



HIGHLAND CITY COUNCIL MINUTES

Tuesday, June 4, 2024

Approved July 16, 2024

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

6:00 PM WORK SESSION

The meeting was called to order by Mayor Kurt Ostler as a work session at 6:07 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:

Brittney P. Bills	Present
Ron Campbell	Present
Doug Cortney	Present
Kim Rodela	Present
Scott L. Smith	Present

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator/Community Development Director Jay Baughman, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle, Finance Director David Mortensen, City Engineer/Public Works Director Andy Spencer, Fire Chief Brian Patten, Communications Specialist Brooklyn Wild

OTHERS PRESENT: Jon Hart

Finance Director Mortensen used the aid of a PowerPoint presentation to provide the Mayor and Council with an overview of the updates and changes that have been made to the Fiscal Year (FY) 2025 Budget since the Council's last review of the document:

- Increased use of General Fund Balance (Mtn Ridge Park) – \$100,000
- Increased Garbage Revenue (Rate Change) - \$50,000
- Increased Garbage Hauling Expenditure - \$28,576
- Part-Time Employee 401(k) Contributions In-Lieu of SS
 - Changed from 7.5% to the allowed maximum 6.2% (\$4,300 General Fund Impact)
 - Increased Employee Engagement in Human Resources - \$4,000
- Added Wildrose Park Improvements - \$30,000

Proposed uses of General Fund balance reserve include:

- Hogs Hollow Trail - \$20,000
- Highland Boulevard Matching Funds - \$420,000

- Mountain Ridge Park Maintenance Building - \$200,000
- Mountain Ridge Park Field Light Conduits - \$100,000
- Total = \$740,000
- Estimated Ending Fund Balance Reserve - \$4,803,154 (37.5%)
 - 35% State allowed maximum would require use of an additional \$317,500

When the Council adopts the final budget, if there is still money in excess of the State allowed maximum, the Council will give staff the authorization to transfer the funding into the City's capital projects fund.

Council Member Cortney asked if the fund balance would be impacted if the City were to receive a grant award during FY2025. Mr. Mortensen answered yes; any grant revenue allocated to the General Fund will impact the fund balance. Mayor Ostler noted that grants for which the City has recently applied are not General Fund grants and would be allocated to an enterprise fund.

Mr. Mortensen then presented a spreadsheet serving as a summary of all funds of the City; the estimated beginning fund balance for all funds is approximately \$25 million and the estimated ending fund balance is approximately \$21 million. The Mayor and Council briefly discussed the use of funding in specific funds listed on Mr. Mortensen's spreadsheet, after which Mr. Mortensen indicated that potential changes still to come include:

- Certified Property Tax Rate
- Wage Study and Market Adjustments
 - 5% increase currently built into budget
- Sewer Rates and Revenue
 - Pending Completion of Rate Study
- Alpine Highway Fence
- Additional Amenities at Mountain Ridge Park

Mr. Mortensen concluded his presentation by summarizing the budget calendar, noting that final adoption of the budget is scheduled for June 18.

Council Member Smith stated that most of the City's revenue comes from sales and property tax and the City has a surplus in its fund balance; he asked how the City can justify raising fees for utilities and other services. Mr. Mortensen stated that utility fees impact enterprise funds, which are independent from the General Fund. The use of money that is located in the enterprise funds is heavily regulated and restricted and the proposed increases are related to increased costs.

Assistant City Administrator/Community Development Director Baughman then used the aid of a PowerPoint presentation to discuss the proposed garage and recycling rate increase; there are two major factors affecting garage rates this year: increased direct operational costs to the City in the form of credit card fees and utility billing services and increases passed on to the City by Waste Management based upon a 5.4 percent consumer price index (CPI) increase and an annual recycling adjustment of \$1.15 per can (last year it was \$0.50). He noted that North Pointe Solid Waste is not increasing its rates. The proposed garbage and recycling rate increase is \$0.35 per can per month, and he presented a chart to illustrate the rate increases for first and second garbage cans, as well as recycling cans.

Mayor Ostler asked for an explanation of the credit card fee increases. Mr. Mortensen stated that the City collects a processing fee when someone pays their bill with a credit card; if the garbage fees from Waste Management are increasing, the credit card fees will also increase. Mayor Ostler asked if the City pays Waste Management with the City credit card, to which Mr. Mortensen answered yes. Mayor Ostler wondered if the City should pay with a check to avoid credit card fees. Mr. Mortensen stated that the City receives rewards when paying with a credit card, but he will analyze the costs and rewards received to determine if adjustments should be made.

The Council concluded that they do not want to subsidize the service and should increase fees to a level appropriate to cover the costs the City will pay to Waste Management and North Pointe. Council Member Smith stated that he would like to know if the materials that are collected by Waste Management in the recycling can are actually being recycled; he has heard that they are being delivered to the transfer station and being processed as regular trash. Mr. Baughman stated he will look into that issue as well. City Administrator Wells noted that she reached out to the City’s contact at Waste Management, and he indicated that recycled materials are absolutely being recycled and he offered to take the Mayor and City Council on a tour of the facility where trash and recyclables are processed.

City Administrator Wells then used the aid of a PowerPoint presentation to discuss the City staff compensation plan; the tentative budget includes funding for a five percent adjustment for staff. This will fund market adjustments for positions that warrant it and a flat inflationary adjustment for other positions that are being paid within the market rate. Ms. Wells then facilitated discussion among the Mayor and Council regarding the following options for further consideration:

- If Council would like to pursue a 6% adjustment to match Lone Peak Public Safety employees
 - Add a 1% merit adjustment for employees that are eligible for at their anniversary
 - Based on evaluation criteria
- Additional \$39,000 throughout all Funds
 - \$16,000 in General Fund
 - ~\$317,000 net revenue in General Fund

The Mayor and Council expressed concern about the trends in employee compensation adjustments and the request for annual increases above and beyond the typical increases; however, they concluded to support the additional one percent for merit adjustments for employees that are eligible on their anniversary date.

The work session adjourned at 6:51 p.m.

7:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler
Invocation: Mayor Kurt Ostler
Pledge of Allegiance: Council Member Kim Rodela

The meeting was called to order by Mayor Kurt Ostler as a regular session at 7:02 pm. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting. The prayer was offered by Mayor Kurt Ostler and those in attendance were led in the Pledge of Allegiance by Council Member Kim Rodela.

PRESIDING:	Mayor Kurt Ostler
COUNCIL MEMBERS:	
Brittney P. Bills	Present
Ron Campbell	Present (left meeting at 8:03 pm)
Doug Cortney	Present
Kim Rodela	Present
Scott L. Smith	Present

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator/Community Development Director Jay Baughman, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle, Finance Director David Mortensen, City Engineer/Public Works Director Andy Spencer, Fire Chief Brian Patten, Communications Specialist Brooklyn Wild

OTHERS PRESENT: Jon Hart, Eileen Miller, McKenzie Weber, Brad Weber, Kevin Farnsworth, Leslie Farnsworth, John Ragan, Mark Coombs, Mark Niebergall, Shannon Sanford, Melissa Dowdle, Steven Dowdle, April Slade, Rebecca Bates, Brandon Bates, Liz Rice, Hilary Gardiner, Greg Slade, Robert Williams, Hillary Pugh, Joselyn Parmer, Brianna Hughe

1. UNSCHEDULED PUBLIC APPEARANCES

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

Melissa Dowdle stated she lives next to the Mountain Ridge Park, and she thanked the Mayor and Council for coming to her home recently to understand how the Park impacts her; she was very ill for several years, and the government recently deemed her disabled. She must rely on others to fight for her. She thanked the City for building an all-inclusive playground and for placing a blue light and camera at the Park to try to deter illegal activities; it is doing its job when it is operating properly. She asked that the City decide against adding more amenities, which will overload the Park; she asked that the ninja park not be built along her back fence line and, instead, spread funding across other parks in the City to enhance the entire City. The residents who live near the Park are willing to tolerate it and the changes, but it is no longer a normal park and continued expansion could result in an excessive burden on the neighborhood. She asked that the City continue to have patience with the residents and continue to work with them. She stated that the frustrations that are being expressed can come across as ungratefulness, but the residents love Highland and want the best for the City. Her illness has taught her that there are many things out of her control, but she and her peers will not 'go down without a fight' in their efforts to combat the nuisances that are encroaching onto their properties.

Shannon Sanford stated she also lives near Mountain Ridge Park and is impacted by traffic generated by the Park. She asked that the Council consider some issues during their discussion of the Park tonight; she has watched the past meetings regarding locating pickleball courts at the Park and the decision to locate pickleball courts elsewhere were based upon parking, sound, and the original intent for the Park. She asked that the Council consider those same factors when determining whether to locate a ninja course at the Park because she feels the impacts of a ninja course will be similar to the impacts of pickleball courts. She encouraged the Council to be consistent in the manner in which they vote on these types of issues.

Mark Niebergall referenced a request for road crossings at 6000 West near Freedom Elementary School; he has heard there has been some progress on the request and he asked for an update. Mayor Ostler stated that there is an item on tonight's agenda for the 6000 West Pump Station project, which includes a special crossing on 6000 West and Murdoch Canal.

Greg Slade commented on the positive results of the increased security at Mountain Ridge Park; the cameras and lights are making the Park safer and are deterring damage and vandalism, which increases the harmony in the neighborhood. He discussed the proposal to locate a stage at the Park and noted that he understands the purpose of the stage is to accommodate performances during the annual Highland Fling celebration; he has concerns about the construction of a permanent stage because the costs are very high and not justified when considering the much lower costs of purchasing or renting a temporary stage. This raises concerns among the residents about turning Mountain Ridge Park into an entertainment park with frequent and loud and events. He encouraged the Council to accept community input in order to make an informed decision regarding the long-term costs and maintenance of the Park.

Eileen Miller stated she is representing the Utah Valley Home Builders Association and noted there are four homes in Highland City that are part of the 2024 Parade of Homes. She encouraged residents to participate in the Parade and view the beautiful homes in the community.

Robert Williams stated he lives near Mountain Ridge Park, and he commended the Mayor and Council for taking time and accepting feedback regarding the initial plans for the Park. He stated they did the same thing when

considering a development concept that involved changing the City's alcoholic beverage regulations; it is important to listen to residents before making final decisions. The Council has received a lot of information from the community about the stage and ninja course ideas for the Park and he encouraged them to carefully consider this input before making a final decision. He stated that it seems the ninja course idea is being rushed and he encouraged the Council to take more time and encourage greater community involvement before making a decision.

Hillary Pugh referenced a new trail connecting Millhaven to the Murdoch Canal, which runs adjacent to her property. She asked that the Council consider an exception along this small stretch of the trail to allow her to install a privacy fence next to the trail. She does not believe that the privacy fence would create an unsafe scenario for trail users, but it will make a big difference to her family as it will preserve the privacy of her family when using their backyard.

Joselyn Parmer stated that she does not want a trail running behind her home, but she will do everything she can do to comply with the City's requirements for properties located adjacent to trails. She loves Highland and her neighbors, but she values safety and privacy of her family. She has had privacy in her home for 20 years and now the trail will be built and take that away. She does not want people looking into her backyard; it will be hard to have a family event or even to allow her grandchildren to play in her backyard. She can no longer preserve safety and privacy in her own backyard. She lives next to Ms. Pugh and her rear yard is 101 feet wide and 35 feet of it will be open to trail users. She also asked to be able to install a privacy fence; she has a big family event coming up and her backyard is no longer beautiful because she has been required to stop watering, cut down trees, and remove gardens that were encroaching on the City's property. She asked that the City consider the impact that the new trail is having on long time residents of the City.

Mayor Ostler stated that the Council will participate in a work session/field trip next Tuesday that will involve visiting the properties that are impacted by fence regulations.

Brianna Hughe stated she has noticed several issues recently with public safety vehicles coming to Canterbury Way even though there were dispatched to Canterbury Lane, Canterbury Park, or Canterbury Street; this issue should be addressed as there is a great deal of confusion associated with similar street names. She then discussed City ordinances; the City has many ordinances about many different things with the intent of protecting residents and ensuring beauty in the City. She may not always agree with the decisions the City Council has made regarding City ordinances, but she does always feel that the Council does its due diligence to determine what will benefit the greatest number of citizens. She also knows that once an ordinance is passed, the Council supports implementation of the ordinance; this is why she is confused about the disregard of the City's ordinance regarding political signs. The ordinance states that no political signs can be placed on public property, but there are many signs in violation of the ordinance. It is a problem for several reasons; because the ordinance is haphazardly enforced, some candidates have signs everywhere and others are trying to be compliant, and they have not placed signs in the City. She is not opposed to political signs or civic engagement, but the City needs to enforce its ordinance to ensure proper voter information. If the City does not have the manpower to enforce the ordinance, it should fine the candidates that are in violation of the ordinance in order to pay employees for enforcement or deputize residents to remove the signs. Another option is to change the ordinance to allow signs on public property so that all candidates are in compliance.

Council Member Smith stated that when signs are taken down, they are brought to the City Recorder's office for retrieval. City Administrator Wells stated the City does hang onto some of the signs if the candidate has indicated they will retrieve them, but most signs are taken to the trash. During a City Council election, it is easier to keep in touch with candidates and hold signs for them, but for State-wide elections, that can be more difficult. She agreed with Ms. Hughe about the increase in the number of political signs in the community and the illegal placement of the signs; the City's Code Enforcement Officer is doing his best to manage the matter and enforce the Code.

Mayor Ostler asked City Attorney Patterson to address signage regulations in general. Mr. Patterson noted that the regulations referenced by Ms. Hughe don't just apply to political signs, but to all signs; no signs are allowed on public property unless they are City signs or signs advertising City-sponsored events. The City can remove signs, but many of the sign owners are located outside of Highland City and it can be difficult to make contact with them; removing the signs is easy, but the City does not have room to store them. Council Member Smith stated that the City should inform the owner of the sign at a minimum and help them to understand the code. Council Member Rodela stated that candidates should give the City the courtesy of learning the code before placing a sign in the City. The City is spending a great deal of time and taxpayer money to enforce the ordinances and it is the responsibility of the sign owner to learn the code before placing a sign. Council Member Smith stated that one candidate was given inaccurate information by the Code Enforcement Officer. Ms. Wells stated that is correct, but that has been addressed.

There was brief high-level discussion among the Mayor, Council, and staff regarding the signage regulations and enforcement provisions.

April Slade stated she has her own viewpoint regarding Mountain Ridge Park, but she realized she needs to step back and try to understand other viewpoints. She has reviewed the history of the park and learned about impact fees in an effort to understand the bigger picture. She feels her initial response to questions regarding her concerns about the park was a 'knee-jerk' reaction and now that she has paused, she has gained a different perspective. Every time she talks to someone new about the park, she gains a different perspective, and her answers are better. In lieu of encouraging every concerned resident to voice their opinion, she has worked with other residents to create a document that summarizes the neighborhood's concerns about the Park, and she has gathered over 70 signatures of those that agree with the concerns. She provided the document to the Mayor and thanked the Mayor and Council for listening.

Brad Weber stated he lives right next to Mountain Ridge Park and the proposed location of the ninja course is right next to his property; he appreciates the members of the Council and City staff who have visited his home over the past two weeks to consider the issues that impact him and other residents. He has learned that the City Council is very deliberate and considerate of the potential impacts the project will have on residents. He stated that this actually surprised him. He then noted that when the residents asked that the Council pause the decision to add amenities to Mountain Ridge Park, they felt their concerns were being minimized over the generalized notion of the public good and providing activities for older teenagers and young adults. In all his research, the City has not presented empirical data to support the added amenities; however, there are real people and families that are presenting real data about how these decisions will impact them. Several have communicated sympathy, but many of the residents do not feel heard and they are very disappointed. He has prepared a packet of information that he would like the Council to consider when they are discussing item 5a on the agenda; the packet identifies every park in Highland as listed on the City's website and whether the General Plan identifies a park and its intent. None of these parks have playgrounds or other amenities that are near neighboring residential properties. The proposed ninja course goes against this precedent. Also, regarding a stage, there is no support for a permanent stage in the General Plan.

McKenzie Weber thanked the City for its efforts in enforcing a curfew for Mountain Ridge Park; she also thanked them for meeting with her and her neighbors to learn their perspective of the impact of the Park. Her family moved to Highland because of its rural feel and the fact that the City takes pride in preserving its natural form and wide-open spaces. This park seems to have been designed and programmed without the General Plan in mind. She is beyond disappointed each time she looks out her window and hears the loud noises; this is not the Highland she knows and loves. She is also here to provide the latest noise levels as measured from her property; she noted these levels are only for the current amenities and it is safe to assume the readings will increase significantly if more amenities are added, especially since the additional amenities being considered will target teens and young adults. She then stated she has called the Police six times in the past two weeks, but she probably

could have called every night, but she hopes the City is gathering data from the motion sensors and cameras that have been placed at the Park. She encouraged the Council to pause its decision regarding more amenities at the Park. In a recent meeting regarding the General Plan, Mayor Ostler asked how to make sure there is integrity in the questions that are asked; relative to the Mountain Ridge Park, she feels the questions that have been asked about additional improvements seem to target or pigeonhole a ninja park as the final answer. In a survey, when asked what recreational amenities people would like, a ninja course was not listed as an option, but in a follow-up question about playground elements, a ninja course was listed as an option. She asked why this is the case – the ninja course will cost \$355,000 and she does not know why it was not listed along with a splashpad, swings, basketball courts, and soccer fields.

2. **CONSENT ITEMS**

Items on the consent agenda are of a routine nature. They are intended to be acted upon in one motion. Items on the consent agenda may be pulled for separate consideration.

- a. **Approval of Meeting Minutes** *General City Management*
Stephannie Cottle, City Recorder
May 7, 2024
- b. **Short Term Rental Owner Occupancy Code** *Municipal Code Update (Legislative)*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider a proposed amendment to certain definitions to Municipal Code 5.24.020 related to short-term rentals and owner-occupancy thereof.
- c. **Personnel Policy FMLA Updates** *General City Management*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider adopting proposed amendments to the City's personnel policies related to FMLA and similar federal laws.

Council Member Doug Cortney pulled item 2b from the consent agenda for further discussion. He also offered a few typographical corrections for the May 7, 2024 meeting minutes.

Council Member Doug Cortney MOVED that the City Council approve consent item 2a, the approval of meeting minutes from May 7, 2024, with the proposed changes, and 2c, Personnel Policy FMLA Updates.

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 Doug Cortney</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 carried 5:0

Relative to item 2b, Council Member Cortney stated that when the short-term rental (STR) ordinance was approved, it provided for a minimum rental duration of two days, with an exception for owner-occupied STRs. In 2021, the ordinance was amended to require that all STRs be owner occupied, but Section 5.24.040 was not stricken from the ordinance, and he believes this was an oversight. He would like to strike 5.24.040 and bring the ordinance back to its original intent.

The Council considered Council Member Cortney’s recommendation and briefly debated the intent of the two-

day minimum rental duration versus owner-occupancy. City Attorney Patterson stated that the amendment that has been proposed would require an owner to be physically present whenever their property is being rented on a short-term basis; the amendment that Council Member Cortney is suggestion would remove the two-night restriction. Council Members Campbell and Smith agreed that the two-day restriction is nullified by the fact that owner-occupancy is required. There was also brief discussion regarding the manner in which the owner-occupancy requirement can be regulated/enforced.

