



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, September 17, 2019

***Amended September 16, 2019**

Approved October 15, 2019

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

PRESIDING: Mayor Rod Mann

COUNCIL MEMBERS

PRESENT: Brian Braithwaite, Ed Dennis, Tim Irwin, Kurt Ostler, Scott L. Smith

CITY STAFF PRESENT: City Administrator / Community Development Director Nathan Crane, Assistant City Administrator Erin Wells, Finance Director Gary LeCheminant, City Engineer Todd Trane, Planner & GIS Analyst Tara Tannahill, City Attorney Tim Merrill, and City Recorder Cindy Quick

OTHERS: David Lay, Sharon Lay, Tim Ball, Doug Cortney, Jill Cahoon, Jim Cahoon, Kelly Sobotka, Matt Mecham, Tanner Mecham, Lora Beth Brown, Gerald Naumann, Helene Pockrus, Dustin Garrity, Ken Knapton, Wesley Warren, Devirl Barfuss, Lon Nally, Kaye Nally, Kim Rodela, Wayne Tanaka

7:00 PM REGULAR SESSION *(CITY COUNCIL CHAMBERS)*

Call to Order – Mayor Rod Mann

Invocation – Dennis LeBaron

Pledge of Allegiance – Council Member Ed Dennis

The meeting was called to order by Mayor Rod Mann as a regular session at **7:00 p.m.** The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Dennis LeBaron. Those assembled were led in the Pledge of Allegiance by Council Member Ed Dennis.

Mayor Mann announced that the developers from Apple Creek withdrew their application and asked for a motion to continue the item to October 15, 2019 City Council Meeting.

3. PUBLIC HEARING/ACTION: APPROVAL OF A PLANNED DEVELOPMENT (PD) DISTRICT, APPLE CREEK, APPROXIMATELY 5.80 ACRES *(30 minutes)*

The applicant requested that the item be withdrawn and continued to the October 15, 2019 City Council meeting.

Council Member Brian Braithwaite MOVED to continue the public hearing/action item for the approval of a Planned Development (PD) District, Apple Creek to the October 15, 2019 City Council meeting. Council Member Ed Dennis SECONDED the motion.

The vote was recorded as follows:

Council Member Brian Braithwaite Yes

Council Member Ed Dennis	Yes
Council Member Tim Irwin	Yes
Council Member Kurt Ostler	Yes
Council Member Scott L. Smith	Yes

The motion passed.

1. UNSCHEDULED PUBLIC APPEARANCES

There were none.

2. CONSENT ITEMS (5 minutes)

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. ACTION: Approval of Meeting Minutes

- Regular City Council Meeting August 6, 2019
- Regular City Council Meeting August 20, 2019
- Election Canvass Returns Meeting August 27, 2019

b. PUBLIC HEARING/ACTION: Amending the R-P Zoning District to Allow Reception and Event Centers as Conditional Uses ~ **CONTINUED** ~

A request from Cynthia Thorsen to amend the R-P Zoning District to allow Reception and Event Centers as Conditional Uses. (TA-19-07). The applicant is requesting that the hearing be continued to the October 1, 2019 City Council meeting. The Council will take appropriate action.

Council Member Ed Dennis MOVED to approve the consent agenda as listed. Council Member Scott L. Smith SECONDED the motion.

Council Member Ed Dennis amended his motion and MOVED to approve the consent agenda excluding the August 6, 2019 meeting minutes. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Brian Braithwaite	Yes
Council Member Ed Dennis	Yes
Council Member Tim Irwin	Yes
Council Member Kurt Ostler	Yes
Council Member Scott L. Smith	Yes

The motion passed.

4. ACTION: FINAL MASTER PLAN AND BUDGET FOR SPRING CREEK PARK (30 minutes) continued from July 16, 2019

City Administrator Nathan Crane oriented the Council with a final master plan and budget for Spring Creek Park. He explained that the process of the Spring Creek Park began in November 2018. At a Council meeting in July the Council set a budget for \$375,000. He noted that this budget is an estimate that could change based on the bid process. It is the City's current plan to structure the bid process by providing a base design

along with some alternatives so that the bid comes back to the Council for approval, the Council will know what is being approved.

The focus of the presentation was on the proposed concept/master plan. When the original concept for the park was presented it was located on the northwest corner of the site. The plan featured a playground, small trail system, and some flowerbeds and mulched areas around the perimeter of the park. Although the location of the park has moved the southwest corner of the proposed area based on comments from a community meeting, the overall concept and design remained the same. When the property sold, the developer provided an alternative design that included more amenities (splash pad, pavilions, pickle ball court, basketball court, etc.) Estimated to cost \$750,000 for development it was determined it was too much park. More than half of the proceeds from the land sale would have been directed to the park and it was agreed that exceeded what was wanted.

