

AGENDA
HIGHLAND CITY COUNCIL MEETING
August 20, 2013

7:00 p.m. Regular City Council Session
Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

7:00 P.M. REGULAR SESSION – CITY COUNCIL CHAMBERS

CALL TO ORDER – Mayor Lynn Ritchie
INVOCATION – Jessie Schoenfeld
PLEDGE OF ALLEGIANCE – Mayor Lynn Ritchie

APPEARANCES

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

CITY COUNCIL/MAYOR ITEMS

- 2. Time has been set aside for the City Council & Mayor to make comments.**

CONSENT

- 3. MOTION - Approval of Meeting Minutes for City Council Regular Session – August 6, 2013**
- 4. MOTION – Plat Amendment – Highland Village Plat E, Lot 41**
- 5. MOTION – Final Plat Approval – Timp Cove Subdivision**
- 6. RESOLUTION – Designation of Open Space for Disposal - Apple Blossom**

SCHEDULED ITEMS

- 7. PUBLIC HEARING / MOTION – Disposal of Surplus Property – Canterbury Circle**
- 8. MOTION – Approval of By-Laws - Economic Development Commission**

COMMUNICATION ITEMS BY MAYOR, CITY COUNCIL & STAFF

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

ADJOURN TO A CLOSED EXECUTIVE SESSION

The City Council will recess into a closed executive session for the purpose of discussing

- The purchase, exchange, or lease of real property and reasonably imminent litigation;
- The sale of real property; including any form of water right or water shares;
- The character, professional competence, or physical or mental health of an individual.

Pursuant to Section 52-4-205(1) of the Utah State Code Annotated.

RECONVENE CITY COUNCIL MEETING

ADJOURNMENT

CERTIFICATE OF POSTING

The undersigned duly appointed City Recorder does hereby certify that the above agenda notice was posted in three public places within Highland City limits on this **15th day of August, 2013**. These public places being bulletin boards located inside the City offices and located in the Highland Justice Center, 5400 W. Civic Center Drive, Highland, UT; and the bulletin board located inside Lone Peak Fire Station, Highland, UT. On this **15th day of August, 2013** the above agenda notice was posted at www.highlandcity.org and notification sent to local newspapers located in Utah County.

JOD'ANN BATES, City Recorder

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

**If you need a special accommodation to participate in the City Council Meetings,
please call the City Recorder's Office at least 3 working days prior to the meeting at (801) 772-4505**

MINUTES
HIGHLAND CITY COUNCIL MEETING

Tuesday, July 16, 2013

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

PRESENT: Mayor Lynn V. Ritchie, Conducting
Councilmember Brian Braithwaite
Councilmember Tom Butler
Councilmember Tim Irwin
Councilmember Scott Smith
Councilmember Jessie Schoenfeld

STAFF PRESENT: Aaron Palmer, City Administrator
Matthew Shipp, Public Work Director/ City Engineer
Nathan Crane, Community Development Director
JoD’Ann Bates, Executive Secretary/Recorder
Kasey Wright, City Attorney
Shannon Garlick, Secretary

OTHERS: Rock Gricius, Jay Humphries, Rodd Mann, Terri Breinhlt, Jace Breinholt, Brant Larsen, Jared Shaw, Chritian Carman, Colton Mansfield, Graham Carman, Larry Mendenhall, Cathy Allred.

The meeting was called to order by Mayor Lynn V. Ritchie as a regular session at 7:00 p.m. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Brian Braithwaite and those assembled were led in the Pledge of Allegiance by London Gates.

APPEARANCES:

Ronda Bromley, Lone Peak Principal, introduced herself and the Lone Peak administrative staff. She stated the Lone Peak staff is working on continuous improvement for each student and expressed her excitement to be working with the City Council.

Ray Robertson, Resident of Highland, stated he believes any solution less than the removal of the red curbs in the Coventry Subdivision is unacceptable.

Mayor Ritchie stated the neighborhood meeting to discuss the red curbing is scheduled for August 28, 2013 at 6:00 p.m. in the Council Chambers.

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1 Chief Gwilliam, Lone Peak Police Chief, stated on July 26, 2013 the Lone Peak Police
2 Department along with the Utah Highway Patrol did a DUI checkpoint. He stated the reason for
3 the checkpoint was to remove drivers who would drive through the checkpoint impaired and
4 discourage drivers that would drive through the Highland streets while under the influence. He
5 stated the checkpoint went for five and a half hours and was an overall success.
6

7 David Clegg, Resident of Highland, questioned what the status was regarding the Robinson Lane
8 Subdivision that was discussed at the July 16th Council meeting. He questioned what he and his
9 wife need to do to see a resolution is made and any possible amendments to the current
10 ordinance. He stated he heard the process may take up to eight weeks and asked for some clarity.
11

12 Nathan Crane stated the request is to subdivide the property without doing any public
13 improvements, so the staff is looking at exactly what is required. He stated the City staff is
14 concerned with cost. He explained the reason for the required public improvements is so the cost
15 is borne by the developer and not by the existing residents. He explained most of the residents
16 have paid for their share of the improvements in the price of their home and/or lot and stated
17 staff has not found any other situations where the subdivision requirements were waved. He
18 stated he understands the Clegg's want to move along, but believes this is a process that needs to
19 be looked at carefully.
20

21 Discussion ensued regarding the Robinson property.
22

23 David Clegg stated he and his wife would like to minimize costs and if the public improvements
24 are absolutely necessary then at least they can have that information.
25

CITY COUNCIL / MAYOR ITEMS:

26
27

28 Jessie Schoenfeld thanked everyone that helped with the Highland Fling. She stated the
29 paramedics at the parade that helped her husband were so attentive and prepared and she
30 expressed appreciation to the Lone Peak Public Safety District.
31

32 Scott Smith stated some of his neighbors that live by the Ashford Memory Center, the new
33 assisted care living, contacted him because the construction is being done seven days a week. He
34 suggested the City encourage the developer to have the construction closed on Sundays.
35

36 Mayor Ritchie stated he agrees and will talk to the developer and owner about closing
37 construction on Sundays.
38

39 Tim Irwin expressed appreciation for the Highland Fling and all of the volunteers. He stated the
40 firework display was wonderful this year, but some of the residents were concerned with the
41 cost. He stated the Council should be working towards making the Fling self-funded.
42

DRAFT

1 Brian Braithwaite stated the road fee is a sensitive issue and asked for some information
2 regarding the bids and the process for choosing these bids. He gave an update on the petition to
3 the road fee, clarifying the names were submitted to the County, the County is validating the
4 names, and then JoD'Ann Bates will count signatures and certify the number.

5
6 Matt Shipp replied the bid with Geneva Rock is a micro surfacing, and Geneva Rock is the only
7 one that does the micro surfacing. He stated the other had three bids, the staff took the unit prices
8 and spoke with the Eckles Paving on the prices and got the low unit price.

9
10 Tom Butler questioned what the micro surfacing is and what process Alpine uses. He also
11 questioned how the roads 9600 North and 10400 North were selected and if these were the
12 priority roads on the engineering report a couple of years ago.

13
14 Matt Shipp explained the micro surfacing is used on heavier traffic roads. He stated the micro
15 surfacing fills in nicely on spots and embeds itself into the asphalt. He stated the micro surfacing
16 is good for 10400 North because of the amount of traffic and the shape the road is already in. He
17 stated Alpine uses a HA5 mix which is a mix with a polymer. He stated the City has the HA5 on
18 the roads in the Country French subdivision and are seeing how the product turns out. He stated
19 the HA5 is good for residential neighborhoods and low volume traffic, but is not good for main
20 roads because of the wear and tear. He stated the Transportation Advisory Board split Highland
21 into five areas and selected 3-5 roads in each area. He stated Geneva is just doing a maintenance
22 surface area on 10400 North, while Eckles Paving is doing a reconstruction on 9600 North.

23
24 Tom Butler stated the setback and parkway detail for the American Fork Retention Pond is less
25 than ten feet, and stated he does not agree with making the Clegg's do thirty feet of public
26 improvements. He stated Mr. Anderson with the Anderson Mortuary voiced concern that the four
27 feet by five feet sign requirements are too small, and that his sign in American Fork is fourteen
28 feet by three feet. He stated that size was decided for a residential sign and the Mortuary is in the
29 R-1-40 zone, but the Anderson Mortuary is not on a residential street. He asked to bring the issue
30 back to the next meeting.

31
32 Mayor Ritchie stated he received a letter from Brenda Holtom, Resident of Highland, thanking
33 the City for including several classic music bands. He stated the music was wonderful and
34 thanked Ron Jewett and Emily Gillingwater for the Highland Fling.

35 36 **CONSENT:**

37
38 MOTION: Approval of Meeting Minutes for City Council Regular Session – July 16, 2013.

39
40 MOTION: Final Plat Approval – Active Adult Community.
41 ***Pulled by Scott Smith for further discussion.***

42
43 MOTION: Agreement with Eckles Paving – Road repair of 9600 North (West of 6800 West).

DRAFT

1 MOTION: Agreement with Geneva Rock – Road repair of 10400 North (Mitchell Hollow Park
2 to Lehi City Border).

3
4 MOTION: Plan Approval – Urban Deer Control Plan.
5 ***Pulled by Tim Irwin for further discussion.***

6
7 ORDINANCE: Feeding Wild Animals Prohibited – Amending Ordinance O-2013-09.
8 ***Pulled by Tim Irwin for further discussion.***

9
10 ORDINANCE: Temporary Land Use Regulations – Open Space Moratorium.

11 **Items approved by Consent as Presented.**

12
13
14
15 MOTION: Final Plat Approval – Active Adult Community.
16 ***Pulled by Scott Smith for further discussion.***

17
18 Scott Smith questioned regarding the parking for the Senior Living in the Active Adult
19 Community.

20
21 Nathan Crane replied that there are two spots in the garage, two spots in the driveway, and then
22 fourteen guest spots for parking.

23
24 Bart Brockbank, Developer of Skye Estates, stated there are four parking spots per unit and sixty
25 units, and there is the guest parking along with overflow parking in the commercial area, so there
26 is a total of 254 spots.

27
28 Discussion ensued regarding the parking for the Active Adult Community.

29
30 **Tim Irwin moved the City Council approve the Final Plat for the Active Adult Community**
31 **as presented.**

32
33 **Scott Smith seconded the motion.**
34 **Unanimous vote, motion carried.**

35
36 MOTION: Plan Approval – Urban Deer Control Plan.
37 ***Pulled by Tim Irwin for further discussion.***

38
39 Tim Irwin questioned if the costs for the program are fully developed, and expressed concern
40 regarding the cost.