Council Member Bills asked if the City receives transient room tax revenue associated with a STR, or if the State provides reporting to the City regarding the rental statistics of a given property. Mr. Patterson indicated he is not sure if the State provides a report for individual properties, but the State will not issue their license until the property owner can provide proof of having obtained a business license from the City to operate a STR. He indicated he does not believe the City can access State tax records for enforcement purposes.

Council member Ron Campbell left the meeting at 8:03 p.m.

Council Member Doug Cortney MOVED that the City Council adopt and approve the proposed amendments to Municipal Code 5.24.020 and strike Municipal Code Section 5.24.040, and direct staff to communicate these changes to all the short-term rental businesses in the City.

Council Member Scott L. Smith SECONDED the motion.

Council Member Cortney clarified his motion saying the first is to accept the recommendation in the agenda packet, second is removing minimum duration, third is to direct staff to communicate to all short-term rental businesses.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Absent</i>
<i>Council Member Doug Cortney</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 carried 4:0

3. ACTION ITEMS

- a. ACTION: Reimbursement Agreement for Millhaven Development (Pressure Reducing Valve and Canterbury Trail Connection)** *General City Management*
Andy Spencer, City Engineer/Public Works Director
The City Council will consider approving a contract with Millhaven Development LLC to reimburse them for the cost of installing a Pressure Reducing Valve (PRV) and the Canterbury trail connection.

City Engineer/Public Works Director Spencer explained on April 11, 2024, the City's Development Administration Board approved the final plat for Foxwood Estates as a 20-lot subdivision. On April 16, 2024, the City Council approved a plat amendment for the Foxwood Estates subdivision reconfiguring and combining three lots (17, 18, and 19) into two lots. The Council has not previously considered this contract. As part of the Foxwood Estates Subdivision being developed by Millhaven, City staff asked the developer to install two public improvements that are not required for the development specifically, but benefit the City systems as a whole and are directly adjacent to the development so installation with the development is prudent. The two improvements are a (1) a pressure-reducing valve ("PRV") for the City's culinary water system and (2) a trail connection on City property that will connect the Murdock Canal Trail through Foxwood Estates to the City Center Trail. The

City's culinary water system master plan has anticipated a PRV being installed in the general Canterbury area for several years. With the Foxwood Estates Subdivision being developed, it made sense to complete the PRV project now, rather than later, in order to obtain cost savings (avoiding future road cuts and utility work) and expedite the completion of the needed PRV project. Millhaven has agreed to install the PRV as part of their utility work within Avery Avenue, subject to reimbursement by the City. The PRV is not required to serve, or as a result, of the Foxwood Estates Subdivision, but rather is a system-level improvement that will benefit Highland residents. Accordingly, the City cannot require Millhaven to pay for or install the PRV. The cost of the PRV is \$61,144.21.

The City's trail master plan has planned for an off-street trail connection along "Workman Hollow" connecting the City Center Trail through Canterbury to the Murdock Canal Trail. When Canterbury was developed, the City acquired and preserved a trail corridor to facilitate this future connection. Millhaven is constructing trail facilities within the Foxwood Estates Subdivision as part of their development, which will extend the City Center Trail to dead-end at the Canterbury trail corridor. Staff asked Millhaven to continue the trail improvement through the Canterbury trail corridor, even though that connection would not be required for the subdivision, in order for the City to obtain cost savings and allow for a full trail connection as soon as possible. The cost of the Canterbury trail connection is \$35,531.85.

The reimbursement agreement provides that the City will reimburse Millhaven the costs of the PRV and Canterbury trail connection upon completion and acceptance of the improvements, in a total reimbursement amount of \$96,676.06. The combined cost of these projects is \$106,343 with a 10% contingency. Funding for this expense is included within the tentative FY2025 budget as follows:

- \$67,258 in 55-40-78 Grants Capital Outlay from the Culinary Water Fund
- \$39,084 in 40-40-76 Trails from the Parks Capital fund

Mr. Spencer concluded staff recommends that the City Council approve the reimbursement contract with Millhaven Development LLC.

Council Member Smith asked Mr. Spencer to explain what a PRV is and why it is needed in a culinary water system. Mr. Spencer stated that pressure increases with elevation and there are pressure issues in the City that must be regulated with a PRV; this will drop the pressure in the southernmost area of the City and will help homes that have high pressures. It also improves the safety of the fire hydrant system throughout the City. Residents that will be impacted will be notified, but he does not believe they will even notice the change resulting from the project because most of them have their own smaller PRVs that address pressure issues.

Council Member Cortney asked if homes that do not have their own PRV will have problems with their internal plumbing due to the change. Mr. Spencer stated that any home built within the last 20 years should have their own PRV; homes that do not will notice the change, but it will not be significant enough to impact the inner workings of a home's water/sewer system.

Council Member Doug Cortney MOVED that City Council APPROVE the reimbursement contract with Millhaven Development LLC in an amount up to a total cost of \$106,343 and AUTHORIZE the Mayor to sign the agreement.

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>Absent</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>

Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion carried 4:0

b. ACTION: Award of Park Maintenance Building Construction *General City Management*
Andy Spencer, City Engineer/Public Works Director

The City Council will consider awarding Complete Contracting Company a contract for the construction of the Parks Maintenance Building and Mountain Ridge Park maintenance shed and trash enclosure.

City Engineer/Public Works Director Spencer explained on March 7, 2023 the Council approved the architectural contract for the Parks Division Operations Building to Pontis Architectural Group. Two concepts were presented. Subsequently, the Council chose the architectural styling of the building that is being presented for approval. The approved FY2024 budget and tentative FY2025 budget include funds for the construction. He presented and reviewed a rendering, site plan, and floor plan for the building, concluding that the discussion items for the Council to consider tonight include:

- Suggested award will use some general fund monies;
- License Agreement with Chad Copier;
- Expenses for power upgrade still pending; and
- Alternates:
 - Fuel Building (\$34K)
 - Trash Enclosure (on-site and at MR park) (\$22K each)
 - MR Park Building (\$117K)
 - Western Mezzanine (\$93K)
 - Replace Community Center Asphalt (\$21K)

He stated the cost of this project for just the base bid of the building is \$2,401,316.50, which includes a 10 percent contingency. Funding for this expense is included in GL 42-40-67 New Parks Maintenance Building in the Building Capital Fund. \$430,000 remains from the FY2024 budget and \$1,720,000 is budgeted in the Tentative FY2025 budget. The contingency will need to come out of the General Fund in Fiscal Year 2025. This can be programmed into the FY2025 Budget. The cost of the staff recommended additive alternates for existing pavement replacement, fuel shed, and a trash enclosure is \$84,398.60 including 10 percent contingency. Funding for this could be paid for with General Fund fund balance and the City would remain at an estimated 35 percent fund balance reserve based on the current FY25 proposed budget. This includes using General Fund fund balance to cover the 10 percent contingency on the base bid mentioned above. The western mezzanine would add another \$102,744.40 to the project including 10 percent contingency which can also be funded from General Fund fund balance at this time and would reduce the need for future improvements to the building. If funded, the estimated fund balance based on the current FY25 proposed budget would be reduced to 34 percent. The bid alternates for the trash enclosure and park building at Mountain Ridge Park are \$153,082.60 which includes a 10 percent contingency. Funding for this expense will be included in GL 40-40-78 for Mountain Ridge Park within the FY2025 budget.

Council Member Rodela stated that the maintenance building was originally planned for Mountain Ridge Park, and she inquired as to the cost of the building at that park, to which Mr. Spencer answered \$1.3 million. Council Member Rodela stated that the building has been moved and the cost is now \$2.7 million. Mr. Spencer stated that the building footprint has been enlarged and other changes have been made; if the original scope of the project were being rebid, unchanged, he estimated the building would be approximately \$1.45 million. Council Member Smith stated that the City has been trying to find a location for this building for nearly 11 years and in the end, the costs have doubled; he is concerned when the City keeps delaying action on a project because the project cost is more and more expensive. He then asked if the small maintenance building at Mountain Ridge Park will be for event equipment storage. Mr. Spencer answered yes; it will mainly be used for equipment needed

at that park alone and there will be no employee office space at that site. It is very similar in style to the pump house buildings and pavilions. Council Member Smith inquired as to why the cost of the trash enclosures is so high. Mr. Spencer stated they are constructed of brick and will screen the dumpsters. The sides are six to seven feet tall, and they will have gates that will be closed until the dumpsters are emptied each week; they are designed to be attractive and to match the materials used on the buildings they are adjacent to. Mayor Ostler asked if the location of the trash enclosure at Mountain Ridge is problematic because of the noise and smell nuisances it will create for nearby residents. Mr. Spencer stated that it could be located in the parking lot, and it will consume two parking stalls; he suggested the Council could take action on awarding the contract and decide on a location at a later date. The project is not reliant on the location of the garbage enclosure, and he does not want to hold the project up further. The Mayor and Council engaged in discussion of the appropriate location of the trash enclosures; there was a focus on pick-up frequency and time, as well as the smell that will be a nuisance to residents. They concluded to move the enclosure to the parking area on the east side of the Park.

The Council and staff then discussed the western mezzanine on the parks maintenance building; Mr. Spencer noted it would be wonderful to have and would make the building more functional, but if the Council needs to remove something from the project to reduce costs, this is the element he would remove. Council Member Cortney asked if the mezzanines can be constructed in a way that they are compliant with the Americans with Disabilities Act (ADA). City Attorney Patterson answered yes and noted that if any employee needs an accommodation, the City can ensure it is provided.

Mayor Ostler asked why staff has recommended someone other than the lower bidder on the project. Mr. Spencer stated that the low bidder, New Element, did not comply with the requirements of the request for proposals in that they did not provide a bid bond and required bid documentation. Upon evaluation of all the bids, New Element reviewed their bid and found they had missed some items and that was why their bid was significantly lower than others; subsequently, they asked for their bid to be withdrawn. It is no longer an option to consider New Element as a qualified bidder for this project.

Council Member Smith asked if the construction of this building will free up space in the Public Works Building; he also referenced the small maintenance building at Mountain Ridge Park and asked if the City really needs the western mezzanine on this project. Mr. Spencer stated that the City rents four storage units, and they are overflowing in the winter months because snow equipment is stored inside the Public Works Building. There is definitely a need for storage, but the building itself is a more dire need. The mezzanine is needed, but can be added later if necessary. Staff would love the mezzanine on day one and it will be utilized immediately; however, staff can do without it for the time being. This led to discussion of the optional motions for the Council regarding awarding the project. Council Member Smith stated he would like a motion to include direction to staff to relocate the trash enclosure at Mountain Ridge Park.

Council Member Scott L. Smith MOVED that City Council APPROVE the contract to Complete Contracting for the building of the Park Maintenance Building including all the alternatives, and the alternatives for Mountain Ridge Park in the amount of up to \$2,741,542.10 and AUTHORIZE the City Administrator to sign the contract documents, with the following stipulation that the trash enclosure should be on the east side of Mountain Ridge Park.

Council Member Doug Cortney 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>Absent</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>

The motion carried 4:0

c. ACTION: 6000 West Pump Station Award General City Management

Andy Spencer, City Engineer/Public Works Director

The City Council will consider awarding a construction contract with Nelson Brothers Construction Company for a new Pressurized Irrigation pump station to be built at 6000 West just south of the Murdock Trail crossing. This project also includes traffic-calming elements along 6000 West at the pedestrian crossing and the installation of a Pressure Reducing Valve on the culinary water system.

City Engineer/Public Works Director Spencer explained on October 17, 2023, Council approved a contract with COP for the connection to the Provo River Aqueduct to allow for a pump station to be constructed at a future date. This connection was completed in March 2024. The approved FY2024 and tentative FY2025 budgets include funding for the construction of the 6000 West pump station. The Council also recently approved agreements for roadway changes to be placed over pipelines owned and managed by Jordan Valley Water Conservancy District and Central Utah Water Conservancy District. The easements for the corridor and management of these facilities fall under the jurisdiction of the United States Department of the Interior, Bureau of Reclamation. To be in compliance with the easements and regulations associated with these facilities, the City Council has approved to enter into an encroachment agreement granting permission for the surface improvements to within the pipeline easement corridor. The expansion of the roadway does require relocation of a few minor facilities associated with the pipelines. This work has been included in the bid for the pump station. The overall cost of this project, Schedule A+B, is \$3,820,983, which includes a 10% contingency. Funding for these expenses will be divided as follows:

- Schedule A is in the amount of \$3,127,380, which includes a 10% contingency. Funding for Schedule A is included in GL 53-40-60, Capital Expenses/Projects, within the FY24 and tentative FY25 budget. The bids did come in higher than expected, and work will not commence as soon as expected; as such, very little funds will be expended in FY2024 toward the project. A mid-year budget adjustment in FY2025 is anticipated to adjust budgeted funds to the final contracted values. There are sufficient funds available in the PI fund balance for the project.
- Schedule B is in the amount of \$693,602, which includes a 10% contingency. Funding for this will be split between three departments; Streets, PI, and Culinary. The funding will be divided as follows:
 - Streets- \$496,071 in 41-40-71 Major Road Maintenance. This expense will span the FY25-FY26 budget years, impacting the major road projects for those years.
 - Culinary- \$127,914 in 55-40-78 Grants Capital Outlay. This expense will span the FY25-FY26 budget years.
 - PI- \$69,617 in 53-40-60 Capital Expense/Projects This expense will span the FY25-FY26 budget years.

Mr. Spencer concluded staff recommends the approval of a construction contract with Nelson Brothers Construction Company for the construction of a Pressurized Irrigation pump station on 6000 West which includes roadway improvements, county trail pedestrian crossing adjustments, and a Pressure Reducing Valve vault to be installed on the culinary water system.

Mayor Ostler stated that \$693,000 is such a high cost for a small trail connection; he inquired as to the reason for the high cost. Mr. Spencer stated that there is a significant amount of concrete needed in the project; he agreed that the cost is high, but it does include the PRV, which is \$116,000, and landscaping. He noted that when he was evaluating the bids, he wondered if it would be prudent to re-bid with the road project, but he is not sure that the bid amounts would be any lower.

Council Member Smith wondered if the City could push back against the County about the project and perhaps

get them to agree to build the section of the trail, which was left out due to a design flaw. He is supportive of the project, but the cost is too high at present. Mayor Ostler asked if the City could secure Mountainland Association of Governments (MAG) funding for this project. Mr. Spencer stated he does not believe so; he has also spoken with the County about the issue and is unsure they would be willing to undertake the project at any time soon in the future.

The Mayor, Council, and staff discussed the option of splitting the bid and choosing certain elements to proceed with at this point; Council Member Smith suggested the idea of splitting the project into two: the road and the pump station. The City could proceed with the pump station and reach out to the County to determine if they will help with the road/trail element of the project. Mr. Spencer stated that he would be willing to reach out to the County to determine if they are willing to participate in the project. Most bids are good for 60 days; he would support awarding and proceeding with the pump station at this time and give staff or the Mayor additional time to reach out to the County to determine their willingness to participate in the road element of the project.

Council Member Brittney P. Bills MOVED that City Council APPROVE the bid with Nelson Brothers Construction Company for schedule A at an amount of 2,843,073.27 and the drinking water PRV valve in the amount of 116,286.00 and an additional 10% contingency and AUTHORIZE the City Administrator to sign the necessary contracts.

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>Absent</i>
<i>Council Member Doug Cortney</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 carried 4:0

- d. ACTION: Award of Design Services for Mitchell Hollow Trail General Plan Amendment**
(Legislative)
Andy Spencer, City Engineer/Public Works Director
The City Council will consider awarding design services for the Mitchell Hollow Trail to Consor.

City Engineer/Public Works Director Spencer reported the City has been awarded through Mountainland Association of Governments (MAG) \$2,527,050 to construct the Mitchell Hollow Trail. The funds for construction are available in calendar year 2025. If the City would like to construct the trail next year, the design needs to commence in 2024 to have the trail ready for construction in 2025. A contract will be signed later this year with Utah County to provide for reimbursement of expenses associated with the trail, minus the City portion of 6.77%. Utah County staff have approved the City proceeding with the design ahead of this contract and have confirmed these expenses will be reimbursable. The cost of this project is \$139,895, with a 10% contingency, the total amount is \$153,885. Funding for this expense is included in 40-40-76 Trails within the Parks Capital Fund for the Tentative FY2025 Budget. Staff recommends award of the design services contract for the Mitchell Hollow Trail to Consor.

Council Member Kim Rodela MOVED that City Council APPROVE a contract with Consor for the Mitchell Hollow Trail in an amount up to \$153,885 and AUTHORIZE the City Administrator to sign the contract documents.

Council Member Scott L. Smith *SECONDED* the motion.

The vote was recorded as follows:

Council Member Brittney P. Bills	Yes
Council Member Ron Campbell	Absent
Council Member Doug Cortney	Yes
Council Member Kim Rodela	Yes
Council Member Scott L. Smith	Yes

The motion carried 4:0

e. RESOLUTION: Update to Firework Restrictions General City Management

Jay Baughman, Assistant City Administrator/Community Development Director, Brian Patten, Fire Chief

City Council will consider approving the recommended changes to the firework restricted areas and associated resolution.

Assistant City Administrator/Community Development Director Baughman explained the last time the firework restriction map and resolution for Highland City were updated was 2020; developments of areas formerly considered fire hazards have made restrictions unnecessary in the areas north of Canal Trail and south of Ridgeview Homeowners Association (HOA) park. He presented the 2020 map as well as the proposed 2024 map to orient the Council to the recommended changes. He added that staff also recommends language from the 2020 resolution that was omitted regarding an open fire ban be restored; that language reads as follows: “Section 2: Open fire, campfires, and the igniting and burning in fire pits are prohibited except in landscaped yards in private residence with a hose or fire extinguisher nearby or in designated campfire pits in designated City Campgrounds. Small portable screened fire enclosures and gas barbecues are permitted at private residences.” He noted that he received some feedback from Council Member Cortney regarding some of the proposed changes to the map and he has adjusted the map accordingly.

Council Member Smith stated that he has some concerns; the resolution cites City owned homes on Pheasant Drive, but he noted those homes have been sold and that language should be removed from the resolution. Additionally, fireworks have been banned in his neighborhood for years, but there are other areas where fireworks are allowed near the hillside or an open space. He stated that inconsistency should be reconciled. Chief Patten stated fireworks should be permitted on the interior roads in the Ridgeview development; the intent was to prohibit fireworks on the exterior roads.

There was discussion among the Council and Chief Patten regarding the criteria used to formulate the recommended fireworks restrictions.

Council Member Bills stated she recalls discussing the prohibition of open burns and she asked how that was removed from the resolution; she believes there is an ordinance that addresses open burns. Mr. Patterson stated that the ordinance is in place, but this resolution does not line up with that ordinance. City Administrator Wells stated that it was her recommendation that the resolution be adjusted, but if the ordinance is sufficient, it may not be necessary to amend the resolution.