A list of the current major amenities proposed was displayed along with the design presented on April 2nd for a development cost of \$556,000. The design included playgrounds, swing sets, lit walkways, powered pavilions, a large turf area, landscaping, etc. Then, at a July meeting when the proposed park was revisited, the Council set the budget at \$375,000. In response to this budget cut, a plan was re-drafted. It eliminated the pavilions and reduced the size of the playground and walking paths. After discovering that this didn't meet the needs of the community, the park plans were revised again. The playground was again expanded, and a larger pavilion re-added to the plan, along with a pickleball court that would be financed by outside funds. To be able to make these additions, several amenities had to be reduced or changed: the walking area was significantly reduced, instead of gravel on the playground, bark would be used, the fence was taken out, etc.

He asked the Council to decide what amenities would fall in the base park design and what would be considered alternatives. For example, would they consider all grass, or grass and flower beds, full trail or partial, playground type, pavilion size, etc. Depending upon how the various bids match up with the budget, it might be possible to get a park with some of the alternative amenities.

Examples for sizes (20 x 20 and 25 x 30) of pavilions were shown. City Administrator Crane noted the larger pavilion was about double the cost. In addition to establishing the base park design, the Council needed to discuss the bid and construction processes. He then asked for clarification from the Council for the base park design.

Mayor Rod Mann asked for public input on the item.

Brent Wallace, resident of the Kendall Barrymore subdivision, heard discussed at previous meetings that a certain amount of money would be awarded to the developer without specifications for the park. He felt the design should be outlined in advance and then put out to bid to be completed at the lowest cost. He wanted clarification about what the bid process would be.

City Administrator Nathan Crane responded that the process would be explained later in the meeting.

Kelly Sobotka, local resident, appreciated the process and opportunity to work with Council Member Kurt Ostler so that the ideas for the surrounding neighborhood for the park were represented. Most homes surrounding the park have large lots. Residents of the surrounding area agreed that a larger grass area would be important for activities like flag football games and large get togethers. Neighbors wanted to ensure that they get the best park for the money spent. He didn't feel the budget was correct. After speaking with developers, it was his opinion that the cost would be a lot more money than imagined to put in a park. He was hopeful to get a park that benefits the neighborhood and Highland.

Council Member Ed Dennis explained that historically Highland has had difficulty maintaining plants and shrubs and asked Mr. Sobotka his opinion on keeping the park design simpler by landscaping with just grass.

Mr. Sobotka responded that he believed there were neighbors surrounding the park that would be willing to participate in helping to maintain the park. He felt that where the City struggles is not regarding park maintenance but that medians are poorly taken care of. He personally would prefer that there were trees and bushes rather than just grass.

Kenneth Knapton, from the Mitchell Hallow area, was curious at what point the expenses for maintaining the park would be addressed. He further wondered if maintenance costs were included in the discussion about the park's base budget or if they were addressed separately.

Mayor Rod Mann said that operating costs had not been part of the discussion. He did mention there had been minor discussions about the tradeoffs between putting in grass vs. mulch, etc. but he felt it should be factored in.

David Lay also inquired about when the maintenance costs of the park would be considered as they would impact the design. He also agreed with Mr. Sobotka that the park's use would be enhanced by not just having a grass field to play football on, but rather plants and trees would be a better alternative.

Helene Pockrus was curious about the playground equipment considered. She also mentioned that there had been past discussion about lowering the baseball field so that it could be flooded in the winter and used as an ice-skating rink. City Administrator Nathan Crane stated that it was not being considered.

Ms. Pockrus stated some residents had flooded their backyards for an ice-skating rink to allow kids to skate, but that it was a big task. She would like to see the City do it. She also explained that one way that the City could lower costs would be to utilize volunteers. She explained that her son had planted 50 trees for an eagle scout project.

City Administrator Nathan Crane asked for the design opinions of the Council regarding the base turf material. Mayor Rod Mann mentioned encroachment issues in other areas where neighbors extended trampolines or planted pine trees in the public spaces. He saw a benefit to providing a hardened boundary to delineate the property and felt it would add an aesthetic enhancement as well.

Council Member Scott L. Smith voiced concern for both wood chips and crushed rock as the base turf. He felt that wood chips tend to blow away and kids throw rocks. City Engineer Todd Trane confirmed Council Member Smith's concerns: kids will throw rocks. However, two-inch rock is larger than average gravel, so it would not be scattered easily.

City Administrator Nathan Crane explained that the mulch would have to be replaced regularly.

Council Member Kurt Ostler wondered where the rock and mulch had been used previously. City Engineer Todd Trane responded that to his knowledge there was not a park like this in Highland and noted that this would be a nicer park than Highland currently has. Most Highland parks were grass with delineated court areas. There were some parks with bark in the play areas, but there currently were no parks where bark was used aesthetically.

Council Member Ed Dennis stated that there were two parks in his subdivision, one of which was a comparable size to the proposed park. In one instance people's homes back right up to the park boundary without any delineation. He felt concerned about the gravel, bark and bushes and stated that the grass was

already a burden to City crews to maintain. People in his neighborhood enjoy the transition from their yard to the grass park. He believed that it is difficult to rely on residents to maintain public spaces. Because of this he believed it would be better to create something closer to the standards of existing parks. He then asked about the linear feet of concrete proposed. It was outlined at 4,000 feet. He questioned they planned to get three quarters of a mile of trail onto a two-acre property. He wondered if there was a mistake on the math. He favored having grass and a perimeter trail and explained that in the park in his own neighborhood the field was continuously utilized by groups playing soccer. He preferred to keep the park simple.

