



HIGHLAND CITY COUNCIL MINUTES

TUESDAY, DECEMBER 5, 2023

Approved February 6, 2024

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

VIRTUAL PARTICIPATION

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

Email comments prior to meeting: council@highlandcity.org

6:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Scott L. Smith

Pledge of Allegiance: Council Member Ron Campbell

The meeting was called to order by Chair Kurt Ostler as a Board of Canvassers meeting at 6:03 pm. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting.

PRESIDING: Mayor Kurt Ostler

COUNCIL MEMBERS

PRESENT: Ron Campbell, Brittney P. Bills, Jon Lefrandt, Kim Rodela, Scott L. Smith

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator/Community Development Director Jay Baughman, City Attorney Rob Patterson, City Recorder Stephannie Cottle, City Engineer/Public Works Director Andy Spencer, Library Director Donna Cardon, Fire Chief Brian Patten, Communications Specialist Brooklyn Wild

OTHERS PRESENT: Jon Hart, Doug Cortney, Wesley Warren, Liz Rice, David Mortensen

1. BOARD OF CANVASSERS - CANVASS OF 2023 MUNICIPAL ELECTION

Stephannie Cottle, City Recorder reported the results of the 2023 Municipal Elections.

- Brittney P. Bills – 2,355 votes (29.11%)
- Kim Rodela – 2,183 votes (26.98%)
- Doug Cortney – 1,396 votes (17.26%)
- Write in: Liz Rice – 1,086 votes (13.42%)
- Write in: Jon Lefrandt – 702 votes (8.66%)
- Write in: Wesley Warren - 270 votes (3.35%)

Ms. Cottle noted there were also 97 invalid write-in votes and she explained the reasons that they were deemed invalid. The total voter turnout was 26.9 percent of the City's active voters. She noted that the City did have 116

challenged ballots and 67 were not cured. She concluded by asking that the Council consider certifying the 2023 Municipal General Election results.

Council Member Smith asked how the turnout in this election compares to the last municipal election. Ms. Cottle stated she cannot recall the turnout at the last election, but she believes that the turnout in 2023 was a bit lower than in the last municipal election. She stated the vote center that was located in Highland served 95 in-person voters, with 62 of them being Highland residents.

Mayor Ostler asked for the statistics for the ‘fast cast’ voting option that was offered at the vote center. Ms. Cottle stated she is not sure how many people used that option, but she can reach out to the County Clerk’s office for that information.

City Administrator Wells addressed Council Member Smith’s question about historical voter turnout and noted that in the last election where there were three Council vacancies, the City’s turnout was 3,700; this means there was a decrease in votes of approximately 400 this year, which is disappointing. Council Member Smith stated that could be because there were only three candidates for the three open positions this year.

Board Member Scott L. Smith MOVED that the Highland City Council, acting as the Board of Canvassers, certify and approve the Election Canvass Returns from the 2023 General Municipal Election and declare Brittney P. Bills, Kim Rodela, and Doug Cortney as City Council Members.

Board Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

<i>Board Member Ron Campbell</i>	<i>Yes</i>
<i>Board Member Brittney P. Bills</i>	<i>Yes</i>
<i>Board Member Jon Lefrandt</i>	<i>Yes</i>
<i>Board Member Kurt Ostler</i>	<i>Yes</i>
<i>Board Member Kim Rodela</i>	<i>Yes</i>
<i>Board Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 6:0.

2. CLOSED SESSION

The City Council may recess to convene in a closed session to discuss items, as provided by Utah Code Annotated §52-4-205.

At 6:17 pm Council Member Brittney P. Bills MOVED that the City Council recess to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, and pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>

Council Member Scott L. Smith Yes

The motion passed unanimously.

Council Member Brittney P. Bills MOVED to adjourn the CLOSED SESSION and Council Member Kim Rodela SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 7:08 pm.

The Regular meeting reconvened at 7:14 pm.

3. UNSCHEDULED PUBLIC APPEARANCES

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

There were no public comments.

4. PRESENTATIONS

a. Employee Years of Service Erin Wells, City Administrator

The City Council will hear a presentation showing Highland City employees and their years of service to the City.

City Administrator Wells reported the City recently implemented an anniversary awards program for continual service with the City; the City currently has 51 employees and their years of service total 280. City Administration feels it is important to recognize an employee dedication and longevity with the City and Ms. Wells reported 11 employees have worked for the City less than a year, 17 have worked for the City for one to four years, 14 have worked for the City for five to nine years, and nine have worked for the City for over 10 years. She then presented a list of the names of employees in each service category, and she specifically highlighted those that have been with the City over 10 years:

- 11 years – Juli Munger
- 12 years – Tayson Arnoldsen and Brad Herzog
- 13 years – Roy Bond
- 16 years – Jeff Murdoch and Hadley Hutchings
- 17 years – Terry Biggs and Josh Castleberry
- 18 years – Ty Christensen

Mayor Ostler stated he would be interested to know if other cities have similar employee service statistics. Ms. Wells stated that she could reach out to comparable cities for that information. She added she would like to discuss service once a quarter with the Council.

Council Member Smith asked if the City is aware of the number of employees that are also Highland residents. Ms. Wells stated she is aware of just two that live in Highland; many live in neighboring communities.

5. 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. **Approval of Meeting Minutes** *General City Management* *Stephannie Cottle, City Recorder*
City Council Meeting Minutes - September 19, 2023 and October 3, 2023.
- b. **ORDINANCE: 2024 Meeting Schedule** *General City Management* *Stephannie Cottle, City Recorder*
The City Council will consider approving the City Council Regular Meeting Schedule for 2024.
- c. **Library Long-Range Strategic Plan** *General City Management* *Donna Cardon, Library Director*
The City Council will consider approving the Library's 2023-2028 Long-Range Strategic Plan

Council Member Scott L. Smith requested to pull 4a for further discussion.

Council Member Kim Rodela MOVED, item 4b, Ordinance adopting the 2024 Meeting Schedule, and 4c, Library Long-Range Strategic Plan.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

Council Member Smith stated he pulled 4a from the consent agenda in order to thank City Recorder Cottle for the great job done on minutes; they reflect what occurred in the meeting very accurately while also ‘smoothing the rough edges’.

Council Member Scott L. Smith MOVED that the City Council approve consent item 4a, the approval of meeting minutes from September 19, 2023 and October 3, 2023.

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

6. ACTION ITEMS

Items in this section are to be acted upon by City Council.

- a. **RESOLUTION: Fee Schedule - Bonds for Lots on Private Roads** *Land Use*

(Legislative) Rob Patterson, City Attorney

The City Council will consider an amendment to the City's fee schedule to allow for a reduction in the bond amount required for a building permit for lots accessed by private roads.

