






HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

Tuesday, February 16, 2021

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

VIRTUAL PARTICIPATION

-  YouTube Live: <http://bit.ly/HC-youtube>
-  Zoom: Call 1-346-248-7799 Meeting ID: 837 2743 0041
-  Email comments prior to meeting: council@highlandcity.org

6:30 PM REGULAR SESSION

Call to Order – Mayor Rod Mann

1. CLOSED SESSION

The Highland City Council may temporarily recess the City Council meeting to convene in a closed session to discuss pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.

7:00 PM MEETING OPEN TO PUBLIC

Invocation – Council Member Kurt Ostler

Pledge of Allegiance – Timothy A. Ball

2. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

3. RECOGNITION ITEMS

a. Mayor's Award – Mayor Rod Mann

The Mayor and the City Council will recognize Highland students for their acts of service and kindness to fellow students.

4. PRESENTATIONS

a. Recreation/Fitness Center – Community Development Partners

Tony Johns with Community Development Partners will present to the City Council a proposal for a future recreation/fitness center.

5. 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. **Approval of Meeting Minutes** Administrative Regular City Council Meeting – January 19, 2021

6. PUBLIC HEARING: PLAT AMENDMENT - HIGHLAND MANOR ESTATES

Administrative

The City Council will hold a public hearing to consider a request by M Brannon and Jenny Patrick to amend the Highland Manor Estates subdivision by adjusting the lot line between lots 14 and 15. The properties are located at approximately 11030 and 11060 N Manor Circle. The City Council will take appropriate action.

7. PUBLIC HEARING: PLAT AMENDMENT - HIGHLAND MEADOW ESTATES

Administrative

The City Council will hold a public hearing to consider a request by Courtney Belcher to amend the Highland Meadow Estates subdivision to amend Lot 11 located at 5359 W Woodland Drive. The City Council will take appropriate action.

8. FINAL PLAT: THE HOLLOWES *Administrative*

The City Council will consider a request by Millhaven Development for final plat approval for a 68-lot subdivision located at approximately 10250 N 6531 W to be known as The Hollowes Subdivision. The City Council will take appropriate action.

9. ACTION: RON PECK - PRESSURIZED IRRIGATION CONNECTIONS OUTSIDE OF CITY LIMITS *Administrative*

The City Council will review a request by Ron Peck for two pressurized irrigation connections located outside City limits. The City Council will take appropriate action.

10. ACTION: FUNDING FOR ADDITIONAL PARK EMPLOYEE EXPENDITURES *Administrative*

The City Council will consider a request to add an additional full time employee to the Parks Department and funding to allow for the training of a new employee to replace an employee who is retiring. The City Council will take appropriate action.

11. SERVICE BID: LIBRARY CATALOG MANAGEMENT SYSTEM *Administrative*

The City Council will consider a request to approve a service bid with ByWater Solutions to provide the Koha open source library management and authorize the City Administrator and City Recorder to execute the necessary contract documents. The City Council will take appropriate action.

12. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

a. 2021 Annual Citizen Survey

b. Future Meetings

- February 23, Planning Commission Meeting, 7:00 pm, City Hall
- March 2, City Council Meeting, 7:00 pm, City Hall
- March 10, Lone Peak Public Safety Board Meeting, 7:30 am, City Hall
- March 16, City Council Meeting, 7:00 pm, City Hall
- March 23, Planning Commission Meeting, 7:00 pm, City Hall

ADJOURNMENT

In accordance with 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 three days in advance of the meeting.

ELECTRONIC PARTICIPATION

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

CERTIFICATE OF POSTING

I, Stephannie Cottle, the duly appointed City Recorder, certify that the foregoing agenda was posted at the principal office of the public body, at the Lone Peak Fire Station and Lone Peak Police Station, on the Utah State website (<http://pmn.utah.gov>), and on Highland City's website (www.highlandcity.org).

Please note the order of agenda items are subject to change in order to accommodate the needs of the City Council, staff and the public.

Posted and dated this agenda 11th of February, 2021.

Stephannie Cottle, City Recorder

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



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES


Tuesday, January 19, 2021

Waiting Formal Approval

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

VIRTUAL PARTICIPATION

 YouTube Live: <http://bit.ly/HC-youtube>

 Zoom: Call 1-346-248-7799 Meeting ID: 840 1710 0635

 Email comments prior to meeting: council@highlandcity.org

6:30 PM REGULAR SESSION

Call to Order – Mayor Rod Mann

1. CLOSED SESSION

The Highland City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the sale of real property, as provided by Utah Code Annotated §52-4-205.

At 6:34 pm Council Member Kurt Ostler MOVED that the City Council recess to convene in a closed session to discuss the sale of real property, as provided by Utah Code Annotated § 52-4-205. Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

- Council Member Timothy A. Ball Yes*
- Council Member Brittney P. Bills Yes*
- Council Member Kurt Ostler Yes*
- Council Member Kim Rodela Yes*
- Council Member Scott L. Smith Yes*

The motion passed unanimously.

Council Member Scott L. Smith MOVED to adjourn the CLOSED SESSION and Council Member Timothy A. Ball SECONDED the motion. All voted in favor and the motion passed unanimously. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 6:59 pm

7:00 PM MEETING OPEN TO PUBLIC

Invocation – Council Member Timothy A. Ball

Pledge of Allegiance – Council Member Scott L. Smith

The meeting was called to order by Mayor Rod Mann as a regular session at 7:02 pm. 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 Council Member Timothy A. Ball and those in attendance were led in the Pledge of Allegiance by Council Member Scott L. Smith.

PRESIDING: Mayor Rod Mann

COUNCIL MEMBERS

PRESENT: Timothy A. Ball, Brittney P. Bills, Kurt Ostler, Kim Rodela, Scott L. Smith

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, Assistant City Administrator Erin Wells, City Engineer Todd Trane, Planner & GIS Analyst Kellie Bronson, City Attorney Rob Patterson, City Recorder Stephannie Cottle, Finance Director Tyler Bahr, Police Chief Brian Gwilliam, (electronically), Fire Chief Reed Thompson (electronically)

OTHERS PRESENT: Scott Hart, Tavis Timothy, Steve Rowley, Allyson Cook, Joel Hyde, Fred Philpot, Candice Miller, Clayton Schmidt

2. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

Mayor Rod Mann opened the meeting for unscheduled public appearances. He stated that he agreed to waive the three-minute rule for Candice Miller.

Candice Miller and Clayton Schmidt introduced themselves. Clayton Schmidt thanked everyone for the ability to speak. He explained that he represented Cal Miller and Candice Miller on a piece of land that they owned. He stated that they were on 1.3 acres just off of 6000 West, and that the land was currently a field with a few horses and parked cars. He explained that they wanted to take .40 acres and make it a buildable lot, which would leave them .90 acres for the existing home. He said that there were a few lots in the area that were significantly smaller, which included a .34 acre at 5738 West and 9970 North and a .39 acre at 5757 West and 9970 North. He noted that there were some other lots that measured the same or smaller in size.

Clayton Schmidt expressed that they had a current buyer for the lot that wanted to build a single-family residential dwelling on the lot. Clayton Schmidt said that it would go from a field to a nicely landscaped yard with a new home and noted that it would increase property values in the area. He mentioned that it would also generate a new stream of revenue from property taxes for the City. He said that what they had run into was a variance issue and explained that they wanted to receive a variance in order to make the lot buildable.

Clayton Schmidt said that there were not any easements on the lot and noted that the setbacks were good, and it would not impede on traffic or create hazards. He also said that the Millers would not have considered sale of the lot if it were not for the decline of Cal Miller's health. Clayton Schmidt explained that the money from the sale was critical for the Millers because they needed the money in order to get Cal Miller on the organ transplant list.

City Attorney Rob Patterson outlined the process to receive a variance. He stated that the City Council was interested in what they had to say but was not the body that granted the variance. Instead, it was the Appeal Authority who reviewed and determined if a variance was warranted or not. City Attorney Rob Patterson explained that there was an application to be filled out that showed the request for the variance and its reasons. There would then be a hearing with the Appeal Authority, who would then make the decision.

City Attorney Rob Patterson stated that the City code and State code had to be followed, and the City Council could not grant a variance without the request having gone through the appeal authority process. Mayor Rod Mann explained that to divide the land in other ways, it required a rezone to R-1-20 which further required a minimum of a half-acre lot size. Mayor Rod Mann stated that there was a specific process that could not be short-cutted, and that it did put costs on them such as curbs, gutters, and sidewalks. He told them that if they wanted to seek the variance, they were welcome to go that route.

Candice Miller expressed that she wanted to sell the lot because she wanted to save her husband's life. She said that to change too many things, such as the curb and gutter being put in, the creation of a subdivision, and adjustments to the front of their property was not going to help her husband. She explained that there were side effects when someone went into kidney failure such as confusion and mimicked dementia and expressed that it would not benefit him at all if they changed everything. She said she understood there were laws but pleaded that they were all humans. She asked them to take into consideration if this were their family, friends, or neighbors. She recognized that there were processes and acknowledged that there was a certain amount of money they needed.

Candice Miller expressed that her husband had served the City as a police officer for 25 years. She asserted that she was not there just to sell her property but was there to ask for help to find a solution that worked for everyone. She wanted to find a way to save her husband's life, for the City to still get revenue, and to stop complaints from people about an old barn in a pasture. She reiterated that she knew there were processes to follow but implored that there were things that the City Council members could do as part of the legislature. She repeated that she was there to ask for help to find a way that everyone would benefit.

Clayton Schmidt said that it seemed that all that had happened was that they got passed on from one person to the next. He expressed that they were told they could come to the meeting and speak but felt that they were now being told to go talk to someone else. He reiterated that they had a buyer for the lot. He said that they wanted to know what they needed to do and who they needed to talk to in order to get it done and have Cal Miller get on the transplant list.

Mayor Rod Mann responded that the first option was a variance and noted that they had already been given the variance form. Candice Miller replied that it was a \$500 fee. Clayton Schmidt asked if there was a guarantee that they would receive that variance. Mayor Rod Mann said no. Clayton Schmidt responded that it was a \$500 gamble for people who did not have the money to gamble with in the first place. He stated that what they were looking for was for someone to step up with a guaranteed process and price in order to get it done. That way they would know exactly what needed to happen.

Mayor Rod Mann said that for the options that had been brought up, they could go for the variance. He noted that the criteria were listed in the application, and that if they felt that they met that criteria, then they might have a strong case. He expressed the opinion that he did not think they met the criteria but said that was a personal judgement and he was not an attorney. He then stated that the other route was to subdivide the property, but it would take time. He explained that it was a slower process. Mayor Rod Mann further stated that if someone was willing to buy it as a non-buildable lot, that was also a possibility.

Clayton Schmidt responded that they had a signed real estate purchase contract where time was of the essence on it. He stated that they had a buyer, and that the buyer only needed reassurance in writing that they could build a house on the lot if they bought it. Mayor Rod Mann replied that to get that kind of assurance from the City, he does not know of anything they could do other than what was described.

Candice Miller asked if there was something that could be written for the new owner that outlined that the lot had potential if they went through the necessary process and followed regulations for a variance. She suggested something that expressed that there was a potential opportunity to build. Mayor Rod Mann replied that there was nothing that he could say that would give the buyer assurance to build on the lot because it did not conform to the rules they had today. Mayor Rod Mann reiterated they could go through the process that had been outlined. Candice Miller asked how they needed to contact the authority appeal. Mayor Rod Mann replied that they needed to fill out the form and give it to the City, and they would facilitate the meeting.

Council Member Kurt Ostler addressed Candice Miller and stated that he was sensitive to the problem she faced. He mentioned that he had met Cal Miller before, and expressed appreciation for his service to the City. Council Member Kurt Ostler expressed that his heart hurt with the knowledge that he needed a transplant. He said he understood that real estate was an option but hoped that they were looking at other options as well. He suggested that they possibly look into some insurance options and encouraged that they continue to seek help so Cal Miller could receive the necessary help.

Candice Miller responded that she had insurance, but that they needed to have ten percent available in a separate account before they would do a transplant. Council Member Scott L. Smith clarified that the attempted sale of the property was in order to meet that ten percent. He then asked City Administrator/Community Development Director Nathan Crane how fast the variance process was because it seemed like a time sensitive issue. City Administrator/Community Development Director Nathan Crane responded that the variance hearing could be scheduled in as short as one to two weeks, with a decision within another week or so. Council Member Scott L. Smith recapped that it would take at least a month. He expressed that the option to rezone would take significantly longer and be much more expensive.

Council Member Kurt Ostler asked City Administrator/Community Development Director Nathan Crane whether they would have to put in gutters, curbs, and sidewalks if the variance was granted. City Administrator/Community Development Director Nathan Crane replied that if the variance were granted, they would still have to go through the subdivision development process. Council Member Kurt Ostler clarified that did not mean they needed to come back to the City Council, but that they would need to follow the development regulations to meet the necessary codes. Council Member Kurt Ostler asked Candice Miller if she was able to get some information and guidance from the meeting that night. Candice Miller responded that she did receive some information and guidance and appreciated that she was able to speak.

Mayor Rod Mann asked what ten percent was. Candice Miller replied that it was \$50,000 for the surgery, and \$600 per month for medications for the rest of his life. She said that she was not asking for special treatment, but that there came a time when people just needed to be humans. She said it was hard for her to stand in front of people and talk about the issue. Clayton Schmidt stated that one of their main concerns was that because their house was grandfathered in, if they went the route of a new subdivision, they were worried about requirements to comply with new ordinances for subdivisions. He further stated that he had received an estimate for curb, gutter, and sidewalk for the 441 feet of frontage, and that it was anywhere between \$20,000 and \$30,000. He reiterated that one of the main concerns was that their home would not conform to the new rules and that they would not meet the new subdivision guidelines.

Mayor Rod Mann expressed that his heart was heavy, and he acknowledged that it was a difficult situation to be in. He recommended that they proceed with the options they had discussed and mentioned that there were other potential options that may come up.

Mayor Rod Mann asked if there was any other public comment.

Allyson Cook introduced herself as a Highland City resident and the safety commissioner for the PTA for Ridgeline Elementary. She informed them that the Tuesday prior, a child was hit by a car in the intersection near 11800 north. She stated that there was some poor visibility because of a retaining wall and a three-foot fence that became a six-foot fence. She expressed that there were concerns from parents for a while because of the low visibility for children headed west on the sidewalk. She said that the child was thankfully okay, but that they wanted to make it a safer place for children to cross.

Allyson Cook explained that the school's student council had done public service announcements to teach children how to be safe, as well as sent messages out to parents to discuss safety measures with their children. She noted that some of the neighbors had reached out to the facilities manager of the church, who said that they were willing to replace the three-foot section of the fence with a slatted fence. She noted that she did not necessarily see how that would solve the problem. She communicated that from her understanding there was a clear view area for intersections of 40 feet, and it did not seem as if it complied. Allyson Cook outlined her requests for the City. She asked if there was a way for them to check and see if those guidelines were met. She also asked if they could add blinking lights or signage to indicate that it was a dangerous area. She mentioned that there were not any painted crosswalk lines as well for children.

Mayor Rod Mann responded that there were things the City could do to help the issue, and that staff had already begun to look into it. He said he did not know where they were at in the process. City Administrator/Community Development Director Nathan Crane replied that they did not have an update yet, but they were in communication with the police chief and engineer to look into the intersection further. Allyson Cook said she had spoken with police about crossing guard availability, but they had not been able to staff the additional location. Mayor Rod Mann thanked her for having brought it to their attention. Allyson Cook asked if there was a way she could follow up in the future.

City Engineer Todd Trane gave a brief update. He said that they had looked at the sight distance. He explained that the 40-foot distance that was mentioned was intended for oncoming traffic, and unfortunately not for the sidewalk. He noted that ultimately the children were supposed to stop before they crossed. He further explained that they looked at the curb and measured 40 feet back to make sure there were no obstructions within that range. He informed them that the intersection met that code requirement for oncoming traffic but does not address the concern for the children.

City Engineer Todd Trane stated that when the subdivision was developed, they had asked the developer to work with the church to completely remove the retaining wall. The church did not want a part of that, and instead wanted them to put up the wall and the fence. City Engineer Todd Trane said that they could not require the church to remove the wall and noted that the church had now said that they would replace part of the fence with a slatted fence. He communicated that the City could put a stop bar in a little bit before the sidewalk rather than a crosswalk. The children would just need to understand that they needed to stop before they crossed. He mentioned that the church had also requested via email that they put in a flashing stop sign as well.

City Engineer Todd Trane expressed that the stop bar should fix the problem. He reiterated that they had looked at the location and it did meet the sight distance code. He stated that the slatted fence would be an improvement for the sidewalk, but that ultimately, they could not fix every problem. He asserted that the City would do what they could to make it safer for children, and so that motorists knew to stop before the sidewalk and not just the

road. He communicated that the stop bar would be located right before the sidewalk on the south side. He noted that they did not normally put stop bars on residential roads, however felt it would be good in this situation.

There was a brief discussion whether there was a slight uphill or downhill slope. It was determined that it was downhill going to the north. Council Member Kurt Ostler asked for clarification of what a stop bar was. City Engineer Todd Trane explained that it was a large white bar that indicated where to stop at an intersection and was typically located before a crosswalk. He said that they would put one across the northbound lane. There was a brief discussion about the circumstances of the accident. Allyson Cook's statement was inaudible on the recording.

City Engineer Todd Trane restated that they would continue to look into it and see what would make it safer. He summarized that the church had committed to fix the section of the fence, and that the City would put in a stop bar. Allyson Cook requested that they also consider additional signage such as the lighted stop sign, as had been mentioned. She thanked them for their time.

3. PRESENTATIONS

a. FY2019-2020 Audit Report – Steve Rowley, Keddington & Christensen

Mayor Rod Mann introduced the next topic as the report from the 2019-2020 fiscal year.

Steve Rowley introduced himself as the engagement partner over the City's financial statement audit for the June 30, 2020 year end audit. He briefly reviewed that the auditor worked for and reported directly to the City Council and Mayor Rod Mann. He stated that if they had any questions throughout the year, they were welcome to reach out directly to them. He explained that as part of their report to the Council, he liked to point out the auditor's opinion statement located at the bottom of the first page. He read that report opinion as follows:

“The financial statements referred to above present fairly in all material respects the respective financial position of the governmental activities, the business-type activities, the general fund budgetary preparedness schedule, and the aggregate remaining fund information of Highland City, Utah as of June 30, 2020, and the respective changes in financial position, and where applicable cash flows thereof for the year then ended in accordance with accounting principles, generally accepted in the United States of America.”

Steve Rowley explained that the statement meant that the financial statements presented were correct as of June 30, 2020. He further explained that the management's discussion and analysis began on page three. He expressed that it was particularly good information for the Council to review, as well as for the general public to have a laymen's terms view of what happened in the City in comparison to 2019. He stated that it showed the financial highlights, and the reasons for the changes from 2019 to 2020. He then explained that the detailed financial statements began on page twelve. He mentioned that he was more than happy to discuss the numbers in more detail throughout the year if they ever had questions.

Steve Rowley communicated that there was one major change that year because they had received the CARES funds. They would have an additional report to look at because the City had to go under an individual audit that provided additional testing over how the City spent and used the federal grant money through June 30, 2020. He then explained that the report on page 33 was required by the government auditing standards and looked at the internal controls over the financial reporting process. He noted that they looked at those processes to determine how much testing was required, and not to make opinions on the internal controls. Steve Rowley communicated that they had identified some weaknesses when they looked at internal controls, and that they looked at that in the findings labeled 2020-001. He explained that it was related to the financial close and reporting process. He said that due to the gap of time that occurred with the change in the finance director position, there were things that

had not gotten reconciled in a timely manner or prepared properly. They did not anticipate that as an issue for the future.

Council Member Kurt Ostler expressed concern about checks and balances. He asked for some clarification about what issues had occurred. Steve Rowley replied that there were not any issues with the controls over payments or incoming cash. Rather, the preparation of year end reconciliations for the audit had been lost in translation during the transition. Steve Rowley reiterated that there were no concerns over approvals of payments of financials. He said that the transition issues had been solved, and therefore the same problems should not occur again.

Council Member Kurt Ostler asked if they had checked during the audit to make sure that no one person had entire access to the finances. Steve Rowley said yes, they had looked at it, and briefly explained what that entailed. He stated that they did not identify any weaknesses with that segregation of duties and reiterated that the only weakness they had found was with the financial close and reporting process. Council Member Scott L. Smith expressed appreciation for the work that had been put into the report. He stated that there were a few things he had not understood in his first readthrough and asked if he could inquire on those.

Council Member Scott L. Smith mentioned the financial highlights on page three and pointed out where it said “Highland City’s total net position increased by \$4,073,301. A majority of the increase was a result of...[developers’] increased charges for services.” He then noted that on page five, where it discussed total assets and deferred outflows, they had governmental activities 2019-2020. He said that there was an increased difference of about \$350,000. He then jumped to page ten where it talked about the total capital assets and noted that it depicted that it had dropped by almost \$4,000,000. Council Member Scott L. Smith expressed confusion with how that all fit together.

Steve Rowley explained that when a developer completed a subdivision, they paid the costs for the construction of curbs, gutters, and sewer lines. He said that when the subdivision was accepted into the City, and the City claimed ownership and responsibility for it, that asset was recorded on the books, but they also received revenue because it was similar to a donation to the City. He said that the change in that position was the revenue portion that the City received. He discussed a summarized income statement for 2020 located on page six. He explained that when they looked at the entire 2020 column, under ‘program revenues’ \$3,500,000 of the capital grants and contributions was from property received. He noted that it was assets as well as revenue. Steve Rowley further explained that with the assets there was depreciation. He stated that the fixed assets decreased because they had sold land for Spring Creek Park. There was also a depreciation of approximately \$4,000,000.

Steve Rowley explained that all of that contributed to reduce the total assets, but the net position itself increased because they had contributed assets which created an additional revenue, as well as the charges for services. He discussed the change between 2019 and 2020. The ‘charges for services’ were about \$10,000,498 compared to the \$9,000,819 from the prior year. There was a \$600,000 increase in charges for services which helped. He stated that they also had \$3,500,000 of those assets contributed. He said that for ‘operating grants and contributions,’ about \$840,000 was from the COVID Relief Fund. Council Member Scott L. Smith expressed that he would like to sit down with Steve Rowley and Finance Director Tyler Bahr later on to receive more clarification. Steve Rowley expressed that he was happy to answer any questions and go more in depth.

Steve Rowley then moved to page 53. He explained that the second half of the government audit report looked at compliance with laws, rules, and grant regulations that could have a material effect on the financials. He said that they did not identify any issues related to that. He then discussed the new report on the next page that was required for the single audit with regards to the CARES funds. He explained that the first thing they had looked at was the internal controls over compliance with the federal grant guidelines, as well as how they spent it. He informed them that Highland City complied with all necessary guidelines. He then expressed that the second

thing they had looked at was internal controls over grant requirements. There were no identified weaknesses or deficiencies related to those controls. He communicated that there were no issues identified in their tests related to the COVID Relief Funds.

Steve Rowley said that there was a summary on page 57 that outlined everything that happened, what opinion was given, what tests were done, and the thresholds for the determination of what needed to be tested. He further said that the bottom of the page included the finding in relation to the financial close and reporting weakness during the transition between finance directors.

Steve Rowley explained that page 59 was the schedule of expenditure of federal rewards, which was a summary of what federal funds were expended throughout the year. He noted that \$823,000 of COVID Relief Funds were spent, and that they passed through the majority of those to Lone Peak to use for public safety. He reiterated that this was just as of June 30, 2020. He stated that the remainder of the funds would be revenues and expenditures for the 2021 fiscal year.

Council Member Kurt Ostler asked about the \$802,000 in grant money listed on page 59. Steve Rowley responded that the majority of that was the B&C Road money, as well as the liquor law funds and other grants. He explained that the schedule outlined how they got to the total grant revenues that showed up on the financial statements.

Steve Rowley stated that the City's corrective action plan was listed on page 61. It basically stated that everything would be in order next year as the transition was completed. He then discussed the State compliance audit report on page 62. He explained that it was another two-part test that looked at the internal controls over the State compliance requirements, as well as specific instances of compliance. He referred to an indented part on the report that outlined the areas that required testing. Steve Rowley stated that there were no identified weaknesses in the internal controls, however there were some instances of noncompliance. He said that they had to qualify the opinion related to the budgetary compliance as there were six funds over budget. He specified all of the other instances did not have material impact on the financial statement themselves.

Steve Rowley explained that page 64 outlined findings in relation to the State compliance. He stated that there were some instances of minutes not being uploaded in a timely manner. He said that he had talked with City staff, and they informed him that they were aware of the requirements and that there was some change in those responsibilities throughout the year. He said he was confident it would not be a continued issue for the next year. He then discussed the next item was cash management in relation to the deposit and investment report, which was not filed until the middle of August, when it should have been filed within 30 days of the fiscal year end. He noted that all the numbers had matched up correctly.

Steve Rowley stated that the last finding was the budgetary compliance that had been mentioned. The funds listed were over budget. He said that he already talked to City Administrator/Community Development Director Nathan Crane and Finance Director Tyler Bahr and communicated that they were both aware of the necessary requirements to make sure the budget got properly amended. Steve Rowley did not anticipate it being an issue as they moved forward. He reiterated that none of them had a material effect on the financial statements and were reliable to use.

Steve Rowley summarized that the audit had, overall, went smoothly despite COVID. He said that the majority of the time they were able to come out. He expressed that staff was great and was able to provide everything asked for when needed.

Council Member Scott L. Smith noted that there was a discussion about the bonds that began on page 37. He said that it looked like most of the bonds they owed were about \$7,135,000. He said that even though they had

refinanced the bonds, he was under the impression that the bonds would be paid off by 2028. He noted that page 40 said it talked about bond payments up through 2035 with an interest of \$30,000, and he asked for clarification on that. Steve Rowley explained that those were the notes payable for the pressurized irrigation funds to Highland Conservancy Water District and to the Provo River Water Users Association. He further clarified that the bonds ended in 2028, but the notes were until 2035. He explained that the Highland Conservancy note was the City's portion of the canal enclosure project that had happened about eight years prior.

Mayor Rod Mann thanked Steve Rowley and the rest of the financial team for all their hard work.

4. 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. Planning Commission Appointments *Administrative*

The Council will consider the Mayor's request to ratify the appointment of Audrey Moore, Chris Howden, and Mino Morgese to the Planning Commission, with Tyler Standifird as an alternate commissioner. The Council will take appropriate action.

b. Construction Contract: Culinary Well #2 and Well #3 Improvements

Administrative

The City Council will consider a request to approve a contract with Rhino Pumps to replace the pumps in Culinary Well #2 and Well #3. The Council will take appropriate action.

c. Construction Contract: Pressure Irrigation Pond Improvements *Administrative*

The City Council will consider a request to approve a contract with JLR Contractors to complete improvements at both the upper and lower irrigation ponds and authorize the City Administrator and City Recorder to execute the necessary contract documents. The Council will take appropriate action.

d. Construction Contract: Electrical modification at pressure irrigation pump stations *Administrative*

The City Council will consider a request to approve a bid with ID Electric to make electric modifications at two pressure irrigation pump stations and authorize the City Administrator and City Recorder to execute the necessary contract documents. The Council will take appropriate action.

e. Construction Contract: 11800 North Split-Case Pump *Administrative*

The City Council will consider a request to approve a contract with Rhino Pumps to replace two small pumps with a larger split-case pump to the pressure irrigation pump station at 11800 North. The Council will take appropriate action.

City Engineer Todd Trane asked Mayor Rod Mann to pull consent item 4b for further discussion.

Council Member Scott L. Smith MOVED that the Highland City Council approve item a, c, d, and e on the consent agenda. Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball *Yes*
Council Member Brittney P. Bills *Yes*
Council Member Kurt Ostler *Yes*
Council Member Kim Rodela *Yes*
Council Member Scott L. Smith *Yes*

The motion passed 5:0.

Mayor Rod Mann thanked Tyler Standifird for his willingness to serve on the Planning Commission, as well as to Chris Kemp for his work on the Planning Commission.

Council Member Scott L. Smith asked about when someone pulled an item off of the consent calendar. He said that in the past he had always seen it done by a Council Member. He asked if staff could also pull items from the agenda. Mayor Rod Mann clarified that he pulled the item at the staff's request.

