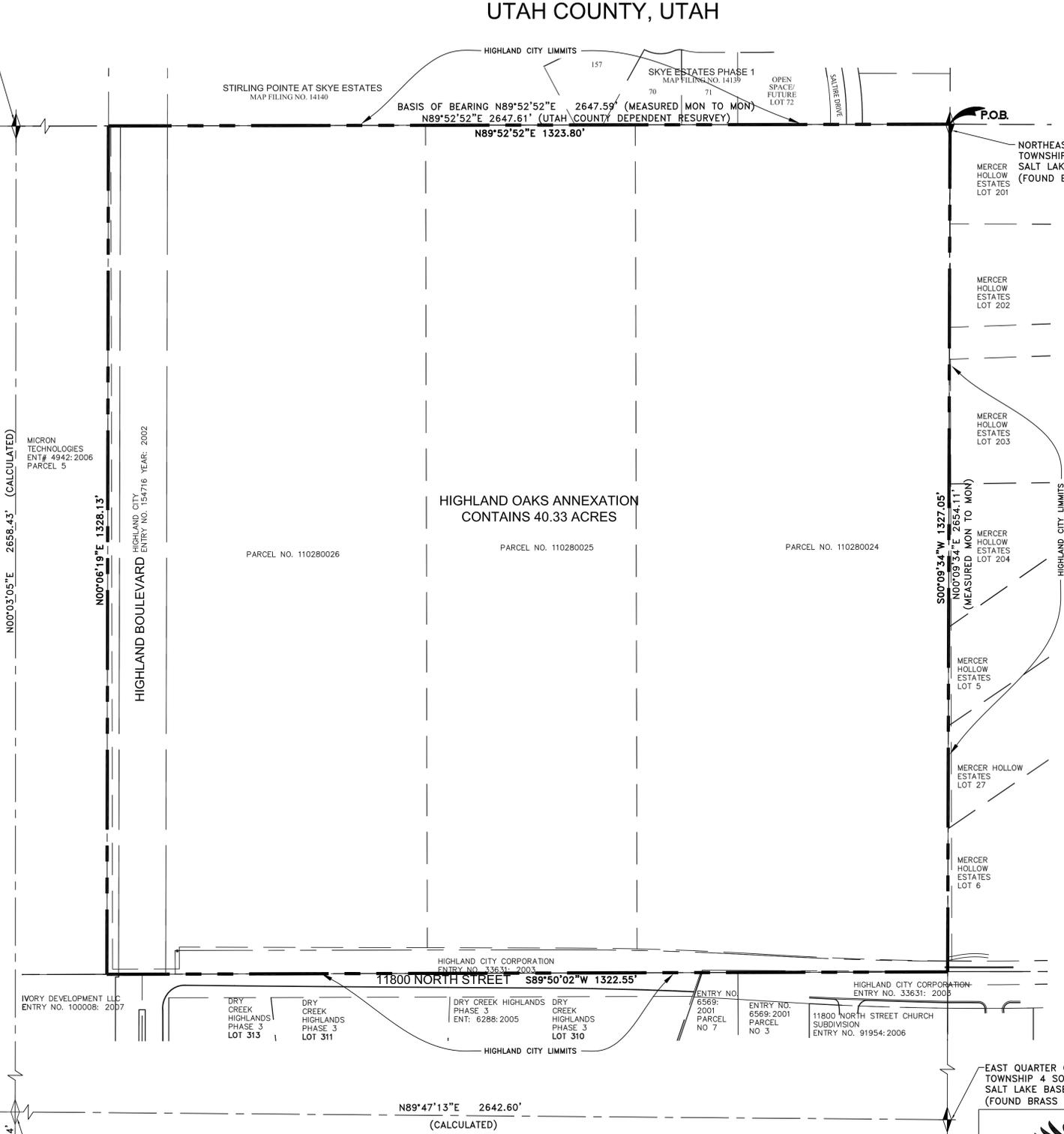
WEST QUARTER CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDAIN (FOUND BRASS CAP)

N89°47'13"E 2643.66' (CALCULATED)

SOUTH QUARTER CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDAIN (FOUND BRASS CAP)

N00°03'05"E 2656.54' (CALCULATED)

CENTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDAIN (NOT FOUND)



COUNTY SURVEYOR'S SEAL

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. § 17-23-20 AS AMENDED.