City Attorney Patterson explained Highland City Development Code 3-615 requires applicants for a building permit to provide the City with a bond to cover any damage that may occur to public infrastructure (sidewalks, curb, streets, water meters, etc.) in the process of construction. If damage to public infrastructure occurs, the City requires the applicant/builder to repair the damage. The bond provides protection to the City in case the applicant/builder fails to complete any repairs, giving the City a source of money to use to correct any damage. The current bond amount is \$4,000. City staff received a request from a homebuilder in Ridgeview asking for a reduction in the building permit bond because the homes they will be building are all accessed from private roads, where there is less risk of damage to City infrastructure (no public sidewalks, curbs, or roads surfaces). In this circumstance, city staff agrees that there is less risk to the City, and so the bond amount does not need to be \$4,000. However, the current fee schedule does not allow staff to adjust the required bond amount. Staff requests that the City Council consider amending the fee schedule relative to the lot infrastructure bond to allow City staff to adjust the amount and type of the bond in circumstances where the lots are accessed from private roads. The proposed amendment is as follows, with proposed additions underlined and in red:

- Lot Infrastructure Bond (including but not limited to sidewalk, curb, pavement, meter boxes) ... \$4,000*
*For Lots accessed by private roads, bond amount and type may be adjusted with approval of building official and public works director or designees commensurate with measure of risk to public infrastructure

Mr. Patterson noted this amendment will allow staff to approve a lesser bond and/or single overall bond to cover lots on private roads. Staff recommends the City Council review and adopt the resolution amending the fee schedule related to lot infrastructure bonds.

Council Member Smith inquired as to the formula that is used to determine the bond amount for lots on private roads. City Engineer/Public Works Director Spencer stated that the way the bond amount will be determined is subjective as there is no defined formula. Staff will rely upon their experience and understanding of costs to repair damages to public infrastructure associated with development of a home or development of certain sizes. He specified that the bond will not provide for repairs to private infrastructure.

Council Member Kim Rodela MOVED that City Council adopt the resolution amending the Highland fee schedule related to lot improvement bonds.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

b. ACTION: Mountain Ridge Park Phase II Authorization *General City Management Erin Wells, City Administrator*

The City Council will consider the construction of Mountain Ridge Park Phase II and authorizing the use of parks impact fee funds for the construction costs.

City Administrator Wells stated on March 21, 2023, Council set the budget for Phase I of Mountain Ridge Park at \$8,556,424 using a variety of funding sources. On April 18, 2023, the City received a \$500,000 donation from the Paul and Rachel Adams Family for \$500,000 bringing the total available budget for the park to \$9,056,424. On May 16, 2023, Council adopted an updated Parks Impact Fee Facilities Plan and Impact Fee Analysis that allows for the use of impact fee money on new parks capital items. The new fee of \$6,301 for single-family homes went into effect on August 14, 2023. On August 1, 2023, City Council and staff discussed the possibility of using Parks Impact Fee funds to pay for the construction of Phase II of Mountain Ridge Park. She presented a list of approved and planned revenue sources for the project, totaling \$9,056,424. Phase one is nearly complete and approximately \$8.3 million has been spent; this leaves \$700,000 available for a future phase.

Council Member Campbell asked if any of the funding sources included in the list provided by Ms. Wells are restricted. Ms. Wells answered yes; staff has performed an analysis to determine that restricted funds are only being used as intended/required. She then presented a conceptual plan and identified the areas of the park still left to complete, including a soccer field area, baseball field area, and a few other amenities including a ninja park and stage.

Council Member Campbell stated that during the public input gathering phase of the project, several recommendations were made by residents, and some have been satisfied while others have not. One that is outstanding is a fence around the perimeter of the playground area and this is very important to parents who want to ensure safety of their children. He asked how to get a fence added back onto the plan for the project. This led to discussion of the location of fencing that has already been installed and Council Member Campbell identified the location where he would like to see additional fencing. Council Member Smith stated he can support looking into costs of additional fencing. He then asked how aggressive the City is being with its fundraising efforts. There are many businesses and residents who want to maximize their tax deductions via a donation by the end of the calendar year. Mayor Ostler stated that he has reached out to everyone that was included on the donor list; it is important to be able to communicate to donors the manner in which different donation levels will be recognized.

Ms. Wells stated that what she is asking tonight is for the Council to approve up to \$1.3 million in park impact fee revenue for the project; this would be used along with the \$700,000 balance to complete phase two, which staff estimates will cost \$2 million. She noted any additional fundraising success will ultimately decrease the amount of parks impact fee money needed for the project. She then discussed the condition of the City's Parks Capital Fund. After all Mountain Ridge Park expenses are paid, there will be \$3 million in the fund and the City still owes \$2.5 million on the outstanding park bond. The last payment of the bond is due in September of 2027. If the City uses all \$1.3 million of the fund balance, \$800,000 in revenue would be needed to pay the park bond. This equates to 148 total homes, or 42 homes per year for the next three years. She stated that for the last 20 years, the City averages 129 new homes per year and even in the worst five years, the City still issued 52 permits per year. Staff feels that the number of homes is reasonable.

Council Member Campbell noted he would like to use his \$3,000 in discretionary funds for the fence that he mentioned at the Park.

Council Member Kim Rodela MOVED that City Council direct staff to prepare construction packages for Phase II of Mountain Ridge Park and authorize the use of up to \$1.3 million of parks impact fee revenue to be used on its construction.

Council Member Scott L. Smith SECONDED the motion.

Council Member Smith asked if the Park Impact Fee revenue being allocated to Phase 2 will be collected over the next four years. Ms. Wells stated that it is actually for the next 3.5 years. Council Member Smith stated the reliance on that money will be reduced based upon additional fundraising. Ms. Wells stated that is correct. Council Member Smith stated he wants to be sure Administration truly believes there will be sufficient money available

to repay bond debt. Ms. Wells stated she is not concerned about being able to make the bond payment.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

- c. RESOLUTION: Timpanogos Special Service District Impact Fee Amendment General City Management**
Candice Linford, Treasurer
The City Council will consider the fee schedule amendment related specifically to Timpanogos Special Service District (TSSD) Impact Fees.

City Administrator Wells reported that at its September 21, 2023 board meeting, the Administrative Board of the Timpanogos Special Service District (“District”) approved the 2022 Impact Fee Facilities Plan (the “Plan”), the 2023 Technical Memorandum to the Plan (“2023 TM”), and the 2023 Impact Fee Analysis (“2023 IFA”). These materials were prepared for the District by Bowen, Collins and Associates (2023 TM) and Zions Bank (2023 IFA). The 2023 IFA results in an increase in the amount currently assessed for the District’s Sewer Impact Fee. The fee will increase from \$3,559/Equivalent Residential Unit (ERU) to \$4,981/ERU. The impact fee charged for each unit in a residential multi-unit development is \$4,981/ERU. The new fee will be effective January 1, 2024. The new fee applies to all permits current under review and those moving forward, and the new fee shall be assessed based on the date the applicant pays the impact fee. The new impact fee of \$4,981/ERU shall be assessed on any development for which the impact fee for a building permit applicant is paid on or after January 1, 2024. Ultimately, Highland acts as a simple pass-through for the impact fee from builders to TSSD and as such there is no net fiscal impact to the City. The revenue and expense is not even shown in the City budget. Staff recommends the adoption of the increase from \$3,559 to \$4,981 per ERU. This is a pass-through cost assessed by TSSD.

Mayor Ostler asked if this fee applies to new construction only, to which Ms. Wells answered yes.

Council Member Bills asked why the increase is so significant. Ms. Wells stated she is unsure as the reasoning behind the fee increase; however, she knows there is one large project in the Pioneer Crossing area and the District is also being required to upgrade their facility to comply with new Environmental Protection Agency (EPA) regulations.

Council Member Campbell stated he is uncomfortable with approving a fee that the Council has not authority in determining. Council Member Smith agreed; he is uncomfortable that the fee is tripling in one year. Ms. Wells stated that the City’s appointee to the District’s Board, Brian Braithwaite, was unable to attend tonight's meeting. The fee is intended to go into effect prior to the next City Council meeting. City Attorney Patterson added that the City has a contract with the District for them to provide services to Highland residents; one of the terms of that contract is that the City agrees to charge the rates set by the District and if the rates are not passed on to residents, the City is responsible to pay them. He noted that this is not an uncommon contract between cities and special service districts.

