HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

September 20, 2016

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 – Councilman Brian Braithwaite
Pledge of Allegiance – Councilman Tim Irwin

APPEARANCES *(10 min.)*

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

CONSENT *(5 min.)*

1. **MOTION: Approval of Meeting Minutes for the City Council Regular Session –** September 6, 2016

2. **MOTION: Final Plat Approval for a 9 lot single family residential subdivision, located at 11580 North 6000 West** – Gable Ridge

3. **MOTION: Final Plat Approval for a 10 lot single family residential subdivision, located at approximately 6700 West (Dry Creek Lane) 11900 North (Woodleaf Lane) - Ivory,** Dry Creek Highland 8

ACTION ITEMS *(40 min.)*

4. **MOTION: Capital Improvement and Annual Maintenance Projects** – Public Works Enterprise Funds

MAYOR/ CITY COUNCIL & STAFF DISCUSSION AND COMMUNICATION ITEMS *(20 min.)*

- Code Enforcement – Nathan Crane, City Administrator
- Pressurized Irrigation Utility Rate – Mayor Mark Thompson

CLOSED EXECUTIVE SESSION –COUNCIL CHAMBERS CONFERENCE ROOM

The City Council will hold a closed executive session pursuant to Section 52-4-205(1) of the Utah State Code Annotated for the purpose of discussing:

- The purchase, exchange, or lease of real property;
- The sale of real property;
- Reasonably imminent litigation;
- The character, professional competence, or physical or mental health of an individual.

ADJOURNMENT

(These items are for information purposes only.)

Description	Requested/Owner	Due Date	Status
Road Capital Improvement Plan for FY 15-16 *Prioritize and Communicate to Residents*	City Council	Oct. 2016	In Progress
Determine Park Use for Recreation	City Council Parks Staff	2016	In Progress
PW Storage Building	City Council Mayor/PW	2016	In Progress
Election Policy	City Council Jody Bates	January 2017	In Progress
Options for Police and Fire Services PSD Sustainability	Mayor City Council		
Employee Pay Rate and Benefits Comparison	Mayor City Council		In Progress

ELECTRONIC PARICIPATION
Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

CERTIFICATE OF POSTING
The undersigned duly appointed City Recorder does hereby certify that on this **14th day of September, 2016,** 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).
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.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.

MINUTES
HIGHLAND CITY COUNCIL MEETING
Tuesday, September 6, 2016

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 Ed Dennis
Councilmember Rod Mann

STAFF PRESENT: Nathan Crane, City Administrator/Community Develop. Director
Erin Wells, Assistant to the City Administrator
Gary LeCheminant, Finance Director
JoD'Ann Bates, City Recorder
Justin Parduhn, Public Works O&M Director
Zachary Smallwood, Planner
Tim Merrill, City Attorney
Brian Gwilliam, Chief of Police

OTHERS: Lawana Ballantine, Rebecca Richards, Kali Soelberg, Micah Soelberg, John Crockett, Elizabeth Pribil, Cody Yeck, Tracy Cluff, Cynthia Andrus, Dana Lyman, Matthew Lyman, Garrett Lyman, Timothy Ball, Erica Barnes, Laura Harding, Brandon Harding, Brad Andrus, Leslie Andrus, Ken Worton, Kyle Honeycutt, Al Rafati, Wendy Condie, Sue Frame, Brian Rustad, D. Warnock, Tanya Colledge, Dennis Anderson, Brent Alm, Stephen Hoyal, Jacob Hoyal, Gavriella Arrington, David Arrington, Tom Holdman, TJ Holdman, Michell Bezzant, Missy Bezzant, Mike Simmons, Jill Simmons, Misty Newman, Brandon Newman, Jill Rastad, Jennifer Toon, Bill Toon, Corey Freeze, Vickie Harris, Neal Evans and Patrick Ward.

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 Councilman Ed Dennis and those assembled were led in the Pledge of Allegiance by Cameron Holley, a scout.

APPEARANCES:

Kalli Soelberg spoke against the rezone request of the Oak Ridge Subdivision from R-1-40 to R-1-30. She believed that the rezone would negatively affect Highland City, and it would not be in line with the City's masterplan. A recent resident survey showed that one of the main reasons people like living in Highland is the large lot sizes, and Mrs. Soelberg believed that this practice should be continued. She also noted that there would be higher taxes and utility rates if the City allowed higher density housing.

Mayor Thompson asked that anyone wishing to speak regarding items on the agenda please wait until the time that those items are discussed.

CONSENT ITEMS:

1. **MOTION:** Approval of Meeting Minutes for the City Council Regular Session – August 16, 2016

2. **MOTION:** Ratify the Mayor Appointments to the Highland Library Board – Nancy Passaretti and Sue Carey

3. **MOTION:** Approval and Award of Bid for the Construction of a Fence around the Splash Pad – The Fence Specialists
Pulled by Councilman Ed Dennis

4. **MOTION:** Approval of a six-month time extension for a Conditional Use Permit - Blackstone
Pulled by Councilman Brian Braithwaite

5. **MOTION:** Preliminary Plat Approval for a 9 lot, single family residential subdivision, located at 11580 North 6000 West – Gable Ridge

6. **MOTION**: Preliminary Plat Approval for a 28 lot single family residential subdivision, located at 9725 North 6800 West - Sky Ridge Estates

MOTION: Councilman Rod Mann moved the City Council approve items 1, 2, 5 and 6 items on the consent agenda.

Councilman Ed Dennis seconded the motion.
Unanimous vote, motion carried.

PULLED CONSENT ITEMS:

3. **MOTION:** Approval and Award of Bid for the Construction of a Fence around the Splash Pad – The Fence Specialists
Pulled by Councilman Ed Dennis

Councilman Ed Dennis questioned whether a four foot fence would suffice and asked if a six foot fence had been considered.

Justin Parduhn, Public Works O&M Director, explained that the purpose of the fence is to keep young children inside of the splash pad area and keep them from running out onto the busy

street. The fence would also keep pets and other animals out of the splash pad. Mr. Parduhn believed that a four foot fence would meet their needs.

MOTION: Councilman Dennis LeBaron moved the City Council Approve and Award the bid for the Construction of a Fence around the Splash Pad as presented.

Councilman Brian Braithwaite seconded the motion.
Unanimous vote, Motion carried

4. **MOTION:** Approval of a six-month time extension for a Conditional Use Permit - Blackstone

Pulled by Councilman Brian Braithwaite

Councilman Brian Braithwaite asked if the City had a definition for the term "substantial construction activity" as used in the description of the application. He was concerned that substantial construction efforts had not been made by the applicant, which would be a reason to deny the request.

Tim Merrill, City Attorney, explained that the applicant has made progress in the project by completing the preliminary and final plats, as well as obtaining approval of the civil engineering plans. If the City Council allowed the approved Conditional Use Permit to expire then the City would have to go into pre-litigation about the rights of the developer.

Nathan Crane, City Administrator, stated that the City does not have a solid definition of "substantial construction activity". Staff considers infrastructure installation, road dedication, and the beginning stages of construction to be substantial.

Councilman Brian Braithwaite asked if the City Council was obligated in any way to approve the request. He stated that the original approval of this project was controversial and many Councilmembers were not in favor. He felt that it would be appropriate to deny the extension request because the applicant has not met the requirements of the code.

Tim Merrill stated that the City Council can exercise their discretion on this issue. The reason the ordinance allows for an extension is for scenarios like this one. The applicant has been working on the project, even though the buildings have not yet been constructed. An extension has been requested because the Conditional Use Permit will expire on September 15, 2016.

MOTION: Councilman Brian Braithwaite moved the City Council deny a six-month time extension for a Conditional Use Permit for the Blackstone Development.

Councilman Dennis LeBaron seconded the motion.

Councilman Rod Mann stated that the City Council would likely approve an extension of other applicants in the same situation who have been moving forward on their project. The extension request seemed reasonable in this case.

Councilman Ed Dennis agreed that there was no precedence for denial. He was concerned that this would be an arbitrary decision because the City Council was opposed to the project initially.

Councilman Brian Braithwaite argued that a denial would not be arbitrary because the applicant has not followed through with the terms of their Conditional Use Permit.

