



**HIGHLAND CITY**

# **HIGHLAND CITY COUNCIL AGENDA**

**TUESDAY, JUNE 3, 2025**

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

## **VIRTUAL PARTICIPATION**



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



Email comments prior to meeting: [council@highlandcity.org](mailto:council@highlandcity.org)

## **6:00 PM REGULAR SESSION**

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Doug Cortney

Pledge of Allegiance: Council Member Scott L. Smith

### **1. UNSCHEDULED PUBLIC APPEARANCES**

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

### **2. PRESENTATIONS**

#### **a. Historical Society & Arts Council**

Claudia Sudweeks from the Historical Society and Shauna Larsen from the Arts Council will present to the City Council an update on their organizations as well as discuss potential future opportunities.

### **3. 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*

April 29, 2025

### **4. ACTION ITEMS**

#### **a. PUBLIC HEARING: Opal and Sage New Use Request *Land Use (Administrative)***

*Rob Patterson, City Attorney/Planning & Zoning Administrator*

The City Council will consider a request from Bailee Goettig to authorize salon services as a new/modified use within the Residential Professional zone.

#### **b. PUBLIC HEARING/ORDINANCE: General Plan - Transportation Element Amendments *General Plan Amendment (Legislative)***

*Rob Patterson, City Attorney/Planning & Zoning Administrator*

The City Council will consider the adoption of two amendments to the transportation element of the City's current general plan.

#### **c. ORDINANCE: SWPPP Violation Code Update *Municipal Code Update (Legislative)***

*Chris Trusty, City Engineer/Public Works Director*

The City Council will consider approving updates to the Highland Municipal Code Storm Water

Management Discharge and Control, Chapter 13.18.100 Penalties to allow the city to impose administrative fines for violations of the Storm Water Pollution Prevention Plan.

## 5. EXPEDITED ITEMS

Items in this section are to be acted upon by City Council. These items have been brought before Council previously. The report and presentation may be abbreviated.

- a. **Code Amendment - Parking of Trailers on City Streets** *Municipal Code Update (Legislative)*  
*Rob Patterson, City Attorney/Planning & Zoning Administrator*  
The Council will consider an amendment to the municipal code to clarify public street parking regulations for trailers, RVs, boats, and similar vehicles and attachments.
- b. **Timpanogos Library Consortium Memorandum of Understanding** *General City Management*  
*Rob Patterson, City Attorney/Planning & Zoning Administrator, Donna Cardon, Library Director*  
The Council will consider approving a memorandum of understanding with Pleasant Grove and American Fork to govern the joint and cooperative activities of the cities' libraries known as the Timpanogos Library Consortium.
- c. **Purchase of ABI Force Laser Leveler for Ball-field Maintenance** *General City Management*  
*Chris Trusty, City Engineer/Public Works Director*  
The City Council will consider the approval of a purchase of park equipment ABI Forcer laser leveler to be used to maintain the City baseball fields.

## 6. DISCUSSION ITEMS

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

- a. **East-West Collector Road Data Followup** *General City Management*  
*Chris Trusty, City Engineer/Public Works Director*  
Council will review the traffic count and speed data collected on the City's east-west collector roads over the past few months and discuss enacting guidelines for setting speed limits on City collector roads.

## 7. COMMUNICATION ITEMS

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

- a. **Water Conservation** *Doug Cortney, Council Member, Erin Wells, City Administrator*
- b. **Final Updates and Direction on the FY2026 Budget** *David Mortensen, Finance Director*
- c. **Community Development Updates - [Current Projects List](#)** *Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*
- d. **School District Updates** *Kurt Ostler, Mayor*

## 8. WORK SESSION

- a. **Culinary Water Fund Study**  
Update on the Culinary Water Fund Study presented by Fred Philpot with LRB Public Finance Advisors.

## 9. CLOSED MEETING

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

**ADJOURNMENT**

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

**ELECTRONIC PARTICIPATION**

Members of the City Council may participate electronically during this meeting.

**CERTIFICATE OF POSTING**

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

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

Posted and dated this agenda on the 29th day of May, 2025 Stephannie Cottle, CMC |UCC, City Recorder

<p><b>THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.</b></p>
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# HIGHLAND CITY COUNCIL MINUTES

Tuesday, April 29, 2025

Waiting Formal Approval

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

## 6:00 PM WORK SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Ron Campbell

Pledge of Allegiance: Council Member Kim Rodela

The meeting was called to order by Mayor Kurt Ostler as a work session at 6:03 pm. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting. The prayer was offered by Council Member Ron Campbell 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 ( <i>electronically</i> )
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, Deputy City Recorder Heather White, Finance Director David Mortensen, City Engineer/Public Works Director Chris Trusty, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Library Director Donna Cardon

OTHERS PRESENT: Jon Hart, Wesley Warren

## 1. PRESENTATIONS

- a. **Highland City FY 2025-2026 Budget** *David Mortensen, Finance Director, Erin Wells, City Administrator*

The City Council will discuss the FY2025-2026 Highland City budget.

City Administrator Wells used the aid of a PowerPoint presentation to facilitate the Mayor and Council's review of the proposed Fiscal Year (FY) 2025-2026 budget; tonight's agenda includes a review of changes from the March 18 version of the draft budget, a request for Council direction on specific budget items, and a preview of potential changes to come in the budget document before it is presented to the Council during their first meeting in May for acceptance.



Changes to the Public Safety budgets include the following:

- Police
  - Reduced wage adjustment from 8% to 6%
  - Reduced dispatch costs
- Fire/EMS
  - Reduced wage adjustment from 8% to 6%
  - Removed 2 FT and 1 PT positions
- \$227,698 decrease in Highland's assessment from prior budget version.
- \$408,341 – increase in Highland's total assessment from FY25 budget.

Ms. Wells noted the Lone Peak Public Safety District (LPPSD) Board will meet in a work session May 13 to continue their budget review, with final action on the budget scheduled for their May 14 Board meeting. Mayor Ostler stated that the Board felt it appropriate to hold a work session to continue their discussion of appropriate staffing levels and response times/level of service in advance of adopting the final budget. All elected officials from Alpine and Highland cities are encouraged to attend the work session to hear the Board's discussion. This led to high-level discussion among the Council regarding what constitutes a full-time equivalent (FTE) employee for the Fire Department based upon the fact that the Fire Department operates 24 hours per day, 365 days per year.

Ms. Wells continued her presentation, revisiting the LPPSD assessment increase of \$408,341 for Highland City; revenue options for covering the assessment increase include:

- Maintain 75% of taxes used to pay assessment
  - Public Safety Fee Increase
    - From \$15.25 per month to \$19.35 per month (27% increase)
    - Political questions from state legislature
  - Property Tax Increase (estimate)
    - 24% rate increase
    - \$77.35 per year increase on a \$846,900\* home

\*Median home price data from US Census Bureau QuickFacts.

Council Member Smith stated he feels it would be most appropriate to fund the increased assessment amount via a Public Safety fee increase rather than property taxes. Council Member Campbell agreed and noted there is not an appetite for a tax increase at this time. Council Member Rodela stated that she is not a fan of the Public Safety fee, and she believes the fee will eventually be prohibited by the State Legislature; she would prefer to plan for that time and consider appropriate tax increases to cover the public safety needs of the City. She added that fees are essentially a 'flat tax', but everyone is paying the same rate rather than the amount they pay being based upon their property valuation. Council Member Smith stated he understands that argument but would prefer to consider a tax increase for public safety if, and when, the Legislature adopts legislation that prevents cities from charging public safety fees. The Mayor and Council debated the two different arguments regarding the appropriate way to fund the increased assessment for public safety; they also discussed the impact of absorbing the increased assessment to the General Fund reserve versus raising taxes or the public safety fee; they ultimately concluded to delay a final decision on the matter until the LPPSD has adopted a final budget.

Finance Director Mortensen then noted other changes that have been made to the budget since the Council's review of the March 18 version include; Throughout this portion of the presentation, Council Members engaged in discussion with Mr. Mortensen regarding the specifics of each of the budget adjustments:

- State Liquor Fund Allotment – Increase of \$1,000
- Interest Earnings – Citywide increase of \$165,574
  - Used estimated average fund balance at 3.5% interest rate
- Alpine Reimbursement for Court – Increase of \$42,740
  - Corrected budget formula for how court costs are billed
  - Corresponding increase in cost to Highland for prosecutor of \$40,000

- Garbage Collection Fees – Further discussion later in presentation
- Library – Transfer from General Fund to balance - \$10,816
  - Increase to Director wage - \$7,025
- Parks Capital Improvement – Added \$2,202,050 MAG grant
  - For Mitchell Hollow Trail project – \$2,202,050 expense increase
- Roads Capital Improvement – Added \$5,400,000 MAG grant and \$140,000 Alpine contribution
  - For 4800 W widening - \$5,750,000 expense increase
- Roads Capital Improvement – Use of \$300,000 impact fees for 11200 N connection project
- Added Parks seasonal employee hours for Bike Park maintenance – Increase of \$9,000
- Adjustment to medical, dental, and workers compensation insurance rates – Citywide increase of \$6,384
- Added work order/asset management software – Citywide increase of \$110,000
- Removed Chamber of Commerce from Council budget – decrease of \$3,500
- Removed Splash Pad cameras from Parks Capital Improvement Fund budget – Decrease of \$75,000
- Reworked how depreciation and savings for future capital asset replacements are budgeted
- Portion of savings line item reprogrammed to pay for current year projects which resulted in a reduced or eliminated use of prior year fund balance for those funds.

Assistant City Administrator/Community Development Director Jay Baughman then reviewed the items for which Administration needs further direction from the Mayor and Council; first was garbage rates and he noted staff has projected increases in the garbage contract expenditures. Factors affecting the rates are the North Pointe increase of five percent, a Waste Management increase of five percent, and the possibility that North Pointe could increase the tonnage rate by \$1.50 per ton. He presented options that are available to the Council based on the assumption that each household has one garbage can, one additional garbage can, and one recycling can:

- Option 1:
  - Status quo:
    - 0% increase in rates
    - -\$195,013 total annual net revenue
- Option 2:
  - Charge enough to break even:
    - \$1,374 total annual net revenue
    - \$4.38 per month increase
      - First garbage can - \$0.87
      - Second garbage can - \$1.99
      - Recycling can - \$1.52
- Option 3:
  - Break even, with \$1.50/ton North Pointe increase:
    - \$1,337 total annual net revenue
    - \$5.06 per month increase
      - First garbage can - \$1.21
      - Second garbage can - \$2.35
      - Recycling can - \$1.55
  - If the increase is not passed on from North Pointe,
  - Total Annual Net Revenue of \$34,084

The Council debated the merits of each of the options available to them; the Mayor and Council communicated they are leaning towards option three but stressed the need to educate the residents regarding the factors that are influencing rate increases.

Ms. Wells then stated the next item for which Administration needs direction relates to staff wages; a three percent inflationary increase has been budgeted for, with an additional 0.14% needed for market adjustments. These numbers are being double-checked by Finance staff and a comparison with neighboring cities is being conducted.

This led to high level philosophical discussion among the Mayor, Council and staff regarding the total compensation package offered to employees, which includes hard and soft benefits; they concluded they want to continue their review and discussion of the employee compensation budget implications in future meetings.

Additionally, Administration needs direction on use of General Fund net revenue; there is a proposal to use \$80,000 of fund balance for the Alpine Highway Fence. There is \$296,451 of surplus (net revenue) in the General Fund budget. General Fund net revenue options available to the Council include:

1. Build Back up Fund Balance towards 35% Limit
  - Approximately \$3.81 Million in Reserves
  - Estimated to be 28.3% of total revenues
2. 10400 North 6000 West Intersection Improvement Phase 1
  - ~\$250,000
  - Would decrease fund balance to \$3.56 million or 26.4% of total revenues

Ms. Wells presented renderings of improvements to the 10400 North 6000 West Intersection, which includes installation of approximately 350 linear feet of curb and gutter, placing asphalt along the curb, and installing milled asphalt tailings for a pedestrian surface. The Council discussed available grant programs that may award funding for this type of project and whether making the area ‘shovel ready’ will make a grant application more attractive. They concluded to spend the \$250,000 on the proposed intersection improvements in order to improve a grant application for completion of the project.

Mr. Mortensen then discussed potential changes still to come to the budget, including water rate adjustments based upon a study that is currently underway. Additionally, a cemetery fund study is also underway and will impact the Veteran’s area project. He concluded the presentation by providing the budget calendar for the month of May.

Council Member Smith noted that other utility, impact, and user fees have already been increased, and he asked if those increases are reflected in the budget. Mr. Mortensen answered yes. Council Member Smith stated that he would like to have a complete understanding of the total impact of all fee increases for each household in the City. Ms. Wells stated that a sewer utility fee adjustment occurred in January, and Administration anticipates the final version of the budget will include a water rate increase in addition to the garbage rate increase that was presented tonight.

In conclusion, the Mayor summarized outstanding budget issues that will be discussed further by the Council and staff in the coming weeks.

*The meeting adjourned at 7:50 pm.*

I, Stephanie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 29, 2025. This document constitutes the official minutes for the Highland City Council Meeting.

Stephanie Cottle, CMC, UCC  
City Recorder



# CITY COUNCIL AGENDA REPORT

## ITEM #4a

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**DATE:** June 3, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Rob Patterson, City Attorney/Planning & Zoning Administrator  
**SUBJECT:** Opal and Sage New Use Request  
**TYPE:** Land Use (Administrative)

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### **PURPOSE:**

The City Council will consider a request from Bailee Goettig to authorize salon services as a new/modified use within the Residential Professional zone.

### **STAFF RECOMMENDATION:**

Staff recommends that the City Council hold a public hearing and APPROVE the request.

### **PRIOR COUNCIL DIRECTION:**

On May 2, 2023, the City Council considered a request to allow the Bliss Beauty Lounge within the dentist's office at 11020 N 5500 W (across from Wendy's and west of Quick Quack Car Wash). The Bliss Beauty Lounge request asked to operate an esthetician practice (facials) with salon type services (hair styling and makeup) that did not include hair cutting or coloring. Bliss Beauty Lounge planned to have seven hair styling stations. The Council unanimously voted to approve the use.

