

**AGENDA**  
**HIGHLAND CITY COUNCIL MEETING**  
**October 20, 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 – Jessie Schoenfeld  
PLEDGE OF ALLEGIANCE – Rod Mann

**APPEARANCES**

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

**PRESENTATIONS**

- 1. Lone Peak Public Safety / Police – Police Chief Brian Gwilliam**

**CONSENT**

- 2. MOTION: Meeting Minutes for the City Council Regular Session – September 1, 2015**
- 3. MOTION: Meeting Minutes for the City Council Regular Session – September 15, 2015**
- 4. MOTION: Meeting Minutes for the City Council Regular Session – October 6, 2015**
- 5. MOTION: Ratification of the Mayors Appointment and Re-Appointment to the Highland Library Board – Roger Dixon, Scott Smith and Cindy Johnson**
- 6. MOTION: Ratification of the Mayors Appointment of a Chairman to the Highland Fling Committee - Jessie Schoenfeld**

**ACTION ITEMS**

- 7. MOTION: Request for Burial on Private Property – Susan Ledkins**
- 8. MOTION: Authorization to Proceed with Construction - Dry Creek Phase 3 Trail**

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>
Road Capital Improvement Plan for FY 15-16 <i>Prioritize and Communicate to Residents</i>	City Council		Continued Discussion
Determine Park Use for Recreation	City Council Parks Staff	4 <sup>th</sup> Quarter of 2015	Staff to make Recommendations
Building Use Policy Fees	DeVirl Barfuss	4 <sup>th</sup> Quarter of 2015	Gathering Information
HW Bldg. – PW Storage Status	City Council Mayor/PW	End of 2015	In Progress
Moratorium for the Town Center Overlay	City Council	January 2016	
Urban Deer Control Plan	Council City Recorder	January 2016	Scheduled for January 19 <sup>th</sup>

CERTIFICATE OF POSTING

The undersigned duly appointed City Recorder does hereby certify that on this **15<sup>th</sup> day of October, 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 MEETING  
Tuesday, September 1, 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:** Nathan Crane, City Administrator/Community Development Dir.  
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  
Todd Trane, Contract Engineer  
Brad Freeman, Fire Chief

**OTHERS:** Rhonda Bromley, Dennie Butterfield, Fay Butterfield, Lillie Kohler, Paul Bennett, Jeanie Westover, Mike May, Carol May, Stuart Anderson, Christine Anderson, Amy Jones, Gil Wilburn, Lynne Wilburn, Christopher McGahan, Alice Anderson, Roy Anderson, Mike Gagon, Alison Gagon, Julie Brinkerhoff, Stephanie Collins, Paul Atkinson, Ryan Nuesmeyer, Rollin Johnson, Kathy Mead, Lafe Harris, Willard Spykes, Jeannie Spykes, Bryce Ashcraft, Kenney McEwan, Pattie McEwan, Jennifer Moulder, Rob Gulbrandsen, Srina Gulbrandsen, Jeff Beer Cheyin Siggard, Karin Siggard, Bill Haines, Linda Haines, David Lukens, Brandon Baucnton, Diana Pitcher, Sheila Packard, Cheryl Clyde, Jeff Clyde, Brett Johnson, Lygia Johnson, Charles Allen, Kim Allison, Ryan Highlequist, Sherie Stewart, Joe Pavia, George Ramjoue, David Perez, Brent Morrill, David Pixton, Joe Totorica, Elvira Totorica, Mark Whitney, Henry Boogaard, Shirley Boogaard, Tim Aalder, Dennis Likes, Heidi Parker, Cathy Allred, Stephanie Lewis, Janice Clouse, Randy Clouse, Evelyn Cahoon, Joel Zabriskie, Catherine Pavia, Vern Cahoon, Jennifer Ashcraft, Anne-Marie Hancock, Bill Bennett, Kenny Anderson, Bob Emmett, Brandon Newman, Natalie Ball, Tonya College, Wendy Condie and Robert Lewis

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:02 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 and those assembled were led in the Pledge of Allegiance by Tim Irwin.

# DRAFT

1 **APPEARANCES:**  
2

3 Rhonda Bromley, principal at Lone Peak High School (LPHS), gave a report and thanked the  
4 City for all that they have done. She announced that LPHS has a 95.3% graduation rate, which is  
5 above the State average. LPHS is also in the top five high schools in Utah in the areas of science  
6 and math. Ms. Bromley thanked the City for their support in Lone Peak Community for Hope.  
7 Lastly, she thanked the Council for being proactive on the parking issues, and hopes that a  
8 resolution can be reached soon.  
9

10 Allison Gagon commented on the church that is being proposed on 6900 West. She expressed  
11 concerns with the road being a dead end street, and was worried that when people park on both  
12 sides of the street it will be reduced to one lane only. Ms. Gagon explained that they have a  
13 horse trailer and truck which they pull out of the driveway on a daily basis. She requested that  
14 “no parking” signs be posted on both sides of the road so that they can still get in and out of their  
15 driveway, and stated that these signs should be posted prior to the start of construction.  
16

17 Mike Gagon reiterated Ms. Gagon's remarks, and stated that they need to be able to get in and  
18 out of their driveway every day.  
19

20 Lygia Johnson stated that she lives in the Town Center, and outlined the Goals and Policies of  
21 Section 8 of the Highland City General Plan regarding Parks and Recreation. She was of the  
22 opinion that there is not a sufficient amount of parking near parks and splash pads. Furthermore,  
23 she does not believe that the Blackstone project meets the master plan and goals of Highland  
24 City, and feels that it should be denied.  
25

26 Mark Whitney noted that he is a Highland resident, and asked the Council to carefully consider  
27 prior to casting a vote on the Blackstone project whether or not their actions will potentially lead  
28 to a lawsuit. Mr. Whitney stressed the importance of only committing to projects that remain in  
29 the best interest of the City.  
30

31 Kathy Mead thanked the Mayor and Council for their willingness to serve the community. With  
32 regards to the Blackstone project, Ms. Mead explained that there are always two sides of the  
33 decision. She believes that the Council needs to choose what is right and let the consequences  
34 follow. In keeping with the standards as they are set forth by Highland City, the Council should  
35 deny the Blackstone application.  
36

37 Brett Johnson has been a Highland resident for 18 years, and has worked as a researcher for  
38 nearly 35 years. He stated that the impact of high density living and overcrowding is detrimental  
39 to the health and general welfare of individual and families. Mr. Johnson then provided some  
40 statistics on mental health issues in Utah and the effects of growing community development.  
41 He argued that community contentment is lowered as a community begins to get overcrowded,  
42 and agreed with previous remarks that the Blackstone project should be denied.  
43

# DRAFT

1 George Ramjoue stated that he has been a Highland resident for eight years, and is a retired City  
2 Planner. With regards to the Blackstone project, the community has become heavily involved in  
3 the process, and is frustrated that they have to fight against another development. He explained  
4 that the purpose of the flex use code is to provide an essential area where retail and residential  
5 areas can be blended. The Planning Commission recommended that the Council deny this  
6 proposal. In conclusion, Mr. Ramjoue expressed frustration that the City is not using the General  
7 Plan as a guide when reviewing this application, and hopes that the Blackstone project will be  
8 denied.

9  
10 Stan Mead acknowledged that the Council has a difficult decision to make tonight. Mr. Mead  
11 explained that the Town Center Overlay indicates that it may include affordable housing, retail,  
12 commercial and professional operations. The flex use code also lists approximately 40 different  
13 types of businesses that could be used in this area. Mr. Mead encouraged the Council to side  
14 with the residents, who have brought forth facts that show how detrimental the Blackstone  
15 project would be for the City.

16  
17 Dennis Likes presented a photo to the Council, and explained that recently he walked behind a  
18 shopping center, which alerted him to several safety and noise concerns with regards to delivery  
19 of supplies, should this project proposal be approved.

20  
21 Joe Pavia spoke about the proposed storage facility on SR92 on the bottom of Park Drive.  
22 Currently that space is used for a parking lot for the school buses as they drop off and pick up  
23 kids from school. He explained that the lot was purposed as a parking lot because the road  
24 leading to the neighboring housing development ended up being too steep for the bus. He  
25 requested that the Council prohibit placement of the storage facility on that lot, as it will be  
26 detrimental to the safety of the children.

27  
28 Stuart and Christine Anderson recently lost their daughter in a traffic accident, and they are  
29 present at tonight's meeting to make comments during Item 17, which is a motion on the  
30 Operational Safety Report. As a former police officer, Mr. Anderson has some suggestions on  
31 how to ensure greater safety at the City's intersections.

## **PRESENTATIONS:**

32  
33  
34 **Highland Fling Chairs** – Jessie Schoenfeld and Emily Gillingwater  
35  
36  
37

# DRAFT

1 Jessie Schoenfeld she would like to start by thanking the volunteers, Council Members and staff  
2 for their help and support, and stated that this year's Fling was the biggest event ever. She would  
3 like to recognize the chairman's of the main events for all their help and support. Jessie  
4 presented recognition to the following: Aubrey Wright, Jeannie Westover, Bruce Sparks,  
5 Brandon Baulkman, Kurt Ostler, Shauna Larson, Patsy Wilson, Justin Lees, Deann Carlise,  
6 Jenny Westwood and Jeannie Spykes. Jessie continued to state that having an announcer at the  
7 parade was a great idea; however, she felt that there wasn't enough participation from City-  
8 sponsored committees and commissions. She had wanted to see them participate in the parade as  
9 a way for them to gain recognition for what they do for the City. Next year Jessie would like  
10 more emphasis to be placed on the Flag Raising Ceremony. She enjoyed having activities all  
11 day rather than just a portion of the day. Next year she would like the information booth to be  
12 staffed the entire day by the Mayor and Council. Enlisting volunteer support from scouting  
13 troops for cleanup has also been a huge help, which she hopes will continue next year as well.  
14

15 Emily Gillingwater provided an overview of the events that took place at this year's Fling, as  
16 well as the budget. She noted that the Fling brought in almost \$29 thousand and the expenses  
17 were about \$43 thousand, making the actual cost being around \$15,000, and mentioned  
18 additional changes that were made this year from last year's event.  
19

## 20 **Public Works Department – Fire Chief Freeman and Justin Parduhn**

21  
22 Fire Chief, Brad Freeman, reported a recent house fire that started in a garage. The Public  
23 Works staff saw the fire as they were working nearby, they immediately took action, and were  
24 able to contain the fire from going inside the house. Due to a dispatching error the fire  
25 department was delayed about 4 minutes and he would like to recognize those employees for  
26 their attention and quick action that saved this home. He recognized the following: Tyson  
27 Arnoldson, Sam Orton, Benji Smith, Spencer Hart and Jed Harris  
28

29 Justin Parduhn, Public Works O&M Director, thanked the staff for all that they do in service to  
30 the community. He briefly mentioned another situation that occurred last year in which a child  
31 was rescued from potentially drowning in a nearby park. The City's personnel goes above and  
32 beyond their daily responsibilities.  
33

## 34 **Changes in Drug Enforcement – Police Chief Gwilliam and Attorney Tim Merrill**

35

# DRAFT

1 Tim Merrill, City Attorney, explained some changes which will be effective as of October 1,  
2 2015. He reported that the statistics for illegal drug use are slightly lower than the national  
3 average, and prescription drug use is 5% higher than the national average. The State Legislature  
4 has reclassified felony drug offenses as misdemeanors, which has been an extremely unpopular  
5 legislative action among law enforcement and prosecutors. He explained that the **state can**  
6 **classify an offense as anything but cities may only classify prohibited conduct as an infraction or**  
7 **Class C or B misdemeanor** which will shift the burden of prosecution to municipalities. The  
8 changes in the law reflect a society trend to get offenders into rehabilitation programs. Tim  
9 Merrill is of the opinion that the real reason behind these legislative changes relate to fiscal  
10 impacts to the State. He pointed out that the new law was enacted in light of moving the State  
11 prison, and this new law will inevitably reduce the overcrowding at the prison. Misdemeanors  
12 cannot have a prison sentence, which puts added financial burden on counties to house people  
13 sent to the county jail for drug use, rather than sending them to the State Prison.

14  
15 Chief of Police, Brian Gwilliam, echoed Tim's remarks. He reiterated that law enforcement  
16 opposed this bill, knowing the effects that it would have on drugs in the community. Chief  
17 Gwilliam stated that county jails are already full, and this new mandate will create an even  
18 bigger burden on them.

## 19 20 **Open Meeting Law – Tim Merrill**

21 *This item was continued until the next regularly scheduled City Council Meeting.*

## 22 23 24 **CONSENT ITEMS:**

25  
26 **MOTION: Approval of Minutes for City Council Regular Session – May 5, 2015**

27  
28 **MOTION: Approval of Minutes for City Council Regular Session – June 16, 2015**

29  
30 **MOTION: Approval of Minutes for the City Council Regular Session – June 21, 2015**

31  
32 **MOTION: Approval of Minutes for the City Council Regular Session – August 4, 2015**

33  
34 **MOTION: Tim Irwin moved that the City Council approve the Consent Items on the**  
35 **agenda.**

36  
37 **Dennis LeBaron seconded the motion.**

38 **Unanimous vote, motion carried.**

## 39 40 41 **PUBLIC COMMENT:**

42  
43 **Urban Deer Control Program – Requirement of DWR**

# DRAFT

1 Ben Fitkau stated that he is a local resident who favors this program going into effect. He would  
2 like to get the animals out of his property, because he does not want anyone who visits his  
3 property to pick up any diseases that the animals may be carrying. He provided a breakdown of  
4 how the animals have impacted his property over the past two years.

5  
6 City Recorder, Jody Bates, explained that the Highland City Urban Deer Control Program  
7 currently does not utilize a processing location, all the meat is donated to local residents that are  
8 responsible for the cost of the processing. Brian Braithwaite asked about the City's previous plan  
9 for covering costs associated with animal processing. Jody answered that they have enough  
10 residents requesting the meat that the City has donated all of it, thereby covering all costs. Tim  
11 Irwin suggested that this item be placed on a future agenda so that a public hearing can take  
12 place.

## 13 14 15 **PUBLIC HEARING:**

### 16 17 **Highland Oaks – Annexation and Approval of Ordinance**

#### 18 19 ***BACKGROUND:***

20 *On February 3, 2015 the City Council adopted a resolution declaring an intent to annex the*  
21 *above referenced property. The Council held a public hearing on March 17, 2015 regarding the*  
22 *proposed annexation. No one spoke in favor of or in opposition to the request.*

23 *The property owner submitted an application for a Planned Development (PD) District which*  
24 *has been withdrawn. A request for the property to be zoned R-1-20 (Single Family Residential)*  
25 *will be considered as a separate agenda item.*

26 *An Annexation Policy Plan was approved by the City Council in June 2002. Infrastructure*  
27 *studies and planning were completed for the annexation area. These plans/studies identify the*  
28 *infrastructure needs to serve the areas identified for future annexation. The proposed annexation*  
29 *is within the area identified for future annexation and has been planned for low density*  
30 *residential.*

# DRAFT

1 Nathan Crane presented the staff report. Tim Irwin expressed concerns with a portion of the  
2 property for the ravine encroaching on some of the lots, and inquired as to whether or not this  
3 will be fixed. Nathan answered that there aren't any plans in place to make this change, however  
4 staff can further look into the matter. Brian Braithwaite asked how the development will work  
5 around the property, and opined that the R1-20 zone will not offer sufficient flexibility. He  
6 suggested that this item go back to the Planning Commission so that they can make adjustments.  
7 Rod Mann agreed with his remarks.