Councilman Rod Mann asked if the applicant would be meeting their Conditional Use Permit if they started to move dirt before September 15th. Tim Merrill, City Attorney, stated that staff and the City Council would have to best determine if substantial construction activity had been done, since that term was not specifically defined. He again stated that the applicant has made significant progress in obtaining approval for various plats and plans since their original approval.

Al Rafati, the applicant, said that he had attended a number of meetings prior to this and had sensed the disappointment from the City Council in what they had proposed. Mr. Rafati was not part of the original team that proposed the project, but came in at a later date to acquire the land and support the development. He stated that he was open to working with the City to come up with ways to make the subdivision a success. Mr. Rafati then explained the reasons that the project has fallen behind schedule and stated that they intend to begin construction as soon as possible.

Councilman Dennis LeBaron stated that he was not in favor of the project from the beginning, but the proposal met the strict requirements of the code and it was approved. He agreed that the applicant had not met the terms of their Conditional Use Permit and felt that a denial was justified.

Councilman Ed Dennis warned that a lot of City funds would be used in litigating this issue if the extension were denied.

Those voting aye: Brian Braithwaite and Dennis LeBaron
Those voting nay: Tim Irwin, Ed Dennis, and Rod Mann
Motion died.

MOTION: Councilman Ed Dennis moved the City Council approve a six-month extension for a Conditional Use Permit for the Blackstone Development.

Councilman Tim Irwin seconded the motion.

Those voting aye: Tim Irwin, Ed Dennis, and Rod Mann
Those voting nay: Brian Braithwaite and Dennis LeBaron

Motion carried.

ACTION ITEMS:

7. PUBLIC HEARING/MOTION: Request for a re-zone from R-1-40 to R-1-30 of 28.38 acres located at 6475 West 11800 North– Oak Ridge Subdivision

BACKGROUND: *The applicant would like to subdivide and develop this property into low density single family residential and has requested that the zoning be changed to R-1-30 from R-1-40. Rezone requests are a legislative process.*

Nathan Crane, City Administrator, presented the background information regarding the rezone request. He presented the concept plan that was provided by the applicant, which showed a 41-lot subdivision. The Planning Commission recommended that the application be denied because the subject property was not a transitional area, and based on the number of residents who spoke against the application.

Councilman Tim Irwin expressed a concern regarding the findings of the Planning Commission. He argued that someone purchasing a home in this subdivision would not be considering the size of the surrounding lots. He also argued that the minimum lot size of the R-1-30 zone could still be considered a large size.

The City Councilmembers discussed what constitutes a large lot.

Mayor Thompson opened the Public Hearing at 7:58 p.m.

Patrick Ward, the applicant representing RSL Communities, thanked the City Council for the opportunity to present their application. He began his presentation by listing the reasons that the R-1-30 zoning creates, and one of those reasons was to provide a zoning that could be used in transitional areas within the City. Mr. Ward then presented a map of the area and explained that an R-1-40 zone would be difficult to accomplish based on the shape of the property. In regards to the concept plan provided in the staff report, Mr. Ward explained that the 41-lot plan showed the maximum lot yield available under the R-1-30 zone; however, they did not intend to include that many lots. To show a more likely scenario, a concept plan showing only 38 lots was created. Mr. Ward presented this concept plan to the City Council and audience. In response to concerns raised by the residents at the previous meeting, Mr. Ward explained that they were working to address water runoff, include traffic calming measures, and creating a walkable path to the school. Mr. Ward addressed the types and size of homes that would be constructed, and presented statistical information regarding the number of school age children. Based on the information provided to him by the local principal and the District Vice President, the number of enrolled school children would decrease in the near future.

Neal Evans, a resident, stated that he was not in favor of the rezone request. He stated that the majority of the surrounding neighborhoods were zoned R-1-40, and the subject property did not

qualify as a transitional area. Mr. Evans felt that Highland should continue to provide acre lots. He also expressed a concern for having large homes on small lots, and the invasion of privacy.

Lawana Ballantine, a resident, was concerned about water runoff which would go straight to her home, as her lot was at the lowest elevation in the area. She doubted that the detention basins provided by the developer would be able to handle water from 38 homes. Mrs. Ballantine also asked if the ridge would be removed prior to construction. Finally, she asked who would be responsible for flooding issues if the project were abandoned before completion.

Councilman Brian Braithwaite confirmed that responsibility for any flooding or other issue would be that of the current property owner.

Laura Harding, a resident, asked the City Council to consider how many residents were present to speak against the proposal. She stated that she had many other neighbors who could not attend the meeting who were in opposition. Ms. Harding was concerned that the only party that would benefit from this change is the developer. She explained that she lives on a half-acre lot, and complained about the lack of greenspace and privacy on her lot.

Councilman Ed Dennis asked Ms. Harding why she was opposed to the R-1-30 zone when it would require a larger lot size than what she currently lives on. He stated that some of the surrounding neighborhoods, although zoned R-1-40, had smaller lots because of the Greenspace Overlay.

Vickie Harris, a resident, complimented the developer for listening to the concerns from the neighbors and trying to address them. She commented that there would be opposition to any development that goes into that property, and it was impossible to please everyone. She believed that the applicant's proposal, particularly the 38-lot concept plan, was appropriate for the area. Ms. Harris stated that there were very few acre lots in the surrounding neighborhoods, so the proposed lot sizes would actually be larger than the average lot in the area.

Dennis Anderson, a resident, asked that drainage and traffic studies be conducted before the subdivision is approved.

Tanya Colledge, a resident, stated that she recently sent the City Councilmembers a lengthy email outlining her concerns. She thanked Mr. Crane for compiling all of the communication received from residents and including them in the staff report. Ms. Colledge expressed her opposition of the rezone by stating that the City defines large lots in the masterplan as R-1-40. She was also concerned that her property value would decrease if the proposed subdivision were constructed. Ms. Colledge asked the City Council Members to act as representatives of the residents here and deny the request.

Vickie Harris again approached the City Council and asked that the developer be strictly held to any agreement they make with the City.

Cody Yeck, a resident, stated that her home is located on a smaller lot in a greenspace overlay, but they built there with the understanding that the subject property behind them would be developed into large lots. As a realtor, Mrs. Yeck testified that people are looking for acre-sized lots so that pools or sports courts could be installed on their properties. She was also concerned that the subject property would become a dust bowl with all of the construction that would happen there, and it would continue if the homes were not sold.

Corey Freeze, a resident, felt that the rezone was a reasonable request. He explained that he resides on a half-acre lot and felt that was a substantial amount of property. Mr. Freeze suggested that they consider the future population of Highland City by providing more homes on slightly smaller lots.

Cynthia Andrus, a resident, agreed that the developer had made good efforts in addressing the residents' concerns, and she appreciated those efforts. However, she still believed that the difference between the R-1-40 and the R-1-30 zone was too much, and adding more homes would take away their privacy.

Timothy Ball, a resident, agreed with the majority of the neighbors who had spoken. He addressed the issue of overcrowding at the local schools, stating that the school district is interested in planning for future growth. This contradicts the information provided by the applicant. Mr. Ball talked about the lack of classroom space, exhausted resources, and the elimination of vital programs. He asked the City Council to consider the needs of the children currently in Highland City. Mr. Ball argued that people who want smaller lot sizes have alternative options in the neighboring cities, and Highland does not need to provide that.

Councilman Ed Dennis was concerned about the conflicting information regarding the school district that was given by the applicant and Mr. Ball. He asked Mr. Ball if he could disclose who he had been speaking with regarding this information, and Mr. Ball stated that he could not provide a name at this time. However, he would be receiving a written letter from this person, and he would be providing copies of it to the City Councilmembers. There was a discussion regarding the number of children enrolled at Ridgeline Elementary compared to the capacity of the school building.

Ken Worton, a resident, stated that he moved his family to Highland 20 years ago because it was rural and offered acre lots. He stated that R-1-40 offers those larger lots, and it's always been that way. Mr. Worton was also concerned that only the developer would be benefiting from the rezone, when the City Council should be considering what is best for Highland City. Mr. Worton asked Councilman Tim Irwin how long he has lived in Highland.

Councilman Tim Irwin stated that he has lived in the City long enough to speak with other residents about their wants and needs. He stated that Highland City is changing, and people do desire smaller lots.