City Engineer Todd Trane explained that the reason they wanted to pull item b was because it was a moving target. He said that they were able to meet with the pump contractor. City Engineer Todd Trane briefly reviewed the issues with the culinary wells that he had discussed in the prior meeting. He said that they wanted to pull the item because the cost had changed since he had written the report. He explained that they determined that the issue with Culinary Well #3 was not what they had previously thought, despite strong confidence that it would be. City Engineer Todd Trane explained that the actual issue was not the pump, but instead there was a hole on the casing that went down the well. He further explained that when they put the pipe down the well, they were fitted with couplings and joints. What had happened was water began to make its way through one of those threaded connections, and the pressure of the water overtime began to wear a hole into the casing. He expressed it was a rare problem, and that they had never seen that before.

City Engineer Todd Trane informed them that he had met with the contractor to review options to get them through, and that they now had to replace the column pipe instead of the pump. This would provide cost savings on the pump but would be more money for the column. He communicated that the initial cost was anticipated at \$36,880 and was now anticipated \$49,793.16. He said that the total for the two wells was now \$110,865.06. He explained that the reason he had pulled the item was to make sure Council was okay with the slight increase to get the wells fixed. He asked that they keep in mind that they had already asked them to move forward because of the urgency of the issue but said that they needed the ratification to award a contract to Rhinehart pumps.

Council Member Kurt Ostler asked if there was a risk that the wells could dry if they did not have a good water year. City Engineer Todd Trane replied no because the aquifer did not interact that fast. He said that yes, it changed, and that overtime their water had dropped. He further said that well #2 and well #3 should be deep enough for the next ten years. He noted that they had plans to put well #4 deeper, but that they simply did not have the time to consider it for well #2 and well #3.

Council Member Scott L. Smith asked if it made sense to make plans for well #4. City Engineer Todd Trane said that they were, and that they hoped to bring back a well design to drill a new well at site #4 within the next couple of years. He reiterated that they were in an emergency state with well #2 and well #3.

Council Member Kim Rodela MOVED that the Highland City Council approve and authorize the City Administrator to sign a contract with Rhino Pumps for \$110,864.06 to replace the pumps in well #2 and well #3. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

5. PUBLIC HEARING & ORDINANCE: ADOPTION OF NEW IMPACT FEES

Legislative (30 minutes)

City Council will consider adoption of new impact fees. The Council will take appropriate action.

Mayor Rod Mann read an email that they had received from the Builders Association.

Mayor Mann, Highland City Council Members and City Staff,

On behalf of the Utah Valley Home Builders Association (UVHBA) and our 600 members representing the residential building industry, I would like to thank you for your conscientious work for the citizens of Highland City. The city staff shared with me early the drafts of the Impact Fee Facility Plans and Impact Fee Analysis'. I was pleased to see that some capital facility plans had been completed and that some new proposed fees for new growth would be decreased thus helping affordability for housing.

The members and staff of UVHBA thank you again for your insightful and proactive approach as you plan with residents for growth. I would also like to thank city staff for sharing the reports early with me so they could be reviewed, and input given back before this meeting.

Deann Huish

Utah Valley Home Builders Association Government Affairs Director

Fred Philpot began a presentation that summarized the impact fees, the process, and where they landed on single residential. He informed them that the impact fee documents were available to the public.

Fred Philpot summarized that there were two elements to the process, and Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA). He explained that the IFFP identified capital costs, system improvements, and level of service variable, and that the IFA went through the proportionate share analysis that allocated the cost to the demand variable. He stated that the process was defined in statute in the IFA, and there were certain elements that they had to include in both the IFFP and IFA. He communicated that they were at the tail end of the process, which was the public hearing and the adoption of impact fees. He told the Council that, as a legislative body, they could accept something lower than the proposed maximum, and there was no requirement that they assess the impact fees at all. However, he explained that the statute indicated that if they reduce or remove impact fees, they had to identify alternative funding mechanisms to maintain the level of service. He stated that the last element was a 90 day wait period for any increase to impact fees.

Fred Philpot explained that there was an overall decrease for the total fees of s single family residential property. He noted that some fees went up and some went down, which created some challenges where they may

have some fees that they needed to wait to assess the maximum allowable impact fee. He then reviewed a slide that summarized the significant changes and why they occurred. He stated that the transportation costs had decreased, the culinary water demand had decreased, the demand variable for public safety fees had shifted over time, the pressurized irrigation impact fee had increased, the wastewater costs had decreased, and the parks and recreation buy-in eligible costs had increased.

Fred Philpot explained that when that was summarized for a single-family residential property, they showed an 11% decrease when all of the fees were summed for the southeast service area, and an 11% decrease for the central service area, although they did not assess the culinary water impact fee for that area. He outlined that individually, parks increased, police decreased, and fire decreased. He said that transportation was a big decrease, which was driven by the capital projects that were included in that list. He further reviewed that water went down, wastewater had a slight decrease, and pressurized irrigation had a large increase. He noted that they had to ensure they included all of the costs from an impact fee standpoint, and that it was proportionate relative to the demand that was evaluated. He said that this fluctuation was typical across the state of Utah.

Council Member Scott L. Smith noted that the culinary water fees had decreased but stated that in the last month they needed to come up with \$110,000 for the wells. He asked if the analysis took all of that into account and inquired why they would lower the fees with all of the extra expenses.

Fred Philpot replied that for transportation and culinary water, they had done an amendment based on the revised capital projects. He stated that in the culinary water capital improvement plan, the Knight Avenue Transmission Line was the only impact fee eligible project, as well as the capital costs that were associated with the IFFP and IFA. He said that they would have to do an update if there were additional projects but said that they had to keep in mind that there was a difference between repairs and replacement of infrastructure and impact fee eligible. He stated that the replacement of the system was not impact fee eligible.

Council Member Scott L. Smith commented that all the new developments would come in and benefit from those and expressed that he was not sure why they would lower costs.

City Engineer Todd Trane explained that the current projects that were proposed were all based on the current level of service. He said it was not growth related, it was a failing system to provide that water source. He confirmed that the only project related to growth was the culinary line down Knight Avenue, and that all of the other projects needed to be paid for with utility fees.

Council Member Kurt Ostler addressed Ridgeview and inquired about which wells would take care of that.

City Engineer Todd Trane responded that they should have capacity, and that it was an issue of the water table dropping and not of growth that created them. Council Member Kurt Ostler replied that more users would bring that water table. City Engineer Todd Trane said that was correct. He also said that the growing cities in the surrounding area had drilled deeper and bigger, and that was the cause of the problem. He recapped that the current five wells should supply water to their entire City without any problem, even with the growth.

Mayor Rod Mann said that one of the things that had changed on the Ridgeview property was that when the State first came in with the 2016 plan, they had looked at between 1100-1200 homes. He explained that the impact fee was based on that number, but it had gone down slightly. He said that having gone down to 699 and commercial was a drop in expectation. Council Member Kurt Ostler summarized the discussion that there had been a decrease in expectation.

Council Member Scott L. Smith mentioned that transportation had been affected as well by the Canal Boulevard project. Mayor Rod Mann explained that the transportation was because the project was being completed, and

the need would go away. Council Member Kurt Ostler summarized that the Canal Boulevard from 4800 to Alpine Highway was paid by the County, and that was why it was pulled out. Fred Philpot explained that transportation was slightly different because the funding sources shifted, which influenced the calculation. He stated that impact fees could only reimburse them for their actual cost, and so those changes in funding and actual cost resulted in the decrease of the transportation fee.

Council Member Kurt Ostler expressed confusion with regards to sewer. He mentioned that he had heard that TSSD raised the rates, yet the current report showed the impact fee for sewer was supposed to decrease.

City Administrator/Community Development Director Nathan Crane explained that the TSSD system was different than theirs and stated that it was also related to density. He further explained that when the density in Ridgeview was lowered, the infrastructure demand was also lowered. He stated that they also had actual costs now which were reflected in the updates versus projections.

Council Member Scott L. Smith asked for clarification if wastewater was synonymous with sewer. It was confirmed that it was.

Council Member Brittney P. Bills asked if it was generally true that, although the density of Ridgeview decreased, it took the same amount of money to build a road or connect a sewer. She said that based on that assumption, there would be fewer homes required to pay the same amount of money. Fred Philpot explained that the proportionality should stay the same. He explained that it was slightly different with infrastructure because at some point it met a threshold, which bumped it up to another cost component. He said that required more infrastructure per unit based on those demand variables and noted that was outside of his realm. He stated that the IFFP and engineers looked at the demand variables to determine the new list of infrastructures, and whether or not it had changed. He said that the answer was yes in this case, and that they did not need as much as they thought, and the sizing and type of infrastructure was reduced.

Fred Philpot said that was one variable and said that the other variable was projected versus actual cost and funding source. For the roadways, the proportionality was the same, but the City would receive money from somewhere else. He summarized that impact fees could not be used to pay for it twice.

Council Member Brittney P. Bills asked if they made assumptions on construction costs. Fred Philpot replied that some were actual costs where an amendment was made to the culinary and transportation based on actuals. He communicated that for the others, the engineering staff had to look at those assumptions alongside cost and inflation so they could pull in the future costs. At that point, they may need to make amendments or changes.

Council Member Kurt Ostler expressed concern with the public safety, as it looked like services were replaced but not added. He asked for clarification that this was to assess impact fees if they were to add services to public safety and was not current service. Fred Philpot explained that public safety was purely a buy-in that looked at the existing infrastructure, which showed there was debt associated with the new public safety facility that had already been constructed. He stated that they pulled that in as the capital costs for the analysis. He explained that what had fluctuated was better data with regards to calls for service, and non-residential land use types. He further explained that the better data allowed them to allocate those call ratios within public safety.

Council Member Kurt Ostler questioned that with new homes being built, they would lower their public safety fee. City Administrator/Community Development Director Nathan Crane clarified that public safety only paid for physical facilities and did not pay for officers or vehicles. Fred Philpot noted that was a challenge with public safety faced by most communities. He explained that the real cost with regards to officers and equipment was

not impact fee eligible, and that the only equipment that could be included was a fire apparatus in excess of \$500,000.

Fred Philpot explained that finalization was a legislative body that had the option to adopt, modify, or reject. He reiterated that the details with regards to the fee schedule was detailed in the IFFP and IFA documents, as well as in their ordinances. He stated that it could be modified lower than the proposed fees but could not be modified higher. He also mentioned the 90 day wait period required in order to assess the increased fees.

Council Member Kurt Ostler asked if they could also wait on the fees that went down until the 90-day period ended. Fred Philpot said that the IFA stated that if there was a change to the fee, there was a 90 day wait period. He said that he would let their legal counsel determine what that meant but said that his team typically recommended that any reduction be effective immediately because a developer could present the study as justification for a reduced fee. Council Member Kurt Ostler expressed concern that 90 days was a huge window for developers that could hinder the City's ability to receive enough money from the fees.

Fred Philpot recognized the disparity in that piece of the legislation, but said it was out of his hands. Council expressed appreciation for Fred Philpot's report, and said that it was laid out well and easy to understand.

Mayor Rod Mann opened the public hearing at 8:34 pm.

It was stated that the only online participants were staff members.

City Attorney Rob Patterson gave clarification that it was noticed as a public hearing, and that it was not listed as such on the agenda.

Council Member Kurt Ostler asked City Attorney Rob Patterson if they could say that everything was effective in 90 days, or if they had to have it offset.

City Attorney Rob Patterson replied that the State law said that any impact fee enactment or ordinance could only go into effect after 90 days. He said that they could wait on everything, however he would not be surprised if a developer came in and asked for the new rates. Council Member Kurt Ostler expressed confusion.

Council Member Scott L. Smith clarified Council Member Kurt Ostler's question about when they became effective.

City Attorney Rob Patterson explained that, by the law, whatever they decided would go into effect that night would only do so within 90 days. It was stated that it was in State code and the ordinance. Council Member Kurt Ostler asked if it needed to be specified in their motion. City Attorney Rob Patterson said that they did not because it was part of the State law and the ordinances presented to Council. Council Member Kurt Ostler said that if a developer came in, they could tell them to wait the 90 days, or otherwise pay the current fees until then.

Mayor Rod Mann said that he hated to disagree but explained that the practical matter was that the State code allowed the developer to assert that the impact fees were wrong and demand that they be charged less. He explained that they could use the IFA presented at the current meeting as justification for that, and then the City would have to comply with that. He reiterated that the lower fees became effective immediately, and the increased fees became effective in 90 days.

Council Member Kurt Ostler stated that legal counsel said that they could make it effective in 90 days, and he asked if they had legal basis to enforce the fees only to be decreased in 90 days.

City Attorney Rob Patterson said that they could say that the new IFA did not go into effect until the exact 90 days was up, and that until then they still operated on the old fee statute. He explained that the issue was that a developer could still come in and use the IFA as justification even though it was not in effect yet. He said that they could try and fight them on it, but the question was whether they wanted to do that. He recommended that they adopt the fee that said 90 days, and they address the issue if a developer came in and requested an accommodation, to which they were required to give if they had justification.

Council Member Scott L. Smith clarified Council Member Kurt Ostler's concern with the fees being lowered. Council Member Scott L. Smith explained that Mayor said that if a developer contested it, they would get the lower fees. Council Member Scott L. Smith inquired that it would affect all of the other lowered fees as well, and the developers would get everything cheaper. City Attorney Rob Patterson explained that was correct, but that each fee was separate. He explained that the law stated that the justification had to be specific to the fee that was contested. He confirmed that it would be a boon to the developer because that was the way the State law worked.

Council Member Kurt Ostler restated that what he understood was that the State code said all fees went into effect in 90 days. He recognized that a developer could come in and request the lower fees but asked if they had a legal basis to charge what they charged. City Attorney Rob Patterson said that they would, but that they would not have legal basis to continue to charge the higher fees if the developer presented the necessary justification and data. Council Member Kurt Ostler implied that the developers could pick and choose which fees they wanted to pay because they would not take the higher fees before it was required but would take the lower fees if they were available. Council Member Kim Rodela stated that the developers would not contest the higher fees. Council Member Kurt Ostler mentioned Ridgeview.

Fred Philpot said that there were a couple ways to look at the situation. He said that entities would look at a single developer and enter developer agreements to address the issue, which would say that they needed to pay the fees in the schedule and not try to gain the system. He said that other entities would make the decrease effective immediately by practice. It would not be based on legal precedence, but rather the justification presented in the studies presented at that meeting. He said that what they needed to decide was whether they wanted to allow that to happen from the developer's perspective, or if they wanted to follow other Cities' practice and just provide it. He stated that it was up to the developer to present to the Council for the fee adjustment.

Mayor Rod Mann asked if he understood correctly that a developer could come in after the fact and request money be returned back because they paid too high. Fred Philpot pointed out that the developers had up to a year after the impact fee to contest it.

Council Member Kurt Ostler asked if they had a liability on their transportation fee, which he noted was a \$2,300 reduction. He stated that the road was not done, so everything had not been paid, and recognized that the impact was in the process of change. He asked if the developer could come back and ask for the \$2,300 transportation fee.

City Attorney Rob Patterson explained that impact fees were determined at the time they were paid.

Council Member Scott L. Smith asked for clarification that they could not mess with the 90 days because of State code. City Attorney Rob Patterson confirmed, and said that they should adopt the ordinance as written.

Mayor Rod Mann closed the public hearing at 8:46 pm.

Council Member Scott MOVED that the Highland City Council approve the ordinance adopting the Impact Fee Facilities Plan and Impact Fee Analysis dated 12/22/2020 and imposing adjusted impact fees for transportation

culinary water, pressurized irrigation, parks and recreation, wastewater, and public safety. Council Member Kim Rodela *SECONDED* the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	Yes
Council Member Brittney P. Bills	Yes
Council Member Kurt Ostler	Yes
Council Member Kim Rodela	Yes
Council Member Scott L. Smith	Yes

The motion passed 5:0.

6. PUBLIC HEARING & RESOLUTION: FISCAL YEAR 2020-2021 MID-YEAR BUDGET ADJUSTMENTS *Legislative (30 minutes)*

The City Council will consider the Fiscal Year 2020-2021 Mid-Year Budget Adjustments. The Council will take appropriate action.

Finance Director Tyler Bahr provided an overview of the budget and purchasing process. He assured compliance with the requirements and processes, such as budget limits and the intent set forth by the Council for allocation of funds. He explained that in that process any expenditures over \$25,000 would be brought to the Council, as well as any time there was adjustment of intent on the allocation of funds. He gave recent examples of the discussion on Christmas lights and the related adjustments. He stated that those purchasing processes were internal with staff but following the direction of Council.

Finance Director Tyler Bahr presented the budget timeline. He stated that the FY 2021 budget was adopted June 16, 2020, and that the purpose of the present meeting was to consider adjustments for that budget, which would be adopted on January 19, 2021. He explained that they would then begin development of the FY 2022 budget, with adoption of the scheduled for June of 2021. He noted that the schedule was subject to change, but that the goal was to engage in public discussion and to understand the Council's priorities. He stated that a similar calendar had been developed for the Lone Peak Public Safety District that coincided with the timelines that he had just presented.

Finance Director Tyler Bahr then discussed general fund tax revenue. He presented preliminary figures that they had pulled that compared projections and actual from the prior year to the upcoming one. He stated that they were generally on target with the previously identified projections with regards to tax revenue, with the exception of sales tax. He explained that projections were estimated conservatively as COVID was new on the scene. He communicated that they were on track to exceed projected revenue by approximately \$500,000, which would require some adjustments.

Mayor Rod Mann noted that the \$500,000 projection fell under the presumption that the economy would continue as it currently was. He expressed that any change in the economy could revert that to a lower number. He suggested that as they looked at the adjustments, they decided on the adjustments needed now and wait until later in the year to plan for money that they may not have.

Council Member Scott L. Smith clarified that the \$500,000 was what had come in that year, and that the projection was \$226,000 each year.

Finance Director Tyler Bahr confirmed Council Member Scott L. Smith's assumption about the \$226,000. Finance Director Tyler Bahr continued that the \$226,000 of the \$500,000 was anticipated to happen every year, based on the last ten years. He explained that they had seen an average increase of seven percent each year. He further explained that was the basis they had used when they considered the anticipated \$500,000 for the fiscal year.

Mayor Rod Mann communicated that the \$500,000 was still to be determined, and that it could be \$400,000 or \$350,000, or something else if the economy changed.

Council Member Scott L. Smith stated that he thought the \$500,000 had already happened. Finance Director Tyler Bahr and Mayor Rod Mann both clarified that the \$500,000 was a projection. Finance Director Tyler Bahr stated that they had realized four months of the fiscal year, and therefore had four months of actual data, and that the projection was based on that data.

Mayor Rod Mann said that based on the current track, that was where it seemed like they were headed. He reiterated that the \$500,000 was a forecast and was not a sure thing. He recommended that when they talked about budget adjustments, they make necessary adjustments, but hold off on spending increases until that money was actually there. He thought that some of it would be sustained because of a decision which put a tax on all internet purchases. He thought that they would have an increase regardless of COVID but reiterated that they did not know the amount for sure. He stated that they knew better each month. He repeated his recommendation that they focused on things brought up by staff and not on how they would spend the extra money.

Council Member Scott L. Smith asked how much of the surplus they had seen, as they were six months into the fiscal year.

Finance Director Tyler Bahr stated that with regards to sales tax, they were able to count, for the fiscal year, tax that came into the City from September through August of the following year. Council Member Scott L. Smith clarified that their budget started on July 1st. Finance Director Tyler Bahr confirmed. He said that there was a two-month lag in the sales tax. He explained that if they went back and looked at six months of data trend from July 1st, they received roughly \$1,500,000. He further explained that if they went back four months, they had received \$1,000,000. He expressed that it gave him comfort that it was not just one sample, rather that it was a trend that was demonstrated through multiple methodologies.

Finance Director Tyler Bahr said that of the \$500,000, their conservative estimate was \$226,000 each year. He further said that given the current economy and trends, they recommended consideration of the \$274,000 that remained as one-time funds. He stated that it could change in future years, but that they recommended it at that point in time. He summarized that the approved budget for the general fund considered roughly \$10,000,000 in revenue and expenses, and that they proposed projections of revenue at \$10,500,000 and expenses at \$10,400,000. He noted that these were conservative estimates and said that it was not their intent to spend every dollar at that point.

Council Member Kurt Ostler recapped that they had four months' worth of data and stated that the expenses being looked at that night were \$367,000 more than what was budgeted in June eight months prior. He asked for clarification that they would add \$364,000 and that they hoped that they had the increase of \$500,000 off of four months of data. Finance Director Tyler Bahr replied that it was not just off of the four months, but back six months and the trend that went back into the last fiscal year. Mayor Rod Mann stated that the roughly \$360,000 was a reasonable number.

Finance Director Tyler Bahr stated that they looked at the significant impacts, which included sales tax and the CARES funds. He transitioned to expenditures and provided an overview of what staff had proposed within the

general fund. He explained that they would incur a recurring cost each year. The first item was an additional one percent salary increase for staff at a cost of approximately \$42,000. He noted that was in addition to the two percent that had been previously approved by Council. The second item was additional expenses for seasonal salaries in parks at \$15,000 in the general fund combined with the \$20,000 in the open space fund for a total of \$35,000. Third item was an expense of \$650 for web hosting and domain renewal. He communicated that those items totaled approximately \$58,000 in recurring expenses.

Council Member Kurt Ostler referred to the public seasonal expenses as well as the information that City Engineer Todd Trane sent previously that night and summarized the expenses for his own clarification. He stated that they had approved \$20,000, and that they sought another \$15,000. He said they had received a lot of comments from residents about park maintenance and inquired if that additional money had increased maintenance tasks such as mowing. He briefly discussed the hours worked by seasonal park staff over the last two years.

City Engineer Todd Trane mentioned that Council Member Kurt Ostler had sent an email with questions about park maintenance and expressed that he had not sent out an email with his answers because he planned to address it at the meeting. City Engineer Todd Trane stated that maintenance had changed. He explained that they had struggled to be fully staffed in a few years past they had struggled to be fully staffed. He said that the last two years they had been fully staffed, and the level of service had significantly improved. He revealed that they had been able to mow on a seven-day schedule over the last year, when in the past it only happened every 14 days. He also noted that they had increased wages to retain staff. He further noted that seasonal employee wages continually rose, and if the minimum wage increased, they would face issues because they did not currently pay their employees that wage.

City Engineer Todd Trane said that they had also increased the amount of mowing in various locations over the last couple years. He also answered a question about the mowing of native spaces. He explained that a few years prior they had not mowed it at all because they were unable to remain fully staffed, but that they had been able to mow most of the native open space two or three times this last year.

Council Member Kurt Ostler had asked in his email how parks management had handled extra employees and whether they had raised seasonal pay, as well as how many additional seasonal employees they had hired. City Engineer Todd Trane confirmed that they had raised seasonal pay. He also answered that at one point in 2019 they only had 15 seasonal employees, and that had increased to up to 23 seasonal employees in the last year. He hoped the Council liked what they heard about how the money was spent.

Mayor Rod Mann said it seemed like they heard less bad. Council Member Kurt Ostler complimented City Engineer Todd Trane. Council Member Kurt Ostler mentioned a work session where they had discussed some of the maintenance they had hoped to see and expressed that they had now started to see improvements. He felt that they could keep the gas on and keep improvements up.

City Engineer Todd Trane stated that this last year had been a good year for them with regards to the money being spent because of COVID. He said that they were fully staffed early on and were able to keep employees after the summer. He stated that it was an unusual year for them, and he hoped that they could continue that trend with the extra funding. He said it was money well needed to do what they needed to do.

Council Member Kurt Ostler briefly discussed the change in hours from the year prior to COVID to the current year, and how it had almost doubled as of October. City Engineer Todd Trane agreed, and mentioned that they had had some big jobs the previous fall, such as equipment being moved and the preparation of bathroom sites. He said that was mostly the reason that they kept seasonal staff on. Council Member Kurt Ostler asked if COVID funds could go towards those items, but said it was a moot point because it was resolved. It was stated that it was all one pot.

Finance Director Tyler Bahr transitioned into a discussion on onetime expenses with regard to the general fund. He explained that they had proposed some adjustments that had already been discussed by Council and had a net zero impact. He said that this included adjustments for Christmas lights and events. He mentioned other onetime expenses such as the front-end loader approved for public works, retirement payouts and onboarding replacements, and traffic counters.

Mayor Rod Mann stated that he had passed out some documents that provided an overview of two separate issues. He communicated that the first issue was that the current traffic counters that they used took two staff members to set up. He explained that those staff members nailed it into the asphalt, it ran for two weeks, and then it was moved to another location. He expressed that there were challenges with this because they could not be used in winter because of potential danger from snowplows. He explained that he had talked to some vendors, and one of the alternatives was little 6x4x5 boxes that were mounted on a pole. He further explained that it took one person and five minutes to mount it, the battery lasted two weeks, they could take it down and extract the data. He expressed that it was unobtrusive, worked all the time, and could capture traffic in both directions. He noted that it would not work for both directions on wider roads, however.

Mayor Rod Mann said that the cost was approximately \$2,800 per box, and that it was a one-time fee. He mentioned that there was a cloud solution they could subscribe to, but it was not needed. He recommended a switch because it saved manpower and could be used year-round. He expressed that he especially wanted to track traffic in the spring and late winter around the roads that were affected by Canal Boulevard. He said that he wanted a good measurement of before and after.

Council Member Scott L. Smith asked how many boxes they needed to purchase. Mayor Rod Mann responded with two, and a total expense of roughly \$6,000. Council Member Scott L. Smith inquired if the boxes would be situated in different parts of the City for different reasons. Mayor Rod Mann confirmed. He said that the first spots were Canal Boulevard, 9600, and 6800. He stated that it was helpful to have that data, so that way they could use it to explain and understand traffic patterns when people complained about bad traffic.

Council Member Scott L. Smith asked what the maintenance was on the boxes. Mayor Rod Mann responded that it was minimal maintenance and stated that they had a two-week battery life and a warranty period. He expressed that the tubes were less expensive but noted that they went through them periodically. He also noted that people knew that the tubes were there, and it possibly affected traffic behavior. Mayor Rod Mann gave an example of a driver that had sped over the tubes to skew traffic data in an area with a large number of complaints about speeding.

Council Member Timothy A. Ball asked what the degree of accuracy was and asked if it picked up all cars. Mayor Rod Mann replied that it had a 97 percent accuracy on traffic count. Council Member Timothy A. Ball asked about the cloud-based solution. Mayor Rod Mann replied that they could buy an add-on called the traffic cloud and explained that it offered real-time data. Council Member Timothy A. Ball asked how the information was downloaded. Mayor Rod Mann answered that it was stored in the box, and that they could connect via Bluetooth or USB. It was stated that the \$16,000 on the documents was a placeholder, and that the two boxes would cost approximately \$6,000.

Mayor Rod Mann mentioned that they did have another company that expressed that they would soon have a service where they did ten different streets for \$1,500 a year. Mayor Rod Mann explained that for that \$1,500, it was just a 24-hour traffic count. He did not feel as if that gave enough data compared to a two-week count. The company had said that a two-week traffic study would be \$1,500 per street. Mayor Rod Mann communicated that if they wanted to do ten streets for a year it would be \$15,000. He said that if they bought them on their own, it was a one-time cost of \$6,000.

Council Member Timothy A. Ball asked how much the cloud-based service was. Mayor Rod Mann answered that it was \$1,500 a year but reiterated that his proposal was for just the boxes and not the cloud-based service. Council Member Scott L. Smith felt that it made sense. He expressed that traffic control signs also showed speeds, and that he liked those because they really modulated behavior. He said that he wanted to see one on Canal Boulevard.

Mayor Rod Mann agreed, and communicated that there was a data sheet for those signs. He explained that one of the sheets was with a solar charging panel and one was without. He said that the company had an agreement with the State, so they would be priced by the State of Utah. He revealed that was why there was a \$440 discount on them. He explained that the advantage of the signs was that they were easy to put up and easy to move. He noted that one of the problems was that there were instances where some kids sped past it to get pictures of how fast they went.

Mayor Rod Mann said that it was subject to a later discussion but said that they had the ability to take pictures and then send letters to the owners of vehicles who were speeding. He explained that they could not cite, but they could send letters. He expressed that would be a bigger cost than just the equipment because of the manpower correlated with it. He stated that he did not want to have a detailed discussion on it because he wanted to gather more data but wanted to at least plant the seed. He reiterated that the signs could be moved around and were camera capable. He also reiterated that he wanted to allocate the \$6,000 to buy two boxes.