### **BACKGROUND:**

Ms. Goettig desires to operate a salon called Opal and Sage in the same space that Bliss Beauty Lounge previously occupied. Opal and Sage would provide head spa services, scalp and hair analysis, and all hair services including dyeing, extensions, cutting, bleaching, and possibly relaxing/perm services. This is similar to what is already operating in this location, except Bliss Beauty Lounge did not ask to provide hair cutting/coloring services. Because hair cutting/coloring was not previously approved within the scope of uses for Bliss Beauty Lounge, staff did not believe that the proposed salon services aligned with the previous approval. Accordingly, Ms. Goettig filed an application asking for all salon services to be an approved use for the RP zone. If the use is approved, a new conditional use permit would not be required, because the new salon would be simply a tenant improvement (interior modification) to the building that would not modify the exterior shell or require adjusting accesses, parking areas, or other features of the site.

Under the City's newly adopted process for classifying and approving new business uses (HDC 3-101), the City Council can approve a new business use for a zone after holding a public hearing. The applicant is only seeking for this use to be approved for the RP Residential Professional Zone. The city's zoning regulations for this zone can be [found here](#). The criteria the Council uses to determine whether to approve this use are discussed below:

1. Compatibility of the proposed business use with the plain language of zoning regulations related to existing land uses, including restrictions or limitations on existing uses and relevant definitions;

The plain language of the RP zone provides, "The only uses allowed within the R-P zone shall be Conditional Uses which satisfy the primary intent or purpose for the Zone." Expressly authorized uses include medical care facilities, doctor, dentist, psychologist, psychiatrist, or nurse, physical therapist, and other stores or services that are compatible with the intent of the zone. The plain language of the zone does not directly support or prohibit this use.

2. Compatibility of the proposed business use with the intent and purpose of the potential zones;

The intent and purpose of the RP zone is: "The Purpose and intent of this Zone is to provide for various professional office, private education, and related uses which do not deal in merchandising, retailing, warehousing or manufacturing. Further, it is the intent of this zone to protect and buffer residential neighborhoods from retail commercial encroachment and influence. Uses should serve as a transition between residential zones and other more intensive uses or zones."

The proposed salon use would involve some retail sales of hair products, but that would be a minor and accessory use to the primary use of salon and head spa services. The Bliss Beauty Lounge, previously approved by the Council, also involves minor sales of hair/skincare products. Because the use is not focused on retail, the salon use could be compatible with the RP zone.

3. Compatibility of the proposed business use with the General Plan;

The general plan states that the policy of Highland City is to "encourage commercial development at designated sites in the City," and to implement this, the goal is to "ensure that the Town Center and Highland Marketplace are fully developed with a range of viable commercial uses." The general plan also states that commercial and office development should generally be limited to Highland Town Center and Highland Marketplace.

The proposed use appears to align with the general plan, because it retains commercial within the City's commercial center. Further, given the relatively quick change in tenant from Bliss Beauty Lounge to the new salon, it may be that the salon will be a more viable commercial enterprise by offering a slightly wider range of services to Highland residents.

4. Compatibility of the proposed business use with the uses of adjacent properties within potential zones;

The properties to the north and west of the site are residential properties. The property to the south and east are commercial properties (CR to the east, C-1 to the southeast, and Town Center to the south). A relatively small change in the scope of services offered at this location seems to align with at least all of the commercial areas, while the continued limitation of significant retail encourages those uses in the more higher-impact commercial zones and reduces the impact to adjacent residential uses.

5. The nature, scope, and impact of the proposed business use compared to existing or allowed uses;

The currently approved Bliss Beauty Lounge is already approved to do hair styling, facials, makeup, and similar esthetician services. The proposed Opal and Sage Salon would expand this by including hair cutting/coloring, which was not part of Bliss Beauty Lounge's request. The currently approved Bliss Beauty Lounge anticipated 7 hair styling stations with some additional space for spa-type services. The

proposed Opal and Sage Salon anticipates approximately 16 stations for employees serving 16 customers at a time. This is an increase from the currently permitted Bliss Beauty Lounge. The RP zone requires 4 parking stalls per 1,000 square feet of building, regardless of use. The building totals 9,961 square feet (5,220 main floor, 4741 second floor), which means the minimum parking requirement is 40 (21 main floor, 19 upper floor). There are currently 52 on-site parking spaces for this building. Assuming 32 spots are used for employees and customers for the proposed salon on the main floor, that leaves 20 spots for the upstairs use, which meets the RP zone parking requirements.

The nature of the newly proposed salon use is in line with what has been approved for this site. The scope and impact is slightly larger than the previously approved use but still is generally in line with the previously approved use and the RP zone requirements.

6. Whether the proposed business use is expressly permitted in another zone; and

The proposed salon use is largely permitted in the RP zone per the Council's prior decision regarding Bliss Beauty Lounge, with the exception of hair cutting/coloring. Barber, spa, and similar uses are expressly permitted in the adjacent C-1 and CR zones.

7. Whether the proposed business use or a similar or aligned use is expressly prohibited by applicable land use regulations.

The RP zone states that the allowable uses should not "deal in merchandising, retailing, warehousing, or manufacturing." Based on this, the Council could determine that any retail aspect of the proposed salon should be limited. However, given the nature of salons, it does not seem like retail will be a primary use of the site, so it does not appear to be a prohibited use.

Based on the factors described above, staff believes that the use, "Salon and spa services, including hair-cutting, coloring, and styling," should be approved as a new use for the RP zone.

**FISCAL IMPACT:**

No anticipated impact.

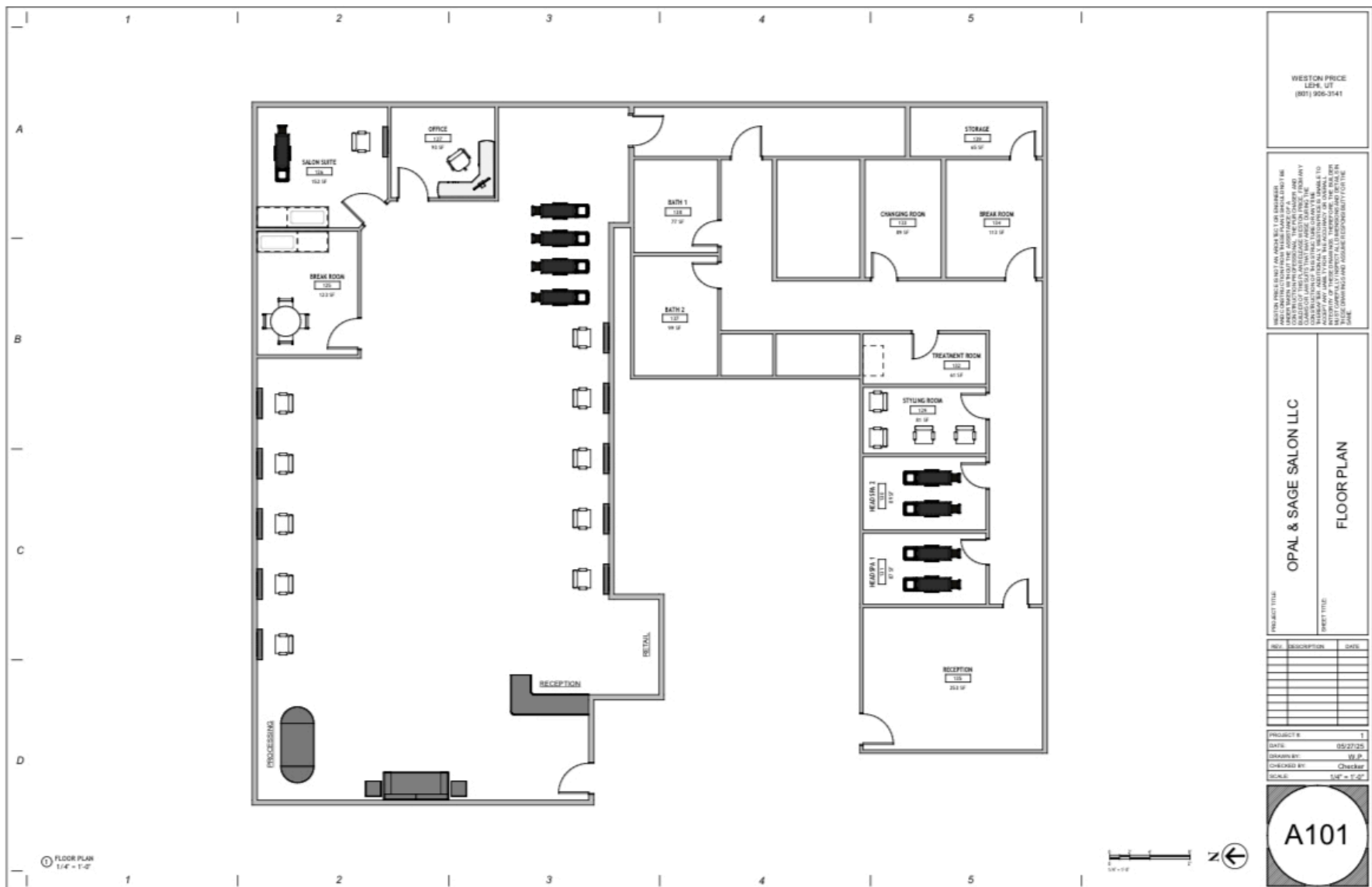
**MOTION:**

I move that City Council adopt the conclusions of staff as findings of fact and approve the use "Salon and spa services, including hair-cutting, coloring, and styling," as a new business use for the RP zone.

The Council may make alternative findings or specify conditions or limitations on this approval to restrict any undesired impacts from the proposed use. The Council may also continue this item and request additional information from the applicant or deny the application if the Council concludes the proposed use is not compatible with the RP zone under the criteria described herein.

**ATTACHMENTS:**

1. Opal and Sage Proposed Floor Plan
2. Minutes 05.02.2023 CC Mtg - Bliss Beauty



could easily record an easement between each home to provide for the eave overhang; once the lots are sold, he cannot record the easement. Council Member Peterson asked why the homes cannot be shifted to accommodate the eave overhang. Mr. Christensen stated that shifting the home would make it impossible to provide the 10-foot setback on one side, unless the City is more interested in reducing the side yard setback. He stated he feels that what he has recommended is a very reasonable solution to a very simple problem and he would like to move forward with the project.

Council Member Smith stated that he appreciates Mr. Christensen's frustration, and he believes the project will ultimately be very nice, but he is still concerned that some things were not done correctly with the assumption that the City would forgive those errors. He stated that as an elected official, he gets disturbed when people who do not get their way threaten to sue the City. Mr. Christensen stated that he is not threatening to sue, but he will proceed with an appeal that will ultimately be handled in court. He stated that he has six buyers waiting for their homes to be built, but the project has been shut down over this issue. The City approved a zero lot line development and he wants to proceed with what was approved. He understands the Council was disturbed by the information included in the staff memo and the City Attorney's opinion, but he could also send all of his attorney's opinions to balance that out. He reiterated that this is a simple solution to a simple problem; it is so meaningful to him because denial of this application will essentially shut down the development.

Mayor Ostler asked Mr. Christensen why he cannot remove the eaves on the side of the zero lot line. Mr. Christensen asked if the City would like him to build houses with no eaves. Mayor Ostler stated that one side of the home could have no eave. Mr. Christensen stated that will damage his ability to sell the homes; no one wants to see a home with eaves on just one side. Mayor Ostler stated that is a decision Mr. Christensen has the ability to make, or he can proceed with his appeal and the appeal authority can issue a ruling.

Mayor Ostler asked Mr. Patterson if this decision was administrative or legislative. Mr. Patterson stated the decision before the Council tonight was a legislative decision and is not 'appealable'. The decision that could be appealed would be the staff decision as to a major amendment.

## **5. ACTION: ZONING APPROVAL - BLISS BEAUTY LOUNGE, LLC** *Land Use (Administrative) - Kellie Smith, Planner & GIS Analyst*

The City Council will consider a request by Garon Larson to allow Bliss Beauty Lounge, LLC—a business offering facials, makeup, and hair styling services—as a permitted use in the Residential Professional Zone. The City Council will take appropriate action.

Planner & GIS Analyst Smith explained the applicant is requesting the Planning Commission and City Council allow for an esthetician practice that offers salon type services (hair styling and makeup) to be a permitted use in the Residential Professional Zone. Section 3-4501 of the Development Code outlines that the purpose and intent of this Zone is to provide for various professional office, private education, and related uses which do not deal in merchandising, retailing, warehousing or manufacturing. Further, it is the intent of this zone to protect and buffer residential neighborhoods from retail commercial encroachment and influence. Uses should serve as a transition between residential zones and other more intensive uses or zones. The purpose of this ordinance is to define a range of goods and services which may be offered by Residential-Professional entities within the community and to establish guidelines for the physical development of such Residential Professional entities. The proposed use is not a general retail use, which would be prohibited. Its medically related services does not violate any restriction of the zone and appears compatible with the other uses in the building.

The Planning Commission reviewed the request on April 25, 2023; they voted to recommend approval of the proposed use in the Residential Professional zone based on the findings presented by staff with the additional finding that it is compatible with the uses of adjacent properties. The proposed amendment meets the following findings:



1. It is compatible with the purpose and intent of the Residential Zone.
2. It is compatible with the uses of adjacent properties.
3. The use does not create any prohibited nuisances.

Ms. Smith concluded staff recommends the City Council review the allowed Residential Professional uses in the Development Code, accept the findings, and approve the proposed use in the Residential Professional Zone.

Mayor Ostler asked if haircutting/coloring will be performed at the business. Ms. Smith answered no; the applicant has indicated they will provide hair styling services and facial services.

Council Member Peterson inquired as to how many employees will work at the business and how many customers they will serve. The applicant, Garon Larson, indicated there will be seven hair styling stations, meaning that seven customers can be served at one time.