Mr. Worton argued that Highland City does not need to change, because it is fine the way it is. He also voiced his opinion that anyone who has not lived in Highland City has no business being on the City Council, because that person would not be able to understand the needs of the City.

Leslie Andrus, a resident, echoed Mr. Worton's comments. She stated that she felt deceived by this rezone request, because her understanding was that the subject property would be developed into large lots.

Hearing no further comments, Mayor Thompson closed the public hearing at 9:18 p.m. and brought the discussion back to the Council.

Mayor Thompson thanked the residents for their comments and stated that their input would be taken into consideration as the City Council deliberated this issue. To address a few of the comments made, Mayor Thompson stated that change is a reality and the City will have to adjust in some ways. He also stated that anyone who has resided in Highland for just a few months has the right to be on the City Council or give their opinion in a public forum.

Councilman Ed Dennis briefly talked about the history of the subject property, stating that a portion of the property was donated to the LDS church, and a portion was sold to the School District. The configuration of the remaining property does not fit an R-1-40 zone very well, which is the main reason that the applicant has requested a rezone to R-1-30. He asked that this be factored into the discussion.

Councilman Rod Mann argued that the donation of the church property was not important to the discussion. In regards to the request, he stated that he was not comfortable overriding the recommendation of the Planning Commission unless there was a compelling reason. He agreed that the subject property was not a transitional area, and the opinion of the neighbors bares significant weight in this decision. Councilman Rod Mann felt that the lots sizes of the R-1-30 could still be considered as "large". He requested that the item be sent back to the Planning Commission with the changes that had been made and were being made by the applicant.

Councilman Ed Dennis commented that Highland City has never been exclusively an R-1-40 community, and a number of R-1-20 subdivisions have been in place for a very long time.

Councilman Brian Braithwaite thanked the developer for presenting his information and for attempting to make changes that would address the neighbors' concerns. He also thanked the residents for their comments. Councilman Braithwaite believed that Highland was an R-1-40 City, and there needed to be good reasons to justify changes like this. He stated that he was in favor of discussing the rezone, but only with the facts that are pertinent such as the surrounding uses, impact to the neighbors, and the topography of the land. He added that a property owner does have rights to develop their property, and the City cannot create regulations that would cause them to fail in this attempt. Councilman Braithwaite addressed the issue of overcrowding in schools. He stated that the City would eventually build out to 25,000 to 30,000 residents, and any development would have a large impact on the school system. He also stated that

demographics change over time, and school attendance would fluctuate. Seven more houses in this specific development would not impact the school system as much as some of the other subdivisions that are going in. Because Alpine School District decides how to react to the growth, overcrowding should not factor into the City Council's decision on this rezone application. In regards to the R-1-30 zone, Councilman Braithwaite stated that it was not created with the intention of being applied everywhere in the City. He believed that their decision on this property would set a precedent for other R-1-30 zoning requests. There needs to be a valid reason for approving such a rezone, and he wasn't sure that the justifications were strong enough in this case. He suggested that the item be sent back to the Planning Commission because there could be other options for this property, such as rezoning to the R-1-30 with a strict set of restrictions. This option would give the developer the flexibility to create a subdivision that was aesthetically pleasing while requiring fewer lots than allowed in the R-1-30.

Councilman Ed Dennis agreed with Councilman Braithwaite's suggestion.

Councilman Dennis LeBaron stated that he appreciates the size of the R-1-40 lots, but it is not a perfect zoning. This is why the City has tried implementing things like the Greenspace Overlay in the past. He felt that the creation of the R-1-30 zone was visionary and appropriate for certain areas of the City. He suggested that the item be continued until the City has the opportunity to review and discuss the City's masterplan with the community.

Councilman Tim Irwin expressed appreciation for the comments made by the developer, residents, and fellow Councilmembers. He commented that the R-1-30 zone was created to give property owners other development options in difficult situations. This decision was difficult for Councilman Irwin because he views the R-1-30 as having large lots even though they are less than one acre. The developer has worked hard to mitigate the concerns of the neighbors, and the rezone would assist the developer in making a nice subdivision.

Councilman Ed Dennis apologized to those who may have been offended by some of his comments that evening, because his intention was not to offend. He explained that he had spent a significant amount of time speaking with a real estate expert discussing the pros and cons of the proposed development. Councilman Dennis was told that many other attempts to develop this property with the R-1-40 zoning had been abandoned because it is simply not reasonable. The R-1-30 zone would give this developer more options. He added that an increased number of rooftops would help increase revenue for the City, even just slightly.

MOTION: Councilman Brian Braithwaite moved the City Council deny the applicant's request to rezone property from an R-1-40 to and R-1-30 located at 6475 West 11800 North and direct the applicant to go back to the Planning Commission and work with staff to identify an R-1-30 that would allow a reduced number of lots to provide some transition and would be mitigated by the topography. They also direct the applicant to share the amended proposal with resident allowing continued communication.

Councilman Rod Mann seconded the motion.

Those voting aye: Brian Braithwaite, Ed Dennis and Rod Mann.
Those voting nay: Dennis LeBaron and Tim Irwin
Motion carried.

8. RESOLUTION: Approval of an Interlocal Agreement with Utah County – Major Crimes Task Force

BACKGROUND: *The Utah County Major Crimes Task Force is a multi-jurisdictional cooperation tasked with addressing the problems of drugs, gangs, and violent crimes occurring in Utah County. Lone Peak Police Department pays an annual assessment to be a part of the Task Force. That assessment provides our Police Department with specialized resources to investigate and solve more sophisticated crimes such as child pornography, computer crimes, and the distribution of illegal drugs. The Task Force also provides information on known criminal activity in Highland City. An interlocal agreement is required by each entity to participate in the Task Force. For Lone Peak Police Department to participate, Highland City Council, Alpine City Council, and the Lone Peak Public Safety Board must sign. In comparison with the previous interlocal agreement, two changes to this agreement have occurred. First, in Section 15 it was added that the Task Force Director has the authority to review and sign the agreement and execute certificates, acknowledgements or other evidences of proof of review and or updating as required by applicable laws, rules or regulations. This will allow the Task Force Director to renew this interlocal agreement every year without having each jurisdiction sign. An annual renewal is a requirement by the US Department of Justice. That being said, Highland City has the right to withdraw from the agreement immediately at any time without penalty. The second change was the effective date changing from December 31, 2020 to December 31, 2026. At that time, Highland City will need to execute a new interlocal agreement.*

Brian Gwilliam, Chief of Police, presented the background information above and explained the purpose of the Task Force.

Councilman Rod Mann asked about the clause which states that any assets gained by the task force would be used to expand their budget rather than offset existing expenses. Chief Gwilliam explained that any assets gained are given to the State, and then that money is given back to the community through different programs of the Utah Commission of Criminal and Juvenile Justice system.

Tim Merrill, City Attorney, expressed his support for the adoption of the resolution.

MOTION: Councilman Rod Mann moved the City Council Adopt a Resolution and Authorize the Mayor to sign an Interlocal Agreement with Utah County for participation with the Major Crimes Task Force

Councilman Ed Dennis seconded the motion.

Those voting aye: Rod Man, Ed Dennis, Tim Irwin, Dennis LeBaron and Brian Braithwaite

Those voting nay: none
Motion carried.

9. RESOLUTION: Approval of an Interlocal Agreement with Utah County – Community Development Block Grant Program

BACKGROUND: *In 2010, Highland City entered into an Interlocal Cooperation Agreement with Utah County to participate in the U.S Department of Housing and Urban Development's (HUD) Community Development Block (CDBG) Grant Program. The CDBG program is designed to give funds to local and state governments to administer housing that provides access to "decent housing, shelter and ownership opportunity regardless of income or minority status, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income" (Interlocal Agreement language). The 2010 Interlocal Cooperation Agreement was for Federal Fiscal Years 2011, 2012, and 2013 and successive 3 year periods thereafter. The Interlocal Agreement automatically renews every three years unless a unit of government opts out. However, due to federal regulations, changes have been made to the Civil Rights and fair housing language. As such, new resolutions need to be passed and a new interlocal agreement needs to be signed. This agreement will be for Federal Fiscal Years 2017, 2018, 2019, and successive 3 year periods after. They City may terminate their participation in the agreement with the county prior to the next 3 year period. This agreement would commit Highland City to working with the County in any CDGB activities taking place within Highland City. However, it is unlikely that Highland City would ever have any CDGB activities due to our high income demographics.*

Erin Wells, Assistant to the City Administrator, presented the background information. She confirmed that there was not a monetary cost to sign the interlocal agreement.

