

MINUTES
HIGHLAND CITY COUNCIL MEETING
Tuesday, June 2, 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: Dale Wheeler, Linda Smuin, Matt Church, Ed Barfuss, Natalie Morton, Stan Mead, Joan Schietelbine, Jen Ashcraft, Nate Barreti, Edward Robbins & Dena, Oennie & Fay Butterfield, Ann Given, Dyanne Law, Keldon Paxman, Linda Olpin, Mira Freeman, Mark Freeman, Deanna Holland, Michael Austin, Jacob Parra, Brayden Blodgett, Miles Merrill, Pat Hollingshal's, Diana Pitcher, Wendi Loosle, Dylan Topham, Devin Astin, Matt Bean, Matthew Gedris, Carter Scott, Jeremy Crane, Garrett Kimber, Ethan Smith, Zack Bean, Jake Bean, Wesley Stevensen, Trevor Sorensen, Lance Greers, Staci Mecham, Michelle DeKorver, Mike Decarlo, Steve Mackay, Suzanne Machay, Clarinda Decarlo, Kathy Mead, Susie Johnson, Dina Love, Jennifer Moulder, Joan Schiefelbine, Brett Johnson, Lyzie Johnson, Dauio Parra, Emily Cahoon, Ashley Parra, Jeff Ferraro, Matt Stephens, Maddison Chesler, Mckenzie Chesler, Cynthi Chesler, Danielle Chesler, Wendi Loosle, Gil Wilburn, Wayne Wilburn, Tanya Colledge, Kaitlyn Cahoon, Olivia Wride, Lynn Hancock, Anne – Marie Hancock, Lisa Haulde, Daniel Asay, Matt Cahoon, Julie Morrill, Jeff Anderson, Heather Anderson, Kara Lowe, Carrie Peters, Glenn Peters, Cindy Larsen, Robert Lewis, Stephanie Lewis, Michael Lewis, Steven Lewis, Robby Lewis, Zoe Waters, Tina Waters, Dan Vest, Cristi Staheli, Randy Relyea, Lynne Power, Nathan Harward, Joel Wride, Jamie Wride, Jean Whitney, Mark Whitney, Michael Asay, Wendy Asay, Matt Mecham, Staci Mecham, George Ramjoue, Larry A. Landen, Jay Olpin, Gerald Naumann, Brion Cahoon, Jason Nelson, Sheila Packard, Vern Cahoon, Evelyn Cahoon, Missy Church, Karene Pierson, Andrea Morley, David Morley, Jill Tew, Kirsten King, Emma King, Cathy King, Alauna McGahan, Tim Heyrend, Ally Bell, Jason Bell.

The meeting was called to order by Mayor Mark S. Thompson as a Regular Session at 7:00 p.m. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Mayor Mark Thompson, and the Pledge of Allegiance was lead by Boy Scout, Ethan Smith.

APPEARANCES:

Julie Brinkerhoff stated that on the evening of May 25, she received a phone call and was informed of an accident at Highland Blvd and 118 North. Ms. Brinkerhoff expressed how devastated she was when she learned that the individuals involved in the crash were Mailee and Christine Andersen, who also live in the neighborhood. Sadly, the accident resulted in Mailee losing her life. Julie expressed concerns with other traffic accidents that have occurred, and wondered if any of these could have been avoided with better traffic safety intervention. It is the community's responsibility to do everything possible to protect the lives of those who live along this road. This particular intersection is a higher risk intersection, and Ms. Brinkerhoff noted that she has started circulating a petition on the issue. Currently, she has collected 301 signatures, in an effort to urge the City Council to approve a traffic light at this particular intersection. Furthermore, there has been another petition in circulation calling for a roundabout and/or three-way stops. Ultimately, any method of safety is better than nothing. She noted that a traffic study has been ordered, although was concerned with the level of its accuracy due to the timing in which it will be conducted. Julie continued that every day that she passes that intersection she will be reminded of the families who have been affected by the accidents that have taken place in that area. She concluded her remarks by imploring that the Council take action, and noted that she has spoken with an experienced engineer who can provide suggestions on potential actions.

Tanya Colledge added to Ms. Brinkerhoff's remarks by stating that she expressed similar concerns regarding the intersection in question, in a Council meeting about one year ago. Ms. Colledge explained that she hopes the petition will encourage the change that needs to take place.

Emma King stated that she is representing her family today. She agreed with Ms. Brinkerhoff by stating that the aforementioned intersection is extremely dangerous. Ms. King stated that her sister was involved in an accident at the same intersection three years ago, and noted that her sister was in attendance at the meeting. Ms. King remarked that she wishes she had started lobbying for added safety measures at this intersection three years ago, and detailed possible solutions.