8  
9 Rob Gulbrandsen stated that from an engineering standpoint, the impact is less on R1-20 than  
10 any other zone. The General Plan identifies the R1-20 as a zone that is preferred by the City,  
11 because it is a low density. Mr. Gulbrandsen then presented slides and design grading plans, and  
12 explained that according to an analysis he feels it would be best to rezone an R1-40 property to  
13 R1-20. The grades in R1-20 are no larger than what already exists in other subdivisions. The  
14 drainage will affect five lots, which can potentially be adjusted. Sewage issues have successfully  
15 been negotiated in order to connect into this new division. Mr. Gulbrandsen stated that they  
16 would like own the street scape along 11800 North and Highland Boulevard, which would be  
17 maintained by an HOA.

18  
19 Mayor Thompson opened the Public Hearing.

20  
21 Bill Bennett stated that he lives across the street from the proposed development, and explained  
22 that most developers with whom he has associated are usually only interested in money, rather  
23 than the needs of the community. However, Mr. Rob Gulbrandsen is not this way. In reviewing  
24 some of Mr. Gulbrandsen's other projects, Mr. Bennett has been duly impressed. Mr.  
25 Gulbrandsen is highly experienced in his profession, and he will make an absolutely gorgeous  
26 development.

27  
28 Kenny Anderson stated that he is a builder and a Highland resident. He commented that the lot  
29 size that the majority of people are requesting is a half-acre or a R1-20 lot size. He was  
30 supportive of the proposed solution and hopes that it is approved.

31 Bob Emmett lives on the east side of the proposed lot, and commented that he loves his view and  
32 would rather not have anything come on the property. However, he believes that the developer  
33 seems competent and Mr. Emmett would be supportive of his development.

34  
35 Brandon Newman lives in the Dry Creek area and remarked that he is an interested buyer in the  
36 property. He has been impressed with the developer, and his willingness to work with the City.

37  
38 Natalie Ball expressed concerns with the density at the school. She has heard mixed reviews  
39 about the developer and would like the City to stick to the General Plan.

40  
41 Karen Carling stated that her father purchased 23 acres many years ago, and they sold many one-  
42 acre lots. She explained that smaller lots are more flattering and easier to maintain, and that  
43 many people would be interested in purchasing smaller lots.

# DRAFT

1 Tonya Colledge expressed that she built her dream home in Highland and would prefer that  
2 Highland remain as it is, with wide open spaces. She express concerns with water and irrigation,  
3 and how it will be maintained. She was also worried with the amount of traffic that will be  
4 generated with higher density zones.

5  
6 Shirley Boogaard stated that she has been a Highland resident for eight months. She lives in Sky  
7 Estates and enjoys the natural environment in the City. She was concerned that the developer  
8 will take away the beautiful scenery that they have been able to enjoy.

9  
10 Mayor Thompson closed the Public Hearing.

11  
12 Brian Braithwaite stated that the developer has done a great job, but would prefer to wait on a  
13 decision so as to receive input from the engineer. Rod Mann agreed with Brian's remarks. Tim  
14 Irwin disagreed with Brian and Rod's suggestion, and was of the opinion that the Council  
15 prolongs too many items. He respects the opinions of the Planning Commission, and stated that  
16 he would like to make a decision tonight.

17  
18 Rob Gulbrandsen understands that they would like to discuss the matter. However, he believes  
19 that the Council has had plenty of time to consider this item. He explained that if a plan was  
20 submitted tonight, as an HOA they would be able to preserve the natural vegetation on the 30  
21 foot non-disturbance easement.

22  
23 Todd Trane, Engineer, explained that they did an analysis and presented the issues to the  
24 developer. However, at this point a full engineering plan has not been completed. Changes may  
25 need to be made in the future depending on sewage laws, and there was further discussion on the  
26 matter.

## 27 28 29 **ACTION ITEMS:**

30  
31 **ORDINANCE: Establishing the Zoning of recently Annexed Property – Highland Oaks**

### 32 33 **BACKGROUND:**

34 *The property is 35.50 acres and is owned by Cherylin and Kipley Siggard and Karin and Ronald*  
35 *Carling. The applicant is Rob Gulbrandsen.*

36 *The site is currently located in Utah County and the applicant has applied for annexation. The*  
37 *request for annexation will be considered as a separate agenda item.*

38 *The property is not included in the General Plan Land Use Map. The property is included in the*  
39 *Highland City Annexation Plan that was adopted in 2007.*

40 *The applicant has withdrawn his application for a Planned Development (PD) District.*  
41 *Zoning and annexation are legislative processes.*

# DRAFT

1 **MOTION: Tim Irwin moved that the Council approve the R1-20 zone for the Highland**  
2 **Oaks Annexation property, with the condition that all of the Planning Commission's**  
3 **findings are included, and a commitment from the developer that there will only be a 5%**  
4 **modification in the plans, or otherwise an additional review by the City Council will be**  
5 **required. Development is being approved to the annexation of this property only.**

6  
7 **Rod Mann seconded the motion.**

8  
9 **Those voting "Aye": Rod Mann, Jessie Schoenfeld, Tim Irwin, Brian Braithwaite**

10 **Those voting "Nay": Dennis LeBaron**

11 **Motion carried 4-to-1.**

12  
13  
14 **ORDINANCE: Annexation of 35.50 acres located at the northeast corner of Highland Blvd.**  
15 **and 11800 North – Highland Oaks Annexation**

16  
17 **MOTION: Jessie Schoenfeld moved that the Council annex 35.50 acres, known as**  
18 **Highland Oaks, located at the northeast corner of Highland Boulevard and 11800 North.**

19  
20 **Tim Irwin seconded the motion.**

21  
22 **Those voting "Aye": Jessie Schoenfeld, Tim Irwin, Rod Mann, Brian Braithwaite, Dennis**  
23 **LeBaron**

24 **Those voting "Nay": none.**

25 **Motion carried unanimously.**

26  
27 Mayor Thompson called for a 10 minute recess at 10:22 pm. The meeting reconvened the  
28 meeting at 10:34 pm.

29  
30  
31 **MOTION: Conditional Use Permit for an 86 Unit Multi-Family Townhome Development**  
32 **in the Town Center Flex Use Zone – Blackstone**

33  
34 Nathan Crane presented the staff report, and provided an overview of concerns related to  
35 parking. He then turned the time over to Bruce Baird.

36  
37 Mr. Baird explained that the access on the northeast side will not be necessary because there will  
38 be an additional exit; the driveway behind Ridley's is large enough for delivery trucks as well as  
39 emergency vehicles. The design on the entry level floor could require a modification to add 50%  
40 of windows to the store front. As far as the applicant is aware, everything has been done  
41 according to City standard. According to traffic studies, it appears that a second access is not  
42 needed. There was discussion regarding whether or not a fence is needed to protect large  
43 animals, but the applicant argued that it would be expensive and unnecessary.

# DRAFT

1 Brian Braithwaite stated that this zone was created in order for the City to have additional  
2 business locations. This proposal is a primarily residential development, and he is confused on  
3 how this will bring retail to the City. He feels that the Blackstone development is very similar to  
4 the development across the street, which from his perspective is not seeing a lot of success. Mr.  
5 Baird argued that they are fully compliant with the use and the code, and stated that the code  
6 does not require them as developers to assure the City that their development will attract  
7 businesses to the City. Brian Braithwaite then read the following statement which is written in  
8 the code:

9  
10 *“...to provide a central area where commercial, retail, and residential could be blended in an*  
11 *attractive walkable open space environment.”*

12  
13 Tim Alder stated that the first design that was presented included two retail centers across from  
14 the splash pad, as well as office space. However, the traffic study showed that this would create  
15 more stress on the area as opposed to having just a residential development. Mr. Alder explained  
16 that the units were designed with sufficient office on the main floor and a spacious living area on  
17 the top floor. He assured the Council that the proposal meets the City's codes and standards.  
18 Rod Mann agreed with Mr. Baird that it is not the developer's responsibility to assure the City  
19 that their development will attract businesses. He believes that the other development across the  
20 street isn't working because there aren't enough residents in Highland in order to support it.  
21 Jessie Schoenfeld added that this development could potentially deter larger businesses from  
22 coming to Highland. There was continued discussion, and Tim Irwin commented that there is  
23 not enough traffic flow to make the development profitable. However, the developer has met the  
24 code requirements and as a Council that is what they need to consider.

25  
26 **MOTION: Jessie Schoenfeld moved that the Council continue this item in order to review**  
27 **the items and be able to make a more educated decision. This item will be placed on the**  
28 **agenda for the September 15, 2015 meeting.**

29  
30 **Tim Irwin seconded the motion.**  
31 **Unanimous vote, motion carried.**

32  
33  
34 **MOTION: Conditional Use Permit for a 19,422 Square Foot Church – 9681 North 6900**  
35 **West**

36  
37 **BACKGROUND:**

38 *The property is 3.6 acres in size and is owned by The Church of Jesus Christ of Latter-day*  
39 *Saints.*

40 *The site is designated as Low Density Residential on the General Plan Land Use Map. The site*  
41 *is zoned R-1-40 (Residential Zone). Churches are permitted in the R-1-40 District subject to a*  
42 *conditional use permit.*

# DRAFT

1 *The church will be located on Lot 3 of the 9600 North Subdivision. This subdivision was*  
2 *approved by the City Council in December of 2009 and recorded in September of 2010.*  
3 *A Conditional Use Permit is an administrative action*

4  
5 Nathan Crane presented the staff report. Lafe Harris apologized to the Gagon family, who made  
6 comments earlier in the meeting, and explained that they weren't trying to diminish how often  
7 they use their driveway. He stated that the church is only used for major events once a week and  
8 felt that it wouldn't often affect them. They will stress to their congregation not to park on the  
9 street. Tim Irwin understands that members do typically park on the street, and suggested that a  
10 no-parking zone be created to prevent traffic from blocking in the Gagon family. There was  
11 further discussion on the matter.

12  
13 Alison Gagon commented that the church is being built for Lehi residents; however, it will affect  
14 Highland residents. She was concerned that there would be sufficient space in the event that an  
15 emergency vehicle needed to access the neighborhood.

16  
17 **MOTION: Rod Mann moved that the Council approve the church with the condition that**  
18 **red curbing be added to restrict parking in front of the Gagon home.**

19  
20 **Tim Irwin seconded the motion.**

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

23  
24  
25 **MOTION: Preliminary Plat Approval for an 11-lot subdivision, 5650 W. 9600 No. – Flats**  
26 **at Fox Hollow**

27  
28 **BACKGROUND:**

29 *The property is 9.8 acres and is owned by Millhaven Construction, LLC.*

30 *The property is designated as Low Density Residential on the General Plan Land Use Map. The*  
31 *property is zoned R-1-40 (Single Family Residential). The R-1-40 District allows one home per*  
32 *40,000 square feet. The minimum lot width is 130 feet.*

33 *Subdivision review and approval is an administrative process.*

34  
35 Nathan Crane presented the staff report and explained that the developer is adding curb and  
36 gutter, which will be reimbursed by the City. Brian Braithwaite stated that he would like to see  
37 sidewalk put in for safety, and Nathan replied that they will need to get the property owners'  
38 approval.

39  
40 **MOTION: Tim Irwin moved to approve the Preliminary Plat for an 11-lot subdivision**  
41 **located at 5650 West 9600 North, including the stipulations from the Planning Commission.**

# DRAFT

1 **Jessie Schoenfeld seconded the motion.**

2 **Unanimous vote, motion carried.**

3  
4  
5 **MOTION: Conditional Use Permit for a Salt Storage Building – Northwest corner of Park**  
6 **Drive and SR92**

7  
8 **BACKGROUND:**

9 *The property is 2.46 acres in size and is owned by Highland City. A subdivision is not required.*  
10 *The site is designated as Low Density Residential on the General Plan Land Use Map. The site*  
11 *is zoned R-1-40 (Residential Zone). Public buildings and grounds are permitted in the R-1-40*  
12 *District subject to a conditional use permit.*

13 *One of the requirements of the Environmental Protection Agency (EPA) requires that all salt*  
14 *storage be contained and covered to prevent ground water discharge during storms. The EPA*  
15 *has been active in auditing this requirement on surrounding cities. The purpose of this facility is*  
16 *to address these requirements before an audit.*

17 *With the light snow fall last year monies were left over from the salt budget and carried over to*  
18 *this fiscal year. The project budget is \$70,000. Staff believes this will cover the building and the*  
19 *concrete pad. The building may not cost this much but this will not be known until the project is*  
20 *bid.*

21 *The property is currently being used as a bus stop for the View Point subdivision. The property*  
22 *is also being used for loading and unloading of materials related to the operation of the Public*  
23 *Works. Park Maintenance Seasonal employees also use the area for parking.*

24  
25 Mayor Thompson pulled this item and indicated that it will be discussed at the next regular City  
26 Council Meeting. Brian Braithwaite requested that a formal motion be made.

27  
28 **MOTION: Brian Braithwaite moved that the Council continue Item 16 to the next Council**  
29 **meeting on September 15, 2015.**

30  
31 **Tim Irwin seconded the motion.**

32 **Unanimous vote, motion carried.**

33  
34  
35 **MOTION: Operational Safety Report – 11800 North Highland Boulevard**

36  
37 **BACKGROUND:**

38 *With the recent accident at the intersection of Highland Boulevard and 11800 North, a concern*  
39 *has been raised relation to the safety and operation of this intersection. In June 2015, the Council*  
40 *authorized the hiring of two firms to complete an Operational Safety Report (OSR). An OSR*  
41 *report reviews the intersection design, traffic speeds, sight issues, crash history, etc. and*  
42 *provides a report with recommendations. Two firms were hired to complete this work; Project*

# DRAFT

1 *Engineering Consultants (PEC) and InterPlan. Both studies were also reviewed by the City*  
2 *Engineer.*

3  
4 Nathan Crane explained that two Operational Safety Reports were completed. He stated that the  
5 reports are designed to look at how the intersection functions, rather than looking at traffic  
6 counts or speed surveys. Brian Braithwaite asked what the goal is for this intersection, and  
7 explained that there is more than one option to consider. Todd Trane commented that the City  
8 should consider the recommendations made in the traffic studies, and explained that a three-way  
9 stop could potentially cause vehicular stacking.

10  
11 Stuart Anderson stated that he does not believe the striping the right turning lane would be  
12 beneficial. He asked if considerations have been made for a three-way stop sign, or possibly  
13 speed bumps to mitigate the issues.

14  
15 Christine Anderson expressed concerns about the split second where one can't see an oncoming  
16 car, and feels a flashing stop sign is not sufficient.

17  
18 Natalie Ball emphasized that speed is a major issue on this road and that something needs to be  
19 done.

20  
21 Jennifer Moulder explained that there is a section of the road that has a speed limit of 25 miles  
22 per hour. She stated that she has never seen anyone driving that speed limit, nor has she ever  
23 seen officers enforcing it either. She doesn't believe that pulling out the trees from the roadway  
24 will provide a sufficient line of sight.

25  
26 Wendy Condie remarked that the greatest hazard with this intersection is the turning left.

27  
28 Charles Allen, representing InterPlan, stated that three-way stops tend to cause more driver  
29 frustration and accidents.

30  
31 Ryan Nuesmeyer, representing Project Engineering Consultants, explained that they should not  
32 input a stop sign for the sake of speed control. Drivers disregard the signs when tired or running  
33 late at night, thereby causing accidents.

34  
35 Christine Anderson commented that there are much bigger issues to this situation. Nathan Crane  
36 assured her that there are multiple factors, and that as a City they are not only looking at speed.

37  
38 Mayor Thompson echoed previous comments that have been made throughout the discussion.

39  
40 Jennifer Moulder questioned why better traffic control hasn't been placed at such a busy  
41 intersection. Todd Trane explained they intersections are reviewed individually, and Jennifer  
42 stated that something needs to be done at this intersection before another accident occurs.