Council Member Cortney asked if it would be appropriate to table this action in order to allow staff to give additional time to consider the Council feedback provided tonight. Council Member Bills stated she is comfortable acting on the proposal tonight; she simply wanted to determine if both the resolution and ordinance are needed.

Council Member Smith asked if the proposal would impact the City’s ability to light fireworks during the Highland Fling, to which Chief Patten and Ms. Wells answered no.

Council Member Kim Rodela MOVED that the City Council approve the resolution, excluding section 2, and make the following corrections:

- 1. Add Willowbank Drive in the Ridgeview Development as a restricted area*
- 2. Remove the two non-city owned lots on Pheasant Drive from the restricted area*

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>Absent</i>
<i>Council Member Doug Cortney</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 carried 4:0

Council Member Doug Cortney MOVED to extend the meeting to 10:30 pm. Council Member Scott L. Smith SECONDED the motion. All voted in favor, except Council Members Kim Rodela and Brittney P. Bills. Mayor Kurt Ostler voted in favor of the extension of the meeting, breaking the tie. The motion passed.

Council Member Scott L. Smith requested a short break at 10:00 pm. The meeting continued at 10:08 pm.

4. DISCUSSION ITEMS

Items in this section are for discussion and direction to staff only. No final action will be taken.

a. DISCUSSION: Fraud Risk Assessment General City Management

David Mortensen, Finance Director

The City Council will hear about and discuss the Fiscal Year 2023-2024 Fraud Risk Assessment.

Finance Director Mortensen explained that The Utah State Auditor's Office requires each public entity in the state perform an annual fraud risk assessment and present the results to the governing body of the entity. The assessment is self-performed and includes a series of questions that test the entity's level of internal controls and best practices. Areas tested include separation of duties, adopted written policies, qualifications and education of staff, statements of ethical behavior, required training and continuing education of elected officials and staff, fraud reporting mechanisms, and internal audit structure and procedures. Each question answered favorably adds points to the entity's total fraud risk score. The score is meant to be an indicator of the likelihood that any fraud being committed would go undetected. There are 395 points possible and five levels of risk including, from worst to best, Very High (fewer than 200 points), High (200-275 points), Moderate (276-315 points), Low (316-355 points), and Very Low (greater than 355 points). For fiscal year 2022-2023 Highland City reported a score of 305, landing us in the "Moderate" risk level. Some of the items that were missing that brought the score down were a lack of two written policies, including reporting fraud and abuse and IT and computer security (10 points total), not having a licensed or certified expert as part of the management team (20 points), not having all governing body members complete entity specific online training (20 points), not having a formal internal audit function (20 points), and not having a formal audit committee (20 points). For fiscal year 2023-2024, some of those missing items that decreased the score have been remedied. While there still isn't a separate written policy regarding reporting fraud and abuse, there is a section of the personnel policy that discusses whistleblower protection and instructions on who to talk to when fraud or abuse is observed. A more detailed policy specific

to reporting fraud and abuse would likely be more robust, but I believe this section of the personnel policy qualifies as having a written policy in place. Highland also now has a certified expert as part of the team. The current Finance Director holds the CGFM certification (Certified Government Financial Manager). This is one of the seven certifications that the State Auditor's Office identified as meeting this requirement for the fraud risk assessment. The others are CPA (Certified Public Accountant), CMA (Certified Management Accountant), CIA (Certified Internal Auditor), CFE (Certified Fraud Examiner), CGAP (Certified Government Auditing Professional), and CPFO (Certified Public Finance Officer). In fiscal year 2024, all elected officials have completed the required online training on the State Auditor's website. With those points added in, Highland's score for the current year is 350 out of 395, moving us out of the "Moderate" risk level into the "Low" risk level. Items that can be worked on for future improvement and a higher score that would take the City into the "Very Low" risk level include developing a written policy regarding IT and computer security, implementing an internal audit function, and organizing a formal audit committee. The IT policy and audit committee would likely not require additional funding, just elected official and staff time, while the internal audit function would likely require a new PT or FT employee or a contract with a third-party accounting firm to act as internal auditor for the City.

There was brief discussion among the Council and Mr. Mortensen regarding opportunities for improvement or tightening internal controls.

- b. DISCUSSION: Campaign Finance Regulations *Municipal Code Update (Legislative)***
Ron Campbell, Council Member, Rob Patterson, City Attorney/Planning & Zoning Administrator
The Council will discuss the potential for additional regulations related to municipal candidate campaign financing.

This item will be discussed at a future meeting.

5. COMMUNICATION ITEMS

Communication items will be informational only. No final action will be taken.

- a. Parks Capital Fund Status and Mountain Ridge Park Phase II Amenities *Erin Wells, City Administrator***

City Administrator Wells used the aid of a PowerPoint presentation to present the topics of discussion for Mountain Ridge Park Phase II, which include lighting hours for pickleball courts, parking, and the Parks Capital Fund status/funding available for phase II. Relative to lighting, City staff surveyed other cities that have pickleball courts to determine common lighting hours. The longest open period in a nearby city is 5:00 a.m. to 10:00 p.m.; however, most courts near residential neighborhoods light their courts from the hours of 7:00 a.m. and 10:00 p.m. Staff recommends that the City's pickleball courts open at 6:00 a.m. and players can bring their own lights in darker times of year.

She then noted there are 222 striped parking stalls in the parking lot; with the decision earlier tonight to remove two stalls to relocate the trash enclosure, that number will be reduced by two. The following could be done on 10400 North:

- Could add parallel parking stalls against park
 - Would require red curbing north side if we still wanted to add street striping for a middle turn lane/protected pedestrian area in the future
 - Would add a minimal number of stalls ~10-15
- Would recommend against angled parking as it would require people to back onto a busier road

On 5600 West, staff would recommend against having any designated parking stalls on the west side as the east side would need to be red curbed and school pickup traffic waits there.

The Council accepted staff's recommendations regarding the on-street parking near the park; they determined to wait to determine the level of use of the park during the coming summer months before adding more parking spaces on the streets.

Ms. Wells then discussed the Park Capital Fund status; the FY2023 ending fund balance was \$7.1 million. FY2024 expected revenues of \$1.4 million include impact fees and previously authorized funding sources: Town Center transfer, Enterprise Fund contributions, FY23 Parks Tax, donations, etc. She noted FY2024 planned expenses total \$4.1 million and will be used for bond payments and previously authorized spending on Mountain Ridge Parks phases I and II. Unexpected revenues in FY2024 total \$1.3 million and this is from impact fees and interest. The FY2024 estimated ending fund balance is \$5.7 million. She added that FY2025 budgeted revenues are \$1.2 million; there are \$900,000 in non-Mountain Ridge Park expenses in FY2025 budget. This includes bond payments, trail spending, Wildrose park, and parks equipment replacement. Phase II Mountain Ridge Park expenses included in FY2025 include the baseball field, soccer fields, trail, storage building, and lighting conduits; this totals \$2 million. The estimated ending fund balance in FY2025 is \$4 million. Non-contracted Mountain Ridge Park phase two amenities include a ninja course, baseball audience shade and batting cages, stage base, additional security cameras, extra fencing, and baseball storage building. These amenities are estimated to cost \$1.2 million. She discussed FY2025 revenue sources and estimates and indicated she feels the estimates are very conservative. She then concluded her understanding of the status of phase II amenities is as follows:

- Budgeted and Contracted
 - Soccer fields, baseball field base, trail
- Budgeted, not yet contracted
 - Storage building and lighting conduits
- Priority unbudgeted & uncontracted items
 - Additional security cameras, baseball audience shade structures and batting cages
- Council direction needed
 - Stage base, ninja course (or concrete base), extra baseball fencing, futsal/ basketball fencing, baseball storage building

Council Member Smith stated that earlier in tonight's meeting, the storage building contract was awarded. Ms. Wells stated that is correct. She then facilitated discussion among the Council regarding those matters for which a final decision is needed. Council Member Smith stated he would like to see costs for the undecided items. The estimate for all items is \$1.2 million; if the Council would like staff to obtain formal bids, she can proceed in that direction. Council Member Smith stated he needs a breakdown of the cost of each item rather than a total for all items. Council Members Rodela and Bills added they would also like an explanation of what some of the items will be used for, such as the stage and the baseball storage building. Council Member Courtney stated he also needs cost information for the items, but a rough estimate is adequate rather than a formal bid.

b. Accessory Structures Restrictions and Ridgeview PD *Scott Smith, Council Member, Rob Patterson, City Attorney*

This item will be discussed at a future meeting.

c. Update on Traffic Calming Toolbox Implementation *Andy Spencer, City Engineer/Public Works Director*

This item will be discussed at a future meeting.

d. Right of Way Permit Regulations and Driveway Connections *Rob Patterson, City Attorney/Planning & Zoning Administrator*

This item will be discussed at a future meeting.

e. Council Policies and Procedures & Annual Conflict of Interest Statements *Erin Wells, City Administrator*

This item will be discussed at a future meeting.

6. 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 10:39 pm Council Member Brittney P. Bills MOVED that the City Council recess to convene in a closed session to discuss 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>Absent</i>
<i>Council Member Doug Cortney</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 carried 4:0

*Council Member Doug Cortney MOVED to adjourn the CLOSED SESSION and Council Member Scott L. Smith SECONDED the motion. All voted in favor and the motion passed unanimously.
The CLOSED SESSION adjourned at 11:01 pm.*

ADJOURNMENT

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

The meeting adjourned at 11:03 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 June 4, 2024. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle, CMC
City Recorder



6:00 PM WORK SESSION

- FY2025 BUDGET
- PROPOSED GARBAGE & RECYCLING RATE INCREASES
- CITY STAFF PAY PLAN

Call to Order – Mayor Kurt Ostler

1



FY2025 BUDGET - UPDATES SINCE TENTATIVE BUDGET APPROVAL

Presented by – David Mortensen, Finance Director

2

Changes From 4/30 Version

- Increased use of General Fund Balance (Mtn Ridge Park) - **\$100,000**
- Increased Garbage Revenue (Rate Change) - **\$50,000**
- Increased Garbage Hauling Expenditure - **\$28,576**
- Part-Time Employee 401(k) Contributions In-Lieu of SS
 - Changed from 7.5% to the allowed maximum 6.2% (**\$4,300** General Fund Impact)
 - Increased Employee Engagement in Human Resources - **\$4,000**
- Added Wildrose Park Improvements - **\$30,000**

3

Use of General Fund Balance Reserve

- Hogs Hollow Trail - **\$20,000**
- Highland Blvd Matching Funds - **\$420,000**
- Mountain Ridge Park Maintenance Building - **\$200,000**
- Mountain Ridge Park Field Light Conduits - **\$100,000**
- Total = **\$740,000**
- Estimated Ending Fund Balance Reserve - **\$4,803,154 (37.5%)**
 - 35% State allowed maximum would require use of an additional **\$317,500**

4

All Funds Summary

ALL FUNDS SUMMARY						
Fund	Estimated Beginning Fund Balance	Budgeted Revenue (Including PY Fund Balance)	Budgeted Expenditure (Excluding Depreciation)	Net Revenue (Including PY Fund Balance & Excluding Depreciation)	Use of PY Fund Balance	Estimated Ending Fund Balance
General Fund	\$ 5,225,900	\$ 11,715,121	\$ 11,417,267	\$ 117,854	\$ 740,000	\$ 4,803,154
Open Space Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cemetery Perpetual Fund	\$ 99,938	\$ 436,417	\$ 320,803	\$ 115,615	\$ 70,817	\$ 144,638
Library Fund	\$ 16,573	\$ 453,000	\$ 446,000	\$ 6,700	\$ 25,000	\$ 72,241
Parks Fee Fund	\$ 729,437	\$ 184,000	\$ 175,000	\$ 9,000	\$ -	\$ 733,437
Building & Development Fund	\$ 276,349	\$ 1,139,000	\$ 1,113,004	\$ 25,996	\$ -	\$ 302,045
Dish Service Fund	\$ 447	\$ 951,217	\$ 951,217	\$ -	\$ -	\$ 447
Parks Capital Improvement Fund	\$ 6,086,017	\$ 2,894,676	\$ 2,894,676	\$ -	\$ 1,749,874	\$ 4,386,143
Roads Capital Improvement Fund	\$ 537,060	\$ 995,000	\$ 995,000	\$ -	\$ -	\$ 537,060
Buildings Capital Improvement Fund	\$ 2,162,938	\$ 1,922,000	\$ 1,922,000	\$ -	\$ 1,807,100	\$ 295,838
Town Center Junction Fund	\$ 70,380	\$ -	\$ -	\$ -	\$ -	\$ 70,380
Sewer Fund	\$ 3,889,557	\$ 3,312,803	\$ 2,713,803	\$ 600,000	\$ 97,800	\$ 3,889,555
Pressurized Irrigation Fund	\$ 4,437,506	\$ 7,993,332	\$ 7,472,332	\$ 520,000	\$ 1,483,332	\$ 5,954,274
Storm Sewer Fund	\$ 1,379,876	\$ 2,255,160	\$ 895,160	\$ 1,460,000	\$ 325,160	\$ 1,714,816
Culinary Water Fund	\$ 1,089,344	\$ 2,973,000	\$ 2,441,563	\$ 531,438	\$ -	\$ 1,620,782
Utility Transportation Fund	\$ 139,590	\$ 1,155,000	\$ 1,153,789	\$ 1,211	\$ -	\$ 140,827
Internal Services IT Fund	\$ 8,133	\$ 48,750	\$ 48,750	\$ -	\$ -	\$ 8,133
TOTAL: ALL FUNDS	\$ 25,037,510	\$ 39,346,315	\$ 37,081,811	\$ 2,264,504	\$ 6,794,187	\$ 21,037,647

5

Potential Changes Still to Come

- Certified Property Tax Rate
- Wage Study and Market Adjustments
 - 5% increase currently built into budget
- Sewer Rates and Revenue
 - Pending Completion of Rate Study
- Alpine Highway Fence
- Additional Amenities at Mountain Ridge Park

6

Budget Calendar

- Tuesday, June 18 – Final Budget Adoption
 - Final Fiscal Year 2024-2025 Budget Public Hearing
 - Certified Tax Rate
 - Enterprise Transfers Public Hearing
 - Officer Compensation Public Hearing
 - Fiscal Year 2024-2025 Fee Schedule
 - Fiscal Year 2023-2024 Final Budget Adjustments Public Hearing

7



PROPOSED GARBAGE AND RECYCLING RATE INCREASE

Presented by – Jay Baughman, Assistant City Administrator/Community Development Director

8

Proposed garbage and recycling rate increase

- Two major factors affecting the garbage rates this year:
 - Increased direct operational costs to the City
 - Utility Billing
 - Credit Card Fees
 - Increases passed on to the City by Waste Management
 - 5.4% CPI increase
 - Annual Recycling Adjustment or \$1.15 per can (last year it was \$0.50)

9

Proposed garbage and recycling rate increase

- No rate increase from North Pointe Solid Waste

10

Proposed garbage and recycling rate increase

- Proposed increase is \$0.35 per can, per month

	Current Rate	Proposed Rate
First Garbage Can	\$10.98	\$11.33
Second Garbage Can	\$7.72	\$8.07
Recycling Can	\$7.18	\$7.53

11



CITY STAFF PAY PLAN

Presented by – Erin Wells, City Administrator

12

Administration Proposal

- Tentative Budget includes 5% adjustment for staff
 - Market adjustment for positions that warrant it
 - Flat inflationary adjustment for other positions that are being paid within market

13

Option for Consideration

- If Council would like to pursue a 6% adjustment to match Lone Peak Public Safety employees
 - Add a 1% merit adjustment employees are eligible for at their anniversary
 - Based on evaluation criteria
- Additional \$39,000 throughout all Funds
 - \$16,000 in General Fund
 - -\$317,000 net revenue in General Fund

14

Welcome to the Highland
City Council Meeting

June 4, 2024

Please Sign the Attendance Sheet




15



7:00 PM REGULAR SESSION

Call to Order – Mayor Kurt Ostler
Invocation – Mayor Kurt Ostler
Pledge of Allegiance – Council Member Kim Rodela

16



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.

17

CONSENT ITEMS *(5 minutes)*

3a. Approval of Meeting Minutes: May 7, 2024 *General City Management*

3b. Short Term Rental Owner Occupancy Code *Municipal Code Update (Legislative)*

3c. Personnel Policy FMLA Updates *General City Management*

18

Motion to Approve

I move that the City Council approve consent item 2a, the approval of meeting minutes from May 7, 2024, with suggested changes, and 2c, Personnel Policy FMLA Updates.

19

MOTION ON CONSENT ITEMS

Bills, Brittney P.	Yes
Campbell, Ron	Abs
Cortney, Doug	Abs
Rodela, Kim	No
Smith, Scott L.	Abs

Item 2a, c

5 / 6

Yes = 1 No = 1 Abstain = 3

Fail

20

Short-Term Rental Regulation

HMC 5.24.040: "Renting, letting of rooms or subleasing/renting of any structure or dwelling or portion thereof for occupancy, dwelling, lodging or sleeping purposes for less than two consecutive calendar days in duration is prohibited for a short term rental property."

2019-2021: "...is prohibited for a short term rental property, **unless the property is owner occupied.**"

21

Short-Term Rental Regulation

-2019 (original ordinance): prohibited one-night rentals *unless* owner-occupied (allowing one-night rentals for owner-occupied STRs) due to worry about one-night party rentals where owner was not present

-2021 (owner-occupancy amendment): required all STRs to be owner-occupied, regardless of number of nights rented. Effectively added a rental duration to owner-occupied STRs that did not previously exist.

22

Motion to Approve

I move that the City Council approve consent item 2b, Short Term Rental Owner Occupancy Code.
[with the addition of repealing section 5.24.040]

23

MOTION ON CONSENT ITEMS

Bills, Brittney P.	Yes
Campbell, Ron	Abs
Cortney, Doug	Abs
Rodela, Kim	No
Smith, Scott L.	Abs

Item 2b

5 / 6

Yes = 1 No = 1 Abstain = 3

Fail

24



REIMBURSEMENT AGREEMENT FOR MILLHAVEN DEVELOPMENT (PRESSURE REDUCING VALVE AND CANTERBURY TRAIL CONNECTION)

General City Management

Item 3a – Action
Presented by – Andy Spencer, City Engineer/Public Works Director

25

Prior Council Direction

- The Council approved the City active transportation plan which includes the Foxwood Estates Trail Extension to the Murdock Canal.
- The currently approved Water Master Plan includes the placement of the PRV's.

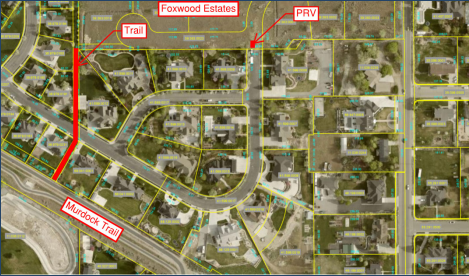
26

Discussion Items

- Need for PRV's, funding source
- Pending Design Invoice for Trail

27

Location Map



28

Motion to Approve

I move that City Council APPROVE the reimbursement contract with Millhaven Development LLC in an amount up to a total cost of \$106,343 and AUTHORIZE the Mayor to sign the agreement.