Council Member Scott L. Smith felt like the radar shield signs were a good idea. He expressed that Canal Boulevard had a lot of curbs and access to the high school, and he thought it would be nice to track that since there were new danger spots on the road.

Mayor Rod Mann stated that the feedback tracked it, and it also had the option for the camera. He reiterated that he wanted to allocate the \$6,000 to buy two boxes. He said that it was easier to talk to people when they had the data.

Council Member Brittney P. Bills asked for clarification that the Mayor Rod Mann wanted to collect information and stated that there was not much they could do with the information at that point in time. She mentioned that it seemed as if there were minimal things they could do with regards to discussions about speeding and speed limits.

Mayor Rod Mann said that when they tracked traffic reports, he did an analysis and sent the data to Police Chief Brian Gwilliam, who could look at it to effectively determine speeds and placement of officers.

Council Member Timothy A. Ball left meeting at 9:25 pm

Council Member Brittney P. Bills referred to a conversation she had had with Finance Director Tyler Bahr the previous week. Council Member Brittney P. Bills recounted that he had said that everything was about priorities, and that for everything they wanted to do they needed to be able to determine its priorities. Council Member Brittney P. Bills expressed that it was not a bad idea but asked if there was another priority for the \$6,000. Mayor Rod Mann replied that it was a relatively small ask. Council Member Scott L. Smith said that it was a safety issue and expressed that it helped residents to be safe, as well as it helped the City to track and educate the patterns.

Finance Director Tyler Bahr discussed the storage for park equipment. He denoted \$7,000 for the temporary rental of a storage unit until the new building was completed. He then reviewed the following one-time general fund requests: additional transcription, sidewalk maintenance at approximately \$19,000, and support for meeting

recording systems at \$1,000. He explained that the overall onetime expense adjustments not related to COVID were at \$398,000.

Council Member Timothy A. Ball returned to the meeting.

Finance Director Tyler Bahr explained that they were allocated approximately \$1,400,00. From that allocation, the City would recognize approximately \$900,000 in savings for the current fiscal year and \$430,000 in savings for the next fiscal year. Council Member Kurt Ostler asked what 'in savings' meant. Finance Director Tyler Bahr said that it was because they had learned at the end of the COVID spending time window that it could be used for public safety. He communicated that the savings would come in the form of assessments to Lone Peak, and the City would not have to pay for the remainder of that year.

Mayor Rod Mann asked if the CARES money were being used to pay for that, but also separately they would expend it on other items. He clarified that it would be a net zero.

Finance Director Tyler Bahr said that with regard to the expenditures, the following items had been discussed previously with Council and had totaled roughly \$1,000,000: park restrooms, public works trucks, PPE, Lone Peak direct expenses, front counter improvements, building disinfection system, windows, contributions to local schools, and library shelving. He reiterated that there was approximately \$900,00 in savings, but that they anticipated roughly \$1,000,000 for the fiscal year in expenses directly related to COVID.

Finance Director Tyler Bahr discussed the library fund. He stated that Council was being asked for a prior year balance carry-over of \$37,000 for funds that were surplused by library funds and missed in the approved budget. He reviewed that some of the proposed expenses were a book drop, public access computers, shelving, eBooks, software, printing expenses, winter programming, COVID grants, continued education, and phones. He outlined that the expense adjustments were \$29,000.

Council Member Scott L. Smith asked Donna for clarification on the eBook program and how it would work.

Donna explained that each month they looked at what books the people in Highland had put on hold through the Overdrive, and then they purchased additional copies of those books that the library's patrons received first. She stated that the cost of eBooks varied between \$9 and \$90 and noted that popular books were usually limited use. She gave the example that \$90 could be read about roughly 24 times. She stated that a hard copy would cost \$25 to \$30, which could be used significantly longer. The eBooks would not take up shelf space. She explained that eBooks were more expensive, but that they were what people wanted.

Finance Director Tyler Bahr explained that there were balances available to cover other enterprise funds. He outlined the following enterprise funds: material cost increases in the storm sewer, the reconstruction at Broadleaf Hollow, well repairs for culinary water, the completion of Spring Creek for parks capital improvements, additional engineering costs for sewer, and software subscriptions for IT.

Mayor Rod Mann asked City Engineer Todd Trane if any of the budget adjustments covered the work in Council Member Kurt Ostler's cul-de-sac area, or if it was already included in the budget. City Engineer Todd Trane answered that it was budgeted in sewer capital. Mayor Rod Mann asked if there were any bids. City Engineer Todd Trane replied that their current focus was on easements, and that they would adjust the budget come June.

Council Member Kurt Ostler noted that he was only .017% of the sewer that went in there. Council Member Scott L. Smith asked Finance Director Tyler Bahr if the figures were rounded. He mentioned that earlier that night the Council had approved \$110,846 and noted that Finance Director Tyler Bahr's estimate was only

\$110,000. Council Member Scott L. Smith asked if that was just a close estimate. Finance Director Tyler Bahr confirmed that there were some specific numbers in the detail, but that it was a best made estimate.

Mayor Rod Mann opened the public hearing at 9:38 pm.

There were no public comments.

Mayor Rod Mann closed the public hearing at 9:39 pm.

Council Member Brittney P. Bills said that she was in favor of the traffic counters as they would help to direct police to the appropriate locations. She expressed that she was a firm proponent for prioritized needs. She acknowledged that it was only \$6,000 but stated that it was a lot of money in her eyes. Mayor Rod Mann asked what she prioritized it against in her view. Council Member Brittney P. Bills replied that she felt every time anything was bought, they needed to prioritize. She noted that she did vote for Christmas lights, and acknowledged the discrepancy. She stated that philosophically she liked to prioritize needs.

Mayor Rod Mann asked her what she wanted to do with it instead. Council Member Brittney P. Bills said she did not know. Mayor Rod Mann asked if it applied to all of the other budget items as well. Council Member Brittney P. Bills replied that she hoped it would apply to everything they did. Mayor Rod Mann asked what they were prioritized against. Council Member Brittney P. Bills implied that there was not a specific thing she felt needed to be prioritized over the traffic counters. She stated that they either spent the \$6,000 on it now or they saved it for later to spend on something else.

Mayor Rod Mann felt that it was a good use of money. He expressed that it would save time, save wear and tear in the roads, and it would be able to work year-round. He stated that it was added functionality to a service they currently did but needed to do more of. He explained that some of the factors that reduced how often they did it was the time the tubes took to install and uninstall, and that they wore out more quickly and they had to buy replacement parts. He said that they became a nuisance for public works staff. He expressed the opinion that the new traffic counters would cost a little bit more, but they would save more time and do the task more often. Council Member Brittney P. Bills thought that was a compelling argument.

Council Member Scott L. Smith recognized that they should prioritize everything. He communicated that he lived in an area of the City where a whole new traffic corridor was being opened. He felt that firm data would help the citizens adjust to that. He said he could see how it would be beneficial and thought it would be money well spent. He expressed the opinion that the money for Christmas lights was also well spent, as well as the money spent on flooding in Viewpoint. He agreed with Council Member Brittney P. Bills that they needed to prioritize because they had a tight budget but expressed support for the traffic counters.

Council Member Kurt Ostler asked how many traffic counters the City owned. Mayor Rod Mann replied that they had two sets. Council Member Kurt Ostler asked about the functionality of the currently owned counters in the wintertime.

City Engineer Todd Trane said that there were pros and cons to both. He stated that the ones they had now were problematic. He said that they only used them when there was an issue, and that they had used them a lot in the last three years. He mentioned that the tubes constantly needed to be replaced, and they also had to be nailed down. He expressed that if they planned to keep up with internal traffic studies, they should invest in the new traffic counters. He noted that if they only planned to do traffic studies on occasion, they could potentially hire outside firms instead. He expressed that the only downfall was that they had to be put in a location where they could be mounted versus the tubes were able to be put anywhere. He liked the idea of the new ones because they gave different options.

Council Member Kurt Ostler mentioned that they would see heavier density by the high school, as well as 6800 and Highland Boulevard. He remembered that he had heard concerns from residents about the speed and traffic in that area. He expressed that he was in favor of the traffic counters because that the data would be important with all the new roads that were under work. Council Member Brittney P. Bills thanked Council Member Kurt Ostler for his input and said that it had convinced her. Council Member Kurt Ostler also said that they had to be careful on the Christmas lights. He said that they had a lot of homes in Highland that were decorated heavily. He noted that it was important that year to brighten spirits because of COVID. He discussed how the purchase of the lights was an asset that they could use again in the future. He talked about whether things were needs or not. He mentioned that Spring Creek came in at \$510,000, and he thought that was a ridiculous cost for two acres. He appreciated that Council Member Brittney P. Bills brought the question up.

Council Member Brittney P. Bills MOVED that the Highland City Council adopt the proposed resolution approving the Fiscal Year 2020-2021 Mid-Year Budget Adjustments, with the adjustment of \$6,000 for traffic counters. Council Member Kurt Ostler SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

7. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

a. Future Meetings

- January 26, Planning Commission Meeting, 7:00 pm, City Hall
- February 2, City Council Meeting, 7:00 pm, City Hall
- February 16, City Council Meeting, 7:00 pm, City Hall
- February 23, Planning Commission Meeting, 7:00 pm, City Hall

Council Member Scott L. Smith asked City Engineer Todd Trane about the East West Corridor. He requested clarification on what sort of barrier would be between the road and the trail. City Engineer Todd Trane responded that there would be a curb and gutter, as well as four feet of rock mulch. Council Member Scott L. Smith asked if there was a guardrail up over the slope. He expressed concern that people would go over the road and end up on the trail. City Engineer Todd Trane said that there would not be a guardrail around the slope. Council Member Scott L. Smith asked if there had been any concerns about it. City Engineer Todd Trane said that there were always concerns with regards to trails along the collector roads. He mentioned that they had trails on Beacon Hills Boulevard and Highland Boulevard. He informed them that they had not had a pedestrian accident. Council Member Scott L. Smith stated that there was a slope and expressed further concern about the risk of the curve and slope.

City Engineer Todd Trane replied that if the westbound traffic were to slide, they would slide to the south. He also mentioned that there was a super elevation on the road that kept that from happening. He explained that the slopes on Canal Boulevard were similar to those on Beacon Hills Boulevard and Highland Boulevard. He stated that they tried to keep it at eight percent or less and informed him that the slopes in question were at six

percent. He stated that it was always a concern but explained that the current design fell within the design criteria limits.

Council Member Scott L. Smith said that he understood the design but did not understand why there would not be a guard rail. City Engineer Todd Trane replied that it was partially because of cost, but also because they felt it was not necessary based on design and the trail's distance from the road. He also explained that it was flat or inclined down where the trail was actually next to the road. Council Member Scott L. Smith mentioned that there was the sewer lift station on the south side and asked if there was any concern about runoff. City Engineer Todd Trane said that there was not, and that the lift station was down off of the slope. He noted that to have utilities and trails was similar to any other collector road they had. He reiterated that there was always a concern when pedestrians were near a road but stated that was why it had been pushed as far south of the road as possible.

Council Member Kurt Ostler asked if it was to be paved and inquired when residents were able to drive on it. City Engineer Todd Trane responded that it would be paved as soon as the asphalt plants opened in April, and that they hoped to have the ribbon cutting ceremony in May.

Council Member Kurt Ostler provided some updates on Dry Creek. He explained Lehi had approved the concession stand at the bottom, and that they planned to put in concessions with an actual building. He mentioned that they may only do gravel parking at first because of budget concerns, and then come back later and pave. He stated that Dry Creek was anticipated to be open in April. He mentioned that the trail was mistakenly put on the east side of the lake, but they had tried to correct it. He expressed that residents were concerned about parking. He also mentioned that the North Utah County Water Conservancy District had worked out most of the property line easement issues, and that fences were supposed to be put up. He noted that they worked with public safety from the fire department, and some people had mentioned the sprinklers being put on top of the fence. They were concerned about a fire from that area. Lehi was still deciding whether or not they would charge a user fee. Council Member Kurt Ostler said that it should be noted in the agreement that it said that Highland residents would be treated the same as a Lehi resident. He mentioned that they had talked about potential money from the tourism board, however if they did that it would have to be open to everyone in Utah County and they could not charge a fee.

ADJOURNMENT

Council Member Kurt Ostler MOVED to adjourn the regular meeting and Council Member Scott L. Smith SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 9:59 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on January 19, 2021. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle
City Recorder



CITY COUNCIL AGENDA REPORT ITEM #6

DATE: February 16, 2021
TO: Honorable Mayor and Member of the City Council
FROM: Kellie Bronson
Planner & GIS Analyst
SUBJECT: PUBLIC HEARING: Plat Amendment - Highland Manor Estates
Administrative

PURPOSE:

The City Council will hold a public hearing to consider a request by M Brannon and Jenny Patrick to amend the Highland Manor Estates subdivision by adjusting the lot line between lots 14 and 15. The properties are located at approximately 11030 and 11060 N Manor Circle. The City Council will take appropriate action.

BACKGROUND:

On April 2, 1975, the Board of Utah County Commissioners approved the final plat for Highland Manor Estates. The final plat included 17 single-family lots. This subdivision is in the R-1-20 Zone.

Plat Amendments are an *administrative* process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting approval of a plat amendment to adjust the lot line between lots 14 and 15. After the amendment, Lot 14 will be 20,197 square feet, and Lot 15 will be 29,739 square feet.
2. The amended plat amendment will be titled Highland Manor Estates Subdivision Plat B.

CITIZEN PARTICIPATION:

Notice of the City Council public hearing was published in the Daily Herald on January 30, 2021. The notice was also posted on the state and city websites on January 28, 2021 and mailed to all property owners within 500 feet on January 28, 2021. No comments have been received.

PLANNING COMMISSION ACTION:

The Planning Commission does not review final plat amendments.

ANAYLSIS/FINDINGS:

- The proposed amendment meets the lot size requirement for R-1-20.
- The proposed amendment meets all other requirements of the Development Code.

RECOMMENDATION AND PROPOSED MOTION:

The City Council should hold a public hearing and **APPROVE** the final plat amendment subject to the following stipulations:

1. The recorded plat shall be in substantial conformance with the final plat received January 12, 2021.
2. Prior to recording, the recorded plat shall be revised as required by the City Engineer.

I move that the City Council accept the findings and **APPROVE** the proposed plat amendment subject to the two stipulations recommended by staff.

ALTERNATIVE MOTION:

I move that the City Council **DENY** Highland Manor Estates Subdivision Plat B subject to the following findings: (The Council should state appropriate findings).

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

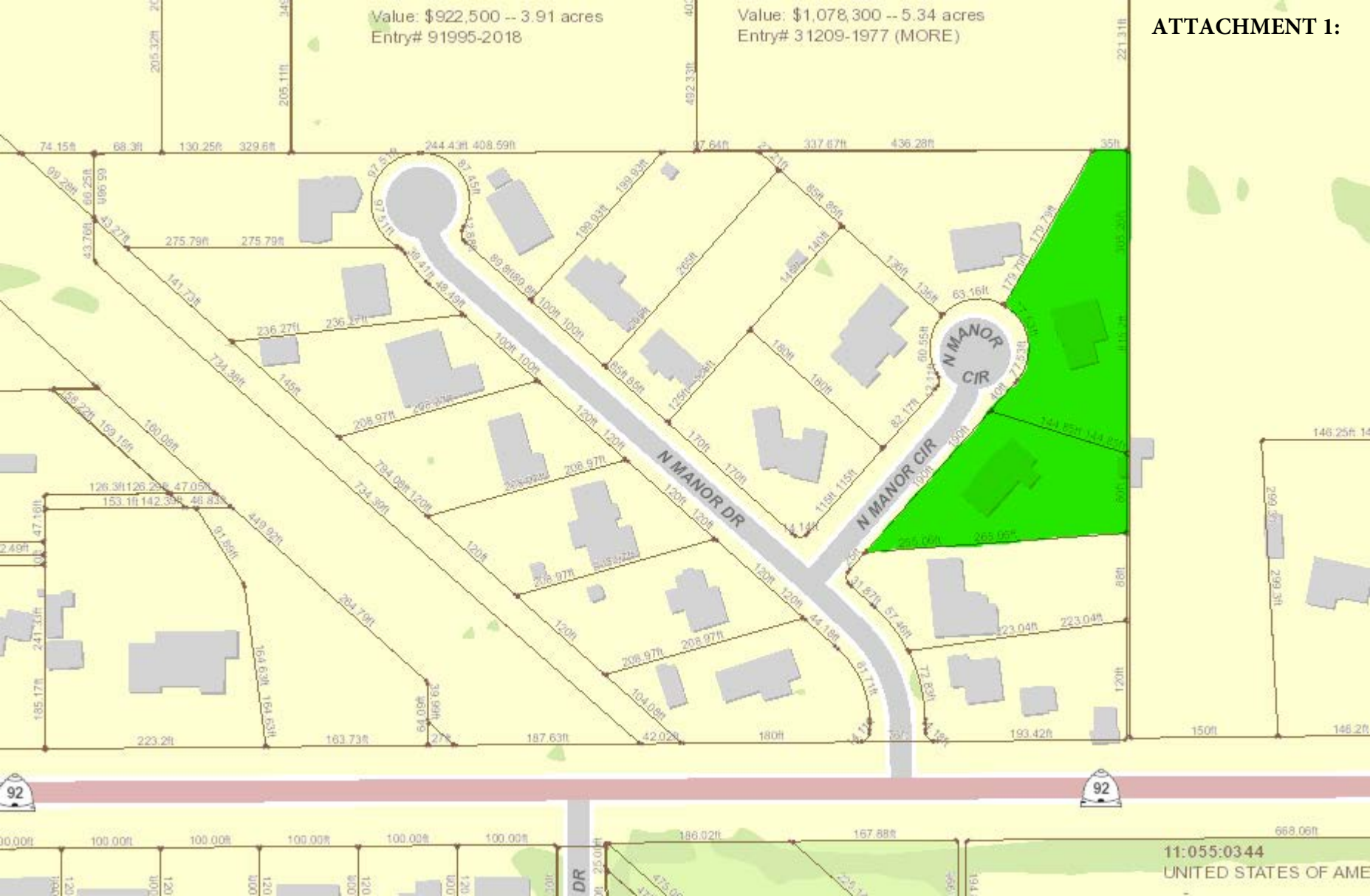
ATTACHMENTS:

1. Vicinity Map
2. Narrative
3. Approved Highland Manor Estates Subdivision
4. Proposed Highland Manor Estates Subdivision Plat B

Value: \$922,500 -- 3.91 acres
Entry# 91995-2018

Value: \$1,078,300 -- 5.34 acres
Entry# 31209-1977 (MORE)

ATTACHMENT 1:



January 12, 2021

Dear Members of the Highland City Council,

I am writing to you today on behalf of myself and my husband Michael Brannon Patrick who reside at 11030 N Manor Circle. We recently purchased the home next door at 11060 N Manor Circle. The reason for purchasing the neighboring property is to adjust the lot lines between our homes so that we may have more space for a future addition to our current home at 11030 N Manor. We need the extra land for the setbacks and easements for our addition. Please find enclosed our proposed lot line adjustment plans. If you have any questions please contact us at your earliest convenience.

Jenny Patrick, RN
808-271-3443, cell
POQA2@yahoo.com

Michael Brannon Patrick, LCSW
801-455-2984, cell
bpatricklcsw@gmail.com

Thank you for your time and for making Highland a great community to live in!

Sincerely,

Jenny Patrick, RN

Enclosure

January 12, 2021

Proposed Lot line adjustment for Manor Subdivision

I am writing to explain the proposed lot line adjustment to our properties 11030 N and 11060 N in the Manor Estates Subdivision.

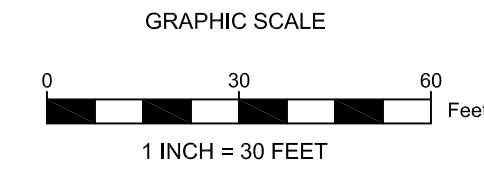
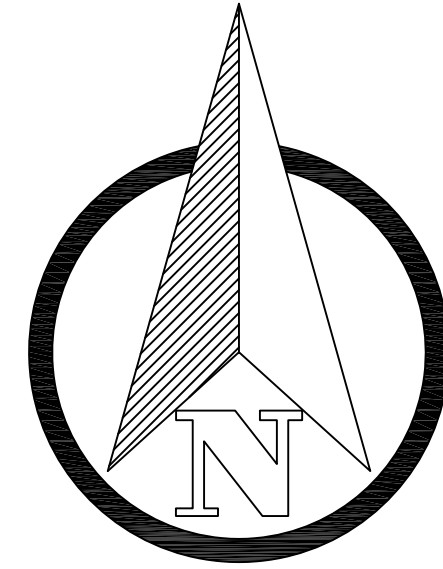
We are looking to add land for an improvement and expansion project for 11030 N. We are looking at taking .12 acres or 6,631 sq feet from the property at 11060 N. Manor Circle, currently at .58 acres or 26,828 sq feet, and valued at \$533,000 as of Jan 2021. We would add this to the property at 11030 N. Manor Circle that is currently .53 acres or 23,108 sq feet and valued at \$505,000 in Dec 2020.

With the proposed lot line adjustment the lot size of 11030 N. would increase to .68 acres or 29,739 sq feet and the lot size of 11060 N. would decrease to .46 acres or 20,197 sq feet. This adjustment would give us the needed land for building setbacks for a future addition project we are wanting to do at 11030 N.

Survey paperwork was prepared by James Fronk at Applied Land Solutions, Inc. and is included with this proposal.

Thank you for your time in consideration of our project.

PLAT "B"
HIGHLAND MANOR ESTATES SUBDIVISION
 BEING A VACATION OF LOTS 14 & 15, PLAT "A", AMENDED
 HIGHLAND MANOR ESTATES SUBDIVISION
 HIGHLAND CITY - DECEMBER 2020



STATE PLANE COORDINATES - NAD27

TAG	NORTHING	EASTING
A	765847.04	1924093.89
B	764786.59	1925147.39
C	764958.06	1925300.57
D	765032.46	1925291.74
E	765190.08	1925378.53
F	765190.09	1925413.52
G	764804.95	1925411.72

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	84.71'	50.00'	74.94'	N6°45'48"W	97°04'29"

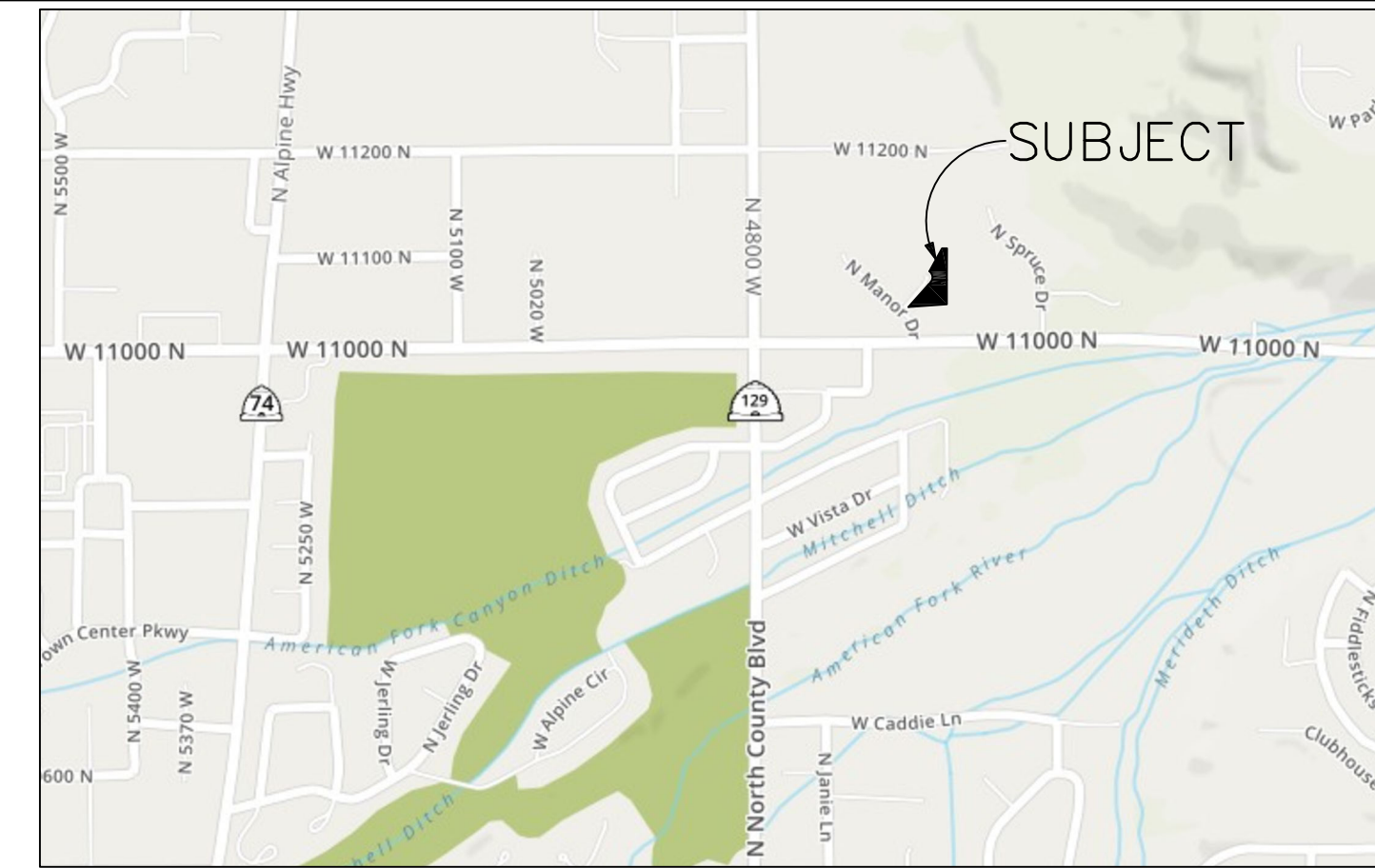
LANDS OF PETERSEN
 SERIAL NO. 11-055-0412

LOT 13
 PLAT "A" AMENDED
 HIGHLAND MANOR ESTATES SUBDIVISION
 SERIAL NO. 41-029-0013

LOT 18
 0.464 ACRES
 (20,197 SQ. FT.)

LOT 19
 0.683 ACRES
 (29,739 SQ. FT.)

LOT 16
 PLAT "A" AMENDED
 HIGHLAND MANOR ESTATES SUBDIVISION
 SERIAL NO. 41-029-0016



LANDS OF MOURITSEN, QUICK
 AND FAIRBANKS
 SERIAL NO. 11-055-0017

DOMINION ENERGY

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATION 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 OWNER'S DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-323-5517.

DOMINION ENERGY _____ DATE _____

ROCKY MOUNTAIN POWER APPROVAL:

- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
 - A RECORDED EASEMENT OR RIGHT-OF-WAY,
 - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS,
 - TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR,
 - ANY OTHER PROVISION OF LAW.

ROCKY MOUNTAIN POWER _____ DATE _____

PLAT VACATION NOTICE

THE CITY OF HIGHLAND IS SATISFIED THAT NEITHER THE PUBLIC NOR ANY PERSON WILL BE MATERIALLY INJURED BY THE VACATION OF LOTS 14 & 15, PLAT "A", AMENDED, HIGHLAND MANOR ESTATES SUBDIVISION, AND THAT THERE IS GOOD CAUSE FOR THE VACATION. LOTS 14 & 15, PLAT "A", AMENDED, HIGHLAND MANOR ESTATES SUBDIVISION IS HEREBY VACATED.