# DRAFT

1 **MOTION: Rod Mann moved the City Council direct staff to execute a warrant study.**

2  
3 **Dennis LeBaron seconded the motion.**

4 **Unanimous vote, motion carried.**

5  
6 **MOTION: Rod Mann moved the City Council to approve a flashing speed sign be placed**  
7 **on the Northbound side of Highland Boulevard, which would have the ability to track and**  
8 **record speeds and times.**

9  
10 **Tim Irwin seconded the motion**

11 **Unanimous vote, motion carried.**

12  
13 Mayor Thompson asked if a three-way stop would work in this area, and Todd Trane replied that  
14 he can answer this question without data. Additional remarks were made on the subject matter.

15  
16  
17 **MOTION: Increase budgeted Expense in Major Road Maintenance Fund – unused portion**  
18 **of B and C funds from Fiscal Year 2015**

19  
20 **BACKGROUND:**

21 *Highland City believed that most of the expenses from the 10150 North road project would have*  
22 *been incurred in Fiscal Year 2015. However, these expenses were incurred in July 2015 and*  
23 *amounted to almost \$170,000. The work was delayed by two factors. The city council took some*  
24 *extra time in making a decision to use John King, and once the bidding process was won by*  
25 *Geneva Rock, their first available time to work on the project was in Fiscal Year 2016.*  
26 *In FY 2015 Highland City received \$566,560.27 in B&C road funds. The city spent \$273,959 in*  
27 *the Major Road Maintenance account in the Capital Roads Fund and another \$122,197.64 in the*  
28 *General Fund, Streets and Roads accounts. The total expenditures of B&C road funds for Fiscal*  
29 *Year 2015 were therefore, \$396,157.30. This leaves \$170,492.07 in B&C road funds as a*  
30 *carryover amount for future years that can only be spent on B&C roads. Therefore, it is*  
31 *recommended that Highland City use all of the \$170,492.07 B&C carryover funds to pay for this*  
32 *expense.*

33  
34 Finance Director, Gary LeCheminant, stated that the City did not spend all the B and C road  
35 funds from the previous Fiscal Year, and wants to move the excess \$170,000 into the Major  
36 Capital Road Fund.

37  
38 **MOTION: Tim Irwin moved that the Council move from \$560,000 to \$730,492.07 to use**  
39 **the unused portion from the B&C road funds from Fiscal Year 2015 to Fiscal Year 2016.**

40  
41 **Jessie Schoenfeld seconded the motion.**

42 **Unanimous vote, motion carried.**

# DRAFT

1 **MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS**

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

4  
5 Mayor Thompson indicated that due to the late hour the following items will be continued to the  
6 next agenda.

7  
8 A. Everbridge Communications – Devirl Barfuss

9  
10 B. Saved Water Shares – Mayor Thompson

11  
12  
13 **ADJOURNMENT**

14  
15 **MOTION: Dennis LeBaron moved to adjourn.**

16  
17 **Brian Braithwaite seconded the motion.**

18 **Unanimous vote. Motion carried.**

19  
20 **Meeting adjourned at 1:08 a.m.**

21  
22  
23  
24 \_\_\_\_\_  
25 JoD’Ann Bates, City Recorder

26  
27  
28 Date Approved: October 20, 2015

MINUTES  
HIGHLAND CITY COUNCIL MEETING  
Tuesday, September 15, 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:** Nathan Crane, City Administrator/Community Development Dir.  
JoD’Ann Bates, City Recorder  
Justin Parduhn, Public Works O&M Director  
Todd Trane, Contract City Engineer  
Brian Gwilliam, Chief of Police  
Tim Merrill, City Attorney

**EXCUSED:** Gary LeCheminant, Finance Director

**OTHERS:** David Pixton, Paul Bennett, Karen Bennett, Stephanie Lewis, Janice Clouse, Marsha Gustafson, Eric Ellis, Lillie Kohler, Brett Johnson, Lygia Johnson, Lynn Hancock, Stan Mead, Kathy Mead, Willard Spykes, Jeannie Spykes, Dennis Likes, Mark Whitney, Tanya Colledge, Randy Clouse, Stephanie Lewis, Matt Mecham, Suzanne Mann, Wendy Condie, Lynne Power, David Parru, Stuart Anderson, Christine Anderson, Tyrell Gray, George Ramjoue, Ryan Hatch, Doug Graham, Peter Graves, Bruce Baird, Dustin Allen, Julie Brinkerhoff, Evan Plaeger, Daniel Hoffman, Talmage Gunther, Tanner Richardson, Marcus Graham, Erin Wells, Bill Pack, Pat Pack, Dyanne Laur, Dennie Butterfield, Sharon Johns, Linda Olpin, Jay Olpin, Pat Hollingshaus, Allyson Bell, Brian Balls, Hal Hodges, Al Rafati, Gil Wilburn and Ed Barfuss,

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:07 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 Tim Irwin and those assembled were led in the Pledge of Allegiance by Boy Scout, Talmage Gunther.

**APPEARANCES:**

Tim Alders, 5306 West 10320 north, stated that he has been a Highland resident for 17 years. He made reference to the empty field and unfinished road where the Blackstone development is

# DRAFT

1 being proposed, and explained that as a developer he tries to find creative ways to improve areas  
2 within a community. It is never his intention to make a development look poorly, and over 18  
3 months has been spent developing and designing a project that they feel will be the best fit for  
4 Highland. There are great people who live in communities similar to the Blackstone  
5 development and it would greatly benefit the community.

6  
7 Dustin Allen explained that he is a new resident, having recently obtained employment in  
8 Highland. His family is currently living in a townhome, and they feel fortunate to have found a  
9 great place to accommodate them. They chose this community because of the quality of schools,  
10 and because they hope to purchase a home in the future. The owners of the home that they are  
11 currently renting are also outstanding people.

12  
13 Austin Smith stated that he has lived in Highland for 14 years. They moved into the Toscana  
14 development because the dynamics of the economy have changed. Austin spoke about the future  
15 of Highland and its residents, and remarked that he is happy to live in the community. He would  
16 love others to have this same opportunity.

17  
18 Lillie Kohler, representing Kohler's Market, stated that they have been in business since 1994,  
19 and while operating a business has not been easy it has been worthwhile. The developers trying  
20 to development Blackstone have requested that she provide legal consent to use an easement that  
21 is on her property. She explained that she is going to decline their request. She suggested that  
22 when buyers purchase homes on the property adjacent to her business, they be notified that loud  
23 delivery trucks travel to and from her market all day, and even at odd hours of the night.

24  
25 Kathy Mead, 5544 West Village Drive, remarked that although Mr. Alders has indicated that he  
26 wants to do what is best for Highland City, his actions speak louder than words. In her words,  
27 she stated that Mr. Alders is aware than the elected officials, residents and business owners do  
28 not want this proposed Blackstone development to be approved. However, he has continued to  
29 push his own agenda forward regardless. Kathy concluded that this project will permanently  
30 change Highland in a negative way.

31  
32 George Ramjoue, 5564 West Coventry Road, read a written statement in which he indicated that  
33 the City Council would be fully justified in denying approval of a Conditional Use Permit for the  
34 Blackstone Development. He listed three reasons of justification: 1. This project was  
35 recommended for denial by the Planning Commission. 2. While the City staff have indicated  
36 that the proposed development complies with the City's General Plan, they have not provided  
37 sufficient evidence to support their claim. George encouraged the Council to require staff to  
38 provide said evidence. 3. If the project is approved, the site plan should be modified to show  
39 additional future parking to accommodate commercial on the ground floor. Without the  
40 provision of commercial parking, live-in businesses will never be established, similar to what  
41 happened with the Toscana development.

# DRAFT

1 Denny Butterfield, 10605 North 5500 west, also read a written statement in which he asked what  
2 considerations are being made by Blackstone in exchange for the City's permission to continue  
3 with their project. Mr. Butterfield was of the opinion that Mr. Alder's is more concerned with  
4 making money than benefitting the community.

5  
6 Matt Meacham, 10609 North 5470 west, commented that his family moved to Highland in order  
7 to escape urban development similar to Blackstone. Blackstone will not only bring down the  
8 value of his property, but it will also bring down the value of Highland City. He reiterated that  
9 Planning Commission provided several great reasons why this project should be denied, namely  
10 that it is not in accordance with City values. Matt requested that Rod Mann recuse himself from  
11 voting on the Blackstone project, due to a conflict of interest with the developer.

12  
13 Ed Barfuss remarked that he would like to address Item 8 on tonight's agenda, and explained that  
14 he has had problems with wildlife eating the produce that he grows on his property. He  
15 mentioned that the deer have stripped the leaves off of his grapevines, and urged the Council to  
16 approve the Urban Deer Control Program.

## 17 18 19 **PRESENTATIONS:**

### 20 21 **Utah Lake Commission** – Eric Ellis, Executive Director

22  
23 Eric Ellis explained that one of their biggest current projects is to complete the Bonneville Trail  
24 System all the way down to Utah Lake State Park. The goal with this project is to connect to the  
25 Provo River, Murdock Canal and Jordan River trails, thereby creating several loops for hikers  
26 and cyclists to enjoy. The Utah Lake Commission is working with Saratoga Springs and  
27 American Fork on doing some renovations on their marinas, so that residents have better access  
28 to the lake for boating. Eric mentioned that the lake is really low right now; however, the  
29 Commission is hoping for a good winter so that next year the lake will be reinvigorated for  
30 recreationalists. There are 30 public access points on Utah Lake, and the Commission has  
31 worked with the Division of Wildlife to have signs put up at 25 of those points.

32  
33 Eric reported that 19.5 million pounds of carp have been removed since 2009 when the program  
34 was started. This year, Utah State University is conducting a study on how carp is affecting the  
35 balance of the other fish in the lake. The goal is to have better fish thriving in the lake.  
36 Furthermore, as of the end of this year, 65,000 acres have been treated for the phragmites that  
37 grow on the shores.

38  
39 Eric informed the Council that 48 Fourth Grade classes came down to the lake over a period of  
40 four days this year. The Commission sponsors these field trips, and there are many volunteers  
41 who do an excellent job engaging with the kids. He encouraged everyone to reach out to their  
42 children's teachers about scheduling field trips next year. Lastly, Eric stated that the

# DRAFT

1 Commission is working towards getting a nature/research center built on the east side of the lake,  
2 which would benefit K-12 and university students.

3  
4 Brian Braithwaite commented that the Federal Government has come out with new regulations  
5 for chemicals found in the lake, and asked how the Commission is responding to these new  
6 regulations. Eric replied that there are two research groups, one of which is sponsored by the  
7 State of Utah through the Division of Water Quality. Through the Division of Water Quality  
8 there is a technical advisory committee which keeps track of Federal regulations, and determines  
9 whether or not any modifications need to be made to the chemical levels in the lake. The other  
10 study is being done through Farren Miller, a local biologist that has done work with the Jordan  
11 River Commission as well as with the Timpanogos Water District. There was further discussion  
12 regarding other water projects taking place throughout the State.

## 13 14 **Utah Local Governments Trust Insurance Update** – Ryan Hatch

15  
16 Ryan Hatch explained that Utah Local Governments Trust Insurance (Trust) is referred to as  
17 public agency insurance mutual, and is exclusive to Utah governmental entities. Their Board is  
18 comprised primarily of elected officials and appointed positions. The Trust insures almost 90%  
19 of the cities in the State of Utah; in other words, there are approximately 250 cities and towns in  
20 the State, and the Trust insures 218 of them. The Trust has been in business since 1974, and  
21 Highland City has been a partner for 30 years. The Trust focuses primarily on providing  
22 property, liability and workers' compensation insurances through interlocal agreements.  
23 Highland currently benefits from a \$5 million per occurrence aggregate limit on general liability  
24 insurance, and Mr. Hatch reviewed what types of situations the insurance covers. With regards  
25 to property insurance, the Trust insures the City's total insured value, which is approximately \$33  
26 million. They work closely with the City's staff in order to save money and prevent losses.

27  
28 Ryan explained that the Trust has been able to get to a point financially where they can distribute  
29 member equity or dividends back to their membership. In the last five years, the Trust has  
30 returned almost \$35,000 back to Highland City in dividends. Almost \$7,500 has been returned  
31 this year alone. Highland City also qualifies for an annual safety grant of approximately \$3,500.

## 32 33 **Open Meeting Law** – Tim Merrill, City Attorney

34  
35 Tim Merrill explained that the purpose of Open Meeting Law is to conduct the City's business  
36 before the people, thereby creating transparency. According to changes that were made to the  
37 law this year, a meeting now requires a quorum coming together for the purpose of receiving  
38 comments from the public about or acting upon a matter over which a public body has  
39 jurisdiction. Chance and social meetings are still exempt, and emails sent between elected  
40 officials never constitute as a meeting. In response to a question from Brian Braithwaite, Tim  
41 Merrill explained that all five Council Members can attend a Planning Commission or other  
42 public meeting as part of the audience; however, they cannot co-op a meeting and turn it into a  
43 discussion on separate issues.

# DRAFT

1 Anything that the Council will be discussing and deliberating upon needs to be put on the  
2 agenda. Members of the public can comment on any issue during appearances. The Council can  
3 address comments made during the appearances portion of the meeting; however, they cannot  
4 take action on anything that was not publicly noticed on the agenda. There was further  
5 discussion on the matter. Tim Merrill advised the Council to keep motions clear, concise and  
6 comprehensive. Written findings are prepared by staff and are critical in presenting facts  
7 surrounding an issue. The minutes should include the basis or factual findings that the Council  
8 has relied upon in these decisions.

9  
10 There are seven reasons why the Council would go into a Closed Session: 1. A discussion of the  
11 character, professional competence, physical or mental health of an individual. 2. Collective  
12 bargaining. 3. Imminent litigation. 4. The purchase, exchange or lease of real property. 5.  
13 Discussion of appraisal values. 6. The deployment of security personnel, devices or systems. 7.  
14 Anything regarding allegations of criminal conduct. Closed sessions are to remain strictly  
15 confidential. They are recorded by non-discoverable as per State Law. In response to comments  
16 that were made by Mr. Meacham, Tim Merrill also noted that elected officials cannot use their  
17 positions for personal economic benefit or to seek special privileges. Secondly, every officer  
18 with an interest in any business entity that does business with the City shall publicly disclose  
19 prior to the discussion of any item related to that business. There is nothing in the Code that  
20 requires an officer to recuse themselves; they strictly require disclosure of a conflict of interest.  
21 Therefore, in reference to Mr. Meacham's remarks, Rod Mann is not required to recuse himself  
22 on discussions pertaining to the Blackstone project.

