



# HIGHLAND CITY COUNCIL AGENDA

TUESDAY, JULY 15, 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 Ron Campbell

Pledge of Allegiance: Council Member Brittney P. Bills

### 1. UNSCHEDULED PUBLIC APPEARANCES

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

### 2. PRESENTATIONS

#### a. City Investment Policy and Practices - Ben Sehy with Meeder Investments

The City Council will hear a presentation from Meeder Investments about an investment option available to the City with the funds normally stored in the Public Treasurer's Investment Fund.

#### b. Update on Canyon Water Sources

Ernie John, North Utah County Water Coordinator, will update the Council on the state of water resources from American Fork Canyon.

### 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*

May 20, 2025

#### b. Approval of Meeting Minutes *General City Management*

*Stephannie Cottle, City Recorder*

June 3, 2025

#### c. Approval or Ratification of Large Purchases *General City Management*

*David Mortensen, Finance Director*

The City Council will consider approval or ratification of large purchases.

### 4. ACTION ITEMS

#### a. RESOLUTION: Interlocal Agreement with Utah County for Grant to Fund Road Improvements *General City Management*

*Chris Trusty, City Engineer/Public Works Director*

The City Council will consider a resolution to approve an Interlocal Agreement between Utah County and Highland City to fund improvements of 10400 North and 6000 West and the reconstruction of 6800 West.

**b. ORDINANCE: Regulating Materials and Vegetation in Public Ways Municipal Code Update (Legislative)**

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

The City Council will consider amending the municipal code to provide clearer regulations to keep streets, sidewalks, and trails clear of obstructions.

## **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. ACTION: FY26 Truck Purchase General City Management**

*Chris Trusty, City Engineer/Public Works Director*

The City Council will consider approving the purchase of three trucks as part of the City's vehicle replacement program.

## **6. DISCUSSION ITEMS**

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

**a. Fence Code Clarification Land Use (Administrative)**

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

The City Council will give direction on the intent of the fence code relating to privacy fences near trail corridors where no trail facility is built or planned to be built in the near future.

## **7. COMMUNICATION ITEMS**

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

**a. Update on Sprinkler and Park Maintenance** *Chris Trusty, City Engineer/Public Works Director*

**b. Highland Boulevard Roundabout** *Chris Trusty, City Engineer/Public Works Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

**c. Potential Change Order to Sewer Lining Project** *Chris Trusty, City Engineer/Public Works Director*

**d. Community Development Update** [\(Current Projects List\)](#) *Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

**e. Election Update** *Stephannie Cottle, City Recorder*

**f. Highland Fling Update** *Kurt Ostler, Mayor*

## **8. 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 10th day of July, 2025

Stephannie Cottle, CMC |UCC, City Recorder

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



# HIGHLAND CITY COUNCIL MINUTES

Tuesday, May 20, 2025  
[Waiting Formal Approval](#)

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

## 6:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Mayor Kurt Ostler

Pledge of Allegiance: Council Member Kim Rodela

The meeting was called to order by Mayor Kurt Ostler as a regular session at 6:07 p.m. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting. The prayer was offered by Mayor Kurt Ostler and those in attendance were led in the Pledge of Allegiance by Council Member Kim Rodela.

PRESIDING: Mayor Kurt Ostler

### COUNCIL MEMBERS:

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

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator/Community Development Director Jay Baughman, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle, Finance Director David Mortensen, City Engineer/Public Works Director Chris Trusty, Police Chief Brian Gwilliam

OTHERS PRESENT: Jon Hart, Logan Johnson, Mark Coombs, Deann Coombs, Isaac Day, Liz Rice, Wesley Warren, Sgt. Ryan Albers

## 1. UNSCHEDULED PUBLIC APPEARANCES

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

Isaac Day stated that he is working to create a service organization that would accept donations at various locations in the City, and he distributed a handout detailing his organization and identifying the proposed donation/service sites. He stated he would like to work with the City to begin his project as soon as possible and asked for feedback from the Mayor and Council regarding his proposal.

Mayor Ostler thanked Mr. Day for his efforts and provided information regarding the types of signs that are permitted on public properties. Mr. Day stated he has chosen certain areas of the City that he feels need attention soon; he would install signs similar in quality to those that are used in national parks and on public trails. Each

sign would have a QR code and donors will be assured that their donation will go to that specific project, rather than into a larger fund. Council Member Smith suggested Mr. Day could run the funds through the Highland Foundation to ensure donors can make a tax-free donation. Mr. Day stated he is not sure which foundations or charitable organizations he will be working with; he wants his organization to benefit cities throughout the State, not just Highland. Mayor Ostler indicated that Mr. Day will need to work with the City to secure approval of his signs; he thanked Mr. Day and noted his goal to get the parks cleaned up is great. He encouraged Mr. Day to reach out to him and the City's Parks Department outside of this meeting.

Wesley Warren referenced the communication items on tonight's agenda, specifically the item related to the baseball field; he was unaware there may be an opportunity for Highland to sign a long-term contract with a league/club/team for upkeep and maintenance of the facility. He stated he was not aware of the implications of the agreement in terms of exclusive use and maintenance of the field, and he is interested in hearing the discussion regarding that topic. He added that he also noticed an item regarding e-bikes and stated that he is an avid user of e-bikes and hopes to be able to keep riding them in the City and on the trail system.

## 2. CONSENT ITEMS

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

Items on the consent agenda may be pulled for separate consideration.

- a. **Approval of Meeting Minutes** *General City Management*  
*Stephannie Cottle, City Recorder*  
April 15, 2025
- b. **Approval of Meeting Minutes** *General City Management*  
*Stephannie Cottle, City Recorder*  
May 1, 2025 - Site Tour
- c. **Approval or Ratification of Large Purchases** *General City Management*  
*David Mortensen, Finance Director*  
The City Council will consider approval or ratification of large purchases.
- d. **Adding Closed Session Exception to R-2025-07** *General City Management*  
*Rob Patterson, City Attorney/Planning & Zoning Administrator*  
The City Council will consider adding an exception to its meeting end time policy to exclude closed meetings from meeting end time restrictions.