Councilman Ed Dennis asked if this agreement would facilitate fair housing within Highland City in the future. Ms. Wells stated that the agreement did not require the City to provide low-incoming housing.

Tim Merrill, City Attorney, stated that the federal government is continually pushing for low-incoming housing and redevelopment. Currently, it would be beneficial to the City to promote the federal agenda because they provide funding to create fair housing.

Councilman Tim Irwin was opposed to encouraging the county to be involved in this agreement because it would allow the federal government to be involved in something it did not need to be in. He was concerned about the strings that would be attached to such an agreement.

Councilman Brian Braithwaite asked if the City could choose to participate at a later date if the Resolution were denied. Ms. Wells stated that they could not become involved until 2019. However, a non-profit organization in the area could choose to participate.

MOTION: Councilman Tim Irwin moved the City Council Deny the Adoption of a Resolution for an Interlocal Agreement with Utah County for the Community Development Block Grant Programs

Councilman Dennis LeBaron seconded the motion.

Those voting aye: Rod Mann, Ed Dennis, Tim Irwin, Dennis LeBaron and Brian Braithwaite
Those voting nay: none
Motion carried.

Note: Councilman Tim Irwin was excused from the meeting at 10:20 p.m.

MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS

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

- Status of Full Time City Engineer – Nathan Crane, City Administrator, reported that the cost of hiring outside engineering consultants has risen in the past two years, and it would be financially beneficial to hire a full-time City Engineer. Creating a full-time position could potentially save the City $120,000 a year. Mr. Crane explained the process that would need to be taken when hiring a City Engineer, and confirmed that they had not begun the process yet. The City Council agreed that staff should begin the process and post a job description.

- North Pointe Solid Waste – Tim Merrill, City Attorney, gave each City Councilmember a copy of the North Pointe Solid Waste contract and stated that it extends until the end of 2019. If the City chooses to exit the contract, they need to provide a one-year notice. The deadline for that notice is December 1, 2018. If the City chose to leave without grounds prior to that date, they would be in breach of contract.

  Councilman Brian Braithwaite asked if the City could vacate the contract if they felt that North Pointe had gone beyond the scope of the agreement. Mr. Merrill stated that he could draft a document outlining this argument.

Nathan Crane suggested postponing the Closed Executive Session due to the lateness of the hour.

ADJOURNMENT

MOTION: Councilman Rod Mann moved to adjourn the regularly scheduled meeting.

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

Meeting adjourned at 10:40 p.m.

JoD'Ann Bates, City Recorder

Date Approved: September 20, 2016

CITY COUNCIL AGENDA REPORT
ITEM #2

DATE: Tuesday, September 20, 2016
TO: Honorable Mayor and Members of the City Council
FROM: Zachary Smallwood, Planner
SUBJECT: **MOTION:** Final Plat Approval – Gable Ridge a 9 lot single family residential subdivision located at 11580 North 6000 West

STAFF RECOMMENDATION:

The City Council should hold a public meeting and approve the final plat with staff recommended stipulations.

BACKGROUND:

The property located at 6000 West and 11580 North requested to be annexed in the city of Highland (ANNX-14-01) and was approved by the City Council in June of 2016. A request to zone the property R-1-30 was also approved in June 2016.

As part of the annexation, the Council approved the applicants request for a 640 foot cul-de-sac.

The property is designated as Low Density Residential on the General Plan Land Use Map. The property is zoned R-1-30 (Single Family Residential). The R-1-30 District allows one home per 30,000 square feet. The minimum lot width is 120 feet.

The preliminary plat was approved by the City Council on September 6, 2016.

Final Plat review is an administrative process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting final plat approval for a 9 lot single family subdivision. The property is approximately 7.25 acres. Lot sizes range from 20,214 square feet to 67,198 square feet. The density of the project is 1.24 dwelling units per acre.

2. Access to the property will be from 6000 West which is a local road. The road is capped by a cul-de-sac.

CITIZEN PARTICIPATION:

Notification of final plat review is not required.

ANALYSIS:

- The property is newly annexed into the city and was designated as Low-Density Residential. The proposed subdivision is consistent with the General Plan.

- The property to the north and west is zoned R-1-40 and has been developed as single family homes. The property to the east is currently in Utah County and is currently a farm. Much of the property has been designated for annexation by Highland City. The property to the south is zoned R-1-40 and has been developed as single family homes within a Planned Unit Development. The proposed subdivision is compatible with the surrounding uses.

- On lot #9, the city is requiring an easement for a detention basin because of the shallow storm drain along 6000 West.

- Water will be dedicated as required by the Development Code prior to final plat recordation.

PLANNING COMMISSION ACTION:

The Planning Commission does not review final plats.

FINDINGS:

The proposed subdivision plat meets the following findings with stipulations:

- It is in conformance with the General Plan, the R-1-30 District and the Highland city Development Code.

FISCAL IMPACT:

Unknown

RECOMMENDATION AND PROPOSED MOTION:

The City Council should accept the findings and **APPROVE** the final plat, subject to the following stipulations:

1. The recorded plat shall conform to the final plat date stamped August 22, 2016 except as modified by these stipulations.

2. Final civil engineering plans to be reviewed and approved by the City Engineer.

3. All required public improvements shall be installed as per City Engineer's approval.

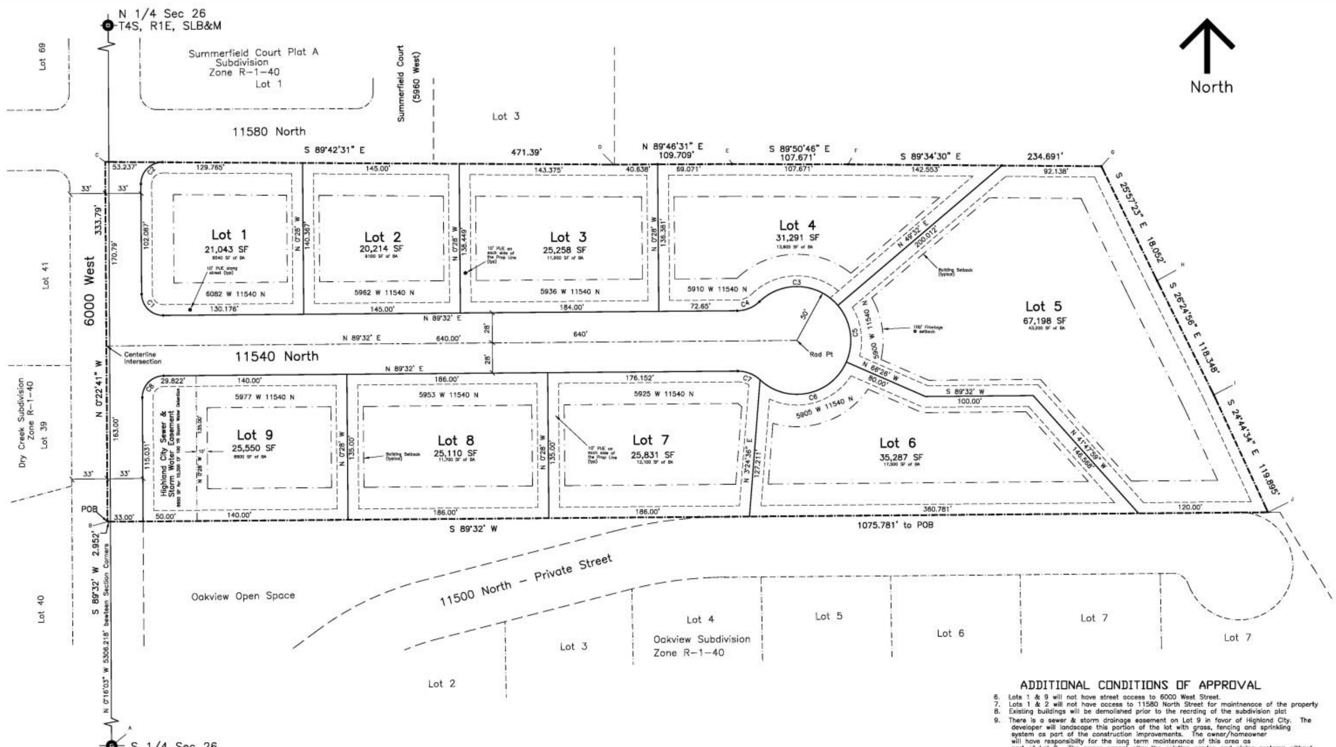
4. The detention pond adjacent to lot 9 shall be constructed and landscaped by the developer prior to completion of the subdivision.