41
42 Mayor Ritchie explained the City may collect \$50 from each hunter and that there is a \$40 meat
43 processing fee. He stated the City has not identified the certification fee, but the fee will be

DRAFT

1 figured this week and should be less than \$50. He stated the hunters provide their own equipment
2 and tag, and the City will not know how much the program will cost until the first pilot year is
3 over.

4
5 Tom Butler also expressed concern regarding the cost and questioned if the program is not worth
6 the cost, could the City cancel the program the next year. He questioned if the \$50 for the hunter
7 could go up as well.

8
9 Mayor Ritchie explained the City could cancel the program after the first year and the \$50 hunter
10 fee could go up as well.

11
12 Discussion ensued regarding the Urban Deer Program.

13
14 **Brian Braithwaite moved the City Council approve the Urban Deer Control Plan as**
15 **presented.**

16
17 **Scott Smith seconded the motion.**

18 **Unanimous vote, motion carried.**

19
20 *ORDINANCE: Feeding Wild Animals Prohibited – Amending Ordinance O-2013-09.*
21 *Pulled by Tim Irwin for further discussion.*

22
23 Tim Irwin stated the wording on the Ordinance was changed back to “feed” and stated the
24 Ordinance should read “bait animals” not “feed animals”.

25
26 Mayor Ritchie stated the DWR was fine with the Ordinance, but that they needed moose to be
27 included in the amendment and that the word bait does need to be placed back in the Ordinance.

28
29 Tom Butler stated the Council had removed the wording “not limited to”.

30
31 Mayor Ritchie stated the DWR should be okay with removing the words “not limited to” as long
32 as moose are included in the amendment.

33
34 **Tom Butler moved the City Council approve the Amendment to Chapter 6.08 of the**
35 **Animal Control Regulations Prohibiting the Baiting of Wild Animals with the mentioned**
36 **changes.**

37
38 **Scott Smith seconded the motion.**

39 **Those voting Aye: Tom Butler, Jessie Schoenfeld, Scott Smith, Brian Braithwaite**

40 **Those voting Nye: Tim Irwin**

41 **Motion carried.**

DRAFT

1 **SCHEDULED ITEMS:**

2
3 MOTION: Agreement with American Fork and Cedar Hills – American Fork Debris Basin.

4
5 Matt Shipp stated Highland City, American Fork, and Cedar Hills had bought the debris basin at
6 the Mouth of American Fork Canyon from Utah County as a flood control facility. He stated the
7 three cities agreed to use the property as a flood control facility and came up with an inter local
8 agreement which American Fork signed, and then Cedar Hills made changes and signed an
9 agreement which confused Highland City. He stated the agreement went back and forth for a few
10 months and then got discarded. He stated the Board of Directors for the debris basin is the Public
11 Works Directors from each of the cities, and all three cities have been operating the basin as if
12 there was an agreement, he said it has been a push by the Board to get an official agreement in
13 place.

14
15 Brian Braithwaite stated the agreement has clarity and liability issues because it approximately
16 reads, “all of us own it and we can do whatever we want as long as we pay for it and it does not
17 impact its original purpose”. He expressed concern that whoever does build something there and
18 there is a problem; the liability is not clearly defined. He stated the agreement seems unclear and
19 a bit contradictory and stated he likes the idea of the agreement, but would like some clarity.

20
21 Mayor Ritchie expressed concern regarding some of the wording as well, but explained that the
22 use paragraph states, “Each party shall indemnify the other parties from any maintenance,
23 damage, or liability that might arise from use of the basin for its intended purpose or other
24 purpose approved by the Administrative Board.”

25
26 Brian Braithwaite stated he does not believe the Board should have the ability to approve other
27 uses of the basin, or if the Board does, that it should be written that the liability is not directed by
28 the Board’s approval.

29
30 Kasey Wright stated he believes the liability is covered in the agreement, because the agreement
31 states, “the liability of any acts or uses of the debris basin fallback on that party”. He stated the
32 Council could put there will not be any other uses for the basin, unless approved by the
33 representative City Councils. He stated having an agreement is better than nothing.

34
35 Discussion ensued regarding the agreement.

36
37 Matt Shipp stated he will take back any wording the Council would like to see in the agreement
38 to the Board.

39
40 Mayor Ritchie asked Matt Shipp to bring the wording back stating that the intended purposes of
41 the debris basin may be approved by the Board, but the unintended purposes must be approved
42 by the respective Councils.

43 Discussion continued regarding the agreement.

DRAFT

1 **Tim Irwin moved the City Council have the Resolution brought back to the Council with**
2 **the discussed changes.**

3
4 **Jessie Schoenfeld seconded the motion.**

5 **Unanimous vote, motion carried.**

6
7 Mayor Ritchie called for a break at 8:30 p.m.

8
9
10 COMMUNICATION ITEMS BY MAYOR, CITY COUNCIL & STAFF

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

12
13 DISCUSSION: Pumping surcharge fees for homes in the upper zones for culinary and
14 pressurized irrigation water.

15
16 Matt Shipp stated the pumping surcharge fee is a request from the Water Advisory Board. He
17 stated the Board recommended a water surcharge fee for pumping and maintenance costs for the
18 systems in the upper zones, for example, Beacon Hills and Viewpoint. He stated the Board
19 reviewed the costs associated with pumping the culinary and the pressurized irrigation and had
20 used Viewpoint as a baseline. He stated the decision is if the Council does or does not want to
21 consider a surcharge on top of the base fee for the culinary and pressurized irrigation water. He
22 stated if the Council does want to consider the surcharge the issue will need to be brought back
23 as a public hearing, if not the issue will be dropped and he will report the decision back to the
24 Board.

25
26 Tom Butler stated the Board is proposing a \$6 surcharge, and questioned if the culinary water
27 base would be changed to \$18 for the homes above the elevation line.

28
29 Matt Shipp stated the elevation line will be approximately above 11800 North. He stated the \$6
30 surcharge would be split between the culinary and pressurized irrigation water.

31
32 Discussion ensued regarding the surcharge.

33
34 Brian Braithwaite stated in the Water Board minutes it read, “Ed Gifford suggested those areas
35 should be charged extra for culinary water and pressurized irrigation according to the original
36 annexation agreement.” He stated the Council should look at the annexation agreement to see if
37 the agreement discusses water.

38
39 Matt Shipp replied that one of the Board members mentioned when those subdivisions came in,
40 it was understood that the City may increase the costs based on the usage for the pumping. He
41 stated he doesn’t believe the surcharge was written anywhere in the development agreement and
42 that it was just a discussion between the Water Board.

DRAFT

1 Brian Braithwaite stated the Council needs to look at the annexation agreements along with the
2 costs, and what the fee is based on, whether it's equal for everyone or based on lot size. He stated
3 he would not like to move the issue to a public hearing until the Council knows more details.

4
5 Discussion continued regarding the surcharge.
6

7 Tim Irwin stated all of the mentioned areas already have to pay the \$20 open space fee, and he
8 does not believe the City should continue to single out residents, but keep everything equal. He
9 stated the water pressure is already lower in these areas, and explained the residents may be
10 willing to pay a pumping surcharge if the water pressure is improved. He stated the residents pay
11 the water fee and it the City's responsibility to get the water to them.
12

13 Tom Butler stated the Council should hear the facts, but that charging extra fees is a slippery
14 slope, because then the City will want to charge the residents above that elevation extra for
15 everything, like sewer, road repairs, and garbage. He stated he does not believe this is something
16 the City will really want to do because it will just divide the residents.
17

18 Mayor Ritchie asked the Water Board to bring the surcharge back to the Council with all of the
19 details and information before going to a public hearing.
20

21 Discussion continued regarding the surcharge.
22

23 Bryan Larson, Resident of Highland, stated he lives in the Viewpoint Subdivision and stated that
24 he believes the water services are a basic service that should be provided by the City. He stated
25 the surcharge is the wrong direction to move towards because it divides the City.
26

27 Mayor Ritchie stated the Council will get the facts and figures to make an educated decision
28 whether to move forward or not.
29

30 ADJOURN TO A CLOSED EXECUTIVE SESSION

31
32 **Motion: Tim Irwin moved City Council move into an Executive Session.**
33

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

37 38 ADJOURNMENT

39
40 **MOTION: Tom Butler moved to adjourn.**
41

42 **Brian Braithwaite seconded the motion.**
43 **Unanimous vote, motion carried.**

DRAFT

1 Meeting adjourned at 9:33 p.m.

2

3

4

5

6

7 Date Approved: August 20, 2013

JoD'Ann Bates, City Recorder

HIGHLAND CITY CITY COUNCIL MEETING AUGUST 20, 2013			
REQUEST:	MOTION: Plat Amendment – Lot 41 of Highland Village Plat E (FP-13-08)		
APPLICANT:	Jeanne Hodges/Jay Irwin		
FISCAL IMPACT:	N/A		
GENERAL PLAN DESIGNATION Mixed Use	CURRENT ZONE Town Center Residential	ACREAGE ?? acres	LOCATION Northwest Corner of Town Center Parkway and Town Center West

BACKGROUND:

Subdivision review and approval is an administrative process. Since the request involves common area, City Council action is required.

SUMMARY OF REQUEST:

1. The applicant is requesting an amendment to Lot 41 of Highland Village Plat E by increasing the lot from 2,760 square feet to 3,060 square feet which is an increase of 300 square feet. The reduction is requested to increase the size of the garage to allow the garbage cans to be placed inside.
2. The open space in the subdivision decreases from .72 acres to .71 acres which is still above the .64 acres required.

CITIZEN PARTICIPATION:

Notice of the plat amendment was provided to the property owners on August 1, 2013. No comments have been received.

ANALYSIS:

- Highland Village Plat F was recorded in 2011. The proposed amendment does not change the approved density or number of lots in the subdivision.
- The plat will need to be revised to meet the requirements of the County Recorder’s Office.
- The proposed amendment meets the requirements of the Development Code.

FINDINGS:

The proposed plat meets the following findings with stipulations:

- It is in conformance with the Highland City Development Code.

PLANNING COMMISSION ACTION:

The Planning Commission considered this item at their May 24, 2011 meeting and voted 7-0 to recommended approval of the amendment subject to the following stipulations:

RECOMMENDATION AND PROPOSED MOTION:

The City Council should **APPROVE** the plat amendment subject to the following stipulations:

1. The recorded plat shall conform to the plat date stamped August 14, 2013.
2. The recorded plat shall be revised to meet the requirements of the City Engineer and Community Development Director.