Mayor Ostler reported that Brian Braithwaite represents the City on the Board; he was appointed to that position at the time he was serving as a Council Member. If the Council wants to change the City’s representation, they can make that change, but he would like for them to hear from Mr. Braithwaite first to understand the role and

duties of the Board. This led to high level discussion of the type of entity the District is and how it functions; Mr. Patterson noted there are currently nine fully supported cities and two partially supported cities. Council Member Smith noted that there are efforts underway to change the manner in which special service districts are controlled and he looks forward to those changes.

Council Member Bills stated that she does not feel the Council has a choice in whether to approve the fees. Council Member Smith agreed and stated he would like to hear from Mr. Braithwaite when he is available.

Council Member Ron Campbell MOVED that City Council adopt the amended fee schedule to include TSSD's new impact fee.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

d. ACTION: Contract Approval: Culvert Lining Under 11800 North On Broadleaf Hollow

General City Management

Andy Spencer, City Engineer/Public Works Director

The City Council will consider the award of a contract to rehabilitate a culvert that crosses under 11800 North on the Broadleaf Hollow channel.

City Engineer/Public Works Director Spencer explained as a part of the FY2024 Budget approval, the Council approved \$358,156 in funds for Storm Sewer System Repairs and Maintenance. The rehabilitation of this culvert is one of the identified projects in the budget documents and utility rate studies. The culvert crossing 11800 North has a metal pipe that has begun to rust and deteriorate, especially on the bottom of the pipe. The proposed project will rehabilitate the pipe before it has a chance to further degrade and require a more significant repair or cause failure of the roads and water pipes which are above the culvert. As there are several different technologies available for rehabilitation, staff solicited proposals from 3 different companies. The methodology proposed by Cardinal is to spray a geopolymer lining in the pipe which creates a 1.5-inch-thick liner in the existing pipe. This will extend the life of the pipe and preserve the integrity of the facility to pass runoff water. It will also protect the critical infrastructure above the pipe within 11800 North. The spray in liner was selected because it was significantly less cost than the other options. Staff is content that it will provide an additional life span of at least 20 years. The contractor's bid for the work is \$124,570. The cost of this project is \$137,027 including a 10% contingency. Funding for this expense is included in GL 54-40-41 within the FY2024 budget.

Council Member Smith inquired as to the linear length of the pipe. Mr. Spencer answered 135 feet. Council Member Smith stated the contract price is a great deal of money for such a short distance and he believes it is an example of cities being charged more than they should be for this type of work. Mr. Spencer stated he does not disagree; he knows the polymer will last at least 20 years and other options for rehabilitating the culvert would be as expensive, but more disruptive to residents living in the area. He added that winter is the best time to perform this type of work, which is why he is recommending the award of the contract at this time.

Council Member Scott L. Smith MOVED that the City Council APPROVE a contract with Cardinal Infrastructure Services in an amount up to \$137,027 to rehabilitate the 11800 North culvert and AUTHORIZE the City Administrator to sign the contract documents.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

e. RESOLUTION: Recertification of the Justice Court General City

Management Rob Patterson, City Attorney

The City Council will consider a resolution requesting re-certification of the Highland City Justice Court.

City Attorney Patterson reported that once every four years since at least August 1991, the Highland City Council has adopted a resolution requesting recertification of the City's Justice Court and affirming the Council's commitment to provide funding and other necessary support to the Justice Court. The most recent resolution was adopted on October 1, 2019. Utah State Code 78A-7-103 requires that every justice court continues for a four-year term, and that the justice court must be re-certified at the end of the term in order to continue. The City's Justice Court's current term will expire in January 2024, after previously being re-certified in January 2020. The process for recertification requires City staff to review and update (as necessary) the Justice Court's operations to ensure it meets minimum standards, the justice court judge to provide an affidavit certifying that the operational standards for the justice court are being met, and the City Council to adopt a resolution requesting recertification.

City staff, including the city administrator Erin Wells and city attorney Rob Patterson worked with Court staff to review the current operations, staffing, needs, and funding of the Justice Court to determine whether any changes needed to be made. Based on that review, it appears that the Justice Court is functioning appropriately and has the materials, funding, and staffing necessary to continue operations in accordance with the requirements of state law and the regulations of the state judicial council. He noted he has provided an opinion letter summarizing the minimum operational requirements for the Justice Court and opining that the Justice Court meets those minimum requirements and can continue operations in accordance with governing laws and regulations. The justice court judge will also be providing her affidavit. Staff recommends that the Council adopt the resolution requesting recertification of the Highland City Justice Court.

Council Member Bills asked if the Council has a choice in this matter. Mr. Patteson answered yes; if the Council chooses not to recertify the court, it will be necessary to follow the process for dissolving the court, which is lengthy and requires approval from the State Legislature.

Council Member Smith stated that according to Mr. Patterson's opinion letter, the revenues of the court do not cover the expenses and he inquired as to the funding source to make up the difference. Mr. Patterson stated the Justice Court is subsidized by the General Fund when revenues do not cover expenditures. Justice Courts typically do not generate revenue, but they are considered a service to local residents.

Mayor Ostler asked where the cases currently handled by the Justice Court would go if the City's Justice Court were

dissolved. Mr. Patterson stated they would be sent to the County's Justice Court or the District Court.

Council Member Smith asked if the court serves Alpine City as well. Mr. Patterson stated the Alpine Justice Court is technically separate from Highland, though they use the same judge and clerk; the City could pursue an interlocal agreement with Alpine to share in costs for operating the Justice Court. Council Member Smith stated he feels that would be appropriate given the City has partnered with Alpine to create the Lone Peak Public Safety District (LPPSD). Mr. Patterson stated he can look into that. He added that there has been some discussion among the State Legislature about eliminating justice courts in the State and he will provide the Council with update on that matter when available.

Council Member Kim Rodela MOVED move that City Council adopt the resolution requesting recertification of the Highland Justice Court.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

7. DISCUSSION ITEMS

Items in this section are for discussion and direction to staff only. The City Council will not take any formal action.

a. DISCUSSION: Timpanogos Special Service District Legislative Letter of Support *General City Management*

Erin Wells, City Administrator

The City Council will provide direction on Timpanogos Special Service District's request for a letter of support for a legislative change they are seeking.

City Administrator Wells explained on September 5, 2023, the Council approved a resolution supporting the reorganization of the Timpanogos Special Service District (TSSD) to become an Independent Service District separate from Utah County. TSSD has recently been undergoing the process to become an Independent Service District separate from Utah County. The last city that needs to consent to the switch is Eagle Mountain City. Their Council will be meeting to discuss this issue on Tuesday, December 5. One concern that Eagle Mountain has had is that this reorganization would mean that they may lose their appointment authority as the County Commission would be the entity to appoint the board member that would represent their City. This is due to the fact that a portion of Eagle Mountain City is not serviced by TSSD, but rather a city-owned treatment plant and Utah State Code only allows for "included municipalities," whose boundaries are entirely within the boundaries an Independent Service District to make an appointment to the board. Despite only a portion of its City being serviced by TSSD, Eagle Mountain's TSSD population is the third largest of any City serviced by TSSD. As such, the TSSD organization understands Eagle Mountain's concerns. To fix the issue, TSSD is proposing a legislative change during the 2024 session that would amend state code so that if TSSD provides services to a non-included municipality that has at least as many residents served as the smallest included municipality, the non-included municipality is entitled to make a direct appointment to the board. TSSD has asked that Mayor Ostler sign a letter indicating Highland's support for this legislative change. Ms. Wells noted the Mayor is seeking

Council feedback on this issue and she referenced the draft legislation and template letter of support, which were included in the packet for the meeting.