Council Member Scott L. Smith asked if there was an assumption that individuals will fence their own properties. City Administrator Nathan Crane specified that there was existing fencing on the south side, but fencing on the north perimeter would be individual property owner's choice.

Council Member Ed Dennis said that in his experience no one fences next to the parks in his subdivision. They prefer the open look. Council Member

Tim Irwin felt the plants were expensive. He preferred simple landscaping to help with the maintenance. Maintaining the park should fall to the City staff. Because of this, he preferred more grass.

Council Member Kurt Ostler asked if this would be financed from the General Fund. Nathan Crane responded affirmatively that it would be financed from the General Fund.

The question was asked as to how the purpose of the proposed park would deviate from the existing open space parks. Council Member Ed Dennis commented that currently, all of Highland's parks were supported by the Open Space Fund from which the General Fund contributes.

Council Member Kurt Ostler asked for clarification on Council Member Dennis's comments. It was his understanding that some parks were funded by the Open Space Fund, whereas others were fully funded from the General Fund. City Engineer Todd Trane explained that there were two separate funds: the open space and general parks fund. Both monies supported lawn maintenance and fertilizer based on square feet. Both funds were used. It's not split out specifically, both were used for maintenance and employees.

Council Member Ed Dennis felt that the money allocated from each fund was once based on percentage and asked if it was now based on square footage. Todd Trane answered affirmatively, noting that it was based on square footage.

Council Member Kurt Ostler asked again if the proposed park would be one where the field and pavilion could be reserved as opposed to the open space parks where reservations cannot be made. City Administrator Nathan Crane explained that the decision was made based on the use of the park.

Assistant City Administrator Erin Wells explained that for a field to be reserved there were certain parking requirements as well as the availability of a restroom. Because there was no parking associated with the field it would be considered a neighborhood park that could only be used for practices and for people who live in the area.

Council Member Kurt Ostler explained that if the park cannot be reserved and does not have bathroom facilities that changes the approach for designing the park. Essentially, if it is only going to be used by people in the immediate area, he does not feel that it should be funded by the General Fund that all Highland residents contribute to.

Assistant City Administrator Erin Wells explained that there is no policy that states when we do and do not reserve a pavilion. There would not be restrooms nor parking. This is also true of the Merlin Larsen Park, though it has more street parking, but that pavilion can be reserved. She reiterated that there is not a policy about when a pavilion can or cannot be reserved but that the most popular pavilions for use are at Highland Glen and Heritage Park.

Council Member Scott L. Smith asked about the width of the proposed trees, whether or not they would all be the same size, and if it would be possible to reduce the number of trees, as a means of lowering costs. City Administrator Nathan Crane explained that there were several different options, including 1½ or 2-inch caliper; it's the Council's discretion. Once the Council decided about the number of trees, the cost would really only change about \$3,000 if they decided to go with 1½ inch or 2-inch caliper trees and explained that the cost per tree was dependent on the different companies bids because they each had different base package options.

Council Member Kurt Ostler asked City Administrator Nathan Crane to define what the base package entails. City Administrator Crane explained that it depended on what the Council decided about turf material and if there would be a park perimeter. He explained that there would be increased costs in terms of upfront and maintenance costs if there were to include shrubs because that would impede the ability for City workers to mow.

Council Member Brian Braithwaite explained that he, too, would put in more grass than plantings. That said, he felt it was important to have the park look good. He believed that if they could include a pavilion it would make sense for there to be trees surrounding it, as well as around a playground.

Council Member Kurt Ostler asked if what Council Member Braithwaite was proposing was to have more trees and shrubs surrounding the northeast corner of the park where the playground and pavilion would be located, but to then have the rest of the area open up into grass for playing different sports on.

Council Member Brain Braithwaite said that based on this design, it made sense that everything east of the trail could be grass. He did believe that for the park to look good it would require some landscaping surrounding the pavilion and playground instead of just being one big grass field. Council Member Tim Irwin explained that there would still be the same maintenance issues if they put in landscaping around the pavilion and playground.

Council Member Scott L. Smith said that he would be in favor of putting in as much grass as possible. He also wondered what the use of the sidewalk would be and addressed the relationship between the amount of available parking and a park's use. As an example, he mentioned that the park behind the police station was highly used, largely because there was enough parking for people. In regards to the proposed park, he wondered how many people would really come to the park to play or use the pavilion other than those from the neighborhood. He also mentioned that the park was surrounded by big lots which would allow for residents to utilize and enjoy their own backyard spaces more than in other open space areas in Highland where they were surrounded by residents with much smaller lots. Although he agreed that it would be nice to have rocks and bushes to delineate the park boundary, he did not believe that it would justify the hassle that the lawn mowers would have maintaining it.