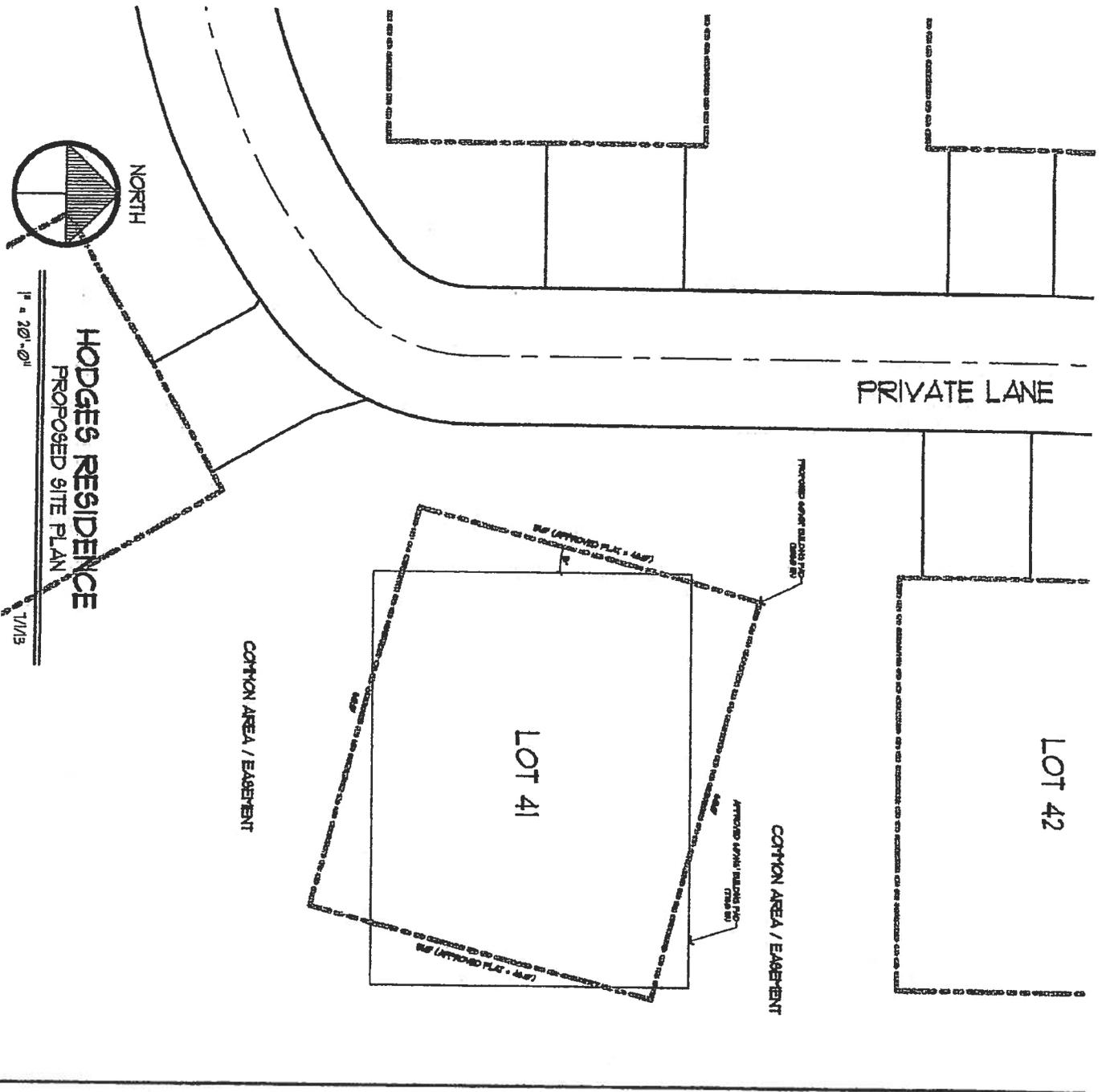
I move that the City Council accept the findings and **APPROVE** case FP-13-08 subject to the two stipulations recommended by staff.

ALTERNATIVE MOTION:

I move that the City Council Deny case FP-13-08 a request for a final plat amendment based on the following findings: (The Council should draft appropriate findings.)

ATTACHMENTS:

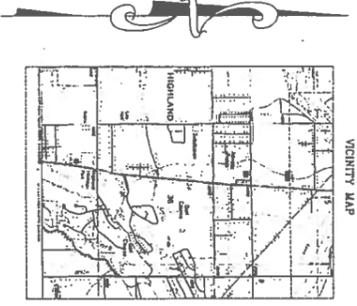
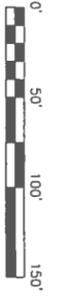
- Attachment A – Proposed Plat
- Attachment B – Lot 41 Closeup
- Attachment C – Highland Village Plat E



TOWN CENTER WEST

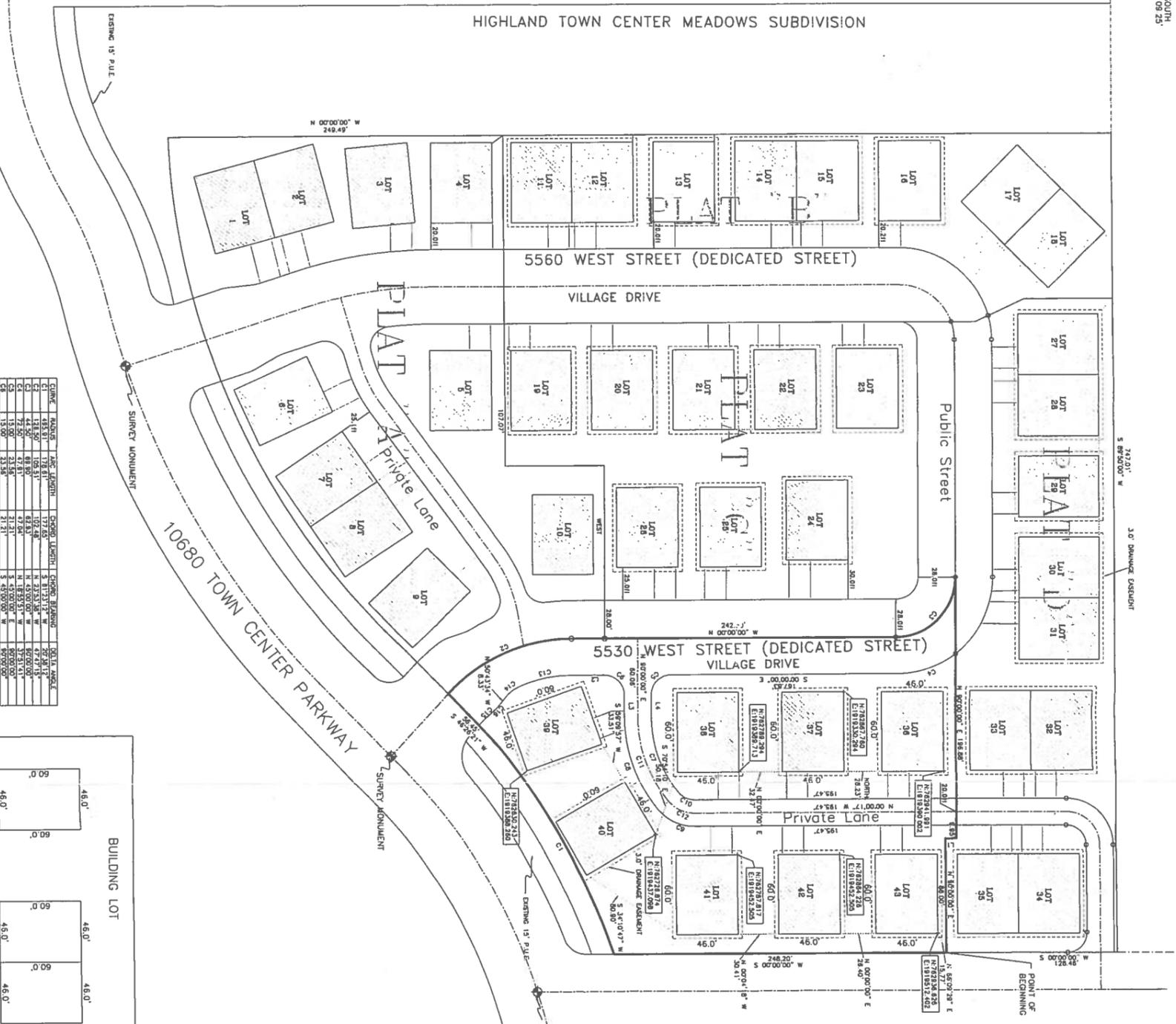
Highland Village

WEST 1/4 COR SECTION 36, T.4S., R.1E., S.L.B.M. N.

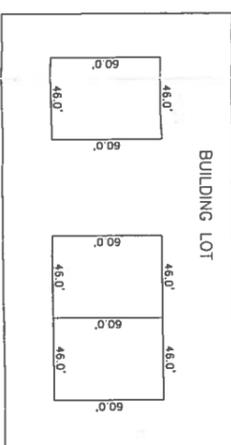


LOT #	ADDRESS
LOT 16	10722 N. VILLAGE DRIVE
LOT 17	10728 N. VILLAGE DRIVE
LOT 18	10748 N. VILLAGE DRIVE
LOT 19	5522 W. TOWN CENTER PARKWAY
LOT 20	5508 W. TOWN CENTER PARKWAY
LOT 21	10757 N. TOWN CENTER WEST
LOT 22	10767 N. TOWN CENTER WEST