*Council Member Scott L. Smith pulled item 2c, Approval or Ratification of Large Purchases.*

*Council Member Kim Rodela MOVED that the City Council approve consent item 2a, the approval of meeting minutes from April 15, 2025; 2b, the meeting minutes from May 1, 2025; and 2d, Adding Closed Session Exception to R-2025-07.*

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

*The vote was recorded as follows:*

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

*The motion carried 5:0*

Council Member Smith stated that in regard to item 2c, he was confused because the resource material has a lot

of blank spaces in it and it also includes many projects that have already been approved. He stated he was not sure the Council ever changed the purchase threshold for items that must be presented to the Council. Finance Director Mortensen stated that is correct; the policy has never been changed and anything over \$25,000 must be approved by the Council. He stated there has been some inconsistency in the past in terms of items that have been presented to the Council, so the intent of tonight's agenda item was to present any purchase in the last month that exceeded \$25,000 to the Council, including some that have already been approved by the Council by way of a contract approval. Council Member Smith stated he would like to continue to see these purchases presented to the Council, but perhaps not as a consent item.

The Mayor, Council, and staff briefly discussed some items listed on the documentation regarding the purchases exceeding \$25,000; Mr. Mortensen noted that the item regarding sewer treatment fees was noted as being spent in February and that should be changed to March.

*Council Member Doug Cortney MOVED that City Council ratify the large purchases under item 2c on the agenda.*

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

*The vote was recorded as follows:*

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

*The motion carried 5:0*

### **3. ACTION ITEMS**

#### **a. ACTION: Maintenance Agreement Review General City Management**

*Jay Baughman, Assistant City Administrator/Community Development Director*

The City Council will consider approving Maintenance Agreements as allowed in Resolution R-2022- 27 for: Joshua Otteson, Scott and Summer Dunn, and David and Laurie MacKay

Assistant City Administrator/Community Development Director Baughman provided background information regarding the Council's adoption of an encroachment policy; the policy states "private use of public property is regulated by the City in order to ensure that the property remains useful and beneficial for the public. Just as a resident cannot use their neighbor's yard without their neighbor's permission, neither can a resident use the City's property without the City's permission." The Maintenance Agreement document is the tool developed by the Council to orderly track and manage instances where a resident(s) desires to improve and maintain public property for mutual benefit and the City has determined that it is in the public interest to allow them to do so, subject to terms and agreements defined by the property owner, which is the City of Highland. Mr. Baughman then noted there are three pending maintenance agreement requests for Joshua Otteson, Scott and Summer Dunn, and David and Laurie McKay. He shared an aerial view of each of the properties, summarized the applicant's narrative regarding the justification for the encroachment/maintenance agreement, and staff's recommendation for each application. Staff have recommended denial of the Otteson application, approval of the Dunn application, and approval of the McKay application. The two applications for which staff recommends approval are consistent with the restrictions defined by the Highland City Maintenance Agreement resolution adopted on July 19, 2022. Relative to the Otteson application, staff finds that the application does not meet the requirements of the policy because the shed on the west side of the property and its placement on public land does not provide a benefit for anyone but the resident. The City needs to protect its access to water, sewer, and groundwater

drainage infrastructure in the area and that could be undermined by improvements in the area.

Council Member Smith stated he does not understand staff's concerns about the reduced access to water, sewer, and groundwater drainage and he asked if staff would be willing to investigate that matter further before the Council is asked to vote on the application. Council Member Cortney agreed; he would like additional time to reach out to the applicant to discuss the matter. Mr. Baughman stated the applicants were informed the item would be on tonight's agenda and he only received a response from the Dunns.

Council Member Rodela stated she feels the Otteson application should be denied if it does not meet the policy. Council Member Campbell agreed. Council Member Smith stated that it may be true that the Otteson's should not have built the shed in its current location, but he would still like to understand the location of the drainage infrastructure and whether the shed was built before the encroachment policy was adopted. Mayor Ostler stated he understands both points of view, but it may also be helpful to understand whether selling the property to the Otteson's would be appropriate. Council Member Smith agreed.

Council Member Bills stated that she agrees with Council Members Rodela and Campbell that the application should be denied given that it does not comply with the encroachment policy; however, she would also be willing to consider selling the property in the future and that matter should be handled independent of this matter.

#### Otteson Application

*Council Member Ron Campbell MOVED that City Council deny the open space maintenance agreement with Joshua Otteson, due to the following:*

*1. The shed/structure on public property is not consistent with the guidelines in section 9 Permitted and Prohibited Improvements of an MA (maintenance agreement) and the improvements are not for the benefit of the public.*

*Council Member Kim Rodela SECONDED the motion.*

Council Member Cortney stated he does not disagree with the basis for denying the maintenance agreement, but he will be voting in opposition to the motion because it has been so long since the application was originally submitted to the Council and he would like to be sure that the Otteson's were informed that this matter would be heard tonight and that they would have had a chance to speak.

Council Member Campbell stated he understands that perspective, but he is not sure the Otteson's could have offered any information that would cause the Council to approve the maintenance agreement.

*The vote was recorded as follows:*

<i>Council Member Brittney P. Bills</i>	Yes
<i>Council Member Ron Campbell</i>	Yes
<i>Council Member Doug Cortney</i>	No
<i>Council Member Kim Rodela</i>	Yes
<i>Council Member Scott L. Smith</i>	No

*The motion carried 3:2*

Council Member Cortney commented on the quality of the landscaping installed by the Dunns; he is not concerned about the proposal as it does not impact public use, and the improvements have beautified the section of the trail that the property sits along.

Council Member Rodela asked if curbing is allowed according to the maintenance agreement, to which Mr.