Council Member Tim Irwin felt that having trees would not interfere with lawn mowing. Council Member Kurt Ostler said that he didn't understand why they would put in such an extensive concrete path in the park because the length of trail wouldn't really be big enough to bring people to walk around it. Council Member Scott L. Smith agreed that it didn't seem that the use of the path would justify its cost and that he would

rather put in a better playground with the money. Council Member Ed Dennis said that if there was going to be a playground that there would need to be a path to be able to get there with strollers.

City Engineer Todd Trane further added that the City was required to provide access.

Council Member Kurt Ostler reviewed what had been requested he heard that Council would like to keep the sidewalk up to the pavilion and playground, remove shrubs and rocks around the perimeter of the park but keep trees. Both Council Member Braithwaite and Smith agreed.

City Administrator Nathan Crane reiterated what direction he had received from Council. They would like to keep the walking path to the amenities, reduce beds to grass and spread out the trees to create shade around the pavilion and play area with trees. Council Member Brian Braithwaite requested that the trees be spread throughout the whole field.

Council Member Kurt Ostler clarified that based on this summary the shrubs and rock on the provided plan would be removed and that the concrete would be reduced. City Administrator Nathan Crane responded that there would be concrete around the pavilion, playground and pickleball court with enough pathways to connect them.

Council Member Ed Dennis asked for more detail about the pickleball court as it had not been discussed previously. He mentioned another park in Highland that had a tennis court with pickleball lines within the tennis court lines and asked if this would be possible at the proposed park. City Administrator Nathan Crane responded that they could implement his suggestion, but that it would add to the cost.

Council Member Ed Denis asked about the size of pavilions and costs. He couldn't account for why the size of the pavilions presented were larger than the specs of the pavilion on the proposed plan. City Administrator Crane explained that the pavilion dimensions changed from 30 x 28, to 20 x 20, to 25 x 30 and the reason why the pavilion estimate for the 25 x 30 pavilion exceeded that of the 30 x 28 was that the estimate came from different companies for different styles of pavilions.

Council Member Kurt Ostler asked for clarification on pavilion style and noted that one of the pavilions was made of timber that would need to be stained in the future. City Administrator Crane said they would consult with their superintendent about pavilion styles to make sure to select the best style for maintenance.

Council Member Brian Braithwaite said that he would want to provide amenities that benefit the community. This included a pavilion, playground, pickle ball court and large grassy area. He also said to leave the trees and maybe add a few, but to get rid of shrubs and walkways except to connect to the amenities.

Council Member Kurt Ostler clarified that the Council wanted a nicer playground in exchange for some of the other elements that were being eliminated. He called people in Canterbury Circle who have a pavilion and tennis courts at their park to ask what their pavilion was used for. According to them it was primarily used for family and group activities. Therefore, it was important that the pavilion was large enough for groups to use.

Kelly Sabotka wondered if with the savings of removing the rock and bushes whether or not that could fund the pickleball court. He would like to see what savings the City would realize for more grass and have a pickleball court that didn't have to be funded by the foundation. Regarding more grass along the south side, he felt it would create a burden of trimming the grass with the cement fence. He also commented that they live in the second driest state in the country and the Council was considering making an entire park of grass that would need to be watered. He pointed out that shrubs and trees would need less water than grass.

City Administrator Nathan Crane said that the pickle ball courts would cost between \$25,000 and \$30,000.

Council Member Brian Braithwaite said that it was his opinion that the neighborhood would be disappointed if the City put in shrubs and bushes that they were unable to maintain. He did not want to burden the neighborhood, but wanted it to be nice and something they're proud of.

Kelly Sabotka felt it would be quite a surprise for the neighborhood. He thought it was a pretty dramatic change from what had been shown in each of the previous steps. Council Member Tim Irwin noted that it would be difficult to know what the park looked like until it had been built.

Council Member Brian Braithwaite asked if Kelly Sabotka could share with neighbors the potential look of the park in five years with some of the maintenance needs of the original proposal. Mr. Sabotka mentioned that they did not need more of the Alpine Highway look in Highland. He wanted to be able to maintain the park and believed that the residents should be involved in maintaining it.

Council Member Kurt Ostler asked for clarification that the City was looking to get a 25 x 30-foot pavilion, install picnic tables, get a playground budgeted around \$50,000, plant 65 to 75 trees and have concrete going to the pavilion. City Administrator Nathan Crane concurred.

City Administrator Crane said the next steps would be to develop the final concept and construction plans. He asked if the Council would like staff to continue to work through Millhaven or hire a separate firm to prepare the plans.

Council Member Ed Dennis asked if they did need someone to prepare the plans given how significantly the Council had scaled back the design to a simple park. Both City Administrator Nathan Crane and City Engineer Todd Trane answered affirmatively because the plan included things like sprinkler systems and pavilion construction that need to be delineated to get accurate bids. Council Member Ed Dennis asked why they would utilize Millhaven, a home building firm.

Council Member Kurt Ostler asked if they are going to get bids what is the benefit of Millhaven drafting the plans versus the City doing it. City Administrator Nathan Crane clarified that the bid process is separate from preparing construction plans.