5. The landscape plan shall be approved prior to any construction on the site.

I move that the City Council accept the findings and **APPROVE** the final plat, subject to the five stipulations recommended by staff.

ATTACHMENTS:

1. Proposed Final Plat



ADDITIONAL CONDITIONS OF APPROVAL

6. Lots 1 & 9 will not have street access to 6000 West Street.
7. Lots 1 & 2 will not have access to 11580 North Street for maintenance of the property
8. Existing buildings will be demolished prior to the recording of the subdivision plat
9. There is a sewer & storm drainage easement on Lot 9 in favor of Highland City. The developer will landscape this portion of the lot with grass, fencing and sprinkling system as part of the construction improvements. The owner/homeowner will have responsibility for the long term maintenance of this area as part of Lot 9. The owner cannot alter the existing grades and piping systems without written approval of the City Manager. The City can enter upon the property witout notice for maintenance and inspection activities
10. Property owners adjacent to this subdivision have large existing animals rights which may include horses, cows, and goats. These rights are protected by the Municipal and Development codes of Highland City. There are noises, smells and other events associated with these animals that can occur all hours throughout the day and night. Irrigation water is distributed by wheel lines (airbourne), and could be distributed using a pivot system (airbourne) in the future. With the prevailing winds in this area, significant drifting will occur. All forming and haying operations can occur all hours throughout the day and night.

CURVE TABLE

#	Arc	Chord Bears	Radius	Delta	Tangent
C1	31.447'	N 45°25'21" W 28.306'	20.00'	90°05'19"	20.031'
C2	31.65'	N 44°57'24" E 28.449'	20.00'	90°40'10"	20.235'
C3	81.621'	N 87°13'56" W 72.856'	50.00'	93°31'52"	53.181'
C4	22.793'	S 67°46'04" W 22.249'	25.00'	43°31'52"	11.978'
C5	55.88'	N 8°27' W 53.017'	50.00'	64°02'	31.264'
C6	95.555'	N 78°18'56" E 81.663'	50.00'	109°29'52"	70.746'
C7	22.793'	S 68°42'04" E 22.249'	25.00'	43°31'52"	11.978'
C8	31.385'	N 44°34'40" E 28.262'	20.00'	89°54'41"	19.969'

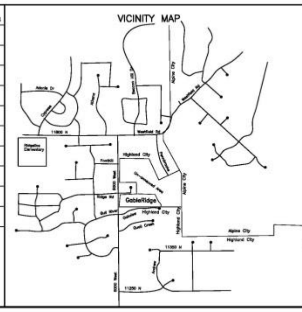
Gifford Engineering
6163 W. 9600 N.
Highland, Utah 84003

MONUMENT TABLE

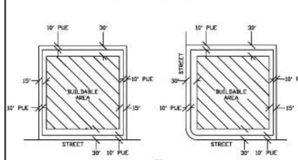
Scale Factor For SPC = 0.9997138

	N	E
A	765802.23	1916138.42
B	767957.75	1916125.42
C	768291.44	1916123.21
D	768289.04	1916594.46
E	768289.47	1916704.14
F	768289.18	1916811.78
G	768287.44	1917046.40
H	768181.33	1917098.05
I	768075.36	1917150.69
J	767966.51	1917200.85

VICINITY MAP

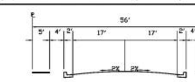


TYPICAL BUILDING SETBACKS



Note: Building Lot 9 from 6000 West is 60 feet

SCALE: 1" = 50 FEET



LOCAL SUBDIVISION STREET
(NTS)

QUESTAR GAS COMPANY

Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's right-of-way department.

Approved this_____day of_________20___ Questar Gas Company By:____________Title:__________

UTILITIES APPROVAL

Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utilities Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove such structures at the owner's expense, or the utility may remove such structures at the owner's expense. At no time any permanent structures be placed within the PUE or any other obstructions with interferes with the use of the PUE with out the prior written approval of the utilities with facilities in the PUE.

Rocky Mtn. Power________ Qwest________ Comcast ________

Date: ________ Date: ________ Date: ________

SURVEYOR'S CERTIFICATE

I, K. EDWARD GIFFORD, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 162675 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT

BOUNDARY DESCRIPTION

Coomecning at a point located N 0°16'03" W 2153.178' along the 1/4 section line and S 89°32' W 2.952'from the South 1/4 Corner of Section 26, T4S, R1E, SLB&M; thence N 0°22'41" E 333.79' along the centerline of 6000 West Street; thence S 89°42'31" E 471.36' along Summerfield Court Plat A Subdvision; thence along a fence line as follows: N 89°46'31" E 109.709', S 89°50'46" E 107.671', S 89°34'30" E 234.691', S 25°57'23" E 118.052', S 26°24'56" E 118.348', S 24°44'34" E 119.895'; thence S 89°32' W along Oakview Plat A Subdivsion 1075.781' to the point of beginning.
Area = 7.5261 Acres

________ DATE ________ SURVEYOR (SEE SEAL BELOW)

OWNERS' DEDICATION

WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY.
IN WITNESS HEREOF WE HAVE SET OUR HANDS THIS______DAY OF______,A.D. 20___

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH
ON THE_____DAY OF______, A.D. 20___PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.
MY COMMISSION EXPIRES________ NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS_____DAY OF______, A.D. 20____

APPROVED BY MAYOR________

APPROVED________ CITY ENGINEER (SEE SEAL BELOW) ATTEST________ CLERK-RECORDER (SEE SEAL BELOW)

LEIN HOLDER CONSENT

THE UNDERSIGNED BENEFICIARY HEREBY CONSENTS TO THE RECORDING OF THIS PLAT FOR THE HEREIN DESCRIBED PROPERTY AND THE DEDICATIONS PROVIDED HEREIN.

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS_____DAY OF______, 20___ HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS_____DAY OF______, 20___ PLANNING COMMISSION CHAIR

COMMUNITY DEVELOPMENT DIRECTOR

CONDITIONS OF APPROVAL

There are conditions of approval attached to this subdivision which are indicated on this plat. These conditions have also been recorded with this subdivision. Potential buyers are requested to read these conditions carefully and obtain a copy of these conditions and restrictions prior to purchasing or contracting to purchase any lots within this subdivision. These conditions are binding and have been imposed by the legislative body of Highland City. A copy of these conditions may be obtained through the Utah County Recorder's office or the Highland City Recorder's office. In addition, Highland City has approved binding zoning laws through a legally binging Development Code. It is the responsibility of the buyer to do their due diligence in obtaining all accurate information and/or regulations that may directly or indirectly affect the use of property prior to purchasing or contracting to purchase any property anywhere. Conditions of approval conveyed on this property by the legislative body of Highland City, which are in addition to the Development Code, are as follows:

1) Each homeowner is entitled to one tree per lot. The tree will be planted in the park strip and be planted within 2 years from the date of the certificate of occupancy. Once planted maintenance of the tree shall be the responsibility of the homeowner.
2) 70% of the front yard landscaping shall be installed by the homeowner within one year after receiving a certificate of occupancy.
3) Landscaping and construction materials of any type are not permitted upon or within the street, curb & gutter, park strip or sidewal (street right-of-way) with the exception of the park stripwhich requires 75% to be landscaped.
4) A fence that abuts open space or has a trail has additional restrictions of size and opacity. Fences along open space or a trail must comply with Highland City Ordinance. A fence permit is required for all fences.
5) Highland City Ordinances restrict height of foundation above curb. It is the responsibility of the buyer to contact the city prior to purchasing any lot. This restriction applies to all lots in this subdivision.