29

MOTION ON REIMBURSEMENT AGREEMENT FOR MILLHAVEN DEVELOPMENT

Bills, Brittney P.	Yes
Campbell, Ron	Abs
Cortney, Doug	Abs
Rodela, Kim	No
Smith, Scott L.	Abs

Item 3a

5 / 6

Yes = 1 No = 1 Abstain = 3

Fail

30



**AWARD OF PARK MAINTENANCE
BUILDING CONSTRUCTION**

*General
City Management*

Item 3b – Action

Presented by – Andy Spencer, City Engineer/Public Works Director

31

Prior Council Direction

- The Council previously directed the Parks Building be placed at the Community Center property and approved the architectural concepts.
- The approved FY24 Budget and Tentative FY25 budget include funds for the construction.

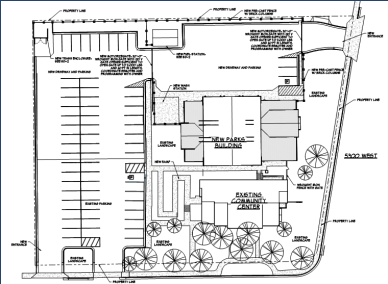
32

Rendering



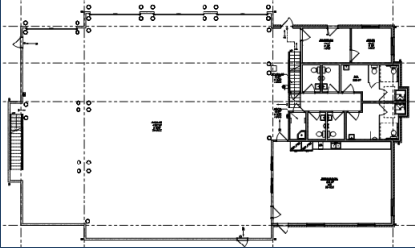
33

Site Plan



34

Floor Plan



35

Discussion Items

- Suggested award will use some general fund
- License Agreement with Chad Copier
- Expenses for power upgrade still pending.
- Alternates
 - Fuel Building (\$34K)
 - Trash Enclosure (on-site and at MR park) (\$22K each)
 - MR Park Building (\$117K)
 - Western Mezzanine (\$93K)
 - Replace Community Center Asphalt (\$21K)

36

Motion for INCLUDING Mezzanine

I move that City Council APPROVE the contract to Complete Contracting for the building of the Park Maintenance Building including all the alternatives, and the alternatives for Mountain Ridge Park in the amount of up to \$2,741,542 and AUTHORIZE the City Administrator to sign the contract documents.

37

Motion for EXCLUDING Mezzanine

I move that City Council APPROVE the contract to Complete Contracting for the building of the Park Maintenance Building, the Park Maintenance building alternatives excluding the western mezzanine, and the alternatives for Mountain Ridge Park in the amount of up to \$2,638,798 and AUTHORIZE the City Administrator to sign the contract documents.

38

MOTION AWARD OF PARK MAINTENANCE BUILDING CONSTRUCTION

Bills, Brittney P.	Yes
Campbell, Ron	Abs
Cortney, Doug	Abs
Rodela, Kim	No
Smith, Scott L.	Abs


Item 3b

5 / 6

Yes = 1 No = 1 Abstain = 3

Fail

39

HIGHLAND CITY

6000 WEST PUMP STATION AWARD
General City Management

Item 3c - Action

Presented by - Andy Spencer, City Engineer/Public Works Director

40

Prior Council Direction

- Council Authorized COP contract to connect to PRWUA Aqueduct.
- Council Authorized Encroachment Agreement with Jordan Valley and Central Utah.
- Budgets and rate studies have included this project.
- Council provided direction to include filters.

41

Bid Options

- Base Bid:
\$2,843,073
- Filters:
+/- \$500,000 (included in Base Bid)
- Roadway Improvements and PRV:
\$630,548
*(*This will encumber \$500,000 of calendar year 2025 (FY25/FY26) roadway funds)*

Utah County - Staff to request County contribute to the trail relocation (\$18K)

42

Potential Road Improvements



Legend:

- NEW STREET
- REPAVED EXISTING STREET
- NEW SIDEWALK
- NEW FENCE
- NEW SIDEWALK
- NEW SIDEWALK

43

Motion to Approve

I move that City Council APPROVE the bid from Nelson Brothers Construction Company in an amount up to \$3,820,983 and AUTHORIZE the City Administrator to sign the necessary contracts.

44

MOTION ON 6000 WEST PUMP STATION AWARD

Bills, Brittney P.	Yes
Campbell, Ron	Abs
Cortney, Doug	Abs
Rodela, Kim	No
Smith, Scott L.	Abs

Item 3c

5 / 6

Yes = 1 No = 1 Abstain = 3

Fail

45



AWARD OF DESIGN SERVICES FOR MITCHELL HOLLOW TRAIL

General Plan Amendment (Legislative)

Item 3d - Action

Presented by - Andy Spencer, City Engineer/Public Works Director

46

Prior Council Direction

Council approved in the Tentative FY2025 budget funds to advance the design of the trail to facilitate construction in 2025.

47

Funding

MAG - \$2,527,050 (Total Funds - 2025)

*City Portion - \$171,081

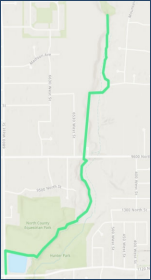
*Utah County Portion - \$2,355,969

Utah County – Forthcoming contract for reimbursement

Design Contract - \$153,885

48

Prior Council Direction



49

Motion to Approve

I move that City Council APPROVE a contract with Consor for the Mitchell Hollow Trail in an amount up to \$153,885 and AUTHORIZE the City Administrator to sign the contract documents.

50

MOTION ON AWARD OF DESIGN SERVICES FOR MITCHELL HOLLOW TRAIL

Bills, Brittney P.	Yes
Campbell, Ron	Abs
Cortney, Doug	Abs
Rodela, Kim	No
Smith, Scott L.	Abs

Item 3d

5 / 6

Yes = 1 No = 1 Abstain = 3

Fail

51



UPDATE TO FIREWORK RESTRICTIONS

General City Management

Item 3e - Action

Presented by - Jay Baughman, Assistant City Administrator/Community Development Director

52

Prior Council Direction

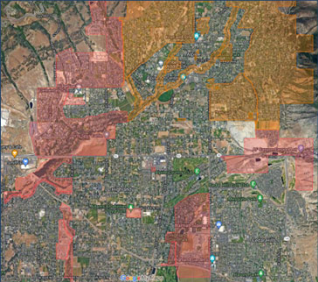
The last time the firework restriction map and resolution were updated was in 2020.

Developments of areas formerly considered fire hazards have made restrictions unnecessary.

- area north of the Canal Trail and
- south of the Ridgeview HOA park

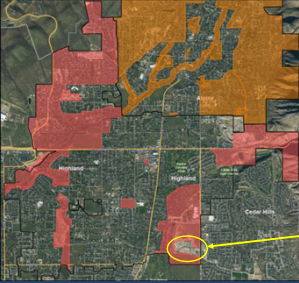
53

2020 Fireworks Map



54

2024 Fireworks Map



55

Open Fire Ban

It is proposed that language that was omitted in the 2020 resolution be restored:

“Section 2: Open fire, campfires, and the igniting and burning in fire pits are prohibited except in landscaped yards in private residence with a hose or fire extinguisher nearby or in designated campfire pits in designated City Campgrounds. Small portable screened fire enclosures and gas barbecues are permitted at private residences; and”

56

Resolution Text

NOW, THEREFORE by Resolution of the Highland City Council,

- Section 1: The ignition and discharge of ALL fireworks is prohibited within the City of Highland in the following areas: Beacon Hills Subdivision; Bull River Subdivision; drainage areas, and surrounding property; Chamberly Fields Subdivision; City owned homes on Pheasant Drive; Country French Subdivision; Dry Creek Highland Subdivision and drainage areas; Hidden Oaks Subdivision; Highland Glen Park; Highland Hills Subdivision; Highland Hollow Subdivision and drainage areas; Highland Oaks Subdivision; homes abutting Highland Hollow and drainage area in the Highland Hollow and Canterbury North subdivision; Hunter Ridge Subdivision; Lone Peak High School; Meadow Lane; Mercer Hollow Subdivision; Mitchell Hollow Park and drainage areas; Mountain Ridge Park; Mouth of American Park Canyon; Oak Ridge subdivision; open field south of Mitchell Hollow Park; Pheasant Hollow Park; Skye Estates Subdivision; State owned property south of Lone Peak High School; Sterling Pointe Subdivision; Sunset Mountain Properties; Town Center Splash Pad; View Point Subdivision; west side of 10150 North; and Westfield Cove Subdivision (see attached map).
- Section 2: Open fire, campfires, and the igniting and burning in fire pits are prohibited except in landscaped yards in private residence with a hose or fire extinguisher nearby or in designated campfire pits in designated City Campgrounds. Small portable screened fire enclosures and gas barbecues are permitted at private residences; and
- This order supersedes all orders relating to fireworks and shall take effect on June 4, 2024

57

Motion to Approve

I move that the City Council Approve Resolution R-2024-__ and the Highland City Firework Restriction Map.

58

MOTION ON UPDATE TO FIREWORK RESTRICTIONS

Bills, Brittney P.	Yes
Campbell, Ron	Abs
Cortney, Doug	Abs
Rodela, Kim	No
Smith, Scott L.	Abs

Item 3e

5 / 6

Yes = 1 No = 1 Abstain = 3

Fail

59



FRAUD RISK ASSESSMENT *General City Management*

Item 4a - Discussion

Presented by - David Mortensen, Finance Director

60



61



CAMPAIGN FINANCE REGULATIONS

Municipal Code Update (Legislative)


Item 4b - Discussion
Presented by - Ron Campbell, City Council Member
Rob Patterson, City Attorney/Planning & Zoning Administrator

62

Options

- Additional finance/donation/expense reporting
- Anonymous donation limits (\$50 by state law)
- Restrictions on donors (current/recent applicants?)
- Restrictions on donation amounts (based on donor?)

63



PARKS CAPITAL FUND STATUS AND MOUNTAIN RIDGE PARK PHASE II AMENITIES

Item 5a - Communication
Presented by - Erin Wells, City Administrator

64

Topics for Tonight

- Lighting hours for pickleball courts
- Parking discussion
- Parks Capital Fund Status/ Funding Available for Phase II

65

Pickleball court hours

- Neighboring cities lighting hours vary with the longest being from 5AM - 11PM
- Those with courts near residential homes tend to have courts lit from 7AM - 10PM
 - Staff recommendation for our courts
 - Court hours start at 6AM
 - Players could bring their own lights in darker times of year.

66

Parking

- 222 striped stalls in the parking lot
- 10400 North
 - Could add parallel parking stalls against park
 - Would require red curbing north side if we still wanted to add street striping for a middle turn lane/ protected pedestrian area in the future
 - Would add a minimal number of stalls -10-15
 - Would recommend against angled parking as it would require people to back onto a busier road

67

Parking

- 5600 West
 - Would recommend against doing any designated parking stalls on the west side as the east side would need to be red curbed and school pickup traffic waits there.

68

Park Capital Fund Status FY 23-24

FY23 Ending Fund Balance	-\$7,100,000
FY24 Expected Revenues - Impact fees and previously authorized funding sources: Town Center transfer, Enterprise Fund contributions, FY23 Parks Tax, donations, etc.	-\$1,400,000
FY24 Planned Expenses - Bond payments and Mountain Ridge previously authorized spending on Phase I and II	-\$4,100,000
FY24 UNEXPECTD Revenues - Impact fees and interest	-\$1,300,000
FY24 ESTIMATED Ending Fund Balance	-\$5,700,000

69

Park Capital Fund Status FY 24-25

FY24 ESTIMATED Ending Fund Balance	-\$5,700,000
FY25 Budgeted Revenues - Impact fees, General Fund transfer, interest	-\$1,200,000
FY25 Non-Mountain Ridge Expenses - Bond payment, trail spending, Wildrose park, parks equipment replacement	-\$900,000
FY25 Phase II Mountain Ridge Expenses - Baseball field, soccer fields, trail, storage building, lighting conduits	-\$2,000,000
FY25 ESTIMATED Ending Fund Balance	-\$4,000,000

70

FY26 and Future & Potential Expenses

FY25 ESTIMATED Ending Fund Balance	-\$4,000,000
Remaining Bond Payments	-\$2,000,000
ESTIMATED Remaining Fund Balance	-\$2,000,000
Non-contracted Phase II Amenities ESTIMATED cost - Ninja course, baseball audience shade and batting cages, stage base, additional security cameras, extra fencing, baseball storage building, etc.	-\$1,200,000
ESTIMATED Remaining Fund Balance	\$800,000

71

FY25 Revenue - Impact Fees & Others


- \$600,000 in Impact Fees Budgeted for FY25
 - Requires 122 new home permits (multi-family price)
 - 138 permits so far in 2024 (impact fees paid)
 - ~225 entitled, but not issued permits throughout the City (no impact fee money collected)
 - 165 in Ridgeview
 - 60 in other approved developments
- Other revenue sources
 - \$370,000 General Fund Transfer
 - \$165,000 Interest Income
 - less than half of current year revenue

72

Phase II Amenities Status Summary

- Budgeted and Contracted
 - Soccer fields, baseball field base, trail
- Budgeted, not yet contracted
 - Storage building and lighting conduits
- Priority unbudgeted & uncontracted items
 - Additional security cameras, baseball audience shade structures and batting cages
- Council direction needed
 - Stage base, ninja course (or concrete base), extra baseball fencing, futsal/ basketball fencing, baseball storage building

73



ACCESSORY STRUCTURES RESTRICTIONS AND RIDGEVIEW PD

Item 5b – Communication
Presented by – Scott L. Smith, City Council Member
Rob Patterson, City Attorney/Planning & Zoning Administrator

74



UPDATE ON TRAFFIC CALMING TOOLBOX IMPLEMENTATION

Item 5c – Communication
Presented by – Andy Spencer, City Engineer/Public Works Director

75

Temporary Speed Tables



76

Summary of Traffic Calming Requests

- 6000 West near Highland Elementary – Speeding
 - Driver Feedback Signs, Bump outs, Multi-use Trail.
- Park West & Westfield Road - Speeding
- 6000 West & 10400 North – Crosswalks at Intersections
- Willowstone Drive – Student Parking
- 6000 West & 11800 North – LED Stop Signs, Crosswalk
- Canal Blvd/Madison (6000 W. - 6800 W.) - Speeding
- Others:
 - 5650 West – Radar Speed Sign - Northbound
 - Canal Blvd (SR-74 - 6000 W.) – Speed Tables – Trial Implementation
 - Park Drive – Driver Feedback Signs, Painted Crosswalks

77



RIGHT OF WAY PERMIT REGULATIONS AND DRIVEWAY CONNECTIONS

Item 5d – Communication
Presented by – Rob Patterson, City Attorney/Planning & Zoning Administrator

78

Driveway Connections to City Streets

Does the City want to add a permit to the Right-of-Way permit and building permit for driveways?



79

Possible Fees for Right-of-Way

Right of Way Application fee

- o Road cuts (roads <3 years old): Not permitted **SHOULD WE ADOPT AN ORDINANCE**
- o Road cuts (roads >3 years old):
- " \$250 application fee
- " \$250 inspection fee
- " \$2,500 refundable cash bond
- o Non-excavation right of way impact (driveways, trails, etc.)
- " \$50 application fee
- " \$250 inspection fee
- " \$2,500 refundable cash bond* *greater amount may be required based on anticipated impact to City infrastructure and property
- o Other home construction bond (swimming pools, garages, etc.) \$2,500 refundable cash bond

80



COUNCIL POLICIES AND PROCEDURES & ANNUAL CONFLICT OF INTEREST STATEMENTS

Item 5e – Communication
Presented by – Erin Wells, City Administrator

81

City Council Procedures and Policies

- Regulations around presentations and reports besides staff presentations
 - Outlines how those are managed when Council/Mayor/public requests the item
 - Nothing about presentations from those who did not request the item
 - Public, Councilmember(s), the Mayor

82

Information from the Requester

If an item was requested by Council Members or the Mayor, the requesting person(s) shall be entitled to provide additional reports, materials, information, and presentations beyond those prepared by City staff. Such material shall be provided to staff as soon as possible prior to the meeting if the requester desires the material to be included with the agenda and staff reports. Staff shall include, publicize, and post such material with the posting of the agenda and staff reports if possible. The requesters shall be entitled to present any desired materials or information to the City Council during the meeting in addition to materials presented by staff.

83

Item Order Process

1. Presiding Officer calls the item;
2. Staff gives a brief report and recommendation;
3. The individual who requested the item presents (Mayor, Council, applicant, etc.);
4. The Presiding Officer opens a public hearing and allows public comment if the item requires a public hearing;
5. Requester may, if invited by the Presiding Officer, give a response;
6. The City Council discusses and may request clarification or additional input from the staff or applicants through the Presiding Officer
7. City Council takes action on the issue.

84

Potential Clarifications

- Should we allow the Mayor to approve presentations from members of the public who are not the requesters?
 - Should we allow them more than 3 minutes to present for a "group"?
- Should we allow the Mayor to approve presentations from Elected Officials when they are not the requester?
- Do we amend the process order?
- Is there a time cutoff for submitting presentations ahead of the meeting?
- Should the presentations be shared ahead of time with the City Council?

85

Annual Conflict of Interest Statements

- State Municipal Officers' and Employees' Ethics Act
- City Standards of Conflict; Conflict of Interest Municipal Code (Elected Officials)
- Currently rely on employees and Elected Officials to disclose as items comes up
- Could begin requiring them annually

86



FUTURE MEETINGS

- June 11, Site Tour – Fences and Mountain Ridge Park, 6:00 pm
- June 12, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- June 18, School District Study Presentation, 5:00 pm, City Hall
- June 18, City Council Meeting, 7:00 pm, City Hall
- June 25, Planning Commission Meeting, 7:00 pm, City Hall

87



CLOSED SESSION

The Highland City Council has recessed the regular City Council meeting to convene in a closed session to discuss 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.