Council Member Brian Braithwaite asked if Millhaven would serve as a general contractor to oversee the project by managing the firms that would create the plans and seeking bids to alleviate the burden on City staff to manage the project. City Administrator Nathan Crane said that is part of it. He also explained that there was a lot of concern on the part of the Council previously that Decorative had been hired to create construction plans. There was concern with getting best price from them.

Council Member Kurt Ostler wanted to understand with the simplified park why the City could not make the plans to save the 10 or 15% overhead that would go to a general contractor like Millhaven. City Administrator Nathan Crane said they hire the project out.

City Engineer Todd Trane asked who the Council wanted the project manager to be: City staff or Millhaven. He explained that for every other open space project that had been done in Highland for the last several years that parks had been built by developers in conjunction with new subdivisions. This instance was a little different because the City already owns the property but a similar developer (Millhaven) could provide the plans to design the park, as well as, the project management which is how every previous open space project had been handled.

There was discussion about the difference in incentives between other open space projects that are tied to developments versus this one on a property owned by the City and how a developer would not have the same incentives to keep costs low.

Council Member Scott L. Smith wanted the City to manage it by seeking out different developers through the bid process to be able to ensure that the chosen developer would do a good job. Despite his recognition that City staff was over-burdened with projects right now, it was his preference that they keep the project in house with one of the mentioned engineering firms.

Council Member Brian Braithwaite reminded the Council that if Staff was to take on the project, they would have to let go of something else that the Council had prioritized. Council Member Tim Irwin explained that staff would spend time on it would become overburdened because the employees are dedicated to the City.

Council Member Kurt Ostler asked for Todd Trane's opinion. City Engineer Trane stated that Millhaven was a good contractor and developer. He agreed with Council Member Ed Dennis that it was a different situation than in the past where the City had been the property owner that had sold to a developer but retained the park. The incentive for a lot of developers who declared parks over the years was to cut corners and provide something cheap. He explained that was not the case in this situation. The Council was telling the developers to give them a park for x amount of money.

The concern was raised that a developer would now have the opposite incentive: no need to keep costs low and would take advantage of Highland's checkbook. City Engineer Todd Trane acknowledged that this did happen with the original design process that led to the proposal of an almost \$800,000 park, but that the Council had already made decisions about the amenities and the budget. He said that it could be an in-house project for staff, but it was a question of what the staff can focus their time on. He stated that they are understaffed and if this were taken on in house another project would have to go.

Council Member Brian Braithwaite asked what would happen if Millhaven was tasked to get three bids. City Engineer Trane explained that would take a lot of work off staff while still being involved in reviewing the plans and bids. Although staff could serve as a project manager, they would still be seeking development and construction plans externally. He was not convinced that keeping the project in-house would lead to saving money because of differences in the public process for getting bids versus the terms for a private company to get bids.

Council Member Kurt Ostler ask how the Council ensured that they were protecting residents' money. City Engineer Trane said that the only way to completely protect the process would be to bring it in house, but that there is still a trade-off: The City might not get as inexpensive of a bid as a developer might.

Council Member Brian Braithwaite asked what the recourse with Millhaven was if they were to manage the process. City Engineer Trane said the City would require them to bond for the improvements of the park once the final plans were set. They would have already bonded for the park at \$375,000.

The discussion transitioned to talking about the bid process. City Administrator Crane explained that there were three different bid options: (1) a prequalified list, (2) work with Millhaven to solicit three bids, or (3) have the City solicit three bids.

Council Member Braithwaite felt it would be transparent to go through Millhaven. City Administrator Crane clarified that there would be a difference in how the bids were solicited if they went through Millhaven compared to the City. Through the City process it would be put on the City site, anyone could bid on it, and

the City would select the lowest one. If Millhaven led the bid process they could simply say that they wanted bids from six specific companies.

Council Member Braithwaite asked if the City had some control over the process with Millhaven to ensure that they did not select bids from two bad companies and one good one. City Administrator Crane explained prequalification, that essentially the City could say in order to bid on upcoming park development projects a company/developer would need to have the specified minimum qualifications. Companies could respond by saying that they could meet said qualifications and the City would then review and rank these companies to decide who would execute the project. With Millhaven the City would say that they wanted three formal bids and provide the bid package and ask for them to find bids from the number of companies specified by the City.

Council Member Scott L. Smith asked if Millhaven was willing to take over the project. City Administrator Crane confirmed that Millhaven was more than willing to take over the project.

Council Member Ed Dennis wondered what happened with Beacon Hills Park. City Administrator Crane said that they utilized the standard bid process and brought it in house. Council Member Brian Braithwaite thought it would be great to bring it in house. However, he was concerned that staff was swamped and it would be helpful to let a company manage it. He felt that there would be appropriate transparency given the multiple bids that Millhaven needed to seek.

Council Member Kurt Ostler wondered if there would be more interest from bidders if the park were landscaped. City Administrator Crane was unsure. City Engineer Todd Trane explained that the industry was flooded with projects and so the City had been having a hard time getting bidders across the board to commit to projects.