The Council briefly discussed the matter and expressed support for the Mayor to sign the letter of support for TSSD.

8. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

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

The Mayor called for a recess at 8:23 p.m.

The meeting reconvened at 8:31 p.m.

a. Text Amendment - Alcohol Sales *Rob Patterson, City Attorney*

City Attorney Patterson used the aid of a PowerPoint presentation to discuss the idea of a text amendment regarding alcohol sales in Highland City; staff is looking for feedback from the Council on the following questions:

- Should staff draft municipal code and development code amendments together in one ordinance or separately in two ordinances.
- Should the text amendment apply to just the CR Zone or all commercial zones in the City.
- Does the Council want to allow limited service or full-service restaurants.
- Does the Council want to impose additional regulations – such as location and spacing requirements – for alcohol licenses.
- Does the Council want to allow restaurant sales of beer for off-premise consumption.

Mayor Ostler and Mr. Patterson facilitated discussion among the Council to gather their input on the five questions; the Council concluded that they would like two ordinances. Council Member Bills stated she is willing to apply the text amendment to all commercial zones. Council Members Smith and Campbell stated they would like it to only apply to the CR zone. Council Member Bills stated she is undecided on whether to allow limited service or full-service restaurants. Council Members Smith and Campbell stated they only want to consider limited-service restaurants. Relative to additional regulations, the entire Council indicated they would like a menu of options to consider in terms of regulating the location and spacing requirements for those holding an alcohol license. They also were not supportive of allowing restaurants to sell beer for off-premise consumption.

Council Member Lefrandt stated his feedback is based on the results of the citizen survey; he is supportive of one ordinance and for the text amendment to apply to all commercial zones and to allow full-service restaurants. He is also supportive of additional regulations based upon spacing and location of restaurants. He is also not supportive of allowing beer sales at restaurants for off-premise consumption. He stated that 94 percent of the over 2,000 people who completed the survey indicated they would like to allow alcohol sales in restaurants throughout Highland and he is surprised the Council is disregarding that message.

Council Member Rodela stated she also wants to listen to the results of the survey, and she is in favor of applying the text amendment to all commercial zones. She is undecided on whether one or two ordinances are needed. She supports full-service restaurants as well. She would like to know the State regulations for distance and location limitations for licenses before deciding on that matter. She concluded she also does not support beer sales for off-site consumption.

Mayor Ostler invited Mr. Cortney to provide his input as he will be a Council Member when this matter is voted

on. Mr. Cortney stated he agrees with Council Member Rodela's feedback. Relative to the number and location of licenses, he would be willing to allow four to five licenses City-wide.

Mayor Ostler then provided his input as well; he feels two ordinances are appropriate. He is undecided on whether to apply the text amendment to the CR zone or all commercial zones and he asked why some are hesitant to apply it City-wide. Council Member Campbell stated that he wants to 'test the waters' and understand the impact of allowing alcohol sales before extending it to the entire City. Council Member Smith agreed; he sees the negative impact of alcohol and sees no reason to sell it throughout the entire City. There was then a discussion about the alcohol content for beverages sold at limited-service restaurants versus full-service restaurants, with Mayor Ostler reiterating the survey results were in support of full-service restaurants. Council Member Campbell stated that the average restaurant will get 12 percent of their sales from alcohol, but in Utah it is just four percent. Those seeking to build a restaurant here will need to pursue other offerings to attract customers.

Mr. Patterson summarized his understanding of the feedback from the Mayor and Council; he indicated he will begin working on two draft ordinances that will be presented to the Council in January. He thanked the Mayor and Council for their discussion of this matter.

b. Development Code Changes *Rob Patterson, City Attorney*

City Attorney Patterson reviewed the timeline for the Planning Commission and City Council consideration of development code changes. The deadline to adopt the changes to comply with State Law is February 1, 2024 and the Council is scheduled to consider it on January 16, 2024. The Code changes address review and approval of preliminary plats; a new Board will approve final plats and the Board will consist of three staff members and two Planning Commission members. They will meet weekly on Thursday afternoons. The Council discussed this change and expressed concern about the authority to approve and execute plats being taken out of the hands of an elected official. Mr. Patterson stated he understands the concerns and advised the Mayor and Council to lobby the State Legislature if they would like to see a change in the law. He noted additional changes to the Development Code will include:

- Creation of new Approval Board
- Adjustments to Planning Commission powers and duties
- Minor subdivision process changes (lot splits only)
- Major subdivision process changes (new approval process)

A non-code update addresses City public infrastructure engineering and design standards and specifications, as well as inclusion of active transportation standards.

c. Volunteers for General Plan RFP Review Group *Jay Baughman, Assistant City Administrator/Community Development Director*

Assistant City Administrator/Community Development Director Baughman stated Administration is looking for two members of the Council to volunteer to serve on a review committee for the response to the requests for proposal (RFP) for the City's General Plan update. Council Member-elect Cortney and Council Member Campbell volunteered. Council Member Smith asked that the proposals still be sent to the entire Council for review. He would like to provide input but acknowledged that Council Members Cortney and Campbell will represent the Council in the selection of a consultant. Mr. Baughman asked that the Council send any feedback and suggested development criteria for staff to consider in the evaluation of the proposals.

d. Planning Commission Text Amendment Proposal - Accessory Dwelling Units *Rob Patterson, City Attorney*

City Attorney Patterson stated the Planning Commission is recommending a text amendment to allow detached

accessory dwelling units (ADUs); the thought is to limit them to 1,000 to 1,500 square feet, require impact fees, require dedicated parking spaces, and limit them to certain zones of the community, such as the R-1-40 zone. Council Member Cambell stated he would be opposed to limiting the use to just the R-1-40 zone rather than make it a conditional use for every zone that can meet lot square footage requirements. Mr. Patterson stated that the Council can discuss that issue and amend any proposal that is forwarded by the Planning Commission. The Mayor, Council, and staff engaged in philosophical discussion and debate of the pros and cons of detached ADUs and the impacts of the use on surrounding properties. Council Member Rodela indicated she would like to wait to consider this text amendment until after the 2024 legislative session because there will be legislation that impacts housing requirements for local communities. Council Member Smith indicated a willingness to wait until after the legislative session, but he would also like to study opportunities to regulate developers who indicate they are building affordable housing to ensure that their housing prices are actually affordable. The Council directed staff to ask the Planning Commission to wait a few months to make a formal recommendation on the matter.

e. PO Zone Design Standards *Rob Patterson, City Attorney*

City Attorney Patterson stated there is a pending application for development of property that is currently zoned PO (Professional Office); the PO zone has very specific design standards that are typically imposed on commercial developments, but the property owner has indicated some opposition to the guidelines. Patterson Development is proposing an amendment to the PO zone to move away from specific exhibits and simply propose a site-specific master plan and design book in order to develop their land. The Council and Mayor discussed the properties that are currently classified as PO and indicated they are comfortable hearing a proposal regarding specific design criteria for the Patterson property.

f. Landscaping in Development Code *Jay Baughman, Assistant City Administrator/Community Development Director*