## CONSENT ITEMS:

23  
24  
25  
26  
27 **MOTION: Extension of an Agreement for the Purchase and Extraction of Aggregate until**  
28 **November 30, 2015 – Westroc**

29  
30 **MOTION: Final Plat Approval for an 11-lot subdivision located at 5650 West 9600 North**  
31 **– Flats at Fox Hollow**

32  
33 **MOTION: Dennis LeBaron moved the City Council approve the Consent Items on the**  
34 **agenda.**

35  
36 **Brian Braithwaite seconded the motion.**  
37 **Unanimous vote, motion carried.**

## ACTION ITEMS:

38  
39  
40  
41

# DRAFT

1 **MOTION: Conditional Use Permit, Site Plan and Architectural Approval for an 86 Unit**  
2 **Multi-Family Townhome Development in the Town Center Flex Use Zoning District –**  
3 **Blackstone**  
4

5 ***Background:** Tim Alders is requesting a conditional use permit for an 86 unit multi-family*  
6 *development located at the northeast corner of Town Square East and Parkway East. The site is*  
7 *7.76 acres in size and is owned by Frank and Maria Carlone. The site is designated as Mixed*  
8 *Use Development on the General Plan Land Use Map. The site is zoned Town Center Flex-Use*  
9 *District. Multi-family residential developments are permitted in this district subject to review*  
10 *and approval of a conditional use permit. A maximum of 342 units are permitted in the Town*  
11 *Center Flex-Use District. A project cannot exceed 12 units per acre. Toscana was approved for*  
12 *200 units, leaving 142 units. If this project is approved, 56 units will remain.*  
13

14 Nathan Crane presented the staff report, focusing primarily on the changes that been made to the  
15 proposal. The applicant has added seven additional parking spaces, which will mostly be on the  
16 north side of the development. An added stipulation is that a minimum of 19 on-site parking  
17 spaces for the north parcel and 11 on-site parking spaces for the south parcel shall be added.  
18 Those spaces should be located within a close proximity of units adjacent to the street. These  
19 stipulations were added because if they will be used for businesses, then they should be located  
20 near the businesses. The site plan was reviewed and discussed, and Nathan Crane explained how  
21 the number of parking spaces was determined. A comprehensive list of stipulations was also  
22 included in the staff report.  
23

24 Brian Braithwaite made reference to Lily Kohler's earlier remarks, and suggested that all known  
25 noises and smells related to nearby businesses be indicated on the final plat. He mentioned that  
26 plats located to agricultural land could serve as an example of how to draft something similar for  
27 this purpose.  
28

29 Bruce Baird stated that he will be representing the applicant. He explained that development is  
30 not a contractual between a landowner and a City. The Utah Supreme Court has indicated that  
31 the development of private property is a sacred right. Bruce argued that the applicant is  
32 complying with the law, thereby granting him a right to approval. The General Plan is advisory  
33 in the fact that the zoning Code implements the General Plan, which means that the issue of the  
34 appropriate use has been settled beyond any doubt. Bruce continued that they would be happy to  
35 add a note to the plat indicating that there are adjacent businesses. He explained that while it  
36 would have been nice to have the Kohler easement, it is not needed for their project. Approval  
37 of the Conditional Use Permit (CUP) is an administrative decision. Bruce continued to explain  
38 that a CUP can only be denied if a reasonably anticipated detrimental effects, if any, of a  
39 proposed CUP cannot be substantially mitigated by the imposition of reasonable conditions to  
40 achieve compliance with applicable standards. Bruce argued that his client has resolved more  
41 than all of the legitimate concerns, and reasonably mitigated any anticipated detrimental effects  
42 in compliance with all applicable City standards. Bruce addressed several of the conditions that  
43 are listed in the staff report. He explained that there is nothing in Highland City's Code that

# DRAFT

1 allows them to require a perimeter around the site. He stated that he has not received  
2 justification from the City on the required wall despite several requests. While Mr. Alder's is  
3 willing to install a wall between the portion of the project and the area where there are horses.  
4 However, the purpose of this zone is to allow an open area with open circulation, and the  
5 perimeter wall would defeat that purpose. Secondly, Bruce argued that there is no legitimate  
6 basis for the condition regarding phasing. Third, there is no reason why the City should require  
7 completion of a sewer line prior to issuance of a building permit. Fourth, there is no basis in the  
8 City's Code for a required minimum basement size. Fifth, Bruce addressed the parking  
9 requirements as they were relayed to his client last night. Bruce explained that there are some  
10 members of the City Council who are so adverse to this project, that they would authorize a trade  
11 of 12 acres of City park land for this site, noting that his client received a phone call today on the  
12 matter. The 12 acres of park land would carry a zoning that would make it financially unusable,  
13 and therefore wouldn't be a fair trade. Bruce concluded that this project complies 100% with the  
14 law, as well as with the additional conditions indicated in the staff report. He stated that this  
15 project requires the Council's affirmative vote, and noted that it will be a welcome addition to the  
16 City.

17  
18 Nathan Crane explained that there is a provision in the Town Center design standards that  
19 requires opaque masonry walls to be used to separate commercial uses from residential uses. He  
20 indicated that staff sent the applicant a copy of the Commercial Retail Office Residential Town  
21 Center Overlay Zone Design Standards, which contains a reference to this specific requirement.  
22 Phasing has been added as a condition due to reasons related to open space and parking. Nathan  
23 explained that they did not receive a time line from the applicant in terms of construction, and so  
24 in its absence they added the condition that the sewer line must be completed prior to issuance of  
25 a building permit. A plat cannot be signed if there is no way of providing a utility service.  
26 Lastly, the minimum basement size was a reflection of what the applicant agreed to, so staff's  
27 purpose in adding it as a condition is to hold the applicant to what he agreed and stated to the  
28 Council. There was further review and discussion of the site plan.

29  
30 Brian Braithwaite explained that one of his key findings in discussing this issue with several  
31 attorneys is understanding that the General Plan takes precedence over the Code. The General  
32 Plan needs to be defined well enough that the Code can plan to that plan. The Code is supposed  
33 to define in detail what the General Plan is supposed to accomplish. Furthermore, the Code is  
34 supposed to help residents who buy a piece of property to understand the rules that they live  
35 within. In this situation, Highland has a plan that speaks really well with what is wanted as a  
36 City. However, the City did not align their development Code in a way that met the needs of the  
37 General Plan, and the General Plan is not specific enough to override the Code. As elected  
38 officials, they have a responsibility of honoring the rights of private property. Brian spoke to  
39 other points that have been previously discussed throughout the meeting. He remarked that  
40 while the applicant provides a good product, he does not believe that it is a good fit for the  
41 location, and that it was not planned in partnership with the community.

42  
43 Dennis LeBaron agreed with his remarks.

# DRAFT

1 **MOTION:** Jessie Schoenfeld moved that the Council approve a Conditional Use Permit,  
2 **Site Plan and Architectural Approval for an 86 Unit Multi-Family Townhome**  
3 **Development in the Town Center Flex Use Zoning District, with the stipulations listed in**  
4 **the staff report, including a minimum of 19 on-site parking spaces for the north parcel and**  
5 **11 on-site parking spaces for the south parcel, which is in addition to the minimum parking**  
6 **requirement for residential. Language will also be included on the final plat that will**  
7 **identify adjacent businesses, thereby clarifying the expectations that the homeowner should**  
8 **have in living next to commercial entities.**

9  
10 **The stipulations included in the staff report are as follows:**

- 11
- 12 1) **The site plan shall conform to the site plan and elevations dated August 10, 2015,**  
13 **except as modified by these stipulations.**
- 14 2) **The location of water and sewer lines in relation to lot lines and building**  
15 **foundations shall be reviewed by the Engineering Department and Building Division**  
16 **with the civil improvement plans to ensure adequate spacing and appropriate**  
17 **locations.**
- 18 3) **Potential homebuyers shall be informed by CC&R's, affidavit, and posted notice in**  
19 **the model home sales office of the following:**
  - 20
  - 21 a. **Ownership and maintenance of private streets.**
  - 22 b. **Responsibility for repairing private streets after utility maintenance.**
  - 23 c. **Parking restrictions for residents and visitors.**
  - 24 d. **Ownership and maintenance responsibility for all common areas.**
  - 25 e. **No more than four unrelated persons my live in a unit.**
  - 26
- 27 4) **The property owner shall establish an irrevocable maintenance fund by the CC+R's**  
28 **to ensure maintenance of the private streets. In addition, all private streets shall be**  
29 **constructed to meet Town design standards.**
- 30 5) **A note shall be added to the Final Plat and the Covenants, Conditions, and**  
31 **Restrictions stating the Homeowner's Association shall be responsible for the**  
32 **maintenance of all private streets.**
- 33 6) **The civil construction drawings shall meet all requirements as determined by the**  
34 **Town Engineer.**
- 35 7) **The final landscape plans shall be reviewed and approved prior to issuance of a**  
36 **building permit.**
- 37 8) **A comprehensive sign plan addressing private drive signage, building addressing**  
38 **and permanent directional signage shall be submitted and approved prior to**  
39 **preliminary plat approval. All signs shall be uniform in theme and appearance.**
- 40 9) **The Fire Marshall shall approve the location of all fire hydrants prior to approval of**  
41 **the civil construction plans.**
- 42 10) **Parking shall be prohibited on all private roads and enforced by the Home Owners**  
43 **Association.**

# DRAFT

- 1 11) A six foot concrete wall shall be installed along the property perimeter.
- 2 12) No building permits shall be issued until the 10400 North sewer line has been
- 3 completed.
- 4 13) The access to the shopping center service drive shall be removed and the area
- 5 redesigned to meet all emergency access and subdivision requirements.
- 6 14) Utilities and a road stub shall be provided to the property to parcel #11:039:0010
- 7 and parcel #41:617:0007.
- 8 15) A minimum 449 square foot basement shall be provided for each unit.
- 9 16) All garbage cans shall be stored inside the garage. This shall be enforced by the
- 10 HOA.
- 11 17) The north parcel shall be the first phase.
- 12 18) All perimeter walls, open space, and guest parking shall be completed in the first
- 13 phase of development on each site.
- 14 19) A minimum driveway throat distance of twenty feet shall be provided for all
- 15 entrances.
- 16 20) A revised landscape plan shall be submitted with the preliminary plat application.

17  
18 **Dennis LeBaron seconded the motion.**

19  
20 **Those voting "Aye": Rod Mann, Jessie Schoenfeld, Tim Irwin, Dennis LeBaron, Brian**

21 **Braithwaite.**

22 **Those voting "Nay": None.**

23 **Motion carried.**

24  
25  
26 **MOTION: Authorization to Proceed with Construction – Dry Creek Trail 3**

27  
28 ***Background:** Over the past several months the City Council has been discussing the status of*

29 *the Dry Creek Bench Trail. On May 5, 2015, the Council directed staff to return with a phase*

30 *plan for engineering work, removal and replacement of asphalt for Phase II and III or the*

31 *expansion of the easements. On August 4, 2015, the Council approved a contract for Hansen*

32 *Allen and Luce, Inc. to design the trail. The preliminary trail design has been completed. Staff*

33 *has prepared two estimated costs listed below. A third cost based on a bid from a contractor*

34 *will be presented during the Council meeting. Cost 1 – Hansen Allen and Luce Engineers*

35 *Estimated Total Cost: \$40,000 to \$50,000; Cost 2 – Staff Construction. Material Cost: \$21,311*

36 *to \$23,811 and Labor Costs are estimated for five employees for three weeks. Reassigning staff*

37 *from daily responsibilities to this project will result in impacts on completing scheduled work*

38 *(crack sealing, sprinkler winterization, snow plowing equipment preparation, subdivision*

39 *inspections, etc.). Work on this project may be able to take place throughout the winter to lessen*

40 *the impact on current responsibilities. In July of 2015 the Council adopted new Engineering*

41 *Design Standards. One of the standards prohibits the laying of asphalt after October 31 to April*

42 *1. It is unlikely that staff can complete the project by this deadline. If a contractor is hired*

43 *meeting this deadline could be problematic. In addition, the cost will be higher given the short*

# DRAFT

1 *deadline. We may get a better cost if we bid the project now but construction takes place in the*  
2 *spring.*

3  
4 Nathan Crane presented the staff report, and there was discussion regarding whether or not this  
5 project should be completed by staff or a contractor. The pros and cons to each option were  
6 reviewed, including an estimated project timeline. Justin Parduhn noted that a considerable  
7 portion of the bid that was received was for the earth work. Alternative ways to get the same job  
8 done for less money were discussed, and Justin suggested seeking out more competitive bids  
9 from other contractors that would be specialized in doing earth work. Subsequently, a contractor  
10 that specializes in asphalt could come in and finish the project. The Council agreed that it would  
11 be better to obtain more bids and schedule work for next spring and fall, rather than rush through  
12 the project now at a higher cost. If the road were to be graded, have road base put down and  
13 compacted, it would withstand the winter.

14  
15 **MOTION: Rod Mann moved the Council authorize staff to seek the most competitive**  
16 **project bids for the grading earth work and/or asphaltting that will be presented to the**  
17 **Council for review.**

18  
19 **Brian Braithwaite seconded the motion.**  
20 **Unanimous vote, motion carried.**

21  
22  
23 **MOTION: Urban Deer Control Program – Maintenance Plan**

24  
25 ***Background:** Human encroachment into traditional wildlife by urban sprawl and housing*  
26 *subdivisions created a problem with mule deer within Highland City. Additionally, when deer*  
27 *have the ability to adapt to their new neighbors and to multiply unchecked, problems like health*  
28 *concerns, property damage, ecological damage, and deer/vehicle accidents occur. Highland*  
29 *City determined that new management controls are needed. In August of 2013, Highland City*  
30 *approved a Plan in conjunction with the Division of Wildlife Resources (DWR) for an Urban*  
31 *Deer Control Pilot Program. This program was for the 2013-2014 fall hunting seasons.*  
32 *Highland City entered into an agreement with Brian Cook (resident of Highland) from*  
33 *Humphries Archery in American Fork, Utah, to serve as the Program Coordinator. As Program*  
34 *Coordinator, Mr. Cook selected a limited group of experienced bow hunters to participate in the*  
35 *program. Hunting locations were identified by Highland City and hunting regulations followed*  
36 *the DWR Proclamation for opening dates and times. Brian Cook made a report to the Council at*  
37 *the end of each season indicating the success of the program with 72 deer being taken in 2013*  
38 *which were donated to a local food bank and local families, and 43 deer being taken in 2014,*  
39 *being donated to needy families in the area. Due to the success of the Pilot Program, DWR has*  
40 *adopted the Urban Deer Control Program as an official program for cities state wide to*  
41 *participate in upon fulfilling specific requirements. During the approval of the plan in 2013*  
42 *Highland City fulfilled all of DWR's requirements for the program, in order to continue the*  
43 *program Highland City is was required to accept "public comment" which was taken Tuesday,*

# DRAFT

1 *September 1, 2015. Only one resident voiced their opinion in favor of continuing the program.*  
2 *DWR has approved the program to run in conjunction with their Proclamation rules from 2015-*  
3 *2017. The plan, process and terms approved by the City Council in 2013 will remain the same*  
4 *for the new program. Changes in the language where it indicated it being a pilot program and*  
5 *dates will be the only changes. Brian Cook has agreed to continue to be the Program*  
6 *Coordinator over the specialists and coordinate with City Staff, Lone Peak Police Department*  
7 *and those families in need of the donation of the meat.*

8  
9 **MOTION: Tim Irwin moved that the Council continue the Urban Deer Control Program**  
10 **indefinitely.**

11  
12 **Rod Mann seconded the motion.**  
13 **Unanimous vote, motion carried.**

14  
15 The Council requested that staff have Mr. Cook address the Council every year in order to  
16 discuss program expectations.

17  
18  
19 **MOTION: Conditional Use Permit, Salt Storage Building – Northwest corner of Park Drive**  
20 **and SR-92**

21  
22 *Note: Item 9 and Item 10 were discussed in reverse order.*

23  
24 **Background:** *The property is 2.46 acres in size and is owned by Highland City. A subdivision is*  
25 *not required. The site is designated as Low Density Residential on the General Plan Land Use*  
26 *Map. The site is zoned R-1-40 (Residential Zone). Public buildings and grounds are permitted*  
27 *in the R-1-40 District subject to a conditional use permit. One of the requirements of the*  
28 *Environmental Protection Agency (EPA) requires that all salt storage be contained and covered*  
29 *to prevent ground water discharge during storms. The EPA has been active in auditing this*  
30 *requirement on surrounding cities. The purpose of this facility is to address these requirements*  
31 *before an audit. With the light snow fall last year monies were left over from the salt budget*  
32 *and carried over to this fiscal year. The project budget is \$70,000. Staff believes this will cover*  
33 *the building and the concrete pad. The building may not cost this much but this will not be*  
34 *known until the project is bid. The property is currently being used as a bus stop for the View*  
35 *Point subdivision. The property is also being used for loading and unloading of materials*  
36 *related to the operation of the Public Works. Park Maintenance Seasonal employees also use*  
37 *the area for parking.*

38  
39 Justin Parduhn explained that the salt storage building was not placed next to the current  
40 maintenance building because the City is trying to de-clutter that area as much as possible. The  
41 company that currently delivers the salt already has raised complaints about deliveries, because  
42 of the liability issues that they face when backing their truck into such a tight space. The

# DRAFT

1 proposed location for the salt storage building opens a lot of usable space. The proposed site  
2 plan was then presented and discussed.

