



HIGHLAND CITY COUNCIL BRIEF

Tuesday, April 2, 2019

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

7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – Mayor Rod Mann

Invocation – Merrill Frost

Pledge of Allegiance – Jaxson Dingus

1. UNSCHEDULED PUBLIC APPEARANCES

Time has been set aside for the public to express their ideas, concerns, and comments. (Please limit comments to three minutes per person. Please state your name and address.)

Mayor Mann presented a Recognition Award to Dr. Bill and Rusty Parker for their service in the community for the past 37 years. Dr. Bill Parker delivered 7,800 babies and did every thousandth baby free of charge. Mayor Mann gave them a Highland Hero pin explaining that they were the epitome of the theme, “We Rise by Lifting Others”.

Alan Rencher thanked the Council for listening to resident’s concerns with the Mountain Ridge Park design and offered to volunteer to help with the plan.

Michael Bronson was concerned to discover that a reconsideration of the Canterbury Trail denial was on the agenda for the meeting. He felt that the if the denial was being reconsidered, the neighborhood should have been given better notice.

Lowell Nelson felt that Ranked Choice Voting was a great option for the Highland Election this year. He encouraged the Council to consider it as an option for the 2019 Municipal Election.

Adam Gerulat echoed statements made by Michael Bronson. He felt concerned that some Council Members may have a conflict of interest regarding the Canterbury Trail item. He suggested that they include a process for announcing a conflict of interest as part of the City Council Rules of Procedure.

Mayor Mann and Council Member Brian Braithwaite explained that Council follows state code for conflict of interest. The state requires a Council Member to only state the conflict, Council Members still have the option to vote if they feel they can.

Brent Wallace was concerned with the petition process for open space disposal and felt it caused extreme animosity between neighbors. He asked Council to dissolved the Open Space Committee and consider the damage being caused by the petition process to remove trails and open space property.

Sherry Kramer was thankful the Council chose to move forward with traffic and noise studies regarding the Mountain Ridge Park. She spoke about parking needs for the park plan.

Merrill Frost was also concerned about the Canterbury Trail denial being reconsidered and wanted better notice. He thanked Council Member Kurt Ostler for the way he listened and addressed his concerns.

Vanessa Moody reminded Council about the responses provided on the resident survey. She also had circulated a petition against the 27 pickleball courts as a part of the Mountain Ridge Park plan and obtained over 700 signatures. She said the signatories were against 27 pickle ball courts, not against pickle ball all together. She asked for a more balanced approach and offered to volunteer her services.

Carley Tall was excited about the survey results and the all abilities park. She stated that she knew several people that would help donate time for the park. She was not in favor of ranked choice voting.

Natalie Ball felt disappointed that a year later the option for open trail disposal was still the same awful process and causing neighborhoods to become divided. She suggested that the \$20 open space fee be paid by the whole community.

Doug Courtney suggested that Council and staff should aggressively promote volunteerism.

Council Member Ed Dennis provided a brief background on the Open Space Committee and his participation since 2007. The committee had spent thousands of hours looking into the issue of neighborhood option trails. An ordinance was created and approved unanimously by the City Council. The ordinance required a significant percentage of the neighborhood to agree with a proposal. He explained that the item was only on the agenda to see whether or not the Council would reconsider their motion of denial. Proper noticing would have taken place if the Council would have been willing to reconsider their motion of denial at a future Council meeting.

2. CONSENT ITEMS

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

a. ACTION: Approval of Meeting Minutes - PASSED

Regular City Council Meeting March 5, 2019

Next step: Approved minutes will become part of the permanent record.

b. ACTION/ORDINANCE: ADOPTION OF HIGHLAND CITY MUNICIPAL CODE SECTION 2.04.130 APPLICANT BACKGROUND CHECKS - PASSED

Council will consider approving the adoption of a new section in the Highland City Municipal Code for new employee and volunteer Applicant Background Checks. The Council will take appropriate action.

Next step: The approved section for Applicant Background Checks will become part of the Highland City Municipal Code.

c. ACTION: REAPPOINTMENT AND CONSULTANT CONTRACT FOR VAUGHN PICKELL AS THE HIGHLAND CITY APPEAL AUTHORITY - PASSED

Council will consider ratifying the reappointment of Vaughn Pickell and approving a consultant contract with him to continue serving as the Highland City Appeal Authority. The Council will take appropriate action.