Baughman answered no. This led to high level discussion among the Council and staff regarding the reasons curbing was prohibited in the policy. City Attorney Patterson added that staff have investigated the ownership of the entire length of the property and has found that the portion upon which the curbing and gravel is located may be owned by another individual/entity. Council Member Rodela stated she does not want to provide any exception to the maintenance agreement policy given that the Council spent such a significant amount of time developing the policy.

Council Member Smith stated he feels the Council may need additional information regarding the ownership of the property before making a decision. City Administrator Wells stated that may be appropriate; she thought the ownership of the property had been determined.

Council Member Rodela recalled a past decision to require property owners in this area to buy the property that was declared surplus by the City and that if they refused to buy it, they would not be granted a maintenance agreement. Council Member Bills stated she recalls that as well. Council Member Smith stated he would like to research that matter as well.

#### Dunn Application

*Council Member Doug Cortney MOVED to CONTINUE the Dunn Application.*

*Council Member Ron Campbell SECONDED the motion.*

*The vote was recorded as follows:*

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

*The motion carried 5:0*

Council discussion centered on potential problems with the trees planted on the property and whether roots of the trees may cause problems on City property in the future. The Mayor and Council determined that future direction regarding the trees should be managed by the City's arborist.

#### MacKay Application

*Council Member Kim Rodela MOVED that City Council authorize staff to execute an open space maintenance agreement with David and Laurie MacKay subject to the following stipulations:*

*1. All improvements shall be consistent with the proposed maintenance plan submitted with the application.*

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

*Council Member Doug Cortney requested to add two additional stipulations:*

- 1. The trees be trimmed to 8-feet so they are not impinging on the trail; and*
- 2. If the trees begin damaging the trail, they should be removed.*

Council Member Rodela stated she is not sure why 8-feet is necessary; she does not want the City to be dictating the manner in which trees are trimmed. Council Member Cortney stated he is comfortable removing the height stipulation but would like for the requirement to trim trees to remain, as well as the requirement to remove the trees if they cause damage to be included in the motion.

*The two additional stipulations read as follows:*

1. *The trees be trimmed so they are not impinging on the trail; and*
2. *If the trees begin damaging the trail, they will need be removed.*

*Council Member Kim Rodela agreed to the amendment.*

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

*The vote was recorded as follows:*

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

*The motion carried 5:0*

#### **4. DISCUSSION ITEMS**

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

**a. Daycare Development Agreement** *Land Use (Legislative) Rob Patterson, City Attorney/Planning & Zoning Administrator*

The City Council will give direction on whether the Council is amenable to a legislative development agreement to facilitate the construction of a daycare facility within the PO zone on the Professional Office "B" site.

City Attorney/Planning & Zoning Administrator Patterson explained the Council has discussed the City's professional office (PO) zone on several occasions recently. On April 15, 2025, the City Council formally rejected a proposed text amendment for the PO zone from Patterson Homes but gave staff direction to begin working on staff-led code changes. Since the April 15 meeting, the City has been approached by a potential daycare developer seeking to develop a PO zone site on the west side of Highland Boulevard south of the storage units. The site and building as proposed by the daycare client would be for a single building on the site, one story, 10,200 square feet, with pitched roofs and more traditional residential architecture. This would be a larger footprint than the original two planned buildings on the site (6,800 square feet vs 10,200 square feet), but overall, the massing would be smaller (18,800 square feet vs 10,200 square feet). Staff is seeking feedback from the Council as to whether the City would entertain this type of project on the PO site.

Council Member Campbell stated he has some questions for the applicant; he asked if they have operated this type of facility elsewhere. Logan Johnson, Wright Development Group, stated that he would build the project and lease it to a daycare facility; he currently has two other daycares along the Wasatch Front, with four others under construction. The potential tenant is a national daycare operator, The Learning Experience, and they operate thousands of facilities throughout the country. Council Member Campbell stated he would be concerned about parking and traffic flow for this type of operation. Mr. Johnson stated that he has worked with the potential tenant on parking recommendations, as well as pick-up, drop-off procedures. This led to high level discussion among the Mayor, Council, and Mr. Johnson regarding these procedures and how they would differ from those of a traditional school. The group also discussed the City's current parking regulations and whether the application in its current form would comply with the requirements of the PO zone. Mr. Patterson added that a legislative development agreement could be considered that would provide proper restrictions but abide by the PO zone. The Council concluded they are supportive of the proposal, but encouraged architectural design adjustments to help ensure the building will have more of a residential feel as has been requested by the residents living nearby.

Council Member Cortney stated he is a bit concerned about traffic on Highland Boulevard given that more homes will be built in the area and any increase in traffic will have an impact on the area. However, he is supportive of the proposal and feels it could benefit the area. Council Members Rodela and Bills agreed.

Council Member Campbell asked if the median on Highland Boulevard will be built in conjunction with this project. Mayor Ostler stated Patterson Development is supposed to be completing that improvement. Mr. Patterson agreed; it may be something that needs to be worked out between Patterson and Wright Development.

**b. Dry Creek Lift Station Property and Generator Purchase *General City Management***

*Chris Trusty, City Engineer/Public Works Director*

The City Council will discuss the purchase of a generator and additional land for the Dry Creek lift station.

City Engineer/Public Works Director Trusty explained on June 18, 2024, the Council approved the Fiscal Year (FY) 25 City budget which included \$250,000 for the purchase of a generator and additional property for the Dry Creek lift station. The Dry Creek lift station is the only lift station in the city which does not currently have an onsite generator. There is a natural gas-powered motor that could service the building should there be a loss of power, but the motor gets very hot during operation and relies on a battery to be turned on in the event of a power outage. Having a generator provides a more reliable backup system for the lift station and related systems should there be a loss of power. Additionally, the motor can only operate one of the two lift station pumps, so this limits the lift station's capacity and redundancy. The lift station currently sits on a permanent easement, but the existing easement is not sufficiently large enough to also accommodate a generator. An additional 800 square feet is needed to place the generator. In order to install the generator, the City could either purchase an expansion of the permanent easement or purchase the needed property along with the current permanent easement outright. The area is currently already in a conservation easement and is across the creek from the main residence, but he presented an aerial image and identified options for extending the easement or purchasing property to secure adequate space for the station.