PLAT "A"
GableRidge
NAD 27
SCALE: 1" = 50 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL

CITY COUNCIL AGENDA REPORT
ITEM #3

DATE: Tuesday, September 20, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Zachary Smallwood, Planner

SUBJECT: **MOITON:** A request by Ivory Development, Inc. for Final Plat approval for Dry Creek Highlands Phase 8, a 10 lot single family residential development located at approx. 6700 West (Dry Creek Lane) 11900 North (Woodleaf Lane)

STAFF RECOMMENDATION:

The City Council should approve the final plat.

BACKGROUND:

The City Council approved the preliminary plat for Dry Creek Highlands Phases 5-7 at their May 6, 2014 City Council meeting. The applicant has sent an email to the Council documenting the status of the wall along 11800 North.

Phase 8 was originally encompassed into Phase 7 during Preliminary Plat review; however they added an additional phase at a later date.

The property is 36.30 acres and is owned by Ivory Development Inc. The property was annexed in 2003 and is subject to an annexation agreement that allowed 199 lots of 142 acres.

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.

SUMMARY OF THE REQUEST:

1. The applicant is requesting approval of a 10 lot single family residential subdivision. Lot sizes range from 28,164 square feet to 32,827 square feet.

2. Access to the site will be from Highland Boulevard and from Phase 7.

CITIZEN PARTICIPATION:
Notification of final plat review is not required.

ANALYSIS:
- The property is designated as low density residential on the General Plan Land Use Map. The Dry Creek Highlands development is consistent with the General Plan.

- The property to the north is vacant and is in the County. The property owner and Lehi City have indicated their intent to annex this property. The property to the west is the Micron and in Lehi City. The property to the east and south is zoned R-1-40 and has been developed as single family residential. The proposed subdivision is compatible with the surrounding land uses.

- The applicant is working with the property owner to the north and Lehi City to obtain an easement for a storm drain pipe. If an easement cannot be obtain the pipe will need to be relocated. Staff has included a stipulation to address this issue.

- Utilities will be extended from Highland Boulevard to serve the site. The applicant will need to get permission from the Timpanogos Special Service District (TSSD) to access the sewer line in Highland Boulevard.

- Water will be dedicated as required by the Development Code prior to final plat recordation.

PLANNING COMMISSION ACTION:
The Planning Commission does not review final plats.

FINDINGS:
The proposed subdivision plat meets the following findings with stipulations:

- It is in conformance with the General Plan, the R-1-40 District and the Highland city Development Code.

FISCAL IMPACT:
Unknown

RECOMMENDATION AND PROPOSED MOTION:
The City Council should accept the findings and **APPROVE** the final plat, subject to the following stipulations:

1. The recorded plat shall conform to the final plat date stamped March 30, 2016 except as modified by these stipulations.

2. Final civil engineering plans to be reviewed and approved by the City Engineer.

3. All required public improvements shall be installed as per City Engineer's approval.

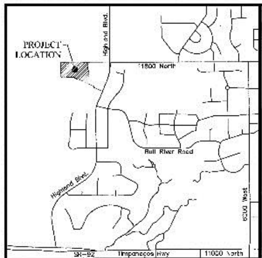
4. The easement for the storm drain shall be recorded prior to final plat recordation.

5. Final landscape plans shall be approved prior to recording the final plat

I move that the City Council accept the findings and **APPROVE** the final plat, subject to the four stipulations recommended by staff.

ATTACHMENTS:

1. Proposed Final Plat



VICINITY MAP

NOTES

THERE ARE CONDITIONS OF APPROVAL ATTACHED TO THIS SUBDIVISION WHICH ARE INDICATED ON THIS PLAT. THESE CONDITIONS HAVE ALSO BEEN RECORDED WITH THIS SUBDIVISION. POTENTIAL BUYERS ARE REQUESTED TO READ THESE CONDITIONS CAREFULLY AND OBTAIN A COPY OF THESE CONDITIONS AND RESTRICTIONS PRIOR TO PURCHASING OR CONTRACTING TO PURCHASE ANY LOTS WITHIN THIS SUBDIVISION. THESE CONDITIONS ARE BINDING AND HAVE BEEN IMPOSED BY THE LEGISLATIVE BODY OF HIGHLAND CITY. A COPY OF THESE CONDITIONS MAY BE OBTAINED THROUGH THE UTAH COUNTY RECORDER'S OFFICE OR THE HIGHLAND CITY RECORDER'S OFFICE. IN ADDITION, HIGHLAND CITY HAS APPROVED BINDING ZONING LAWS THROUGH A LEGALLY BINDING DEVELOPMENT CODE. IT IS THE RESPONSIBILITY OF THE BUYER TO DO THEIR DUE DILIGENCE IN OBTAINING ALL ACCURATE INFORMATION AND /OR REGULATIONS THAT MAY DIRECTLY OR INDIRECTLY AFFECT THE USE OF PROPERTY PRIOR TO PURCHASING OR CONTRACTING TO PURCHASE PROPERTY ANYWHERE. CONDITIONS OF APPROVAL CONVEYED ON THIS PROPERTY BY THE LEGISLATIVE BODY OF HIGHLAND CITY, WHICH ARE IN ADDITION TO THE DEVELOPMENT CODE ARE AS FOLLOWS:

1. 70% OF THE FRONT YARD LANDSCAPING SHALL BE INSTALLED BY THE HOMEOWNER WITHIN ONE YEAR AFTER RECEIVING A CERTIFICATE OF OCCUPANCY.

2. LANDSCAPING AND CONSTRUCTION MATERIALS OF ANY TYPE ARE NOT PERMITTED UPON OR WITHIN THE STREET, CURB AND GUTTER, PARK STRIP OR SIDEWALK (STREET RIGHT-OF-WAY) WITH THE EXCEPTION OF THE PARKSTRIP WHICH REQUIRES 75% TO BE LANDSCAPED.

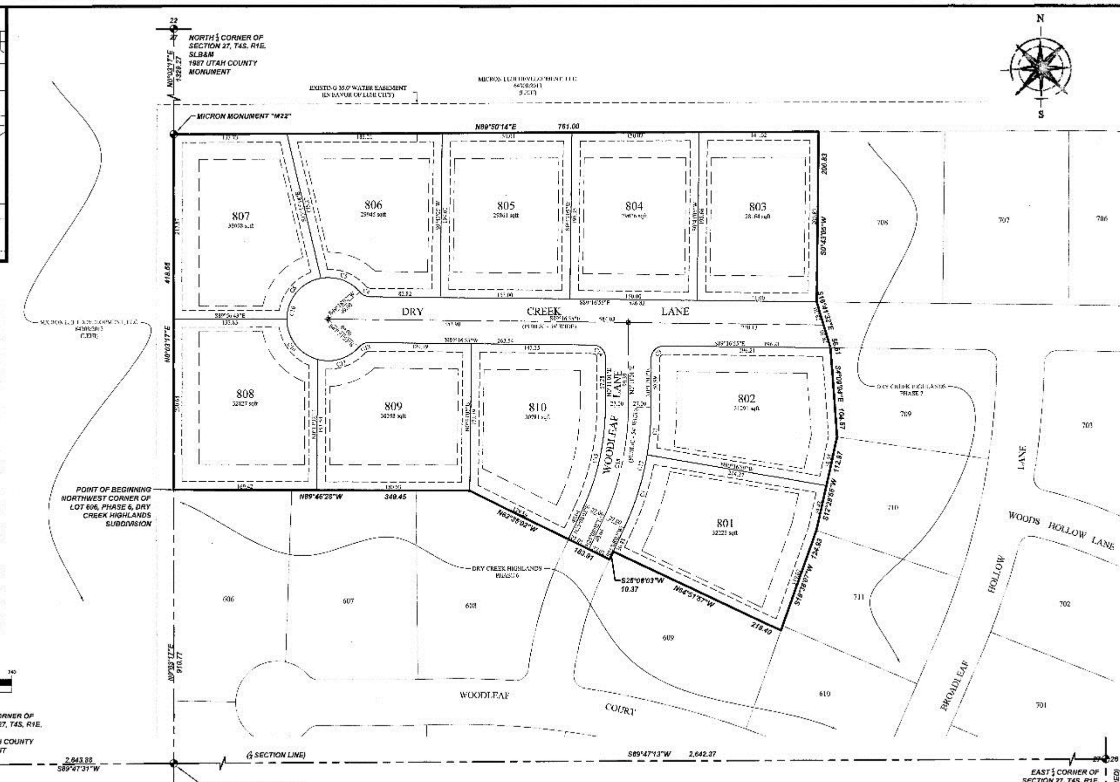
3. A FENCE THAT ABUTS OPEN SPACE OR HAS A TRAIL HAS ADDITIONAL RESTRICTIONS OF SIZE AND OPACITY. FENCES ALONG OPEN SPACE OR A TRAIL MUST COMPLY WITH HIGHLAND CITY ORDINANCE. ALL FENCES REQUIRE A FENCE PERMIT PRIOR TO INSTALLATION. IN ADDITION, RETAINING WALLS ARE REGULATED BY ORDINANCE AND REQUIRE A RETAINING WALL PERMIT PRIOR TO CONSTRUCTION.