*Council Member Brittney P. Bills MOVED that the City Council APPROVE the proposed use in the Residential Professional Zone.*

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

*The vote was recorded as follows:*

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Sarah D. Petersen</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

*The motion passed 5:0.*

Council Member Brittney P. Bills requested a break in the meeting. The meeting recessed at 8:41 pm and reconvened at 8:53 pm.

## **6. ACTION: PRELIMINARY PLAT - WILLIAMS VIEW** *Land Use (Administrative)* *- Kellie Smith, Planner & GIS Analyst*

The City Council will hold a public meeting to consider a request by Chris Howden for preliminary plat approval of a 14-lot subdivision in the R-1-40 Zone located at approximately 11240 N 6000 W. The City Council will take appropriate action.

Mayor Ostler asked for clarification on the relationship between this application and the road width of 11200 North, or decisions on building that road. City Attorney Patterson stated that the decision on this application and the preliminary plat will not impact the Council's authority on determining the width of 11200 North or the timing of that project. Mayor Ostler stated that the City has been collecting impact fees for that project, but the timing of the project has not been finalized; the application before the Council tonight is for a subdivision, but the Council has received emails from the public specifically regarding the road.

Planner & GIS Analyst Smith summarized the request; the applicant is requesting preliminary plat approval of fourteen (14) single-family residential lots located at approximately 11240 North 6000 West. The lot sizes meet the requirements of the R-1-40 Zone by having only three (3) lots that are less than 30,000 square feet. Road and utility access to the site will be from 11200 North and 6000 West; however, it has been stipulated on the plat that lots 1 and 4-7 will not be permitted drive access from 6000 West. The sewer will connect to the existing 18-inch Timpanogos Special Service District (TSSD) sewer main in 6000 West. The applicant is working with TSSD to



# CITY COUNCIL AGENDA REPORT

## ITEM #4b

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**DATE:** June 3, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Rob Patterson, City Attorney/Planning & Zoning Administrator  
**SUBJECT:** General Plan - Transportation Element Amendments  
**TYPE:** General Plan Amendment (Legislative)

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### **PURPOSE:**

The City Council will consider the adoption of two amendments to the transportation element of the City's current general plan.

### **STAFF RECOMMENDATION:**

Staff recommends that the Council consider and ADOPT the proposed amendments.

### **PRIOR COUNCIL DIRECTION:**

On April 8, 2025, the Council held a joint workshop with the Planning Commission regarding the transportation element of the City's general plan. As part of that discussion, the Commission and Council discussed the various classifications of roads within Highland and discussed whether 11200 North, which is currently classified as a minor collector, should keep or change that classification. The informal direction staff understood from a majority of the Council and Commission present was that 11200 North should not serve as a minor collector and should instead be classified as a local road, and that the City should strive to complete the connection between the east and west portions of 11200 North.

### **BACKGROUND:**

A city's general plan is largely an informational document that helps guide future policy-making and zoning decisions. However, some portions of the general plan are more binding on a city. This includes descriptions and classifications of public roads. Utah Code 10-9a-406 provides, "After the legislative body has adopted a general plan, no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the current general plan." So with roads, the city cannot do a road project or approve a new development unless the planned roads meet the standards and requirements of the City's general plan.

Currently, the transportation element of the City's general plan includes a classification of certain roads within Highland as collectors and arterials. These are streets that are wider (66 ft to 106 ft) and are used to collect traffic from local roads and channel them to arterial streets for access through and out of Highland. The City restricts access to collectors and arterials, meaning the City limits whether residences can face and have driveways onto collectors and arterials and limits how many intersections there can be and how close those intersections can be to each other. Based on the information discussed during the transportation general plan workshop, national standards recommend collector streets every

1/2 mile and arterial streets every mile or so, to allow for efficient routing of vehicular traffic.

11200 North is currently classified as a two-lane minor collector, which means it should be improved and constructed as a 66-foot-wide right of way (44 feet of asphalt with 2 feet of curb, 4 feet of park strip, and 5 feet of sidewalk on each side). However, 11200 North has not been constructed to that standard for the vast majority of its length. And recently, when the Williams View subdivision was approved, the Council approved using a local road standard (56-foot-wide ROW) for the construction of 11200 N adjacent to the development rather than the 66-foot wide ROW standard.

Further, 11200 North is approximately 1/4 mile from Timpanogos Highway, which is closer than recommended by national standards for a collector road. In addition, there are not major destinations or connections to arterials on the north and south ends of 11200 North. In reviewing recently collected usage data for the City's east-west collectors, 11200 North has the lowest traffic volume, under 1,000 trips per day, which is in line with a residential street, not a collector. Further, it has the second-largest number of residential connections, 43.

Because of this, it appears that 11200 North has been treated more as a local street than a collector. It also does not appear that the City needs 11200 North to serve as a collector, due to the proximity to Timpanogos Highway and the relatively low usage. Accordingly, it would make sense to reclassify 11200 North from a residential collector to just a standard, local street. This would mean that any future development along 11200 North, and any road projects undertaken by the City, would only be required to improve 11200 North to the typical 56-foot ROW standard, rather than the 66-foot ROW standard, and new residential connections would be permitted to connect to 11200 North. This would also allow the City to have additional flexibility with traffic-calming measures on 11200 North as the City's traffic-calming toolbox discourages some measures on collector roads.

Relatedly, there is a portion of 11200 North that is incomplete, located at approximately 5700 West. On the east side of this gap, there is a cul-de-sac, and on the west side there is a 90-degree bend in the road with a slight knuckle. The City does own approximately 20 feet of property connecting these two points, which has been improved with a sidewalk for pedestrian access, but it has not been improved for vehicular access. Based on the informal direction from the Commission and Council during the general plan transportation element workshop, it appears the City would like to complete the connection of 11200 North for local and emergency access purposes along the City's currently owned property. The City does not plan on condemning or acquiring property to build the full 56-foot wide ROW in this area, which means that this connection would not be built to City standards for a local road, but would rather be built to meet minimum emergency access standards.

To facilitate this connection and to help address other situations where roads cannot practically be constructed according to City standards, staff is recommending that a provision be added to the City's general plan that allows the City to approve the construction of roads that do not meet the City's standards where there are significant obstacles to construction of the normal ROW, the street is necessary or beneficial to the City, and the alternative design for the road promotes access, circulation, and safety. This would give the City some limited flexibility in unique circumstances--such as the 11200 North connection--to approve road construction at a different standard when necessary. Other areas that this flexibility could be useful include areas with steep slopes where having sidewalk on both sides is undesired (View Pointe), where the City does not own all of the needed property, but desires to complete ROW improvements for the safety of residents (6000 W and 10400 N), and areas where ditches or topography restrict the ability to install typical sidewalk and parkstrip areas.

Approving these amendments does not authorize the connection of 11200 North, but does allow for

Council to consider approving the connection with an alternative design in the future. The Council retains full authority and discretion on the nature and scope of any connection along 11200 North.

### **PLANNING COMMISSION ACTION**

The Planning Commission held a public hearing on May 27, 2025, regarding these two proposed amendments. One written comment was received prior to that hearing (included with this report). Several residents who live along or near 11200 North and the gap area spoke at the hearing. The residents unanimously supported the first proposed amendment--reclassification of 11200 N as a local road--but also unanimously opposed making the connection between 11200 N and Andrew Drive (11200 N on the west side). Because of that, the residents generally opposed the second amendment, as that would formally grant some authority to the Council to authorize that connection.

After the public hearing, the Planning Commission discussed the two amendments, focusing on the second amendment regarding City flexibility in road standards. While the Commission generally recognized the advantages of allowing some flexibility regarding road design in limited circumstances, several were concerned with facilitating the 11200 N connection and whether the City should encourage connectivity and access in all circumstances.

The Commission made two motions. First, the Commission moved to approve the first amendment reclassifying 11200 N from a two-lane residential collector to a local street. That motion passed unanimously, 6-0. Then, the Commission moved to approve the second amendment adding language to the general plan authorizing the City to adjust right of way standards in limited circumstances. This motion failed, with a split 3-3 vote. Per Highland City code, votes by the Commission require at least 4 affirmative votes to pass. Because there were only 6 commissioners present, there was no way to break the tie. Accordingly, the Commission as a whole did not recommend the second amendment.

### **STAFF REVIEW**

Amendments to the general plan are legislative in nature, which means the Council has broad discretion on what is and is not part of the general plan. Based on the usage and history of 11200 North, staff is comfortable with reclassifying the street as a local road, rather than a collector. And staff would recommend adopting the language that allows the City to approve alternative standards for road construction when necessary, so as to allow the City greater flexibility to provide needed road connections, even if those connections cannot be constructed according to the City's typical right of way standards.

Notice of the Council's meeting and public hearing were posted. No additional written comments were received as of the writing of this report.

Staff accordingly recommends that the Council hold a public hearing and, after considering the proposed amendments and any comments or objections, ADOPT the amendments to the general plan.

### **FISCAL IMPACT:**

No anticipated impact. Any fiscal impact would be addressed as part of the Council considering approval of future roads projects.

### **MOTION:**

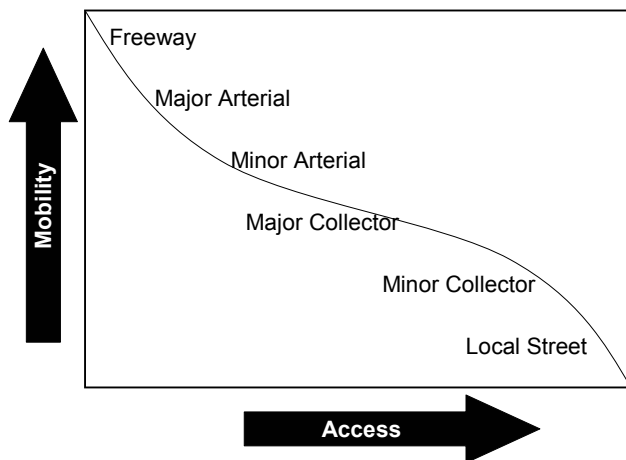
I move that City Council ADOPT the two proposed amendments to the transportation element of the City's general plan.

**ATTACHMENTS:**

1. GP Transportation Element - Current and Proposed Amendment
2. GP Transportation Element - Future Transportation Network with Proposed Amendment
3. East West Collector Data
4. 11200 North Gap
5. PC Comment - Bunnell Redacted

## Functional Classification System

Highland City roads are organized according to the functional classification system. Functional classification is the process by which public streets and highways are grouped into classes according to the character of service they are intended to provide - land access versus mobility. Generally, there are four broad functional categories: freeway, arterial, collector, and local roads. Freeways have limited access and are intended to move vehicles more quickly over longer distances. Arterials provide longer through-travel between major trip generators (larger cities, recreational areas, etc.). Collector roads collect traffic from the local roads and also connect smaller cities and towns with each other and to the arterials. Local roads provide access to private property or low volume public facilities. This concept is illustrated in Figure 3-8.



**Figure 3-8. Access and Mobility by Functional Classification**

### The Arterial Street System

Road alignments for arterial roads shown in the recommended network map (shown later in this chapter) are conceptual in nature and do not account for sensitive environmental conditions or other obstacles. The demand to develop land in the vicinity of the proposed rights-of-way will dictate when more specific and detailed plans and designs for these streets should be developed. It is important to plan for the general alignments of the major roads so that the City is in a position to preserve necessary corridors. As the arterial system is developed, the following principles will be considered:

1. The function of an arterial street is to move traffic efficiently. Access to development should be strictly controlled. Access to the arterial should be limited to relatively few, well-designed, high capacity, 4-legged intersections located where collectors or other arterials intersect the arterial. Although all arterial streets normally should be of a design standard sufficient to safely accommodate medium to high traffic volumes, the design of certain arterial streets may give special emphasis to land use access. The design for an arterial street that directly serves major land uses may include elements such as more turning bays and split signal phases than might otherwise be permitted.
2. Arterial streets can be a major determinant of land use patterns, and land use generates the traffic on arterial streets. A new or improved arterial street will not only improve access to adjacent land uses, but is also likely to stimulate new development. In fact, commercial development thrives on proximity to high-volume arterials making it necessary to provide access by fewer thoughtfully designed and well-spaced access points.

3. The arterial street system should respect the stability and integrity of residential neighborhoods and school areas. A poorly planned arterial system will not only increase the negative aspects of traffic (dirt, noise, air pollution, accident hazard, and energy consumption), but it also limits the positive use of an arterial street as an effective buffer in separating (both physically and psychologically) industrial, commercial, and residential areas. To the extent possible, schools should not be located on higher functioning roads such as arterials or major collectors.
4. In planning and designing the arterial system, consideration should be given to accommodating future bus service. Where most Highland City residents find employment in other communities in Utah and Salt Lake Counties and with the planned commuter rail transit service west of the City, Highland City will provide a valuable service to its residents by working with the Utah Transit Authority in developing of commuter transit service, park and ride lots, and other amenities served by the arterial system.

### The Collector and Local Street Systems

The development of the collector and local street systems should ensure that the major street system is preserved and protected and that the local and collector street system is designed in accordance with the concepts and recommendations described here. Most importantly, the local street system should prioritize pedestrians and offer a safe environment to walk and bike. Traffic calming elements should be considered in all new street development in order to minimize fast-moving vehicles. If the city has the opportunity to connect streets for the purpose of providing better traffic circulation, more efficient and prudent maintenance costs, and more efficient access for public safety purposes, then streets should be connected and cul-de-sacs should be avoided. Where undeveloped land prevents the connection of streets and there is potential for future development to complete those street connections, streets improved on adjacent properties should be stubbed to allow for that future connection. Where topographical or existing development will not allow street connections, cul-de-sacs longer than 200 feet should be avoided for purposes previously stated.

In order to review subdivision street networks in a systematic way, Highland City has developed the following checklist. Each of the following elements needs to be considered in subdivision street plans.