88

APPLE BLOSSOM

5520 West Canal Boulevard

****Mini Park per General Plan****

Pavilion	No
Playground	Yes
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	Walking Trail



ARGO CIRCLE

6190 Argo Circle

Not identified in General Plan

Pavilion	No
Playground	Yes
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	None



BEACON HILLS

5959 W Beacon Hill Boulevard

****Athletic Complex per General Plan****

Pavilion	No
Playground	No
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	Yes
Other Amenities	Disc golf course, walking trail and parking lot



CANTERBURY CIRCLE

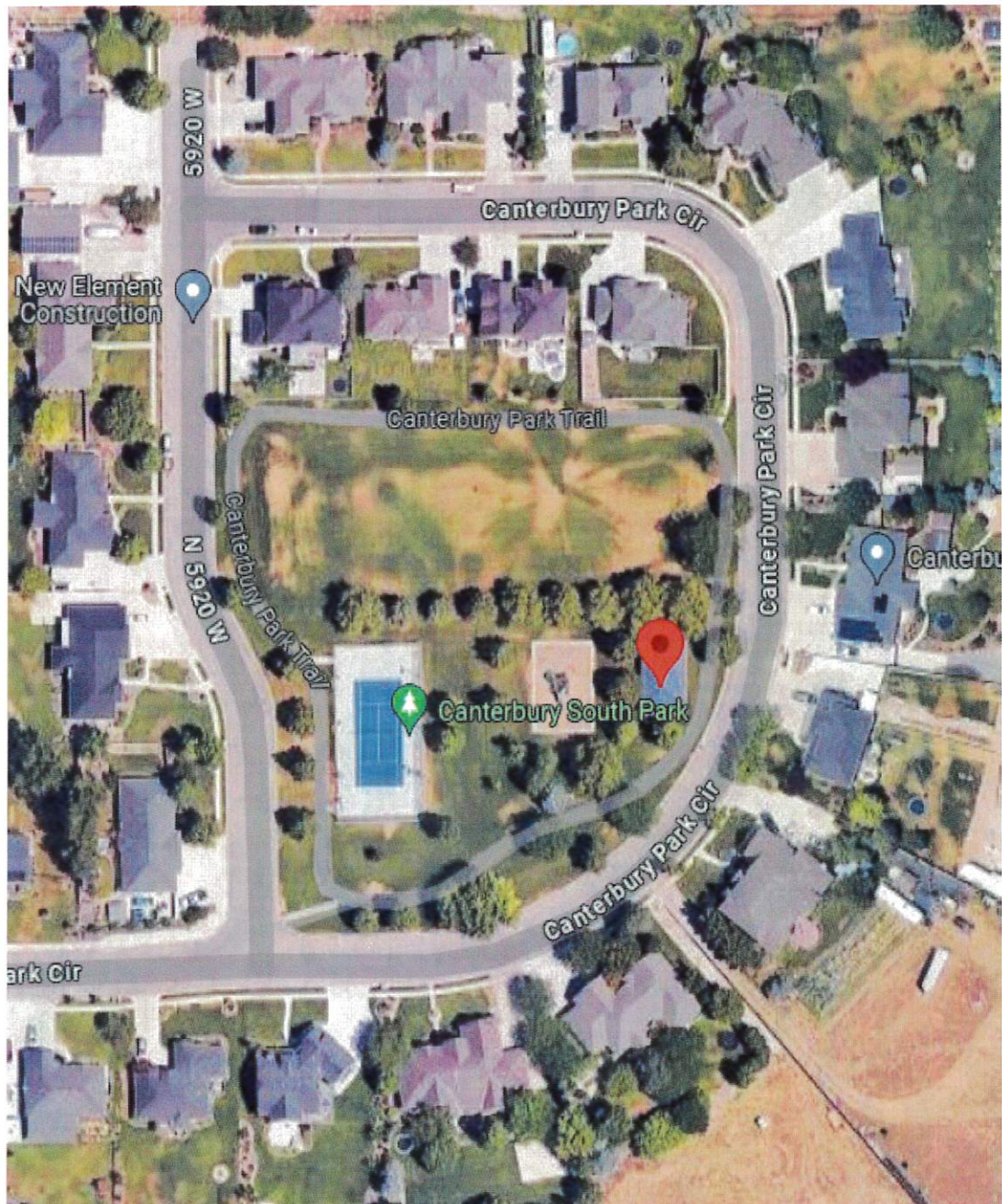
5920 West 9740 North
 Mini Park per General Plan

Pavilion	Yes (non-reservable)
Playground	Yes
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	Basketball, pickleball, and tennis courts

CANTERBURY SOUTH

9721 N 5920 W

Pavilion	No
Playground	No
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	Walking Trail



CANTERBURY NORTH

10500 Canterbury Lane

Neighborhood Park per General Plan

Pavilion	Yes (non-reservable)
Playground	Yes
Seasonal Bathrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	Walking trail and barbecues

CANTERBURY PI

6620 Canterbury Way

Not identified in General Plan

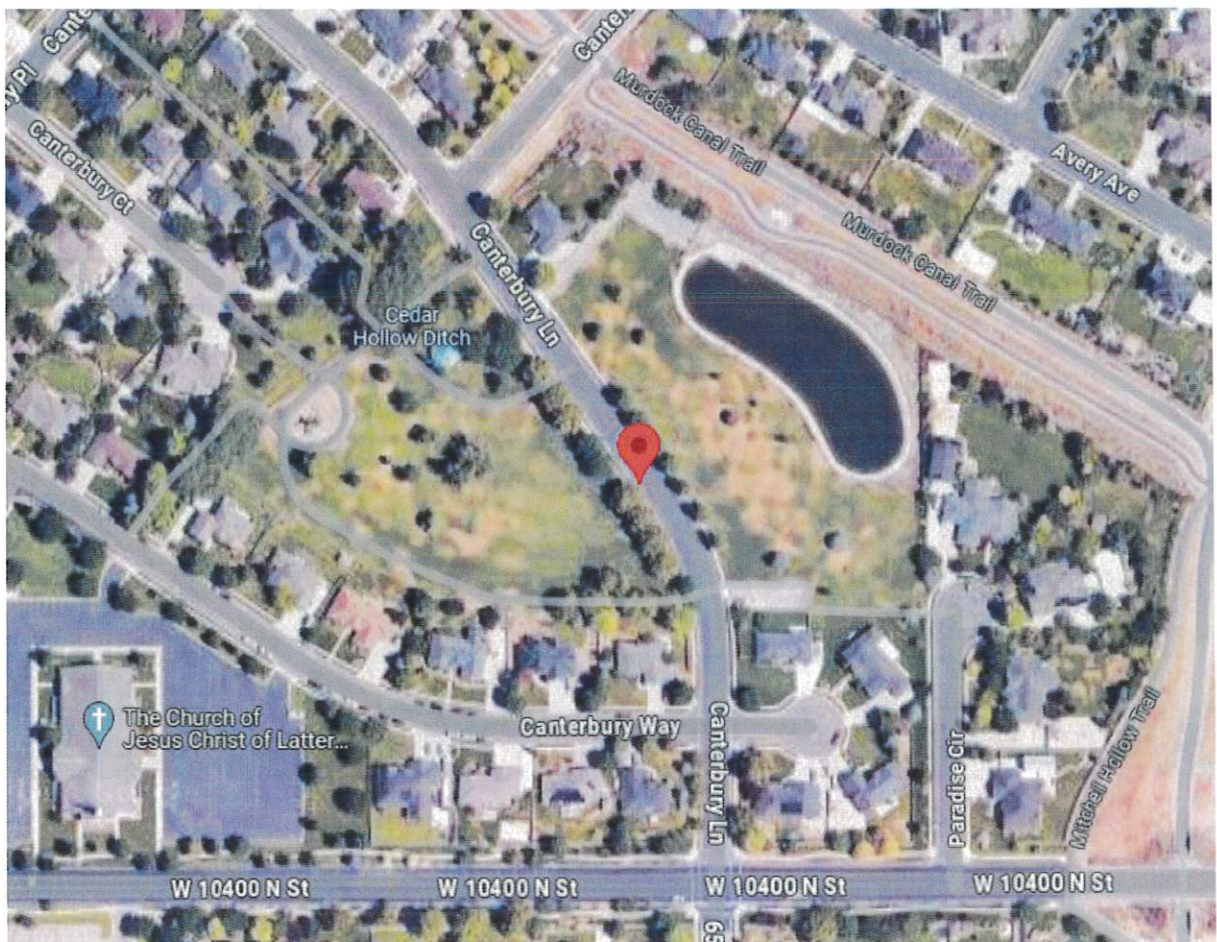
Pavilion	No
Playground	Yes
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	Yes
Other Amenities	None

CANYON OAKS CAMPGROUND

9721 N 5920 W

Not identified in General Plan

Pavilion	No
Playground	No
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	None

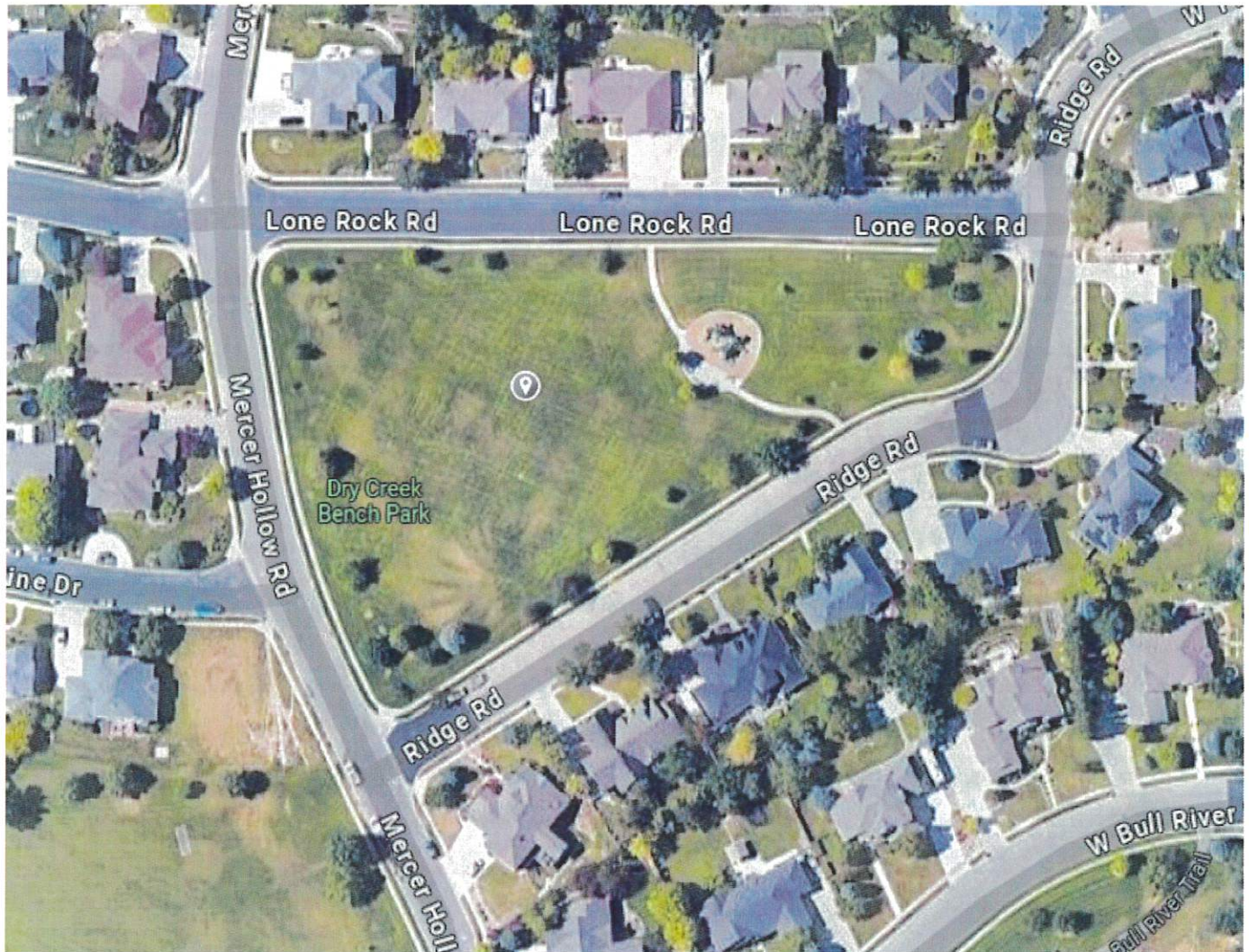


DRY CREEK EAST

11590 Lone Rock Road

****Neighborhood Park per General Plan****

Pavilion	No
Playground	Yes
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	Walking Trail

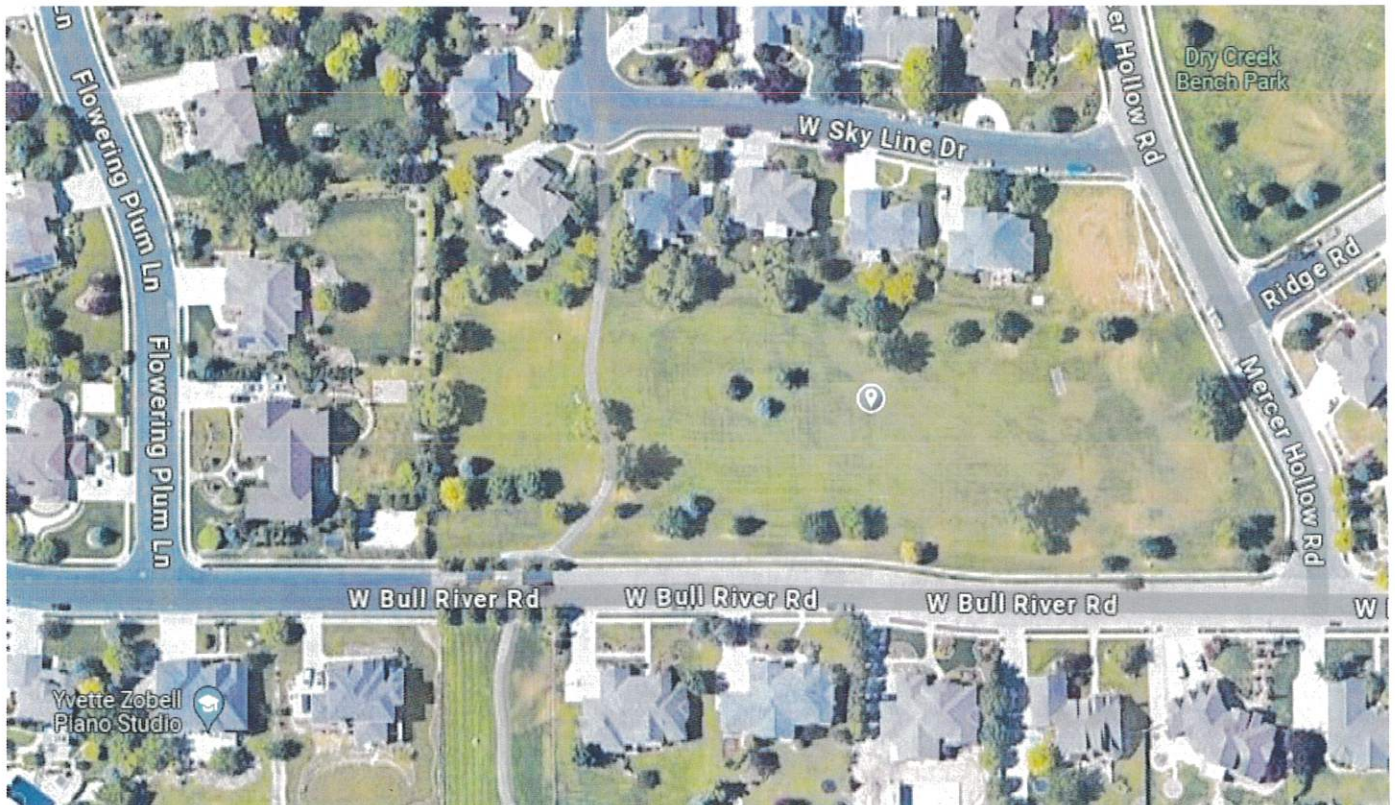


DRY CREEK WEST

6380 Bull River Road

Mini Park per General Plan

Pavilion	No
Playground	No
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	Walking trails

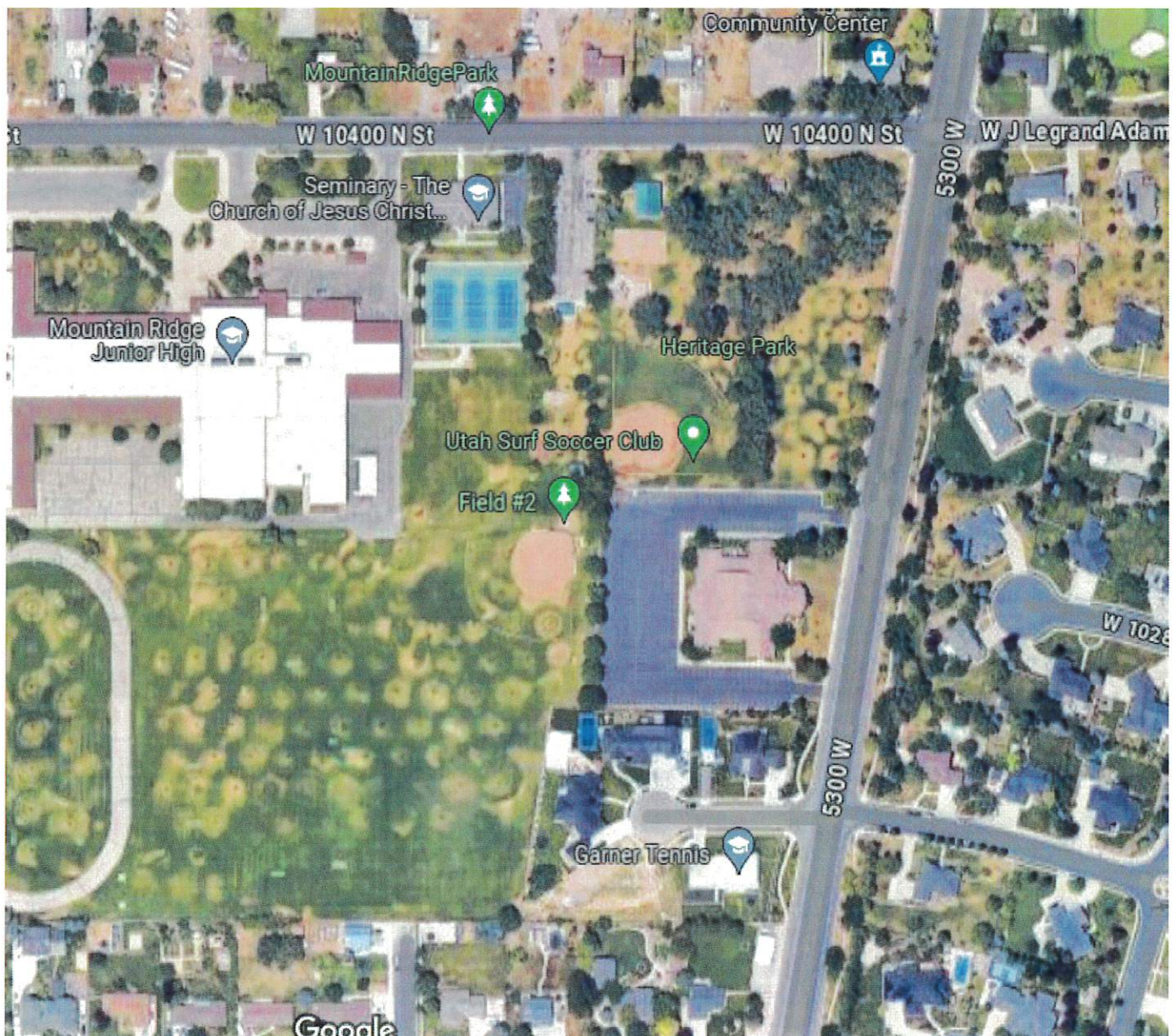


HERITAGE

10400 N Alpine Highway

Neighborhood Park per General Plan

Pavilion	Yes
Playground	Yes
Seasonal Restrooms	Yes
Baseball Field	Yes
Soccer Field	Yes
Other Amenities	Sand Volleyball, horseshoe pit, barbecues, basketball court, Daughters of the Pioneers Cabin, and parking lot