4. HIGHLAND CITY ORDINANCES RESTRICT HEIGHT OF FOUNDATION ABOVE CURB. IT IS THE RESPONSIBILITY OF THE BUYER TO CONTACT THE CITY PRIOR TO PURCHASING ANY LOT. THIS RESTRICTION APPLIES TO ALL LOTS IN THIS SUBDIVISION.

5. [illegible] MAINTAINED BY HIGHLAND CITY.

6. [illegible] REBAR & CAP (FOCUS ENG.) TO BE SET AT ALL LOT CORNERS. NAILS/PLUGS TO BE SET IN THE TOP BACK OF CURB ON THE EXTENSION OF THE SIDE LOT LINES.

7. THE INCLUSION OF PROPOSED IMPROVEMENTS (SEE STREET X-SECTIONS) NOT RELATED TO THE SUBDIVISION CONVEYANCES (NEW LOTS) CREATED AS THE RECORDING OF THIS PLAT ARE SHOWN STRICTLY AT THE REQUEST OF HIGHLAND CITY. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THEIR INSTALLATION, NOR DOES IT PURPORT TO REFLECT THEIR FINAL LOCATIONS AND/OR DIMENSIONS. SEE PROJECT DESIGN DRAWINGS FOR FURTHER DETAILS REGARDING THESE NON-PLAT ITEMS.

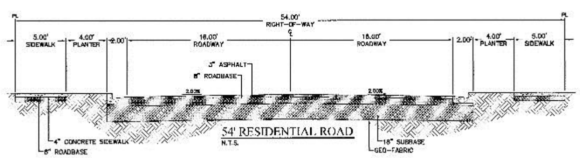


GRAPHIC SCALE

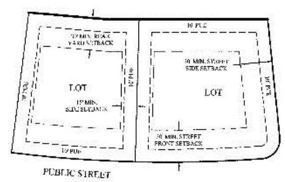
(IN FEET)
1 inch = 60 ft.

LEGEND

SECTION MONUMENT (FOUND)
STREET MONUMENT (FOUND)
STREET MONUMENT (TO BE SET)
P.U.E. PUBLIC UTILITY EASEMENT



54' RESIDENTIAL ROAD
N.T.S.



TYPICAL BUILDING SETBACKS
N.T.S.

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	137.00	[illegible]	96.64	S17°25'32"W	[illegible]
C2	137.00	[illegible]	56.03	S04°57'01"W	[illegible]
C3	11.00	[illegible]	[illegible]	S45°27'01"W	[illegible]
C4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C8	[illegible]	[illegible]	67.79	[illegible]	[illegible]
C10	[illegible]	[illegible]	[illegible]	N07°10'01"W	59.73
C11	49.00	[illegible]	54.09	[illegible]	53.34
C12	16.00	[illegible]	13.57	[illegible]	13.16
C13	283.00	[illegible]	123.34	N12°29'32"E	122.28
C14	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C15	[illegible]	[illegible]	124.99	[illegible]	[illegible]
C16	49.00	[illegible]	237.02	[illegible]	[illegible]
C17	337.00	[illegible]	146.73	N12°39'32"E	145.59

UTILITIES APPROVAL

"UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE THEIR EQUIPMENT AND ALL OTHER RELATED FACILITIES ABOVE AND BELOW GROUND WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE."

ROCKY MOUNTAIN POWER ______ DATE ______

CENTURY LINK/QWEST ______ DATE ______

XCEL/CENTURYLINK(?) ______ DATE ______

GENERAL NOTES

1. 5/8 REBAR & CAP (FOCUS ENG.) TO BE SET AT ALL LOT CORNERS. NAILS/PLUGS TO BE SET IN THE TOP BACK OF CURB ON THE EXTENSION OF THE SIDE LOT LINES.

2. THE INCLUSION OF PROPOSED IMPROVEMENTS (SEE STREET X-SECTIONS) NOT RELATED TO THE SUBDIVISION CONVEYANCES (NEW LOTS) CREATED BY THE RECORDING OF THIS PLAT, ARE SHOWN STRICTLY AT THE REQUEST OF HIGHLAND CITY. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THEIR INSTALLATION, NOR DOES IT PURPORT TO REFLECT THEIR FINAL LOCATIONS AND/OR DIMENSIONS. SEE PROJECT DESIGN DRAWINGS FOR FURTHER DETAILS REGARDING THESE NON-PLAT ITEMS.

QUESTAR GAS COMPANY

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS.

APPROVED THIS ______ DAY OF ______ MONTH YEAR

QUESTAR GAS COMPANY

BY ______

TITLE ______

OWNER/DEVELOPER
IVORY DEVELOPMENT L.L.C.
978 WOODOAK LANE MURRAY, UTAH 84117
PH: 801-747-7440

PREPARED BY
FOCUS ENGINEERING AND SURVEYING, LLC
502 WEST 8360 SOUTH
SANDY, UTAH 84070 PH: (801) 352-0075
www.focusutah.com

SURVEYOR'S CERTIFICATE

I, DENNIS P. CARLISLE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 172675 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S), THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF SAID CODE, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME HAS, OR WILL BE, CORRECTLY SURVEYED, STAKED, AND THE MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

______ Date ______

Dennis P. Carlisle
Professional Land Surveyor
Certificate No. 172675

BOUNDARY DESCRIPTION

A portion of the NE1/4 of Section 27, Township 4 South, Range 1 East, Salt Lake Base & Meridian, located in Highland, Utah, more particularly described as follows:

Beginning at the northwest corner of Lot 606, Phase 6, DRY CREEK HIGHLANDS Subdivision according to the Official Plat thereof on file in the Office of the Utah County Recorder, said point being located N0°03'17"E along the ¼ Section line 910.77 feet from the Center ¼ Corner of Section 27, Township 4 South, Range 1 East, Salt Lake Base and Meridian (Basis of Bearing: S0°01'34"E along the Section line between the East ¼ Corner and the Southeast Corner of said Section 27); thence N0°03'17"E along the ¼ Section line 418.55 feet; thence N89°50'14"E 761.00 feet to the northwest corner of DRY CREEK HIGHLANDS Subdivision, Phase 7; thence along said plat and extension thereof, the following 5 (five) courses and distances: S0°43'05"W 200.83 feet; thence S16°41'32"E 56.61 feet; thence S4°09'04"E 104.55 feet; thence S12°29'55"W 112.97 feet; thence S19°38'07"W 121.93 feet to the north line of said Phase 6; thence along said plat the following 4 (four) courses and distances: N64°51'57"W 218.40 feet; thence S25°08'03"W 10.37 feet; thence N63°35'03"W 183.91 feet; thence N89°46'28"W 349.45 feet to the point of beginning.

Contains 8.23+/- acres

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE ANY PUBLIC STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ______ DAY OF ______ A.D. 20__

LIMITED LIABILITY ACKNOWLEDGMENT

ON THE ______ DAY OF ______ A.D. 20__ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF SALT LAKE, IN SAID STATE OF UTAH, ______, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF ______ LLC, A UTAH LLC AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES ______ NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS ______ DAY OF ______, A.D. 20__.