LEGEND:

- ⊙ SECTION CORNER/STREET MONUMENT - FOUND BRASS CAP
- ⊙ PROPERTY CORNER - SET 5/8" X 24" BAR & CAP (PLASTIC CAP STAMPED ALS, INC. PLS # 376079) (OR AS NOTED AND SHOWN HEREON)
- △ CALCULATED POINT - NOT SET/NOT FOUND
- () RECORD DATA
- _____ PROPERTY BOUNDARY
- _____ SECTION LINE/MONUMENT LINE
- _____ RIGHT-OF-WAY LINE
- _____ DEED LINE/PLATTED LOT LINE
- _____ INTERIOR LOT LINE
- _____ EASEMENT LINE

OWNER-DEVELOPER: MICHAEL PATRICK
 ADDRESS: 11030 NORTH MANOR CIRCLE, HIGHLAND, UTAH 84003
 TELEPHONE: 808-271-3443
 DATE: DECEMBER 22, 2020

SURVEYOR'S CERTIFICATE

I, JAMES PATRICK FRONK, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD A LICENSE NO. 376079, IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT FOUND IN TITLE 58, CHAPTER 22 OF THE UTAH CODE. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HEREAFTER TO BE KNOWN AS PLAT "B", HIGHLAND MANOR ESTATES, BEING A VACATION OF LOTS 14 & 15, PLAT "A", AMENDED, HIGHLAND MANOR ESTATES SUBDIVISION, AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH UTAH CODE SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

12-22-2020
 DATE

James Patrick Fronk
 JAMES PATRICK FRONK, PLS
 (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF MANOR CIRCLE, LOCATED IN HIGHLAND CITY, UTAH, SAID POINT BEING 1060.78 FEET S0°04'50"W ALONG THE SECTION LINE AND 1055.31 FEET EAST FROM A FOUND BRASS CAP MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 31, SAID POINT BEING THE REAL POINT OF BEGINNING; THENCE ALONG SAID EAST LINE OF MANOR CIRCLE N41°46'26"E 230.00 FEET TO A POINT OF CURVATURE; THENCE 84.71 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, SUBTENDED BY A CHORD BEARING N6°45'48"W 74.94 FEET; THENCE N28°50'16"E 179.98 FEET; THENCE N89°58'33"E 35.00 FEET; THENCE S0°16'03"W 385.26 FEET; THENCE S86°01'33"W 265.06 FEET TO THE POINT OF BEGINNING.

2 LOTS TOTAL - CONTAINING 1.147 ACRES OF LAND (49,936 SF.).

BASIS OF BEARINGS: S0°04'50"W ALONG THE SECTION LINE FROM THE NORTHWEST CORNER TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 31, UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT 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.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS _____ DAY OF _____, A.D. 20____

M. BRANNON PATRICK _____ JENNY PATRICK _____
 MICHAEL GEORGE PATRICK _____ LYNDA PATRICK _____

ACKNOWLEDGMENT

STATE OF UTAH _____ S.S.
 COUNTY OF UTAH _____

ON THE _____ DAY OF _____, 20____ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY-ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY'S FULL NAME & COMMISSION NUMBER _____

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

ACCEPTANCE BY LEGISLATIVE BODY

THE _____ DEPARTMENT OF PUBLIC WORKS 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 _____, 20____.

APPROVED BY MAYOR _____

APPROVED _____ ATTEST _____
 CITY ENGINEER (SEE SEAL BELOW) CLERK-RECORDER (SEE SEAL BELOW)

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____ HIGHLAND CITY ATTORNEY _____

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____ BY THE HIGHLAND CITY PLANNING COMMISSION.

PLANNING COMMISSION CHAIRMAN _____ DIRECTOR-SECRETARY _____

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 THROUGHOUT THE 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:

- 70% OF THE FRONT YARD LANDSCAPING SHALL BE INSTALLED BY THE HOMEOWNER WITHIN ONE YEAR AFTER RECEIVING A CERTIFICATE OF OCCUPANCY.
- LANDSCAPING AND CONSTRUCTION MATERIALS OF ANY TYPE ARE NOT PERMITTED UPON OR WITHIN THE STREET, CURB & GUTTER, PARK STRIP OR SIDEWALK (STREET RIGHT-OF-WAY) WITH THE EXCEPTION OF THE PARK STRIP WHICH REQUIRES 75% TO BE LANDSCAPED.
- 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.
- 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.

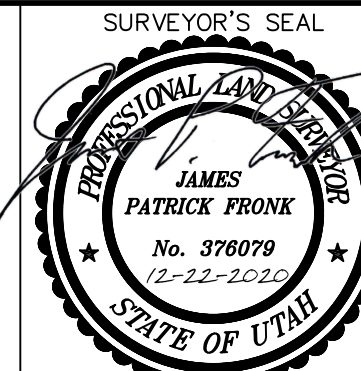


PROFESSIONAL LAND CONSULTING SERVICES
 PLANNING • LAND SURVEYING • DEVELOPMENT
 P.O. BOX 425, LEHI CITY, UTAH 84043 • 801.380.6225

CITY UTILITIES APPROVAL

CULINARY WATER / PRESSURIZED IRRIGATION
 SANITARY SEWER / STORM DRAIN

PUBLIC WORKS DIRECTOR _____ DATE _____



CITY ENGINEER SEAL

CLERK-RECORDER SEAL

UTAH COUNTY RECORDER

PLAT "B"
HIGHLAND MANOR ESTATES SUBDIVISION
 BEING A VACATION OF LOTS 14 & 15, PLAT "A", AMENDED
 HIGHLAND MANOR ESTATES SUBDIVISION
 LOCATED WITHIN THE N.W. QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 2 EAST,
 SALT LAKE BASE AND MERIDIAN, CITY OF HIGHLAND, UTAH COUNTY, UTAH.
 HIGHLAND CITY _____ UTAH COUNTY, UTAH
 SCALE: 1" = 30 FEET



CITY COUNCIL AGENDA REPORT

ITEM #7

DATE: February 16, 2021
TO: Honorable Mayor and Member of the City Council
FROM: Kellie Bronson
Planner & GIS Analyst
SUBJECT: PUBLIC HEARING: Plat Amendment - Highland Meadow Estates
Administrative

PURPOSE:

The City Council will hold a public hearing to consider a request by Courtney Belcher to amend the Highland Meadow Estates subdivision to amend Lot 11 located at 5359 W Woodland Drive. The City Council will take appropriate action.

BACKGROUND:

On March 21, 2000, the City Council approved the final plat for Highland Meadow Estates. The final plat includes 19 single-family lots. This subdivision is in the R-1-40 Zone.

On November 8, 1994, the City of Alpine's City Council approved the final plat for Alpine Meadows subdivision. The southern piece of Lot 3 in this subdivision was annexed into Highland on May 17, 2016. The applicant has since purchased this piece of property and is requesting to add it to Lot 11 in Highland Meadow Estates.

Plat Amendments are an *administrative* process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting approval of a plat amendment to combine the southern portion of Lot 3 in the Alpine Meadows subdivision with Lot 11 in the Highland Meadow Estates subdivision. The amended lot will be 1.217 acres.
2. The amended plat amendment will be titled Highland Meadow Estates Plat B.

CITIZEN PARTICIPATION:

Notice of the City Council public hearing was published in the Daily Herald on January 30, 2021. The notice was also posted on the state and city websites on January 28, 2021 and mailed to all property owners within 500 feet on January 28, 2021. No comments have been received.

PLANNING COMMISSION ACTION:

The Planning Commission does not review final plat amendments.

ANAYLSIS/FINDINGS:

- The proposed amendment meets all other requirements of the Development Code.

RECOMMENDATION AND PROPOSED MOTION:

The City Council should hold a public hearing and **APPROVE** the final plat amendment subject to the following stipulations:

1. The recorded plat shall be in substantial conformance with the final plat received January 28, 2021.
2. Prior to recording, the recorded plat shall be revised as required by the City Engineer.

I move that the City Council accept the findings and **APPROVE** the proposed plat amendment subject to the two stipulations recommended by staff.

ALTERNATIVE MOTION:

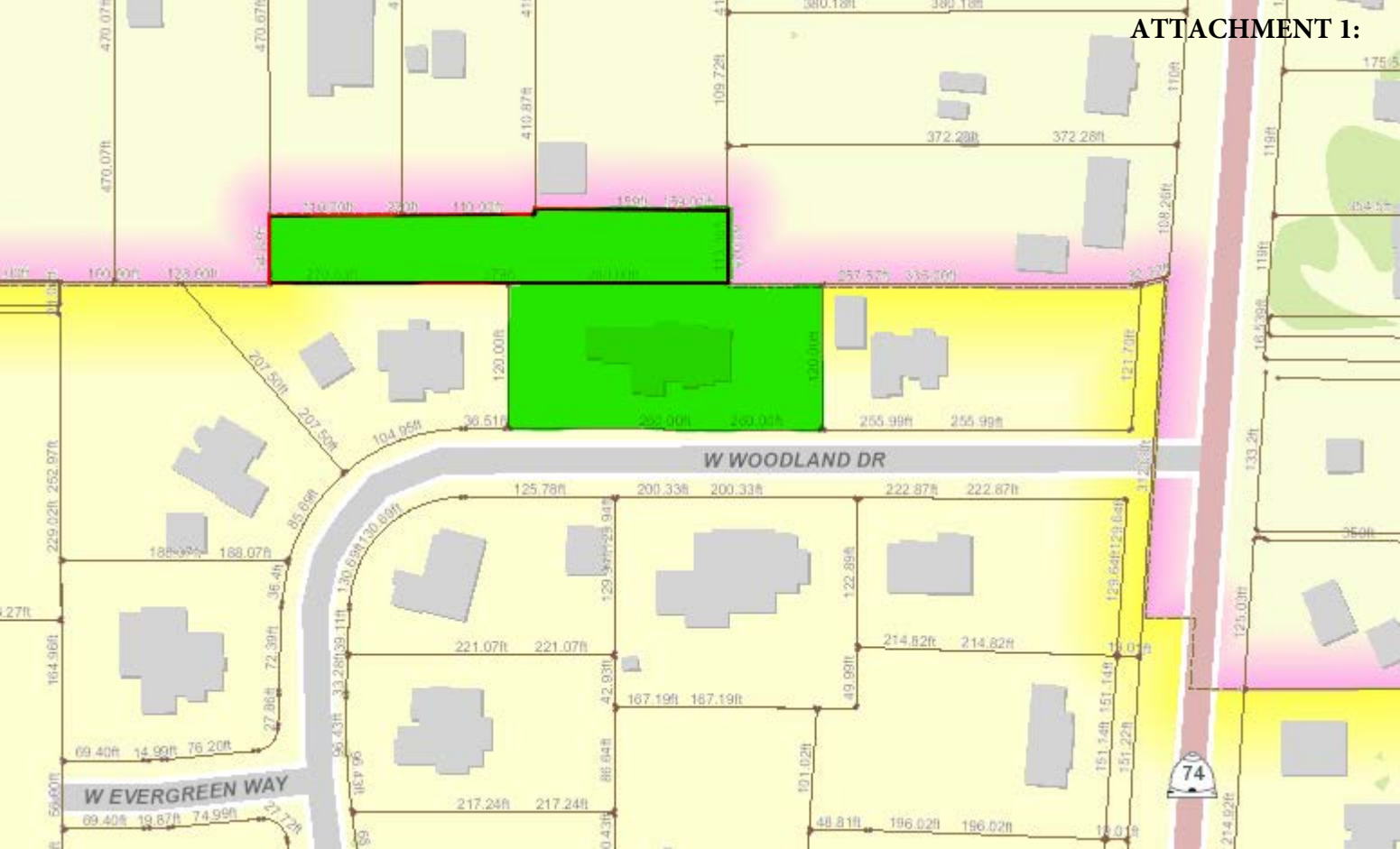
I move that the City Council **DENY** Highland Meadow Estates Plat B subject to the following findings: (The Council should state appropriate findings).

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

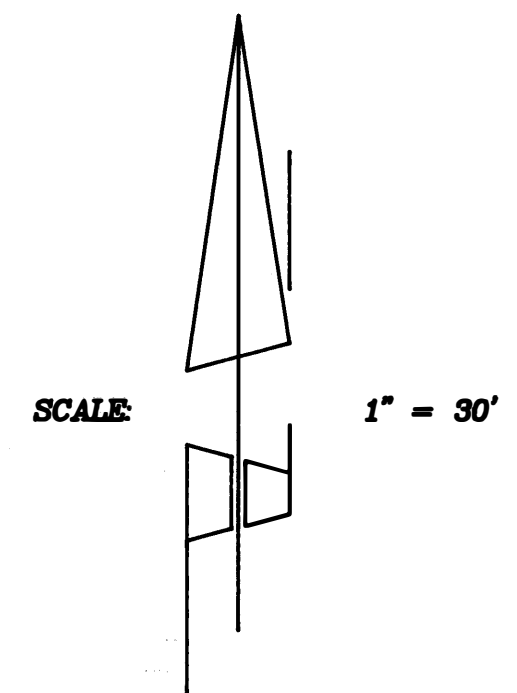
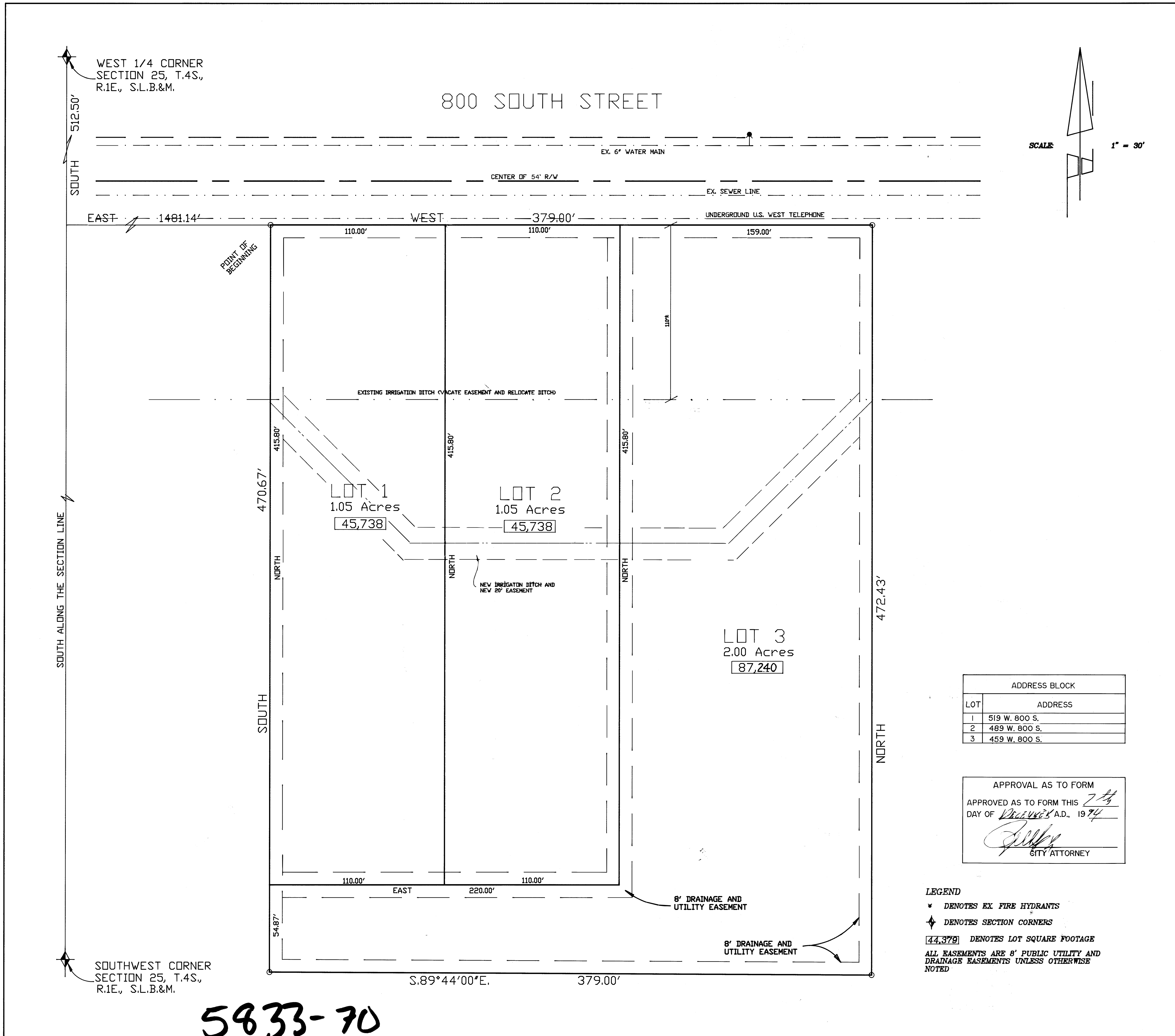
ATTACHMENTS:

1. Vicinity Map
2. Narrative
3. Approved Highland Meadow Estates Plat
4. Approved Alpine Meadows Plat
5. Proposed Highland Meadow Estates Plat B



Plat Amendment
For Courtney Belcher
5359 W. Woodland Drive
Highland UT 84003

I would like to add the parcel behind my house to our existing parcel with our home. I would like to amend the parcels so we can have one parcel for tax purposes as well as to landscape on it.



SURVEYOR'S CERTIFICATE

I, DUANE M. PETERSON, do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate No. 5188 as prescribed under the laws of the State of Utah. I further certify that 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 and streets, hereafter to be known as ALPINE MEADOWS, LOT 2 AMENDED and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 512.50 FEET, AND EAST 1481.14 FEET FROM THE WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, THENCE AS FOLLOWS:

BEARING	DISTANCE	REMARKS
SOUTH	470.67	FEET, THENCE
S.89°44'00"E.	379.00	FEET, THENCE
NORTH	472.43	FEET, THENCE
WEST	379.00	FEET, TO THE POINT OF BEGINNING

BASIS OF BEARING = SOUTH ALONG SECTION LINE.

DATE: AUGUST 16, 1994

Duane M. Peterson

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 THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

WITNESS HERON WE HAVE HEREUNTO SET OUR HANDS THIS 25th DAY OF OCT A.D., 1994

Lynn G. Miller *Shauna Miller*
LYNN G. MILLER SHAUNA MILLER

ACKNOWLEDGEMENT

STATE OF UTAH : S.S.
County of Utah :

ON THE 25th DAY OF October A.D. 19 94 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES 8-1-97

Kelly W. Palmer
KELLY W. PALMER
(SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY OF ALPINE, 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 25th DAY OF October A.D. 1994

ORDINANCE NO. 94-12

BY *Scott Hall* MAYOR
Janice Williams CITY RECORDER
(SEE SEAL BELOW)

BOARD OF HEALTH

APPROVED SUBJECT OF THE FOLLOWING CONDITIONS _____

CITY - COUNTY HEALTH DEPARTMENT

PLANNING COMMISSION APPROVAL

APPROVED THIS 4th DAY OF October A.D. 1994, BY THE OREM CITY PLANNING COMMISSION.

DIRECTOR-SECRETARY *Janniche Brewer*
CHAIRMAN, PLANNING COMMISSION

OCCUPANCY RESTRICTION NOTICE

THE CITY OF OREM HAS AN ORDINANCE WHICH RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN THIS SUBDIVISION. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVE OBTAINED A CERTIFICATE OF OCCUPANCE ISSUED BY THE CITY.

CONDITIONS OF APPROVAL

ADDRESS BLOCK

LOT	ADDRESS
1	519 W. 800 S.
2	489 W. 800 S.
3	459 W. 800 S.

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 2th DAY OF December A.D., 19 94

Scott Hall
CITY ATTORNEY

LEGEND

- ♦ DENOTES EX FIRE HYDRANTS
- ◆ DENOTES SECTION CORNERS
- [44,379] DENOTES LOT SQUARE FOOTAGE

ALL EASEMENTS ARE 8' PUBLIC UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED

ALPINE MEADOWS LOT 2 AMENDED

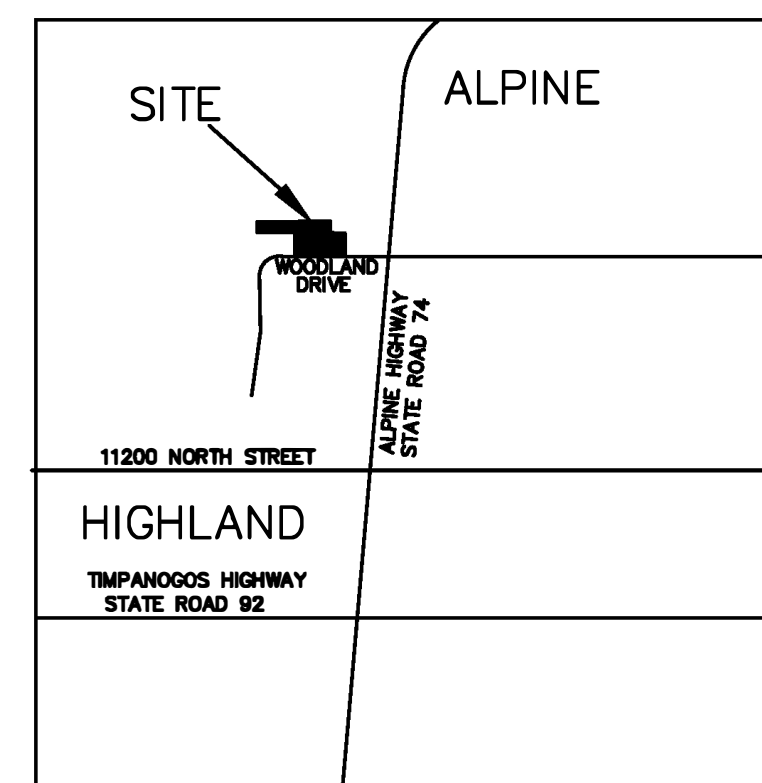
SUBDIVISION

(BEING A REVISION OF LOT 2, PLAT "A", ALPINE MEADOWS SUBDV.)

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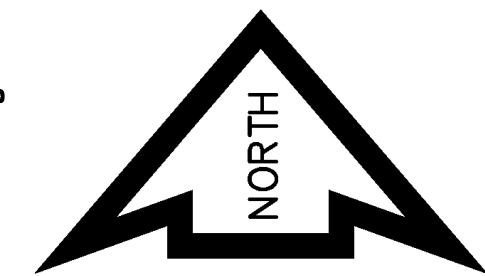
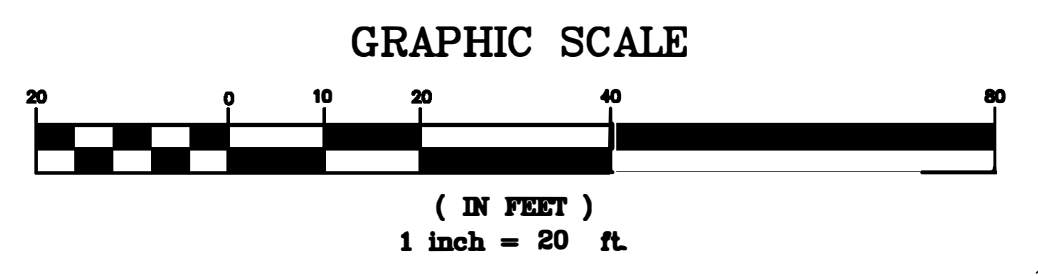
ENT 93149 MAP # 5833
MENA B REID UTAH CO RECORDER BY AC
294 DEC 9 1994 AM FEE \$3.00
RECORDED FOR ALPINE CITY

5833-70



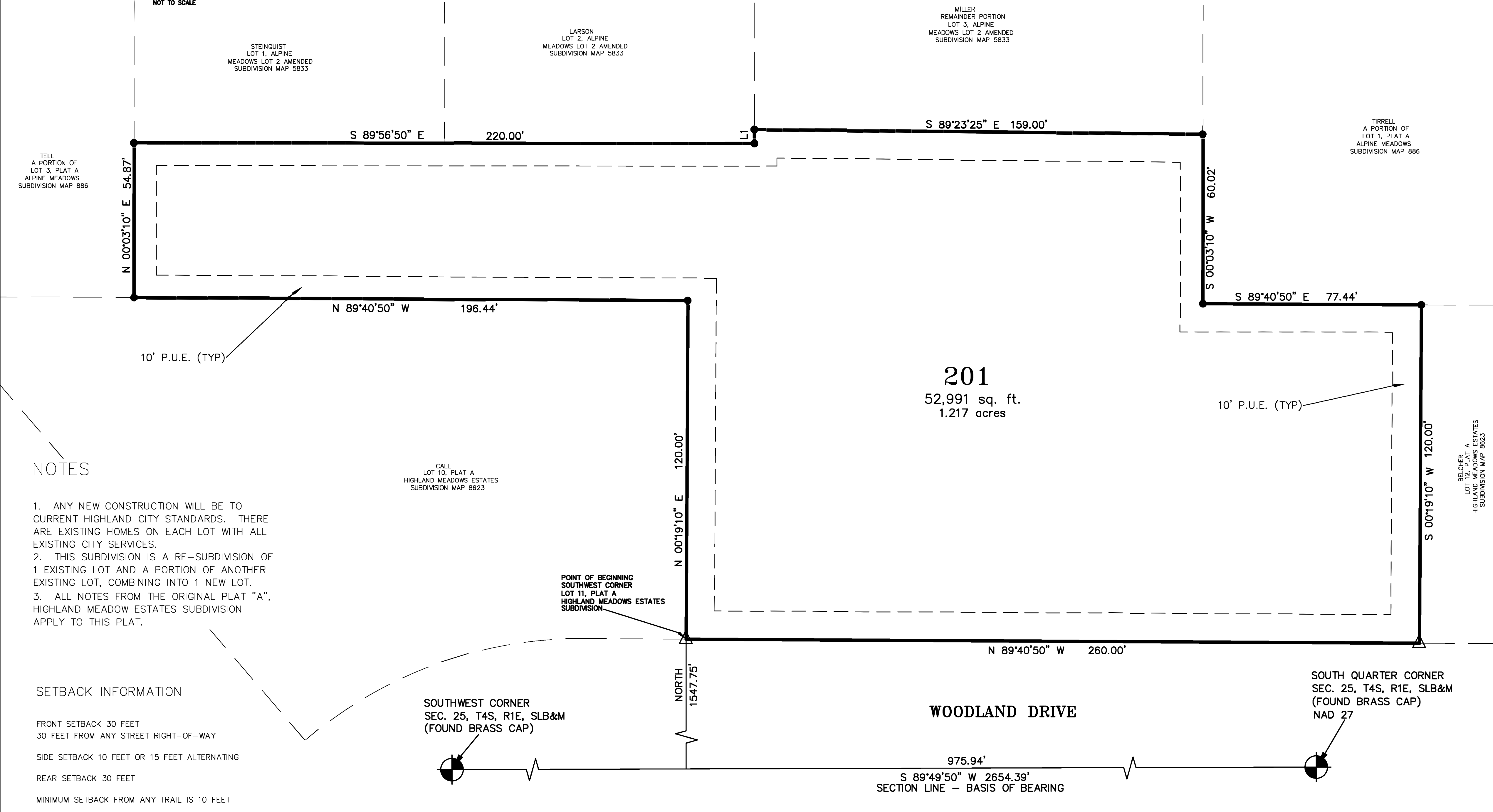
HIGHLAND MEADOW ESTATES PLAT "B"

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25
TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN



LINE TABLE		
LINE	LENGTH	BEARING
L1	4.93	N 00°03'10" E

VICINITY MAP
NOT TO SCALE



- NOTES**
1. ANY NEW CONSTRUCTION WILL BE TO CURRENT HIGHLAND CITY STANDARDS. THERE ARE EXISTING HOMES ON EACH LOT WITH ALL EXISTING CITY SERVICES.
 2. THIS SUBDIVISION IS A RE-SUBDIVISION OF 1 EXISTING LOT AND A PORTION OF ANOTHER EXISTING LOT, COMBINING INTO 1 NEW LOT.
 3. ALL NOTES FROM THE ORIGINAL PLAT "A", HIGHLAND MEADOW ESTATES SUBDIVISION APPLY TO THIS PLAT.

SETBACK INFORMATION

FRONT SETBACK 30 FEET
30 FEET FROM ANY STREET RIGHT-OF-WAY

SIDE SETBACK 10 FEET OR 15 FEET ALTERNATING

REAR SETBACK 30 FEET

MINIMUM SETBACK FROM ANY TRAIL IS 10 FEET

SYMBOL LEGEND

	FOUND UTAH COUNTY MONUMENT
	FOUND/SET REBAR & CAP
	PLUG SET IN CURB AT THE LOT LINE EXTENSION

LOT ADDRESS

5359 WEST WOODLAND DRIVE
HIGHLAND, UT 84003

PREPARED BY:

LEVEL OF FOCUS, INC

1334 East 1150 South
Spanish Fork, Utah 84660
(801) 319-5441

DOMINION ENERGY COMPANY APPROVAL

DATE: 10-07-20

PUBLIC UTILITIES APPROVAL

CENTURY LINK DATE: _____

ROCKY MOUNTAIN POWER DATE: _____

COMCAST DATE: _____

P.U.E. ACCEPTANCE NOTE:

BY SIGNING THIS PLAT, THE PUBLIC UTILITY COMPANIES ACCEPT THE PROPOSED PUBLIC UTILITY EASEMENTS AS SHOWN ON THIS PLAT. ALL EXISTING PUBLIC UTILITY EASEMENTS THAT WERE PART OF THE PREVIOUS PLATTED SUBDIVISIONS ARE HEREBY NOTICED.