Assistant City Administrator/Community Development Director Baughman reviewed landscaping requirements in the City's Development Code; one provision is that at least seventy percent (70%) of the area contained within a required front yard or side yard adjacent to a street shall be landscaped within one year of occupancy. The definition of landscaping contemplates a variety of different landscaping means and the City's Code Enforcement Officer has encountered issues with determining if some properties comply with the Development Code. He presented photographs of a property that has not been improved but is largely landscaped with gravel and other xeriscape materials, but not plantings. Code Enforcement has been trying to get him to landscape his property for over a year and has been unsuccessful and staff wanted to get some feedback from the Council. The Council indicated they would like to adjust the text of the Code to provide a required percentage of shrubs or other landscaping materials.

g. Water Meter Sizing with Lot Combinations *Andy Spencer, City Engineer/Public Works Director*

City Engineer/Public Works Director Spencer explained a resident has purchased a couple of lots near their existing residence and they are proposing to combine the lots into one in order to build a fairly sizeable accessory structure. They would like to keep both water services or upgrade to one large water service. The City typically allows just one water meter per residential lot, but staff has evaluated this situation and has considered past situations and feels that it would be more beneficial to provide them one larger service line and meter rather than two meters. If it ever becomes necessary to turn off the water, staff needs access to just one meter and valve for the property. The resident has expressed a willingness to accept staff's recommendation. Mayor Ostler asked if this type of policy would only be allowed to people who combine lots. Mr. Spencer answered yes; a text amendment will be proposed in a future business meeting to formalize that policy.

h. Mountain Ridge Park – Sign Rendering *Andy Spencer, City Engineer/Public Works Director*

City Engineer/Public Works Director Spencer explained the Mountain Ridge Park sign has not been installed because the park has not been officially named. He stated that the archway can be installed, but the stainless-steel plates where the name will be located would be left blank. Another option is to use the name “Mountain Ridge Park” with the plan to replace the name later if the City secures a donation for the naming rights of the Park. Council Member Rodela suggested the archway and blank plates be installed with a sign advertising the opportunity for naming rights for a large donation. The Council supported that proposal.

i. North Pointe Special Service District *Scott L. Smith, Council Member*

Council Member Smith reported the North Point Special Service District is moving towards negotiating an interlocal agreement, which will give the cities that are part of the District more power. He stated that the change will be considered in the District’s January meeting, and he will report back to the Council.

j. Council Retreat – January 18 *Mayor Kurt Ostler*

Mayor Ostler asked the Council to review their calendar to determine their availability for a Council retreat. They concluded to meet on January 18. City Administrator Wells indicated she will be sending the Council an email to prepare them for topics of discussion during the retreat.

k. Final 2023 Meeting *Mayor Kurt Ostler*

Mayor Ostler thanked Council Member Lefrandt for his willingness to serve as a member of the City Council and to run for office as a write-in candidate.

9. CLOSED SESSION

The City Council may recess to convene in a closed session to discuss items, as provided by Utah Code Annotated §52-4-205.

At 10:16 pm Council Member Scott L. Smith MOVED that the City Council recess to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual pending, reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Jon Lefrandt</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed unanimously.

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

The CLOSED SESSION adjourned at 11:37 pm.

ADJOURNMENT

Council Member Jon Lefrandt MOVED to adjourn the regular meeting and Council Member Ron Campbell SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 11:39 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on December 5, 2023. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle, CMC
City Recorder



6:00 PM BOARD OF CANVASSERS - CANVASS OF 2023 MUNICIPAL ELECTION

Call to Order - Mayor Kurt Ostler

1

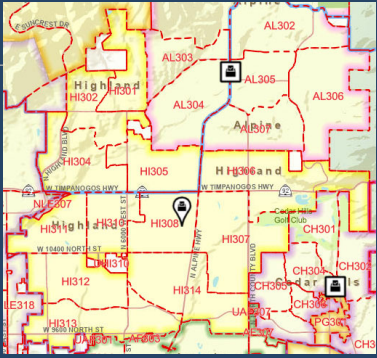


ELECTION RESULTS

Highland City Council		
Vote For 3		
	TOTAL	VOTE %
BRITTNEY P. BILLS	2,355	29.11%
KIM RODELA	2,183	26.98%
DOUG CORTNEY	1,396	17.26%
Write-In: Liz Rice	1,086	13.42%
Write-In: Jon Lefrandt	702	8.68%
Write-In: Wesley Warren	271	3.35%
Write-In: Invalid	97	1.20%
Write-In Totals	2,156	26.65%
Not Assigned	0	0.00%
Total Votes Cast	8,090	100.00%

2

Highland City Precinct Map



3

Motion to Approve

I MOVE that the Highland City Council, acting as Board of Canvassers, certify and approve the Election Canvass Returns from the 2023 General Municipal Election and declare Brittney P. Bills, Kim Rodela, and Doug Cortney as City Council Members.

4



6:05 PM REGULAR SESSION

Call to Order - Mayor Kurt Ostler
Invocation - Council Member Scott L. Smith
Pledge of Allegiance - Council Member Ron Campbell

5



CLOSED SESSION

The Highland City Council has recessed the regular City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, and pending, or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.

The regular City Council meeting will adjourn immediately following the end of the closed session.

6

Welcome to the Highland
City Council Meeting

December 5, 2023

Please Sign the Attendance Sheet



7



UNSCHEDULED PUBLIC APPEARANCES

Time set aside for the public to express their ideas and comments on non-agenda items.

• Please state your name clearly.

• Limit your comments to three (3) minutes.

8



PRESENTATIONS

3a. Employee Years of Service - *Erin Wells, City Administrator*

9

Anniversary Awards

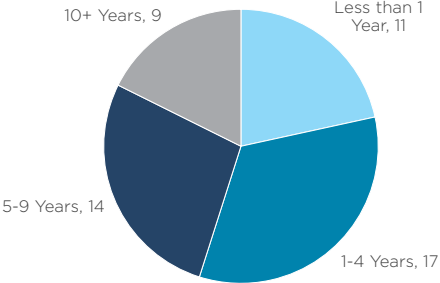
• Recently implemented an anniversary awards program for continual service with the City.

• Dedication and longevity with the City is hugely beneficial to the organization.

• 280 years amongst 51 employees!

10

Employee Years of Service



Years of Service	Count
10+ Years	9
Less than 1 Year	11
5-9 Years	14
1-4 Years	17

11

1-Year

• Haley Bono

• Myron Woodruff

• Elizabeth Maughn

• Kiersten Leavitt

• Curtis Bullock

• Jose Cortes

• John Ricks

• Aiden Smith

2-Years

• Brent Wallace

• Jason Nelson

• Sheridan Hansen

• Andy Spencer

• Scott Townsend

• Blade Flanders-Johnson

12

2

3-Years

- Larena Hill

4-Years

- Calli Olsen
- Wayne Tanaka

5-Years

- Gretchen Homer
- Donna Cardon
- Braden Weiss
- Evan Scott

6-Years

- Kelly Schaeffer-Bullock
- Trever Aston

13

7-Years

- Stephannie Cottle
- Candice Linford
- JoAnn Scott
- Weldon Nielson
- Jayden Yates

8-Years

- Erin Wells
- Hunter Loveless

9-Years

- Kim Bergeson

14

11-Years

- Juli Munger

12-Years

- Tayson Arnoldsen
- Brad Herzog

13-Years

- Roy Bond

16-Years

- Jeff Murdoch
- Hadley Hutchings

17-Years

- Terry Biggs
- Josh Castleberry

18-Years

- Ty Christensen

15

CONSENT ITEMS (5 minutes)

4a. Approval of Meeting Minutes: September 19, 2023 and October 3, 2023

General City Management

4b. Ordinance: 2024 Meeting Schedule

General City Management

4c. Library Long-Range Strategic Plan

General City Management

16

Motion to Approve

I move that the City Council approve consent item 4a, the approval of meeting minutes from September 19, 2023 and October 3, 2023, item 4b, Ordinance adopting the 2024 Meeting Schedule, and 4c Library Long-Range Strategic Plan.