5600 West
HIGHLAND TOWN CENTER MEADOWS SUBDIVISION



LINE	BEARING	LENGTH	AREA	PERCENT
1	N 89°00'00" W	249.49'	118.50'	100.00%
2	S 89°00'00" E	106.51'	118.50'	100.00%
3	N 00°00'00" E	106.51'	118.50'	100.00%
4	S 89°00'00" W	106.51'	118.50'	100.00%
5	N 00°00'00" W	106.51'	118.50'	100.00%
6	S 89°00'00" E	106.51'	118.50'	100.00%
7	N 00°00'00" E	106.51'	118.50'	100.00%
8	S 89°00'00" W	106.51'	118.50'	100.00%
9	N 00°00'00" W	106.51'	118.50'	100.00%
10	S 89°00'00" E	106.51'	118.50'	100.00%
11	N 00°00'00" E	106.51'	118.50'	100.00%
12	S 89°00'00" W	106.51'	118.50'	100.00%
13	N 00°00'00" W	106.51'	118.50'	100.00%
14	S 89°00'00" E	106.51'	118.50'	100.00%
15	N 00°00'00" E	106.51'	118.50'	100.00%
16	S 89°00'00" W	106.51'	118.50'	100.00%
17	N 00°00'00" W	106.51'	118.50'	100.00%
18	S 89°00'00" E	106.51'	118.50'	100.00%
19	N 00°00'00" E	106.51'	118.50'	100.00%
20	S 89°00'00" W	106.51'	118.50'	100.00%
21	N 00°00'00" W	106.51'	118.50'	100.00%
22	S 89°00'00" E	106.51'	118.50'	100.00%
23	N 00°00'00" E	106.51'	118.50'	100.00%
24	S 89°00'00" W	106.51'	118.50'	100.00%
25	N 00°00'00" W	106.51'	118.50'	100.00%
26	S 89°00'00" E	106.51'	118.50'	100.00%
27	N 00°00'00" E	106.51'	118.50'	100.00%
28	S 89°00'00" W	106.51'	118.50'	100.00%
29	N 00°00'00" W	106.51'	118.50'	100.00%
30	S 89°00'00" E	106.51'	118.50'	100.00%
31	N 00°00'00" E	106.51'	118.50'	100.00%
32	S 89°00'00" W	106.51'	118.50'	100.00%
33	N 00°00'00" W	106.51'	118.50'	100.00%
34	S 89°00'00" E	106.51'	118.50'	100.00%
35	N 00°00'00" E	106.51'	118.50'	100.00%
36	S 89°00'00" W	106.51'	118.50'	100.00%
37	N 00°00'00" W	106.51'	118.50'	100.00%
38	S 89°00'00" E	106.51'	118.50'	100.00%
39	N 00°00'00" E	106.51'	118.50'	100.00%
40	S 89°00'00" W	106.51'	118.50'	100.00%
41	N 00°00'00" W	106.51'	118.50'	100.00%
42	S 89°00'00" E	106.51'	118.50'	100.00%
43	N 00°00'00" E	106.51'	118.50'	100.00%



5490 WEST STREET (DEDICATED STREET)
TOWN CENTER WEST

10680 NORTH STREET

- PRIVATE OWNERSHIP
- COMMON AREA (ALL COMMON AREA IS PUBLIC UTILITY EASEMENT)
- (EXCEPT DEDICATED STREETS)
- STATE PLANE COORDINATES (GROUND COORDINATES MAD 27)

UTILITY APPROVAL
UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW THE GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENT. THE UTILITY EASEMENT SHALL BE CONSIDERED AS A PUBLIC UTILITY EASEMENT AND SHALL REMAIN IN FULL FORCE AND EFFECT FOR THE TERM OF THE PLAT. THE UTILITY EASEMENT SHALL BE CONSIDERED AS A PUBLIC UTILITY EASEMENT AND SHALL REMAIN IN FULL FORCE AND EFFECT FOR THE TERM OF THE PLAT. THE UTILITY EASEMENT SHALL BE CONSIDERED AS A PUBLIC UTILITY EASEMENT AND SHALL REMAIN IN FULL FORCE AND EFFECT FOR THE TERM OF THE PLAT.

QUESTAR GAS COMPANY
QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT ACCURATELY REPRESENTS THE SUBDIVISION AS SHOWN ON THE SURVEY MONUMENT. QUESTAR DOES NOT WARRANT THE ACCURACY OF THE SURVEY MONUMENT OR THE PLAT. QUESTAR'S APPROVAL DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE SURVEY MONUMENT OR THE PLAT. QUESTAR'S APPROVAL DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE SURVEY MONUMENT OR THE PLAT. QUESTAR'S APPROVAL DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE SURVEY MONUMENT OR THE PLAT.

APPROVED THIS 29 DAY OF Aug 20 11
BY *Steve Coats*
QUESTAR GAS COMPANY
DIRECTOR OF OPERATIONS

13521

HIGHLAND VI
DEVELOPMENT - PLAT
HIGHLAND CITY, UTAH COUNTY, STA
SCALE 1" = 50 FEET

SURVEYOR'S CERTIFICATE
I, STEPHEN L. LUDLOW, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH. I HAVE PERSONALLY CONDUCTED THE SURVEY AND THE PLAT ACCURATELY REPRESENTS THE SUBDIVISION AS SHOWN ON THE SURVEY MONUMENT. THE SURVEY MONUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY MONUMENT. THE SURVEY MONUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY MONUMENT. THE SURVEY MONUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY MONUMENT.

UTILITY EASEMENT DEDICATION
THE CITY COUNCIL OF THE COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY DEDICATES ALL STREETS, EASEMENTS, AND OTHER PUBLIC UTILITIES SHOWN ON THE PLAT TO THE PUBLIC USE OF THE PEOPLE OF THE STATE OF UTAH. THE CITY COUNCIL OF THE COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY DEDICATES ALL STREETS, EASEMENTS, AND OTHER PUBLIC UTILITIES SHOWN ON THE PLAT TO THE PUBLIC USE OF THE PEOPLE OF THE STATE OF UTAH.

RESERVATION OF COMMON AREA
THE CITY COUNCIL OF THE COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY RESERVES ALL COMMON AREAS SHOWN ON THE PLAT FOR THE USE OF THE PEOPLE OF THE STATE OF UTAH. THE CITY COUNCIL OF THE COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY RESERVES ALL COMMON AREAS SHOWN ON THE PLAT FOR THE USE OF THE PEOPLE OF THE STATE OF UTAH.



<p style="text-align: center;">HIGHLAND CITY CITY COUNCIL MEETING AUGUST 20, 2013</p>			
REQUEST:	MOTION: Final Plat Approval – Timp Cove Subdivision, a seven lot residential subdivision (FP-13-06).		
APPLICANT:	Kyle Honeycutt, Ivory Development		
FISCAL IMPACT:	N/A		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	LOCATION
Low Density Residential	R-1-20	5.36 acres	9976 North Alpine Highway

BACKGROUND:

The property was zoned R-1-20 on November 17, 2013. The rezoning limited the maximum number of lots to seven. The Council approved the preliminary plat on May 7, 2013.

Subdivision review is an administrative process.

SUMMARY OF REQUEST:

1. The applicant is requesting preliminary plat approval for a seven lot residential subdivision at a density of 1.30 units per acre. The lot sizes are as follows:

Lot	Square Feet
101	21,080
102	24, 678
103	31,299
104	38,272
105	35,862
106	32,381
107	25,819

2. Access to the site will be available from Alpine Highway via Timp Cove Lane which will align with Windsor Park Drive.

CITIZEN PARTICIPATION:

Citizen notification and Planning Commission action is not required for final plats.

ANALYSIS:

- The property is designated as low density residential on the General Plan Land Use Map. The proposed subdivision density of 1.30 units per acre is consistent with the General Plan.
- The proposed subdivision is compatible with the existing surrounding uses:

- The property to the north is zoned R-1-40 and is part of the Quail Hollow Subdivision. The density of this development is: 1.3 units per acre. The two lots immediately adjacent to the parcel are 1.076 acres and 1.32 respectively.
 - The property to the east is zoned R-1-20 and is part of the Mystic Cove Subdivision. The density of this development is: 1.12 units per acre. The three lots immediately adjacent to the parcel are 0.91, 0.67, and 0.69 acres.
 - The property to the west is zoned R-1-40 and is part of the Windsor Meadows Subdivision. The Windsor Meadows Subdivision is an open space subdivision with lot sizes ranging from 0.25 to 0.42 acres. The density of this development is: 1.6 units per acre.
 - The property to the south is zoned R-1-20 and is part of the Cobble Creek Subdivision. The density of this development is: 2.4 units per acre. The three lots immediately adjacent to the parcel are 0.34, 0.37, and 0.51 acres.
- Utilities will be extended into the site by an existing water and pressurized line in Alpine Highway. UDOT is requiring the applicant to bore under Alpine Highway. A sewer line will be extended through a public utility easement between lots 102 and 103 south through lot 4 Cobble Creek Subdivision. The developer has entered into an agreement with the owner of lot 4. A stipulation has been included requiring the recording of the agreement prior to the final plat recordation or issuance of a permit for site construction.
 - The applicant has proposed an entry monument and perimeter fence. The fence will be installed along SR74.
 - Water shares are required to be dedicated/paid as part of the approval.

FINDINGS:

The proposed plat meets the following findings with stipulations:

- It is in conformance with the General Plan, the R-1-20 District, and the Highland City Development Code.
- It is in conformance with the approved rezoning.

RECOMMENDATION AND PROPOSED MOTION:

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

1. The recorded plat shall conform to the final plat date stamped August 15, 2013 except as modified by these stipulations.
2. Water shares shall be dedicated, or documentation of dedication shall be provided, prior to recordation of the final plat as required by the Development Code.
3. All required public improvements shall be installed as required the City Engineer.
4. The civil construction plans shall meet all requirements as determined by the City Engineer.
5. Prior to final plat recordation or issuance of a permit for site construction, the sewer agreement shall be recorded.
6. The owner shall provide a letter from UDOT approving the location of Timp Cove Lane. Prior to the issuance a permit for site construction or recording of the final plat.

7. The perimeter fence and entry monuments shall be installed in the first phase and completed prior to the issuance of a certificate of occupancy. The entry monuments shall be located within an appropriate easement. Further, the perimeter wall and entry monuments shall be owned and maintained by a private entity.
8. The design of the wall shall meet the requirements of Section 3-612 of the Development Code.

I move that the City Council accept the findings and **APPROVE** case FP-13-06 a request for final plat approval for Timp Cove, a seven lot residential subdivision subject to the eight stipulations recommended by the Planning Commission.

ALTERNATIVE MOTION:

I move that the City Council **DENY** case PP-13-02 based on the following findings: (The Council should draft appropriate findings.)

ATTACHMENTS:

- Attachment A – Proposed Final Plat
- Attachment B – Approved Preliminary
- Attachment C – Ordinance #2012-16

ORDINANCE NO. 2012-16

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING THE OFFICIAL ZONE MAP OF HIGHLAND CITY FOR APPROXIMATELY 5.36 ACRES OF LAND GENERALLY LOCATED AT 9976 NORTH ALPINE HIGHWAY AS SHOWN IN FILENAME (Z-12-01), REZONING SUCH PROPERTY FROM R-1-40 RESIDENTIAL TO R-1-20 RESIDENTIAL AND IMPOSING CONDITIONS UPON SUCH CHANGE.