DEVELOPER

COURTNEY BELCHER
5359 W. WOODLAND DRIVE
HIGHLAND, UT 84003

SURVEYOR'S CERTIFICATE

I, DAVID F. HUNT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 2243543-2201 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

A PARCEL FORMERLY KNOWN AS LOT 11, PLAT A, HIGHLAND MEADOW ESTATES SUBDIVISION ACCORDING TO THE OFFICIAL PLAT OF RECORD ON FILE AS MAP 8623 AT THE UTAH COUNTY RECORDER'S OFFICE AND A PORTION OF LOT 3, ALPINE MEADOWS LOT 2 AMENDED SUBDIVISION ACCORDING TO THE OFFICIAL PLAT OF RECORD ON FILE AS MAP 5833 AT THE UTAH COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 11, PLAT A, HIGHLAND MEADOW ESTATES SUBDIVISION, SAID POINT BEING LOCATED SOUTH 89°49'50" WEST ALONG THE SECTION LINE 975.94 FEET AND NORTH 1547.75 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN; THENCE NORTH 00°19'10" EAST 120.00 FEET; THENCE NORTH 89°40'50" WEST 196.44 FEET; THENCE NORTH 00°03'10" EAST 54.87 FEET; THENCE SOUTH 89°56'50" EAST 220.00 FEET; THENCE NORTH 00°03'10" EAST 4.93 FEET; THENCE SOUTH 89°23'25" EAST 159.00 FEET; THENCE SOUTH 00°03'10" WEST 60.02 FEET; THENCE SOUTH 89°40'50" EAST 77.44 FEET; THENCE SOUTH 00°19'10" WEST 120.00 FEET; THENCE NORTH 89°40'50" WEST 260.00 FEET TO THE POINT OF BEGINNING.

AREA = 52,991 SQ. FT. OR 1.217 ACRES, MORE OR LESS

BASIS OF BEARING = NORTH 89°49'50" EAST ALONG THE SECTION LINE

DATE: 10-07-20

SURVEYOR: David F. Hunt

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENT 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 THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC. IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS ____ DAY OF _____, A.D. 20__.

COURTNEY CHRISTIE BELCHER TRUST DATED MARCH 3, 2020
COURTNEY CHRISTIE BELCHER TRUSTEE

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.

NOTARY'S COMMISSION EXPIRATION DATE: _____ NOTARY PUBLIC FULL NAME & COMMISSION NUMBER: _____

"A NOTARY PUBLIC COMMISSIONED IN UTAH" PRINT NAME: _____

ACCEPTANCE BY THE CITY OF HIGHLAND

THE CITY OF HIGHLAND, 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: _____ CITY ENGINEER (See Seal Below)

ATTEST: _____ CITY RECORDER (See Seal Below)

COMMUNITY DEVELOPMENT DIRECTOR: _____ MAYOR: _____

CITY MANAGER: _____ PLANNING COMMISSION CHAIR: _____

CITY ATTORNEY: _____

PLAT "B"

HIGHLAND MEADOW ESTATES

INCLUDES A MINOR PLAT AMENDMENT OF LOT 11, PLAT "A", HIGHLAND MEADOW ESTATES SUBDIVISION AND A PORTION OF LOT 3, ALPINE MEADOWS LOT 2 AMENDED SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25
TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
RESIDENTIAL SUBDIVISION

HIGHLAND CITY, UTAH COUNTY, UTAH

SCALE: 1" = 20 FEET

SURVEYOR'S SEAL: DAVID F. HUNT, LICENSE NO. 2243543-2201

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDER SEAL



CITY COUNCIL AGENDA REPORT

ITEM #8

DATE: February 16, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Kellie Bronson
Planner & GIS Analyst
SUBJECT: FINAL PLAT: The Hollows *Administrative*

PURPOSE:

The City Council will consider a request by Millhaven Development for final plat approval for a 68-lot subdivision located at approximately 10250 N 6531 W to be known as The Hollows Subdivision. The City Council will take appropriate action.

BACKGROUND:

The property is approximately 64.464 acres and located approximately at 10250 N 6531 W. The applicant is requesting to create a 68-lot subdivision.

The property is designated as Low Density Residential on the General Plan Land Use Map. The current zoning is R-1-40. The R-1-40 District allows for one home per 40,000 square feet of land within the development. The minimum lot width is 130 feet.

On September 15, 2020, Highland City Council approved the preliminary plat subject to these nine (9) stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat received September 10, 2020.
2. All public improvements shall be installed as required by the City Engineer.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.
4. No access shall be provided from Madison Avenue / Canal Boulevard (10000 N). A one-foot NVAE easement shall be added to both sides of the road and a note shall be placed on the plat.
5. The final plat for lots 58, and 48-55 shall include a conservation easement and shall not be recorded until the wetland delineation has been approved by the US Army Corp of Engineers.
6. Lots containing a conservation easement shall have a two railed fence along the western edge of the conservation easement.
7. The open space property on the east side of the site shall be dedicated to Highland City.

8. The irrigation ditch shall be abandoned as determined by the Lehi Irrigation Company.
9. The Developer may include the wetlands as part of calculating lot sizes for lots 47-54 for purposes of plat approval, subject to developer entering into a development agreement with the City that provides that the wetlands and adjacent buffer property be dedicated to the City at or before final plat recordation and lots 47-54 will not include any delineated wetlands.

Final Plat review and approval is an *administrative* action. Review is limited to compliance to the Development Code (Attachment 7).

SUMMARY OF THE REQUEST:

1. The applicant is requesting approval of a 68 single-family residential building lots located approximately at 10250 N 6531 W.
2. Access to the site will be from 10250 N, 10200 N, Canal Blvd/Madison Ave (10000 N), and 6530 W.
3. There are two phases shown. Phase 1 is everything north of Madison Avenue and Phase 2 is everything south of Madison Avenue. However, the developer has indicated that construction will occur concurrently.

CITIZEN PARTICIPATION:

Notification is not required for final plats. Appropriate notifications for City Council as a public meeting were posted.

ANALYSIS:

General Plan & Development Code

- The General Plan designation for this property is Low Density Residential. The surrounding property is zoned R-1-40. There is an area adjacent to the site at the south west corner that is zoned R-1-20. The current zoning designation is R-1-40. The proposed subdivision is in conformance with the General Plan and compatible with the surrounding uses.
- The setbacks and frontage for each lot meet the R-1-40 standards.
- There are 25 lots that are between 20,000 and 30,000 square feet. This exceeds the 25% allowed requirement from Section 3-4103 of the Development Code.
- Section 3-612-2e requires a 6-foot theme wall along arterial or collector streets. The plan demonstrates a 6' Rhino Rock wall along Canal Blvd / Madison Avenue road.

Mitchell Hollow Wetlands

- The east side of the property contains wetlands along Mitchell Hollow. The US

Army Corp of Engineers has jurisdictions of wetlands. The proposed final plat shows the wetlands being dedicated to Highland City. As approved with the preliminary plat, this area can be included in calculating the lot sizes for the lots that abut the wetlands since the wetlands are being dedicated to Highland City.

- Staff is requesting a two-rail fence be installed along the conservation easement along the east side of lots 56 and 46-53 to help mitigate encroachment into the easement. This has been required of other developments throughout the city that have similar easements.
- A Main City Trail is planned for Mitchell Hollow. A major portion of this trail has been constructed from the Murdock Canal Trail south to this project. The applicant is proposing to continue this trail and will be constructed as part of this project. A development agreement between Millhaven and Highland City will be written to establish the cost to the City of the construction of the trail.

Circulation

- Overall the local street system within the subdivision has been designed to ensure proper traffic flow and minimize congestion in residential neighborhoods, thus providing adequate and sustainable service to residents in the area which is consistent with the General Plan. This is further supported by two traffic studies (Hales Engineering and CRS Engineers).
- Access to the site will be from 10250 N, 10200 N, Canal Blvd/Madison Ave (10000 N), and 6530 W. Madison Avenue / Canal Blvd is an existing and planned major collector that connects the east and west sides of Highland. The connection of this road has been planned for a long period of time. The developer will be responsible for their portion of the construction of this street.
- Circulation has been modified slightly by eliminating the direct north/south connection from Madison Avenue to 10250. This has been done to discourage cut through traffic and speeding.
- The intersection of 10250 North and 6530 West has been studied extensively. The design of the intersection meets current engineering design standards and provide the best site visibility for pedestrians and vehicles. The elevation of 6530 West will be lowered to be consistent with 10250 North where they intersect. 10250 North will be widened to meet local street design standards which will solve the existing line of sight issues and issues related to the narrowness of the road. Staff believes this connection will make it safer for pedestrians and motorists along 10250 North.
- According to the traffic study done by Hales Engineering, the anticipated trips generated on the average weekday would be 750 trips and 74 trips during the evening peak hours. It is anticipated that a maximum of 30% of the traffic will enter the site from the North, making 10250 North a valuable connection.

- Two counts measuring the average daily trips were performed on 10250 North. One was completed by CRS Engineers over a one-week time frame and showed an average of 689 trips per day. However, this number may be inaccurate as there were solicitations for residents in the surrounding neighborhood to use 10250 North as much as possible during the time the counts were conducted.

The second count was performed by city staff over a two-week period and showed an average of 563 trips per day.

As mentioned above, the Hales Engineering study is predicting an addition of 225 trips per day. Under either scenario, 10250 North has the capacity to serve this development.

- Without the access to 10250 North, all northbound or southbound traffic into and out of the subdivision would be through one access point through the existing Wimbledon Subdivision.
- An additional traffic study was performed by CRS Engineers that confirmed the intersection on 10250 North would have adequate sight distance and be safe. The study also made the following statement about connectivity: Connectivity should be encouraged for all modes of transportation throughout the development.
- A connection from Madison Avenue to the area south is needed to provide a second point of access for emergency access, street connectivity, traffic flow, and for a more efficient design. A stipulation has been included to address this issue.

Utilities

- There are adequate system utilities in the surrounding streets. There is a 10-foot-wide asphalt trail will be constructed between lots 56 and 57. This is to provide a sewer and water connection to the south half of the development.
- There is an existing private irrigation ditch on the property that will be abandoned. The applicant will need to work with Lehi Irrigation Company to abandon the ditch. A stipulation has been created for this.

FINDINGS:

With the proposed stipulations, the proposed final plat meets the following findings:

- It conforms to the Highland City General Plan.
- It is consistent with the Development Code as applicable.
- The proposed circulation system, including all connections to existing streets, will meet or exceed all relevant standards.

RECOMMENDATION:

Staff recommends that the City Council accept the findings and **APPROVE** the proposed plat subject to the following stipulations:

- 1) The recorded plat shall be in substantial conformance with the final plat received February 9, 2021.
- 2) The final plat and final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.
- 3) All required public improvements shall be installed as required by the City Engineer.
- 4) The Developer may include the wetlands as part of calculating lot sizes for lots 46-53 for purposes of plat approval, subject to developer entering into a development agreement with the City that provides that the wetlands and adjacent buffer property be dedicated to the City at or before final plat recordation and lots 46-53 and 56 will not include any delineated wetlands.
- 5) A connection to phase two shall be provided from Madison Avenue.

PROPOSED MOTION:

I move that the City Council accept the findings and **APPROVE** the final plat for The Hollows Subdivision subject to the five (5) stipulations recommended by staff.

ALTERNATIVE MOTION:

I move that the City Council **DENY** the final plat for the Hollows Subdivision based on the following findings: (The Council will need to draft appropriate findings).

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditure.

ATTACHMENTS:

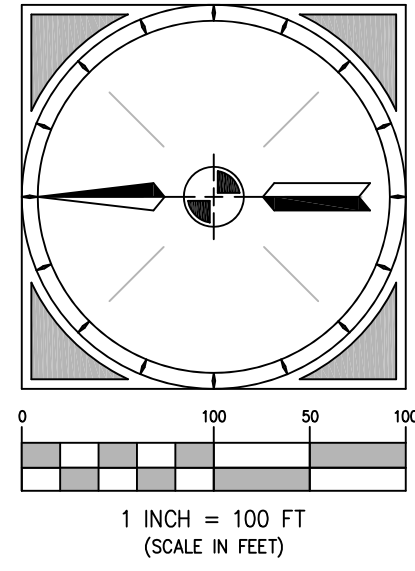
1. Vicinity Map
2. Final Plat received February 9, 2021
3. Hale Engineering Traffic Study dated August 18, 2020
4. CRS Engineers Traffic Study dated September 28, 2020
5. Mountainland Association of Governments TransPlan50 – Mitchell Hollow Trail
6. City Council Preliminary Plat Approval September 15, 2020 Minutes
7. Legal Standard and Issues Related to The Hollows Final Plat Application by Millhaven
8. Plan and Profile 10250 North

THE HOLLOWES SUBDIVISION - PLAT

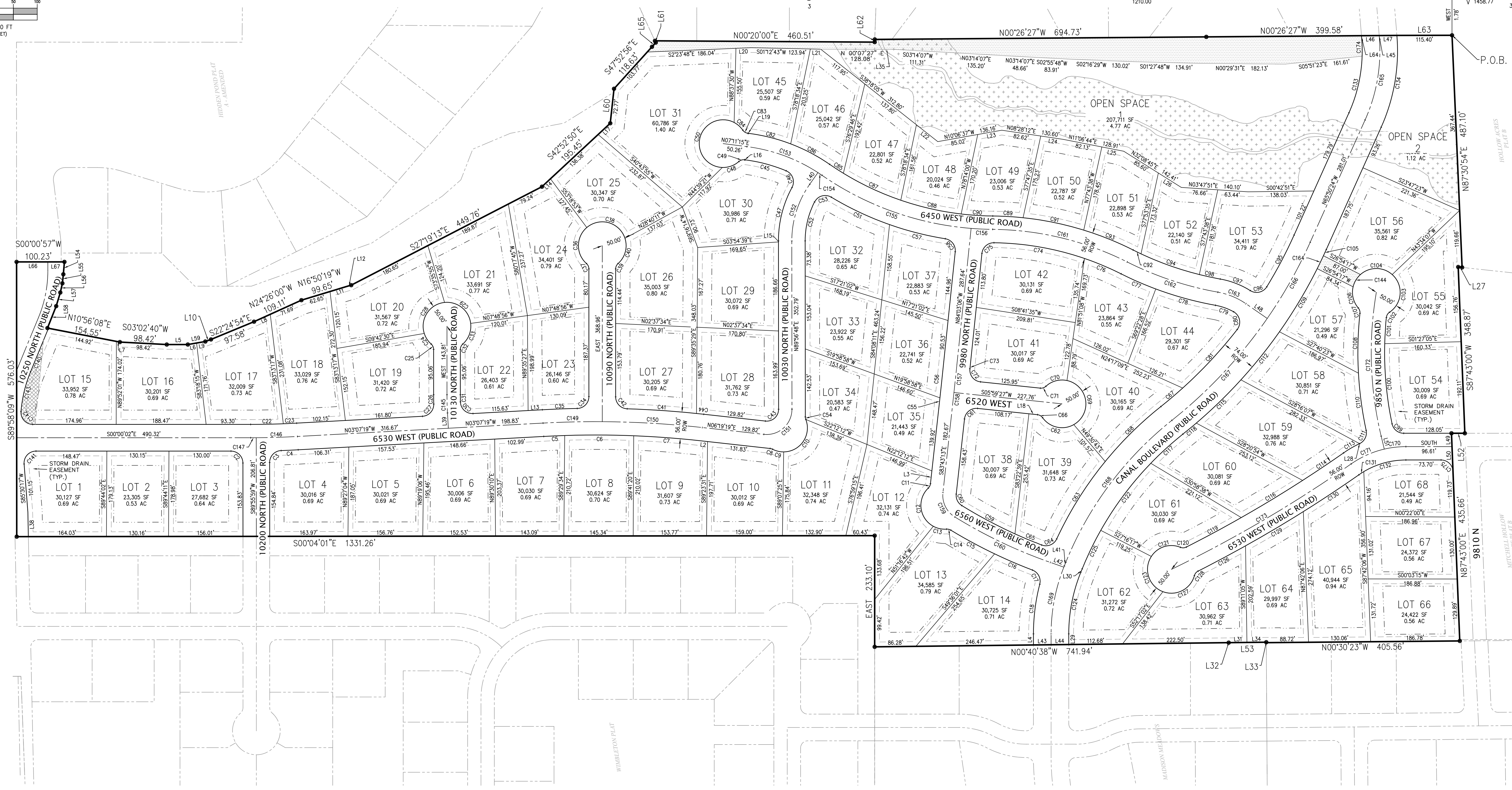
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C2	25.00	38.24	89.56	35.33	S44°57'58"W
C3	25.00	38.24	89.56	35.33	S44°57'58"W
C4	1828.00	36.69	107.08	36.69	S02°33'46"E
C5	2000.00	43.93	115.30	43.92	S02°29'34"E
C6	2000.00	144.64	438.37	144.61	S02°12'50"W
C7	2000.00	141.08	402.30	141.08	S04°03'03"W
C8	15.00	3.51	21.92	3.48	S16°50'33"W
C9	50.00	24.27	27.45	23.98	S13°29'17"W
C10	50.00	24.27	27.45	23.98	S13°29'17"W
C11	15.00	10.50	40.07	10.29	N83°39'28"W
C12	50.00	94.08	107.48	80.81	S82°29'56"W
C13	50.00	28.76	32.57	28.36	S12°03'27"W
C14	15.00	3.54	23.99	3.19	S13°29'25"W
C15	1045.90	104.37	543.03	104.32	S28°26'48"W
C16	1045.90	86.33	443.46	86.31	S23°13'25"W
C17	25.00	36.48	83.86	33.34	S82°33'37"W
C18	417.00	105.25	142.72	104.97	N82°48'09"W
C19	1772.00	68.41	212.43	68.40	N01°06'24"W
C20	1772.00	28.13	65.94	28.13	N02°40'02"W
C21	50.00	28.88	30.47	28.55	S84°45'58"W
C22	15.00	12.72	48.34	12.34	S85°42'31"W
C23	728.00	18.47	131.56	18.47	S89°14'09"W
C24	25.00	38.58	89.24	34.86	N47°13'57"W
C25	50.00	88.99	101.58	77.70	N56°47'48"W
C26	50.00	77.78	89.96	70.16	N38°44'47"E
C27	25.00	40.08	91.02	35.92	N42°48'12"E
C28	15.00	11.81	41.91	11.81	N89°15'16"E
C29	15.00	12.72	48.34	12.34	S85°42'31"W
C30	50.00	48.24	55.15	46.39	S89°02'28"E
C31	50.00	38.80	43.99	36.20	N45°02'50"E
C32	2058.00	76.01	251.90	73.16	N02°02'09"W
C33	50.00	86.63	98.07	75.54	N89°31'20"W
C34	15.00	12.72	48.34	12.34	S85°42'31"W
C35	50.00	98.24	112.34	83.18	N45°02'50"E
C36	15.00	12.72	48.34	12.34	S85°42'31"W
C37	50.00	58.01	66.28	54.81	S74°39'12"E
C38	2058.00	145.61	493.28	145.58	N03°51'53"E
C39	2058.00	145.61	493.28	145.58	N03°51'53"E
C40	25.00	42.05	86.22	37.77	N41°31'57"W
C41	2058.00	15.37	025.42	15.37	N06°08'28"E
C42	25.00	38.58	89.24	34.86	N47°13'57"W
C43	25.00	41.78	95.44	37.08	S70°39'33"W
C44	234.00	116.75	283.12	115.54	N75°45'36"W
C45	50.00	37.66	43.99	36.78	S19°48'58"E
C46	15.00	12.72	48.34	12.34	S17°04'16"E
C47	50.00	178.60	205.48	97.48	N75°03'03"W
C48	668.00	136.04	413.46	134.81	S25°12'54"W
C49	178.00	84.78	272.70	83.88	N75°03'03"W
C50	25.00	40.92	83.46	36.50	S15°52'45"E
C51	15.00	3.51	21.92	3.48	N78°25'27"E
C52	14972.00	14.15	016.15	14.15	N83°44'51"W
C53	14972.00	72.43	016.38	72.47	N83°44'51"W
C54	668.00	120.60	390.54	120.49	S14°45'58"W
C55	25.00	37.91	86.52	34.38	S52°30'43"W
C56	889.90	126.37	716.51	126.28	N83°44'51"W
C57	25.00	28.17	84.13	28.16	N84°10'00"E
C58	25.00	38.14	89.42	35.77	S38°51'53"E
C59	50.00	73.31	84.00	66.92	S12°48'19"W
C60	767.00	193.00	642.33	191.07	N87°24'17"W
C61	25.00	37.53	86.00	34.10	N22°06'19"W
C62	889.90	60.57	330.21	60.56	N22°39'11"E
C63	15.00	12.72	48.34	12.34	S30°16'56"W
C64	889.90	28.17	313.47	28.16	N84°10'00"E
C65	767.00	164.22	528.02	163.90	N44°38'04"W
C66	50.00	120.98	138.98	93.56	N81°15'08"E
C67	50.00	47.58	52.30	45.81	N81°40'16"E
C68	15.00	12.72	48.34	12.34	N18°18'02"W
C69	25.00	38.28	89.58	36.35	N50°58'47"E
C70	15028.00	5.32	010.13	5.32	S84°42'30"E
C71	612.00	183.27	618.00	182.47	S89°51'27"W
C72	25.00	37.03	84.51	33.73	S41°37'22"E
C73	612.00	83.42	748.54	83.35	S22°48'19"W
C74	724.28	78.28	676.26	78.25	S33°42'58"W
C75	724.28	128.88	1016.55	128.80	S15°17'48"W
C76	122.00	40.42	185.88	40.23	S19°38'47"W
C77	25.00	43.11	88.48	37.97	S78°32'27"W
C78	863.00	163.29	532.29	161.72	N47°03'54"W
C79	383.00	91.21	313.84	91.00	N14°00'38"E
C80	15.00	12.72	48.34	12.34	N31°28'44"E
C81	50.00	24.61	28.12	24.36	N41°40'16"E
C82	812.00	34.50	313.47	34.50	N33°00'00"E
C83	383.00	92.24	314.74	92.01	N27°43'50"E
C84	612.00	133.21	122.81	132.95	N25°09'49"E
C85	612.00	130.00	121.01	129.78	N12°50'33"E
C86	668.00	83.52	528.54	83.50	N03°15'25"E
C87	612.00	66.49	613.28	66.45	N03°38'42"E

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C91	668.00	130.01	1109.03	129.80	N11°33'24"E
C92	668.00	130.01	1109.03	129.80	N11°33'24"E
C93	668.00	130.01	1109.03	129.80	N11°33'24"E
C94	668.00	130.01	1109.03	129.80	N11°33'24"E
C95	668.00	130.01	1109.03	129.80	N11°33'24"E
C96	668.00	130.01	1109.03	129.80	N11°33'24"E
C97	668.00	130.01	1109.03	129.80	N11°33'24"E
C98	668.00	130.01	1109.03	129.80	N11°33'24"E
C99	668.00	130.01	1109.03	129.80	N11°33'24"E
C100	668.00	130.01	1109.03	129.80	N11°33'24"E
C101	668.00	130.01	1109.03	129.80	N11°33'24"E
C102	668.00	130.01	1109.03	129.80	N11°33'24"E
C103	668.00	130.01	1109.03	129.80	N11°33'24"E
C104	668.00	130.01	1109.03	129.80	N11°33'24"E
C105	668.00	130.01	1109.03	129.80	N11°33'24"E
C106	668.00	130.01	1109.03	129.80	N11°33'24"E
C107	668.00	130.01	1109.03	129.80	N11°33'24"E
C108	668.00	130.01	1109.03	129.80	N11°33'24"E
C109	668.00	130.01	1109.03	129.80	N11°33'24"E
C110	668.00	130.01	1109.03	129.80	N11°33'24"E
C111	668.00	130.01	1109.03	129.80	N11°33'24"E
C112	668.00	130.01	1109.03	129.80	N11°33'24"E
C113	668.00	130.01	1109.03	129.80	N11°33'24"E
C114	668.00	130.01	1109.03	129.80	N11°33'24"E
C115	668.00	130.01	1109.03	129.80	N11°33'24"E
C116	668.00	130.01	1109.03	129.80	N11°33'24"E
C117	668.00	130.01	1109.03	129.80	N11°33'24"E
C118	668.00	130.01	1109.03	129.80	N11°33'24"E
C119	668.00	130.01	1109.03	129.80	N11°33'24"E
C120	668.00	130.01	1109.03	129.80	N11°33'24"E
C121	668.00	130.01	1109.03	129.80	N11°33'24"E
C122	668.00	130.01	1109.03	129.80	N11°33'24"E
C123	668.00	130.01	1109.03	129.80	N11°33'24"E
C124	668.00	130.01	1109.03	129.80	N11°33'24"E
C125	668.00	130.01	1109.03	129.80	N11°33'24"E
C126	668.00	130.01	1109.03	129.80	N11°33'24"E
C127	668.00	130.01	1109.03	129.80	N11°33'24"E
C128	668.00	130.01	1109.03	129.80	N11°33'24"E
C129	668.00	130.01	1109.03	129.80	N11°33'24"E
C130	668.00	130.01	1109.03	129.80	N11°33'24"E
C131	668.00	130.01	1109.03	129.80	N11°33'24"E
C132	668.00	130.01	1109.03	129.80	N11°33'24"E
C133	668.00	130.01	1109.03	129.80	N11°33'24"E
C134	668.00	130.01	1109.03	129.80	N11°33'24"E
C135	668.00	130.01	1109.03	129.80	N11°33'24"E
C136	668.00	130.01	1109.03	129.80	N11°33'24"E
C137	668.00	130.01	1109.03	129.80	N11°33'24"E
C138	668.00	130.01	1109.03	129.80	N11°33'24"E
C139	668.00	130.01	1109.03	129.80	N11°33'24"E
C140	668.00	130.01	1109.03	129.80	N11°33'24"E
C141	668.00	130.01	1109.03	129.80	N11°33'24"E
C142	668.00	130.01	1109.03	129.80	N11°33'24"E
C143	668.00	130.01	1109.03	129.80	N11°33'24"E
C144	668.00	130.01	1109.03	129.80	N11°33'24"E
C145	668.00	130.01	1109.03	129.80	N11°33'24"E
C146	668.00	130.01	1109.03	129.80	N11°33'24"E
C147	668.00	130.01	1109.03	129.80	N11°33'24"E
C148	668.00	130.01	1109.03	129.80	N11°33'24"E
C149	668.00	130.01	1109.03	129.80	N11°33'24"E
C150	668.00	130.01	1109.03	129.80	N11°33'24"E
C151	668.00	130.01	1109.03	129.80	N11°33'24"E
C152	668.00	130.01	1109.03	129.80	N11°33'24"E
C153	668.00	130.01	1109.03	129.80	N11°33'24"E
C154	668.00	130.01	1109.03	129.80	N11°33'24"E
C155	668.00	130.01	1109.03	129.80	N11°33'24"E
C156	668.00	130.01	1109.03	129.80	N11°33'24"E
C157	668.00	130.01	1109.03	129.80	N11°33'24"E
C158	668.00	130.01	1109.03	129.80	N11°33'24"E
C159	668.00	130.01	1109.03	129.80	N11°33'24"E
C160	668.00	130.01	1109.03	129.80	N11°33'24"E
C161	668.00	130.01	1109.03	129.80	N11°33'24"E
C162	668.00	130.01	1109.03	129.80	N11°33'24"E
C163	668.00	130.01	1109.03	129.80	N11°33'24"E
C164	668.00	130.01	1109.03	129.80	N11°33'24"E
C165	668.00	130.01	1109.03	129.80	N11°33'24"E
C166	668.00	130.01	1109.03	129.80	N11°33'24"E
C167	668.00	130.01	1109.03	129.80	N11°33'24"E
C168	668.00	130.01	1109.03	129.80	N11°33'24"E
C169	668.00	130.01	1109.03	129.80	N11°33'24"E
C170	668.00	130.01	1109.03	129.80	N11°33'24"E
C171	668.00	130.01	1109.03	129.80	N11°33'24"E
C172	668.00	130.01	1109.03	129.80	N11°33'24"E
C173	668.00	130.01	1109.03	129.80	N11°33'24"E
C174	668.00	130.01	1109.03	129.80	N11°33'24"E
C175	668.00	130.01	1109.03	129.80	N11°33'24"E

LINE	BEARING	DISTANCE
L1	S16°50'33"W	37.00
L2	S16°50'	



BASIS OF BEARINGS - N00°45'44"W 2668.77' BETWEEN SECTION MONUMENTS



PROJECT
C19-003

SHEET
2 OF 2

ISSUE DATE
02/03/2021

Summit Engineering Group Inc.
Structural • Civil • Surveying
55 WEST CENTER • P.O. BOX 176
HEBER CITY, UTAH 84032
P: 435-884-9229 • F: 435-884-9231

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SUMMIT ENGINEERING GROUP, INC.