1. Traffic Impact Studies (TIS) will be required on all new commercial developments and on all new residential developments of 10 units or more.
2. Adequate vehicle and pedestrian access should be provided to all parcels.
3. Local streets should be designed to maximize access and through-traffic movements.
4. Street patterns should minimize the need for out-of-the-way travel.
5. The local street system should be designed for a relatively uniform low traffic volume (approximately 1,000 vehicles per day).
6. Local streets should be designed to discourage excessive speeds.
7. Pedestrian and vehicular conflict points should be minimized.
8. The minimum angle for any intersection should be as close to 90 degrees as possible and never less than 80 degrees.
9. Local circulation systems and land development patterns should not detract from the efficiency of bordering arterial streets.
10. Elements in the local circulation system should not rely on extensive traffic regulations in order to function efficiently and safely.
11. Local street configurations should be logical and identified by street names and house numbers that are simple, consistent, and understandable.
12. Traffic generators within residential areas should be considered in planning the local circulation pattern.

13. Planning and construction of local streets should clearly indicate their local function.
14. Local street arrangement should permit economical and practical patterns, shapes, and sizes of development parcels.
15. Local streets should be related to topography from the standpoint of economics, aesthetics, and amenities.
16. A minimum amount of the total subdivision space should be devoted to street uses, usually about 20 percent.
17. If necessary and appropriate, provisions for transit services within residential areas should be established.
18. Construction specifications for road design for materials such as concrete, asphalt, road base, compaction, workmanship, etc., should follow guidelines provided by the Utah State Department of Transportation.
19. In local street design, for the purposes of better traffic circulation, more efficient maintenance, and more efficient access for public safety, streets should be connected and cul-de-sacs should be avoided except where necessary.
20. If it is determined by City staff to be necessary to build a cul-de-sac for reasons such as topography or existing development, the cul-de-sac should not exceed 200 feet in length.
21. Sidewalks will be required on all residential streets and on any other street that is in the vicinity of schools, churches, and other pedestrian destinations unless otherwise approved by the Highland City Council.

22. If significant obstacles such as topography, land ownership, or existing infrastructure impede construction of a street to City standards, and the street is necessary or beneficial to the City, the City Council may approve an alternative standard that promotes access, circulation, and safety.

## Recommended Transportation Network

### Cross-Sections

The recommended major street plan for Highland City by functional classification is summarized in Map 3-2. Typical cross-sections for these street classifications are shown in Figures 3-9 through 3-15.

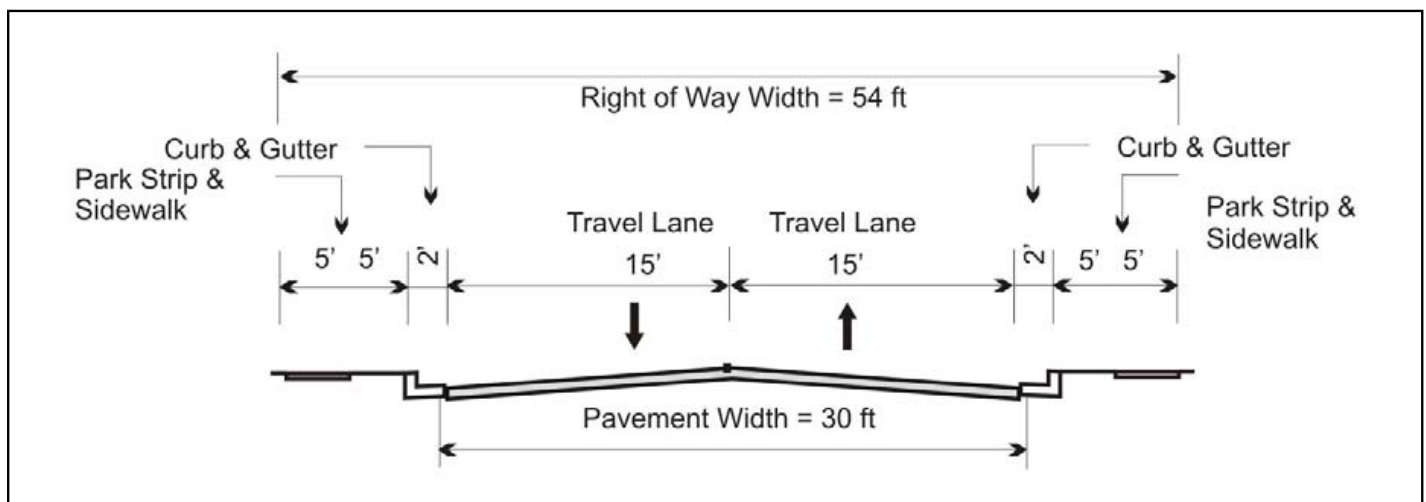


Figure 3-9. Local Subdivision Street Cross-section



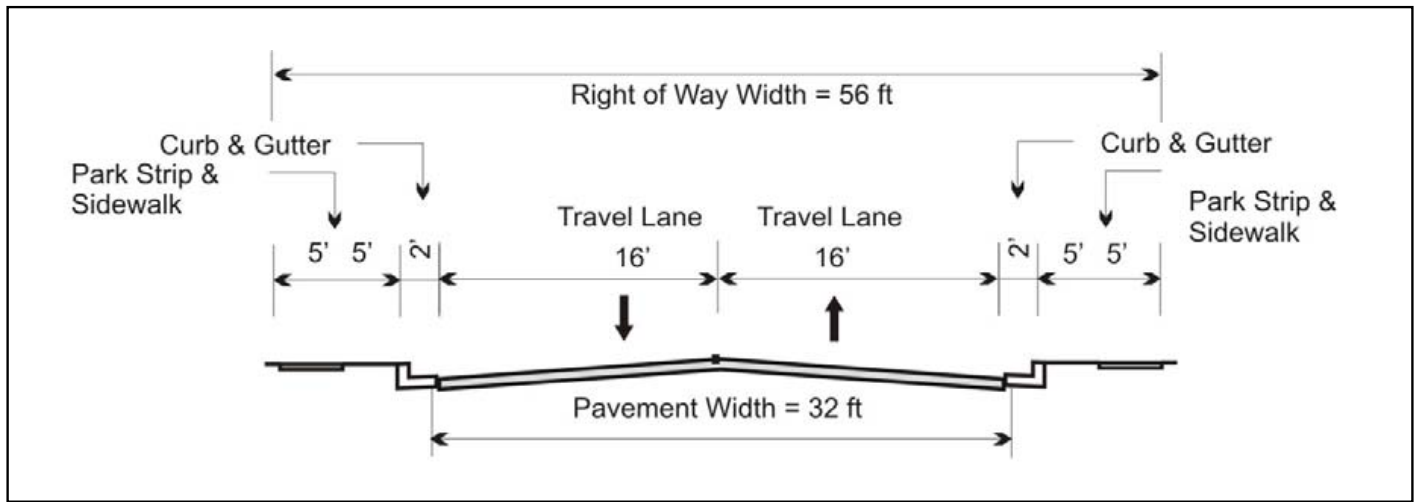


Figure 3-10. Subdivision Connector Street Cross-section

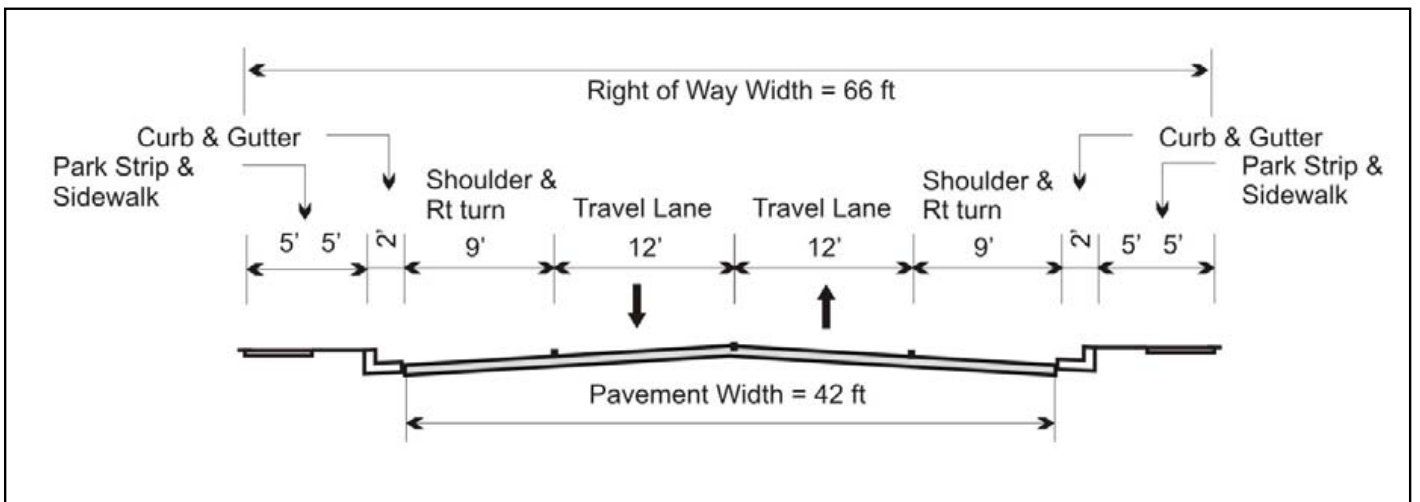


Figure 3-11. Two-lane Residential Collector Street Cross-section

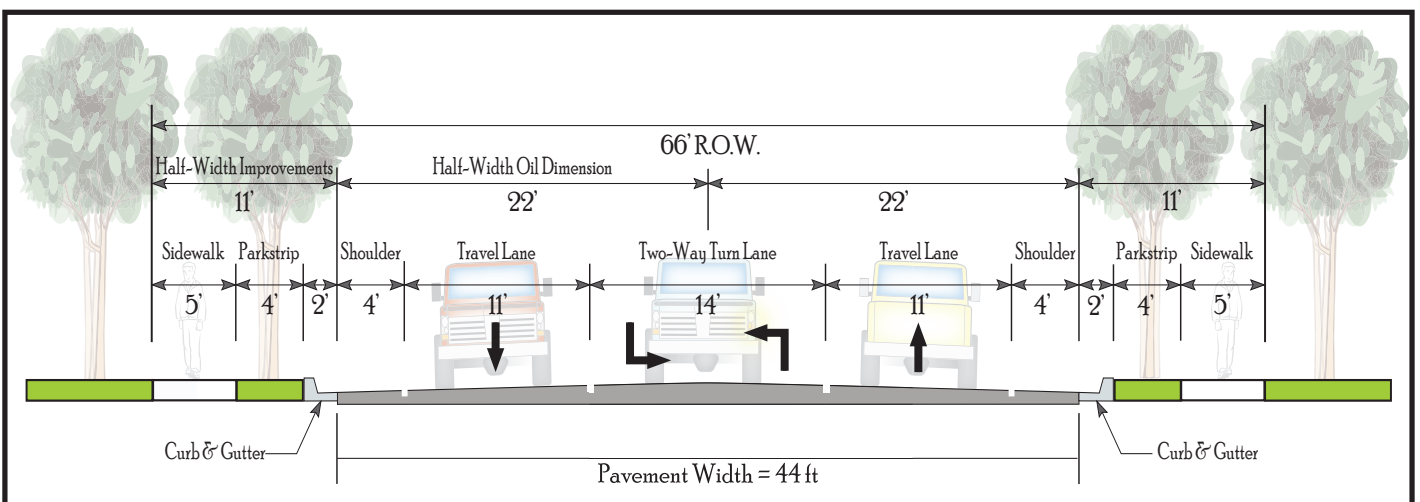


Figure 3-12. Three-lane Minor Residential Collector Street Cross-section

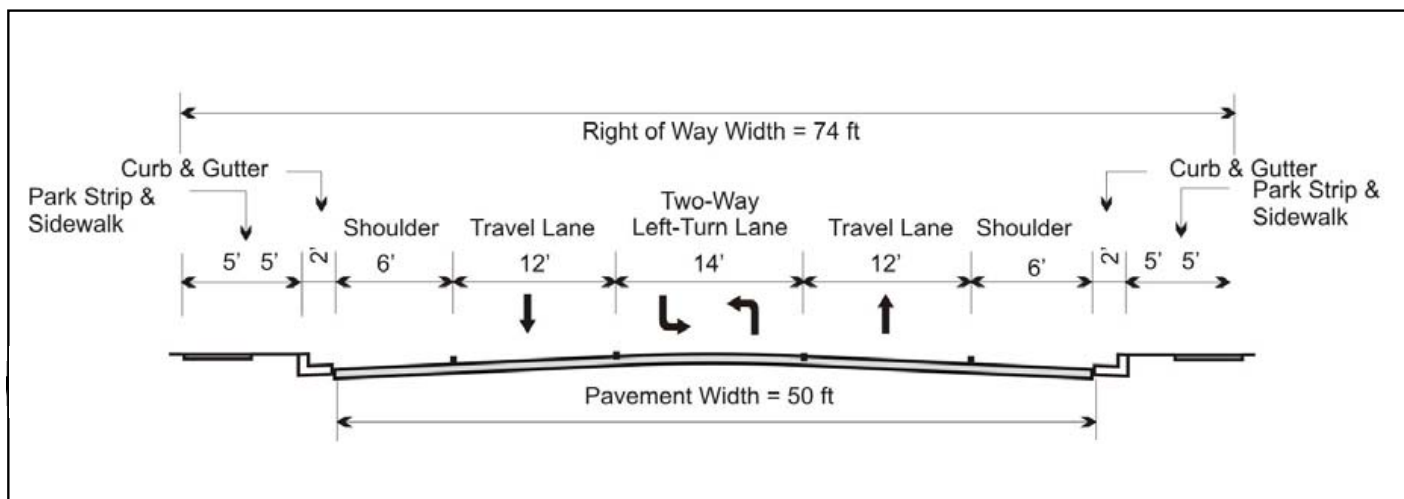


Figure 3-13. Three-lane Major Collector Street Cross-section, Between Intersections