Discussion among the Council and staff centered on options for powering the generator and any noise disturbances that could be caused by the generator; the structure that will house the lift station; and the pros and cons of an easement versus property ownership. The Council concluded they are comfortable moving forward with the project but would favor acquiring the property rather than relying on the easement.

## **5. COMMUNICATION ITEMS**

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

**a. Baseball Field Rental Follow-up *Jay Baughman, Assistant City Administrator/Community Development Director***

Assistant City Administrator/Community Development Director Baughman explained he has worked with Council Member Rodela and Derric Rykert, Highland City resident/American Fork Parks and Recreation Director, regarding the development of a policy that would regulate the rental and use of the new baseball fields and batting cages. Council Member Rodela stated she and Mr. Baughman will meet with Mr. Rykert a week from today to finalize the proposed policy and it will be presented to the Council soon.

There was brief discussion among the Council and staff regarding the comments made by Mr. Warren at the beginning of the meeting; Council Member Rodela indicated that a local baseball club has entered into an agreement with the City that provides for them to receive field use in return for them maintaining the Mitchell Hollow baseball field. They have dramatically improved the condition of the field, and it may be an option to consider something similar for the other fields in the City. Council Member Smith asked if others are able to use the field, to which Council Member Rodela answered yes; the baseball club does not have exclusive access to

the Mitchell Hollow field. Additionally, the arrangement gives young athletes the ability to learn what it takes to maintain an athletic facility and they take pride in the field that they play on. Council Member Smith asked that any new policy to be presented to the Council includes rental and use fees that have been compared to what other cities are charging for premium facilities. Council Member Rodela stated that is what she and Mr. Rykert will be working on.

**b. Ordinances related to E-bikes** *Rob Patterson, City Attorney/Planning & Zoning Administrator*

City Attorney/Planning & Zoning Administrator Patterson reviewed current City and State laws regulating e-bikes as a motor driven cycle. The City Code can be amended to be more specific to help law enforcement officers regulate the use of e-bikes on public property. Mayor Ostler facilitated a high-level discussion among the Council, Mr. Patterson, and Police Chief Gwilliam regarding appropriate amendments to the City Code pertaining to e-bikes. Chief Gwilliam indicated he will use the feedback provided by the Mayor and Council to work with Mr. Patterson on recommended amendments to the City Code to improve the Police Department's ability to take enforcement action on e-bikes.

**c. Code Amendment - Parking of Trailers on City Streets** *Jay Baughman, Assistant City Administrator/Community Development Director*

Assistant City Administrator/Community Development Director Baughman stated the City has dealt with some code compliance issues recently related to parking of large trailers on City streets; residents are able to move their trailers to comply with the letter of the law by moving the position of their trailer slightly in a 24-hour period, but this is violating the spirit of the law. He and City Attorney Patterson are working on a code amendment that will address the matter. The Council discussed the loophole in the current ordinance and expressed a willingness to address the matter.

**d. Budget Direction - Lone Peak Budget Change** *David Mortensen, Finance Director*

Finance Director Mortensen used the aid of a PowerPoint presentation to summarize the Lone Peak Public Safety District (LPPSD) Board's recent action to approve their Fiscal Year (FY) 2025-2026 budget; the Board added back in two full time and one part time Fire positions as well as an animal shelter fee increase. These two changes result in an increase in the Highland City assessment of \$141,083 and the City Council needs to determine how fund that increase. He noted the City's tentative budget has a general fund surplus of \$41,950. He noted the tentative budget includes a transfer of \$250,000 to the roads capital for 10400 North and 6000 West sidewalk and crosswalk phase one project, but that project was a late addition to the budget and could be amended to provide additional funding for the assessment increase. Staff is looking for direction from the Council on this budget issue.

Council Member Smith noted he sits on the Animal Shetler Board, and he was informed that Pleasant Grove and Lindon plan to fight the animal shelter fee increase; the Board will meet a week from Thursday and if there is strong enough opposition to the fee increase, it may be delayed and that would save Highland City \$20,000.

Council Member Courtney asked if the City is obligated to pay the increased assessment. City Attorney Patterson stated that the interlocal agreement for the District provides a formula for budget increases compared with growth in the cities that are part of the District; each City Council must approve budget increases, but once the District passes its final budget, the cities must determine how to pay for any increased assessment. Mayor Ostler stated that the City Council approved the District's tentative budget, but the budget increased before the final version was adopted. He asked if the City Council has any ability to reject that increase. Mr. Patterson stated that the interlocal agreement indicates that the District cannot increase its budget in excess of the growth of the cities that are part of the District without consent; the situation that has occurred this year is unique and has not happened in the past, but Highland City should ratify the change because the increase is beyond the growth of the cities.

Council Member Cortney asked if the increase is beyond the City's growth, in addition to what has already been approved. Mr. Patterson stated that is not clear. This led to philosophical discussion among City Administration, the Mayor, and City Council regarding any authority the City Council has to reject the increase in the District budget; Mayor Ostler noted that he has asked that the Board consider an amendment to the interlocal agreement and the additional staffing positions will not be filled until the interlocal agreement has been reviewed and possibly amended to address the concern that the assessment charged to Highland City is unfair and Highland is essentially subsidizing fire protection in Alpine City.

Continued high level discussion centered on opportunities for the District to reduce their expenses to help offset the proposed budget increases, after which Mayor Ostler asked for feedback from the Council regarding how to fund the assessment increase. The Council concluded to reduce the funding for the 10400 N. and 6000 W. sidewalk and crosswalk project by \$100,000 and combine that amount with general fund surplus to fund the assessment increase. City Administrator Wells noted that City staff is working to apply for grant funding that could help to pay for the sidewalk project as well.