DRAWING ALTERATION

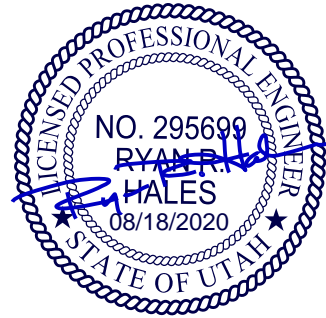
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE PROFESSIONAL LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY MANNER. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO ATTEST THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATIONS.

THE HOLLOWES SUBDIVISION

LOCATED IN THE EAST 1/2 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 3 EAST, SLB&M, UTAH COUNTY, UTAH

MEMORANDUM

Date: August 18, 2020
To: Tyrell Gray
From: Hales Engineering



Subject: R&J Highland Estates Trip Generation Study

UT20-1734

This memorandum discusses the trip generation study completed for the proposed R&J Highland Estates development in Highland, Utah. A vicinity map of the proposed development is shown in Figure 1.

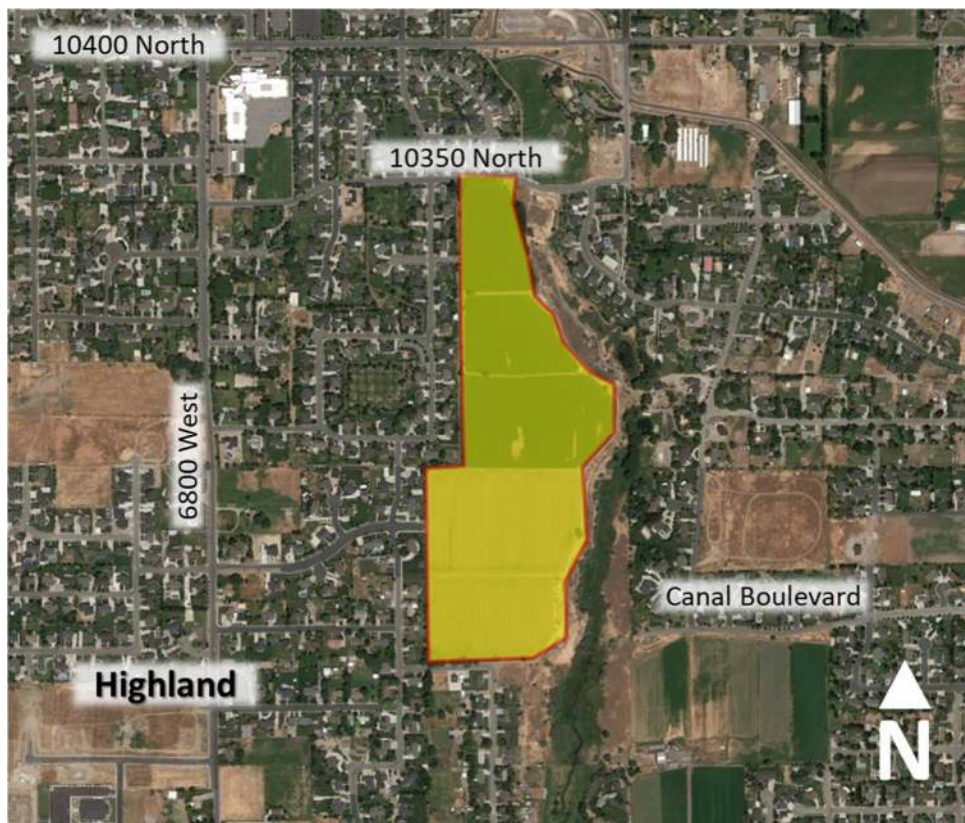


Figure 1: Vicinity map of the proposed development in Highland, Utah

Background

The proposed development is located east of 6800 West, between 10250 North and Canal Boulevard (9860 North) in Highland. The project includes 70 single-family dwelling units. It is anticipated that the project will have access to Canal Boulevard to the south, via a planned connection to 1000 North (Madison Avenue), and access to 10250 North to the north of the project site. A site plan for the proposed development is included in Appendix A.

The proposed land use for the development has been identified as follows:

- Single-family detached housing 70 dwelling units

Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation (10th Edition, 2017)*. Trip generation for the proposed project is included in Table 1.

As shown in Table 1, it is anticipated that the proposed development will generate 750 daily trips, with 56 trips in the morning peak hour and 74 trips in the evening peak hour.

Table 1: Trip Generation

Trip Generation Highland - R&J Highland Estates TGS								
Weekday Daily Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Daily Trips
Single-Family Detached Housing (210)	70	Dwelling Units	750	0.5	0.5	375	375	750
Total			750			375	375	750
Morning Peak Hour Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total AM Trips
Single-Family Detached Housing (210)	70	Dwelling Units	56	0.25	0.75	14	42	56
Total			56			14	42	56
Evening Peak Hour Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total PM Trips
Single-Family Detached Housing (210)	70	Dwelling Units	74	0.63	0.37	47	27	74
Total			74			47	27	74

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 10th Edition, 2017.
SOURCE: Hales Engineering, August 2020

Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during also provide helpful guidance to establishing these distribution percentages, especially near the site. The trip distribution for the proposed development is as follows:

- 30% North
- 50% South
- 15% East
- 5% West

It is anticipated that most of the generated traffic will enter the site through the planned Canal Boulevard connection as traffic travels to and from the project site to various areas in the Provo/Orem metropolitan area. However, it is also anticipated that up to 30% of traffic will enter the site from the North, making the northern connection to 10250 North a valuable access for this development. For residential developments such as this project, roadway connectivity is paramount to ensure proper traffic flow and minimize congestion in residential neighborhoods, thus providing adequate and sustainable service to residents in the area.

Conclusions

The findings of this study are as follows:

- The proposed development includes 70 single-family dwelling units.
- It is anticipated that the project will have access onto the planned Canal Boulevard connection to the south and additional access onto 10250 North.
- It is anticipated that the proposed project will generate approximately 750 trips on an average weekday, including 56 trips during the morning peak hour, and 74 trips during the evening peak hour. These are the trips that will use the project access points.
- Based on projected trip distribution, up to 30% of trips may be entering/exiting the project site from the north via the connection to 10250 North, with the rest of project traffic entering/exiting via Canal Drive. In residential developments such as this project, roadway connectivity is essential in providing adequate service to residents.

APPENDIX A

Site Plan



CRS ENGINEERS
Answers to Infrastructure®

PO Box 280, 160 S Main, Suite 200, Farmington, UT 84025
o. 801.939.5565. f. 801.359.4272. crsengineers.com

September 28, 2020

Sandy Packard
Owner
6526 West 10250 North
Highland, UT 84003

Re: CRS Project 2020-0452 – Traffic & Safety Analysis of the Millhaven Development in Highland, UT

Dear Sandy:

The purpose of this letter is to provide the results of our traffic and safety analysis for the proposed Millhaven Development located between 10250 N and 9800 N, in Highland, UT. Figure 1 gives an aerial view of the property (Weber County Parcel #18-053-0005) on which the proposed subdivision would be situated.

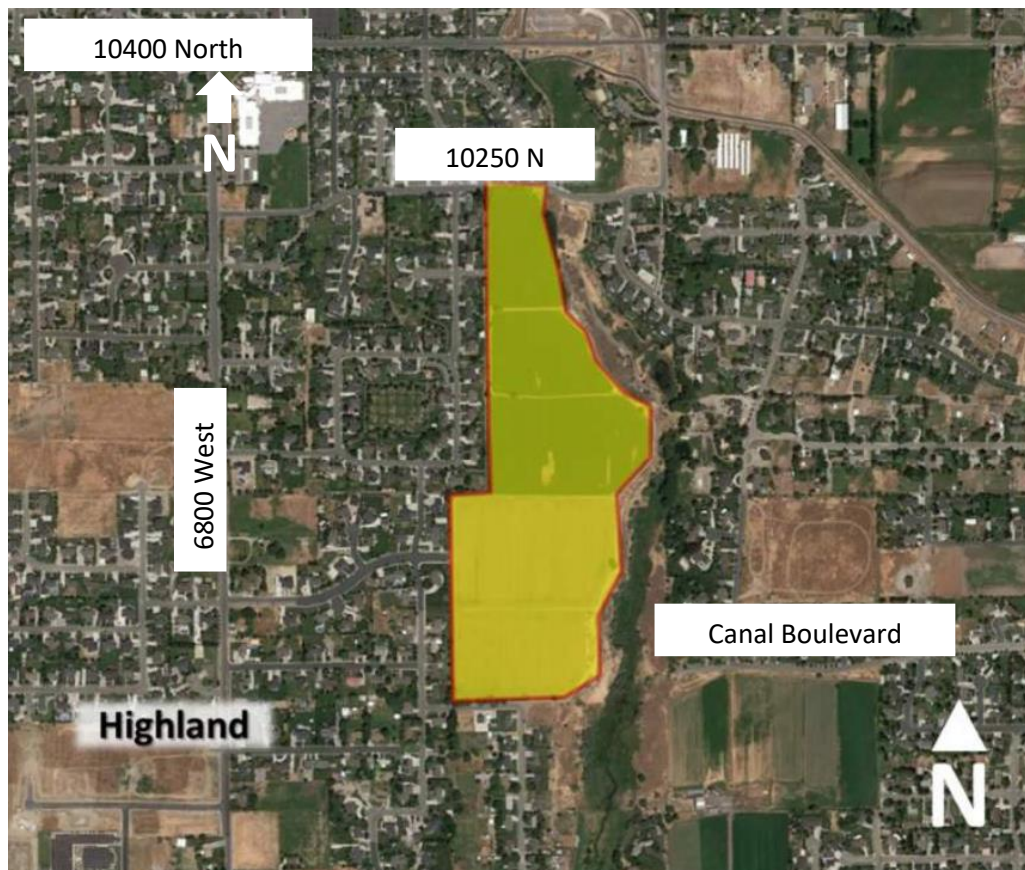


Figure 1: Aerial view of the proposed subdivision.

Data Collection

Mechanical vehicle counts were collected along 10250 North near the proposed intersection created by the Millhaven development from September 17 to September 24, 2020. The counts were used to determine peak hour volumes and daily traffic along 10250 North. The highest peak hour volume showed 77 vehicles in the PM peak hour, which was observed much earlier in the PM than typical commuter peak time. The highest 24-hour count observed was 856 vehicles (Tuesday 9/22/2020) with an average AADT of 689 vehicles.

Vehicle speeds were also collected along 10250 North during the same time period. Speeds were tabulated and grouped for 85th percentile and average speed, as reported in Table 2 and 3. The highest speed recorded was 49 mph on Friday 9/18 at 5:30pm.

Vehicle type breakdown included 98% passenger vehicles, 1.7% large vehicles, and 0.3% small/motorcycles.

Table 1: Traffic Volumes Along 10250 North

Max Volumes	Volume
AM Peak 7:00 - 8:00am	56
PM Peak 1:00 - 2:00pm	77
Daily Traffic (AADT)	689

Table 2: Traffic Speeds Along 10250 North

Speed Type	MPH
85 th Percentile	31
Average	26.4
Average Speeding Vehicle	29.3
Highest Speed	49

Table 3: Average Speed of Speeding Vehicle Along 10250 North

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
% Vehicles over limit	64.7	61.1	59.1	62.4	64.7	62.7	53.3
Avg Speeder (mph)	29.2	29.3	29.1	29.3	29.5	29.3	29.4

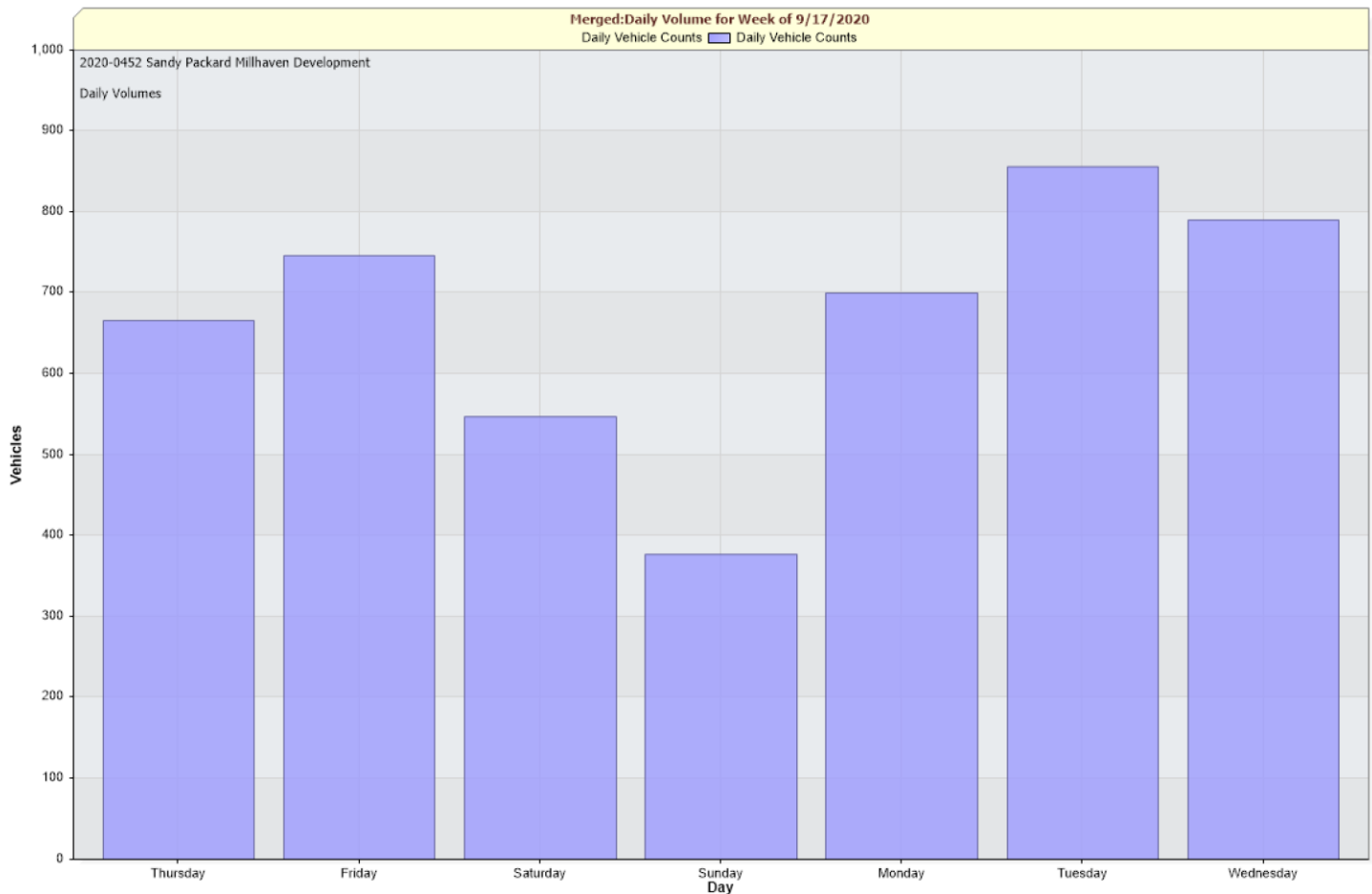


Figure 2: Daily observed traffic along 10250 North.

Trip Generation Evaluation & Recommendations

Trip generation rates for developments are determined using data collected at similar sites throughout the country and reported in the Trip Generation Manual. The proposed 69-unit single family detached housing subdivision is expected to generate 74 vehicle trips during the PM peak period and 750 daily trips (Trip Generation Manual, Land Use 210). The trip generation study performed by Hales Engineering (Aug 18, 2020) indicates that 30% of the expected vehicle trips will be exiting/entering the development to the North, or approximately 23 vehicles during the PM peak, and 225 vehicles throughout the day. The highest peak hour during the day will see on average of 1 vehicle every 3 minutes. The evaluation is consistent with the expected trip distribution.

Sight Distance Evaluation

The Millhaven development proposes one connection to 10250 North. Concerns have been expressed that vehicles exiting the subdivision would not have enough distance to see oncoming traffic, for this purpose the intersection sight distance was evaluated at both proposed entrances. Intersection sight distance is based primarily on the vehicle speed along the roadway and is determined by the ability to see a 3.5ft tall object at the required distance. Required stopping sight distance (SSD) is based on a driver's ability to see a 2.0ft tall object at the required distance. 10250 North has a speed limit of 25 mph and an 85th percentile speed of 30 mph

Based on the 85th percentile speed (30mph) a left turn onto 10250 North would require 335 feet (looking East) and a right turn would require 240 feet (looking West), see Tables 9-7 & 9-9 (Geometric Design of Highways & Streets, 2018). Field observations were made at the proposed and alternative north entrance, the following figures are pictures taken at the proposed entrances:



Figure 2: Proposed Subdivision Entrance at 10250 North (Looking West).



Figure 3a: Proposed Subdivision Entrance at 10250 North (Looking East).



Figure 3b: Proposed Subdivision Entrance at 10250 North (Looking East).



Figure 4: Alternative subdivision entrance at 10250 North (Looking West).



Figure 5: Alternative subdivision entrance at 10250 North (Looking East).

Field observations were recorded for both entrances, and a review of the proposed development roadway was conducted. The field observations were made at a height of 3.5ft looking to observe a 2ft tall traffic cone placed in the shoulder of the roadway, both East and West. The observed distances looking West at the proposed intersection was 300ft to the next intersection, and looking East at the required elevation will exceed 335ft after removing the trees and shrubs on the shoulder (see Figure 3b taken from the center of the roadway at 3.5ft high). The alternative intersection location looking East was observed to exceed 335ft and looking West was observed to be 240ft. The intersection locations as proposed by the development as well as the alternative location is expected to meet the required intersection sight distances. Figure 6 shows the proposed development exit with the required and expected sight distances for a 30mph roadway. Figure 7 shows the alternate exit with the required and expected sight distances for a 30mph roadway.

It should be noted that Figures 3 shows some bush and tree cover obscuring parts of the road. The developer will be widening the roadway which will be removing the bushes and trees. The intersection sightline distances will need to be confirmed in design and maintained after construction, as shown in orange in Figures 7 and 7. The proposed intersection and the alternative intersection are both viable locations to meet required intersection sight distances.

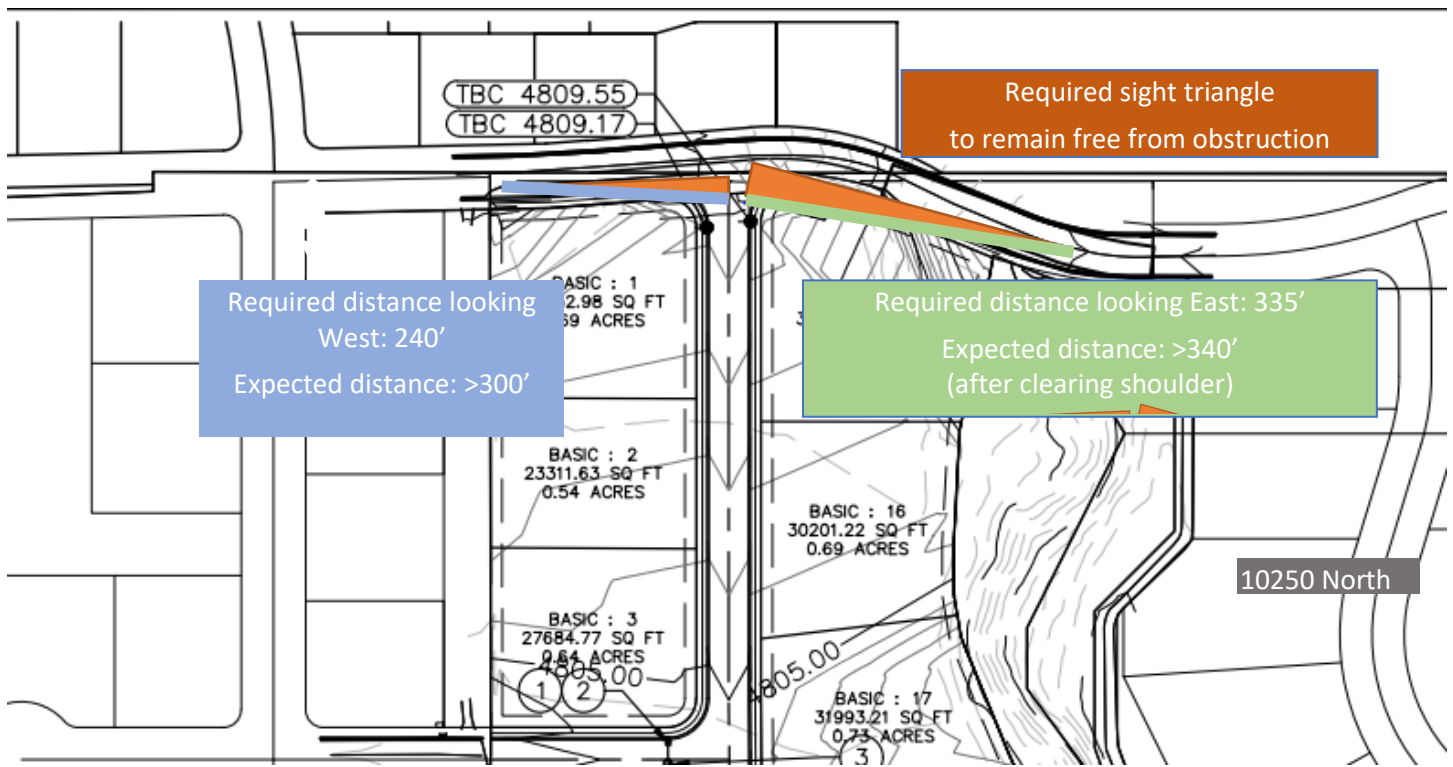


Figure 6: Proposed Intersection Sight Distances on 10250 North.

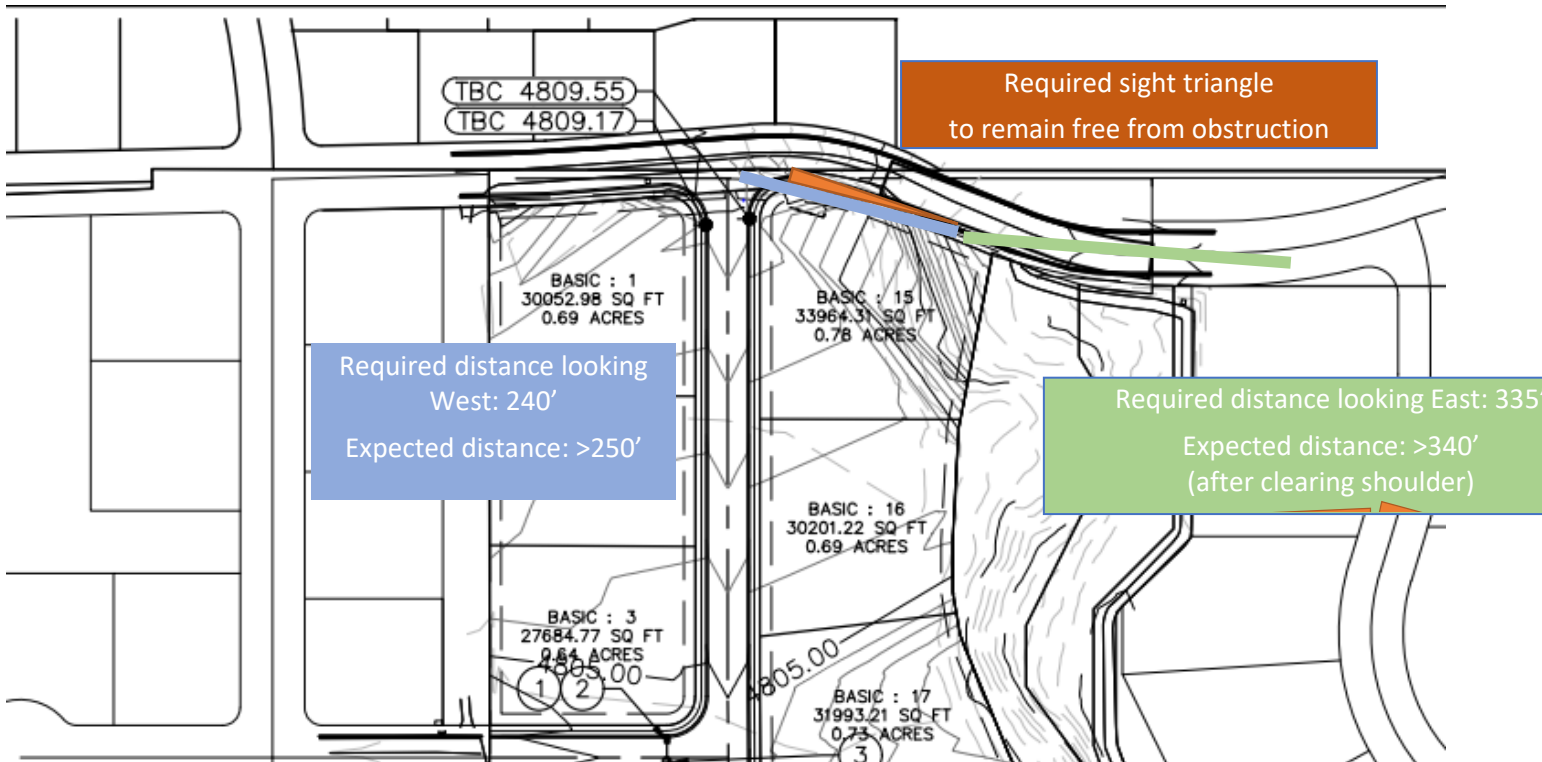


Figure 7: Alternate Intersection Sight Distances on 10250 North.

Clear Zone Evaluation

10250 North is an approximately 33ft wide paved roadway with curb and gutter and sidewalks. The 33ft pavement provides adequate roadway width as (2) 11-foot travel lanes with 5.5ft of pavement each side plus the 2ft of gutter for shoulders. The recommended clear zone for this roadway as identified by the American Association of State Highway and Transportation Officials (AASHTO) is 7-10 feet, which is based on expected daily vehicle counts with this development (Roadside Design Guide, AASHTO). The roadway as proposed meets clear zone recommendations.

Traffic Mitigation Strategies

The speed limit on 10250 North is 25mph, and the 85th percentile speed is 30mph. The speeding is not excessive, but traffic mitigation efforts are encouraged to reduce vehicle speeds and eliminate speeding outliers (a 49mph vehicle speed was observed). Traffic mitigation efforts will increase safety and reduce decision and sight distance requirements. Intersection curb extensions (bulb-outs) are recommended for the development's north intersection – extending the curb into 10250 North and the new roadway development. Curb extensions extend the sidewalk into the parking lane, increasing pedestrian visibility at the intersection and narrow the roadway to provide a visual queue for vehicles to slow down (see nacto.org). Installation during original construction will not incur additional costs as the extra curb and gutter removes the need for asphalt that would otherwise be placed in these locations.

Summary

- The proposed and alternative north entrance into the subdivision is expected to meet or exceed sight distance requirements as established in the Geometric Design of Highways & Streets, 2018.
- Curb extensions at the intersection will narrow the roadway and encourage slower vehicle speeds.

Additional note: Connectivity should be encouraged for all modes of transportation throughout the development. The site plane as proposed does not make connections within the development to reach the Highland Trail (10050 N) or the Mitchell Hollow Trail. Users of the trail will need to exit the development to utilize the trail. Effort should be made to connect to the trails within the development, which will increase safety and user experience.