Next step: Vaughn Pickell will continue to serve as the Highland City Appeal Authority.

d. ACTION: AMENDED INTERLOCAL AGREEMENT WITH UTAH COUNTY ON THE 4800 WEST PROJECT - PASSED

Council will consider approving an amended Interlocal Agreement with Utah County for the 4800 West Project. The Council will take appropriate action.

Next step: The amendments to the Interlocal Agreement will be updated and forwarded to the County to release funds on overruns of the project.

e. ACTION: APPROVE SPRING CREEK HIGHLAND PLAT 'A' PRELIMINARY PLAT - PASSED

Council will consider a request from Millhaven Development for a ten lot preliminary plat on 12 acres of property located approximately at 10029 N 6300 W (PP-19-01). The Council will take appropriate action.

Next step: Staff will work with the applicant through the design and engineering process.

3. ACTION: APPROVAL OF SURPLUS AND DISPOSAL OF PERSONAL PUBLIC PROPERTY AND EQUIPMENT - PASSED

City Council will consider the approval of the surplus and disposal of personal public property and equipment. The Council will take appropriate action.

Next Step: Staff will surplus items on www.PublicSurplus.com.

4. ACTION: RECONSIDERATION OF CANTERBURY TRAIL DISPOSAL

~~City Council will discuss a request by Council Members Ed Dennis and Scott L. Smith to reconsider the Council's denial regarding the designation of open space property for disposal and removal of neighborhood option trails in the Canterbury North Subdivision. The Council will take appropriate action.~~

WITHDRAWN: This item was withdrawn due to an insufficient number of signatures on the petition.

5. ACTION: APPROVAL OF THE MOUNTAIN RIDGE PARK MASTER DESIGN PROCESS - PASSED

City Council will consider revisions to the Final Master Plan for Mountain Ridge Park. The Council will take appropriate action.

Next Step: Staff will amend the Master Plan using information already gathered at the open houses and from the resident survey. Fewer pickle ball courts could be included. The amended plan will be brought back to a future Council Meeting and an additional open house will be scheduled.

6. ACTION: CONDITIONAL USE PERMIT FOR SPRING CREEK PARK - PASSED

City Council will consider a request from Highland City for a conditional use permit for 2.32 acres of park located approximately at 10029 N 6300 W (CU-19-04). The Council will take appropriate action.

Next step: Staff will work with the applicant through the design and engineering process.

7. ACTION: ADOPTION OF HIGHLAND CITY MUNICIPAL CODE SHORT TERM RENTALS - POSTPONED INDEFINITELY

City Council will consider an approved the adoption of a new section in the Municipal Code enacting regulations for short term rentals. The Council will take appropriate action.

Next step: The Municipal Code will not be amended for short term rentals.

8. PUBLIC HEARING/RESOLUTION: ADOPTION OF A MUNICIPAL TRANSIENT ROOM TAX - POSTPONED INDEFINITELY

City Council should conduct a public hearing and consider adopting a 1% municipal transient room tax for short term rentals. The Council will take appropriate action.

Next step: The City will not be adopting a transient room tax.

9. MAYOR/COUNCIL AND STAFF DISCUSSION AND COMMUNICATION ITEMS

a. 2019 Election Options - City Recorder Cindy Quick

City Recorder Cindy Quick provided three option for the 2019 Municipal Election. Option 1: Precinct Election, Option 2: Vote by Mail Election administered by the City, or Option 3: Vote by Mail administered

by the County. Council provided direction for the City to pursue a contract with Utah County for Vote by Mail election.

b. Lone Peak Public Safety Department Interlocal Agreement - Mayor Rod Mann
Mayor Mann provided an update regarding the Interlocal Agreement for Lone Peak Public Safety due to Cedar Hills leaving the Fire District on July 1. He felt the formula dictating how costs are allocated should be changed and looked at as a District rather than station by station.