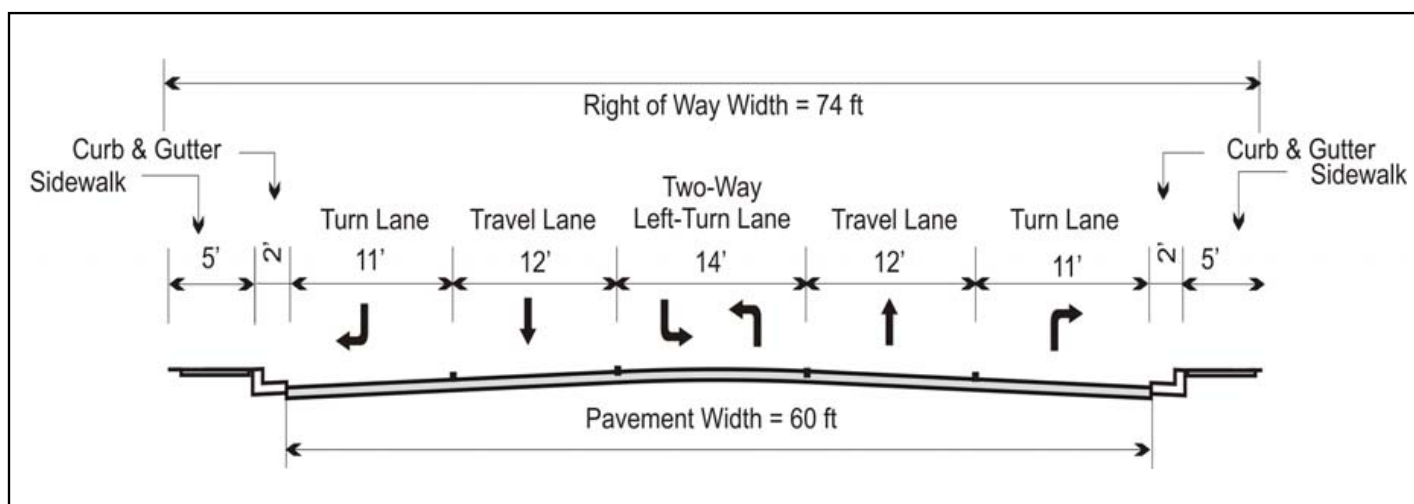


Figure 3-14. Three-lane Major Collector Street Cross-section, At Intersections

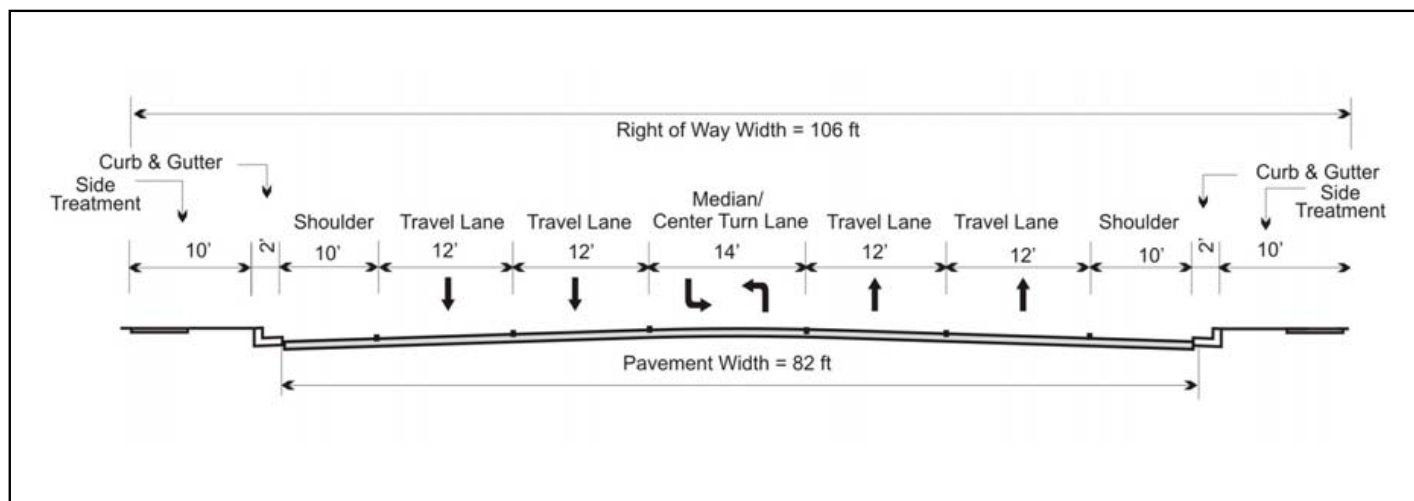
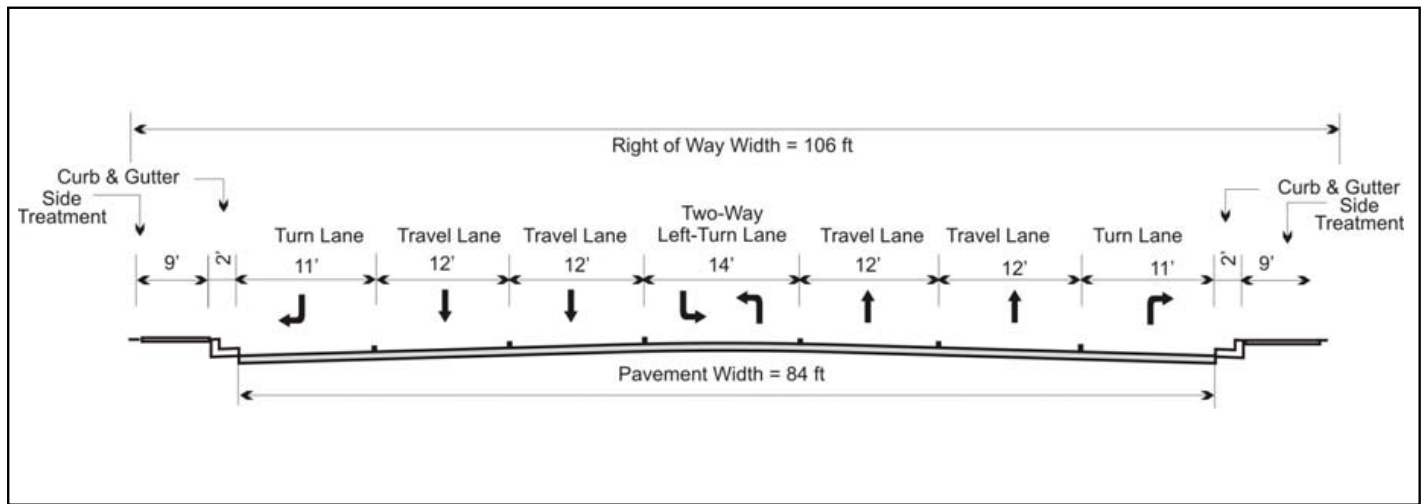


Figure 3-15. Five-lane Arterial Cross-section, Between Intersections



**Figure 3-16. Five-lane Arterial Cross-section, At Intersections**

### Parkway Detail

Highland City has developed a Parkway Landscape Detail that is intended to provide major roads in Highland City with a side treatment that is attractive and functional for pedestrians and other roadway users. Roads on which Highland City has implemented or is planning to implement the Parkway Landscape Detail include:

- ♦ SR-92\*
- ♦ SR-74\*
- ♦ 11800 North
- ♦ 10400 North
- ♦ 4800 West\*
- ♦ Highland Boulevard
- ♦ Beacon Hill Boulevard

*\*Except where the Streetscape Enhancement is recommended.*

*See Element 7 – Community Design, for more details.*

The specifics of the Parkway Landscape Detail easement are shown in Figure 3-17.

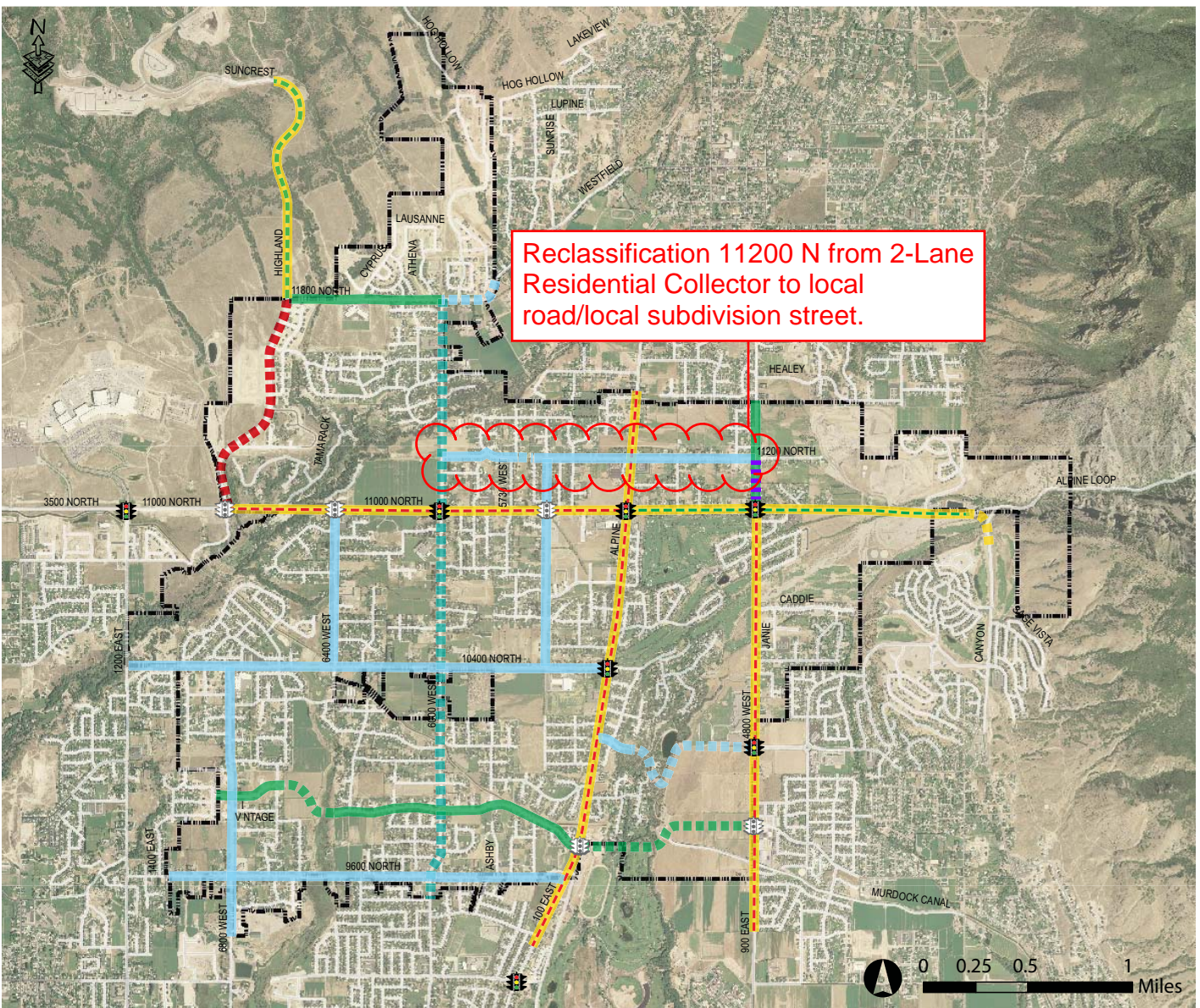


**The Parkway  
Detail along the  
Alpine Highway  
(SR-74)**



## MAP 3-2 RECOMMENDED TRANSPORTATION NETWORK

- 5-Lane Arterial - Constructed
- - - 5-Lane Arterial - Proposed
- 3-Lane Major Collector - Constructed
- - - 3-Lane Major Collector - Proposed
- - - 3-Lane Minor Collector - Proposed
- 2-Lane Residential Collector - Constructed
- - - 2-Lane Residential Collector - Proposed
- Other Jurisdiction (State, County, Municipal)
- Highland City
- Existing Signals
- Planned Signals
- 4-Lane Arterial - Proposed  
(Amendment Adopted March 12, 2024)



Highland City  
General Plan Update



InterPlan Co.  
Transportation Planning

Adopted February 19, 2008  
With Amendments Adopted March 12, 2024

# East West Collectors

	<b>11800 North</b>	<b>11200 North</b>	<b>10400 North</b>	<b>Canal Blvd West</b>	<b>Canal Blvd Mid</b>	<b>Canal Blvd East</b>	<b>9600 North</b>
Speed Limit	35 MPH	25 MPH	35 MPH	30 MPH	30 MPH	30 MPH	25 MPH
Average Speed	36.75 MPH (1.75 over)	31.5 (6.5 over)	36.2 MPH (1.2 over)	30.5 MPH (0.5 over)	34.25 (4.25 over)	36.0 MPH (6 over)	31.2 MPH (6.2 over)
85 <sup>th</sup> % speed	40.5 MPH (16% over)	36.75 (26% over)	40.0 MPH (14% over)	35.5 MPH (18% over)	38.0 MPH (27% over)	39.75 MPH (30% over)	36.0 MPH (44% over)
% trips > 10 mph over	5.8%	26.8	3.0%	3.6%	8.3%	20%	20%
# daily trips	5,903	916	4,161	1,154	2,717	10,175	1,771
# residential accesses*	2	43	31	11.5	0	0	80
# schools	1	0	2	0	0	0	0
length	1 Mile	1.4 Miles	2.3 miles	1 mile	0.72 miles	0.85 miles	2.3 miles







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**Very concerned**

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**From** Amanda Bunnell <amandabunnell@gmail.com>

**Date** Sun 5/25/2025 8:58 PM

**To** Planning Commission <PlanningCommission@highlandut.gov>

To all those involved,

We have been informed of changes that are being discussed at this time regarding our neighborhood. We want our opinions to be known.

We inexplicably do not support changes to our neighborhood that widens and allows for faster traffic. We do not support changes that promotes an efficient, highly connected city.

Specifically, we do not support connecting 11200 N westward to connect to Andrew Drive. We also do not support widening 11200 N.

If there is anything further we can do or if you have any questions, please feel free to contact us.