HIGHLAND GLEN

4800 West Knight Avenue

****Community Park per General Plan****

Pavilion	Yes
Playground	Yes
Seasonal Restrooms	Yes
Baseball field	No
Soccer field	No
Other Amenities	Bike park, recreation pond with fishing piers, sand volleyball court, barbecues, walking trail and parking

LONE PEAK FIELDS

10189 North 4800 West

****Not identified by General Plan****

Pavilion	No
Playground	No
Seasonal Restrooms	Yes
Baseball Field	No
Soccer Field	Yes
Other amenities	Parking lot

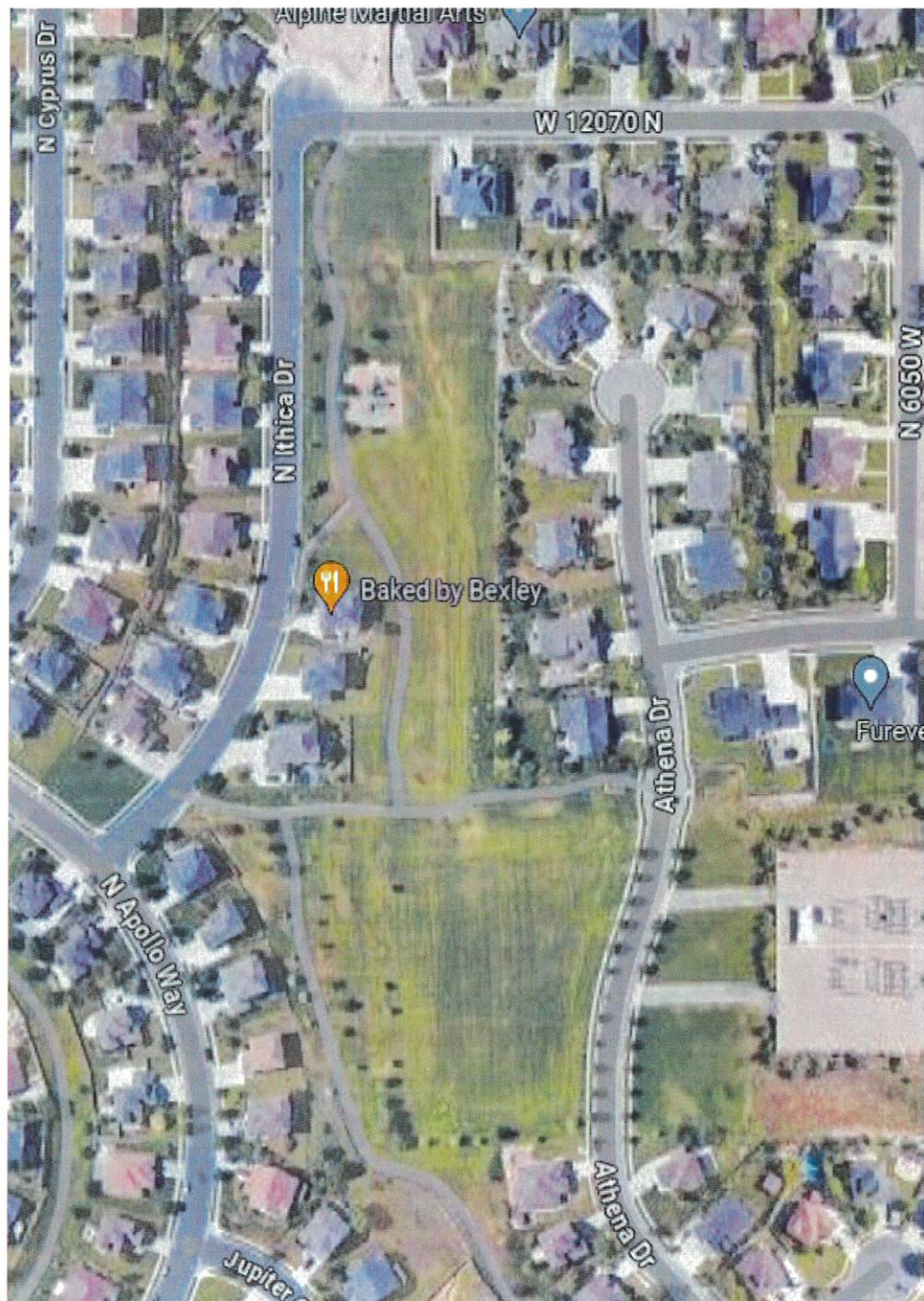


HIGHLAND HILLS NORTH

12020 N Ithica Drive

Not identified by General Plan

Pavilion	No
Playground	Yes
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	Walking trails

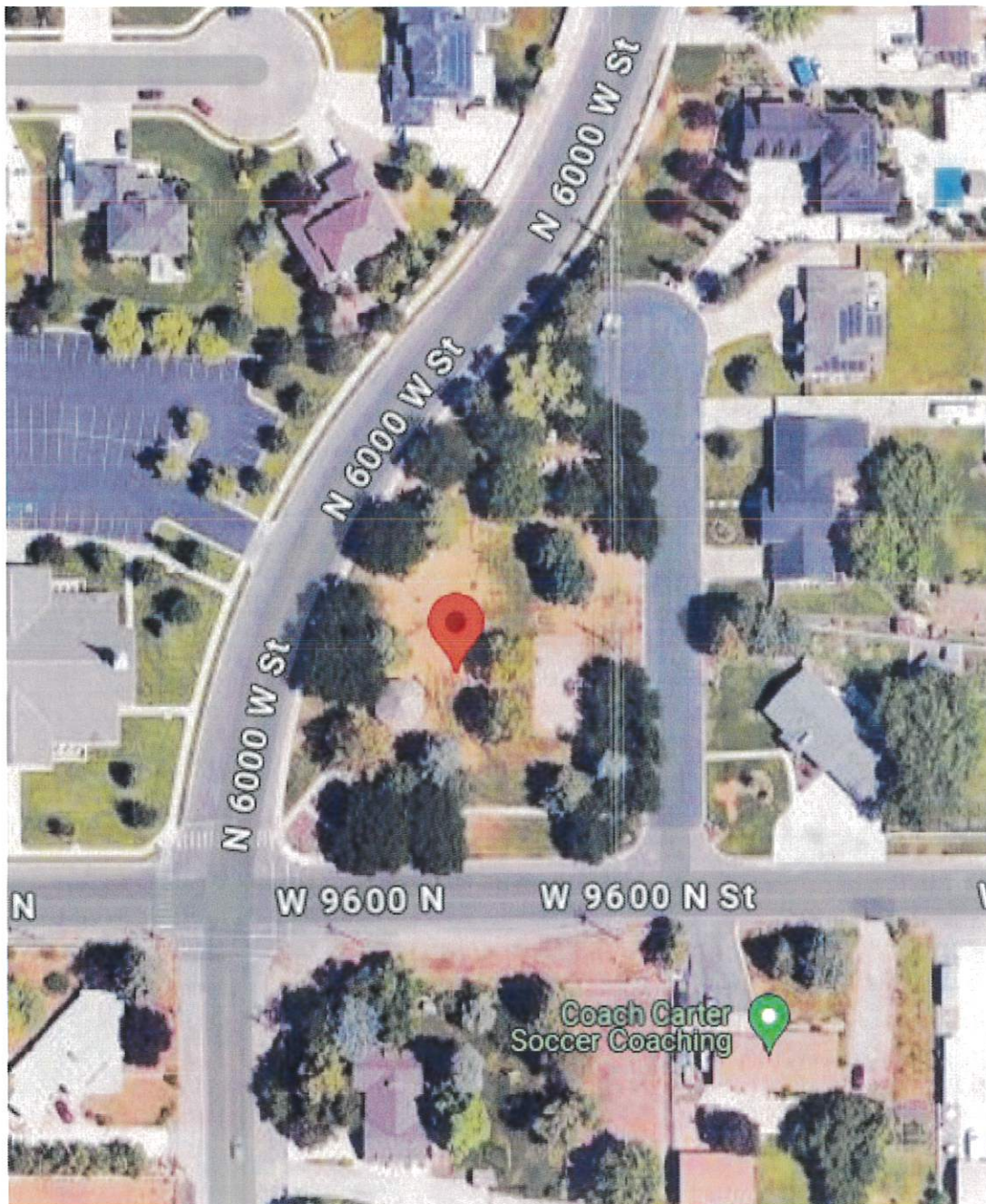


MERLIN B. LARSON

9600 North 6000 West

****Mini Park per General Plan****

Pavilion	Yes (gazebo)
Playground	No
Seasonal Restroom	No
Baseball Field	No
Soccer Field	No
Other Amenities	Sand volleyball court



MITCHELL HOLLOW

6400 West 10250 North

Athletic Complex per General Plan

Pavilion	Yes
Playground	Yes
Seasonal Restrooms	Yes
Baseball Field	Yes
Soccer Field	Yes
Other Amenities	Bike trail, grill, sand volleyball court, barbecues, parking lot and walking trail

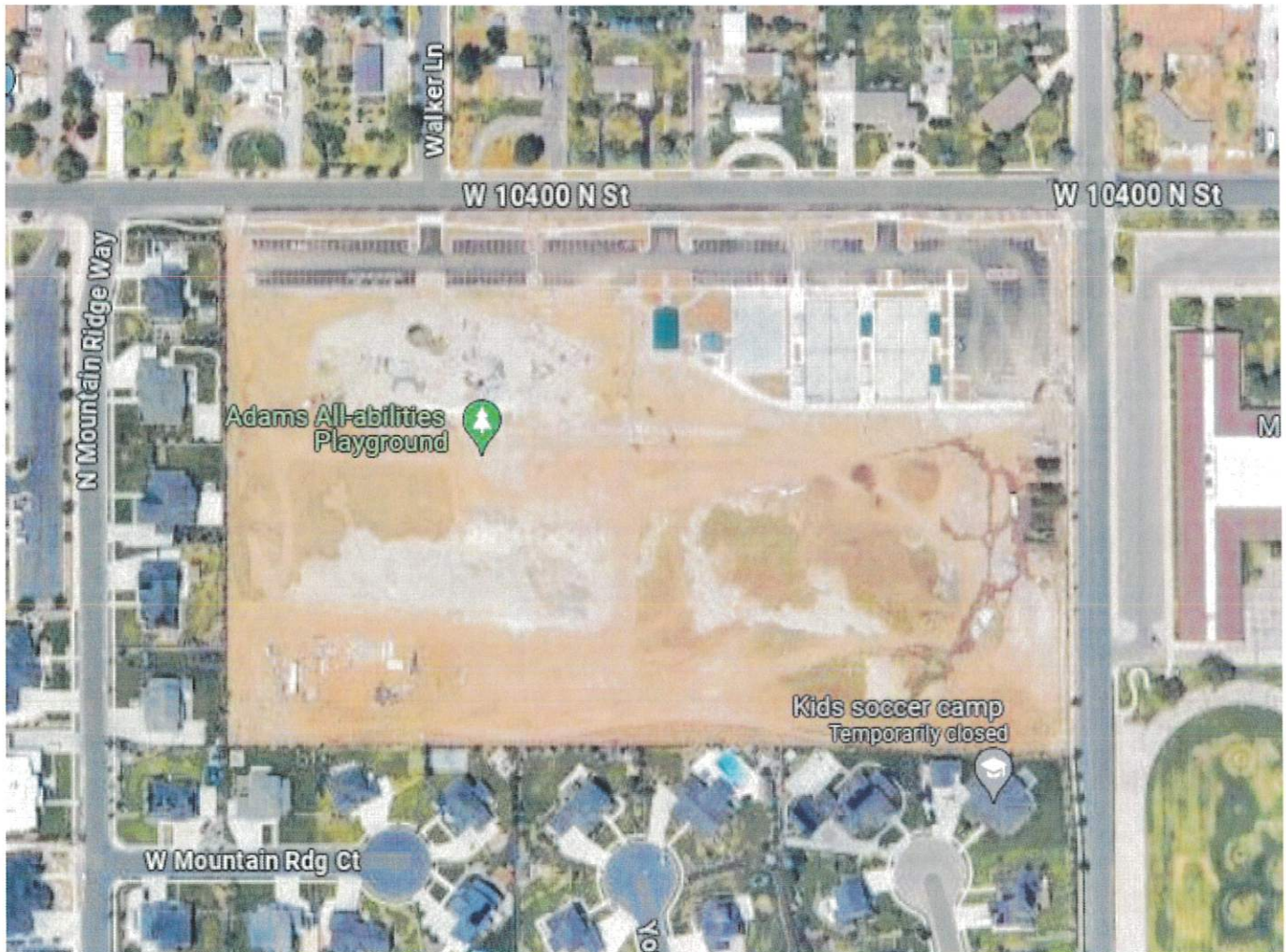


MOUNTAIN RIDGE (UNOFFICIAL NAME)

5525 W 104000 N

****Athletic Complex per General Plan****

Pavilion	Yes
Playground	Yes (all abilities)
Seasonal Restrooms	Yes
Baseball Field	Coming soon
Soccer Field	Coming soon
Other Amenities	Basketball courts, pickleball courts, and parking lot

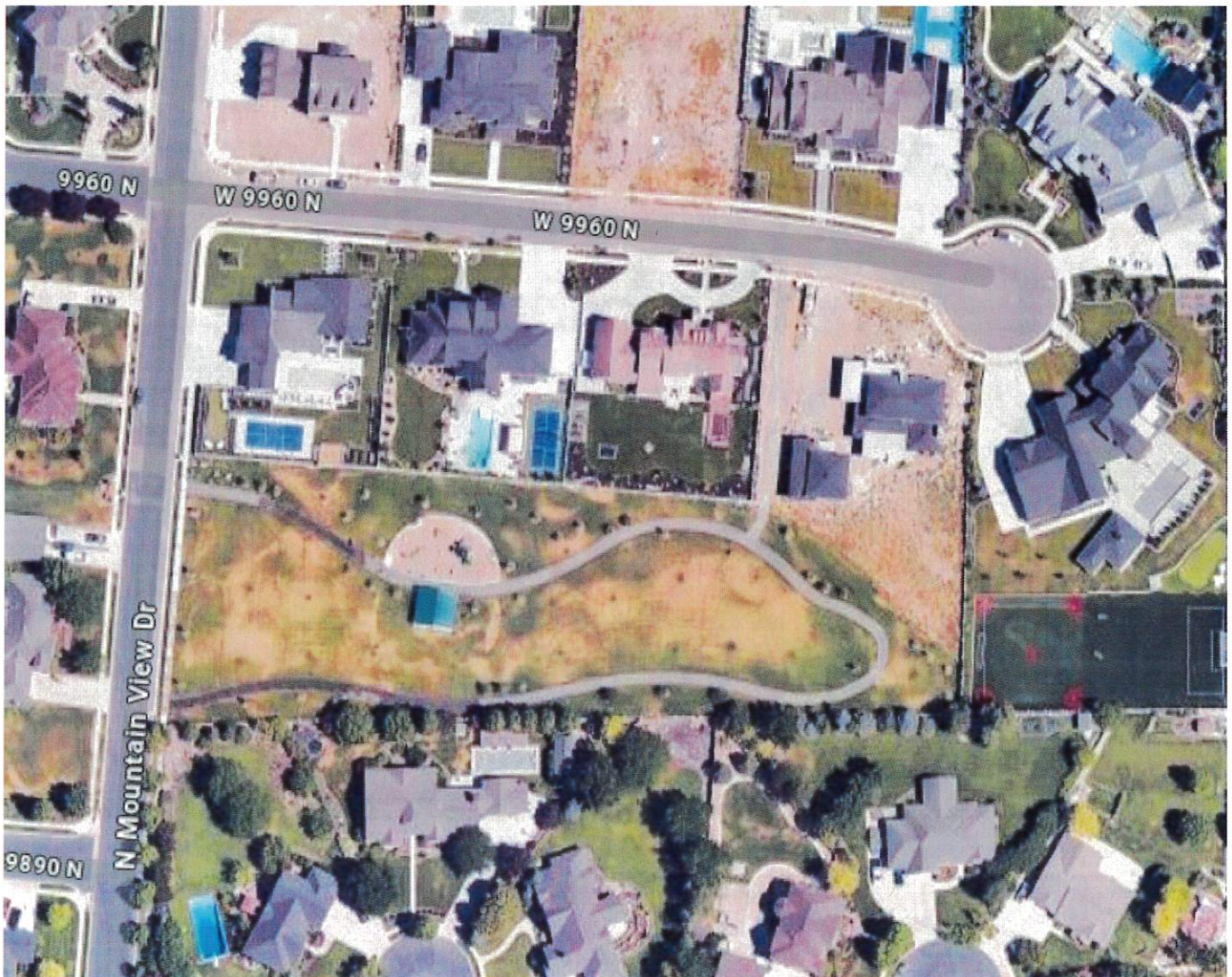


SPRING CREEK

9900 North Mountain View Drive

****Athletic Complex per General Plan****

Pavilion	Yes (non-reservable)
Playground	Yes
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	No
Other Amenities	Walking trail