Brent Wallace suggested that they open it up for public bidding and don't let a company pick a bidder because what happens in the industry is a company will pose projects to their friends at slightly less than the lowest bid they have received. He explained that the City would get the best deal but that it wasn't transparent or honest. There was concern expressed about the lack of respondents to bids.

Kelly Sabotka said Millhaven already made a commitment to have the park done before they did the homes. City Engineer Todd Trane said that's why they bonded with Millhaven for the park.

Mayor Rod Mann asked for Council direction. Council Member Braithwaite asked what projects they would need to give up if this project came in. City Engineer Trane said that he could provide a list so that the Council could choose what to give up. Most of the Council felt that they should bring the project in house and move forward, apart from Council Member Tim Irwin who felt this placed an additional burden on staff.

Council Member Scott L. Smith asked what the time frame on the project would be. City Administrator Nathan Crane explained that the project would begin next spring.

Council Member Ed Dennis advised that there might be an advantage to bring in a landscaper right when the ground thaws to begin work that they couldn't do during the winter.

Council Member Brian Braithwaite suggested that the City put together a park concept so that the Council could agree moving forward about policies and procedures. He felt as though there was a lot learned from the discussion about when you would put in a certain amenity or turf type that could be outlined for the planning of future parks. It was decided that because the Council was merely providing direction there wasn't need for a motion.

5. ACTION/RESOLUTION: BUSINESS LICENSE FEE FOR SHORT TERM RENTALS (15 minutes)

City Administrator Nathan Crane explained that at the previous meeting the Council adopted an ordinance about short term rentals. The ordinance created a fee to cover the review of initial and renewal applications on short term rentals. Looking at the business day schedule, staff felt that the time needed to address a short term rental was like a standard commercial business license. Because the application entailed a fire inspection, zoning review, coordination for number of people they can have, it was deemed more intense than home occupation. Therefore, staff recommended the standard business license review fee of \$90.00 for initial review and \$60.00 for annual renewal for Short Term Rentals.

Council Member Tim Irwin wondered if there should be a difference between onsite owner verses an absentee owner. City Administrator Crane said they could investigate it but for the City the review was the same. Coordination may be different with issues. Council Member Tim Irwin just wanted ways to protect residents. He believed that an onsite owner would be far more responsive and concerned with their neighbors.

Council Member Brian Braithwaite agreed. However, the fee was supposed to cover costs and shouldn't be a revenue generator. He felt the fee proposed was the cost of the time and effort. The City could subsidize it for homeowner occupancy, but it would not change the cost.

Council Member Tim Irwin disputed that the offsite owner was going to have more issues that someone would have to deal with. There may be more complaints and police involvement. City Administrator Crane noted that if that were to happen staff could review more about how it's defined.

City Attorney Tim Merrill reported that the cost was meant to cover staff time. He was fine to treat off site landowners differently and increase their fee if there was a difference in the impact.

Council Member Brian Braithwaite asked if they could apply a metric to increase the fee if the City received a certain number of complaints that therefore asked more of staff's time. City Attorney Merrill said they could create renewal fees and nuisance renewal fees.

Council Member Tim Irwin MOVED to adopt the business license fee of \$90.00 for Short Term Rentals with a \$60 annual renewal fee. Council Member Brian Braithwaite SECONDED the motion.

Council Member Scott L. Smith wondered about the Airbnb in his neighborhood. The people who own the house no longer live there, but live in Idaho and have not been responsive to neighbors. He cited an article in the Desert News about the profits made by Airbnb – four million dollars in Utah County alone last year. Council Member Brian Braithwaite said that a neighbor like this would not be defined as owner occupied.

The vote was recorded as follows:

<i>Council Member Brian Braithwaite</i>	<i>Yes</i>
<i>Council Member Ed Dennis</i>	<i>Yes</i>
<i>Council Member Tim Irwin</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed.

6. MAYOR/COUNCIL AND STAFF DISCUSSION AND COMMUNICATION ITEMS

a. *Park Inventory Plan – City Administrator Nathan Crane*

City Administrator Nathan Crane oriented the Council with a Park Inventory Plan. A draft of the plan was distributed to the Council. He explained that this was a combined effort between staff and a consultant where they inspected all the parks and their amenities (playgrounds, pavilions, benches, water fountains, etc.) and were rated based on condition (good, fair, poor). The report was 127 pages long and filled with photographs. The pictures document issues with the infrastructure.

They found that some parks did not have an ADA accessible route. Softfall used is considered ADA accessible. In the same way as in the past where there were problems with the Community Center and ADA accessibility, the City was experiencing similar problems here. Much of the playground equipment was broken and aging. Manufactures do sell replacement playground parts, but as the equipment ages those parts are harder to get. They had restrooms that needed remodeling, particularly at Heritage and Highland Glen Parks. They also found that there were lots of needed pavilion repairs. In addition, there were bike racks and benches that need to be replaced. He explained that the report would be added to the Highland Drop Box.