Mike and Amanda Bunnell







# CITY COUNCIL AGENDA REPORT

## ITEM #4c

---

**DATE:** June 3, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Chris Trusty, City Engineer/Public Works Director  
**SUBJECT:** SWPPP Violation Code Update  
**TYPE:** Municipal Code Update (Legislative)

---

### **PURPOSE:**

The City Council will consider approving updates to the Highland Municipal Code Storm Water Management Discharge and Control, Chapter 13.18.100 Penalties to allow the city to impose administrative fines for violations of the Storm Water Pollution Prevention Plan.

### **STAFF RECOMMENDATION:**

Staff recommends the approval of the updated Highland Municipal Code Storm Water Management Discharge and Control, Chapter 13.18.100 Penalties.

### **PRIOR COUNCIL DIRECTION:**

On January 9, 2018, Council approved chapter 13 of the municipal code governing standards for storm water management and discharge, pursuant to state requirements governing the implementation of a Storm Water Pollution Prevention Plan.

### **BACKGROUND:**

During the recent state legislative session, SB220 made revisions related to how cities should be enforcing the Storm Water Pollution Prevention Plans, which are required to be permitted through the state for projects that are larger than 1 acre in size or part of a common plan of development that is larger than 1 acre in size. The new state code allows cities to assess administrative fines for permittees that are in violation of the conditions of their state permit. The ability to impose fines would be a useful tool to help the city keep SWPPP violations to a minimum. These violations could include discharging pollutants into the city storm drain system, tracking mud and debris onto a city street, or disturbing land without having proper mitigation in place. The City often hears from residents who are concerned about SWPPP violations, especially concerning the tracking of mud onto City streets. The proposed changes attached would allow the City to assess fines after a warning, thereby giving the City a penalty tool for frequent or egregious violations. Fines may be imposed for each day the violation exists before being corrected and may be levied up to 30 days after the violation has been corrected. Per state code, these funds would be deposited into a restricted account used for SWPPP outreach and education. The proposed fine amounts are outlined in the state code.

### **FISCAL IMPACT:**

The City may see a small amount of additional revenue as a result of the fines.

### **MOTION:**



I move that City Council APPROVE the Ordinance authorizing the updates to the Highland Municipal Code Storm Water Management Discharge and Control, Chapter 13.18.100 Penalties, to include possible fines for violations and authorize the fines be added to the City's fee schedule.

**ATTACHMENTS:**

1. SWPP Ordinance Update

**ORDINANCE NO. O-2025-XX**

**STORM WATER MANAGEMENT AND DISCHARGE CONTROL  
ORDINANCE. AN ORDINANCE CREATING A NEW SECTION OF THE  
HIGHLAND CITY CODE REGULATING STORM WATER DRAINAGE AND  
DISCHARGE; ALSO PROVIDING A SAVINGS CLAUSE AND EFFECTIVE  
DATE FOR THE ORDINANCE.**

**WHEREAS**, the General Plan of Highland City and the Highland City Development Code empowers the City Council with the authority to enact ordinances that promote the health, safety, morals, convenience, order, prosperity, and general welfare of Highland City;

**WHEREAS**, Utah Code Annotated Section 10-8-84 authorizes the City Council to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, welfare, peace and good order, comfort, and convenience of the City and its residents;

**WHEREAS**, Utah Code Ann 19-5-107 prohibits the discharge of pollutants into the waters of the state of Utah; and

**WHEREAS**, the Highland City Council finds and determines that it operates a storm water utility system which carries storm water runoff from roadways, and private properties into the waters of the state of Utah; and

**WHEREAS**, the Utah Pollution Discharge Elimination System permit (UPDES) and applicable regulations, 40 CFR Section 122.26, require Highland City to manage storm water discharge;

**WHEREAS**, The Utah Code provides that, among other powers municipalities have with respect to storm water facilities, municipalities have the power by ordinance or resolution to:

- i. Exercise general regulation over the planning, location, construction, and operation and maintenance of storm water facilities in the municipality, whether or not owned and operated by the municipality;
- ii. Adopt any rules and regulations deemed necessary to accomplish the purposes of this statute, including the adoption of a system of fees for services and permits;

- iii. Establish standards to regulate the quantity of storm water discharged and to regulate storm water contaminants as may be necessary to protect water quality;
- iv. Review and approve plans and plats for storm water management in proposed subdivisions or commercial developments;
- v. Issue permits for storm water discharges or for the construction, alteration, extension, or repair of storm water facilities;
- vi. Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution, or condition of the permit;
- vii. Regulate and prohibit discharges into storm water facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and
- viii. Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of storm water contamination, whether public or private.

**WHEREAS**, the City Council has determined that the public interest, convenience, health, welfare and safety requires that all water generated from individual construction, commercial, industrial, and public use developments and subdivisions be confined and disposed of in a flood control storm drain system;

**WHEREAS**, the City Council has determined that each area which is proposed to be subdivided, developed, or built upon does in fact generate additional runoff water that needs to be disposed of in a safe manner, avoiding damage and hazards to the inhabitants of Highland City;

**WHEREAS**, the welfare of the City will be promoted by regulating storm water discharge and drainage;

**NOW THEREFORE**, be it ordained by the Municipal Council of Highland, Utah, as follows:

Section 1. Adoption. The Storm Water Management and Discharge Control Ordinance attached hereto, is hereby adopted and the Storm Water Management Ordinance No. 2018-01 is hereby repealed.

Section 2. Effective Date. This ordinance shall take effect immediately upon its passage and publication as prescribed by law.

**PASSED AND ADOPTED** by the City Council of Highland City, Utah, this 3rd day of June, 2025.

HIGHLAND CITY, UTAH

---

Kurt Ostler  
Highland City Mayor

ATTEST:

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Stephaie Cottle, CMC  
City Recorder

COUNCILMEMBER	YES	NO
Brittney P. Bills	<input type="checkbox"/>	<input type="checkbox"/>
Ron Campbell	<input type="checkbox"/>	<input type="checkbox"/>
Doug Courtney	<input type="checkbox"/>	<input type="checkbox"/>
Kim Rodela	<input type="checkbox"/>	<input type="checkbox"/>
Scott L. Smith	<input type="checkbox"/>	<input type="checkbox"/>

## SECTION 9: ENFORCEMENT

### (1) Civil Enforcement Authority

The City Storm Drain Inspector shall have the authority to issue Corrective Action Notices, Notices of Violation, and Stop Work Orders and to impose the civil penalties provided in this section.

With the approval of the Storm Water Pollution Prevention Plan and the issuance of a Land Disturbance Permit, the City Storm Drain inspector shall be permitted to enter and inspect facilities subject to this ordinance at all reasonable times and as often as necessary to determine compliance. Failure to comply with the terms of this ordinance may result in corrective and punitive actions by Highland City pursuant to Section 9 (2) and Section 10 of this ordinance.

This ordinance shall comply with state code. Whenever there is a conflict between city and state code concerning the enforcement of SWPPP violations, state code shall supersede city code.

### (2) Notification of Civil Violation

#### a. Corrective Action Notice

Whenever the City Storm Drain Inspector finds that any permittee or any other person discharging storm water has violated or is violating this ordinance or a permit or order issued hereunder, the City Storm Drain Inspector may serve upon such person a Corrective Action Notice. Within seven (7) days from the issuance of the Corrective Action Notice, the site must be brought into full compliance with the Storm Water Pollution Prevention Plan (SWPPP). Failure to comply with the Corrective Action Notice within seven (7) days will result in the issuance of a Notice of Violation. Additionally, the site operator will be subject to fines and penalties as specified in Section 10.

#### b. Notice of Violation

When the City Storm Drain Inspector finds that any person has violated or continues to violate this ordinance or a permit or a Corrective Action Notice, he may issue an order to the violator directing that, following a specified time period, Best Management Practices (BMPs) be installed or procedures implemented and properly operated. Failure to comply with the Notice of Violation by the Site Operator may result

in additional fines and issuance of a Stop Work Order.

c. Stop Work Orders

When the City Storm Drain Inspector finds that any person has violated or continues to violate this ordinance or any permit or order issued hereunder, the City Storm Drain Inspector may issue a Stop Work Order for all such violations and direct those persons in noncompliance to:

1. Comply forthwith: or
2. Take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operating and terminating the discharge.

(3) Conflicting Standards

Whenever there is a conflict between any standard contained in this ordinance and in the BMP manuals adopted by the municipality under this ordinance, the strictest standard shall prevail.

**SECTION 10: PENALTIES**

(1) Criminal Penalties

Under the authority provided in the Utah Code, any person violating the provisions of this ordinance is guilty of a Class "B" and may be subject to the penalties associated with a Class "B" pursuant to state law. Criminal action may be initiated without prior notice or warning to violator. Each day of violation shall constitute a separate criminal violation.

(2) Civil Penalties

In assessing a civil penalty, the City Public Works Department may consider:

- a. The harm done to the public health or the environment;
- b. Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;
- c. The economic benefit gained by the violator;

- d. The amount of effort put forth by the violator to remedy this violation;
- e. Any unusual or extraordinary enforcement costs incurred by the municipality;
- f. The amount of penalty established by ordinance or resolution for specific categories of violations; and
- g. Any equities of the situation which outweigh the benefits of imposing any penalty or damage assessment.

(3) Administrative Fines

If an applicant does not correct a specific violation for which the applicant received notice within the prescribed timeline, the City may impose an administrative fine for each occurrence as established below:

- a. \$500 per occurrence for working without an approved storm water permit;
- b. \$300 per occurrence for tracking mud on the road;
- c. \$250 per occurrence for failure to clean up or report spills;
- d. \$100 per occurrence for failure to conduct storm water inspections;
- e. \$100 per occurrence for failure to maintain storm water records;
- f. \$500 per site, per occurrence, for failure to use general best management practices, as determined by the municipal authority;

The City may impose the administrative fine:

- A) for each business day the specific violation continues beginning on the day after the day on which the city issues the administrative fine and
- B) within 30 days after the day on which the applicant corrects the violation.

The City shall:

- A) impose each fine in writing and clearly document the specific violation in writing and
- B) deposit collected fines into a restricted account for an education and outreach ~~under a~~ program.

(4) Recovery of Damages and Costs

In addition to the civil penalty in subsection (2) above, the municipality may recover:

- a. All damages proximately caused by the violator to the municipality, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this ordinance; or any other actual damages caused by the violation.
- b. The costs of the municipality's maintenance of storm water facilities when the user of such facilities fails to maintain them as required by this ordinance.

(5) Other Remedies

The municipality may bring legal action to enjoin the continuing violation of this ordinance; and the existence of any other remedy, at law or equity, shall be no defense to any such actions. In addition to the penalties established in this ordinance, the City may refuse to renew business licenses or other permits while such a violation continues.

(6) Remedies Cumulative

The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one (1) or more of the remedies set forth herein has been sought or granted.







# CITY COUNCIL AGENDA REPORT

## ITEM #5a

---

**DATE:** June 3, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Rob Patterson, City Attorney/Planning & Zoning Administrator  
**SUBJECT:** Code Amendment - Parking of Trailers on City Streets  
**TYPE:** Municipal Code Update (Legislative)

---

### **PURPOSE:**

The Council will consider an amendment to the municipal code to clarify public street parking regulations for trailers, RVs, boats, and similar vehicles and attachments.

### **STAFF RECOMMENDATION:**

Staff recommends that the Council ADOPT the proposed amendments.

### **PRIOR COUNCIL DIRECTION:**

On May 20, 2025, the Council discussed enforcement issues with current trailer/RV parking regulations. The Council asked staff to review what other cities have done regarding similar parking regulations and propose code amendments to better protect public streets against continual parking of trailers, RVs, boats, and other similar vehicles.

### **BACKGROUND:**

Staff, particularly the City's code compliance officer Brent Wallace, reviewed several cities' regulations regarding parking on city streets. Many cities had similar, vague language as Highland. Provo City, however, had more specific language that stated that if a vehicle was moved and then reparked on the same city block face, it would be treated as though it was continuously parked in the same location. The Provo City Code can be [found here](#).

Staff has proposed amendments to Highland Municipal Code 10.08.040 to incorporate similar concepts as the Provo City regulations. The code still prohibits parking of trailers, RVs, boats, campers, etc. for more than 48 hours on a public street. The amendments would provide that if the vehicle is moved and then reparked on the same block or within 200 feet of the block on an intersecting or continuing street, the vehicle would be deemed to have been continuously parked in the same place and therefore subject to enforcement. Staff believes this change would allow better enforcement of the intent of the City's parking regulations.

### **FISCAL IMPACT:**

No anticipated fiscal impact.

### **MOTION:**

I move that the City Council ADOPT the ordinance amending Title 10, Chapter 8, of the Highland Municipal Code related to parking of trailers and oversized vehicles.

**ATTACHMENTS:**

1. O-2025 Trailer Parking Restrictions
2. Example Parking Regulations

**ORDINANCE NO. 2025-\_\_\_\_\_**

**AN ORDINANCE AMENDING REGULATIONS FOR PARKING OF TRAILERS AND OVERSIZED VEHICLES ON CITY HIGHWAYS**

WHEREAS, Highland City is authorized pursuant to Utah Code § 10-8-11 and Utah Code § 10-8-30 to regulate the use of City streets;

WHEREAS, Highland City has previously adopted regulations prohibiting the parking of trailers and oversized vehicles on City streets for more than 48 hours;

WHEREAS, Highland City desires to clarify the previously adopted regulations to ensure that trailers and oversized vehicles are not parked for longer than 48 hours by being repeatedly moved and reparked within the same area to protect and preserve the safety and functionality of City streets and property;

NOW THEREFORE, BE IT ORDAINED by the Highland City Council as follows:

SECTION 1. Title 10, Chapter 8 of the Highland Municipal Code is amended as shown in Exhibit A, attached hereto.

SECTION 2. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this ordinance and to the City codes referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.

SECTION 3. All ordinances and parts and provisions thereof in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect immediately upon its adoption and publication, in accordance with law.