Kirsten King spoke about the car accident with which she was involved three years ago at the intersection of Highland Blvd and 118 North. Ms. King commented that in the blink of an eye her life was changed forever. She expressed full support for the petition urging the Council to implement better traffic control.

Joan Schietelbine introduced herself as the grandmother of Mailee Andersen, who recently lost her life in an accident at the intersection. Ms. Schietelbine echoed previous comments which were made, and expressed grief for her loss.

Kara Lowe mentioned that she lives on the hill near Draper. She explained that she drives this road frequently to take her kids to school, and has had several close calls as well. She was of the

opinion that a roundabout could better control speed for drivers coming down the hill, as opposed to a stop light or stop sign that people can easily ignore. She stated that she hopes that a solution can soon be reached for the safety and protection of all families.

Tim Irwin remarked that as a Council, they are listening to the public's comments and concerns. He stressed that they are taking necessary steps in order to make the aforementioned intersection safe. He thanked everyone for sharing their comments, and stated that the families who have been affected by recent car accidents are in his prayers.

Mayor Thompson empathized with the families who have lost loved ones in recent accidents, and assured the public that staff and elected officials are doing all that they can to prevent future incidents

CONSENT ITEMS:

MOTION: Ratifying the Mayor's Appointments to the Highland City History Committee – Brenda Thurgood and Donna Kitchen.

MOTION: Councilmember Tim Irwin moved the City Council approve the consent items on the agenda.

**Seconded by Rod Mann.
Unanimous vote, motion carried.**

PUBLIC HEARING:

There were no public comments.

ACTION ITEMS:

RESOLUTION: Approval of Amended Budget – Fiscal Year 2014-2015

BACKGROUND: The City is required to keep expenditures within budget. As the Council is aware, accurately forecasting all the expenditures and needs of the community is difficult; therefore, budget amendments may be necessary to comply with State requirements. It is necessary to amend the budget to adjust for and various unanticipated expenditures in certain funds of the City.

Gary LeCheminant, Finance Director highlighted a couple of the City's final adjustments, and stated that the revenues and expenses are matched at around \$7.932 million. The City is using \$164,000 less from the General Fund surplus. Cemetery revenue is up \$40,000, fees are \$12,000 and revenue from garbage is up \$22,000, due to an increase in users. Additional details pertaining to fees were discussed.

Mayor Thompson opened the Public Hearing. There were no public comments.

MOTION: Councilmember Rod Mann moved the City Council approve a Resolution for the Fiscal Year 2014-2015 Budget Amendments

Tim Irwin seconded the motion.

Those voting aye: Rod Mann, Jessie Schoenfeld, Tim Irwin, Dennis LeBaron and Brian Braithwaite.

Those voting nay: none

Motion carried.

MOTION: Park Maintenance Building – Conditional Use Permit

BACKGROUND: The site is designated as Low Density Residential on the General Plan Land Use Map. The site is zoned R-1-40 (Residential Zone). Public buildings and grounds are permitted in the R-1-40 District subject to a conditional use permit. The subject property is part of the Highland Town Center Meadows Subdivision. Half of the property is manicured open space/parkland. The other half is natural vegetation with an open ditch. There is an existing trail on the property which will be removed. The City Council has been discussing a location for a park maintenance facility (see Attachment 3). The project budget is \$300,000. A Conditional Use Permit is an administrative action.

Nathan Crane, Community Development Director presented the staff report, and stated that Conditional Use Permits are an administrative process. Review is focused on compliance with the development code and mitigating adverse impacts. This particular application is unique in that the property is owned by the City. Nathan noted that a public hearing was held last Tuesday for the Planning Commission. Nathan presented a chart of the sites and reviewed other considerations that have been made. He stated that this decision has not been easy, and extensive research has gone into this process. They are trying to determine the best location for the City, and which option would provide the best service for the residents. It was noted that the Planning Commission recommended denial of the Conditional Use Permit at this particular location. There was some interest in splitting up the facility and alternatively putting small storage areas around the City.

MOTION: Rod Mann moved the City Council withdraw consideration of the Park Maintenance Building being located at the Town Center location.

Tim Irwin seconded the motion.

Brian Braithwaite expressed concerns with a decision being reached prior to any discussion taking place.

Rod Mann remarked that prior to being on the Council, he attended meetings for two years and observed many times when the Council would vote against what was recommended by the

Planning Commission. He made a personal decision not to vote contrary to that which comes forward as a recommendation by the Planning Commission, unless there were extenuating circumstances or no other alternatives. In this case, he feels that there are other alternatives.

Brian Braithwaite provided an overview on the project, and the process by which elected officials arrive at a decision. He expressed that he is not in favor with moving forward with this proposal, and explained that he does not want something in the City that will deter from the beauty of the community. He was concerned that while the facility may initially look nice, over time it will be difficult to maintain and would become an eyesore in the City Center.