Sincerely,

CRS Engineers

A handwritten signature in cursive script that reads "Scott Shea".

Scott Shea, PE
Transportation Lead

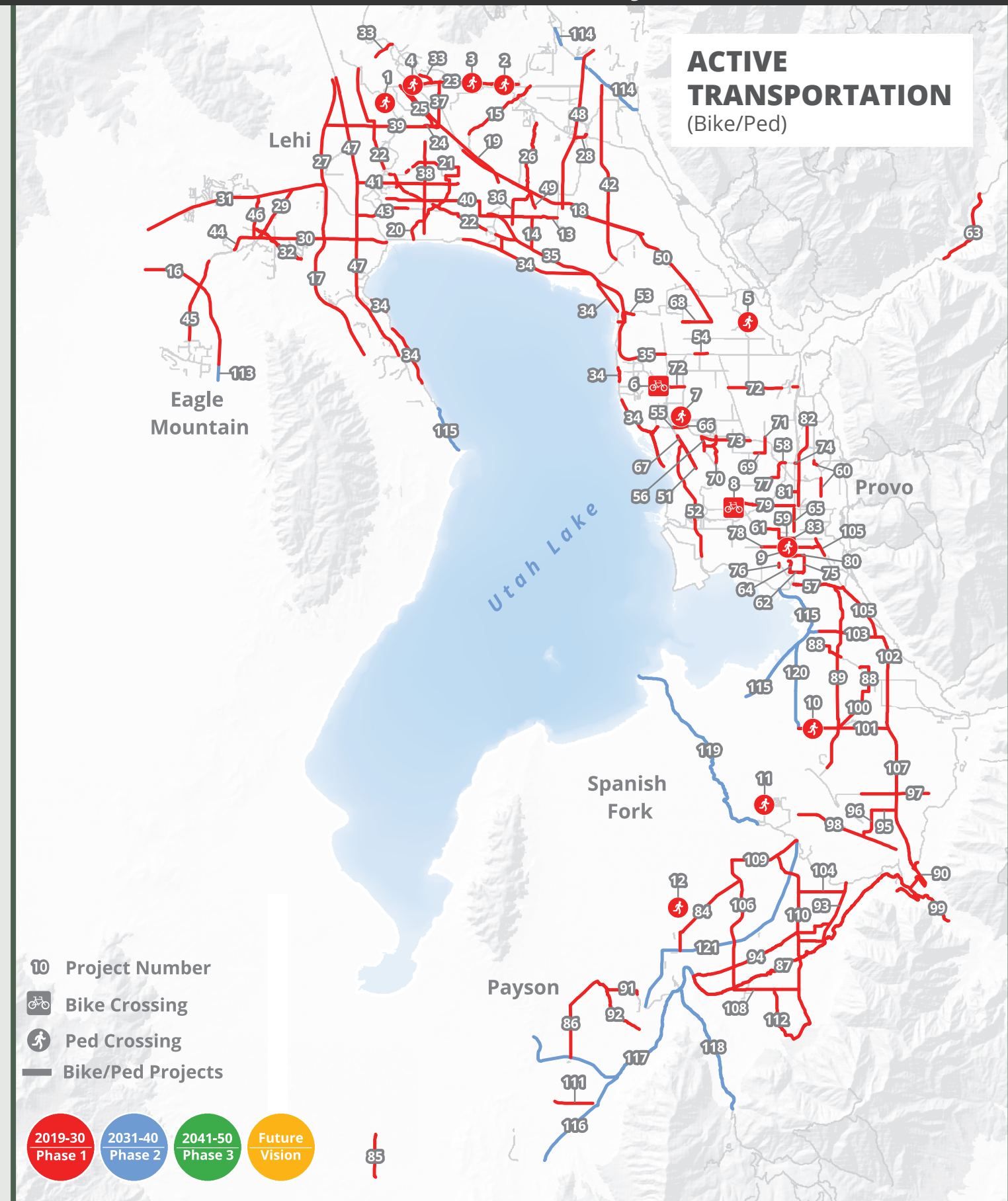


ACTIVE TRANSPORTATION MAP and PROJECT LIST



HIGHWAYS

Project	Description
COUNTY-WIDE PROJECTS	
112	Saratoga Springs to Santaquin Proposed Freeway
113	US-6 to Cedar Valley Proposed Freeway
NORTH PROJECTS	
114	Cedar Valley to Tooele County Proposed Highway
115	Cedar Valley West Expressway Proposed Expressway
116	East Expressway Proposed Expressway
117	Point of the Mountain Connector Proposed Freeway
SOUTH PROJECTS	
118	Santaquin to Elberta Proposed Freeway
119	South Wasatch Corridor Proposed Provo Bay crossing between Provo and Payson



2019-30
Phase 1

ACTIVE TRANSPORTATION (Bike/Ped)

Project Name	Cost
COUNTY-WIDE PROJECTS	
Bike/Ped Crossing	
1 Jordan River Trail - Pedestrian Bridge Crossing	\$640,080
2 Lehi SR-92 / 1200 E - Pedestrian Crossing	no planned cost
3 Lehi SR-92 / Center St - Pedestrian Crossing	\$8M
4 SR-92 Pedestrian Bridge Crossing	\$5.3M
5 Orem 1600 N / 400 E Roundabout & Pedestrian Crossing	\$1.35M
6 Vineyard Center ST RR Bridge - Add Bike Lanes	\$650,000
7 I-15/Orem 800 S - Add Multi-Use Path & Grade-Separated Crossing	*
8 I-15/Provo Bike/Ped Crossing - Add Buffered Bike Lanes	*
9 Freedom BLVD - Possible Bike/Ped Improvements	*
10 I-15/Springville 1600 S Interchange - Add Grade-Separated Crossing	*
11 I-15/Sp Fork Center ST Interchange - Add Grade-Separated Crossing	*
12 I-15/Payson Main ST/Nebo RD Interchange - Add Grade-Separated Crossing	*
NORTH PROJECTS	
Multiuse Pathways	
13 American Fork 200 S - Trail	\$4.5M
14 American Fork 570 W - Trail	\$985,000
15 Dry Creek Trail - Lehi to Highland	\$2.6M
16 East Expressway Trail	*
17 Foothill Blvd Trail	*
18 Historic Utah Southern RR Trail - Lehi to PG	\$6.5M
19 I-15; Improvements at crossing & New Trail	*
20 Lehi - Dry Creek South Trail	\$3.5M
21 Lehi - Waste Ditch Trail	\$1.7M
22 Lehi / American Fork - Power Line Trail	\$7.4M
23 Lehi / Highland - SR-92 Trail	\$3.1M
24 Lehi 2100 N / SR-194 - Trail	*
25 Lehi I-15 Frontage Road - Trail	*
26 Mitchell Hollow Trail	\$2.4M
27 Mountain View Corridor - Trail & Buffered Bike Lanes	*
28 Murdock Connector Trail - American Fork	\$637,000
29 Ranches Corridor Trail - Eagle Mountain	\$1.85M
30 South Pony Express Pkwy Trail - Eagle Mtn / SSprings	\$3.725M
31 SR-73 - Trail	*

* Project cost is associated with planned road project

 2019-30
Phase 1

ACTIVE TRANSPORTATION (Bike/Ped)

Project Name	Cost
32 Tickville Trail - Eagle Mountain	\$2.130M
33 Traverse Mtn Blvd Trail	\$1.2M
34 Utah Lakeshore Trail	\$6.68M
35 Vineyard Connector - Trail & Buffered Bike Lanes	*
Bike Facilities	
36 American Fork Meadows - Buffered Bike Lanes	\$206,550
37 Lehi 1200 W - Bike Lanes	*
38 Lehi 1700 W - Cycle Track	\$1.5M
39 Lehi 2100 N / SR-194 - Keep existing Bike/Ped Facilities	*
40 Lehi 700 S - Cycle Track Connecting to 200 S American Fork	\$2.06M
41 Lehi Main St - Buffered Bike Lanes	*
42 North County Blvd - Buffered Bike Lanes - Associated with Planned Highway Resurfacing Project	
43 Pioneer Crossing - Coordinate alternative Bike/Ped improvements with Saratoga Spgs & Lehi	\$1.7M
44 Pony Express Pkwy - Bike Lanes / Cycle Track	\$656,304
45 Pony Express Pkwy - Buffered Bike Lanes	\$382,500
46 Ranches Pkwy - Bike Lanes / Cycle Track	\$696,960
47 SR-68 / Redwood Road - Buffered Bike Lanes - Associated with Planned Highway Resurfacing Project	
48 SR-74 - Buffered Bike Lanes	*
49 State St / US-89; Lehi Buffered Bike Lanes	*
50 US-89 / State St - Buffered Bike Lanes - Associated with Planned Highway Resurfacing Project	
CENTRAL PROJECTS	
Multiuse Pathways	
51 Geneva Rd / SR-114 - Trail	\$890,000
52 Lakeview Pkwy Trail	*
53 Lindon Heritage Trail	\$440,000
54 Orem 800 N Trail	\$395,865
55 Orem FrontRunner Station Trail - Geneva Rd to UVU Ped Bridge	\$280,000
56 Orem Sandhill Rd - Trail	\$410,000
57 Provo 1860 S - Trail	\$1.58M
58 Provo 2230 N - Trail	\$178,000
59 Provo 500 W / 300 S - Trail	\$750,000
60 Provo 900 E - Trail	\$770,000
61 Provo Center St - Trail	\$560,000
62 Provo East Bay Blvd Trail	\$425,000
63 Provo River Pkwy Trail	\$2.63M

* Project cost is associated with planned road project

impact on the roadway; therefore, the resident should not be required to make those street improvements. While making those amendments, staff decided to update the code to meet State standards.

Mayor Rod Mann opened the public hearing at 7:35 pm. There were no public comments. Mayor Rod Mann closed the public hearing at 7:36 pm.

Council Member Scott L. Smith MOVED that the Highland City Council accept the findings and approve the proposed amendment to the Highland City Development Code Chapter 3 Article 2 Nonconforming uses, which encompasses Section 3-615, Section 10-102, and Section 11-102, to update the language to be consistent with State Code. Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

5. ACTION: MILLHAVEN DEVELOPMENT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR A 69 LOT SUBDIVISION. THE PROPERTY IS 64.46 ACRES AND IS LOCATED AT 10250 NORTH 6531 WEST *Administrative*

The City Council will consider a request by Jeremy Ackley representing Millhaven Development for Preliminary Plat approval for a 69-lot subdivision known as The Hollows located approximately at 10250 N 6531 W. The City Council will take appropriate action.

City Planner Tara Tannahill presented a background of the application and showed the location of the property. The current zoning of the property was R-1-40. In a previous application, the developer requested a rezone of the property. When the Planning Commission recommended denial of the rezone, the applicant chose to withdraw their application. The current proposal utilized the R-1-40 zoning, and the applicant was legally allowed to develop according to those standards. The Planning Commission held a public hearing regarding this proposal on August 25, 2020. There were 14 public comments made during the meeting, and nine written correspondences had been received by staff since that time. The Planning Commission unanimously recommended approval of the application with 11 stipulations. Subsequent to the Planning Commission meeting, the applicant provided an updated plat for the Council to consider. The new plat dropped one lot and shifted a few properties to preserve the wetlands. Those wetlands would be dedicated to the City as open space. The total area of the dedicated wetlands would be 5.78 acres. The roadway was also shifted slightly to provide for the wetlands and a trail. The proposed plat met all R-1-40 zoning standards for setbacks, frontage, and minimum lot size. Twenty-six lots are between 20,000 and 30,000 square feet, which goes against the development code allowance of 25%. However, staff felt that this was acceptable due to the dedication of the wetlands. In response to this new plat, staff recommended the removal of stipulations 5, 8, 9 and 11 from the Planning Commission.

City Engineer Todd Trane stated that the connection at 10250 North had been a concern brought up by many residents. The City had always been concerned about the lack of connections to the east and west. Because of the hollow and the wetlands, it was never proposed to have a road going east to west. Staff required the developer to include the connection to 10250 North, and a traffic study recommended that connection. Staff would like to have as many connections as possible to give residents more access points to and from the neighborhood. While

the connection was shown on the proposed plat, it had not been formally designed yet. That would be done prior to final plat approval. Staff would ensure that the intersection was designed according to City standards, and that it would be safe. He noted that the connection could not be pushed down the road because the developer didn't own that property. The concern from residents was primarily with safety. He thanked the developer for making changes to the plan with respect to staff comments and resident input.

Council Member Scott L. Smith commented that there was concern with the sightlines at the top of the hill because of the curvature of the road. He asked if there was a stipulation regarding trees along the roadway, which could inhibit vision even further. City Engineer said that staff would ensure that they had proper sight distance at this intersection. If necessary, they can put in a restriction for those lots prohibiting vegetation. That would be determined at final approval. Preliminary approval was simply the general layout of the subdivision.

There was a discussion regarding the traffic study that was conducted, and City Engineer Todd Trane clarified that the study examined the impact that the subdivision would have on the surrounding roadways. It was determined that the subdivision would not have a great impact on any of the local roads.

Council Member Kim Rodela asked if there was a concern where the road T's in front of the lot. City Engineer Todd Trane said that there were many situations like that throughout the City. Once the development goes in, the City never hears any complaints. He noted that the road would have to be graded here, so the headlights would be pointing downward as the cars drove toward the home.

Council Member Scott L. Smith commended the developer for wanting to preserve the wetlands. He was concerned about the section of property east of the wetlands, because the City wouldn't have the resources to maintain it. City Engineer Todd Trane said that this area would remain natural with native vegetation. Council Member Scott L. Smith was concerned about the location of the trail, which was proposed to run behind the existing homes. He asked if the trail could be moved to the west, and if the property could be graded to provide more privacy. City Engineer Todd Trane noted that they moved the trail to this location to be closer to the wetlands and have less impact on the residents.

Council Member Kim Rodela asked if there were any safety concerns with the trail. Police Chief Gwilliam said that more secluded trails create more problems. With other trails in the City, there had been instances of vandalism, but no reports of crimes against persons. The Police Department would get calls about people looking into homes along trails.

Council Member Scott L. Smith asked if the proposed roadway and connection allowed for fire access. Fire Chief Reed Thompson said that they felt comfortable with the proposal. It would be difficult to get emergency vehicles through if cars were parked on both sides of the road, but they face that in many parts of the City.

City Engineer Todd Trane noted that 10200 North was not built to current road standards and was quite narrow. He had met with the resident on the south side to see if they could negotiate a road widening. That roadway was not currently wide enough to park cars on both sides of the road.

Fire Chief Reed Thompson commented that the trail would provide as a fire break between the wetlands and the residential homes in the case of a wildfire.

There was a brief discussion regarding the recommended changes to the stipulations. Mayor Rod Mann invited the applicant to come forward and speak with the Council.

The applicant, Tyrell Grey, expressed gratitude for staff and the neighbors for providing their comments. He felt that they had come up with a good compromise.

Council Member Kurt Ostler said that there was a property owner at 10250 North that had a long, narrow property. He asked if there was any concern about landlocking the property with this development. Tyrell Grey commented that that was a strange piece of property. He had spoken to the property owner about this, but the only thing he could do would be to develop a lot facing 10250 North, and he hadn't expressed interest in that.

Mayor Rod Mann opened the floor for public comment at 8:09 pm.

Robert Loosle, a resident along the hollow, expressed appreciation to the developer for listening to their concerns. He had concerns about the state of existing trails in the City, which were unkempt and there was some vandalism on the trail and fences. He requested that the City consider making this an unpaved trail and try to keep the trail on the west side of the green space to allow for a safer connection. Mr. Lacely offered to help design the trail.

Dennis Packard, a resident of 10250 North, said that his two concerns were with the safety of the pathways and proposed connection at 10250 North. An independent engineer could do safety test for \$1,000, which would determine whether there was a safety hazard based on the speed of cars on that road. The citizens need safety assurances before something like this is approved. Mr. Packard commented that the City Code requires that a sign be placed on the subject property to advertise public hearings. The residents did not see such a sign on the property, although they did receive notice via mail.

Derek White, a resident, said that he sent an email to the Council earlier that day. He appreciated that the developer was dedicating the wetlands to the City, and the trail would be a nice addition. He was concerned about the trail going behind the existing homes and suggested that the trail be moved to the west side.

Kevin Pace, a resident, requested more information about the phasing of the development, and requested that the connection with Madison Ave and Canal Blvd be completed with Phase 1.

Clay Holman, a resident, said that he purchased his property with the expectation that the trail would be on the west side of the wetlands, because that was the location of the trail on the City's trail masterplan. Also, when the plat was presented to the Planning commission, it was on the west side. He hoped that they could move the trail back to its original location.

City Engineer Todd Trane said that the plat was altered because of the dedication of the wetlands. There was no way of putting the trail back on the west side because it would be on private property. The proposed location of the trail would create the least amount of impact.

City Attorney Rob Patterson addressed the issue of noticing. There was some concern raised about notice not being posted for the Design Review Committee meeting for this application. The developer confirmed that they had posted a sign, but that sign has since been taken down. The Design Review Committee meeting was preliminary, and not technically a public meeting. If notice wasn't given, it's unfortunate but too late to challenge at this point. Since that time, the residents have been given several opportunities to make comments.

Council Member Scott L. Smith commented that when development occurs in the City, the Council needed to listen to the residents that would be directly impacted, while at the same time respecting property rights. That's where compromise happens. This developer had compromised by freeing up the wetlands, and he believed they could make some kind of compromise on the trail. He was not fond of having trails behind homes, but the compromise here would be to put the trail on the east side of the wetlands to provide a buffer. Regarding the connection at 10250 North, he said that Council would need to see some strong engineering to be sure that their concerns were addressed. He was glad that the development was in keeping with the R-1-40 zoning, which was consistent with they like to see in Highland City.

There were no further public comments. Mayor Rod Mann brought the discussion back to the Council and staff.

City Engineer Todd Trane addressed some of the concerns raised about the connection to 10250 North. Moving the connection further toward the Chase property would put the road on the steepest part of the road. In the proposed location, the road would intersect at the crest of the hill, which would actually be the safest location. He welcomed Mr. Packard to come to his office and discuss the intersection in more detail. Regarding the suggested traffic safety study, he explained that this was essentially a speed study. He assured the Council that staff would design the intersection to be as safe as possible.

Council Member Kurt Ostler asked if the trail would be eligible for funding from MAG. City Administrator Nathan Crane said that it would be eligible, but it would take four to six years to obtain funding. Council Member Kurt Ostler stated that he would prefer to have the trail along the wetlands on the west side. There was some further discussion about the trail location and trail safety.

Council Member Kim Rodela MOVED that the City Council accept the findings and approve case PP-20-05 a request for preliminary plat approval for The Hollow Subdivision located at 10250 N 6531 W subject to the nine following stipulations recommended by Planning Commission and staff.

1. *The final plat shall be in substantial conformance with the preliminary plat received September 10, 2020*
2. *All public improvements shall be installed as required by the City Engineer.*
3. *The civil construction plans shall meet all requirements as determined by the City Engineer.*
4. *No access shall be provided from Madison Avenue / Canal Boulevard (10000 N). A one-foot NVAE easement shall be added to both sides of the road and a note shall be placed on the plat*
5. *The final plat for lots 58, and 48-55 shall include a conservation easement and shall not be recorded until the wetland delineation has been approved by the US Army Corp of Engineers.*
6. *Lots containing a conservation easement shall have a two railed fence along the western edge of the conservation easement.*
7. *The open space property on the east side of the site shall be dedicated to Highland City.*
8. *The irrigation ditch shall be abandoned as determined by the Lehi Irrigation Company.*
9. *The Developer may include the wetlands as part of calculating lot sizes for lots 47-54 for purposes of plat approval, subject to developer entering into a development agreement with the City that provides that the wetlands and adjacent buffer property be dedicated to the City at or before final plat recordation and lots 47-54 will not include any delineated wetlands.*

Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

6. ~~RESOLUTION: DECLARING THE INTENT TO ANNEX 36.95 ACRES LOCATED APPROXIMATELY NORTH OF 6204 W SUTHERLAND DRIVE (ANNEX-20-03)~~ *Legislative*

The City Council will hold a public meeting to consider a request by Gordon Crofts of GCII

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To: Highland City Council and Mayor
From: Rob Patterson
Date: February 11, 2021
Re: Legal Standard and Issues Related to The Hollows Final Plat Application by Millhaven

This memorandum and report is submitted for the Council's review in connection with Millhaven Development's application for final plat approval.

1. Final Plat Approval Should Be Granted Unless the Plat Does Not Satisfy Code

Both City code and State law grant developers an entitlement—a vested right—to the review *and approval* of a subdivision application for final plat approval if that application satisfies the City's code and standards. Utah Code Ann. § 10-9a-509(1)(a); HCC §§ 5-4-315. The City's staff and the City Council can and should review all aspects of a proposed subdivision to determine code compliance. The Council is entitled to review the application and staff's suggestions and then impose conditions that the Council finds are appropriate in order to ensure compliance with governing standards. These conditions can be the same as staff's suggested conditions or may be additional or different conditions.

Whatever changes or conditions are imposed by the Council must be (1) based on a properly adopted legal standard and (2) supported by evidence, such as studies, reports, and the experience of City staff and other experts. The Council cannot deny or mandate changes to a final plat solely because of public complaint, and the City cannot restrict or limit development without support from both the law and the evidence presented to the Council.

2. The "Public Interest" Exception Does Not Apply in this Case

State law provides that a subdivision application can be denied or altered, regardless of code, if the council, "on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing." Utah Code Ann. § 10-9a-509(1)(a)(ii)(A).

This is not an easy standard to satisfy, and the exception is limited to "instances when an application would for the first time draw attention to a serious problem that calls for an immediate amendment to a zoning ordinance." *W. Land Equities v. Logan*, 617 P.2d 388, 396 (Utah 1980). The public interest at stake has to be weighty enough that it overrides the normal

assumption that property owners are entitled to use their property as allowed by City code. Such an exception generally requires a significant public health and safety risk.

As it regards The Hollows subdivision, a minor increase in traffic—especially an increase that results in impacts comparable to other residential areas of the City—is not a compelling, countervailing public interest that can justify denial of a subdivision application. The complaint by residents along 10250 North appears to primarily be a private concern about the development “dump[ing] all that traffic in front of our and our neighbors’ houses,” rather than a broader concern about public safety. The residents acknowledge that the connection would be fine if it was relocated a few dozen feet further away from their home. This type of personal concern and complaint is not a “compelling, countervailing public interest.”

3. Both Traffic Studies Justify and Warrant the Connection to 10250 North

There have been two traffic studies performed for The Hollows that have addressed the development’s traffic impact. One study was performed by Hales Engineering at the request of the developer, and looked at a proposed 70-lot subdivision. The other study was performed by CRS Engineers at the request of residents, and looked at a proposed 69-lot subdivision. Both studies reported similar findings and conclusions:

Hales study report, findings, and conclusions:

1. The Hollows will produce an average of 750 daily trips, peaking at 56 trips in the morning peak hour and 74 trips in the evening peak hour
2. 30% of those trips will enter/exit on 10250 North: 225 total daily trips with 16.8 trips during the morning peak hour and 22.2 trips during the evening peak hour
3. “[T]he northern connection to 10250 North [is] a valuable access for this development. For residential developments such as this project, roadway connectivity is paramount to ensure proper traffic flow and minimize congestion in residential neighborhoods, thus providing adequate and sustainable service to residents in the area.”

CRS study report, findings, and conclusions:

1. The Hollows will produce an average of 750 daily trips, peaking at 74 trips in the evening peak hour.
2. Agreed with Hales Study that 30% of trips will enter/exit on 10250 North, “or approximately 23 vehicles during the PM peak, and 225 vehicles throughout the day. The highest peak hour during the day will see an average of 1 vehicle every 3 minutes.”
3. “Connectivity should be encouraged for all modes of transportation throughout the development.”

4. “The proposed and alternative north entrance into the subdivision is expected to meet or exceed sight distance requirements.”

CRS follow-up email: In a follow-up email regarding their study, CRS stated:

1. “All roadways will need to meet certain design criteria for safety, regardless of how many vehicles use the road. Those were checked with the clear zone and sight distances in the report.”
2. The increase in traffic along 10250 North from existing residences using the new connection to 10250 North “would not be enough to draw alarm,” and “it is not warranted to do such an in-depth study” of diverted traffic.

Both studies recommended connectivity and both studies found that the subdivision would increase traffic along 10250 North by 225 trips, with a peak hour traffic of 22-23 vehicles, or 1 car every 3 minutes. The CRS study also found that the proposed connection would meet or exceed sightline safety standards, and that an additional study regarding traffic impacts from surrounding neighborhoods was not warranted. As such, both studies support the connection between The Hollows and 10250 North.

The CRS study also provided trip data for current use of 10250 North, finding that there is an AADT (annual average daily traffic) volume of 689 vehicles, and an average vehicle speed of 26.4 MPH. While CRS is a reputable firm and used appropriate methods to prepare their study, we are aware of attempts by residents to artificially inflate the amount of traffic on 10250 North in order to influence the CRS report. A neighborhood group publicly posted the following:

Highland City is doing an impact study to determine the busyness of traffic on our street from my corner down to Mitchell Hollow Park. They have placed black strips (markers) on the street to count the traffic. If you have the choice to turn or go this route- please drive down our street. We are trying to prove that our street is already busy enough with cars and kids walking and riding bikes to and from school at 4 different times of each week day. We have all witnessed how crazy that curve is at the end with cars speeding up and down the road.

The purpose of the study is to determine whether there should be an outlet street coming out from the proposed new subdivision across from the Packard’s house- which we are trying to avoid. It would just put more traffic onto our already too busy road putting the kids at more risk.

This effort to artificially inflate traffic counts is troubling and casts doubt on the accuracy of the data relied upon by CRS to prepare their traffic report (again, not the fault of CRS). Regardless, the impact of the proposed subdivision and of the connection between the subdivision and 10250 North is not sufficient, unique, or unusual enough to warrant removing or altering the connection. Doing so would be granting a benefit to a few residents at the expense and to the detriment of the future residents of The Hollows subdivision and the rest of the City.