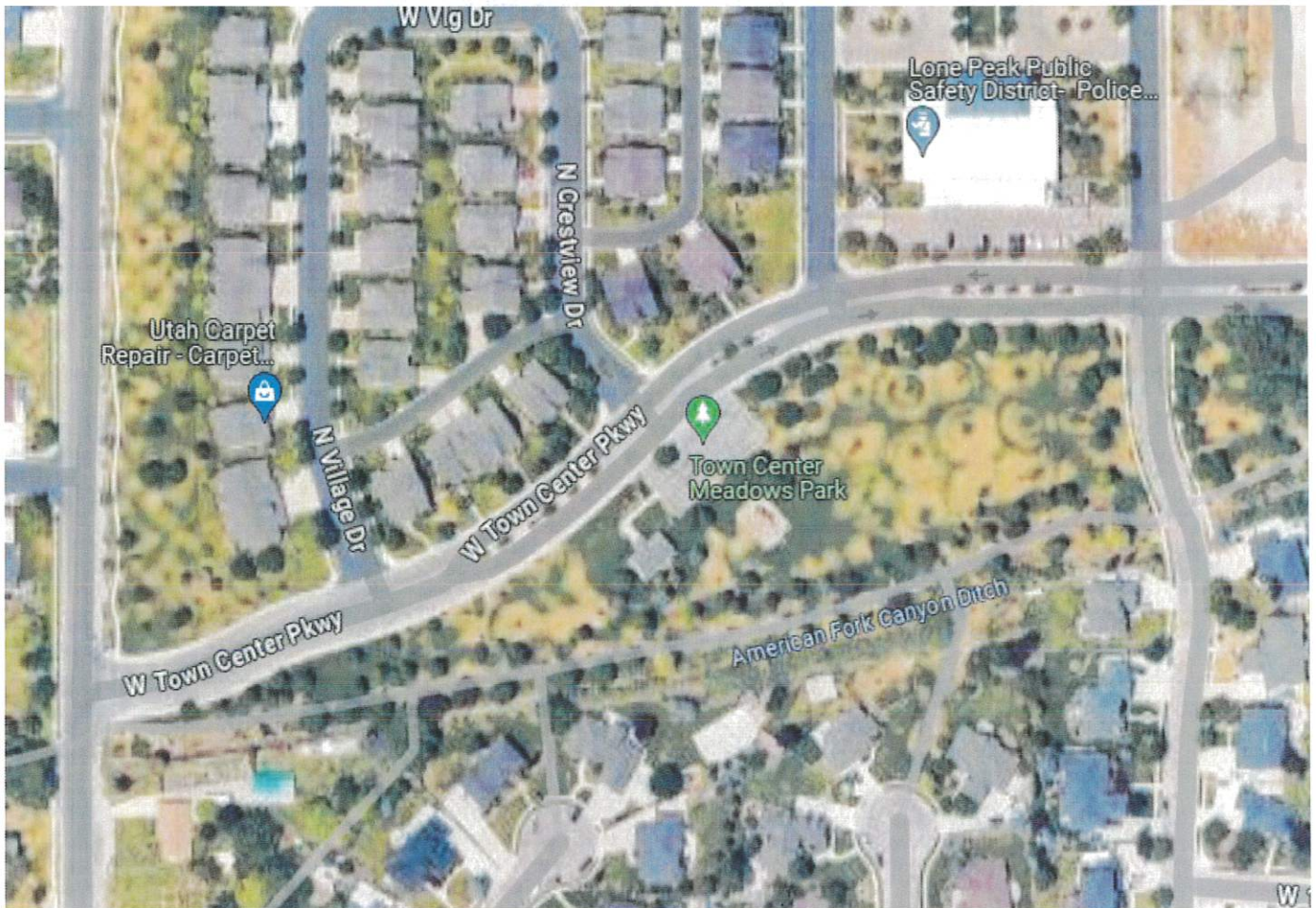


TOWN CENTER MEADOWS

5400 West 10700 North

Not identified by General Plan

Pavilion	Yes
Playground	Yes
Seasonal Restrooms	No
Baseball Field	No
Soccer Field	Yes
Other Amenities	Walking trail, barbecues, and parking lot

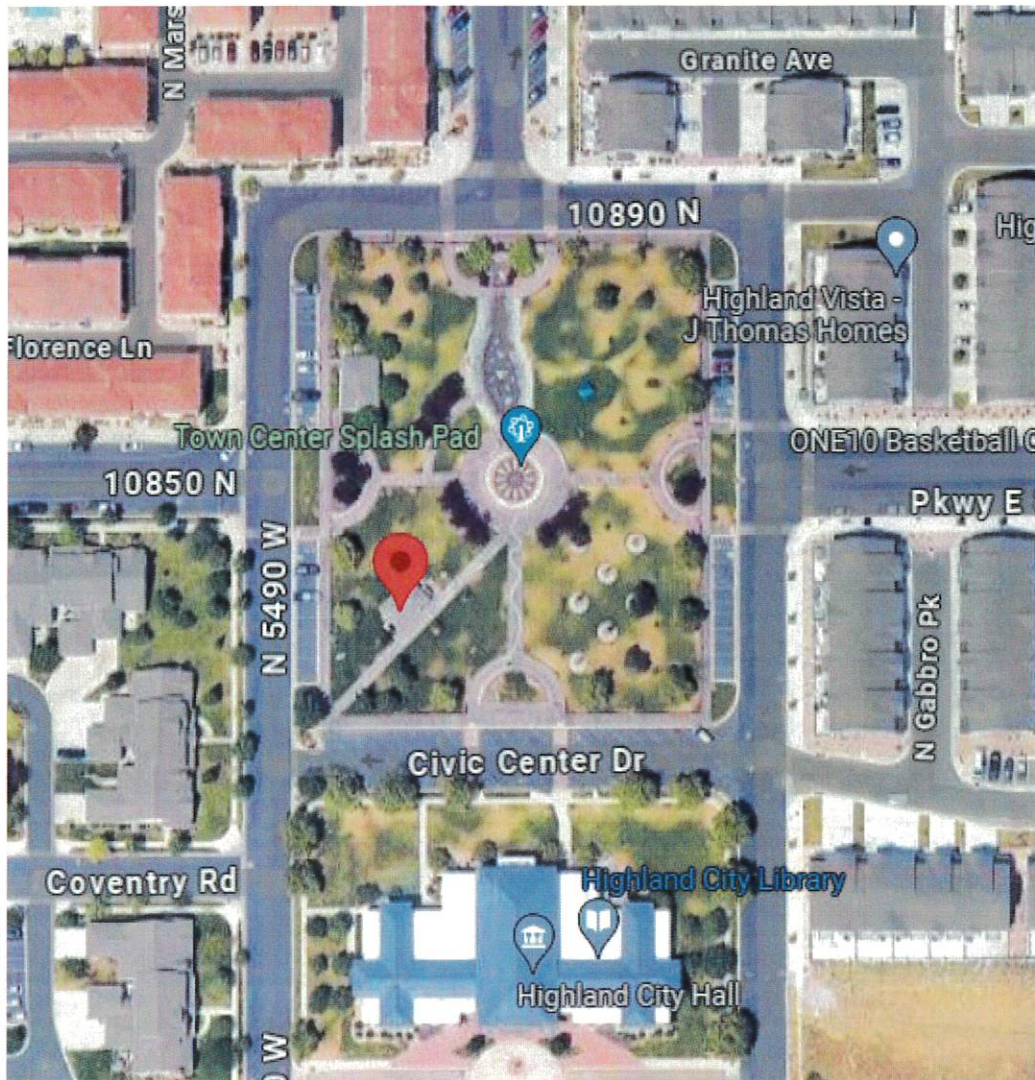


TOWN CENTER SPLASH PAD

10800 North 5400 West

Community Park per General Plan

Pavilion	No
Playground	No
Seasonal Restrooms	Yes
Baseball Field	No
Soccer Field	No
Other Amenities	None

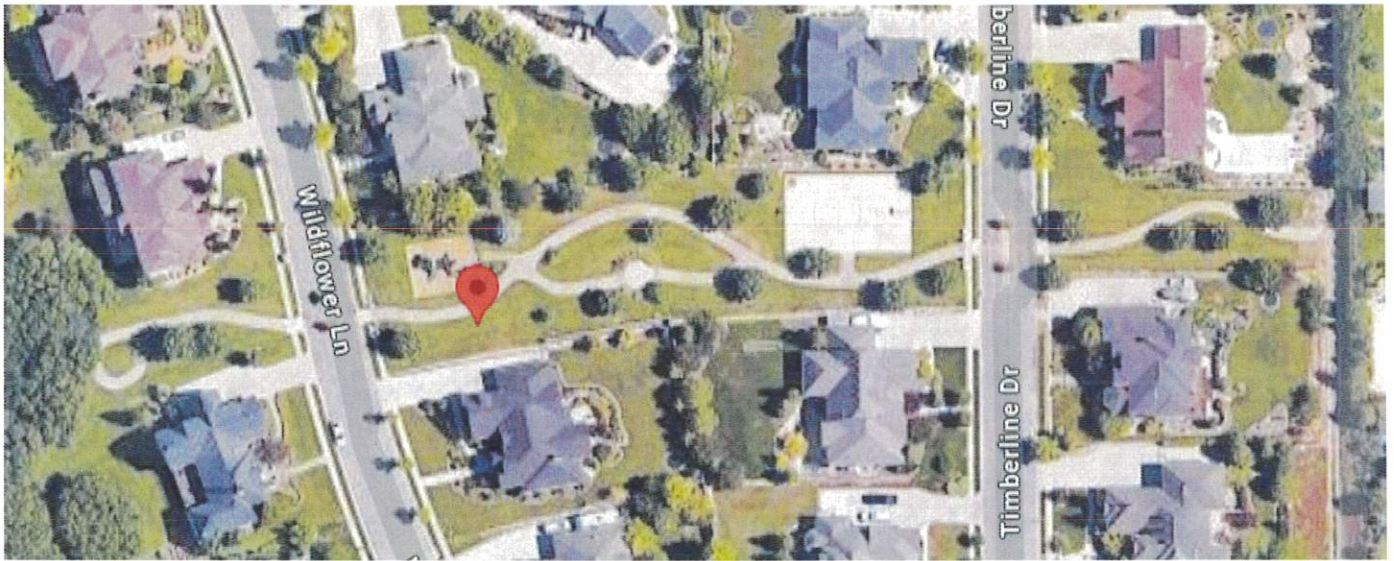


TWIN BRIDGES

12440 Wildflower Lane

Pavilion	Playground	Seasonal Restrooms	Baseball Field	Soccer Field	Other amenities
No	Yes	No	No	No	Walking trail and basketball courts

****Not identified by General Plan****



4040 N View Pointe Drive****Not identified by General Plan****

Pavilion	Playground	Seasonal Restrooms	Baseball Field	Soccer Field	Other amenities
No	Yes	No	No	No	Walking trail and basketball courts

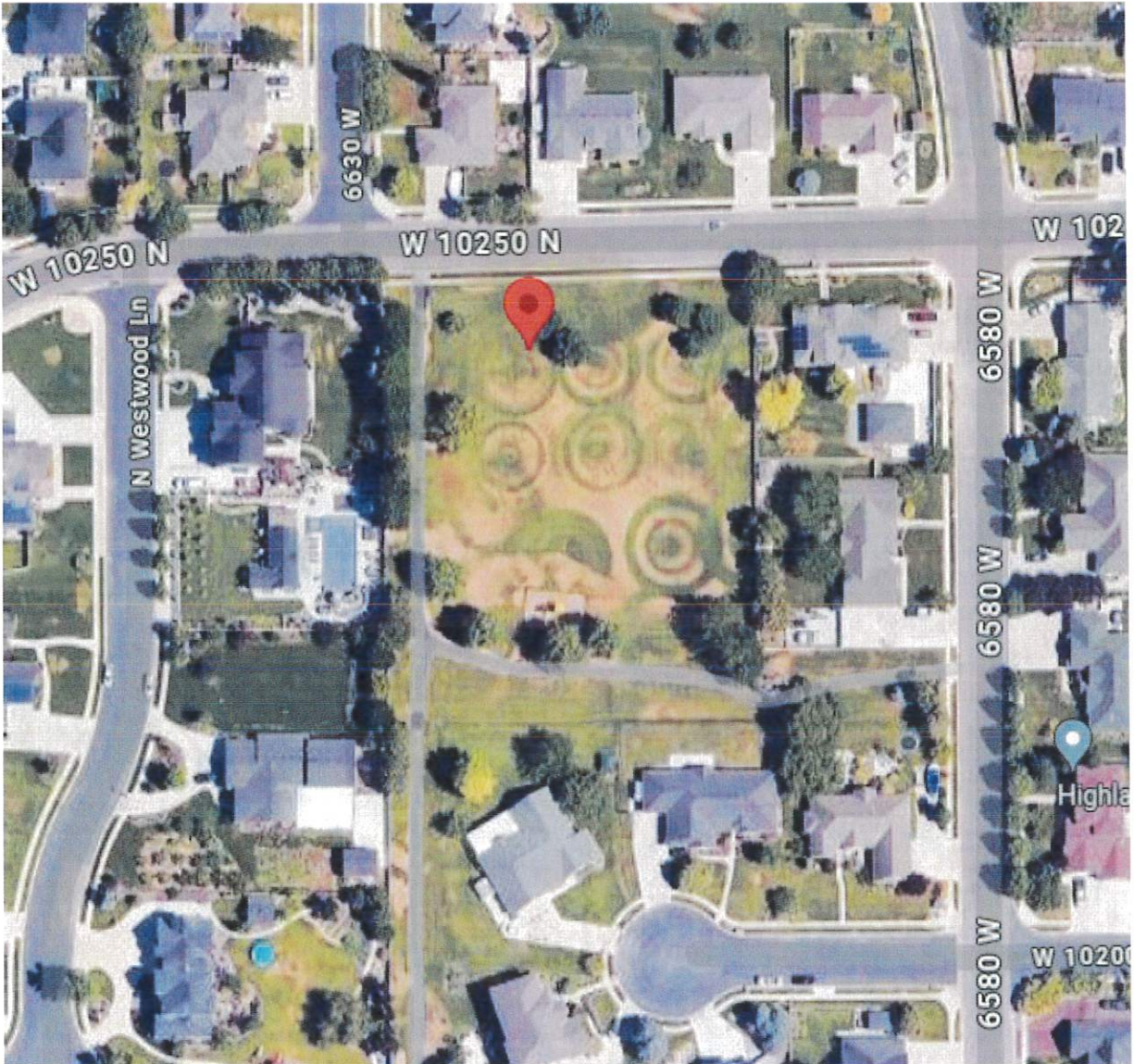


WIMBLETON NORTH

6615 West 10250 North

****Mini Park per General Plan****

Pavilion	Playground	Seasonal Restrooms	Baseball Field	Soccer Field	Other amenities
No	Yes	No	No	No	Walking trail

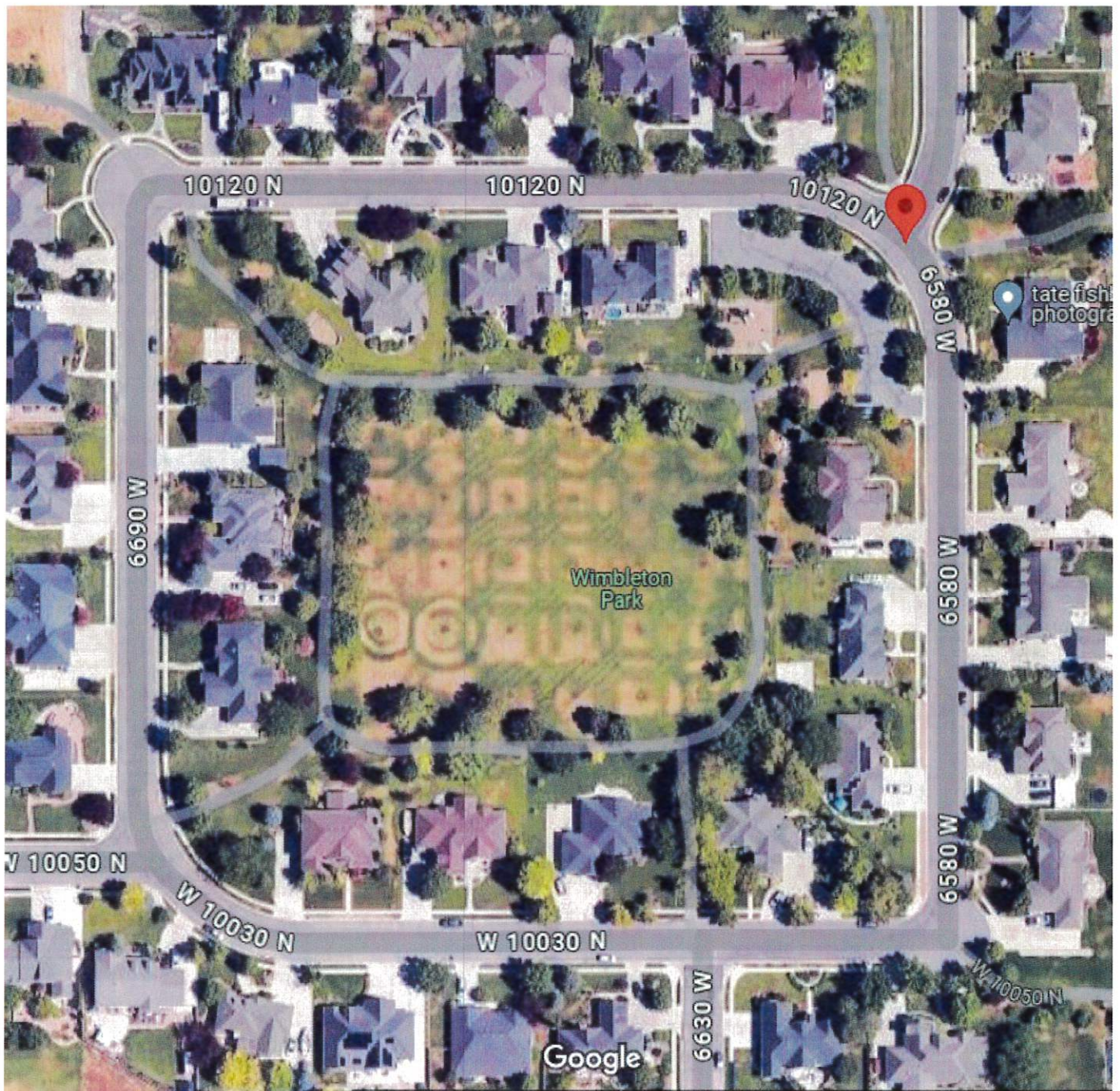


WIMBLETON SOUTH

10120 North 6580 West

****Mini Park per General Plan****

Pavilion	Playground	Seasonal Restrooms	Baseball Field	Soccer Field	Other amenities
No	Yes	No	No	No	Walking trail, sand box, and parking lot