10. FUTURE MEETINGS

a. Future Meetings

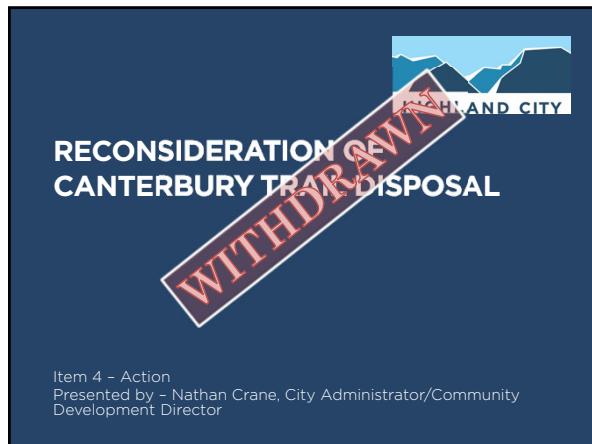
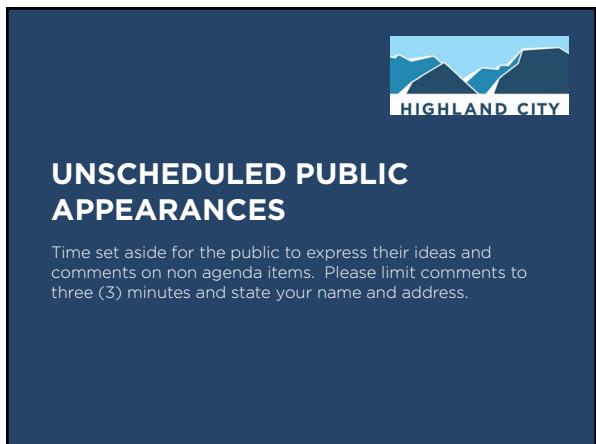
- i. April 9, City Council Work Session, 7:00 pm, City Hall
This has been rescheduled to April 16 and 25 due to a lack of a quorum for April 9th.
- ii. April 16, City Council Meeting, 7:00 pm, City Hall
- iii. April 23, Planning Commission Meeting, 7:00 pm, City Hall

ADJOURNMENT

COUNCIL VOTING REPORT - APRIL 2, 2019

		APPROVE CONSENT ITEMS A, C & D	APPROVE CONSENT ITEMS B & E AS AMENDED	APPROVE SURPLUS AND DISPOSAL OF PERSONAL PUBLIC PROPERTY AND EQUIPMENT	APPROVE AN AMENDMENT TO THE MOUNTAIN RIDGE PARK MASTER DESIGN TO BRING BACK AT A FUTURE COUNCIL MEETING AND SCHEDULE AN OPEN HOUSE	APPROVE CONDITIONAL USE PERMIT FOR SPRING CREEK PARK	POSTPONE THE DISCUSSION ON SHORT TERM RENTAL MUNICIPAL CODE INDEFINITELY
First Name	Last Name	2 a, c, d	2 b, e	3	5	6	38
Brian	Braithwaite	Yes	Yes	Yes	Yes	Yes	Yes
Ed	Dennis	Yes	Yes	Yes	Yes	Yes	Yes
Tim	Irwin	Yes	Yes	Yes	Yes	Yes	Yes
Kurt	Ostler	Yes	Yes	Yes	Yes	Yes	Yes
Scott	Smith	Yes	Yes	Yes	Yes	Yes	Yes
Total Voters		5	5	5	5	5	5
Pass/Fail		Pass	Pass	Pass	Pass	Pass	Pass

For a voting history of all Council motions please go here: <http://bit.ly/HC-CC-Voting-History>

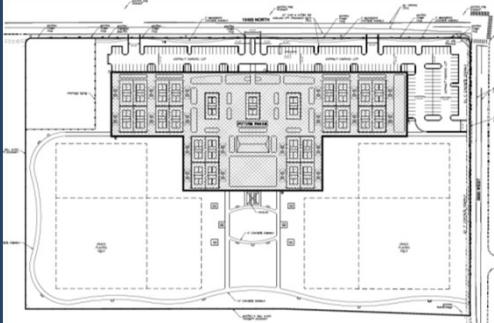




APPROVAL OF THE MOUNTAIN RIDGE PARK MASTER DESIGN PROCESS

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

Current Status



Options

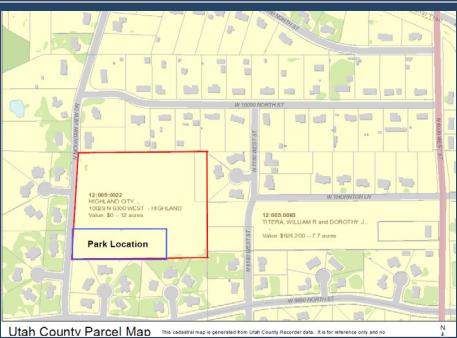
- Proceed as previously planned
- Start a new master plan process
- Amend the current master plan
 - Use the information already gathered
 - Open Houses
 - Survey(s)
 - Hold another open house