WHEREAS, the Highland City Council desires to amend the Official Zone Map of Highland City; and

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Planning Commission (the "Commission") and the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held public hearing on this Ordinance on October 23, 2012; and

WHEREAS, the City Council held a public hearing on this Ordinance on November 7, 2012; and

WHEREAS, the City Council found the applicant restricted the development to 7 lots, and with the developments to the North and West being R-1-40 and developments to the South and East being R-1-20, the layout of the development offers a transition from one zone to the other.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1. That \pm 5.36 acres of certain real property located at 9976 North Alpine Highway more particularly described and depicted on "Exhibit A", attached and incorporated herein by reference are hereby rezoned from R-1-40 Residential to R-1-20 Residential subject to the following condition:

1. The preliminary and final plats shall substantially conform to the conceptual plat dated September 2012 and the maximum number of lots shall not exceed seven.

This condition shall run with the land, and shall apply until such time, if any, that the property is re-zoned either by failure to comply with the conditions or further zoning action by the City Council.

SECTION 2. This zone map amendment is predicated upon compliance with the conditions in Section 1. In the event any condition is violated or unfulfilled, this Ordinance shall

conditions in Section 1. In the event any condition is violated or unfulfilled, this Ordinance shall become null and void and the zone designation for all of the subject properties shall revert to the R-1-40 Zone.

SECTION 3. That the Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon its first posting or publication.

SECTION 5. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, November 7, 2012.

HIGHLAND CITY, UTAH



Lynn Ritchie, Mayor



ATTEST:



Jody Bates, Executive Secretary

COUNCILMEMBERS VOTING "AYE"

Brian Braithwaite

Tom Butler

Tim Irwin

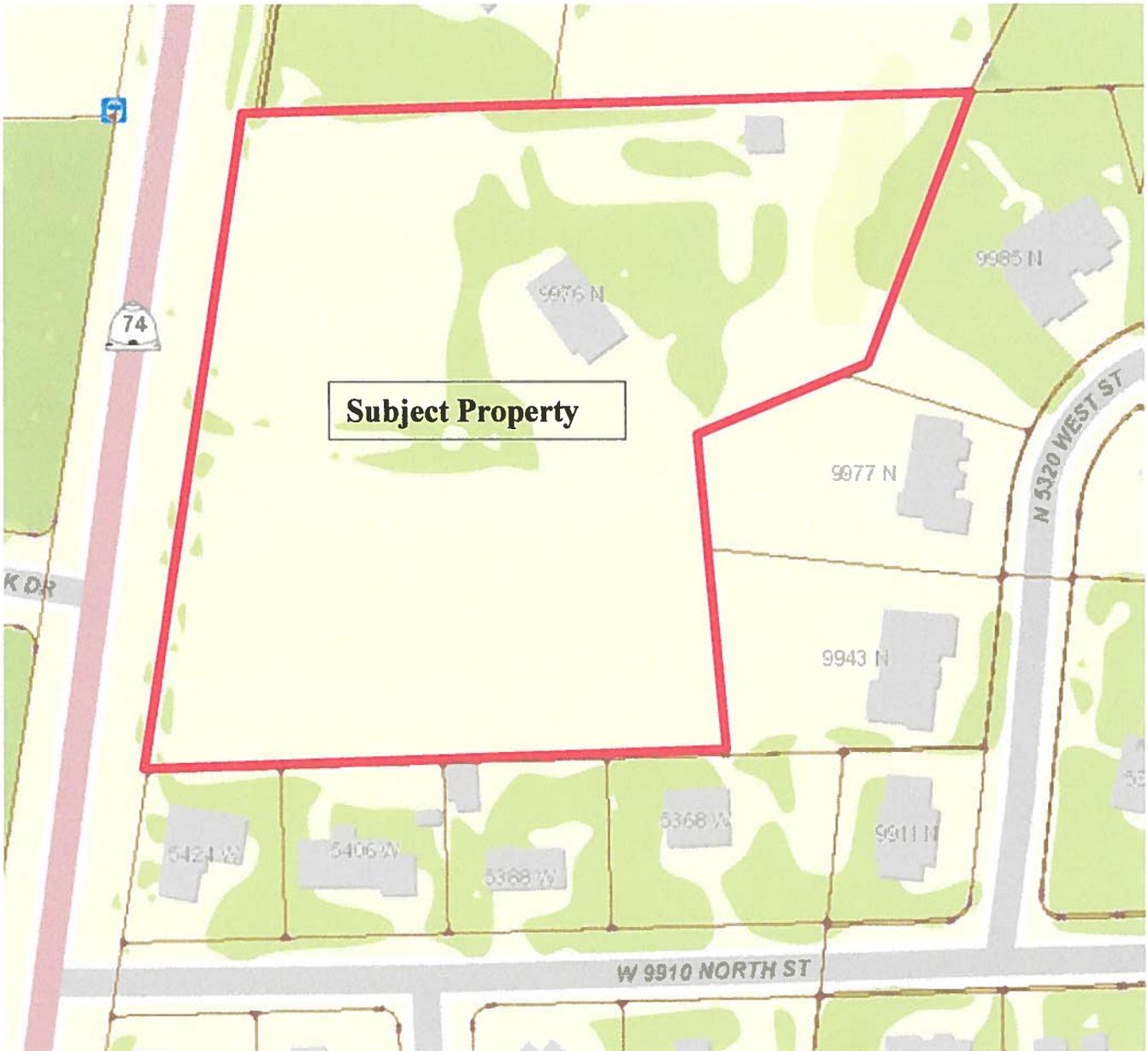
Jessie Schoenfeld

Scott Smith

COUNCILMEMBERS VOTING "NAY"

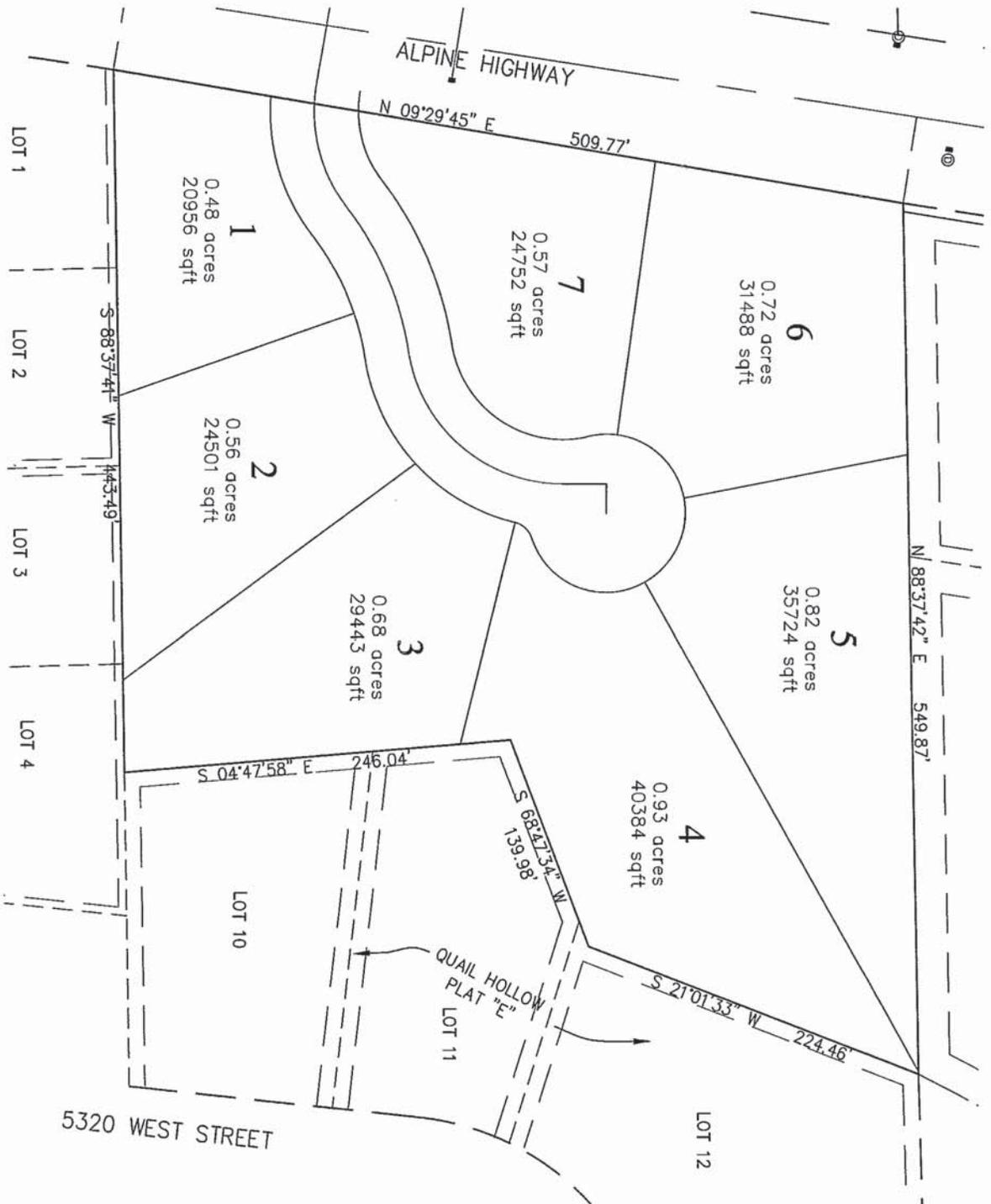
Exhibit A

COM N 2185.83 FT & E 1111.1 FT FR SW COR. SEC. 1, T5S, R1E, SLB&M.; N 8 DEG 38' 54" E 508.38 FT; N 88 DEG 37' 41" E 557.53 FT; S 21 DEG 1' 33" W 224.47 FT; S 68 DEG 47' 36" W 139.98 FT; S 4 DEG 47' 58" E 246.04 FT; S 88 DEG 37' 44" W 443.49 FT TO BEG. AREA 5.364 AC.



Judson Property Proposal

Sep 2012



HIGHLAND CITY CITY COUNCIL MEETING AUGUST 20, 2013			
REQUEST:	RESOLUTION: Designation of Open Space Property for Disposal in the Apple Blossom Subdivision		
APPLICANT:	David and Amber Clegg		
FISCAL IMPACT:	N/A		
GENERAL PLAN DESIGNATION Open Space	CURRENT ZONE R-1-40	ACREAGE .06 acres	LOCATION Southwest Corner of 9860 North and SR 74

PRIOR REVIEW:

The Council held a public hearing on July 16, 2013 and voted to continue the request and directed staff to look options for development of the property. The Clegg’s have requested that this item be placed on the agenda.

The General Plan will need to be amended to specify the location of the parkway detail north of 9600 North. All other infrastructure improvements will be required. Upon receipt the preliminary plat application will be reviewed and forwarded to the City Council for discussion and consideration.

DISCUSSION:

The Apple Blossom Subdivision was recorded on November 21, 2000 and has 16 lots. The City received the property from the developer in 2008. As a result the property is available for purchase in 2023. However, the lease purchase option can be used.