ADOPTED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor

ATTESTED:

\_\_\_\_\_  
City Recorder

## Exhibit A

### 10.08.040 Parking Trailers and Oversized Vehicles Upon City Streets

A. It is unlawful for any person to leave, park, or station upon any public street in Highland City any unattended vehicle, recreational vehicle, trailer, boat, camper, travel trailer, or trailer which:

1. Is licensed for more than twelve thousand pounds gross; or
2. ~~Is a combination of motor vehicles in such a position which c~~Creates a traffic hazard or impedes traffic flow; or
3. Is commonly referred to as a "semi-tractor"; or
- ~~4. Is a camper, travel trailer or boat, or any other trailer parked for longer than forty-eight hours; or~~
4. Is what is commonly referred to as construction equipment including back hoes, transport trailers, construction trailers, excavation equipment, etc., except in conformance with Section 12.04.090.

B. It is unlawful for any person to park a recreational vehicle, trailer, boat, camper, travel trailer, or similar vehicle or conveyance, whether attached or unattached to a motor vehicle, upon any public street for more than forty-eight (48) hours.

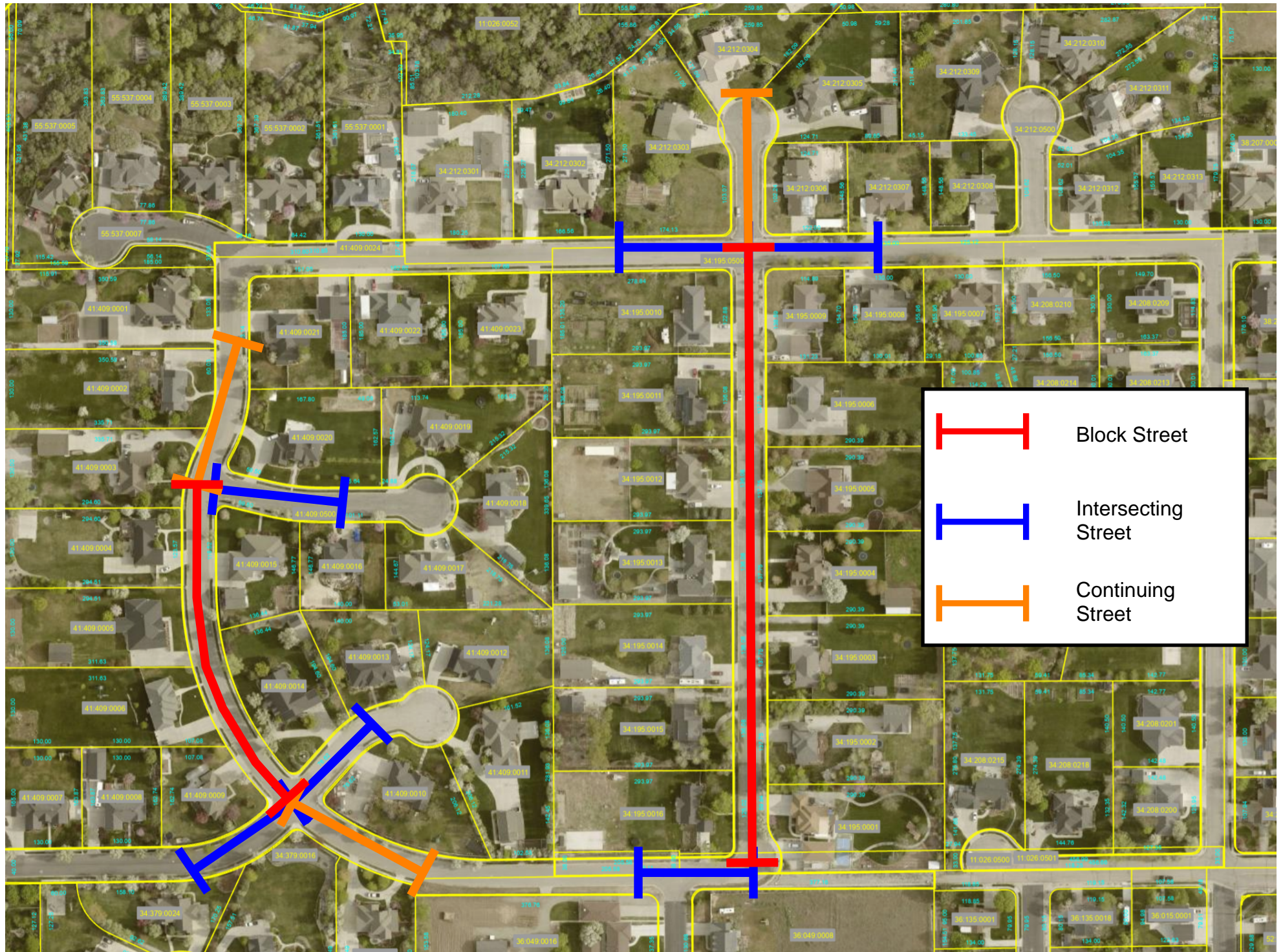
1. If a parked vehicle or conveyance is moved and then reparked within forty-eight (48) hours on the same Block Street or within 200 feet of the Block Street on an Intersecting or Continuing Street, it shall be deemed to have been continuously parked on the same public street.
2. "Block Street" as used herein means the entire width of a public street between Intersecting Streets, the terminus of a dead-end street or cul-de-sac, city boundary, public park, or other natural boundary.
3. "Continuing Street" as used herein means a public street that has the same name as the Block Street and continues beyond an Intersecting Street.
4. "Intersecting Street" as used herein means the entire width of a public street that meets, continues into, or crosses a Block Street that has a different name.


B.C. Exceptions. Notwithstanding the foregoing, The temporary parking of moving vans, delivery trucks and service vehicles for a reasonable time to


accommodate loading or unloading or the performance of service shall be permitted.


C.D. A first violation of this section is punishable by an infraction. A subsequent violation of this section is punishable by a Class "C" misdemeanor. Any vehicle parked in violation of this section may be removed by the city at owner's expense.





 Block Street

 Intersecting Street

 Continuing Street





# CITY COUNCIL AGENDA REPORT

## ITEM #5b

---

**DATE:** June 3, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Rob Patterson, City Attorney/Planning & Zoning Administrator, Donna Cardon, Library Director  
**SUBJECT:** Timpanogos Library Consortium Memorandum of Understanding  
**TYPE:** General City Management

---

### **PURPOSE:**

The Council will consider approving a memorandum of understanding with Pleasant Grove and American Fork to govern the joint and cooperative activities of the cities' libraries known as the Timpanogos Library Consortium.

### **STAFF RECOMMENDATION:**

Staff recommends that the Council approve the memorandum of understanding with American Fork and Pleasant Grove.

### **PRIOR COUNCIL DIRECTION:**

The Council previously discussed the Timpanogos Library Consortium and expressed support for Highland's participation. Specifically, on March 18, 2025, the Council considered a prior version of the agreement now proposed for adoption and expressed support for the Consortium if some details could be resolved in the agreement.

### **BACKGROUND:**

The library directors of the American Fork, Highland, and Pleasant Grove libraries have worked together to facilitate the sharing of resources, materials, and catalogs, so that library users in any of the cities can check out and return books from and to all three libraries, regardless of which physical library they use. This cooperative service is called the Timpanogos Library Consortium, and the sharing of materials was started by the library directors in April 2025. The proposed memorandum of understanding provides a framework for the Consortium and how the directors will work together to facilitate the Consortium and its shared services.

The MOU is largely similar to the previously reviewed interlocal agreement, with some minor changes regarding administration of the consortium, term length, and sharing of costs and fees. Cities are authorized to enter into (non-interlocal) agreements for cooperative and shared library services per Utah Code 9-7-409.

The MOU is not an interlocal agreement, does not establish a separate legal entity, and does not establish a formal administrative board. The Consortium does not have any control or oversight over the libraries' budgets, internal operations, policies, or employees. Each city remains responsible for and in full control of their respective libraries, and each city is responsible to continue to fund, operate,



improve, and invest in their respective libraries and library materials.

The MOU empowers the library directors to work together and collaborate on shared services. It authorizes the libraries to share and lend materials to residents of the other cities. Decisions regarding the Consortium and shared services must be made unanimously by the directors. Any costs incurred for shared services will be allocated between the parties equitably, based upon Parties' respective populations, number of library or Consortium users/cardholders, or proportional usage or demand for the service or expenditure, as the Directors unanimously determine is appropriate for the cost. Patrons can pay fees incurred from any library to any library, and the directors will exchange quarterly reports outlining such fees and forward fees to each other as necessary.

The MOU has a one-year term, but can be extended for up to 49 additional one-year terms if all the parties' directors submit written verification to each other that they want to continue the Consortium.

Each city's attorney has reviewed and are comfortable with the MOU.

#### **FISCAL IMPACT:**

The financial impact of entering into the agreement and creating the Consortium is:

1. Decrease in library revenues due to elimination of overdue fines. Currently, the library receives approximately \$10,000/year in overdue fines.
2. Potential changes to revenues due to increased nonresident card fees--increased revenues on a per-card basis, but potential loss of revenues from nonresidents electing to not continue with a Highland card due to increased fee. Currently, the library receives approximately \$32,000 in nonresident card fees. If all nonresidents continued with the increased fee, the library would realize an additional \$9,100 in nonresident card fees, but it is unknown how many nonresidents will elect to continue with the new fee structure. The last time the library increased the non-resident fees, there was not a decline in revenue.
3. Set-up costs for the consortium's shared catalog and some initial supplies were paid for through an LSTA grant. Each library will absorb the cost of extra staff time to circulate the shared materials and transportation costs, which are estimated to be about \$2,100/year. If it becomes necessary to purchase a vehicle to transport books, it is anticipated to be purchased with grant money.

These changes were not included in the FY25 budget, though they are included in the FY26 budget. Due to the relatively short time the consortium is in place for FY25 and the status of the Library budget, staff does not anticipate a budget adjustment being needed for FY25.

#### **MOTION:**

I move that the City Council approve the Timpanogos Library Consortium memorandum of understanding with American Fork and Pleasant Grove.

#### **ATTACHMENTS:**

1. MOU-Library Consortium.FINAL

## **TIMPANOGOS LIBRARY CONSORTIUM**

### **MEMORANDUM OF UNDERSTANDING**

THIS TIMPANOGOS LIBRARY CONSORTIUM - MEMORANDUM OF UNDERSTANDING (“**MOU**”), is made and entered into by and between AMERICAN FORK CITY, a Utah municipality (“**American Fork**”), Highland City, a Utah municipality (“**Highland**”), and Pleasant Grove City, a Utah municipality (“**Pleasant Grove**”), collectively referred to as “**Parties**” or individually as “**Party**.”

#### **RECITALS**

- A. The Parties are each municipal corporations of the State of Utah and have authority to cooperate with other entities regarding provision of municipal library services. The Parties each independently operate, staff, and equip a public library.
- B. The Parties desire to establish a joint and shared catalog system and patron interface, materials exchange, and other library services deemed advantageous by the Parties.

**NOW, THEREFORE**, in consideration of the mutual covenants and promises contained hereafter, the Parties hereto agree as follows:

#### **1. Purpose of MOU.**

The purpose of this MOU is to establish the terms and conditions of the Parties’ cooperative efforts to promote free and equal access to information resources and to provide joint and shared catalog systems and patron interfaces, materials exchanges, and other library services and systems, which efforts, services, and systems are collectively referred as the “**Timpanogos Library Consortium**” or “**Consortium.**”

#### **2. Consortium Leadership**

- a. The Consortium shall be administered by each Party’s Library Director or their designees (the “**Directors**”).
- b. The Directors shall determine the scope and details of the joint services and systems of the Consortium, shall review and coordinate issues, ideas, and policy concerns affecting the Consortium and any shared or joint service or effort between the Parties’ libraries, and may promulgate rules, policies, and guidance for the Directors, the Consortium, and the Parties’ participation therein, subject to the limitations set forth in this MOU.
- c. The Directors shall confer and discuss Consortium operations at such times, frequency, and locations as the Directors determine is convenient or necessary, generally at least quarterly.
- d. The Directors shall work together to facilitate the purposes of the MOU, and the Directors shall act and make decisions regarding the Consortium by unanimous vote.

- e. Each Party remains solely and exclusively responsible and authorized to operate and administer their respective library and all related staff and property.

### 3. **Consortium Obligations, Services, and Objectives.**

The Parties shall implement or work to facilitate the following services, policies, and objectives:

- a. Develop methods and procedures to provide access to the libraries' catalog information for the residents of the Parties.
- b. Allow for the exchanging or lending of circulating library materials to other Party's libraries by using the most economical means possible within each library's budget constraints. A Party may exclude certain materials from exchange/lending temporarily or permanently, such as non-circulating materials or new materials, at the Party's discretion.
- c. The sharing and exchange provisions within this MOU are not a substitute for the respective Parties to invest in and develop their own library materials. If this occurs, any Party may terminate this MOU as provided for in paragraph 8.
- d. Allow patrons who have an account in good standing at any Party library to borrow items at any Party library. Non-resident fees shall not be levied on such patrons.
- e. Share information that may be necessary for the performance of regular library functions to other Parties, including but not limited to statistical information used to guide collection development, and information for patron account management. No personal patron information classified as private or protected under the Utah Government Records Management Act § 63G-2-101 *et seq.* will be provided to other Parties unless done so in compliance with applicable law.
- f. Develop methods and procedures to provide support and training among the Parties, to be administered by each respective Party.
- g. When a resident/patron incurs fee(s), they may pay the fee(s) at any of the consortium libraries. The Parties will exchange quarterly reports outlining amounts collected and owed to the Part(ies) that charged the fees. Each Party will then pay the collected fees owed to the other Parties according to the report.
- h. Equitably share costs associated with support and hosting the common catalog system. These costs shall be invoiced by the catalog system provider to each Party according to the Party's respective contracts the catalog system provider. If a different cataloging and/or patron interface system is desired, such system and its costs must first be approved by each Party's library director. If approved, the Directors shall coordinate the implementation and use of the different system.
- i. Promote the Consortium and its goal to assure continued free and equal access to information resources.