**e. Hanover Way Sewer Repair** *Chris Trusty, City Engineer/Public Works Director*

City Engineer/Public Works Director Trusty provided background information regarding the Hanover Way sewer repair; Recently, city staff became aware of a sewer line on Hannover Way with a "belly" or low spot in the line. After investigating, it appears that this is the result of infiltration from a 30-inch culvert built to convey water in the existing seasonal wash. To rectify, approximately 40 feet of sewer line and another 40 feet of 30-inch concrete culvert will need to be removed and replaced. Preliminary costs are estimated at \$75,000 to \$100,000 and Mr. Trusty presented a map to identify the location of the sewer repair project.

Council Member Cortney asked Mr. Trusty if he plans to place a sleeve lining in the repaired line to prevent this type of issue in the future. Mr. Trusty answered yes; slip lining is not a bad idea for large sewer lines in general.

**f. Central Utah Water Conservancy Recharge Basin Plans** *Chris Trusty, City Engineer/Public Works Director*

City Engineer/Public Works Director Trusty provided information regarding the Central Use Water Conservancy District (CUWCD) recharge basin plans; the District will drill three monitoring wells in the summer of 2025 and begin a pilot recharge in October of 2025. He presented a map identifying areas identified for the possible well areas and noted the District is interested in swapping land with Highland City for the project; this land swap would benefit both entities. The Council discussed the proposal and the potential impacts of the drilling activities; they also discussed the potential uses of the land in question and asked Mr. Trusty to investigate the matter further before presenting a formal recommendation to proceed with the land swap. They also asked if the City has any ability to dictate the appearance of the project sites, to which Mr. Trusty answered he and Mr. Patterson will review the contracts that have governed the projects to this point to determine the City's authority.

**g. Community Development Updates** *Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

Assistant City Administrator/Community Development Director Baughman provided the Mayor and Council with an update on the work underway to update the City's General Plan; the next joint meeting of the Planning Commission, City Council, and the project consultant will be held June 10.

Council Member Smith stated that according to a new State law, many items are no longer being presented to the City Council for approval, such as zoning amendments. He stated he was not aware of the plans for a new veterinary clinic as a result of the law change. He stated that it would be nice for staff to include information at the bottom of City Council agendas to provide an update on applications that have been approved by the City's

Design Review Committee (DRC). City Attorney/Planning & Zoning Administrator noted that information is included on the City's website under 'current projects', but he can provide other updates as well. He clarified that the veterinary clinic has not been formally approved yet and will still be presented to the Planning Commission and City Council. City Attorney Wells added that the purpose of this agenda item is for staff to provide the Council with information about recent land use items that are no longer submitted to the Council for approval.

Mr. Patterson then provided a brief update regarding the reclassification of 11200 North as part of the General Plan updates; that item will be submitted to the Planning Commission next week and to the Council in June.

City Engineer/Public Works Director Trusty reported that the 6800 West road maintenance project will begin next week. He is unsure of the timing of the project as it is being managed by the Timpanogos Special Service District (TSSD), but they have assured him that it will be complete by the end of July in advance of the City starting work on 6400 West.

**h. School District Updates *Kurt Ostler, Mayor***

Mayor Ostler encouraged Council Members to stay informed about the school district. Board Members will be elected at the upcoming election.

Mayor Ostler then reviewed the schedule of upcoming meetings of the City Council.

Council Member Cortney noted the municipal candidate filing period is the first week of June. City Recorder Cottle stated that is correct and she will be posting information about the filing period on the City's website. There was a brief discussion about all documents that must be filed as part of the candidate filing process.

**i. Highland Fling *Jay Baughman, Assistant City Administrator/Community Development Director***

Assistant City Administrator/Community Development Director Baughman stated the purpose of this discussion is for City Administration to receive direction from the Mayor and Council regarding the purpose and goals of the Highland Fling event. He and Mayor Ostler facilitated discussion among the Council about options for adjusting the offerings of the event to attract greater participation from City residents. They also discussed opportunities for increasing advertising of the event schedule.

Council Member Smith then reported on his participation with the North Point Waste Management District and Utah County Public Health Board and recent events/activities of both entities.

**6. WORK SESSION**

Staff will report on encroachment enforcement efforts and seek feedback from Council on which subdivision to move forward with next.

The meeting recessed at 8:55 p.m.

The meeting resumed at 9:10 p.m.

Assistant City Administrator/Community Development Director Baughman used the aid of a PowerPoint presentation to provide historical information on the City's efforts to address encroachment issues; Resolution R-2022-27 was adopted in July 2022 with the purpose of providing the City with the ability to enter into Maintenance Agreements (MA) with residents when their improvements on public land provide a benefit to the public (and not just themselves). The policy also established procedures for removing any private encroachment onto public property if a MA cannot be reached. He then discussed the procedures City staff follows to identify

encroachment issues and take enforcement action. The areas of the City that are currently being focused on by City staff are Highland Hollows and Canterbury North; options for the next area of focus include Windsor Meadows, which has 10 encroachment issues, and Beacon Hills, which has 35 encroachment issues. He presented maps of the two areas and identified some of the properties upon which encroachment has occurred. Throughout the presentation, Mr. Baughman heard feedback from the Council regarding a desire for restoration of natural areas in Beacon Hills, rather than maintenance agreements to allow for the preservation of the private improvements; they also encouraged speedy action of the City when an encroachment issue has been identified – otherwise, residents do not believe the City is serious about the matter. The Council suggested that Beacon Hills is the most appropriate area to start on next in terms of encroachment.