CONDITIONAL USE PERMIT FOR SPRING CREEK PARK

Item 6 - Action
Presented by - Tara Tannahill, Planner & GIS Analyst

Vicinity Map

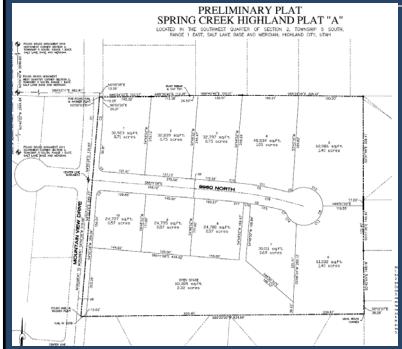


Utah County Parcel Map. The cadastral map is generated from Utah County Recorder data. It is for reference only and no

Background

- **October 2007** - Highland city purchased the property from Alpine School District.
- **November 13, 2018** - Highland City Council decided to surplus the property.
- **January 22, 2019** - Highland City Council decided to sell the property to Millhaven Development.

Preliminary Plat



- 2.32 acre park.
- 6' masonry fence for the properties that abut the park in the Spring Creek Subdivision.
- Entrance from Mountain View Drive and walking path between lots 7 and 8.

Park Concept Plan



- 2 pavilions
- 2 swing sets
- 4 park benches
- 1 playground
- Grass field
- Walking path

Fiscal Impact

- The City will pay for the park which is estimated to cost \$556,994.50.
- The City will provide culinary and pressurized irrigation water shares.
- The City will be responsible to maintain the landscaping in the park.

Citizen Participation

- Neighborhood Meeting – November 1, 2018
- Design Review Committee (DRC) – March 7, 2019.
 - No residents attended
- Radius Notification
 - Planning Commission
 - Daily Herald – March 10, 2019
 - Mailed the notice March 11, 2019
 - No written correspondence has been received
 - No notification is required for City Council

Planning Commission Action

- Planning Commission March 26, 2019
 - Recommend approval subject to the following stipulations:
 1. The final plat shall be in substantial conformance with the concept plan and plat received March 14, 2019.
 2. All signage shall require a separate permit and comply with the development code
 3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.

Consideration

1. Recommend approval of the conditional use permit with appropriate stipulations. Planning Commission has prepared draft stipulations that could be used. Additional stipulations may also be needed. The Council may include any conditions which are deemed necessary to mitigate potential impacts and insure compatibility of the use with surrounding development, insure compliance with this ordinance, and which are required to preserve the public health, safety, and general welfare; or
2. Recommend denial the conditional use permit. If the Council recommends denial the conditional use permit, appropriate and specific findings will need to be drafted; or
3. Continue the conditional use permit to allow the applicant to address the issues outlined by the Commission in accordance with Section 3-4902.



ADOPTION OF A HIGHLAND CITY MUNICIPAL CODE SHORT TERM RENTALS

Item 7 – Public Hearing / Resolution
Presented by – Tim Merrill, City Attorney



ADOPTION OF A MUNICIPAL TRANSIENT ROOM TAX

Item 8 – Public Hearing / Resolution
Presented by – Tim Merrill, City Attorney



MAYOR/COUNCIL AND STAFF DISCUSSION COMMUNICATION ITEMS

- Item 9a. – 2019 Election Options – City Recorder Cindy Quick
- Item 9b. – Lone Peak Public Safety Department Interlocal Agreement – Mayor Rod Mann



2019 ELECTION OPTIONS

Item 9a – Discussion / Communication
Presented by – Cindy Quick, City Recorder

Highland Voter Information

Election	Registered Voters	Votes Cast	Turnout
2011 Municipal Election (3 Council Seats)	9,084	1,840	21.36%
2013 Municipal Election (Mayor & 2 Council Seats)	9,139	2,955	32.33%
2015 Municipal Election (3 Council Seats)	9,712	1,949	20.07%
2017 Municipal Election (Mayor & 2 Council Seats) Run by County – Vote by Mail	9,280	3,811	41.07%