David and Amber Clegg are requesting the disposal of approximately 0.06 acres (2,613 square feet) of open space property within the Apple Blossom Subdivision. This acquisition will allow the Clegg’s to subdivide their property with the new lot having access onto 9680 North. Acquisition of this property will also require relocation of the existing trail. Staff believes the Clegg’s should be responsible for the costs of relocating the trail.

CITIZEN PARTICIPATION:

Notice of the City Council public hearing was published in the Daily Herald on June 30, 2013. The property was posted on July 3, 2013. Notice was sent to all property owners on July 3, 2013. One of the lots is owned by an LLC. The LLC has been sent notice via certified mail of the proposal on July 3, 2013. No comments have been received.

COUNCIL ACTION:

A petition has been submitted showing support from 15 of the 16 property owners’ (excluding LLC’s) has been submitted, which represents 93% of the property owners in the subdivision. The petition exceeds the minimum requirement of 70%.

The Council will need to adopt a resolution designating the property for disposal. If the resolution is adopted it should be subject to the relocation of the trail at the applicants expense. If approved, the next step is to follow the procedures in Chapter 2.44 Disposal of Public Property.

ATTACHMENTS:

Attachment A – Resolution
Attachment B – Application

RESOLUTION NO. R-2013-**

**A RESOLUTION OF HIGHLAND CITY, UTAH
DESIGNATING OPEN SPACE PROPERTY FOR DISPOSAL PROPERTY IN THE APPLE
BLOSSOM SUBDIVISION**

WHEREAS, the Highland City Council has established a process of designating open space property for disposal.

NOW, THEREFORE be it resolved by the City Council of Highland City that the Open Space Property in the Apple Blossom Subdivision, outlined and shown in Exhibit "A" is hereby designated for disposal the City Council hereby authorizes the City Administrator to begin the disposal process of the above-mentioned property following State and City Code.

This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of Highland City, Utah, this 20th day of August 2013.

HIGHLAND CITY, UTAH

Lynn V. Ritchie, Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Tom Butler	<input type="checkbox"/>	<input type="checkbox"/>
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Jessie Schoenfeld	<input type="checkbox"/>	<input type="checkbox"/>
Scott Smith	<input type="checkbox"/>	<input type="checkbox"/>

David & Amber Clegg
5528 West 9620 North
Highland, UT 84003
801-787-7736
davidnclegg@gmail.com

May 23, 2013

Highland City Community Development Department
5400 W. Civic Center Dr., Suite 1
Highland, UT 84003

Subject: Application to designate open space on the corner of 9700 North and Alpine Highway for disposal

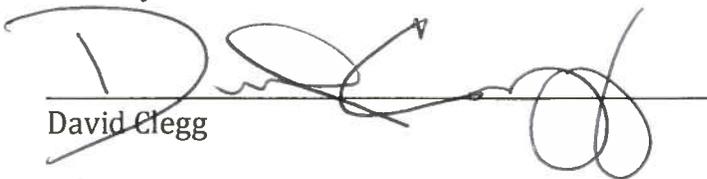
Dear City Council of Highland City,

Under Highland City Ordinance No. 0-2013-03 Title 12 Chapter 12.32, please consider this letter a formal application to designate the 160 feet of Open Space, located in the Apple Blossom subdivision starting 30 feet from the Southeast corner of 9700 North and the Alpine Highway between the Robinson property line and 9700 North, for disposal (graphic attached).

As the adjacent property owner of this Open Space property, the purpose of this request is to gain the necessary frontage to create a residential, build-ready lot for a home that our family will build and occupy in the near future.

We request your consideration of this request via a public hearing at your earliest convenience. It should be noted that a petition for this request has been signed and is supported by 100% of the real property owners included in the Apple Blossom subdivision.

Thank you,



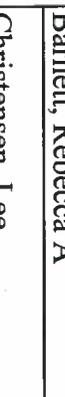
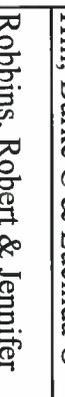
David Clegg



Amber Clegg

**Designation of Open Space Property for Disposal - Chapter 12.32
 Real Property Owner Authorization (70%)
 Apple Blossom Subdivision - Highland City (84003)**

A petition of the property owners within the *Apple Blossom Subdivision* to allow the disposal of city owned open space property to the adjacent property owner as shown on the attached graphic.

Property Owner Name	Address	Signature
Buhler, Mark Kent & Becky	9748 North 5520 West	
Barnett, Rebecca A	9756 North 5520 West	
Christensen, Lee	9768 North 5520 West	
Whiting, John R & Lucille C	9778 North 5520 West	
Starr, Zachary Jon & Andrea M	9784 North 5520 West	
Wallace, Shane S & Judy	9783 North 5520 West	
Plaisted, Trevor J & Tori B	9777 North 5520 West	
Hill, Burke C & Lucinda O	9763 North 5520 West	
Robbins, Robert & Jennifer	9774 North 5580 West	
Freeze, William D & Linda L	9758 North 5580 West	
Bazzelle, Suchada Phillips	9744 North 5580 West	
Snell, Bill & Susan	9735 North 5580 West	
Galloway, Glen A & Teresa P	9743 North 5580 West	
Horton, Matthew & Genise	9757 North 5580 West	
Star Vest LLC	9771 North 5580 West	
Yeates, Matthew	9783 North 5580 West	

Graphic A (Apple Blossom Open Space, Highland, UT)



HIGHLAND CITY CITY COUNCIL MEETING AUGUST 20, 2013			
REQUEST:	PUBLIC HEARING / MOTION: Disposal of Surplus Property – Canterbury Circle		
APPLICANT:	Highland City Staff		
FISCAL IMPACT:	Unknown		
GENERAL PLAN DESIGNATION Open Space	CURRENT ZONE R-1-40	ACREAGE 3.74 acres	LOCATION Canterbury Park Drive and 6000 West

DISCUSSION:

The Canterbury Circle Subdivision was recorded on January 31, 2001 and has 16 lots. The City received the property from the developer in 2013. As a result the property is available for purchase in 2028. However, the lease purchase option can be used.

The property owners within the subdivision are requesting the disposal of approximately 3.744 acres of open space property within the subdivision. The property requested for disposal does not include any of the land within the park.

Chapter 2.44 Disposal of Public Property of the Municipal Code regulates the disposal of property. The first step in the process is for the City Council to declare the property surplus by resolution which occurred on July 16, 2013. The second step is for the Council to hold a public hearing after the hearing has been advertised in the City Newsletter and the Daily Herald.

Since the property has been declared as surplus, the City Council must hold a public hearing to dispose of the property. Notice of the public hearing has to be provided in the newspaper on August 4, 2013 and published in the August edition of the City Newsletter. No comments have been received.

After the public hearing if the Council chooses to dispose of the property, an appraisal will be done to determine the lease amount. Once completed lease/purchase agreements will be prepared and executed.

ATTACHMENTS:

Attachment A – Open Space Disposal Application

June 26, 2013

Highland City – City Council
5400 W. Civic Center Dr.
Suite 1
Highland, UT 84003

RE: Canterbury Circle Subdivision

- **Designation of Open Space Property for Disposal/Chapter 12.32**

Dear City Council Members:

Thank you for your time in reviewing our petition to purchase (lease to own option until time period has been met that it can be sold) the city owned open space property adjacent to the homes within Canterbury Circle Subdivision.

With the exception of only 1 person (who does not live in the subdivision), every single home owner within the subdivision is in favor of the changes proposed by the new ordinance (Chapter 12.32). We may still get the last signature, but at this point have not been able to contact the legal owner of the property.

By petitioning Highland City to dispose of city owned open space property to the adjacent property owners within the subdivision, it gives the home owners adjacent to this property the opportunity to improve the look and feel of our neighborhood, Canterbury Circle Subdivision.

We greatly appreciate the support that has been given from everyone on this phase in the overall “lease to own” open space purchase process.

Sincerely,

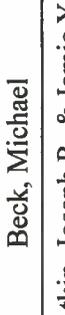


Dave Hall
Representative, Canterbury Circle Subdivision
801-602-9666

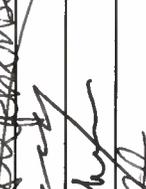
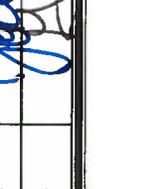
**Designation of Open Space Property for Disposal - Chapter 12.32
Real Property Owner Authorization (70%)**

Canterbury Circle Subdivision—Highland City (84003)

A petition of the *property owners within the Canterbury Circle Subdivision* to allow the disposal of city owned open space property to the adjacent property owner as shown on the attached graphic. (Page 1)

Property Owner Name	Lot #	Address	Signature (s)
Sargent, Brian P.	1	9646 North 6000 West	
BTM LLC (Morris, Shane)	2	9664 North 6000 West	
Yamada, Takuto & Stacey Leigh	3	9682 North 6000 West	
Murdock, Kenneth K.	4	5947 North 9700 North	
Edgel, David & Paula	5	5931 West 9700 North	
Walker, James & Melinda	6	5913 W. Canterbury Park Circle	
Beck, Michael	7	5893 W. Canterbury Park Circle	
Atkin, Joseph R. & Jamie Y.	8	5873 W. Canterbury Park Circle	
Phillips, Stanley J. Jr. & Lori A.	9	9712 N. Canterbury Park Circle	
Murrin, J. Scott	10	9728 N. Canterbury Park Circle	
Hall, Wendy A & David B.	11	9748 N. Canterbury Park Circle	
Saari, Camille M.	12	9766 N. Canterbury Park Circle	
Sorensen, Daniel V.	13	9788 N. Canterbury Park Circle	
Worthington, R. Troy & Colette	14	5845 W. Canterbury Park Circle	
Sannar, David M. & Maureen	15	5864 W. Canterbury Park Circle	
Morris, Timothy H.	16	5884 W. Canterbury Park Circle	
Bradshaw, C. Roshaun	17	5902 W. Canterbury Park Circle	
Bogh, Todd & Marquella B.	18	9813 North 5920 West	
Kramer, Ronald J. & Sherry	19	9785 North 5920 West	
Andrus, David & Yvonne	20	9759 North 5920 West	
Tillotson, Robert H.	21	9740 North 6000 West	

A petition of the *property owners within the Canterbury Circle Subdivision* to allow the disposal of city owned open space property to the adjacent property owner as shown on the attached graphic. (Page 2)

Property Owner Name	Lot #	Address	Signature (s)
Lesser, Jared B.	22	9738 North 6000 West	
Stephenson, Richard Jr. & Marianne	23	9737 North 5920 West	
Gurney, Howard R. & Shannan	24	9719 N. 5920 West	
Washburn, Allen & Ilene A.	25	5954 West 9700 North	
Kalt, Manuel & Stacey	26	5982 West 9700 North	
Serendipity LLC (Yates)	27	5905 W. Canterbury Park Circle	
Smithworx, LLC (Smith)	28	5891 W. Canterbury Park Circle	
Golding, John L.	29	5875 W. Canterbury Park Circle	
Taylor, Glenn T. & Wendy R.	30	5861 W. Canterbury Park Circle	

jsm/041513

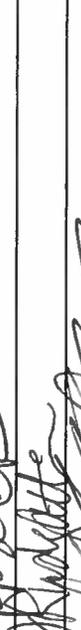
NOTE: The attached graphic/plat map with boundary lines drawn in, is a preliminary map. It is not 100% accurate. Accurate boundary lines will be shown on actual appraisal.