COUNTY SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_



# CITY COUNCIL AGENDA REPORT

---

ITEM #6

**DATE:** February 3, 2015

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Nathan Crane, AICP  
Community Development Director

---

**SUBJECT:** MOTION – SELECTION OF CONSULTANT TO PREPARE COST PROJECTION FOR  
ROADS WITH PCI VALUE OF D AND F

---

## **STAFF RECOMMENDATION:**

Select a consultant to prepare cost projection for D and F Roads

## **BACKGROUND:**

In the fall of 2014, J-U-B Engineers prepared a road maintenance plan. As part of this plan Pavement Condition Index (PCI) values were established for all roads in Highland. However, the maintenance plan only addressed roads with a PCI value of A-C. The Mayor and Council has requested a road plan addressing roads with a PCI values D and F be addressed. There are 15.16 miles with a PCI value of D and 18.04 miles with a PCI value of F.

In September 2016, the City Council hired King Engineering to serve as a consultant to provide general consulting services relating to road maintenance projects. The not to exceed contract was for \$7,500.

Staffs met with Mr. King earlier this year to discuss the possibility of having King Engineering prepare the cost projections for D-F roads. Since this project was not covered in the original contract, Council authorization is required. Mr. King has prepared a proposal to complete this project. The proposal includes:

- Visually assessing all of the J-U-B Engineers D and F rated Highland roadways
- Develop individual recommended rehabilitation or reconstruction strategies and a corresponding opinion of probable construction cost for each road to redress the specific distresses and deterioration issues involved.
- The probable cost will be based upon typical industry standard costs King Engineering has gathered during the past construction season (2014) along the Wasatch Front.
- Submit to Highland City a list of each roadway, its corresponding J-U-B Engineers developed PCI value, the recommended rehabilitation or reconstruction strategy, and an opinion of probable construction cost.

Weather permitting; the work will be completed within two months.

Two proposals were prepared, one proposal would utilize the existing PCI data from J-U-B Engineers (\$12,600) , in the other, King Engineering would create the PCI values (\$17,200). The different is cost is \$4,600. Staff was able to obtain the data needed from J-U-B Engineers.

**FISCAL IMPACT:**

Total Cost is \$12,600 and will taken from account 10-60-34 Streets and Roads – Professional and Technical Services. This account has \$13,660 remaining.

**ATTACHMENTS:**

King Engineering Proposal

January 15, 2015

**King Engineering, Inc.**  
Civil Engineering  
2975 W. Executive Parkway 171  
Lehi, UT 84043

Nathan Crane  
Community Development Director  
Highland City

Subject: Proposal for consulting services

Dear Nathan:

Thank you for meeting with me on Monday. I appreciate your time and attention regarding identifying and quantifying the best roadway maintenance, rehabilitation, and reconstruction strategies to extend the service life of Highland City roads. Pursuant to your request I have prepared the following proposal:

**Cost Projections Report for Highland D and F Roadways using J-U-B Engineers PCI**

I will visually assess all of the J-U-B Engineers D and F rated Highland roadways, develop individual recommended rehabilitation or reconstruction strategies and a corresponding opinion of probable construction cost for each road to redress the specific distresses and deterioration issues involved. This opinion of probable cost will be based upon typical industry standard costs King Engineering has gathered during the past construction season (2014) along the Wasatch Front.

We will submit to Highland City a list of each roadway, it's corresponding J-U-B Engineers developed PCI value, the recommended rehabilitation or reconstruction strategy, and an opinion of probable construction cost to redress problems. We will complete this work two months from a written Notice to Proceed. This work may be delayed if snow and ice prevent a visual assessment.

Fee \$12,600.00

**Cost Projections Report for Highland D and F Roadways including internally developed PCI**

I will visually assess all of the J-U-B Engineers D and F rated Highland roadways, develop individual Pavement Condition Index (PCI) values for each roadway, develop a recommended rehabilitation or reconstruction strategy and a corresponding opinion of probable construction cost for each road to redress the specific distresses and deterioration issues involved. This opinion of probable cost will be based upon typical industry standard costs King Engineering has gathered during the past construction season (2014) along the Wasatch Front.