## **7. 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.

*At 9:21 pm Council Member Scott L. Smith MOVED that the City Council recess the regular meeting to convene in a closed meeting in the Executive Conference Room to discuss the character, professional competence, or physical or mental health of an individual, and pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.*

*Council Member Brittney P. Bills SECONDED the motion.*

*The vote was recorded as follows:*

*Council Member Brittney P. Bills  
Council Member Ron Campbell  
Council Member Doug Courtney  
Council Member Kim Rodela  
Council Member Scott L. Smith*

*Yes  
Yes  
Yes  
Yes  
Yes*

*The motion carried 5:0*

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

*The CLOSED SESSION adjourned at 10:55 pm.*

## **ADJOURNMENT**

*Council Member Doug Courtney MOVED to adjourn the regular meeting and Council Member Brittney P. Bills SECONDED the motion. All voted in favor and the motion passed unanimously.*

*The meeting adjourned at 10:55 pm.*

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on May 20, 2025. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle, CMC, UCC  
City Recorder



# HIGHLAND CITY COUNCIL MINUTES

Tuesday, June 3, 2025  
Waiting Formal Approval

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

## 6:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Doug Cortney

Pledge of Allegiance: Council Member Scott L. Smith

The meeting was called to order by Mayor Kurt Ostler as a regular session at 6:01 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 Doug Cortney and those in attendance were led in the Pledge of Allegiance by Council Member Scott L. Smith.

PRESIDING: Mayor Kurt Ostler

## COUNCIL MEMBERS:

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

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator/Community Development Director Jay Baughman, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle, Finance Director David Mortensen, City Engineer/Public Works Director Chris Trusty, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Library Director Donna Cardon

OTHERS PRESENT: Jon Hart, Liz Rice, Bailee Goettig Price, Weston Price, Mark & DeAnn Coombs, David Wilkins, Karen McCoy, Dawn Moore, Scott Oldroyd, Wesley Warren, Eric Adamson, Kelsi Chamberlain, Whitney Hebbert, Chris Howden, Amanda Bunnell, Mike Bunnell, Claudia Sudweeks, Shauna Larson, Darlene Stice, Jake Hofheins, Kevin Black, Dawn Harris

## 1. UNSCHEDULED PUBLIC APPEARANCES

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

Karen McCoy stated she is a resident of American Fork, but she feels that all cities that are members of the special service district (SSD) that oversees animal services should be aware of some things. She noted that Council Member Smith participates with the North Utah County Animal Shelter SSD, and she has some concerns about current practices of the shelter. Utah has 59 shelters and all but four of them have reached a 'no kill' status; this means every dog or cat that is not suffering from irreparable medical or behavioral issues that compromise their quality of life and prevent them from being rehomed will be saved. This is typically less than 10 percent of

the animal population, so shelters that save 90 percent of the animals they receive are considered ‘no kill’ shelters. In the United States, two out of three shelters are considered ‘no kill’, but every 90 seconds a dog or cat is killed in a shelter because they do not have a place to call home. This is a solvable issue, and the City can be part of the solution. She provided statistics for shelters in Utah that were not classified as ‘no kill’ shelters, noting that the two shelters with the worst statistics are in Utah County. When animal shelters, government, and community members value the philosophical principles of ‘no kill’ and implement systems and programs to uphold these principles, it is possible to achieve a community sheltering system in which euthanasia is performed only as an act of emergency. In February of 2024, the Utah Governor declared 2024 as the ‘no kill’ shelter year, and the entire State almost complied, aside from Utah County. She feels Highland City could be a leader in ensuring the way the Utah County shelters are operated is changed; pet owners also need to step forward and be held accountable for their animals. She is concerned that the makeup of the SSD makes it difficult to address these types of issues.

Wesley Warren referred to the agenda item 5c, the purchase of a laser level for ball field maintenance; when reviewing the packet, he had ‘sticker shock’ in response to learning the price of the unit is \$45,000. He has done some research and found that only a large baseball complex that has the potential to generate revenue through the rental of the fields would need this piece of equipment. The laser level would be more appropriate for a professional setting and for Highland City, something like a cone laser or dual grade laser would be sufficient. He discussed how the other types of laser systems are operated and indicated they are much less expensive, at approximately \$5,000 to \$6,000. He does not know all of the details behind the proposal, but he encouraged the Council to ask questions about the matter before approving the purchase.

Council Member Cortney noted that the agenda item referenced by Mr. Warren has been removed from the agenda because staff wanted to do some more investigation into that issue.

## **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.

Darlene Stice, Shauna Larson, and Claudia Sudweeks used the aid of a PowerPoint presentation to discuss the partnership of the Historical Society and the Arts Council to complete many important historical preservation projects in the community, expand the programs managed by the Arts Council, and expand services offered to senior citizens in the community. The two entities are proposing securing a larger site/building for their activities and they have identified two potential sites. The first is the Strasburg Chapel property, which may be decommissioned by the Church of Jesus Christ of Latter-day Saints in 2029. The Historical Society and Arts Council would like to acquire and preserve the building for their purposes. The other is the lot across from the City library, for which a feasibility study has already been performed in terms of constructing an interactive family friendly museum, performance center, more classrooms, and senior activities. The project is in the planning stage and the groups are working on creating a new 501(c)3 entity and electing a Board that will work on fundraising and grant writing. Next steps include construction or renovation plans for a building, creating a management policy for gifts and photos/collections, and creating a professional website for the new entity. There are many issues that still need to be addressed, and the group is open to feedback, but the purpose of tonight’s agenda item was to simply present this idea to the Highland Mayor and Council.

Mayor Ostler and the City Council discussed the pros and cons of the two sites presented by the group and expressed some support for the concept but stressed the need for the group to raise their own funding to build a new building or preserve the chapel building if they are able to secure it. Council Member Rodela offered information on a Community Preservation Revitalization Grant offered by the State of Utah, which can be used for planning purposes; she will send information regarding this grant and others to the group. Continued discussion among the group centered on ongoing efforts to create the 501(c)3 entity and create the management

policy for gifts, photos, and collections donated by families; they also discussed the viability of the two different sites, as well as other optional sites in the community. The Council expressed support for the goal of identifying a site for the group but again stressed that it will be necessary for the group to raise their own funding for their initiatives. Ms. Larson and Ms. Sudweeks thanked the Mayor and Council for their consideration of this matter.