- j. Coordinate bibliographic control for the shared catalog among the administration and cataloging staff of each library.

#### 4. **Costs**

- a. Each Party shall be separately and solely responsible for all costs to operate their respective libraries and to implement the Consortium services, policies, and objectives within their respective libraries.
- b. For costs associated with shared services or expenses, such as circulating and returning materials between the libraries, such costs shall be equitably shared between the Parties in an allocation and according to procedures approved by the Directors, based upon the Parties' respective populations, number of library or Consortium users/cardholders, or proportional usage or demand for the service or expenditure, as the Directors determine is appropriate for the cost.

#### 5. **Administration of MOU.**

- a. The Parties to this MOU do not contemplate or intend to establish a separate legal entity under the terms of this MOU. Neither the Directors nor the Consortium shall be deemed a separate entity. The Parties agree that this MOU does not anticipate or provide for any organizational changes in or to the Parties.
- b. Each Party shall be responsible for budgeting, financing, and otherwise providing for their respective obligations related to the Consortium, their respective library operations, and any obligations required by this MOU. Each Party shall keep all related books and records in accordance with applicable laws and regulations.
- c. Each Party shall be entitled to review and inspect all books and records related to this MOU during business hours upon request and reasonable notice.
- d. In all other respects, the Directors shall administer this MOU and the Consortium.

#### 6. **Real and Personal Property.**

The Parties do not intend to adjust, modify, or transfer ownership of any property, materials, improvements, or facilities. All library materials and other property owned, now or in the future, by a Party shall continue to be acquired, owned, maintained, and disposed of such Party according to the Party's policies and procedures. Materials exchanged or lent remain the property of the lending Party, unless otherwise agreed to in writing.

#### 7. **Effective Date and Term.**

The Effective Date of this MOU shall be the date all conditions of approval have been satisfied ("**Effective Date**"). The term of this MOU shall be from the Effective Date up through and including December 31, 2025 (the initial term), unless terminated or extended as set forth herein.

**8. Extension and Termination.**

- a. This MOU shall continue in effect until:
  - i. The Parties mutually consent in writing to terminate the MOU; or
  - ii. The MOU is not extended, and the term of the MOU expires.
- b. This MOU shall be in effect for 1 year from the date all Parties have approved and execute the MOU and may be renewed annually as follows: no less than sixty days before the end of each one-year term, the Parties will meet to determine whether it is advantageous to continue to participate in the Consortium after which each Party's Director will submit to the other written verification of the Party's intention to renew the MOU. Upon receipt of written verification from all Parties, the MOU shall be renewed for an additional one-year term. In no event shall the term of this MOU extend beyond 50 years.
- c. Any Party may withdraw from this MOU and the Consortium by providing 60 days' written notice to the other Parties. A withdrawing Party shall be responsible for their portion of the costs of approved shared services or expenses until withdrawal is complete. Upon issuance of a notice of withdrawal, the Directors shall coordinate and establish procedures for the cessation of shared services and the return of shared materials.

**9. Conditions of Approval.**

This MOU is conditioned upon the approval and execution of the MOU by each Party.

**10. Integration and Amendments.**

- a. This MOU is the entire agreement between the Parties regarding its subject matter and supersedes all prior negotiations, representations, discussions, or agreements, written or oral, regarding the subject matter hereof.
- b. The terms of this MOU may not be amended, changed, modified, or altered except by an instrument in writing authorized and executed by each Party.
- c. The addition of other libraries to the Consortium shall require an amendment or addendum to this MOU by an instrument in writing authorized and executed by each Party.

**11. Authorization and Filing.**

The individuals executing this MOU on behalf of the parties confirm that they are the duly authorized representatives of the parties and are lawfully enabled to execute this MOU on behalf of the parties. Each Party shall be responsible for the timely submission, filing, or recording of the MOU and any subsequent amendment or termination thereof with the appropriate governmental or regulatory offices, in the proper form and format as required by law.

## **12. Governing Law, Jurisdiction, and Venue.**

This MOU and all claims or causes of action arising therefrom shall be construed and governed by and enforced in accordance with the laws of the State of Utah, including its statutes of limitation. Any dispute, claim, or cause of action regarding the interpretation or application of this MOU shall be brought and maintained in the courts of the State of Utah, Utah County, Utah, which courts shall have jurisdiction over this MOU and the Parties thereto.

## **13. Indemnification.**

- a. Each Party shall defend, indemnify, save harmless the other Parties from all claims, losses, liabilities, and damages arising out of the Parties' respective library operations and services and the acts or omissions of their respective employees and representatives.
- b. Nothing in this MOU shall be interpreted or applied as imposing liability on a Party for the acts or omissions of another Party or for the operations of another Party's library.
- c. Nothing in this MOU shall be interpreted or applied as giving rise to any right to any third party, including other libraries, other government entities, or any patron/user.
- d. The provisions of this Section shall survive the termination of this MOU or the withdrawal of any Party from this MOU.

## **14. Severability.**

If any term or provision of this MOU or the application thereof shall to any extent be invalid or unenforceable, the remainder of this MOU, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law which would render any of the terms of this MOU unenforceable.

## **15. Immunity.**

Each Party specifically retains all immunities and defenses available to it as a sovereign or governmental entity pursuant to state and federal law, including the Utah Governmental Immunity Act, and does not by entering into this MOU waive any immunity or defense.

## **16. Waiver.**

The waiver of any breach of any term of this MOU shall not be deemed a waiver of any prior or subsequent breach. Failure to object to a breach shall not constitute a waiver.

## **17. Counterparts.**

This MOU may be executed in counterparts, whether physical or electronic, which together constitute a complete and original MOU.

IN WITNESS WHEREOF, the Parties, intending to be legally bound, have caused their proper and duly authorized officers to execute and deliver this MOU.

**AMERICAN FORK CITY, a Utah municipality**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

City Recorder

**HIGHLAND CITY, a Utah municipality**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

City Recorder

**PLEASANT GROVE CITY, a Utah municipality**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

City Recorder



# CITY COUNCIL AGENDA REPORT

## ITEM #5c

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**DATE:** June 3, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Chris Trusty, City Engineer/Public Works Director  
**SUBJECT:** Purchase of ABI Force Laser Leveler for Ball-field Maintenance  
**TYPE:** General City Management

---

### **PURPOSE:**

The City Council will consider the approval of a purchase of park equipment ABI Forcer laser leveler to be used to maintain the City baseball fields.

### **STAFF RECOMMENDATION:**

Staff recommends approval of a purchase of park equipment ABI Force laser leveler to be used to maintain the City baseball fields, particularly, Highland Family Park baseball field.

### **PRIOR COUNCIL DIRECTION:**

In the FY2025 budget, Council approved a budget of \$85,000 in 40-40-75 for Park Equipment Purchase & Savings to allow staff to better care for our playgrounds and parks through equipment purchase and replacement. In addition, the Council has discussed their desire to see all of the City's ball-fields, particularly the Highland Family baseball field well maintained.

### **BACKGROUND:**

With the addition of Highland Family Park, comes added maintenance needs and costs for the City. Staff has been purchasing equipment and tools to help with that effort. Because this item is over \$25,000, it requires City Council approval.

This ABI Force laser leveler will allow city staff to precisely level the infield playing surfaces of city ball fields, ultimately ensuring they are kept in a safe, playable condition. City staff were able to perform a demonstration on the equipment at Highland Family Park this week, and Josh was able to see that the sand comprising the infield play area was significantly higher on the east end of the field than it was in other areas. Using this equipment, he was able to see where he needed to move the sand from the high areas to the lower areas. This removes guesswork or eyeballing, and ultimately saves on efficiency since the leveling can be accomplished with just one user. Other cities like Eagle Mountain have this same equipment and have provided very positive feedback.

Staff plans to use it primarily at Highland Family Park, but could also be used at the other baseball fields at Heritage and Mitchell Hollow Parks. This ABI Force laser leveler from Wilkinson Supply is on the state contract. Fields will likely need to have work done weekly throughout baseball season to make sure the city can provide optimum playing conditions, as well as remove risks of injury from players tripping or falling on high or low spots.



**FISCAL IMPACT:**

The cost of this purchase is \$42,427.40. Funding for this expense is included in GL 40-40-75 Parks Equipment within the FY25 budget.

**MOTION:**

I move that City Council of a purchase of park equipment ABI Force laser leveler to be used to maintain the Highland Family Park baseball field.

**ATTACHMENTS:**

1. HIGHLAND CITY ABI QUOTE

# Q U O T A T I O N

PAGE: 1

Wilkinson Supply  
3021 Grant Avenue  
Ogden, UT 84401 USA  
Phone #: (801)621-0360  
Fax #: (801)393-5821

PHONE #: (801)756-5751  
CELL #: (801)420-5105  
ALT. #:  
P.O.#:  
TERMS: **Net 30**  
SALES TYPE: **Quote**

DATE: **4/16/2025**  
ORDER #: **1286796**  
CUSTOMER #: **31187**  
CP: **BRAD**  
LOCATION: **1**  
STATUS: **Active**

## BILL TO 31187

HIGHLAND CITY  
5400 W CIVIC CENTER DRIVE  
HIGHLAND CITY, UT 84003 US

## SHIP TO

HIGHLAND CITY  
5400 W CIVIC CENTER DRIVE  
HIGHLAND CITY, UT 84003 US

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
ABI	Z23SL 10-99144	ABI Force z23slt - (Laser Ready) w/ Tweels	1	\$32,999.00	\$31,184.05	\$31,184.05
ABI	10-99029	MINI-BOX BLADE - SOLID EDGE	1	\$599.99	\$566.05	\$566.05
ABI	10-90232	MINI SCARIFIER BAR	1	\$599.00	\$566.05	\$566.05
ABI	10-90165	VIBRAFLEX 3800	1	\$899.00	\$849.55	\$849.55
ABI	10-90253	PROFILE BLADES	1	\$499.00	\$471.55	\$471.55
ABI	10-99137	6' RIGID DRAG MAT W/ LEVEL BAR	1	\$599.00	\$566.05	\$566.05
ABI	10-99141	7' FINE FINISH BROOM	1	\$799.99	\$755.05	\$755.05
ABI	10-90672	MOBILE WORK STATION	1	\$499.00	\$471.55	\$471.55
ABI	10-99136	INFIELD LIP EDGER SYSTEM	1	\$1,399.00	\$1,322.05	\$1,322.05
ABI	10-90403	LASER ELECTRONICS & POLE - MACHINE SIDE	1	\$3,799.00	\$3,590.05	\$3,590.05
ABI	10-11272	DUAL SLOPE LASER TRANSMITTER	1	\$2,899.00	\$2,739.55	\$2,739.55
ABI	10-10422	XD TRIPOD FOR LASER TRANSMITTER (33" - 119")	1	\$799.00	\$755.05	\$755.05
ABI	10-10425	13' FIBERGLASS GRADE ROD FOR LASER SYSTEM	1	\$149.00	\$140.80	\$140.80
****	LABOR	LABOR TO SET UP MACHINE	1	\$250.00	\$250.00	\$250.00
****	SHIPPING	INCOMING FREIGHT	1	\$1,200.00	\$1,200.00	\$1,200.00

STATE CONTRACT # MA4726.

THANKS,  
BRAD ROWBERRY  
801-231-1306.

All quotes are valid for 10 days if product is in stock. If product is not in stock, prices are subject to change upon delivery pricing.

SUBTOTAL:	<b>\$45,427.40</b>
TAX:	<b>\$0.00</b>
ORDER TOTAL:	<b><u>\$45,427.40</u></b>

Authorized By: \_\_\_\_\_



# CITY COUNCIL AGENDA REPORT

## ITEM #6a

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**DATE:** June 3, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Chris Trusty, City Engineer/Public Works Director  
**SUBJECT:** East-West Collector Road Data Followup  
**TYPE:** General City Management

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### **PURPOSE:**

Council will review the traffic count and speed data collected on the City's east-west collector roads over the past few months and discuss enacting guidelines for setting speed limits on City collector roads.

### **STAFF RECOMMENDATION:**

Council review the data and provide direction to staff regarding potential speed limit guidelines for City collector roads.

### **PRIOR COUNCIL DIRECTION:**

On February 4, 2025, Council requested staff collect traffic data on all east-west collector roads in the City before deciding how to proceed with any changes to speed limits and additional traffic-calming measures.

### **BACKGROUND:**

The results of the traffic and speed studies is included as an attachment. Also attached is a map showing the City's current speed limits.

At the meeting, staff will share with the Council potential guidelines based on this data for enactment.

### **FISCAL IMPACT:**

Depending on the direction from Council, there could be a cost for new speed limit signs as well as traffic calming tools. Council has approved \$75,000 for Traffic Calming & Pedestrian Safety in the FY25 budget in GL 10-60-77.

### **MOTION:**

Not applicable, this item is for discussion purposes only.

### **ATTACHMENTS:**

1. East West Collector Study Results
2. Speed Limit Map

# East West Collectors

	<b>11800 North</b>	<b>10400 North</b>	<b>Canal Blvd West</b>	<b>Canal Blvd Mid</b>	<b>Canal Blvd East</b>	<b>9600 North</b>
Speed Limit	35 MPH	35 MPH	30 MPH	30 MPH	30 MPH	25 MPH
Average Speed	36.75 MPH (1.75 over)	36.2 MPH (1.2 over)	30.5 MPH (0.5 over)	34.25 (4.25 over)	36.0 MPH (6 over)	31.2 MPH (6.2 over)
85 <sup>th</sup> % speed	40.5 MPH	40.0 MPH (14% over)	35.5 MPH (18% over)	38.0 MPH (27% over)	39.75 MPH (30% over)	36.0 MPH (44% over)
% trips > 10 mph over	5.8%	3.0%	3.6%	8.3%	20%	20%
# daily trips	5,903	4,161	1,154	2,717	10,175	1,771
# accidents		47	5	7	42	10
# residential accesses*	2	31	11.5	0	0	80
# schools	1	2	0	0	0	0
length	1 Mile	2.3 miles	1 mile	0.72 miles	0.85 miles	2.3 miles

# Speed Limit Map