3  
4 **MOTION: Rod Mann moved that the Council approve a Conditional Use Permit for the**  
5 **Salt Storage Building on the Northwest corner of Park Drive and SR-92, with the following**  
6 **stipulations recommended by staff:**

- 7  
8 1) **Development of the site shall conform to the site plan date stamped September 10,**  
9 **2015.**  
10 2) **The building shall be enclosed.**  
11 3) **Except in an emergency, deliveries shall be scheduled for times not during normal**  
12 **school bus pickup and drop off hours.**  
13 4) **To the fullest extent possible the salt building shall not be used during normal**  
14 **school bus pickup and drop off hours.**

15  
16 **Jessie Schoenfeld seconded the motion.**

17  
18 **Those voting "Aye": Rod Mann, Jessie Schoenfeld, Tim Irwin, Brian Braithwaite.**

19 **Those voting "Nay": Dennis LeBaron**

20 **Motion carried 4-to-1.**

21  
22  
23 **MOTION: Operation Safety Report – 11800 North and Highland Boulevard**

24  
25 *Note: Item 9 and Item 10 were discussed in reverse order.*

26  
27 ***Background:** With the recent accident at the intersection of Highland Boulevard and 11800*  
28 *North, a concern has be raised relation to the safety and operation of this intersection. In June*  
29 *2015, the Council authorized the hiring of two firms to complete an Operation Safety Report*  
30 *(OSR). An OSR report reviews the intersection design, traffic speeds, sight issues, crash history,*  
31 *etc. and provides a report with recommendations. Two firms were hired to complete this work;*  
32 *Project Engineering Consultants (PEC) and InterPlan. Both studies were also reviewed by the*  
33 *City Engineer. A summary of the findings was included in the staff report.*

34  
35 Nathan Crane stated that in reviewing both studies, staff felt that they received better data from  
36 InterPlan. Flashing, radar enabled speed signs have been ordered for the northbound side of the  
37 road. Additionally, staff has contacted Utah County and they will be installing a sign on their  
38 stretch of road that is north of 11800. The sign will also be able to collect and tract data. Nathan  
39 informed the Council that staff has also ordered the larger sized flashing stop signs, as well as  
40 advanced warning signs for the T-intersection.

41  
42 The City Engineer has reviewed the study and provided the recommendations which are  
43 summarized as follows:

# DRAFT

- 1  
2 1) Remove the tree(s) located furthest south in the median to allow for a further line of  
3 sight.
- 4  
5 2) Replace the paint stop line with thermoplastic for better visibility and longevity with a  
6 pavement message marking STOP prior to the stop line.
- 7  
8 3) Install side road warning signs on Highland Boulevard for both the northbound and  
9 southbound approaches.

10  
11 Staff has also contacted PEC and InterPlan and requested a scope of work and price for  
12 completion of the warrant study. The tree that is being recommended for removal was then  
13 identified.

14  
15 Lynn Pallett commented that one tree removal will be insufficient because all of the trees  
16 obscure her vision as she is trying to turn left. Furthermore, if the signage is not installed  
17 correctly it will create more visibility issues. Staff explained that they will be following an  
18 engineering manual when installing the signs, which will be located 800 feet from the  
19 intersection. They will not, in any way further obstruct vision. The contents and purpose of the  
20 warrant study were discussed. It was noted that the study will analyze nine different factors of  
21 the intersection and determine what is needed in order to make the intersection safer. There was  
22 continued deliberation on whether or not to remove one or all of the trees in order to create  
23 optimal visibility.

24  
25 Wendy Condie 11507 Highland Boulevard, commented that the median is helping traffic from  
26 going around the people who turn right. She suggested that widening the median would also  
27 help with speed and traffic congestion.

28  
29 Julie Brinkerhoff stated that she lives in Sky Estates on Saltaire Drive, and explained that with  
30 new developments coming in the traffic will continue to worsen. The City needs to be proactive  
31 about mitigating the safety issues related to this intersection. Another comment was made  
32 regarding some radar controlled speed signs that were installed on Country Club Drive, and it  
33 was noted that these signs have helped significantly improve driving habits.

34  
35 Tanya Colledge stated that she lives close to the intersection, and commented that they might as  
36 well remove all of the trees if they are already planning on removing one of them. Tanya stated  
37 that she tries to avoid the intersection as much as possible, specifically to avoid issues with the  
38 left-hand turn. Accidents are becoming a regular occurrence, and she does not want to see any  
39 more happen before these issues are properly addressed. She recommended that the flashing  
40 signs not be put up before the warrant study.

41  
42 Staff, elected officials and members of the public continued to further deliberate points that were  
43 previously made throughout the discussion. Additionally, there was mention of the value of

# DRAFT

1 having police presence in neighborhoods as a way to promote safe driving. The Council directed  
2 Nathan Crane to coordinate with the Police Department in adding police presence at the  
3 intersection, even if it is just a matter of parking a police vehicle nearby.  
4

5 Christine Anderson pointed out that there is a slight elevation at the intersection, which is part of  
6 the problem. She suggested either bringing up the elevation of the road for westbound traffic, or  
7 if alternatively the road can be graded lower.  
8

9 The Council discussed the possibility of trimming the trees on the median as an alternative to  
10 removing all of them for visibility reasons. If there are still issues moving forward, they can  
11 entertain the option of having them completely removed. After additional remarks from  
12 Christine Anderson, the Council agreed to move forward in having the trees removed altogether.  
13

14 **MOTION: Dennis LeBaron moved that the Council accept the aforementioned**  
15 **recommendations of the City's Engineering staff for changes to be made to the intersection**  
16 **at 11800 North and Highland Boulevard, including removal of the trees on the median.**  
17

18 **Tim Irwin seconded the motion.**  
19 **Unanimous vote. Motion carried.**  
20

21 *Note: Tim Merrill was excused from the meeting at approximately 10:00 pm.*  
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 **A. Everbridge Communications – Nathan Crane** 28

29 Nathan Crane turned the time over to Ed Barfuss.  
30

31 Ed Barfuss addressed the Council stating there are two parts to Everbridge Communications: 1.  
32 Mass notification for emergencies such as power outages, flood watches, evacuations, etc. 2.  
33 Mass communication for instances in which a search and rescue for a missing person may be  
34 necessary. Communications can take place either through cell towers or through neighborhood  
35 networking. Handheld radios work very well for mass communication, and can be purchased for  
36 as little as \$35.00 per device. Each neighborhood could be assigned a different channel to use  
37 for their respective areas.  
38

39 Rod Mann asked if a Ham Radio License is needed to operate these kinds of radios.  
40

41 Ed Barfuss indicated historically, Highland has sent mass emergency communications through  
42 the Police and Fire Chiefs, who have in turn called the County Dispatch to send out notifications.  
43 Unfortunately, the City depended on City Watch which was discontinued by the County earlier  
44 this year. Currently, the City does not have any way of sending emergency communications to  
45

# DRAFT

1 anyone within the area. The County switched over to Everbridge earlier this year, and an  
2 overview of the system was discussed. Cities who have signed up for Everbridge through Utah  
3 County have received a significant discount for the service. Cost is based on population, and  
4 would be around \$4,000 per year for Highland City. Several communities in Utah County have  
5 signed up for this service, with the exception of a few. One competing service is through a  
6 company called Parlant Technology, and further discussion comparing the two companies  
7 ensued. Everbridge is an opt-in program, and various cities build their database differently.  
8 Highland could look to neighboring cities to determine a system for best building their  
9 communications database. The County has set up Everbridge user groups that conduct monthly  
10 trainings, and cities that do not take advantage of the training struggle with the system. Highland  
11 City would have to make a five year commitment if they opted to use Everbridge for their  
12 emergency communications.

13  
14 Brian Braithwaite suggested that annual or bi-annual testing take place, to ensure that the system  
15 is working properly.

## 16 17 **Alpine School District** – Mayor Thompson

18  
19 Mayor Thompson reported that he and Nathan Crane recently met with the new Superintendent  
20 and with Rob Smith. They have discussed extending the fence on the south side, which would  
21 create room for approximately 74 more parking stalls. Mayor Thompson communicated to the  
22 school district that the City is anticipating to connect Knight Avenue to the east/west corridor as  
23 quickly as possible, which could affect their plans for the parking lot. In the meantime, the City  
24 will allow the school district to provide an access into the parking area and gravel the space that  
25 they will be using, thereby buying the City more time. Essentially, the City will give the school  
26 district access to City-owned property for a period of time. Mayor Thompson stated that the  
27 allowable period of time could be limited to this season.

## 28 29 **Saved Water Shares** – Mayor Thompson

30  
31 Mayor Thompson explained that discussions have previously taken place regarding the value of  
32 the contained water shares relevant to piping the Murdock Canal. The question is whether or not  
33 the City wants to sell any of these water shares. If there is a shortage on properties that are  
34 owned by the City, that water would then be tied to the property. Mayor Thompson commented  
35 that if the City has additional water, he doesn't see value in not distributing it to new property for  
36 development. The City would obtain an appraisal of current market value and have it available  
37 at that price for anyone to purchase within a specific window of time. The water would be  
38 purchased and transferred to the property being developed in Highland; the developer would  
39 never actually take possession of that water. Further discussion and review of this item will take  
40 place at a future Council meeting.

## 41 42 43 **ADJOURNMENT**

# DRAFT

1 **MOTION: Tim Irwin moved to adjourn.**

2

3 **Brian Braithwaite seconded the motion.**

4 **Unanimous vote. Motion carried.**

5

6 **Meeting adjourned at 10:42 p.m.**

7

8

9

---

JoD'Ann Bates, City Recorder

10

11 Date Approved: October 20, 2015

12

13

MINUTES  
HIGHLAND CITY COUNCIL MEETING  
Tuesday, October 6, 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:** Nathan Crane, City Administrator / Community Dev. Director  
Erin Wells, City Administrator Assistant  
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:** Carter Finsand, Ronnie Guymon, Joseph Oscarson, Adam Gerucht, Teresa Burgon, Adam McMullin, Richard McMullin, Tim Heyrend, Seth Barrusm Ethan Smtih, Wesley Stevenson, Michael Frandsen, Trevor Sprensen, Kevin Tams, Karen Hunt, Doug Nielsen, and Michelle DeKorver.

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:05 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 Thompson and those assembled were led in the Pledge of Allegiance by Ronnie Guymon, a scout.

**APPEARANCES:**

No comments made

**PRESENTATIONS:**

**Elections** – JoD’Ann Bates, City Recorder

# DRAFT

1 JoD' Bates indicated staff had been asked by the City Administrator to address and report to the  
2 Council on various duties performed by staff. Due to the oncoming election he felt it was a good  
3 time to review and discuss the election process. JoD' stated that the election process is defined  
4 by State Code in section 20A from the dates to the forms used. The Utah Municipal Clerks  
5 Association works closely with the Utah League of Cities and Towns to compile a checklist for  
6 all recorders and clerks to help them through the process making sure we are up to date with any  
7 legislative changes. This list is then reviewed and approved by the Lt. Governor's office. JoD'  
8 continued to state that he process starts in February of an election year and there are small duties  
9 throughout the months with the largest being around the primary month of August and the  
10 general in November. JoD' provided the Council with a calendar of some of the duties that are  
11 performed during October and November and commented that this is just a small sample but  
12 there is more that goes on than what can fit on a calendar. JoD' also provided the council with  
13 information regarding days, times and locations of early voting and general election voting. She  
14 continued to discuss information received by the county stating the number of registered voters  
15 in which she determines the amount of ballots to have printed, the amount of voting locations  
16 and poll workers needed. JoD' indicated that out of 9,186 registered voters she has had 881 that  
17 has requested absentee ballots. JoD' continued to explain the difference between and absentee  
18 voter, an early vote and a provisional vote and the process with each one.

19  
20 Brian Braithwaite indicated the Vote by Mail is currently a hot item and he feels that it would be  
21 beneficial to learn from those cities that are doing their election in that way this year. He also  
22 suggested next May when the city has their open house JoD' could have a table that would have  
23 some examples of the envelopes and show residents how the process is done and answer any  
24 questions they have.

25  
26 General discussion continued regarding the election process and information.

27  
28

29 **Highland Library** – Kent Slade, Library Director

30

31 Mayor Thompson indicated this presentation is postponed to a later date.

32

33

34 **CONSENT ITEMS:**

35

36 MOTION: Minutes for the September 1, 2015 Regular City Council Meeting  
37 *Pulled by Brian Braithwaite*

38

39 MOTION: Approval of Election Poll Workers

40

41

42 MOTION: **Tim Irwin moved the City Council approve the Approval of the Election Poll**  
43 **Workers.**

# DRAFT

1 **Dennis LeBaron seconded the motion.**

2 **Unanimous vote, motion carried.**

3  
4  
5 MOTION: Minutes for the September 1, 2015 Regular City Council Meeting

6 ***Pulled by Brian Braithwaite***

7  
8 Brian Braithwaite indicated there are a couple of things that took place during the meeting that  
9 did not get in the minutes that he feels are important and wanted the opinion of the rest of the  
10 council. It states different things that Council member Schoenfeld talked about regarding the  
11 fling and there was a presentation where there were certificates presented to various fling  
12 volunteers, but the names were not included in the minutes. He feels having those names in the  
13 minutes are extremely important. Later in another presentation Chief Freeman recognized  
14 some staff members for assistance they gave in an emergency. The names, what they did and the  
15 actual recognition was not mentioned and feels this should also be added. He feels there should  
16 be some direction given back to staff to ensure thing like this are included in the meeting  
17 minutes. He also indicated a change that needed to be made regarding financial numbers  
18 indicated on line 13.

19  
20 Rod Mann indicated in the background of the items it is usually mentioned in detail and feels this  
21 also needs to be part of the minutes.

22  
23 JoD'Ann Bates stated he apology for not reviewing the minutes very well. Typically they do  
24 include the background for each item and will correct the minutes for September 1<sup>st</sup> meeting.

25  
26 Tim Merrill stated there needed to be a correction on line 35-37 regarding the court presentation.  
27 He indicated that the state can classify an offense as anything but cities may only classify  
28 prohibited conduct as an infraction or Class C or B misdemeanor.

29  
30 **MOTION: Brian Braithwaite moved the City Council continue the Meeting Minutes for**  
31 **September 1, 2015 to the next agenda.**

32  
33 **Tim Irwin seconded the motion.**

34 **Unanimous vote, motion carried.**

35  
36  
37 **ACTION ITEMS:**

38  
39 RESOLUTION AND PUBLIC HEARING – Open Space Purchase for the Canterbury North  
40 Subdivision

41  
42 **BACKGROUND:**

# DRAFT

1 *Plat F of the Canterbury North Subdivision was recorded in 2002. The property was given to the*  
2 *City to use as a trail corridor.*

3 *The property owners within the subdivision are requesting the disposal of approximately 0.64*  
4 *acres of open space property on the northeast boundary of the subdivision (Attachment A). The*  
5 *parcel was originally planned for a trail. The trail was identified as a neighborhood option*  
6 *trail.*

7 *Chapter 2.44 Disposal of Public Property of the Municipal Code regulates the disposal of*  
8 *property. The first step in the process is for the City Council to declare the property surplus by*  
9 *resolution (attached). The second step is for the Council to hold a public hearing.*

10 *Chapter 12.30 Removal of a Neighborhood Option Trail provides the process for the removal of*  
11 *the trail and trail corridors.*

12  
13 **MOTION: Tim Irwin moved to approve the Open Space Purchase process for the**  
14 **Canterbury North Subdivision.**

15  
16 **Rod Mann seconded the motion.**

17  
18 Brian Braithwaite stated the reason for the corridor was to help residents get down into the park.  
19 If they go further west there is a road that could act like a trail and give the access that want. If  
20 you come off the trail and head down the asphalt you end up in the middle of nowhere. If they  
21 are going to make the change he feels they need to have the trail state where it going to go.  
22 There needs to be something there that indicates the location of the trail. Would like to see  
23 signage to help locate and utilize that trails. Feels it needs to be part of the motion and funds  
24 coming from this be directed back in to the trails.