Council Member Bills stated that she is willing to donate her Council appropriation funding to the Historical Society to help them with things like getting their website created, or whatever they feel is the most pressing need. Council Member Smith stated he will donate his appropriation to the Society as well. He stated that if the Society has a solid plan and design for the facility, it will aid them in getting private donations. He noted the Highland Foundation may also be able to help the Society secure tax-fee donations for this project. Ms. Sudweeks stated that the Board will be very excited to hear this input, and they will keep moving forward now that they have support from the Mayor and Council.

Mayor Ostler asked Ms. Sudweeks to introduce each of the members of the Historical Society who were present at the meeting, which Ms. Sudweeks did.

### **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

*Council Member Kim Rodela MOVED that the City Council approve consent item 3a, the approval of meeting minutes from April 29, 2025.*

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

*The vote was recorded as follows:*

*Council Member Brittney P. Bills*

*Yes*

*Council Member Ron Campbell*

*Yes*

*Council Member Doug Courtney*

*Yes*

*Council Member Kim Rodela*

*Yes*

*Council Member Scott L. Smith*

*Yes*

*The motion carried 5:0*

### **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.

City Attorney/Planning & Zoning Administrator explained that 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. More recently, 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. Mr. Patterson referred the Council to his staff report for detailed information about the regulations of the RP Zone and approval criteria.

Mayor Ostler invited input from the applicant.

Bailee Goettig Price stated that she wishes to transition the existing business from a 'blow dry bar' to a full-service salon and head spa. She feels her business will benefit Highland City.

Mayor Kurt Ostler opened the public hearing at 6:47 p.m.

There were no public comments.

Mayor Kurt Ostler closed the public hearing at 6:47 p.m.

Council Member Smith stated that there are likely many home-based businesses that are already doing something very similar to what Ms. Price is requesting. Mr. Patterson stated that is correct, but those home-based businesses do not have outside employees. Council Member Smith stated he understands that distinction but was surprised that the requested use is not a permitted use.

*Council Member Ron Campbell MOVED 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.*

*Council Member Kim Rodela SECONDED the motion.*

Council Member Cortney stated that there is information in the staff report about parking, but he would like a brief discussion of the matter on the record for the meeting; even if the assumption is made that there are two cars for every seat in the establishment, there will still be plenty of parking for the other business at the site according to the parking standards for this zone. Additionally, it is his understanding that transferring a conditional use permit from business to business on the same site is allowed, but such a transfer can be more problematic when the business site changes. Mr. Patterson stated that is correct; another issue is changing the exterior shell of a building, or parking accommodations.

Mayor Ostler asked how many parking spaces are on-site, to which Mr. Patterson answered 52.

*The vote was recorded as follows:*

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>

The motion carried 5:0

**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.

City Attorney/Planning & Zoning Administrator explained 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. He used the aid of a PowerPoint presentation to expound on the proposed reclassification; the goals of a road classification are to define key roadways for high mobility to reduce traffic on other roads and provide access to minor roads. Street spacing is based on population and development density. He discussed the history of 11200 North dating back to 1980 and indicated that to date:

- 11200 North has not been fully constructed as 66 foot, 2-lane collector right-of-way (ROW);
- Portions of 11200 North have property dedicated for 66-foot ROW, even if ROW has not been built;
- Majority of 11200 North has been built more or less to 56-foot ROW; and
- Council approved request for Williams View subdivision to construct 11200 North to 56-foot ROW standard instead of 66-foot ROW standard.

The proposed map and street classification amendment is to “downgrade” 11200 North from 2-lane residential collector to local street; if approved, this would mean that the City could not widen 11200 North in the future without amending the General Plan through public process. Additionally, staff proposes the following General Plan text amendment:

- Add language to the list of factors/considerations that the City addresses in approving or constructing streets and rights-of-way
- “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.”
- Purpose would be to give the City some official flexibility when dealing with unique and challenging road projects, whether public or private
- Could apply in many situations where standard ROW cross-section is not needed or feasible
  - 11200 N connection (11200 N/Andrew Drive)
  - Existing ditches adjacent to roads with no sidewalks
  - Steep roads (View Pointe)
  - Emergency Access (Highland Oaks)

Mr. Patterson explained the Planning Commission held a public hearing regarding this matter on May 27, 2025; several residents spoke in support of reclassification but opposed an amendment that would facilitate 11200 North connection. The Planning Commission voted separately on the two amendments, voting six to zero in favor of the street reclassification, but a split vote of three to three regarding the text amendment. The primary concern of those voting against was the 11200 North connection. Those that voted in favor did not necessarily support the 11200 North connection, but supported the flexibility provided by the text amendment. Mr. Patterson concluded staff has prepared amendments based on direction received from Commission and Council during

April 8, 2025, General Plan workshop on transportation. He recommended the Council hold a public hearing and consider adoption of amendments to the General Plan.

Council Member Cortney stated that it is his understanding that the main motivation for this amendment is that the City Council – from time to time – decides to do things that do not comply with the General Plan. Mr. Patterson stated that is correct.

Mayor Ostler asked if the amendment would provide for a potential future connection to 11200 North, to which Mr. Patterson answered yes; if a development occurs in the area in the future and they design a connection to 11200 North, such a connection could be approved by the Council. He discussed the optional motions for the Council to consider tonight.

Mayor Kurt Ostler opened the public hearing at 6:58 p.m.

Wesley Warren stated that he was one of the Planning Commissioners who supported both proposed amendments, but he does not support a connection to 11200 North. He feels it is important to keep in mind the purpose of the General Plan, as well as the fact that there are so many areas of the City that could benefit from additional flexibility in the document. This amendment is intended to make streets smaller, safer, and friendlier and he supports those changes and the flexibility provided by the amendment. He stated that he feels it is important to separate the two issues; connection to 11200 North in the future should be a separate matter. However, the amendment would make it possible to consider a pedestrian or bike trail connection to 11200 North in the future.