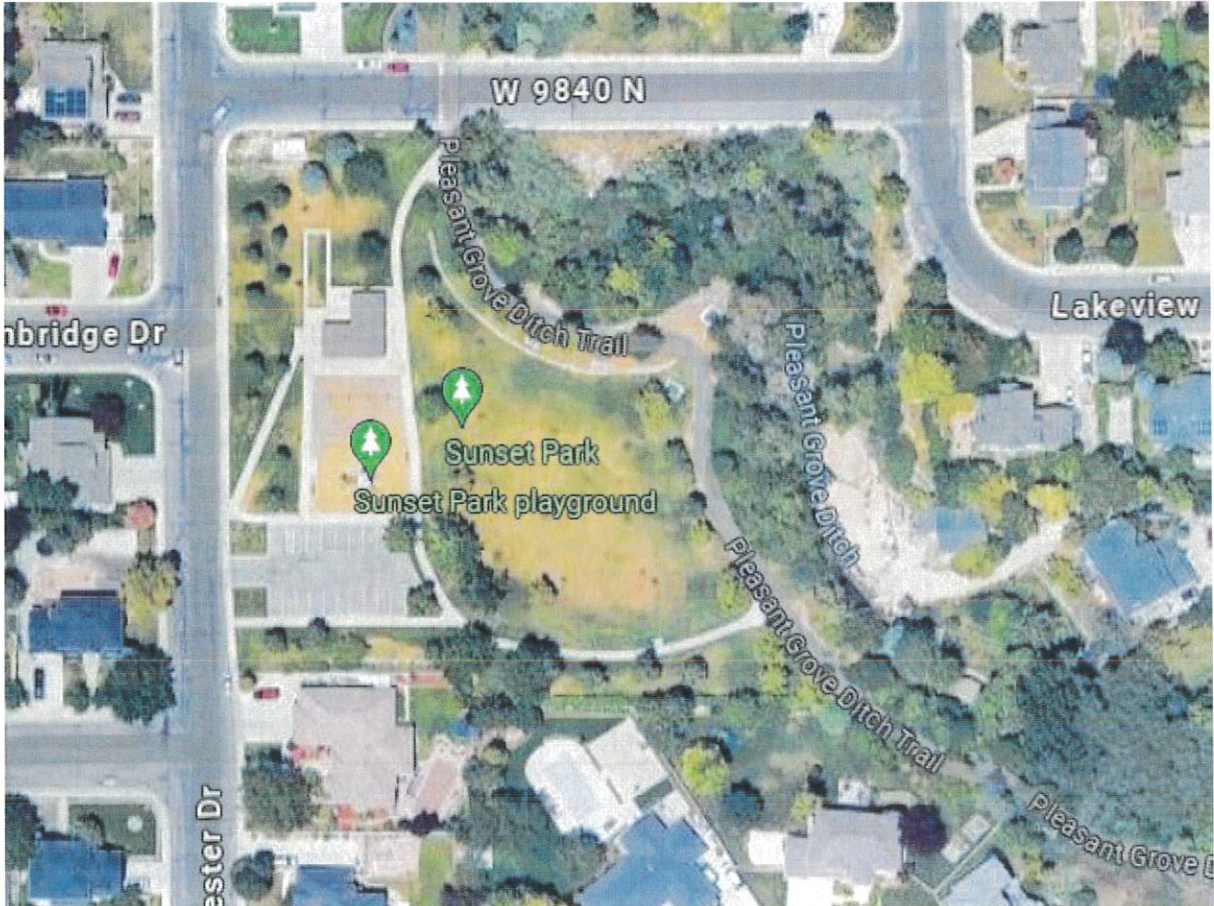


WILD ROSE

10340 North 4370 West

Not identified in General Plan

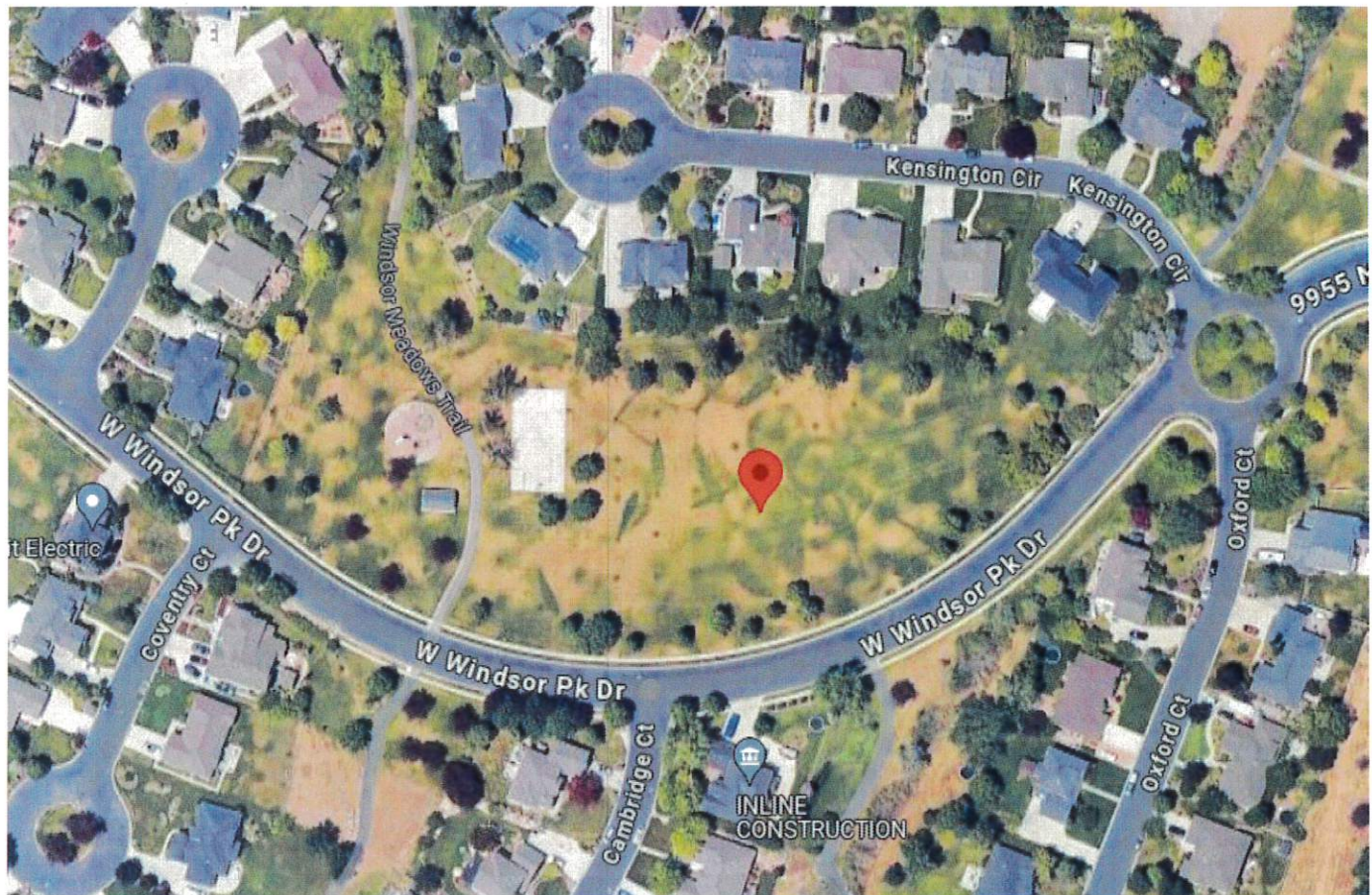
Pavilion	Playground	Seasonal Restroom	Baseball Field	Soccer Field	Other amenities
No	No	No	No	No	Walking trail



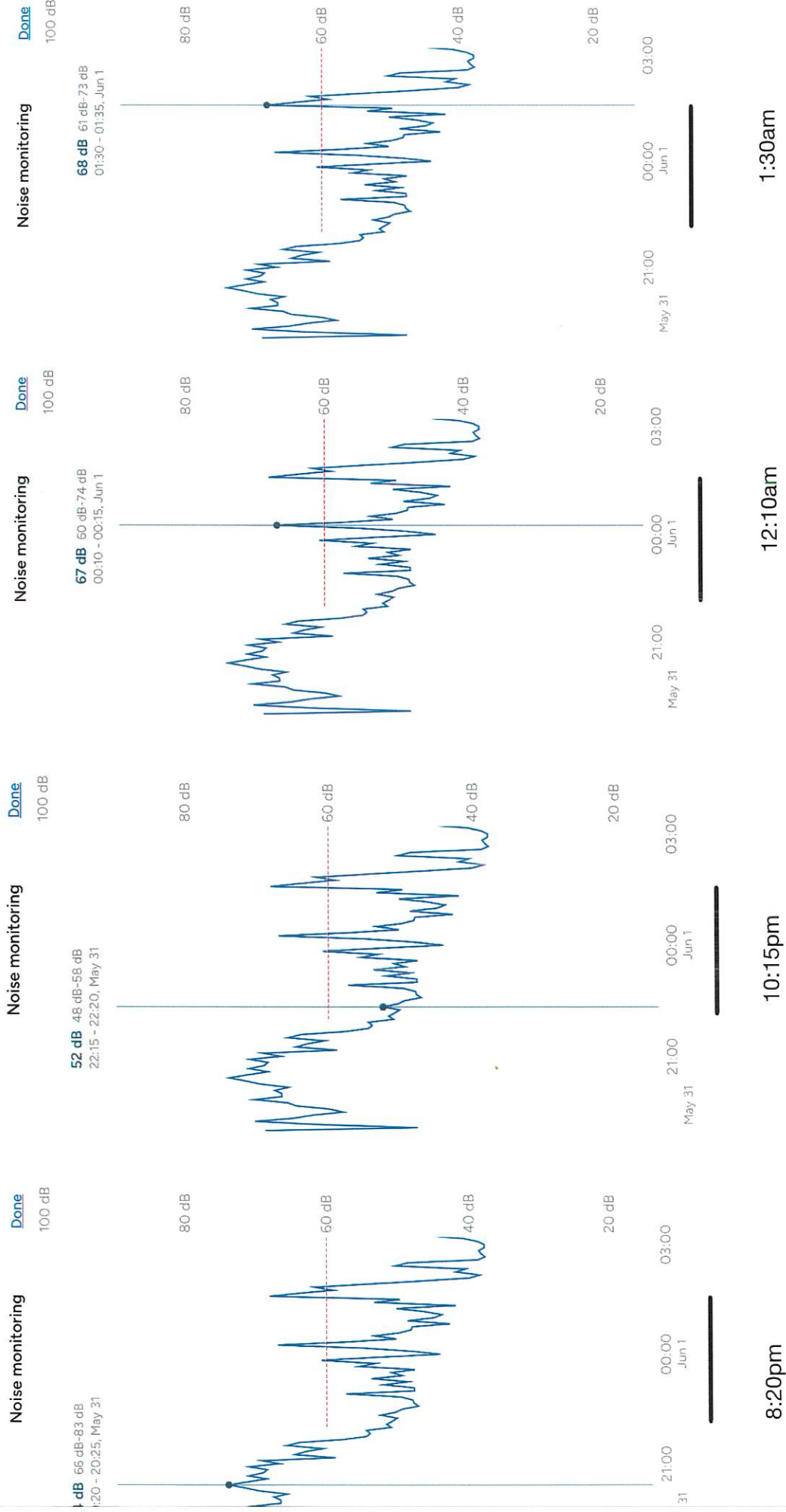
5600 West 9970 North

****Windsor - Neighborhood Park per General Plan****

Pavilion	Playground	Seasonal Restrooms	Baseball Field	Soccer Field	Other amenities
Non-reservable	Yes	No	No	No	Walking trails and basketball court

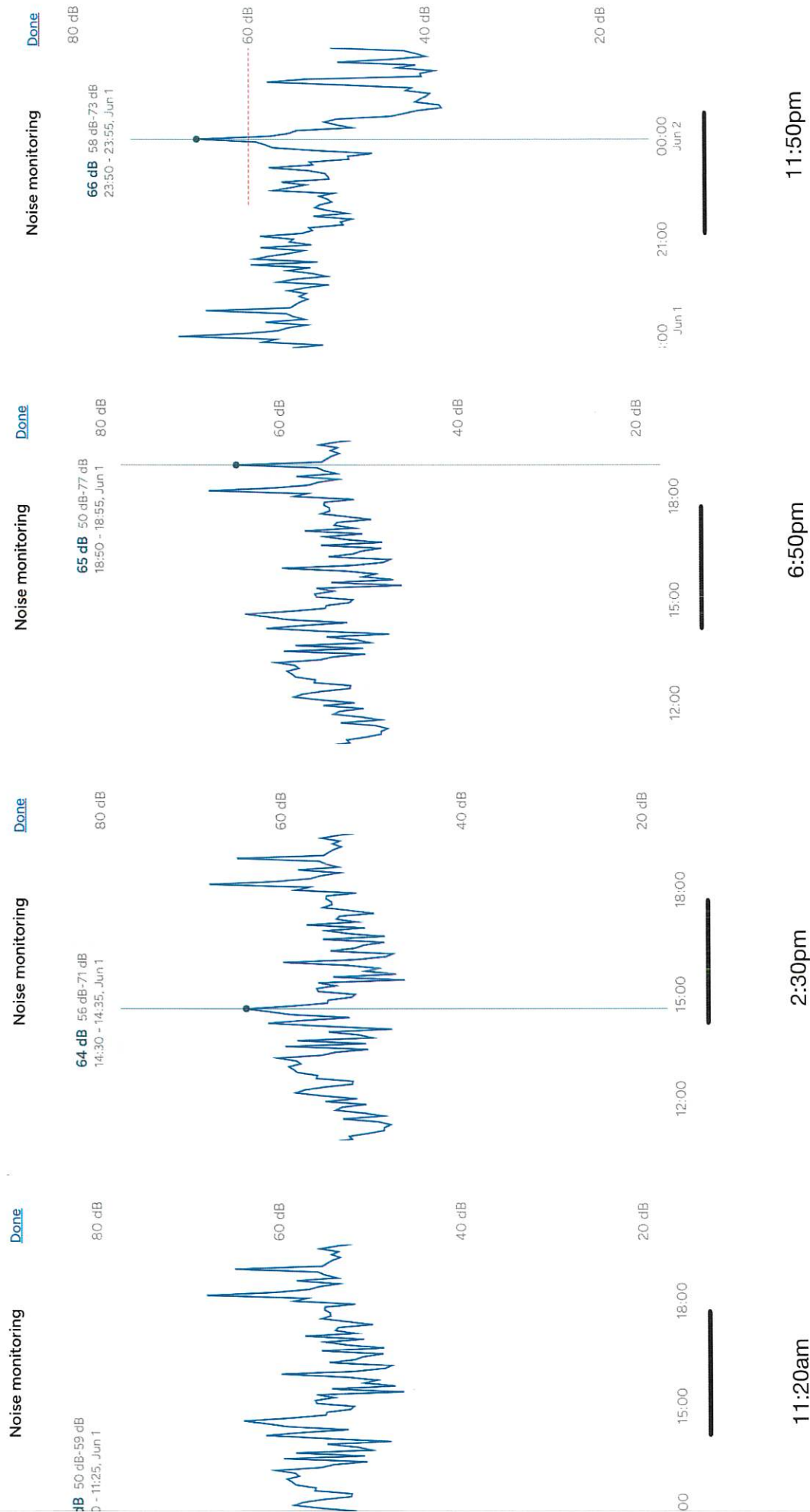


Friday, May 31st



The dark line is the average sound for the 5 min period. The lighter line is the high and low dB measured within the time period.

Saturday, June 1



The dark line is the average sound for the 5 min period. The lighter line is the high and low dB measured within the time period.

A POSITION REQUESTING THE PAUSE OF IMPLEMENTATION OF FURTHER AMENITIES IN MOUNTAIN RIDGE PARK DUE TO RESIDENT CONCERNS

WHEREAS, Highland City is "envisioned to be a place of enduring character that is integrated with its rural open spaces and natural surroundings, where opportunities for enjoying the outdoors are abundant and supported"; (Highland City General Plan (the "General Plan"), Vis. Stmt.);

WHEREAS, Mountain Ridge Park (the "Park") is designated as a "Community" Park (Highland City Council Work Session Minutes, February 8, 2022, "Park/Open Space Funding Survey, General Plan Classification.") and includes the popular Adams All-Abilities Playground, which attracts visitors from outside the community and potentially increases traffic and usage levels;

WHEREAS, the Park is categorized as an "Athletic Complex" in the General Plan, and Park policies specify that such complexes should not be largely surrounded by homes, yet the Park is surrounded by homes (Highland City Council Minutes, Feb 15, 2022, Council PPT Slide 47 & 49);

WHEREAS, Highland City is working with Landmark Design on a new General Plan, which "addressed the importance of reopening the General Plan process with community involvement" (Highland Planning Commission Agenda, May 28, 2024, Item 4a.), to ensure the Park aligns with the City's long-term goals and priorities;

WHEREAS, Highland City Council follows a pattern of "conscious decision making" and "the interface between residential neighborhoods, open space, roads, and other features is of particular importance, and should be given special scrutiny as the City continues to evolve" (General Plan, Vis. Stmt) and encourages "Open Space – do it right. It is very desirable." (General Plan, App. A, p. A-X);

WHEREAS, residents near the Adams All-Abilities Playground in the Park have already raised significant concerns about the impact of the Park on their quality of life, privacy, and quiet enjoyment of their properties. These concerns include current and potential noise levels, as well as issues related to traffic congestion, Parking, safety, and environmental effects (Highland City Council Minutes, Apr 16, 2024, Item 1.);

WHEREAS, the City Council has not yet undertaken comprehensive studies and only conducted limited public meetings to gather resident feedback since the installation of Phase One of the Park, highlighting the need for additional measures to mitigate the unforeseen negative impacts of Park amenities;

WHEREAS, the City responded positively to the request for a 10:00 pm curfew at the Park and has implemented measures such as policing and installing an LVT system for real-time monitoring at night (Highland City Council Minutes, Apr 16, 2024, Item 1.), helping to "foster a positive community spirit and a sense of neighborliness." (General Plan, Vis. Stmt);

WHEREAS, as the City now enters into finalizing the elements and budget requirements for Phase Two, there are areas needing investigation, consideration, and clarity to ensure success, reasonable ongoing costs, and a positive overall Mountain Ridge Park experience for Highland

residents moving forward. This includes a review of input and lessons learned from Phase One, which requires some time for Phase One to establish further.

NOW, THEREFORE, BE IT REQUESTED that Highland City Council proceeds as follows:

1. Pause and Further Phase Implementation:

- Implement a temporary pause and consider a phased approach to developing the Park and adding further amenities until the General Plan is finalized and all resident concerns are adequately addressed.

2. Revitalization of the Park/Trail Committee:

- Re-establish a working group comprised of stakeholders from various interest groups, including but not limited to the City Council, Planning Commission, City staff, residents, Police Department, Fling Committee, Youth City Council, broader neighborhood, etc, to thoroughly discuss all aspects of the Park.

3. Comprehensive Review:

- A comprehensive review of the existing amenities and their impacts will be conducted, including updated traffic, noise, and environmental studies. This review will aim to understand the full scope of current and potential future impacts on the surrounding residential areas.

4. Community Engagement:

- The City Council will enhance community engagement efforts by holding additional public meetings and creating channels for continuous feedback from residents. This will ensure that any future developments in the Park are guided by community input and consensus.

5. Mitigation Measures:

- The City will continue to work with those citizens most impacted by the Park to find a compromise, considering all mitigation strategies that are available, i.e, trees, berms, and taller fences.
- There will be a mutual understanding that both Highland City and the residents have the best interest of Highland in mind,

6. Transparent Communication:

- The City Council commits to transparent communication with the residents regarding the findings of the comprehensive review and the steps taken to address their concerns. Regular updates will be provided through various communication channels.

7. Reevaluation and Decision-Making:

- Upon completion of the comprehensive review and implementation of mitigation measures, the City Council will reevaluate the decision to proceed with further amenities in Mountain Ridge Park. This reevaluation will be based on the findings of the studies and the feedback received from the community.

BE IT FURTHER RESOLVED, that the Highland City Council will continue to prioritize the well-being of its residents and ensure that Mountain Ridge Park remains a valuable and cherished asset for the community without compromising the quality of life of those living nearby.

4th June 2024

SUPPORT FOR RESOLUTION:

A POSITION REQUESTING THE PAUSE OF IMPLEMENTATION OF FURTHER AMENITIES IN MOUNTAIN RIDGE PARK DUE TO RESIDENT CONCERNS

City Council of Highland, Utah

We, the undersigned residents of Highland, Utah, support Resolution No. [Insert Resolution Number], which addresses the allocation and use of city funds, the need for greater community involvement and oversight in park developments, and the alignment of future investments with the city's General Plan.

Resolution Summary:

- Ensure transparent communication of long-term plans and financial consequences to residents.
- Reconsider the placement and execution of the Ninja Warrior Park.
- Clarify the purpose and budget for the proposed permanent stage.
- Advocate for a formal park committee with resident and police representation.

SUPPORT FOR RESOLUTION:

Signature Sheet:

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