25  
26 Tim Irwin indicated he feels it is appropriate to add those stipulations to the motion.

27  
28 Dennis LeBaron inquired who was responsible for the removal of the asphalt.

29  
30 Nathan Crane indicated that it would be the responsibility of the future owner.

31  
32 **AMENDED MOTION: Brian Braithwaite moved to amend the motion to include any**  
33 **proceeds from the sale go to the parks and trails budget and staff create signage to direct**  
34 **the users of the trail in the appropriate direction.**

35  
36 **Motion seconded by Rod Mann.**

37  
38 Mayor Thompson opened the public hearing.

39  
40 Kevin Tams would love to see the proceeds go to the open space park in that location  
41 specifically instead of general park maintenance. The playground is not usable at this time and  
42 would like to see that updated.

# DRAFT

1 Karen Hunt feels it is a great idea that those residents can purchase extra property. She lives  
2 next to a trail that goes nowhere and has taken care of it for 10 years and looks forward the  
3 outcome hoping they can look at the path next to her home in the future.

4  
5 Hearing no further comments, Mayor Thompson closed the public hearing.

6  
7 **Vote on the Amended motion.**

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

10 **Motion carried.**

11  
12 **Vote on Original Motion.**

13 **Those voting aye: Brian Braithwaite, Dennis Lebaron, Tim Irwin, Jessie Schoenfeld and**  
14 **Rod Mann.**

15 **Motion carried.**

16  
17  
18 **RESOLUTION: Highland / Alpine City Justice Court Re-Certification**

19  
20 **BACKGROUND:**

21 *The Justice Court needs to be recertified in February 2016. The recertification materials need to*  
22 *be submitted to the AOC no later than October 30, 2015. To apply for recertification the City*  
23 *must submit a written opinion from the City Attorney as well as a resolution passed by the City*  
24 *Council. The State Legislature has provided that any Justice Court that continues to meet the*  
25 *minimum requirements for its class is entitled to be recertified.*

26  
27 Judge Doug Nielsen stated that every 4 years the Justice Court is recertified by the city in which  
28 it is located and the Administrative Court accepts that re-certification. To re-certify the City  
29 Council has to adopt a resolution. The City Attorney has to draft an opinion that it is appropriate  
30 and the court has to certify an affidavit that they are meeting the minimum qualifications for the  
31 court to continue to exist. He has prepared his affidavit and forwarded to the Mayor and to Mr.  
32 Merrill. Mr. Merrill has prepared his opinion and he is before the council to ask for approval of  
33 the resolution

34  
35 Brian Braithwaite indicated the papers state it has to reside in the city boundaries, and inquired if  
36 Aline City also goes through this process.

37  
38 Judge Nielsen stated there is an interlocal agreement in place that allows Alpine Court to be  
39 recertified under Highland. He has actually gone through the process with Alpine City Mayor  
40 and the Alpine City Council.

41  
42 **MOTION: Tim Irwin moved to approve the Resolution Requesting the Re-certification of**  
43 **the Highland/Alpine Justice Court.**

# DRAFT

1 **Dennis LeBaron seconded the motion.**

2  
3 **Those voting aye: Tim Irwin, Dennis LeBaron, Brian Braithwaite, Rod Mann, and Jessie**  
4 **Schoenfeld.**

5 **Motion carried.**

6  
7  
8 **RESOLUTION: Intergovernmental Agreement with Utah County for a Mass Notification**  
9 **System**

10  
11 ***BACKGROUND:***

12 *Utah County has entered into an agreement for countywide mass notification*  
13 *services through Everbridge mass notification services. Everbridge is a software program that*  
14 *enables wireless notification of individuals through FEMA's Integrated Alert and Warning*  
15 *System. Alerts are sent to cell phones via text messages. Recipients are required to opt in to the*  
16 *system. The system can be used for emergency alerts or other notifications.*

17  
18 *The County is proposing a five year interlocal agreement. The agreement does allow the*  
19 *agreement to be extended after the five year period. Any changes to the agreement will require*  
20 *approval by the City Council. The fiscal impact of the agreement is discussed below.*

21 *If the Council chooses to approve the agreement, staff will be discussing how to implement the*  
22 *program. Erin Wells, Assistant to the City Administrator will be responsible for the project.*

23  
24 *Tim Irwin inquired if staff has put together a plan to get information out to residents and*  
25 *encourage them to buy in on the system.*

26  
27 *Nathan Crane indicated staff wanted to know if council was interested in moving forward with*  
28 *the system first. There are more details we need to work through but didn't want to get ahead of*  
29 *ourselves.*

30  
31 *Dennis LeBaron inquired if there were any planned mock drills that they could have with the*  
32 *system.*

33  
34 *Brian Braithwaite indicated it was his understanding that the city would have the ability to do*  
35 *their own drills once the system was up and going.*

36  
37 *Tim Irwin stated he feels staff needs to work with the emergency preparedness individual from*  
38 *the Lone Peak Public Safety District.*

39  
40 *Brian Braithwaite indicated he feels they need to add another whereas to the resolution to*  
41 *indicate the current system is no longer technically supportive and functioning.*

# DRAFT

1 **MOTION: Tim Irwin moved the City Council approve the Intergovernmental Agreement**  
2 **with Utah County for a Mass Notification System to include an additional whereas stating**  
3 **Highland City has found their current system to be obsolete and no longer technically**  
4 **supported.**

5  
6 **Brian Braithwaite seconded the motion.**

7  
8 **Those voting aye: Jessie Schoenfeld, Rod Mann, Brian Braithwaite, Dennis LeBaron, and**  
9 **Tim Irwin.**

10 **Motion carried.**

## 11 12 13 **MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS**

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

- 15  
16 • Brian Braithwaite requested an item be added to the communication box to have Brian  
17 Cook return in January with report on outcome of urban Deer Control Program.

18  
19 City Council reviewed the communication box at the end of the agenda.

- 20  
21 • Tim Irwin inquired as to the intersection of 11800 and the study.

22  
23 Nathan Crane stated that there were some anomalies that happened and they had to adjust the  
24 count. They are working on that and should have a report to staff in the next couple of weeks.

25  
26 Discussion ensued regarding a possible work session to review the information regarding 11800  
27 north and the general road improvement plan.

- 28  
29 • Nathan Crane stated they have scheduled December 3<sup>rd</sup> for an appreciation dinner at 6:30  
30 pm. and more information is to come.
- 31 • Nathan Crane stated the projector had been changed and they are looking at possible  
32 lighting changes to continue to help with the viewing of the PowerPoints.

## 33 34 35 **ADJOURNMENT**

36  
37 **MOTION: Tim Irwin moved to adjourn.**

38  
39 **Jessie Schoenfeld seconded the motion.**  
40 **Unanimous vote. Motion carried.**

41  
42 **Meeting adjourned at 8:09 p.m.**

# DRAFT

1  
2  
3  
4  
5

---

JoD'Ann Bates, City Recorder

Date Approved: October 20, 2015



# CITY COUNCIL AGENDA REPORT

---

## Item # 5

**DATE:** Tuesday, October 20, 2015

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

**FROM:** Mayor Mark S. Thompson

**BY:** Kent Slade, Library Director

---

**SUBJECT:** RATIFYING THE MAYOR'S APPOINTMENT OF ROGER DIXON, AND RE-APPOINTMENT OF SCOTT SMITH AND CINDY JOHNSON AS BOARD MEMBERS TO THE HIGHLAND CITY LIBRARY BOARD

---

### **BACKGROUND:**

There are three Library Board Members whose terms expired June 30, 2015. One of the members (Andrea Fuller) has served her two Three-year term and cannot be reappointed to the Library Board. These individuals assist the Library Board in its policy making and advocacy duties. State law allows members to be appointed to a maximum of two terms, each term to be three years.

It is recommended the appointment to the Library Board:

Roger Dixon served on the Board for a short time but left to fulfill a church assignment. He regularly attended the meetings and was a valuable asset to the Board.

It is recommended the re-appointment to the Library Board:

Scott Smith has completed an expired term for a previous board member. This would be considered his first appointment to a full three year term.

Cindy Johnson has served one full term and this would be her second (and last) term.

Both have attended their meetings and fulfilled their duties exceptionally.

The term of these re-appointments will be effective July 1, 2015 and conclude on June 30, 2018.

In choosing board members we have tried to find citizens who represent

- Different areas of the city
- Economic diversity
- Cultural diversity
- Active users of the library

We also seek those with unique skills who will be able to help us with developing policies, procedures and practices for effectively managing the library, along with developing a necessary and successful

long range plan and understand intellectual freedom, privacy, and free speech issues.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

- None



# CITY COUNCIL AGENDA REPORT

Item # 6

**DATE:** October 20, 2015

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

**FROM:** Mayor Mark S. Thompson

**BY:** JoD'Ann Bates, City Recorder

---

**SUBJECT:** RATIFICATION OF APPOINTMENT OF CHAIRMAN TO THE HIGHLAND FLING COMMITTEE

---

**STAFF RECOMMENDATION:**

- Mayor Mark S. Thompson is recommending the Highland City Council ratify the Appointment of Jessie Schoenfeld as Chairman of the Highland Fling Committee.

**BACKGROUND:**

March 17, 2015 Jessie Schoenfeld was appointed as the Highland Fling Chairman Elect for the 2015 celebration. Jessie Schoenfeld has been working with residents and staff in facilitating the Fling activities for the 2016 celebration.

Mayor Thompson feels she will continue to work hard to ensure the integrity of the Highland Fling celebration.

**4.12.090 Highland Fling Committee**

The committee shall make recommendations to the City Council concerning the annual City celebration known as the Highland Fling. The committee may create any number of subcommittees to assist it with the Highland Fling celebration, which subcommittees shall act as ad hoc committees.

- B. The terms of the citizens members shall be for three years, the first shall be as the chair elect, the next as the chair, and the last as the past chair.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

N/A



# CITY COUNCIL AGENDA REPORT

Item # 7

**DATE:** Tuesday, October 20, 2015

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

**FROM:** Erin Wells  
Assistant to the City Administrator

---

**SUBJECT:** MOTION – REQUEST FOR BURIAL ON PRIVATE PROPERTY

---

**STAFF RECOMMENDATION:**

Council hold a discussion to determine whether private property should be approved as a cemetery location.

**BACKGROUND:**

Highland City resident, Susan Ledkins has requested permission to bury her ill husband on their private property at the time of his death. See the attached letter and map regarding her request.

Highland City Municipal Code states that all burials must take place in approved cemetery locations:  
***Highland Code 13.48.160 - Burials outside cemeteries.***

*It is unlawful to bury the body of any person within the city, except at sites designated and approved as cemeteries by the city.*

Utah State Code states that cemeteries must be filed, recorded, and platted with Utah County:  
***Utah Code 8.3.1 – Cemeteries – Recording Plats & Conveyances – Plats of cemeteries shall be recorded.***

- (1) *An executive officer of an organization in control of a cemetery, including a municipality or a cemetery maintenance district, or an individual owner in control of a cemetery, offering burial lots for sale in any county, shall file and cause to be recorded in the office of the county recorder of the county within which the respective cemetery is situated an accurate plat of the cemetery.*
- (2) *(2) The plat required under Subsection (1) shall clearly show:*
  - (a) *the sections of burial lots which have been disposed of and the names of the persons owning or holding each burial lot; and*
  - (b) *the sections of burial lots held for disposal.*
- (3) *An executive officer or owner shall file additional plats of any addition to a cemetery before offering for sale any burial lots located in the cemetery.*
- (4) *A county recorder may not collect any fee for filing and recording an original plat required under this section.*

In further discussions with the county, a number of Departments including Health, Recorder, and

others would need to be included in the process and the property would need to be rezoned by the City prior to the property being able to be used as a cemetery.

Should council decide to move forward, staff will conduct research to understand all of the requirements relating to designating private property a cemetery.

**FISCAL IMPACT:**

Unknown

**ATTACHMENTS:**

- Letter of Request from Susan Ledkins with a map of property

October 9, 2015

To The Highland City Council  
Members:

My name is Susan Hedkins.

My husband Steven and I purchased from Carl and Thelma Chidester 2 acres in 1989.

We ~~later~~<sup>later</sup> purchased  $\frac{1}{2}$  acre more to make our total acreage  $2\frac{1}{2}$ , and to have a bit of a buffer zone on the north property line against future development, and growth.

We moved here to our property at 10875 N. 5600 West in August of 1991.

My husband Steven has been on Kidney Dialysis for nearly four years, and is soon choosing to ~~go~~ stop his treatments as he is tired of feeling so bad and has no quality of life or energy to function at a normal level.

This action of discontinuing treatment means he will expire very quickly.

As a City Council, this is my question to you.

Would you approve for us to dedicate a certain piece of our property as a private Family Cemetery?

There is a road that leads to it so there is easy access to the proposed site.

Our property will never be sold or exchanged for any purpose, as we own our home and property out right and have since purchasing and building our residence.

We really feel this would be a special action for our family and especially for J. I. as he worked so hard to build and create our residence and to make it what it's been.

Time is of the essence!

We need to have a decision as soon as possible, so we can get matters taken care of before he discontinues his treatments.

We anxiously wait to  
hear from you on your decision.

Thank-you for your consideration  
in this matter.