APPROVED BY MAYOR ______

APPROVED BY ENGINEER (SEE SEAL BELOW) ______ ATTEST ______ CLERK-RECORDER (SEE SEAL BELOW)

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS ______ DAY OF ______, A.D. 20__.

HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS ______ DAY OF ______ A.D. 20__, BY THE HIGHLAND CITY PLANNING COMMISSION.

DIRECTOR, COMMUNITY DEVELOPMENT ______ CHAIRMAN, PLANNING COMMISSION ______

PHASE 8

DRY CREEK HIGHLANDS

A RESIDENTIAL SUBDIVISION

HIGHLAND, UTAH COUNTY, UTAH

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	HIGHLAND CITY ENGINEER SEAL	HIGHLAND CITY RECORDER SEAL

CITY COUNCIL AGENDA REPORT
ITEM #4

DATE: Tuesday, September 20, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Justin Parduhn, Operations and Maintenance Director

SUBJECT: **DISCUSSION:** Capital Improvement and Annual Maintenance Projects for Public Works Enterprise Funds.

STAFF RECOMMENDATION:

The City Council authorize staff to proceed with the annual maintenance and capital improvement projects as identified in the utility rate study subject to applicable procurement requirements.

BACKGROUND:

Over the past 18 months, the City has generated annual maintenance plans as well as conducted a utility rate study for storm drain, sewer, culinary water, and pressurized irrigation utilities. As part of these studies, maintenance and capital improvement projects were identified for the next five to ten years. The purpose of this report is to identify those projects that will be completed during the current fiscal year. Attached is an outline of these projects.

Due to the Utility Rate Study not being complete until May 2016, some items identified by these studies were not previously budgeted for. This will require a budget adjustment from the enterprise funds which will be presented in October. Due to the cost and scope of the project, some projects will be funded over different fiscal years.

FISCAL IMPACT:

See attached spreadsheet.

ATTACHMENTS:

1. Capital Improvement Projects
2. Annual Maintenance Projects

Water Capital Improvement Projects

Project Name	Construction Year	Construction Cost	Staff Comments:	Acount #
View Pointe Booster Station Dedicated Generator	2017	$67,275.00	May need a budget adjustment to fund. This was address in the utility rate study and maintenance plan.	
Canal Blvd 12" Water Line	TBD	$290,000.00	This is a placeholder and is not currently in the budget. While it is impact fee eligible, the City Council should know that the cost could go up depending on when it is done.	

Pressurized Irrigation Capital Improvement Projects

Project Name	Construction Year	Construction Cost	Staff Comments:	Acount #
Flow Meters in Upper Station	2017	$4,140.00	Replace existing flow meters that are currently aged and not reading accurately.	
Gantry Crane	2017	$5,175.00	Crane will be installed 11800 N pump station to help facilitate removal and repair of existing pumps.	
CUP #1 Filter Station Upgrade	2017	$82,800.00	Staff is currently working with Hansen, Allen & Luce to evaluate our current design versus newer filter station models.	

Sewer Capital Improvement Projects

Project Name	Construction Year	Construction Cost	Staff Comments:	Acount #
Lift Station Grinder - Pheasant Hollow Lift Station	2017	$36,225.00	Grinders are designed to chew up any debris before it enters the pump station. This will help avoid serious damage to the pumps and prolong their life.	
Lift Station VFD's / Soft Starts - Greens at the Highlands	2017	$15,525.00	Will help prolong the life of the pump by starting the pumps by gradually bringing them up to full speed. This will also help with some of the power demands.	
Pheasant Hollow and Hidden Oaks Concrete Pipe	217	$136,620.00	Insituform - We anticipate that these funds will be accrued from year to year. This will accrue until there is funding available to do the entire project.	
12" Pipe Replacement (Central Service Area)	2017	$790,564.00	Staff is currently conducting studies to determine which of three locations would be the best candidate for the upsizing this fiscal year. This money will be impact fee related.	

Storm Drain Capital Improvement Projects

Project Name	Construction Year	Construction Cost	Staff Comments:	Acount #
Sump Replacement	2017	$40,000.00	Replacement and upgrade of two sumps that are currently not fuctioning efficiently. We will install the new ones to our current standards.	54-40-25

Water Maintenance Projects

Project Name	Construction Year	Construction Cost	Staff Comments:	Acount #
Concrete Sealing for Exposed Tank Roof	2017	$30,000.00	Grout sealer - View Point water tank Xypex Brand of sealant. To be done this year. Working with Hansen, Allen & Luce to determine the best product for the repair.	TBD
Well Maintenance	2016 - 2017	$60,000.00	Did not use these funds in 2016. Moving to budget year 2017. This is in the budget for this year. Well #5 Looking at lowering it in elevation about 100 feet. Contract in-house. Winter/Spring	55-40-81
Viewpointe Pump Station Maintenance	2017	$1,030.00	Routine maintenance. Funding should accrue if not used for future improvements.	55-40-38
Beacon Hill Pump Station Maintenance	2017	$1,236.00	Routine maintenance. Funding should accrue if not used for future improvements.	55-40-38
Replacement of Galvanized Services	2017	$5,150.00	As needed or as dictated by projects. TBD	55-40-41
Hydrant Replacements	2017	$15,450.00	Replacement of 3 hydrants in spring/summer 2017	TBD
PRV Maintenance	2017	$412.00	Routine maintenance. Funding should accrue if not used for future improvements.	55-40-79
SCADA System	2017	$2,060.00	Routine maintenance. Funding should accrue if not used for future improvements.	55-40-39
Meter Battery Replacement	2017	$4,200.00	Routine maintenance. Funding should accrue if not used for future improvements.	TBD

Pressurized Irrigation Maintenance Projects

Project Name	Construction Year	Construction Cost	Staff Comments:	Acount #
Concrete Irrigation Pond Crack Sealing Replacement	2017	$2,652.00	This is our main pond at the mouth of American Fork Canyon. This pond is going on 20-years old and the crack sealant is deteriorating and needs to be replaced. We will perform this work in-house next spring before we load water into the pond.	53-40-41
Northwest Irrigation Pond Maintenance	2017	$1,591.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-38
Upper Zone Station Pump Maintenance	2017	$2,122.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-38
11800 Station Pump Maintenance	2017	$2,122.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-38
Hogs Hollow Pump Maintenance	2017	$2,122.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-38
Lower Pond Pump Maintenance	2017	$2,122.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-38
General Well Maintenance	2017	$2,122.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-38
Main Valve Replacements	2017	$5,150.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-41
PRV Maintenance	2017	$412.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-41
SCADA System	2017	$1,030.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-40
Drain Valve Replacements	2017	$5,150.00	Routine maintenance. Funding should accrue if not used for future improvements.	53-40-41

Sewer Maintenance Projects

Project Name	Construction Year	Construction Cost	Staff Comments:	Acount #
Root Control	2017	$2,350.00		52-40-41
Groundwater Inflitration Pipe Repair	2017	$2,704.00		TBD
Manhole Repair	2017	$2,704.00		TBD
Dry Creek Lift Station Pump Maintenance	2017	$2,380.00		52-40-33
Highland Hollow Life Station Pump Maintenance	2017	$811.00		52-40-33
AF River Lift Station Pump Maintenance	2017	$1,298.00		52-40-33
Greens on Highland Lift Station Pump Maintenance	2017	$811.00		52-40-33
Victor's View Lift Station Pump Maintenance	2017	$811.00		52-40-33
Generator Maintenance	2017	$800.00		52-40-33

Storm Drain Maintenance Projects

Project Name	Construction Year	Construction Cost	Staff Comments:	Acount #
Sump Vacuuming & Cleaning Catch Basins	2017	$44,558.00	Currently in the process of getting proposal ready for bidding in the spring 2017	
Detention Pond Cleaning	2017	$2,500.00	Staff will visit each detention basin to inspect and insure basins are functioning properly. We will also correct any deficiencies or maintenance items that are found.	54-40-41
Drainage Channels	2017	$3,183.00	Staff will visit each drainage channel to inspect and insurechannels are functioning properly. We will also correct any deficiencies or maintenance items that are found.	54-40-41
Street Sweeping Program	2017	$18,000.00	Staff is currently in the process of bidding the street sweeping program for this next year.	54-40-15