17

HIGHLAND CITY

FEE SCHEDULE - BONDS FOR LOTS ON PRIVATE ROADS

Land Use (Legislative)

Item 5a - Resolution

Presented by - Rob Patterson, City Attorney

18

Background

- Development Code 3-615 requires building permit applicants “post with the City a Bond for the protection of the city’s offsite improvements.”
- Bond covers damage to roads, curbs, gutters, sidewalks, water meters, and other public infrastructure due to building construction
- Current required bond amount: \$4,000 per permit

19

Amendment Request

- Where a lot is accessed from a private road, rather than a public road, the risk to the City is significantly less
- City Staff received request to adjust the permit bond for lots on private roads (Ridgeview)
- Staff agrees that bond is not necessary for lots accessed from and through private roads and proposes amending the fee schedule to allow an adjustment to the amount/type of bond based on risk to City:

20

Proposed Amendment

- Lot Infrastructure Bond (including but not limited to sidewalk, curb, pavement, meter boxes) ... \$4,000*

*For Lots accessed by private roads, bond amount and type may be adjusted with approval of building official and public works director or designees commensurate with measure of risk to public infrastructure

- Allows staff to approve lesser bond and/or single overall bond to cover lots on private roads

21

Motion to Approve

I move that City Council adopt the resolution amending the Highland fee schedule related to lot improvement bonds.

22



MOUNTAIN RIDGE PARK PHASE II
AUTHORIZATION *General City Management*

Item 5b - Action
Presented by - Erin Wells, City Administrator

23

Overview – Phase II

- Beginning the construction process
- Identifying the funding source

24

2023 Prior Council Direction

- On March 21, Council set the budget for Phase I of Mountain Ridge Park at \$8.5 MM.
- On April 18, the City received a \$500,000 donation - total available budget to \$9 MM.
- On May 16, Council adopted an updated Parks Impact Fee Plan to allow for the use of impact fee money on new parks capital items. New fee charged beginning in August.
- On August 1, City Council and staff discussed the possibility of using Parks Impact Fee funds to pay for Phase II of Mountain Ridge Park.

25

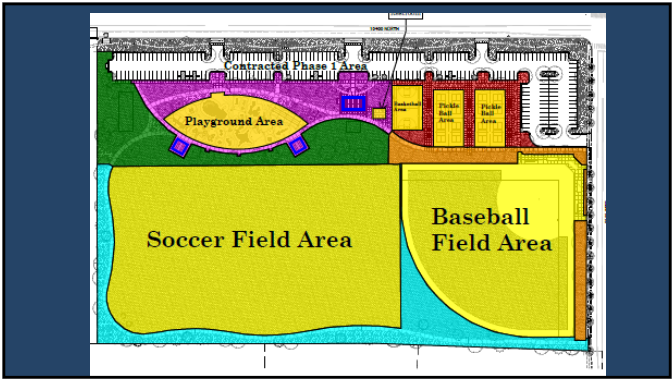
Approved & Planned Revenue Sources	
Source	Amount
Remaining from Sale of Spring Creek Park	\$1,402,668
Sale to Patterson Storage	\$358,055
Dry Creek Property Sale	\$400,000
Street Tree Account	\$95,700
Enterprise Fund Eligible Portions	\$87,300
B&C Road Money Eligible Portions	\$144,390
Patterson Donation	\$10,000
ARPA Funds	\$2,269,373
General Fund Fund Balance	\$750,000
American Fork Landscaping Escrow Funds	\$104,558
FY2023 Parks Tax	\$160,000
Net Reimbursement for 6800 West Project	\$540,000
Highland Foundation Donations	\$140,000
Remainder from Town Center Exaction Fund	\$250,000
FY22 General Fund Net Revenue	\$1,000,000
Water Conservancy Grant Phase 1	\$44,381
FY23 General Fund Net Revenue (authorized March '23)	\$800,000
Private Donation for Playground	\$500,000
Total Cash	\$9,056,424

26

Spending Status

- Phase I nearly complete
- ~\$8.3 million
- Leaves \$700,000 unspent

27



28

Phase II Estimated Costs & Construction

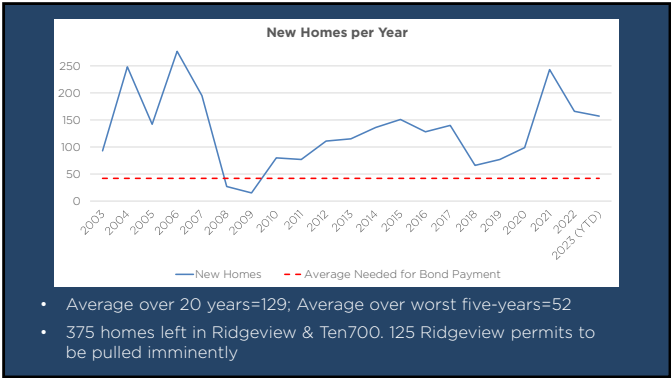
- \$1.4 MM bid
 - Bids are over a year old
 - Does not include baseball field, permanent stage
- \$2 MM staff estimation
 - Assumes baseball field is donated
- Staff contract out the construction of the amenities
- Contracts over \$25,000 come to Council for approval

29

Parks Capital Fund Balance & Park Bond

- \$3 MM - Fund Balance after Mountain Ridge Phase I expenses
- \$2.5 MM - Remaining owed on bond
 - No prepayment option
 - Last payment in FY28 (September 2027)
- If \$1.3 MM of Fund Balance were used for Mountain Ridge, would need to collect ~\$800,000 more in impact fees
 - 148 total homes or 42 homes per year
 - Mix of single family and multi-family

30



31

Summary

- \$700,000 – remaining in previously allocated funds
- \$1.3 MM – Parks Capital Fund
 - “Up-to” use that could decrease depending on donations

32

Motion to Approve

I move that City Council direct staff to prepare construction packages for Phase II of Mountain Ridge Park and authorize the use of up-to \$1.3 million of additional parks impact fee revenue to be used on its construction.

33



TIMPANOGOS SPECIAL SERVICE DISTRICT IMPACT FEE AMENDMENT

General City Management

Item 5c – Resolution
Presented by – Erin Wells, City Administrator

34

Prior Council Direction

- December 6, 2022 – Impact Fee Increase from \$1,785 to \$3,599

35

Background

- September 21, 2023 – TSSD approved an update to their Impact Fee Facilities Plan
- Increase from \$3,559 to \$4,981
 - Effective January 1, 2024
- Highland City is a pass-through entity for this fee
 - Formally amending our fee schedule on their behalf

36

Motion to Approve

I move that City Council adopt the amended fee schedule to include TSSD's new impact fee.