Option 1 – Precinct Election

City Requirements

- Ballot Layout, Design, Printing
- Absentee Ballot Layout, Design, Printing, Postage and Processing
- Early Voting Required (City Hall)
 - Four, six hour days
- Two Voting Locations on Election Day (City Hall and Community Center)
- Poll Worker Recruitment, Training & Food
- 18 Poll Workers, 5 Counters, 2 Judges
- Newspaper Ads – Noticing Requirements
- Flyers – Education
- Supplies & Extra Staff Hours

Estimated Cost \$10,215* / election

*Hard Cost only (Printing + Poll Worker) Does not include Soft Costs (Two employees travel to County for Signature Verification on absentee, provisional and overseas ballots. Estimated two weeks of payroll for City Recorder + OT on election day)

Counting Process/Security

City (Precinct & Vote by Mail)

- Process is outlined in UCA 20A-4-101 Counting Ballots and Tabulating Results; and 20A-4-102 Counting Paper Ballots After Polls Close
- Signatures of Absentee, Overseas and Provisional Ballots cast would be verified at County (no more access to VISTA, two employees required)
- Unofficial Election Results are reported night of Election
- Results are Separated by Precinct

Option 2 – Vote by Mail - City

City Requirements

- Ballot Layout, Design, Printing, Mailing, Postage and Processing
- No Early Voting Required
- One Voting Location on Election Day (City Building)
- Poll Worker Recruitment, Training & Food
- 7 Poll Workers, 5 Counters, 2 Judges
- Flyers – Education
- Newspaper Ads – Noticing Requirements
- Other Expenses & Staff Extra Hours

Estimated Cost \$16,387*/election (providing return postage)

Estimated Cost \$14,804*/election (not including return postage)

*Hard Cost only (Printing + Poll Worker) Does not include Soft Costs (Two employees travel to County for Signature Verification on absentee, provisional and overseas ballots. Estimated two weeks of payroll for City Recorder + OT on election day)

Counting Process/Security

City (Precinct & Vote by Mail)

- Process is outlined in UCA 20A-4-101 Counting Ballots and Tabulating Results; and 20A-4-102 Counting Paper Ballots After Polls Close
- Signatures Verification for all ballots cast by Mail, Absentee, Overseas and Provisional done at the County (no more access to VISTA, two employees required)
- Unofficial Election Results are reported night of Election
- Results are Separated by Precinct

Option 3 – Vote by Mail-County

County Provides:

- Ballot Layout, Design, Printing, Mailing, Postage and Processing
- Ballot Scanning Equipment - Counted by Precinct
- No Early Voting Required
- Poll Worker Recruitment & Training
- One Voting Location on Election Day (City Building)
- Tabulate & Report Election Results on County Website
- Provisional Ballot Verification
- Election Day Administrative Support and County Wide Vote Centers

Estimated Cost \$18,580*/ election

Counting Process/Security

County (Vote by Mail)

- Vote by Mail ballots can be mailed or dropped off at City Hall or other locations
- Picked up and delivered to the County by County reps and processed at the County
- Ballots are scanned by a machine and separated by City & Precinct
- Signature verification is done at the County by machine and then kicked to a person
- Votes are tallied on Election Day
- Unofficial Election Results reported night of Election

Surrounding City Election Choices

City/Town	Election Type
Alpine	Vote by Mail – contract with County
American Fork	Vote by Mail – contract with County
Cedar Hills	Vote by Mail – contract with County
Eagle Mountain	Vote by Mail – contract with County
Lehi	Vote by Mail – contract with County
Lindon	Vote by Mail – contract with County
Mona	Precinct Election
Nephi	Precinct Election
Orem	Vote by Mail – contract with County

Summary of Options

Option 1 – Precinct Election

- \$10,215 / election

Option 2 – Vote by Mail – City

- \$16,387 / election

Option 3 – Vote by Mail – County

- \$18,580 / election

Questions and Direction



FUTURE MEETINGS

- Item 10a. – Future Meetings
 - April 9, City Council Work Session, 7:00 pm
 - April 16, City Council Meeting, 7:00 pm
 - April 23, Planning Commission Meeting, 7:00 pm