

**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.

**APPEARANCES:**

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

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

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

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

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

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

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

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

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

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

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

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

## **PRESENTATIONS:**

**Highland Fling Chairs** – Jessie Schoenfeld and Emily Gillingwater

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

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

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

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

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

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

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

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

**Open Meeting Law – Tim Merrill**

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

**CONSENT ITEMS:**

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

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

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

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

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

**Dennis LeBaron seconded the motion.**

**Unanimous vote, motion carried.**

**PUBLIC COMMENT:**

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

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

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

### **PUBLIC HEARING:**

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

##### *BACKGROUND:*

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

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

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

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

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

Mayor Thompson opened the Public Hearing.

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

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

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

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

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

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

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

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

Mayor Thompson closed the Public Hearing.

Mayor Thompson stated he feels there needs to be some clarification in that there really isn't a free standing R-1-20 zone in the community. R-1-20 was created to meet pre-existing non-conforming conditions that were built in the county. He feels this is a great project but they do have some issues that still need to be satisfied regarding the density.

Brian Braithwaite stated that the developer has done a great job, but he still has some concerns regarding the topography and would prefer to wait on a decision so he can receive input from the engineer.

Rod Mann agreed with Brian's remarks and would support further discussion with the engineer.

Tim Irwin disagreed with Brian and Rod's suggestion, and was of the opinion that the Council prolongs too many items. He respects the opinions of the Planning Commission, and would be in favor of taking a break to allow those council members with questions to talk with the City Engineer regarding their concerns but he feels they need to move forward with the approve of this project.

Brian Braithwaite feels the key component of government is make sure they take the right amount of time and do the right thing and sometimes governments are blamed for dragging things out which at times is legitimate. He also feels that is the function of government, to take sufficient amount of time to look at things, it's a hard balance.

Rob Gulbrandsen understands Brian's desire to understand it clearly, he would request that they ask the City Engineer or allow him to discuss it with the City Engineer. He feels the topography has not changed by much at all from the original submittal last December and feels the council has had a tremendous amount of time to review that issue. He would have liked this type of discussion to be brought up along the approval stage and any concern be discussed at DRC. But to have it come up at this late hour and debated at this time he feels is inappropriate.

Brian Braithwaite indicated that one of his concerns regarding this discussion is that he wants to be able to ask questions and have some conversation in order for him to be able to properly understand in some detail. He is asking for a break in order to discuss this issue. Brian is does not like putting staff on the spot to give some opinion without prior discussion.

Todd Trane, Engineer, explained that they had a chance to review the plans from a conceptual stand point and he has seen the topography. They did an analysis as a PD Zone so the comments were different that were presented to the developer. However, at this point a full engineering plan has not been completed. This conceptual plan is exactly that, conceptual. Changes may need to be made in the future depending on drainage laws, easement and so forth. They will review those concerns when they have a full submittal and will make those comments and the developer will address those comments then but they haven't got to that part of the project yet.

Rod Mann inquired as to the city's ability to change things if they feel it is necessary and is the developer then required to meet those changes.

Todd Trane indicated that he would be required to address those changes or concerns before moving forward.

Further discussion continued regarding the process of plan submittal and the review that is done to verify the plans meet the Highland City Engineering Standards with both the City Engineer and Public Works staff.

Nathan Crave indicated that the applicant has requested that if the Zoning is not approved that the annexation be continued.

Rob Gulbrandsen feels Brian's concerns are legitimate and yet at some point you cannot control everything but let's see if we can work together. This plan is not just a concept plan it is fully engineered. They will probably submit for preliminary and final plat approval immediately. The reason he states that is because they didn't just arbitrarily create a plan, he feels they have already mitigated every issue that is being brought up tonight. He feels that if they looked at it closely they would see the contours that take the elevation of the road and transition it to the natural grade.

Todd Trane stated that from what he can see on the current plan, he doesn't see major changes to the topography and feels they are trying to match the topography which will save most the vegetation.

Rob Gulbrandsen stated their commitment is the 30 foot of the rear property lines protection of the natural vegetation that will be in the form of an easement and will be marked. He commented that if they were approved tonight he would accept the approval of the 30' non disturbance on this plan only. If they were to submit a revised plan a stipulation of the zone tonight would be a review at the council discretion of not only the topography but also the vegetation.

Dennis LeBaron voiced a concern as to how this development fits in with the overall general plan and the vision of the city. In his opinion, approval of this would give a statement that future developments would come looking for R-1-20 approval. On that basis, he would say he is not ready for R-1-20 in the rest of the city and feels there is a significant impact. He would be willing to discuss and R-1-30 but not an R-1-20.

Rod Mann stated he doesn't see a significant concern with future requests rather it be re-zoning or annexation. He feels it is on the peripheral of the city there are higher density to the north and to the west. The request for R-1-20 is currently coming into the city and he doesn't see that changing due to this approval.

Tim Irwin requested they move forward with the approval process.

**ACTION ITEMS:**

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

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

**Rod Mann seconded the motion.**

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

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

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

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

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

**Tim Irwin seconded the motion.**

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

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

**Motion carried unanimously.**

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

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

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

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

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

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

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

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

**Tim Irwin seconded the motion.**

**Unanimous vote, motion carried.**

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

***BACKGROUND:***

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

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

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

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

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

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

**Tim Irwin seconded the motion.**

**Unanimous vote, motion carried.**

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

***BACKGROUND:***

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

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

*Subdivision review and approval is an administrative process.*

Nathan Crane presented the staff report and explained that the developer is adding curb and gutter, which will be reimbursed by the City. Brian Braithwaite stated that he would like to see

sidewalk put in for safety, and Nathan replied that they will need to get the property owners' approval.

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

**Unanimous vote, motion carried.**

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

***BACKGROUND:***

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

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

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

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

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

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

**Tim Irwin seconded the motion.**

**Unanimous vote, motion carried.**

**MOTION: Operational Safety Report – 11800 North Highland Boulevard**

***BACKGROUND:***

*With the recent accident at the intersection of Highland Boulevard and 11800 North, a concern has been raised relation to the safety and operation of this intersection. In June 2015, the Council authorized the hiring of two firms to complete an Operation Safety Report (OSR). An OSR report reviews the intersection design, traffic speeds, sight issues, crash history, etc. and*

*provides a report with recommendations. Two firms were hired to complete this work; Project Engineering Consultants (PEC) and InterPlan. Both studies were also reviewed by the City Engineer.*

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

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

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

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

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

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

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

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

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

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

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

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

**Dennis LeBaron seconded the motion.  
Unanimous vote, motion carried.**

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

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

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

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

*BACKGROUND:*

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

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

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

**Jessie Schoenfeld seconded the motion.  
Unanimous vote, motion carried.**

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

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

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

- A. Everbridge Communications – Devirl Barfuss
- B. Saved Water Shares – Mayor Thompson

**ADJOURNMENT**

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

**Brian Braithwaite seconded the motion.  
Unanimous vote. Motion carried.**

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

  
JoD'Ann Bates, City Recorder

Date Approved: November 17, 2015