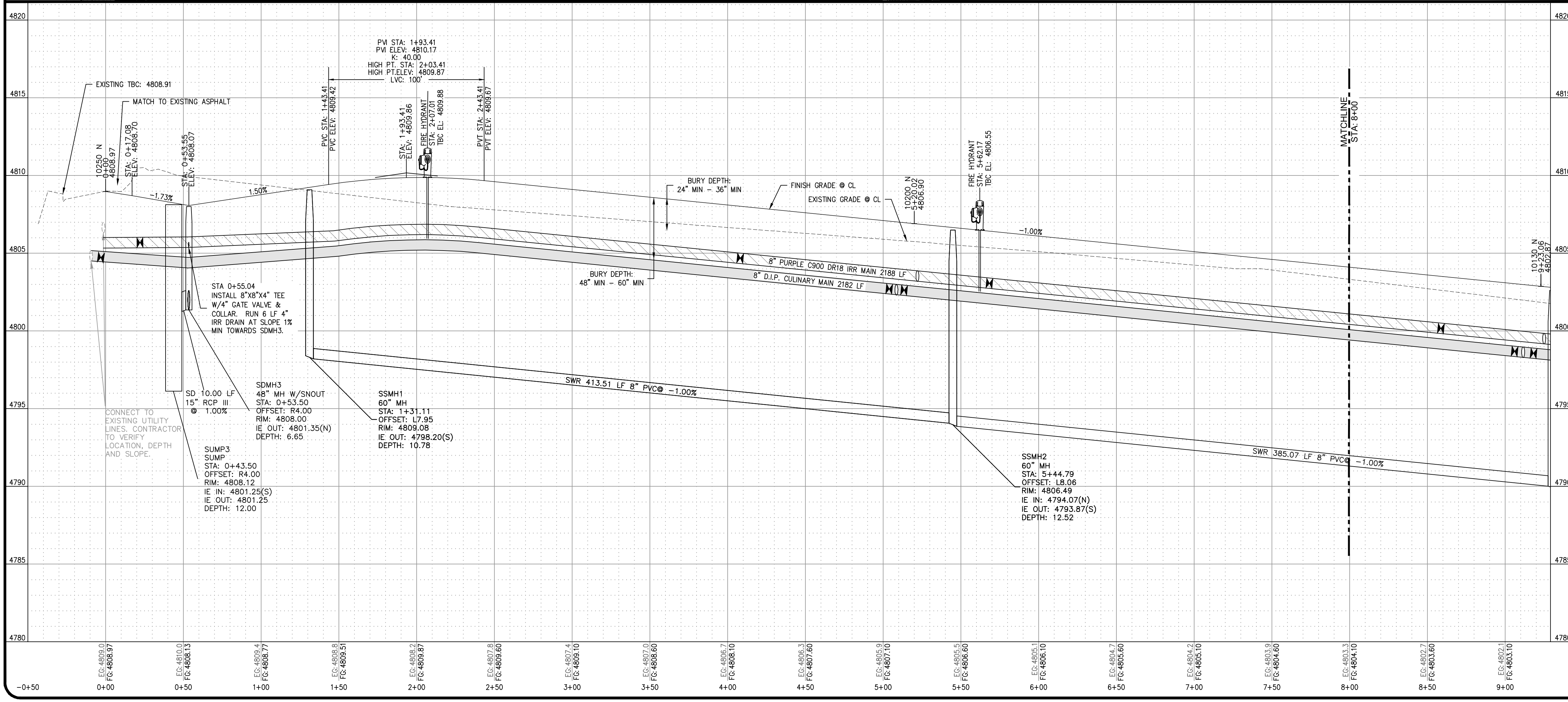
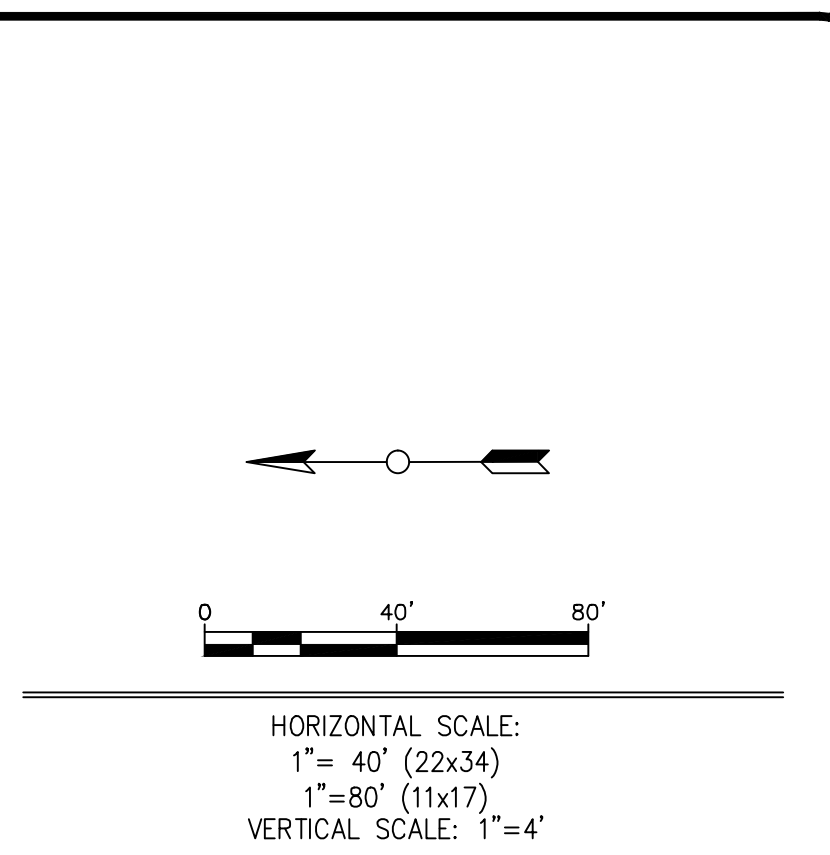
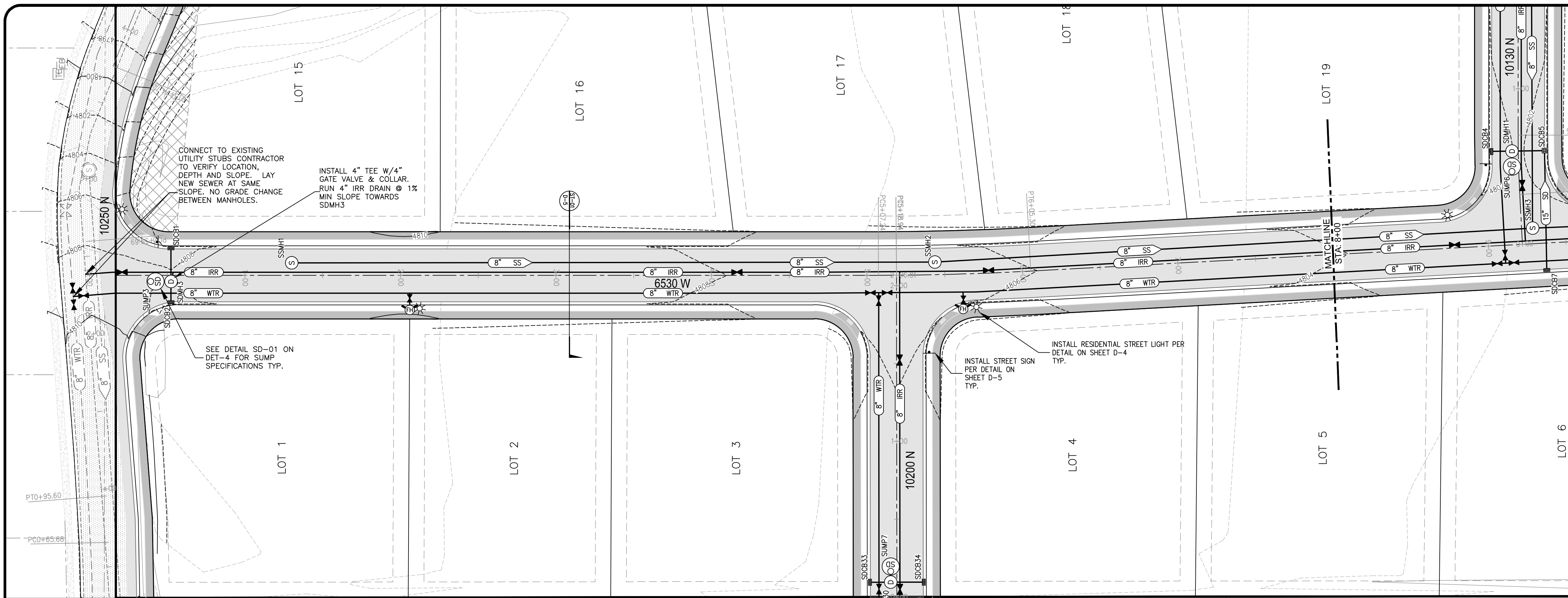
4. Local Road Standard: 1,000 Trips Is Not a Limitation

The City's Code categorizes roads within Highland into certain types of roads: major/minor arterial, major/minor collector, street, and cul-de-sac. This categorization provides standards for right of way and pavement widths for the City to use to determine what level of road improvements and dedications should be required of a developer. These standards are also used by the City to determine when the City should consider improving or expanding a road.

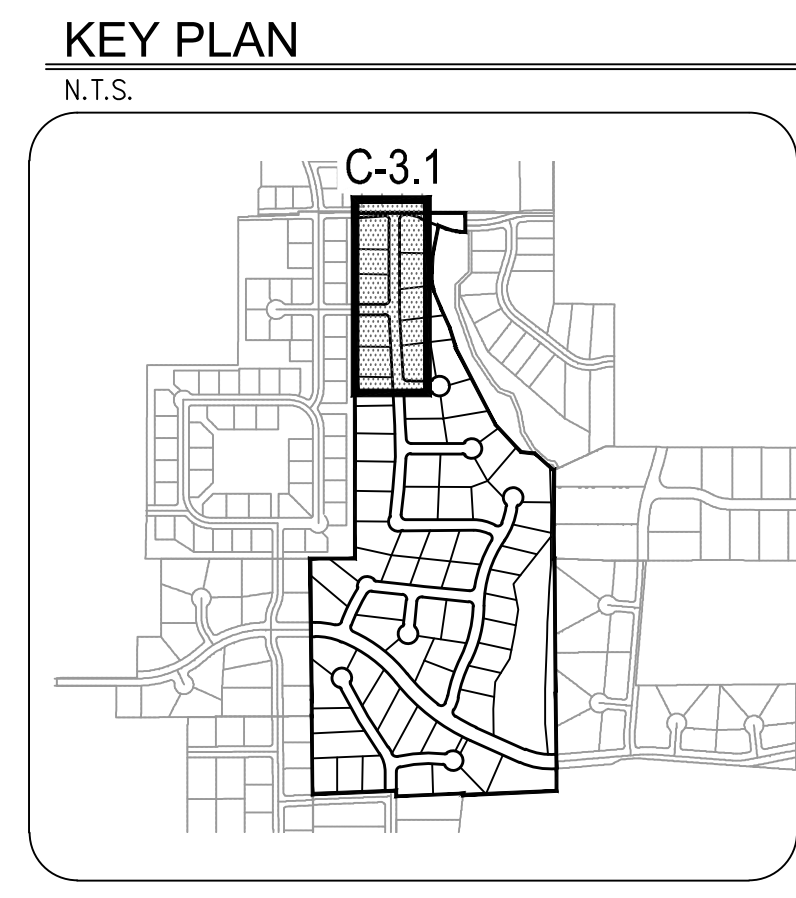
Generally, local streets are expected to handle approximately 1,000 vehicles per day. The connection to 10250 North, and 10250 North's status as a local street is entirely appropriate based on the CRS study, which found an AADT for 10250 North of 689, with a projected increase of 225 daily trips.

However, there is no code that restricts connections if such a connection would increase traffic beyond the road's expected classification and use. There is no standard that says the City can or should prohibit a connection if it increases traffic on a local street beyond 1,000 vehicles per day. Instead, the City's General Plan states that traffic volumes and categorization are to help the City understand when to plan on improving a particular road, based on whether traffic volume is approaching or exceeding the road's anticipated capacity.

The City's General Plan specifically states that "[l]ocal streets should be designed to maximize access and through-traffic movements," and "[i]f the city has the opportunity to connect streets for the purpose of providing better traffic circulation, more efficient and prudent maintenance costs, and more efficient access for public safety purposes, then streets should be connected." Based on these standards and the recommendations from both traffic studies, the connection between The Hollows and 10250 North is recommended and appropriate.



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PROJECT ENGINEER	DATE
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PROJECT	PROJECT MANAGER	DRAWN BY	ISSUE DATE
THE HOLLOWES SUBDIVISION	SMT	ANF	02/04/2021

SHEET TITLE	PLAN AND PROFILE STA:
6530 WEST	0+00 TO 8+00

PROJECT	SHEET
C21-001	C-3.1

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CITY COUNCIL AGENDA REPORT ITEM #9

DATE: February 16, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Todd Trane, City Engineer
SUBJECT: ACTION: Ron Peck - Pressurized Irrigation Connections Outside of City Limits. *Administrative.*

PURPOSE:

The City Council will review a request by Ron Peck for two pressurized irrigation connections located outside City limits. The City Council will take appropriate action.

DISCUSSION:

Tom Williams and Ron Peck have approached the City to supply irrigation water to their properties outside of the City Limits. Their request was approved by City Council on December 3rd, 2019, but asked that they work out the details with staff and bring it back for further discussion. The current request is to irrigate 11.77 total acres; Tom's home which is 1.02 acres and a 10.75-acre alfalfa field.

The property is currently in Utah County. The Highland/Lehi city boundary agreement identifies that this property will be in Lehi upon annexation. However, Mr. Peck has prepared a concept plan for 6 to 8 lots west of 6800 West that would annex into Highland City.

There is an existing Lehi City pressurized irrigation line that runs north and south through the RLP Enterprises property. Mr. Williams indicated that Lehi City would not allow a connection to this line. Staff contacted Lehi City. Lehi will not provide a connection unless the property is annexed into Lehi and water is dedicated to the City.

There are three Sections of the Municipal Code that address this issue as follows:

13.30.082 Agriculture connections.

Water delivery to properties without residential dwelling units will be considered as agricultural use and will be reviewed individually by the city council to determine conditions for connection and an applicable rate schedule. (Ord. 1998-18 § 1(part))

13.30.210 Flood-irrigating from pressurized system.

Unless special permission is granted by the city council on a case-by-case basis, it is unlawful for any person to use substantial quantities of water from the pressurized irrigation system for the purpose of flood-irrigating any property. Except for incidental watering of shrubs, flowers, and other limited use applications, water from the pressurized irrigation system used for irrigation of lawns, gardens, and

other irrigation applications shall be applied through either a sprinkler or drip irrigation system, including sprinklers attached to garden hoses. (Ord. 1998-18 § 1(part))

13.30.230 Pressurized irrigation outside Highland City corporate limits.

A. The city may sell pressurized irrigation water to users outside the city limits only if approved by a resolution of the city council and at such rates and under such terms and conditions as the city council may determine by resolution.

B. At the discretion of the city council, pressure irrigation service may be extended to property outside the Highland City corporate limits if the property owners agree at that time to annex into Highland City in the future and pay all the costs of extending service to the property including the payment of all fees applicable to service outside Highland City corporate limits. (Ord. 1998-18 § 1(part))

Proposal

- The applicants are requesting two new connections to the pressurized system on 6800 West. One connection will provide water for the alfalfa field (through a sprinkler system) and the other will provide water to the home site. Mr. Peck would also utilize an existing 3” connection from 9600 North. Mr. Peck is willing to provide water shares to Highland at no charge to accommodate the demands on the system. They are also willing to modify the watering schedule to accommodate the demands on the system. Irrigation water to the site has historically been provided through the Harmon ditch (Lehi Irrigation Company) and the Mitchell Hollow ditch (American Fork Irrigation Company).
- Mr. Peck will provide the following water shares to the City:
 - Provo Reservoir Full (conveyed through the Murdock Canal): 90 Acre-Foot/22.5 Shares.
 - Lehi Irrigation (provided through the AF River at the mouth of the Canyon): 50 Acre-Foot/25 Shares.
- Mr. Peck will retain these water shares and pay all assessments during the duration of the agreement. The shares will be available for Highland City use and no one else.
- With the proposed sprinkler system, Mr. Williams will need approximately 150-200 gallons per minute (gpm) to water the alfalfa field. To accommodate this flow rate, through the pressurized irrigation system, watering will take place during the hours of 10:00 am to 8:00 pm. The peak demand on the pressurized irrigation system is between the hours of 8:00 pm to 10:00 am. The applicants will not water during the peak demand period. The connections will not be used to flood irrigate. A sprinkler system for the entire property will be required.
- The amount of water that the City requires for a new development on a gross acreage is 3.0 acre-feet per acre, or 36 acre-feet for 12 acres. It is likely that the agricultural land will require more water than 36 acre-feet. The total water

requested for the 12 acres, as per Mr. Peck, is roughly 51 acre-feet per season. However, it is understood Mr. Peck has offered 140 acre-feet of water shares to the City to utilize until development of the property occurs.

Analysis

- The Pressurized Irrigation Hydraulic Model was utilized to analyze the existing system with the additional demands. The model provides that during the daylight hours there is sufficient capacity to provide the requested flows. Although the system is able to provide the additional flow the model does not take into account how the sources enter the system.
- Water source/shares – The updated information provides water shares for use in the system at the site (both Lehi Shares and Shares within the Murdock Canal). The Lehi shares (25) can be taken at the mouth of the canyon into the City's Upper Storage Pond. The Lehi shares enter the system at the appropriate elevation for the system to supply needed pressures at the Williams Property (due to the elevation difference between the Upper Pond and the property). Power for pumping will not be required to provide Lehi Water Shares to the site. In 2018 however, according to Lehi Irrigation Company, water shares provided less than 50% of their past allocation due to the drought. Also due to snow pack conditions, the water was only available through the first part of the summer. The Lehi shares easily allow the City to provide water to these properties, during good water years. When there is a drought, the other water sources will need to be utilized.
- Water for the property will also need to be provided through the Murdock Canal. The City's only turnout for the canal is through the Lower Pond found in the Canterbury subdivision. For these shares to be used in the system pumping is required. The additional pumping costs are roughly \$40/acre-foot and dependent on the amount of water pumped over a months' time. Of note, just to turn a pump on at the location, requires a demand charge of \$2,000 per month. The Murdock Shares are more difficult to use than the Lehi Shares and require the City's pump station facilities.
- All flows will be metered to the site and the applicants will be charged on actual flows at a rate of \$40/ acre-foot. During drought years, the applicants will be accessed the same applicable reductions as other irrigation users. In other words, the applicants may not receive more water than what is provided by the shares. The applicants will also be subject to any increases that are consistent to all Highland City residents.
- The applicants are providing additional water shares, above what they will likely use, for the City's system. Unless there is a drought the majority of these Murdock Shares would go unused and are of little benefit to the City. The shares, like others that the City rents, are considered insurance for drought years.
- Mr. Williams and Mr. Peck will be responsible for all costs associated with the physical connections to the system (excavation, meters, piping, etc.), including the

existing 3” connection. The installation of a meter will be required on the existing connection.

- The applicants will be billed monthly for usage based on current pressurized irrigation rates. Delinquent payments will result in the service being shut off. The applicants will follow all the rules and policies of a Highland City pressure irrigation connection.
- By allowing the property owners to connect to the system there will be reactionary benefits for the City. These benefits include abandoning the existing Harmon Irrigation Ditch from 10250 North (North end of the Rhinehart Property) to the Peck Property. These property owners are the last users of this portion of the ditch. However, Beth Wilson (9730 North 6800 West) would need to come on to the City’s PI system to irrigate her 2 acres before the entire stretch could be abandoned. Though the City does not convey water within the ditch, staff still assist with its maintenance. Anytime a ditch can be abandoned within the City limits, staff believes that it alleviates safety and maintenance concerns.
- Another benefit of abandoning the ditch would be to alleviate the need for piping it along the upcoming reconstructed 6800 West Roadway Project. The road project will also require property acquisition along the frontage of the subject properties. As part of these acquisitions Mr. Peck and Mr. Williams have asked for the approval of these PI connections.

Additional Actions:

If the Council approves the request, the following items will need to occur:

- Adopt a resolution allowing for these connections.
- Enter into an agreement for the water shares.
- Amend Section 13.30.230 .B of the Municipal Code or modify the boundary agreement with Lehi City.

FISCAL IMPACT:

The proposed rates are intended to cover the costs of water delivery. However, there may be minor operation costs related to staff’s time operating the Canterbury pump station for shares provided through the Murdock Canal. These operational costs are anticipated to decline with the improvements to the pump station and adjoining pond.

RECOMMENDATION:

Staff believes there are benefits to abandoning the ditch and believe that the PI system can operate appropriately with the increased demands. There will be costs and impacts to the City if approved that will be mitigated through the applicant’s fees. Staff supports the connections and believe that the benefits now outweigh the risks.

PROPOSED MOTION:

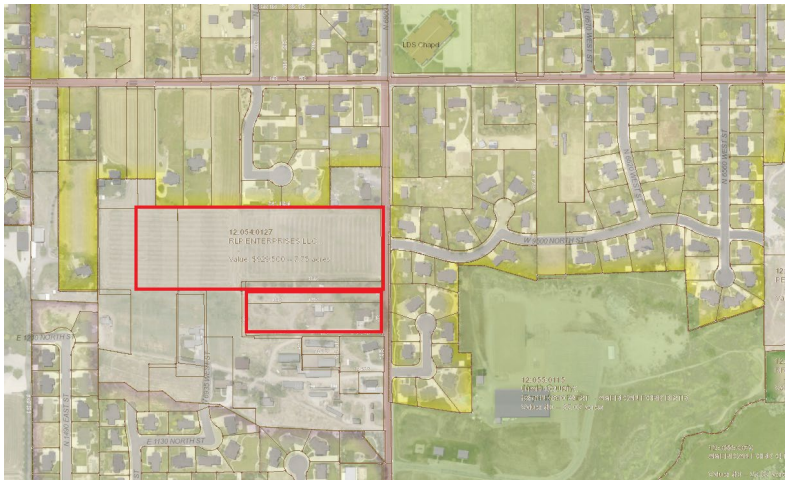
I move that City Council **APPROVE** the request by Ron Peck for Pressurized Irrigation Connections Outside of City Limits. Include any additional conditions if applicable.

ALTERNATIVE MOTION:

I move that City Council **DENY** the request by Ron Peck for Pressurized Irrigation Connections Outside of City Limits. (The Council should draft appropriate findings).

ATTACHMENTS:

Property



Irrigation Ditch to be abandoned



CITY COUNCIL AGENDA REPORT ITEM #10

DATE: February 16, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Todd Trane, PE
City Engineer/Public Works Director
SUBJECT: ACTION: Funding for additional park employee expenditures.
Administrative.

PURPOSE:

The City Council will consider a request to add an additional full time employee to the Parks Department and funding to allow for the training of a new employee to replace an employee who is retiring. The City Council will take appropriate action.

BACKGROUND:

Staff is proposing the addition of a Public Works Operator 1 Full Time Employee (FTE) to work in the Parks Department. This person will be responsible for all pruning, fertilizing and spraying. This will free up existing staff to focus on the care and maintenance of parks and open space maintenance areas thereby increasing the level of service throughout the city. This request is in response to the Council's request for additional maintenance, the construction of Spring Creek and future construction of Mountain Ridge Park, and general growth of the City.

Staff is also requesting funding for the training of a new employee to replace our retiring sprinkler repairman. Chris Weiss has been repairing sprinklers for the City since March of 2010 and has announced his retirement in January 2022. Unfortunately, the location of many of the main lines, control boxes, and valves are not documented. Staff is proposing to hire his replacement this spring. This will allow Chris to train the new employee in the startup, operation and shut down of all the sprinkler systems in the parks, open space, and medians in the City.

FISCAL IMPACT:

Funding for the new FTE will come from increased sales tax revenue as discussed last month. Staff conservatively estimated \$226,000 in ongoing recurring revenue. Of this only \$58,000 has been allocated recurring expenses. The costs will be divided between the Parks and Open Space accounts. The cost for the remaining fiscal year is \$19,000. The fiscal impact is approximately \$69,000 each fiscal year in salary and benefits.

Funding for the employee to replace the retiring sprinkler repairman will come from previous years' earnings. The fiscal impact is approximately \$13,000 this fiscal year and \$35,000 next fiscal year.

PROPOSED MOTION:

I move that the City Council authorize the funding for a new Public Works Operator I in the parks department and the funding for the hiring of an employee to replace our retiring sprinkler repairman.

ATTACHMENTS:

None



CITY COUNCIL AGENDA REPORT ITEM #11

DATE: February 16, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Donna Cardon: Library Director
SUBJECT: Service Bid: Library Catalog Management System. *Administrative*

PURPOSE:

The City Council will consider a request to approve a service bid with ByWater Solutions to provide the Koha open source library management and authorize the City Administrator and City Recorder to execute the necessary contract documents. The City Council will take appropriate action.

BACKGROUND:

The Library has used Workflows by SirsiDynix to manage our catalog information since 2016. It costs the library about \$12,000 annually. It is a very complex and powerful tool, but not very user friendly staff. We have also been quite frustrated with their customer support. Their help manual is poorly written and they often take days to respond to requests for help.

There is a newer library catalog system that is open source, called Koha. Because it is open source, several libraries in Utah that use it have contracted with a company called ByWater to provide support. After an initial migration cost of \$12,200, ByWater would charge \$3,400/year to provide support for the system.

I have talked with two libraries that use this system. Spanish Fork library has used the system since 2009 and Wasatch County has recently migrated to this system. Both of the libraries have said that ByWater is very good to work with and the director of the Wasatch County library said that the migration process was smooth and ByWater provided extensive training on the new system for their staff.

I have also contacted both the city's IT company and the NUCLC library directors to see if switching providers would cause any problem with them, and they responded that there should be no problem.

The Library had a little more than \$12,200 unallocated when we did budget adjustments last month. I would like to use that money to pay the initial migration cost and switch to

Koha as our catalog system provider.

FISCAL IMPACT:

Switching to Koha would have an initial cost of \$12,200 that would come from unallocated Library funds. In subsequent years, switching to Koha will save the library about \$8600 per year.

RECOMMENDATION:

Staff recommends the Library go forward with switching to the new library catalog system.

PROPOSED MOTION:

I move that the City Council **APPROVE** the service bid and **AUTHORIZE** the City Administrator to sign a contract with ByWater Solution to provide the Koha open source library management

ATTACHMENTS:

1. Koha Bid



ByWater
SOLUTIONS

Koha Implementation and Support



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LIBRARY 

 *koha*

FREE LIBRARY SYSTEM

<http://bywatersolutions.com>

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Phone/Fax: 888-900-8944

sales@bywatersolutions.com

••••• Thank You For Your Interest in ByWater Solutions!

Welcome to the World of Open Source

At ByWater Solutions, our goal is to empower libraries to explore, implement, and successfully use open source solutions such as Koha. We are flexible and responsive, offering customized hosting, migration, training, development, and/or support options according to our customers' needs. We are very excited that you are considering Koha and ByWater.

As a company, we believe that our clients' satisfaction is the most meaningful measurement of continued success. We pride ourselves on providing complete customer fulfillment in all we do. We truly believe that the personalized attention and excellent value we provide are perfect matches for the needs of your organization. Accessibility for support issues is an area in which we pride ourselves, and is an important differentiation between us and other similar support providers.

Using open source software will not only help your library successfully deliver online services to your users, but will also empower your staff to control the direction of your software. If you have any further questions about what ByWater Solutions or the open source community as a whole can offer please consider us a resource. We greatly appreciate your consideration in this project and hope to have the opportunity to partner with you going forward.

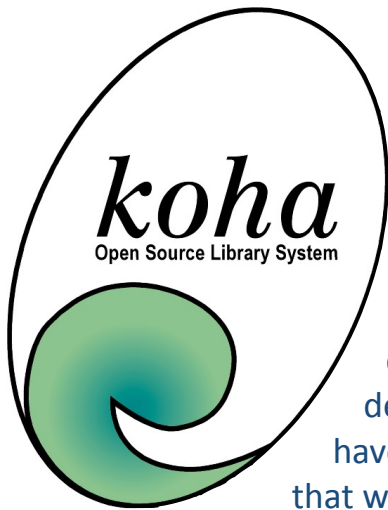
Thank you ,
Nathan Curulla
Owner, CRO



Data Migration and Koha Implementation:

Skilled manipulation of library data is the key to a successful migration. Because it is the most important representation of a library's collection, we take the time to proficiently manage your data prior to your go live. Our Installation and Migration fee includes:

- Creation of test system for training and testing
- Installation and customization
- Administrative configuration
- OPAC customization
- Import of patron data, fines and fees
- Assistance with the import/configuration of authority records
- External device setup such as those using SIP2 and LDAP connections



Customized On-Site Staff Training:

ByWater Solutions is equipped with professional librarians on staff dedicated to the expert training and implementation of Koha. We provide multiple formats for different learning styles including on-site, hands-on, classroom style learning, on-line presentations and demonstrations using web based training applications. We also have a full database of user documents and training materials that will all be at your disposal.

Top Ranked 24/7 Support:

Quality of support is the most important focus of our company and we pride ourselves on the implementation of this key feature. ByWater Solutions has the lowest customer to support personnel ratio in the business, supplying confirmation of support requests within 20 minutes of receipt.

Our Support Package Includes But Is Not Limited To:



- 24/7 tech support, regular backups to library data and servers, management of system updates and enhancements.
- Technical Consulting
- Training questions
- Report Generation
- Bug fixes and the application of community or customer sponsored development enhancements
- Training for all major updates in Koha's functionality at no additional cost
- Regular updates to your Koha system as new functionality becomes available at no additional cost.
- Customizations to the OPAC and staff side interfaces

ByWater Hosting Services:

ByWater Solutions offers a complete hosted environment on ByWater equipment placed in the virtual networking cloud. This delivers improved performance for both your staff and your users. Other functions include maintenance of your Linux server and management of databases with real-time backups.



••••• Pricing Structure

Item	Cost	Timeline
Complete Koha Install, Data Migration and OPAC Customization	\$6,200.00	4-6 Months for Completion
Unlimited Support and Annual Hosting	\$3,400.00 Per Year	24 Hour Support Triple Redundancy Nightly Backups
Webinar Demo	\$2,600.00	Live Webinar Training

Total Year One Cost = \$12,200.00

Total Year Two Cost = \$3,400.00

*price is valid for 90 days