Council Member Scott L. Smith stated that in the past there had been vandalism concerns in park restrooms. He wondered if it made sense to have security cameras on the outside of the buildings. There was discussion about different strategies for how to reduce vandalism issues like installing security cameras, posting signs saying that the spaces were being monitored, or having the bathrooms be stainless steel.

Council Member Brian Braithwaite wondered what kind of effort and time would be needed to put a cost to the suggested priority list. Council Member Tim Irwin questioned about the budget for the plan as well but was worried about the time it was going to take. Council Member Brian Braithwaite just wanted an estimate of the cost for these improvements to be able to prioritize the list of improvements needed.

City Administrator Nathan Crane said he would continue working on the plan and add numbers for costs. He explained that each situation was unique; depending on the age of the playground equipment in some cases it would make sense to replace a single piece, but in other places the whole playground would need to be updated. He believed that remodeling Heritage Park by next spring would be positive.

Assistant City Administrator Erin Wells presented a preview of the updated website that would be going live by the end of the month. She emailed the link to the Council. The most significant update to the website was that it would now be mobile responsive. This was important because 50% of the traffic to Highland's website comes from mobile devices.

The basic design is based on background images with a global navigation menu. There were graphic buttons to take people to different departments. There was a department header package for the library that allowed them to differentiate their page from the other departments. Staff was really looking at global navigation so that it was functional to a citizen who was not familiar with the structure of Highland's government. She would welcome the Council's feedback and was thrilled with the project.

City Council Member Kurt Ostler commented about liking to see the historical society pages.

Assistant City Administrator Wells explained some of the changes to the global navigation menu to highlight entities that were previously buried on the website. She explained that they would launch this month. The link was in the weekly report.

7. FUTURE MEETINGS

a. Future Meetings

- September 24, Planning Commission Meeting, 7:00 pm, City Hall
- October 1, City Council Meeting, 7:00 pm, City Hall

8. CLOSED SESSION

The Highland City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property as provided by Utah Code Annotated §52-4-205

At 9:06 PM Council Member Brian Braithwaite MOVED that the City Council recess to convene in a closed session to discuss the pending or reasonably imminent litigation and the purchase, exchange, or lease of real property as provided by Utah Code Annotated § 52-4-205. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brian Braithwaite</i>	<i>Yes</i>
<i>Council Member Ed Dennis</i>	<i>Yes</i>
<i>Council Member Tim Irwin</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed unanimously.

ADJOURNMENT

Council Member Brian Braithwaite MOVED to adjourn the CLOSED SESSION and Council Member Ed Dennis SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 9:52 PM.

Council Member Ed Dennis MOVED to adjourn the regular meeting and Council Member Brian Braithwaite SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 9:52 PM.

I, Cindy Quick, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 17, 2019. This document constitutes the official minutes for the Highland City Council Meeting.



Cindy Quick, MMC
City Recorder

Welcome to the Highland
City Council Meeting

September 17, 2019




7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Tim Irwin
Pledge of Allegiance – Council Member Ed Dennis



**UNSCHEDULED PUBLIC
APPEARANCES**

Time set aside for the public to express their ideas and comments on non agenda items. Please limit comments to three (3) minutes and state your name and address.



CONSENT ITEMS (5 MINUTES)

- Item 2a. – Approval of Meeting Minutes
 - Regular City Council Meeting August 6, 2019
 - Regular City Council Meeting August 20, 2019
 - Election Canvass Returns Meeting August 27, 2019
- Item 2b. - Public Hearing/Action: Amending the R-P Zoning District to Allow Reception & Event Centers as Conditional Uses – *CONTINUED* –



**APPROVAL OF A PUBLIC HEARING AND
DEVELOPMENT DISTRICT,
APPLE CREEK DISTRICT, BOX. 5.80 ACRES
(30 MINUTES)**

Item 3 – Public Hearing/Action
Presented by – Tara Tannahill, Planner and GIS Analyst

**CONTINUE UNTIL OCTOBER 15,
2019 CITY COUNCIL MEETING**



**FINAL MASTER PLAN AND BUDGET
FOR SPRING CREEK PARK
(30 MINUTES)**

Item 4 – Action
Presented by – Nathan Crane, AICP, City Administrator/
Community Development Director

Background

- November 2018
- July 2019 - \$375,000 Budget
- Estimate
- Process
 - Concept Plan/Master Plan
 - Construction Plan
 - Bid
 - Base Design with Alternatives
 - Construction

Concept Plan Neighborhood Mtg. Presented Nov. 1, 2018



Concept Plan Presented November 13, 2018



\$748,000 Park Design Presented January 22, 2019



\$748,000 Major Amenities Presented January 22, 2019

- 2 – 20' x 20' Timber Pavilions
- Sports Court
- Splash Pad
- Playground
- 4 Picnic Tables
- 6 Benches
- Fencing (Vinyl and Precast Concrete)
- 56 trees
- 450 plants/shrubs
- 7,560 lineal feet of 8' asphalt walkway
- Lighting for path, trees, and benches