37

**CONTRACT APPROVAL: CULVERT LINING UNDER 11800 N ON BROADLEAF HOLLOW** *General City Management*

Item 5d - Action
Presented by - Andy Spencer, City Engineer/Public Works Director

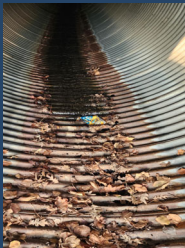
38

Prior Council Direction

The Council authorized \$358,156 in the approved FY2024 Budget for Storm Sewer System Repairs and Maintenance. The 11800 North Culvert Rehabilitation is one of the projects identified in the budget.

39

Location/Condition



40

Motion to Approve

I move that City Council APPROVE a contract with Cardinal Infrastructure Services in an amount up to \$137,027 to rehabilitate the 11800 North culvert and AUTHORIZE the City Administrator to sign the contract documents.

41

**RECERTIFICATION OF THE JUSTICE COURT** *General City Management*

Item 5e - Resolution
Presented by - Rob Patterson, City Attorney

42

Prior Council Direction

- City Council has, every 4 years since 1991, recertified the Justice Court
- The Justice Court is specific for Highland City, though there is shared space/personnel with Alpine City

43

Background

- Pursuant to State Code, justice courts must be certified every four years
- Certification addresses the following:
 - Court currently complies with state law and regulation and provides proper reporting of cases and accounting of funds
 - Court has appropriate staff (judge, clerk, bailiff), equipment, hours of operation, security plan, indigent defense, etc.
 - City commits to continued funding/support for next 4 years

44

Certification Process

- Receive Notice from State
- Staff reviews Court operations
- City Attorney issues opinion regarding minimum standards and court's compliance with standards
- City Council adopts resolution requesting recertification
- Judge signs affidavit certifying operational standards for court are met
- Documents are submitted to state

45

Motion to Approve

I move that City Council adopt the resolution requesting recertification of the Highland Justice Court.

46



TIMPANOGOS SPECIAL SERVICE DISTRICT LEGISLATIVE LETTER OF SUPPORT

Item 6a - Discussion
Presented by - Erin Wells, City Administrator

47

Background

- TSSD in process to reorganize as an Independent Service District separate from Utah County
 - Highland approved the reorganization on September 5, 2023
- Eagle Mountain is the last remaining City needing to consent.
 - On their agenda tonight

48

Eagle Mountain Concern

- Only a portion of Eagle Mountain sewer flows to TSSD – State law restricts them from being a “included municipality”
- Reorganization means their board position is now appointed by the County
- Eagle Mountain’s TSSD population (40,000+) is the third largest of any other included municipality and is far greater than the population of the two smallest cities in TSSD

49

TSSD’s Proposed Long Term Solution

- Legislative change that would allow non-included municipalities a board seat so long as their service population exceeds the population of the smallest included municipality.
- Requested letter of support from City
- Mayor Ostler looking for Council input

50



TEXT AMENDMENT – ALCOHOL SALES

Item 7a – Communication
Presented by – Rob Patterson, City Attorney

51

Questions from Staff for January Meeting

- Municipal code and development code amendments together (1 ordinance) or separately (2 ordinances)?
- CR Zone or All Commercial?
- Limited service or full service?
- Additional regulations on location/spacing/number of licenses for alcohol sales?
- Restaurant sales of beer for off-premise consumption?

52



DEVELOPMENT CODE CHANGES

Item 7b – Communication
Presented by – Rob Patterson, City Attorney

53

Timeline and Goals

- Timelines
 - High-level discussion Council: Nov 11, 2023
 - High-level discussion Planning Commission: Nov 28, 2023
 - Planning Commission Recommendation: December 12, 2023
 - ADJUST PC Recommendation Meeting: Dec 19/Jan 2
 - City Council decision: January 16, 2023
- Deadline (per state law): February 1, 2024

54

Direction for Plat Approval

- PC review and approval of preliminary plats
- New Board Approves Final Plats: 3 staff, 2 PC members
 - Development Oversight Review Committee (DORC)
 - Development Administration Board (DAB)
 - Administrative Land Use Authority (ALUA)
- New Board meets weekly, planned Thursday afternoon
 - Monday DRC, Tuesday/Wednesday Prepare & Notice, Thursday Meet

55

What to Expect

- Non-Code: Updates to City public infrastructure engineering and design standards and specifications - Inclusion of Active Transportation Standards
- Code: References and incorporation of new standards
 - Creation of new Approval Board
 - Adjustments to Planning Commission powers and duties
 - Minor subdivision process changes (lot splits only)
 - Major subdivision process changes (new approval process)

56



VOLUNTEERS FOR GENERAL PLAN RFP REVIEW GROUP

Item 7c - Communication
Presented by - Jay Baughman, Assistant City Administrator/Community Development Director

57



PLANNING COMMISSION TEXT AMENDMENT PROPOSAL - ACCESSORY DWELLING UNITS

Item 7d - Communication
Presented by - Rob Patterson, City Attorney

58

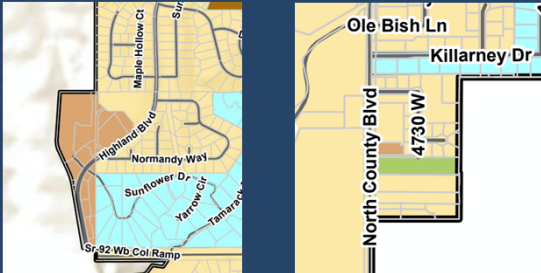


PO ZONE DESIGN STANDARDS

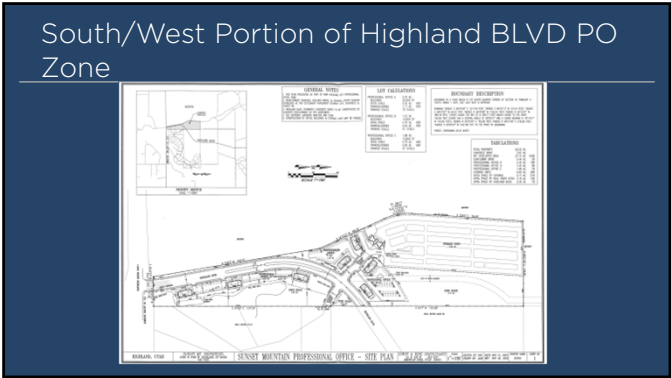
Item 7e - Communication
Presented by - Rob Patterson, City Attorney

59

Professional Office (PO) Zone



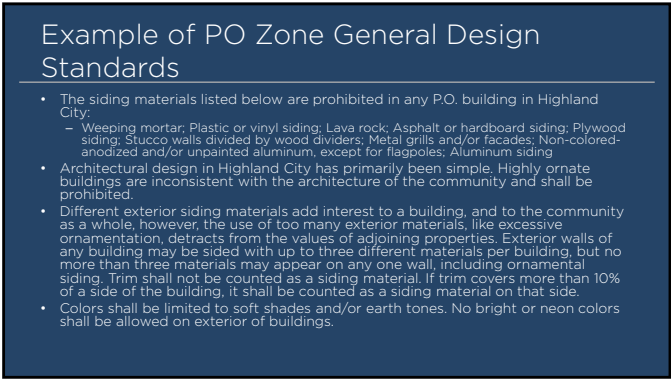
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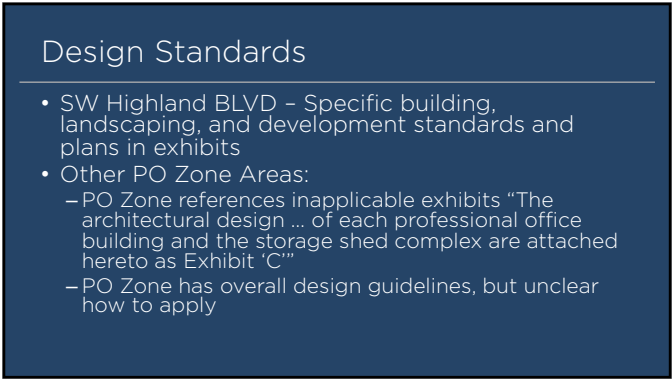
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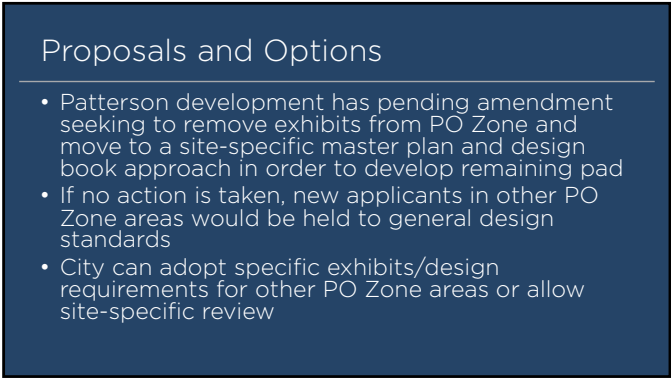
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63