Susan + Steven Redking

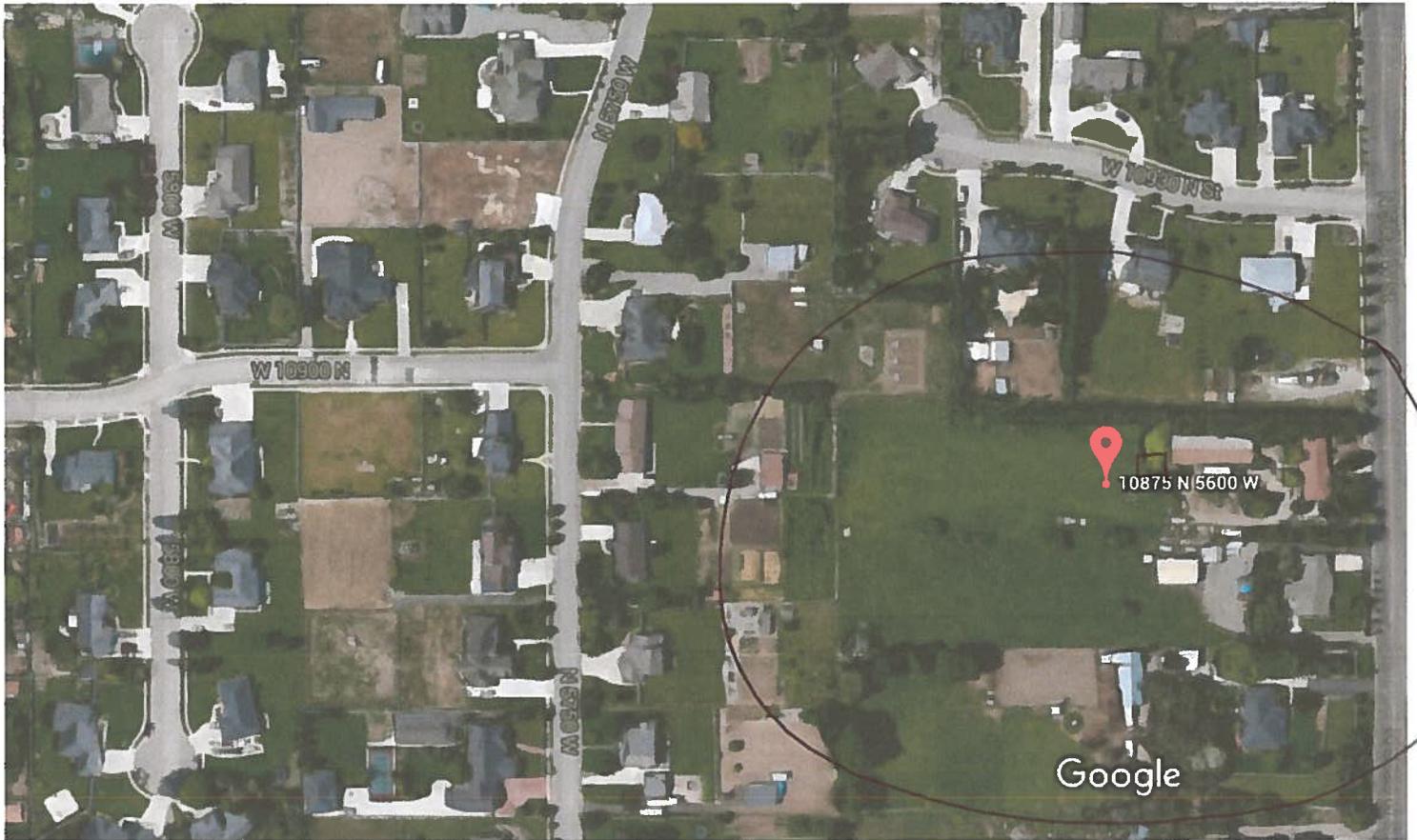
10875 N. 5600 West

Highland, Utah

84003

801-756-2270

Google Maps 10875 N 5600 W

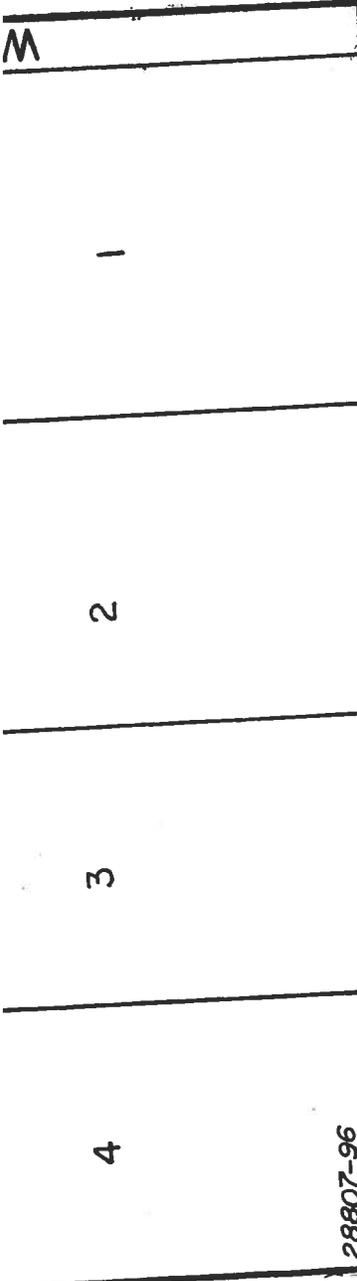


Imagery ©2015 Google, Map data ©2015 Google 200 ft



10875 N 5600 W  
Highland, UT 84003

039



28807-96  
38-222-PCL  
6535 ARM 78

(182) STEVEN EUGENE LEDKINS ETUX JTT.  
WEST 660'

16472-93 310713571

5600

STEVEN EUGENE LEDKINS ETUX JTT.

23289-89 2618/979

(130)

EAST

660'

E 330'

DAN L. BAXTER  
63388-94  
3504/716

DAN L. BAXTER  
63388-94  
3504/716

(112)

WEST

660'

W 330'

ROBERT R. ANDERSON  
43614-92

ETUX JTT.  
3002/220

(176)

EAST

660'

660'

WEST

363'

OLGA L. NOVOA  
119820-01

OLGA L. NOVOA  
119820-01

12043'  
50°08'13"W  
70.43'

(178)

WEST

363'

NORTH 120.00'

1.918,779,99'

763,178.54'

N 0°08'13" E

N 0°08'13" E

S 132'

NORTH 142'

23'

"A"

5

5

6

7

8

9



# CITY COUNCIL AGENDA REPORT

---

**Item # 8**

**DATE:** October 20, 2015

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

**FROM:** Nathan Crane, Interim City Administrator/Community Development Director  
Justin Parduhn, Operations and Maintenance Director

**SUBJECT:** MOTION – AUTHORIZATION TO PROCEED WITH CONSTRUCTION OF THE DRY CREEK PHASE 3 TRAIL

**STAFF RECOMMENDATION:**

City Council authorizes the construction of the Dry Creek Phase 3 Trail.

**BACKGROUND:**

Over the past several months the City Council has been discussing the status of the Dry Creek Bench Trail. On September 15, 2015, the Council directed staff to return with multiple competitive bids for the removal and replacement of asphalt trail.

Staff has received back four bids from contractors interested in doing this work. Each of these bids are listed below.

Cost 1 – Skip Dunn & Sons  
Total Cost: \$50,518.38

Cost 2 – Johnston & Phillips  
Total Cost: \$59,472.40

Cost 3 - Carlton Inc.  
Total Cost: \$61,174.40

Cost 4 – Eckles Paving  
Total Cost: \$71,667.20

In July of 2015 the Council adopted new Engineering Design Standards. One of the standards prohibits the laying of asphalt after October 31 to April 1. Under the current circumstances we will not make the October 31<sup>st</sup> deadline for asphalt. In order to attempt to get more competitive bidding we have allowed the Contractors to bid this project out as winter work for their crews with the intention of completing the trail portion up to the point of roadbase and having it ready to asphalt the 1<sup>st</sup> part of April as soon as the weather permits. In our communications with Skip Dunn and Sons, they would be able to

mobilize their equipment as soon as they were awarded the bid and work on getting all of the old trail removed and the new trail excavated, graded and roadbased by the middle of November. They would then come back in the spring and touch up any bad spots in the roadbase and asphalt it the first part of April.

**RECOMMENDATION AND PROPOSED MOTION:**

It is the recommendation of City Staff to award the bid Skip Dunn and Sons and allow them to start construction on the project as soon as possible with the favorable fall weather. We feel this is a good bid we have received and it fits within the budget allocated for this portion of the trail.

**FISCAL IMPACT:**

Funding for the trail was included in the FY 2015/2016 Budget in account 10-70-38 which has \$80,000.

**ATTACHMENTS:**

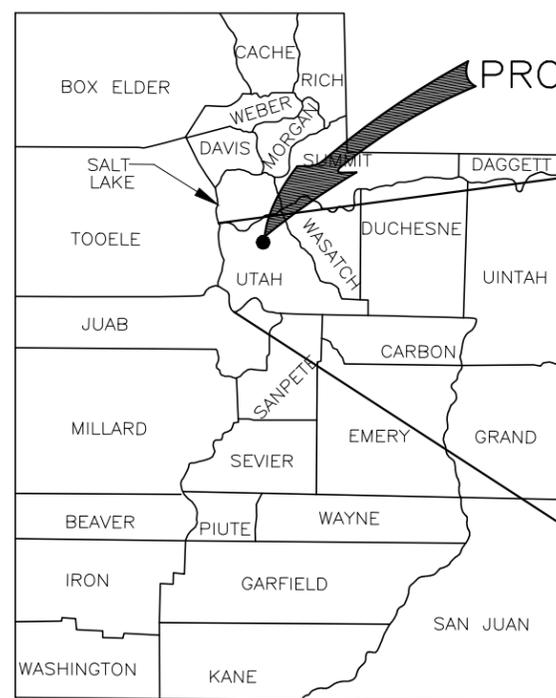
1. Preliminary Construction Plans



PROGRESS PRINT  
8.21.2015  
DATE  
Not to be used for construction.  
Hansen, Allen, & Luce, Inc.  
Consultants/Engineers

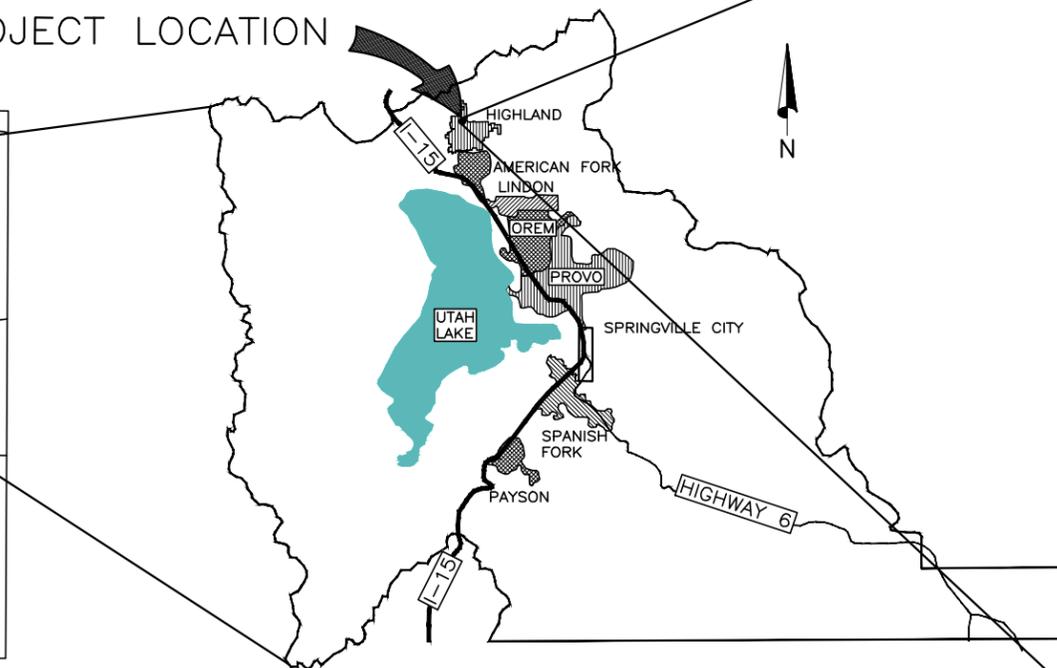
# MERCER HOLLOW TRAIL

SEPTEMBER 2015



STATE OF UTAH

PROJECT LOCATION



UTAH COUNTY

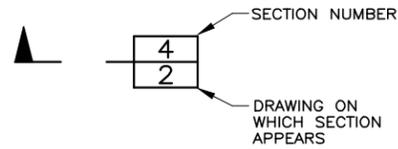


PROJECT LOCATION

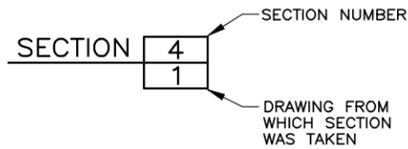
**SECTION & DETAIL IDENTIFICATION**

**SECTION IDENTIFICATION**

SECTION CUT ON DRAWING NO. 1:

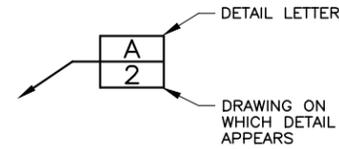


ON DRAWING NO. 2, THIS SECTION IS IDENTIFIED AS:

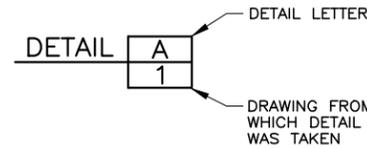


**DETAIL IDENTIFICATION**

DETAIL CALL-OUT ON DRAWING NO. 1:



ON DRAWING NO. 2, THIS DETAIL IS IDENTIFIED AS:



**NOTES:**

1. IF SECTION CUT AND SECTION OR DETAIL CALL-OUT AND DETAIL ARE SHOWN ON SAME DRAWING, DRAWING NUMBER IS REPLACED BY A LINE.
2. DETAIL LETTERS "I" AND "O" NOT USED.

**LEGEND**

— T-UG —	EXISTING TELEPHONE LINE
— P-UG —	EXISTING ELECTRIC LINE
- - - - -	RIGHT OF WAY
— 2-G —	EXISTING GAS LINE W/ DIAMETER
— 8-W —	EXISTING WATER LINE W/ DIAMETER
— 8-SS —	EXISTING SEWER LINE W/ DIAMETER
— 8-SD —	EXISTING STORM DRAIN LINE W/ DIAMETER
— FO —	EXISTING FIBER OPTICS LINE
— WS — WS — WS —	EXISTING WATER SERVICE
— GS — GS — GS —	EXISTING GAS SERVICE
— — — — —	NEW SEWER LINE
- x - x - x - x -	EXISTING FENCE
○	MANHOLE
⊕	POWER POLE
⊙	LIGHT POLE
⊕	FIRE HYDRANT
⊙	WATER METER
∇	WATER VALVE
■	SURVEY MONUMENT
☁	TREE

**ABBREVIATIONS**

CLR. = CLEARANCE	OHP = OVERHEAD POWER LINE
DIA. = DIAMETER	PE = PLAIN END
DIP = DUCTILE IRON PIPE	PSI = POUNDS PER SQUARE INCH
EL. = ELEVATION	PVC = POLYVINYL CHLORIDE
FL = FLOW LINE	R.O.W. = RIGHT OF WAY
FLG = FLANGE	HP = HIGH PRESSURE
ID = INSIDE DIAMETER	SQ. = SQUARE
MAX. = MAXIMUM	STA. = STATION
MIN. = MINIMUM	THD. = THREAD
MJ = MECHANICAL JOINT	TYP. = TYPICAL
N.T.S. = NOT TO SCALE	UBC = UNTREATED BASE COURSE

**INDEX OF DRAWINGS**

SHEET NO.	TITLE
1	COVER SHEET
2	GENERAL NOTES, LEGEND & INDEX OF DRAWINGS
3	PLAN AND PROFILE – STA. 0+00 TO STA. 6+00
4	PLAN AND PROFILE – STA. 6+00 TO STA. 12+22