Land/property appraisal will be completed once all necessary signatures have been obtained and submitted to Highland City for further processing.

Designation of Open Space Property for Disposal - Chapter 12.32

Real Property Owner Authorization (80%)

Canterbury Circle Subdivision—Highland City (84003)

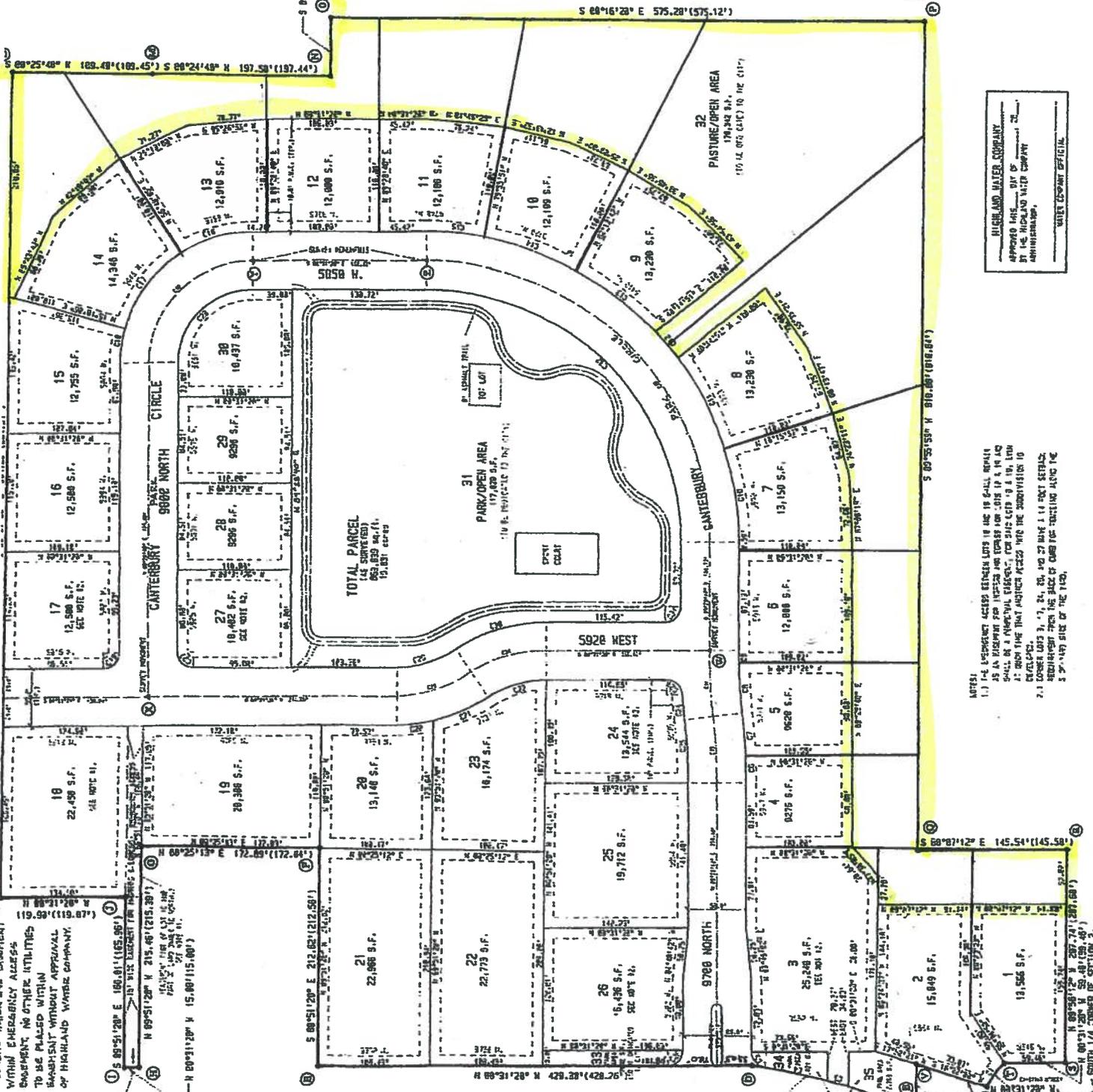
A petition of the <i>property owners</i> in <i>Canterbury Circle Subdivision</i> whose homes are <u>adjacent</u> to <u>city owned open space property</u> and adjacent owner is willing to purchase said property.			
Property Owner Name	Lot #	Address	Signature (s)
Sargent, Brian P.	1	9646 North 6000 West	
BTM LLC (Morris, Shane)	2	9664 North 6000 West	
Yamada, Takuto & Stacey Leigh	3	9682 North 6000 West	
Murdock, Kenneth K.	4	5947 North 9700 North	
Edge, David & Paula	5	5931 West 9700 North	
Walker, James & Melinda	6	5913 W. Canterbury Park Circle	
Beck, Michael	7	5893 W. Canterbury Park Circle	
Atkin, Joseph R. & Jamie Y.	8	5873 W. Canterbury Park Circle	
Phillips, Stanley J. Jr. & Lori A.	9	9712 N. Canterbury Park Circle	
Murrin, J. Scott	10	9728 N. Canterbury Park Circle	
Hall, Wendy A & David B.	11	9748 N. Canterbury Park Circle	
Saari, Camille M.	12	9766 N. Canterbury Park Circle	
Sorensen, Daniel V.	13	9788 N. Canterbury Park Circle	
Worthington, R. Troy & Colette	14	5845 W. Canterbury Park Circle	



HIGHLAND VICINITY
SCALE: 1" = 80'

STATION	COORDINATES
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8925



HIGHLAND WATER COMPANY
APPROVED FOR THE CITY OF
BY THE HIGHLAND WATER COMPANY
ADMINISTRATOR
WATER COMPANY OFFICIAL

NOTES:
1. THE PROPOSED ACCESS BETWEEN LOTS 18 AND 19 SHALL REMAIN AS AN EXISTING AND UNDISTURBED ACCESS AND SHALL BE MAINTAINED AS A PRIVATE DRIVEWAY FOR THE USE OF THE ADJACENT LOTS. THE CITY OF HIGHLAND WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF THIS DRIVEWAY.
2. THE PROPOSED ACCESS BETWEEN LOTS 24, 25, AND 26 SHALL BE MAINTAINED AS A PRIVATE DRIVEWAY FROM THE BACK OF LOT 26 TO THE BACK OF LOT 24. THE CITY OF HIGHLAND WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF THIS DRIVEWAY.

Proposed new property lines

WITHIN EMERGENCY ACCESS
EASEMENT OR OTHER UTILITIES
TO BE PLACED WITHIN
EASEMENT WITHOUT APPROVAL
OF HIGHLAND WATER COMPANY.

6000 WEST STREET
FOR LOTS 18-26

COLE SURVEYING & ENG.

HIGHLAND CITY CITY COUNCIL MEETING AUGUST 20, 2013			
REQUEST:	MOTION: Approve of Economic Development Commission By-laws		
APPLICANT:			
FISCAL IMPACT:	N/A		
GENERAL PLAN DESIGNATION N/A	CURRENT ZONE N/A	ACREAGE N/A	LOCATION Citywide

BACKGROUND:

The Mayor has requested the creation of an Economic Development Commission to study how the City can stimulate and encourage economic development. In order to create such as Commission, a set of by-laws need to be created. These by-laws will establish the parameters in which the Commission will function.

PROPOSED MOTION:

Approve Economic Development Commission By-laws

ATTACHMENTS:

Economic Development Commission By-laws

LAYTONHIGHLAND CITY
PLANNINGECONOMIC DEVELOPMENT COMMISSION

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BY-LAWS & RULES OF PROCEDURE

I. PURPOSE.

These policies and procedures are designed and adopted for the purpose of providing guidance and direction to the members of the LaytonHighland City PlanningEconomic Development Commission in the performance of their duties. The PlanningEconomic Development Commission shall be governed by the provisions of all applicable State Statutes, City Ordinances and these rules. Nothing in these rules shall be interpreted to provide independent basis for invalidating or in any way altering a final decision of the Commission unless otherwise provided by City ordinance, or State law. Nor shall anything herein be construed so as to provide or create an independent cause of action for any person or entity.

II. ORGANIZATION.

A. Election of Chair and Vice-Chair. The Commission, at its first regular meeting in July of each year, shall elect a Chair and Vice-Chair from the duly appointed members of the Commission by a majority of the total membership. The Chair and Vice-Chair may be elected to subsequent terms.

B. Duties of the Chair.

1. To preside at all meetings of the Commission and shall provide general direction for the meetings;
2. To call the Commission to order, and proceed with the order of business;
3. To announce the business before the Commission in the order in which it is to be acted upon;
4. To receive and submit in the proper manner all motions and propositions presented by the members of the Commission;
5. To put to vote all questions which are properly moved, or necessarily arise in the course of the proceedings and to announce the result thereof;
6. To inform the Commission, when necessary, or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon Legal Counsel for advice;
7. To authenticate by signature when necessary, or when directed by the Commission, all acts, orders and proceedings of the Commission;

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8. To maintain order at meetings of the Commission;
9. To move the agenda along, hold down redundancy, reference handouts and procedures in a sensitive way during meetings;
10. Recognize speakers and Commissioners prior to receiving comments and presentation of physical evidence, i.e., plans and pictures; and
11. The Chair will remain impartial on issues and not participate in the voting procedures unless called upon to break a tie vote. However, in the limited circumstance where the Chair is one of the minimum number necessary to constitute a quorum, the Chair will vote.

C. **Duties of the Vice-Chair.** The Vice-Chair, during the absence of the Chair, shall have and perform all the duties and functions of the Chair.