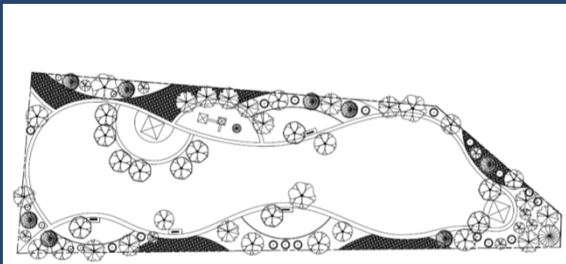
\$556,000 Park Design Presented



\$556,000 Major Amenities Presented April 2, 2019

- 2 - 20' x 20' Timber Pavilions - \$50,000
 - With power
- Playground - \$30,000
 - Swing Set
 - Playset
 - Pre-cast sitting concrete wall by playground
- 4 Picnic Tables
- 4 benches
- Fencing:
 - 6' High Vinyl
 - 6' High Precast Concrete
- Flower Beds: 2-4" Cobblestone/ 4" crushed rock
- 77 trees
- 125 plants/shrubs
- 7,200 lineal feet of 4' concrete walkway
- Lighting for path, trees, and benches

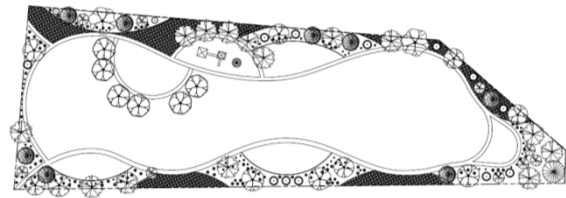
\$500,000 Park Design Presented July 16, 2019



\$500,000 Major Amenities Presented July 16, 2019

- 2 - 30' x 28' Powder Coated Pavilions - \$48,000
 - With power
- Playground - \$50,000
- 8 Picnic Tables
- 6 benches
- 6' Vinyl Fencing
- Flower Beds: 2-4" Cobblestone/ 4" crushed rock
- 77 trees
- 125 plants/shrubs
- 7,200 lineal feet of 4' concrete walkway
- 2 Trash Receptacles

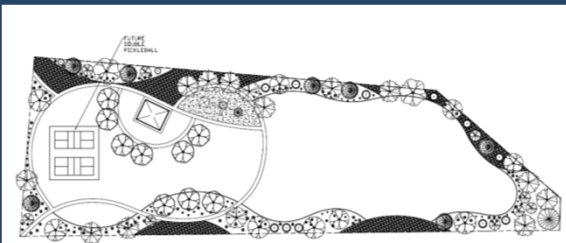
\$375,000 First Redesign



\$375,000 First Redesign Major Amenities

- Playground - \$50,000
- 6' Vinyl Fencing
- Flower beds: 2" Crushed Rock & 4" shredded Bark
- 65 trees
- 160 plants/shrubs
- 7,200 lineal feet of 4' concrete walkway

\$375,000 Current Park Design



\$375,000 Current Park Design Major Amenities

- 1 - 25' x 30' Metal Pavilion - \$35,000
- Playground - \$30,000
- 4 Picnic Tables
- Flower beds: 2" Crushed Rock & 4" shredded Bark
- 65 trees
- 160 plants/shrubs
- 4,070 lineal feet of 4' concrete walkway

Base Park Design

- Estimate
 - Base Design with Alternatives
- All Grass or Grass and Flower Beds as Shown?
- Full or Partial Perimeter Trail?
- Playground?
 - \$30,000 or \$50,000
- Pavilion?
 - Large - 25' X 30': \$35,000
 - Small - 20' X 20': \$22,000



Playground Equipment

\$15,000 to \$30,000



\$30,000 to \$50,000



Pavilion

20' X 20' \$16,000



25' X 30' \$35,000

Construction Plan Preparation

- Work Through Millhaven
OR
- Staff hire a firm to prepare plans
- Reimburse Millhaven/Decorative for concept plan preparation

Bid Process

- Choose from a Prequalification List
OR
- Work with Millhaven to Solicit Three Bids
OR
- City Solicit Three Bids



BUSINESS LICENSE FEE FOR SHORT TERM RENTALS (20 MINUTES)

Item 5 - Action/Resolution
Presented by - Nathan Crane, AICP, City Administrator/
Community Development Director



MAYOR/COUNCIL AND STAFF DISCUSSION COMMUNICATION ITEMS

- Item 6a. - Park Inventory Plan - *City Administrator Nathan Crane*

Draft Park Plan

- Inspection of All Parks
 - Playgrounds, Pavilions, Furnishings, Turf Areas, Trees
 - Good , Fair, Poor
- ADA Accessibility Routes
 - Accessible Surface and Equipment
- Playground Equipment
 - Broken, Aging
- Restroom Remodeling
 - Heritage and Highland Glenn
- Pavilions
 - Repairs
- Amenities
- Furnishings (drinking fountains, bike racks, benches, etc.)



FUTURE MEETINGS

- Item 7a. - Future Meetings
 - September 24, Planning Commission Meeting, 7:00 pm
 - October 1, City Council Meeting, 7:00 pm



CITY COUNCIL CLOSED SESSION

The Highland City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205