**GENERAL NOTES**

1. THE CONTRACTOR SHALL MEET ALL UTAH STATE DEPARTMENT OF ENVIRONMENTAL QUALITY AND U.S. EPA REQUIREMENTS WITH RESPECT TO THEIR MINIMUM RULES AND REGULATIONS.
2. STATIONING, CURVE DATA, AND STRAIGHT SECTIONS AS LISTED ARE GROUND DISTANCES. HORIZONTAL AND VERTICAL CONTROL IS BASED ON MODIFIED NAD 83, STATE PLANE, UTAH CENTRAL COORDINATE SYSTEM.
3. CONSTRUCTION OPERATIONS SHALL BE CONDUCTED, AND SIGNS, BARRICADES, AND FLASHERS SHALL BE PLACED, SO AS TO COMPLY WITH OSHA, UTAH STATE INDUSTRIAL COMMISSION, LOCAL SAFETY STANDARDS, AND MANUAL ON UNIFORM TRAFFIC CONTROL. THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO CITY FOR REVIEW AND APPROVAL PRIOR TO COMMENCEMENT OF CONSTRUCTION.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES, INCLUDING SEWER LINES, WATER LINES, IRRIGATION LINES, TELEPHONE CABLES, GAS LINES, AND ANY OTHER OBSTRUCTION DURING THE COURSE OF CONSTRUCTION AND INSTALLATION OF THE PIPELINES. CONTRACTOR SHALL CALL BLUE STAKES (811) BEFORE BEGINNING CONSTRUCTION. SAID UTILITIES DAMAGED DURING CONSTRUCTION SHALL BE RESTORED TO A CONDITION AT LEAST EQUAL TO THEIR ORIGINAL CONDITION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN RIGHTS OF INGRESS AND EGRESS SHOULD HE VENTURE ONTO PRIVATE PROPERTY WHICH IS NOT INCLUDED IN CITY OR OWNER ACQUIRED RIGHTS-OF-WAY AND EASEMENTS.
6. UNLESS DETAILED, SPECIFIED OR INDICATED OTHERWISE, CONSTRUCTION SHALL BE AS INDICATED IN THE APPLICABLE TYPICAL DETAILS AND GENERAL NOTES. TYPICAL DETAILS ARE MEANT TO APPLY EVEN THOUGH NOT REFERENCED AT SPECIFIC LOCATIONS OR IN SPECIFIC DRAWINGS.
7. CONTRACTOR SHALL BE RESPONSIBLE TO PROTECT ALL EXISTING IMPROVEMENTS DURING CONSTRUCTION AND SHALL REPLACE OR RESTORE ANY IMPROVEMENTS DAMAGED AS A RESULT OF THE CONSTRUCTION ACTIVITY AS DIRECTED BY THE ENGINEER.
8. THIS PROJECT IS LOCATED IN HIGHLAND CITY LIMITS. THE CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS AND APPROVALS FROM HIGHLAND CITY AND SHALL COMPLY WITH HIGHLAND CITY REGULATIONS FOR TRAFFIC CONTROL, SAFETY AND EXCAVATION IN CITY OWNED RIGHTS OF WAY, ETC.
9. IF REQUIRED, THE CONTRACTOR SHALL OBTAIN NOTICE OF INTENT, PREPARE STORM WATER POLLUTION PREVENTION PLAN, AND COMPLY WITH ALL UPDES REQUIREMENTS AND SHALL OBTAIN NOTICE OF TERMINATION AT JOB COMPLETION. AS A MINIMUM, CONTRACTOR SHALL CONTROL STORM WATER DISCHARGE USING APPROPRIATE BMP'S.
10. ALL WORK SHALL BE CONSTRUCTED IN STRICT ACCORDANCE WITH THE CURRENT HIGHLAND CITY STANDARDS, PLAN AND SPECIFICATIONS, EXCEPT WHERE NOTED ON THESE PLANS.

FILE NAME: PROJECTS\14 - HIGHLAND CITY\16.300 - MERCER HOLLOW TRAIL\CAD\WORKING\2 INDEX.DWG  
FILE DATE: 8/26/2015 15:58:39 (JEB)

PROGRESS PRINT

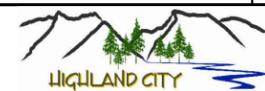


DESIGNED JEB  
DRAFTED JEB  
CHECKED TBT  
DATE SEPTEMBER 2015

NO. 3  
2  
1  
NO. DATE

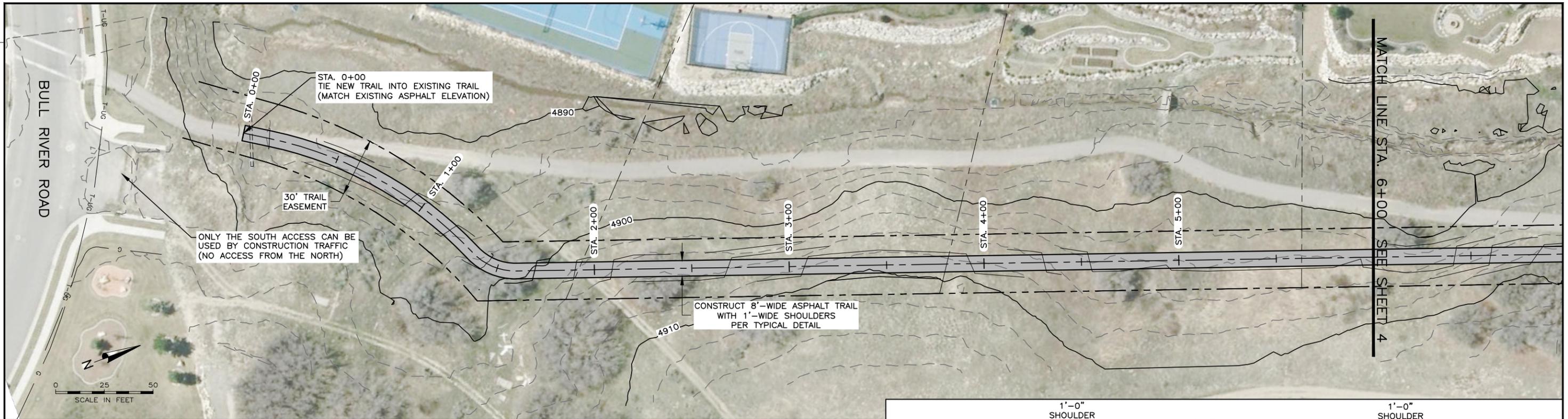
REVISIONS	BY	APVD.

SCALE  
NOT  
TO  
SCALE



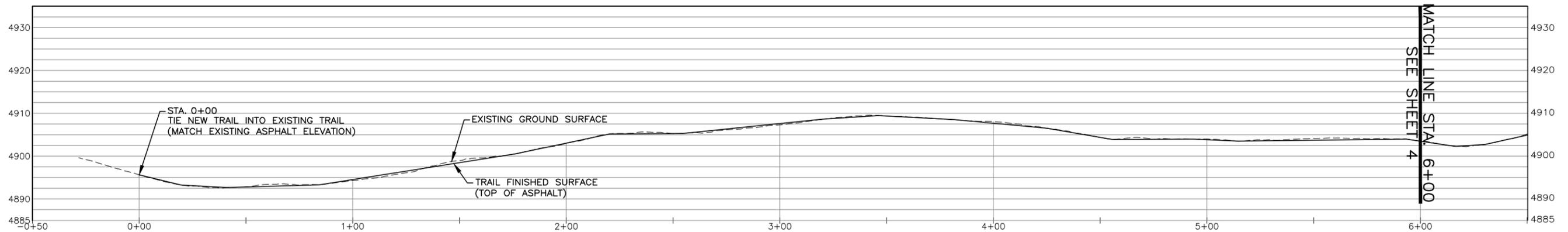
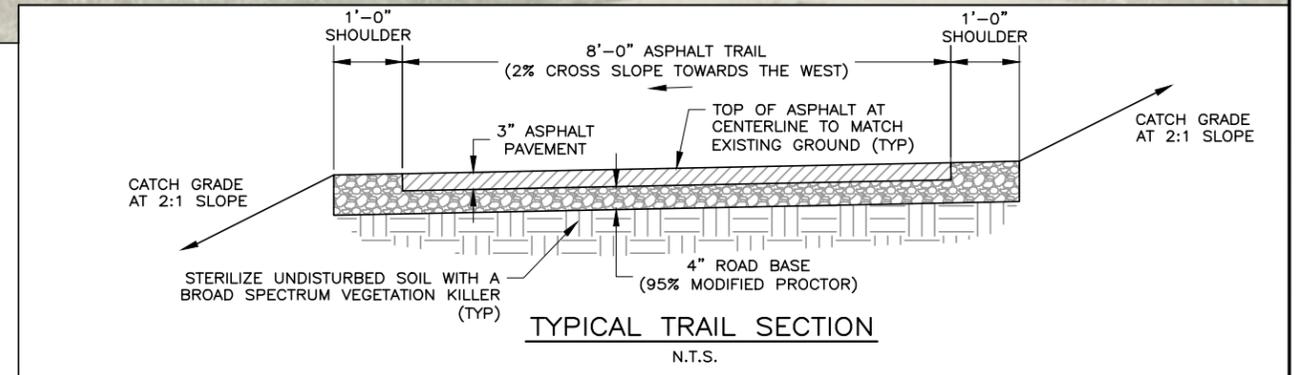
MERCER HOLLOW TRAIL  
GENERAL NOTES, LEGEND & INDEX OF DRAWINGS

SHEET  
2  
314.16.300



**NOTES:**

1. TOP OF NEW ASPHALT TRAIL TO MATCH EXISTING GROUND SURFACE
2. CONTRACTOR SHALL STAKE TRAIL ALIGNMENT IN THE FIELD FOR APPROVAL BY OWNER PRIOR TO CONSTRUCTION
3. CONTRACTOR SHALL PROVIDE SWPPP MEASURES AS REQUIRED



FILE NAME: PROJECTS\314 - HIGHLAND CITY\16.300 - MERCER HOLLOW TRAIL\CAD\WORKING\3 PP-1.DWG  
FILE DATE: 8.26.2015 15:53:01 (GEB)

PROGRESS PRINT

**HANSEN ALLEN & LUCE, INC.**  
ENGINEERS

8.26.2015  
DATE  
not to be used for construction  
Hansen, Allen, & Luce, Inc.  
Engineers  
PROJECT ENGINEER

DESIGNED	JEB	3			
DRAFTED	JEB	2			
CHECKED	TBT	1			
DATE	SEPTEMBER 2015	NO.		DATE	
REVISIONS			BY	APVD.	

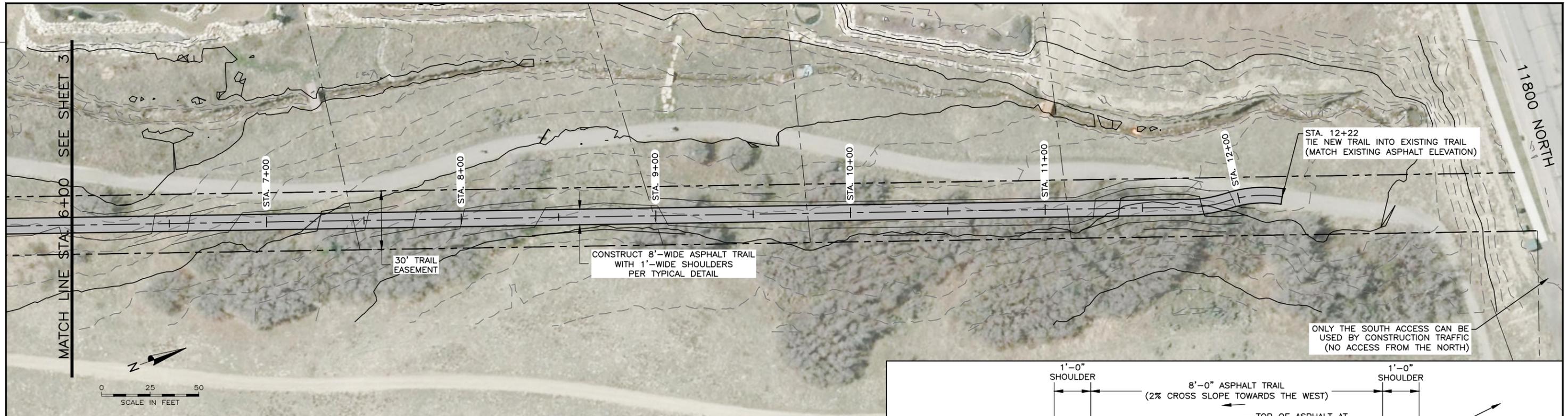
SCALE  
AS SHOWN



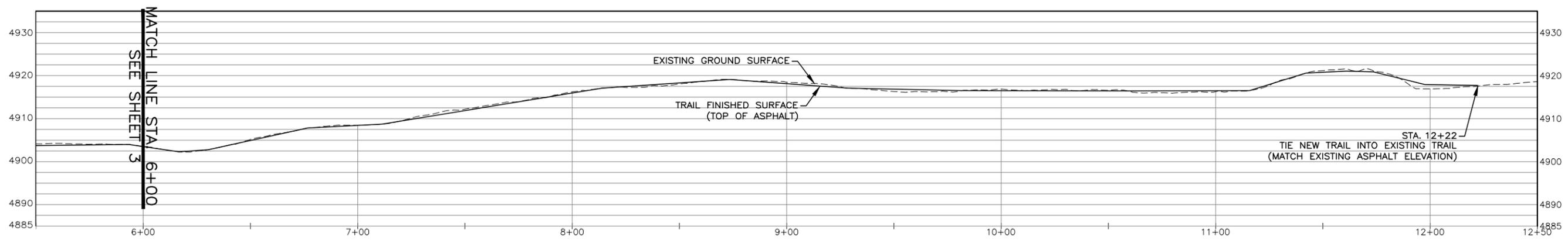
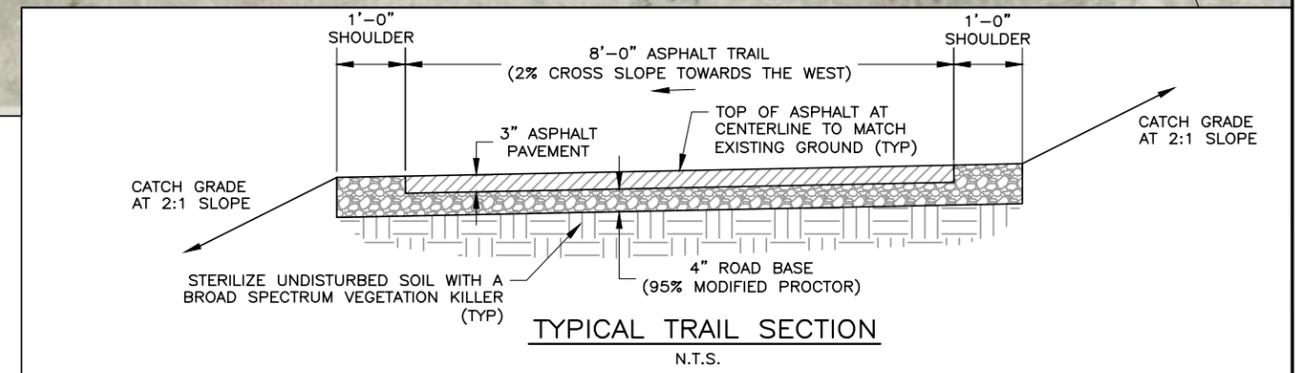
MERCER HOLLOW TRAIL  
PLAN AND PROFILE VIEW  
STA. 0+00 TO STA. 6+00

SHEET  
**3**  
314.16.300

FILE NAME: PROJECTS\314 - HIGHLAND CITY\16.300 - MERCER HOLLOW TRAIL\CAD\WORKING\4 PP-2.DWG  
 FILE DATE: 8/26/2015 15:59:28 (GEB)



- NOTES:
1. TOP OF NEW ASPHALT TRAIL TO MATCH EXISTING GROUND SURFACE
  2. CONTRACTOR SHALL STAKE TRAIL ALIGNMENT IN THE FIELD FOR APPROVAL BY OWNER PRIOR TO CONSTRUCTION
  3. CONTRACTOR SHALL PROVIDE SWPPP MEASURES AS REQUIRED



**HANSEN ALLEN & LUCE, INC.**  
 ENGINEERS

8.26.2015  
 DATE  
 not to be used for construction  
 Hansen, Allen, & Luce, Inc.  
 Co. PROJECT ENGINEER

DESIGNED	JEB	3			
DRAFTED	JEB	2			
CHECKED	TBT	1			
DATE	SEPTEMBER 2015	NO.	DATE	REVISIONS	BY
					APVD.

SCALE  
 AS SHOWN



MERCER HOLLOW TRAIL  
 PLAN AND PROFILE VIEW  
 STA. 6+00 TO STA. 12+22