We will submit to Highland City a list of each roadway, it's corresponding PCI value, the recommended rehabilitation or reconstruction strategy, and an opinion of probable construction cost to redress problems. We will complete this work 10 weeks from a written Notice to Proceed. This work may be delayed if snow and ice prevent a visual assessment.

Fee \$17,200.00

We realize that the costs developed in this report will be used for planning and as such may be referred to for several years in the future. Construction costs vary season to season depending on any number of external factors such as interest rates, price of oil, cement, concrete, etc. An inflator or deflator may need to be applied to these costs for relevance in future planning.

Thank you for the opportunity you have given us of submitting a proposal on this work. I look forward to hearing from you soon.

Respectfully,

KING ENGINEERING, INC.

A handwritten signature in black ink that reads "Jon King". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Jon King, P.E.

JEK:mk

D:\projects\32-1426\DandFRoadReport\proposal.pro



# CITY COUNCIL AGENDA REPORT

Item # 7

**DATE:** Tuesday, February 3, 2015

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Gary LeCheminant  
Finance Director

---

**SUBJECT:** FISCAL YEAR 2014-2015 MID-YEAR RECOMMENDED BUDGET ADJUSTMENTS

---

**STAFF RECOMMENDATION:** It is the recommendation of the Finance Director that Highland City make some mid-year budget adjustments to bring some of the expenses and revenues into alignment with the year-to-date actuals and estimates for certain expense and revenue accounts.

**BACKGROUND:** Each fiscal year after the budget has been approved in June, it is sometimes necessary to make adjustments to various expense and revenue accounts because of unplanned or unforeseen needs or that forecasts/estimates of revenue or expenses have turned out different from the original budget numbers. Mid-year budget adjustments allow the city to better see their budget status half way through the budget year. With all of the recommended adjustments, the General Fund budget will be increasing from \$7.65 Million to \$7.92 Million, an increase of approximately \$270,000. The four enterprise funds are affected by a decrease of approximately \$23,400 in each fund because of the movement of the budgeted amount for the city engineer out of these funds and all \$94,000 being placed in the Engineering budget.

Some of the largest adjustments are as follows:

Reallocate the former city engineer's salary and benefits amount entirely to Engineering, \$156K. The net effect of this adjustment is zero.

Transfer an additional \$187K from the General Fund Surplus to make the budget balance. This brings the total transfer from General Fund Surplus to \$432K.

Increase the Emergency Admin expense by \$98,199 for the dispatch building.

Increase the special projects expense in the planning department by \$37,500 for a total of \$70,000. This is for Zions Bank impact fee analysis and study.

Highland Fling expense is increasing from \$20,000 to \$46,715 and at the same time Fling revenue is increasing from \$10,000 to \$27,500. Therefore, the Fling cost the city about \$20,000 which was the budgeted amount of original expense.

Community Center Bldg. Maintenance is increasing from \$25,000 to \$37,500 because the heater in the building needed to be fixed.

There is a revenue increase in building plan review of \$25,800 but this is offset by a lowering of the estimate of the amount of court fines that will be collected from \$210,000 to \$180,000.

A budget amount of \$150,000 of expense has been added to the Capital Building Fund for the

construction of the new parks maintenance building.

One last item in the budget is that according to the State Auditor we must charge ourselves for the pressurized irrigation water we use to water our parks and grass. This amount is estimated to be \$57,100. This adjustment however is neutral in its effect on the General Fund the way the Finance Director has accounted for it. The Finance Director will discuss this requirement in greater detail in the council meeting.

**FISCAL IMPACT:** The City's General Fund budget will increase from \$7,654,875 to \$7,922,531, an increase of \$267,656. The budgeted revenues and expenses will still be in balance with the mid-year Fiscal Year 2014-2015 budget adjustments. The enterprise funds budgeted expenses will decrease in total by approximately \$94,000. This is due to the fact that the city engineer position was vacated in June. The costs of outside consultants are now charged to the engineering department and are not distributed to the various enterprise funds.

**ATTACHMENTS:**

- A separate spreadsheet was emailed to the City Council and Mayor showing all the proposed adjustments, along with a spreadsheet showing the entire new amended budget.