64



65



66

Development Code - Landscaping Requirements

- **3-4107 Special Provisions**
- Special provisions shall apply in the R 1 40 Zone in order to protect its essential characteristics:
 - ...
- At least seventy percent (70%) of the area contained within a required front yard or side yard adjacent to a street shall be landscaped within one year of occupancy.

67

Development Code - Landscaping Requirements

- 10-102 Definitions
- **Landscaping.** Landscaping shall mean the use and integrations of traditional landscape design methods including Xeriscape. A combination of planted trees, shrubs, vines, ground covers, grass, rocks, fountains, pools, art works, screens, walls, fences, benches or surrounding walkways set into any aesthetically pleasing arrangement should be implanted. The use of structures or surfaced walkways, alone, in the absence of planted trees, grass, etc., shall not meet the requirements of this Code.

68

Development Code - Landscaping Example



69

Development Code - Landscaping Example



70

Development Code - Landscaping Example



71

Development Code - Landscaping Example



72

Development Code - Landscaping Example



73



WATER METER SIZING WITH LOT COMBINATIONS

Item 7g - Communication
Presented by - Andy Spencer, City Engineer/Public Works Director

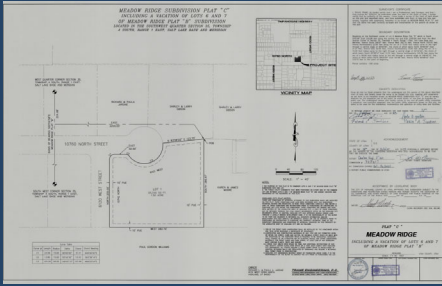
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Meadow Ridge Plat 'C'



75

Meadow Ridge Plat 'C'



76

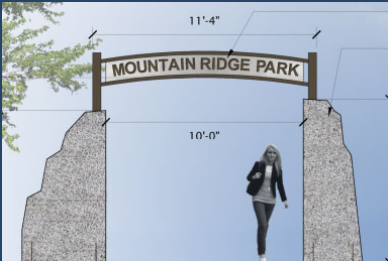


"MOUNTAIN RIDGE PARK" SIGN

Item 7h - Communication
Presented by - Andy Spencer, City Engineer/Public Works Director

77

Sign Rendering



78



SAVE THE DATE – COUNCIL RETREAT

Item 7i – Communication
Presented by – Mayor Kurt Ostler & Erin Wells, City Administrator

79

Council & Executive Staff Retreat

- Logistics
 - January 18 – all day
 - Out of town retreat
- Topics
 - Team Building
 - Council Goals
 - Budget Priorities
 - Direction on: Public Safety Fee, Road Fee, Open Space Fund Balance, approach to staff wages

80



FINAL 2023 MEETING

Item 7j – Communication
Presented by – Mayor Kurt Ostler

81

Councilmember Jon Lefrandt



82



FUTURE MEETINGS

- December 13, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- December 19, Planning Commission Meeting, 7:00 pm, City Hall
- January 9, Swearing In Ceremony, 7:00 pm, City Hall
- January 10, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- January 16, City Council Meeting, 7:00 pm, City Hall
- January 23, Planning Commission Meeting, 7:00 pm, City Hall
- February 6, City Council Meeting, 7:00 pm, City Hall

83



CLOSED SESSION

The Highland City Council has recessed the regular City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual and pending or reasonably imminent litigation, and the purchase , exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

The regular City Council meeting will adjourn immediately following the end of the closed session.

84

STATISTICS

	TOTAL
Registered Voters - Total	12,526
Ballots Cast - Total	3,371
Voter Turnout - Total	26.91%

Highland City Council
Vote For 3

	TOTAL	VOTE %
BRITTNEY P. BILLS	2,355	29.11%
KIM RODELA	2,183	26.98%
DOUG CORTNEY	1,396	17.26%
Write-In: Liz Rice	1,086	13.42%
Write-In: Jon Lefrandt	702	8.68%
Write-In: Wesley Warren	271	3.35%
Write-In: Invalid	97	1.20%
Write-In Totals	2,156	26.65%
Not Assigned	0	0.00%
Total Votes Cast	8,090	100.00%

2023 Municipal General Election- Highland

21-Nov-23

Section 1 - Ballot Statistics

1A	26.9%	Voter Turnout
1B	12526	Active voters (as of the voter registration deadline)
1C	3293	Number of counted ballots (Mail or Drop Box)
1D	66	Number of counted ballots (In-person)
1E	12	Number of ballots that were returned electronically (UOCAVA/disability)
1F	0	Number of counted ballots (Provisional)
	0	Number of Emergency Ballots
		Number of Replacement Envelopes
1G	3371	Total number of ballots counted
1H	Yes	Does total ballots counted match the number of voters given vote history in VISTA
1I		If no, what is the difference

1L Explain:

Section 2: Challenged and Uncounted Ballot Statistics

2A	105	Number of envelopes with a signature that does not match the voter's signature
2B	11	Number of unsigned envelopes
2C		Number of challenged ballots for other curable reasons
2D	116	Total number of ballots that were challenged (cured and not cured combined)
2E	67	Total number of curable that were not cured
2F	57.8%	Percentage of curable ballots that were not cured
2G	0	Total number of ballots where the voter submitted a disability affidavit*

Section 3: Rejected ballot statistics (ballots that cannot be cured)

3A	25	Number of ballots that were returned after the postmark deadline
3B	0	Number of ballots rejected for other non-curable reasons
3C	25	Total number of rejected that were not curable
3D	0.2%	Percentage of ballots that were returned as undeliverable

Section 4: Provisional ballot statistics

4A	0	Number of provisional ballots issued
4B	0	Number of provisional ballots counted
4C	0	Total Number of provisional ballots not counted
4D	0	Already Voted
4E	0	Insufficient ID
4F		Unsigned
4G		Incomplete Form
4H		Other
4I	#DIV/0!	Percentage of provisionals that were counted
4J	0	Number of provisional ballots that are same-day registration

Section 5: County Clerk Certification

Aaron Davidson
Utah County

I certify that the information contained in this report is true and accurate.



This report must be sent to elections@utah.gov upon completion of the canvass

Fill in the green cells only and then submit to elections@utah.gov once your canvass is complete.