Tim Irwin agreed with Councilmember Braithwaite's comments relating to how difficult the decision making process can be for the Council. He remarked that they are a representative government, and it is therefore important to have public input on important issues.

Dennis LeBaron echoed the comments made by other Councilmembers, and expressed a willingness to go back to the drawing board to try again.

Rod Mann suggested possibly outsourcing parks maintenance, noting that they might not even need the proposed building.

Unanimous vote.

Motion carried.

MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS:

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

- Highland Blvd. & 11800 North

Nathan Crane commented that after the accident occurred at the aforementioned intersection, he quickly began researching traffic safety options. In doing this research, he developed a two-step process. The first step is to create an operational safety report, which includes the hiring of a consultant to assess traffic safety and design issues at Highland Boulevard and 118 North for the past ten years. A preliminary plan would be presented on July 21, 2015, which will include recommendations. Depending upon the recommendations presented, the next step would be to do a warrant study which analyzes different criteria. Staff recently met with two different consultants who could conduct these studies. Nathan felt that the two reports would be very valuable to have no bias opinion. He noted that each study costs around \$4,000 to \$4,300 each. Furthermore, he suggested that the actual counts be postponed until after August 19, so that more accurate counts can be collected.

Councilmember LeBaron if the lines on the turn lanes could be re-painted prior to the City determining an appropriate long-term solution.

Other temporary solutions were discussed, and Councilmember Braithwaite asked if there is any other signage that can be placed in the interim.

Justin Parduhn, Public Works Director wasn't sure of any signs that could be used, but stated that staff can re-paint the lines on the road. Another suggestion was made to install a blinking speed limit tracker to remind drivers of the speed limit.

Mayor Thompson advised the Council to wait for study results prior to making a spending decision.

Brian Braithwaite commented that this intersection has been problematic for the past five years, even when there was less traffic in the area. Now that there are new subdivisions being developed, the issue will become worse.

Nathan Crane expressed that it is in the City's best interest to re-evaluate the Transportation Master Plan, and stated that it hasn't been updated since 2007. Once the Transportation Master Plan is updated, a capital plan can then be created. Nathan explained that the study will use existing data on traffic of the intersection, and stated that the primary focus will be the design of the intersection. Staff will assess car accidents that have occurred in the past ten years, and categorize them while looking at the overall design.

Ed Barfuss, a resident explained how previously on Country Club Drive there had been multiple accidents due to excessive speeding. He recalled an incident in which a speeding driver destroyed property and pushed another car out into the street. For residents and people visiting the club it was a very dangerous road. Consequentially, a road study was completed which led to the installment of two radar activated signs. Overall, these signs have caused speeding on that road to diminish considerably. There was discussion as to whether or not data exists to support whether or not speeding has decreased on Country Club Drive, and Nathan Crane agreed to further pursue the collection of such information.

- HB362 – Transportation Infrastructure Funding Information and Sample Resolution

Mayor Thompson stated that the remainder of the meeting will be a discussion regarding HB 362, which relates to information on transportation funding. Discussion will take place to determine what exactly will be placed on the ballot for a vote, and whether or not the item will be voted upon this year or next year. The bill has two parts, including a change to gas tax which will become effective January 1, 2016. This increase will automatically start generating additional revenue. The second part of the bill is an optional quarter cent sales tax increase, and currently the Utah League of Cities and Towns (ULCT) is circulating a model Resolution for cities to pass in support of the tax increase. Mayor Thompson stated that if the Council passes the proposed Resolution, Highland City would be indicating support for this additional tax.

A general breakdown of how funds will be distributed was discussed. Furthermore, it was noted that there are specific parameters for which the funds can be used. Even if Highland City opts to not pass the model Resolution as has been proposed by ULCT, the tax itself could still be approved, and funds distributed to cities based on a calculated formula. Additional comments were made regarding the benefits that the optional quarter cent sales tax would provide cities.

ADJOURNMENT INTO CLOSED EXECUTIVE SESSION:

- Pending or reasonably imminent litigation

Pursuant to Section 52-4-205(1)(c) of the Utah State Code Annotated.

MOTION: Rod Mann moved the City Council adjourn into closed Executive Session.

Jessie Schoenfeld seconded the motion.

Unanimous vote. Motion carried.

ADJOURN CITY COUNCIL MEETING:

MOTION: Tim Irwin moved the City Council adjourn the Regular Open Meeting.

Dennis LeBaron seconded the motion.

Unanimous vote. Motion carried.

Meeting adjourned at 8:46 p.m.


JoD Ann Bates, City Recorder

Date Approved: July 21, 2015