D. **Temporary Chair.** In the event of the absence of, or disability of both the Chair and the Vice-Chair, the Commission shall elect a temporary Chair to serve until the Chair or Vice-Chair shall return. In such event, the temporary Chair shall have all the powers and perform the functions and duties herein assigned to the Chair of the Commission.

E. **Secretary.** The [PlanningEconomic Development](#) Division Secretary shall serve as secretary of the Commission. The secretary shall have the following duties:

1. To give notice of all [PlanningEconomic Development](#) Commission meetings;
2. To keep and record the minutes of the proceedings of the Commission;
3. To keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission;
4. Is authorized to sign the meeting's minutes after said minutes have been approved by the [PlanningEconomic Development](#) Commission; and
5. To perform such other duties as may be required.

III. DUTIES OF MEMBERS.

A. **Meeting Attendance.** Every member of the Commission shall attend the sessions of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the secretary. The secretary shall call the same to the attention of the Chair.

B. Conflict of Interest. An [PlanningEconomic Development](#) Commissioner to whom some private benefit may come as a result of an [PlanningEconomic Development](#) Commission action shall not be a participant in the action.

1. The private benefit may be direct or indirect; create a material or personal gain; or provide an advantage to relations, friends, or to groups and associations which hold some share of a person's loyalty. However, membership itself in a group or organization shall not be considered a conflict of interest as to [PlanningEconomic Development](#) Commission action concerning such group or unless a reasonable person would conclude that such membership in itself would prevent an objective consideration of the matter.
2. An [PlanningEconomic Development](#) Commissioner experiencing, in their opinion, a conflict of interest, shall declare that interest publicly, abstain from voting on the action, and be excused from the room during consideration of the action. That Commissioner shall not discuss the matter privately with any other Commissioner. The vote of an [PlanningEconomic Development](#) Commissioner, experiencing a conflict of interest who fails to be disqualified, shall be disallowed.
3. A conflict of interest may exist under these rules although an [PlanningEconomic Development](#) Commissioner may not believe an actual conflict does exist; therefore, an [PlanningEconomic Development](#) Commissioner who has any questions as to whether a conflict of interest exists under these rules shall raise the matter with the other [PlanningEconomic Development](#) Commissioners and the City Attorney's Office in order that a determination may be made as to whether a conflict of interest exists.
4. No [planningEconomic Development](#) official shall engage in any transaction in which the official has a financial interest, direct or indirect, with the agency or jurisdiction that the official serves unless the transaction is disclosed publicly and determined to be lawful.
5. The requirements of Section 10-3-1301 et. seq. of the Utah Code, known as the "Municipal Officers' and Employees' Ethics Act," shall be adhered to. If a conflict exists between these policies, State law or City ordinance, the most strict shall apply.

C. Gifts and Favors. Gifts, favors, or advantages must not be accepted if they are offered because the receiver holds a position of public responsibility. It is very important that [PlanningEconomic Development](#) Commissioners be fair and impartial in their dealings with the public and that they serve all citizens equally. It is not enough to avoid favoritism. They should strive to avoid even the appearance of giving preference to one citizen or business over any other.

1. The value of a gift or advantage and the relation of the giver to public business should be considered in determining acceptability. Small gifts that come in the form of business lunches, calendars, or office bric-a-brac are often, not always, acceptable. In cases of doubt, refuse. In cases of marginal doubt, refuse.

2. PlanningEconomic Development Commissioners should not accept gifts from outside agencies which may be competing or applying for City business, permits, or development decisions. Accepting gifts not only gives the appearance of favoritism but may create an embarrassing and possible unlawful position for the City. Items of small value such as calendars, pencils, etc. with advertising or logos are acceptable, but larger items such as clothing, equipment for personal use, etc. should be politely declined.

FD. **Commissioner Removal.** A Commission member may be permanently removed from the PlanningEconomic Development Commission for cause by the Mayor upon advice and consent of the City Council. Recommendation for such action may be made by a majority vote of the Commission to the Mayor based on any of the following:

1. Continuous unjustified non-attendance of PlanningEconomic Development Commission work meeting and/or regular meetings.
2. Demonstrated inability or unwillingness to participate cooperatively as a working member of the Commission including, but not limited to, such action as:
 - a. repeatedly showing a lack of preparation during meetings; or
 - b. repeated attempts to disrupt meetings; or
 - c. frequent votes contrary to the evidence presented for no apparent reason.
3. Failure to conduct oneself in a professional and competent manner appropriate to the position of PlanningEconomic Development Commissioner.
4. Violation of the criminal laws, federal, state or local.
5. A change in residency outside of LaytonHighland City.

E. **Treatment of Information.** It is important to discriminate between planningEconomic Development information that belongs to the public and planningEconomic Development information that does not.

1. Reports and official records of a public planningEconomic Development agency must be open on an equal basis to all inquiries.
2. Information considered private, controlled or protected, that is learned in the course of performing planningEconomic Development duties must be treated in confidence if specifically requested by the applicant or as dictated by Title 4 of the LaytonHighland Municipal Code. Such

information becomes public when an application for official action, such as a change in zone classification or approval of a plat, is submitted.

3. Information contained in studies that are in progress in an [Planning Economic Development](#) agency should not be divulged except in accordance with established agency policies on the release of its studies. A public [Planning Economic Development](#) agency is not required to share its thought publicly.
4. Prearranged private meetings between an [Planning Economic Development](#) Commissioner and applicants, their agents, or other interested parties, are prohibited. Partisan information on any application received by an [Planning Economic Development](#) Commissioner whether by mail, telephone, or other communication shall be made part of the public record.

IV. MEETINGS.

- A. **Place.** All meetings of the [Planning Economic Development](#) Commission shall be held in the City Council Chambers of City Hall, 437 North Wasatch Drive, [Layton Highland](#), Utah, or at such other place in [Layton Highland](#) City as the Commission may designate.
- B. **Regular Meetings.** Regular meetings of the [Planning Economic Development](#) Commission shall be held on the second and fourth Tuesdays of each month at the hour of 7:00 o'clock p.m.
- C. **Work Meetings.** Work meetings may be held on the second and fourth Tuesdays of each month, prior to the regular meeting.
- D. **Quorum.** ~~Four~~ ~~Five~~ members of the Commission shall constitute a quorum thereof for the transaction of all business except where unanimous consent of all members is required. Any member disqualified because of a conflict of interest shall not be considered when determining whether a quorum is constituted.
- E. **Content.** Discussion in the meetings are to be limited to agenda items and issues reasonably related thereto. Comments or presentations by the public are to be limited to relevant issues. In order to ensure that the meetings proceed timely and orderly, the Chair may impose a time limit on those desiring to address the Commission. Any person who disrupts the meeting by exceeding a time limit, discussing irrelevant issues, or otherwise may be removed at the direction of the Chair.
- F. **Additional Guidelines.** In addition to these policies and procedures, the Commission may invoke additional guidelines as necessary to address issues as they arise so long as they are consistent with the nature and intent with the content herein.

V. MOTIONS.

- A. **Making of Motions.** Any [Planning Economic Development](#) Commissioner, but the Chair, may make or second a motion. Motions should state findings for denial or approval within the motion:

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1. Motions should state findings at the beginning.
 2. The staff reports should be in sufficient detail to assist the [PlanningEconomic Development](#) Commission in stating findings.
 3. All motions should be repeated at the direction of the Chair.
- B. Second Required.** Each motion of the [PlanningEconomic Development](#) Commission must be seconded. A motion that fails to receive a second shall fail.
- C. Withdrawing a Motion.** After a motion is stated by the Chair or read by the secretary, it shall be deemed in the possession of the Commission, but may be withdrawn at any time before decision or amendment by the unanimous consent of the Commission.
- D. Motion to Table.** A motion to table an agenda item for further study should be accompanied by specific reasons for continuing the matter and whenever possible, a specific date to rehear the matter should be scheduled.
- E. Amending Motions.** When a motion is pending before the Commission, any member may suggest an amendment without a second, at any time prior to the Chair putting the motion to a vote. The amendment must be accepted by the author and the second of the motion in order to amend the stated motion. The author and the second may choose not to accept the amendment.
- F. Amending Amendments to Motions.** An amendment to a motion may be amended, no second required, at any time prior to the Chair putting the motion to a vote. The amendment to the amendment must be accepted by the author and the second of the motion in order for it to amend the stated motion. The author and the second may choose not to accept the additional amendment.
- G. Substitute Motions.** A substitute motion, which shall replace the original motion, may be made prior to a vote on the original motion.
- H. To Rescind a Motion.** A motion to rescind or make void the results of a prior motion may take place when the applicant and other persons directly affected by the motion have not materially changed their position in reliance on the Commission's action on the motion.
- I. To Reconsider a Motion.** To recall a previous motion for further evaluation and/or action, a motion for reconsideration may be made by a Commissioner who voted with the majority. The motion to reconsider must pass with a majority vote. If it is determined that the motion should stand as previously approved, no formal vote is necessary. If the former motion is to be amended or made void, the motion shall be put to a formal vote of the Commission. Motions to reconsider a previous motion must take place during the same meeting the motion was made or when the minutes containing that particular item are approved.

- J. **Motion to Open and Close Hearings.** A motion shall be made to open and close the public portion of a hearing prior to [PlanningEconomic Development](#) Commission discussion and vote on the matter.
- K. **Motion to Recess.** A motion shall be made to break for a specific purpose while also stipulating a specific time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.
- L. **Motion to Adjourn.** A motion to adjourn the meeting shall be made at the end of each [PlanningEconomic Development](#) Commission meeting. No second is required to the motion to adjourn.

VI. VOTING.

Except as otherwise specifically provided in these rules, a majority vote of a quorum shall be required and shall be sufficient to transact any procedural business before the [PlanningEconomic Development](#) Commission.

- A. **Changing a Vote.** No member shall be permitted to change his/her vote after the decision is announced by the Chair.
- B. **Tie Votes.** Tie votes shall be broken by the Chair casting a vote.
- C. **Conflict of Interest/Disqualification.** Any member declaring a conflict of interest shall be disqualified and shall leave the room and not participate in the discussion and vote pertaining to that particular matter.
- D. **Minimum Votes Required.** Unless otherwise provided herein, a minimum of four (4) affirmative votes are required to make a determination on any item presented to the [PlanningEconomic Development](#) Commission.

VII. AMENDMENTS.

These rules may be amended at any regular meeting of the [PlanningEconomic Development](#) Commission by an affirmative vote of the Commission, provided that such amendment has been presented in writing to each member of the Commission at least 48 hours preceding the meeting at which the vote is taken. Such amendments shall be submitted to the City Council for its approval before they shall take effect.