Kelsi Chamberlain stated she lives on 11200 North and notices the traffic travelling at high rates of speed every day. She has two children and there are two bus stops on the road for the Junior High and Elementary School, and she would support something that would help to slow traffic on the road. She also hopes that if the second amendment goes through, she would like for the City to consider the presence of bus stops on the road before acting on a future connection to the road.

David Wilkins stated he lives on 5650 West, a few houses down from where the connection point on 11200 North is located; he is in favor of reclassifying the road to increase the safety of pedestrians and vehicular traffic. He is concerned about connection in the future, and he does not want it to become a thru street. He can understand the need for a trail connection or emergency access, but if an emergency access is approved, he would like for it to be properly barricaded to prevent the access point from being used by common traffic.

Jake Hofheins stated he lives on 5600 West, and he loves the area very much; he is not opposed to the amendments, aside from the potential future connection. He has witnessed his own children almost being struck by vehicles several times by cars that are traveling between 30 and 50 miles per hour on the road. He relayed many other unsafe conditions that he has witnessed and indicated that allowing for a future connection would further reduce the safety of the road as well as detrimentally impact the livelihood of the neighborhood. If the road were connected, many people living in the area may decide to move away from the neighborhood; there is no need for the connection because of the presence of State Road (SR) 92, which is plenty wide enough for the traffic in the area. He would support an emergency vehicle connection to the road, but nothing more than that.

Mike Bunnell stated he lives on 5650 West as well; he is not opposed to either of the amendments proposed tonight, but he is opposed to the future connection to 11200 North, and he feels that should be voted on separate from the proposed amendments. He discussed his use of the transportation network in his neighborhood and the fact that a future connection will truly impact the safety of his neighborhood. He asked the Council to consider the sentiments of the residents who will be most impacted by a future connection.

Kevin Black stated he lives on 5650 West as well and noted that since the light was installed at 5650 West, it is much easier to get into his neighborhood safely. He appreciates that 11200 North is calm because of the lack of connections, and he hopes the City will not pursue connections in the future. He suggested that the Council ask staff to address whether the proposed General Plan amendment will satisfy Utah Code; Utah Code states that roads must be built according to the General Plan and the attempts to provide flexibility may not be compliant with Code.

Whitney Hebbert stated she lives near the connection point on 11200 North as well and she feels strongly that the safety of the neighborhood, especially the children, should come first. She stated that she has small children and there are some children in the neighborhood with disabilities, and their safety is paramount. She expects that there will be more and more young families in the area in the future and she would like it to be quiet and safe. She is in favor of making 11200 North a local road, but not in favor of the flexibility that would allow for a future connection.

Dawn Harris stated she has been told that a path in the area was not included on City plans for trail connectivity, but the issue has come up multiple times over the years. She asked the Council to consider who is truly served by the path. For years, she and her husband have maintained the area along the path, but last year they decided to stop doing that at their own cost and now the area is overgrown with weeds. She is willing to maintain the space because it benefits the community, but she does not know why it would be essential to have the area turned into a road. Right now, it is a community space that is used by the residents and kids in the neighborhood, but it is her understanding that a future road connection would entail a road with limited access, no sidewalks, and only accessible for emergency use. She is not sure how that would benefit the neighborhood. There is not a lack of access to the neighborhood, and she asked someone to describe the perceived lack of access. Council Member Cortney stated that no one knows how access to their neighborhood will be impacted after an earthquake. Ms. Harris stated that is the most inane thing she has heard someone say; she asked if a major earthquake is anticipated and she believes people are moving to Utah from California and bring the concerns of that state with them. She stated that as the people who have maintained the property for 20 years, she and her husband would like to offer to purchase it and continue to maintain it. She stated that she does not think that any resident of her neighborhood feels a road access would benefit them.

Scott Oldroyd stated he lives on 11200 North. He supports downgrading the road from a 66 foot to 56 foot right of way; for the second proposal, he feels that the attempt to provide flexibility would actually lead to problems for the City in the future. If the City chooses to be flexible with one developer and not with another, that may lead to claims of unfairness. He stated that one of the Planning Commissioners commented that the goal of the language is to make streets smaller, but not bigger; however, that is not his interpretation of the proposed text amendment. He stated that after the Council acts on this matter, he would also like them to make a decision on the property in question and make the area a trail; this issue should be put to rest, and the trail could be 20 feet wide with bollards that could be knocked down if emergency access is necessary. He expects that 20 feet is wide enough for a fire truck and it is not necessary to preserve 56 feet of road width for a future connection.

Mayor Kurt Ostler closed the public hearing at 7:24 p.m.

Mayor Ostler then facilitated discussion among the Council and staff regarding the implications of the proposed amendments; he specifically wondered what would stop developers from claiming a hardship in terms of road widths in an effort to secure approval of a narrower road – perhaps 20 feet – and build more lots in their development. Mr. Patterson stated that staff would never recommend approval of a 20-foot road, and he does not believe the flexibility in the text would create a ‘blank check’ for roads that are narrower than the 56-foot standard. The Council expressed support for the reclassification of 11200 North but engaged in extensive high-level philosophical discussion and debate of the proposed General Plan text amendments aimed at providing flexibility in terms of unique and challenging road projects. The Council heard from the Police and Fire Chiefs about whether an emergency connection to 11200 North would be needed in the future. Fire Chief Patten

explained that the ability to access a neighborhood from different directions is beneficial; however, he understands that road connectivity and access is under the Council's purview. Police Chief Gwilliam stated that he could get a Police car into the neighborhood using the area that has been used for a trail for several years; ingress and egress is very important in terms of public safety response, but Police vehicles are more agile than Fire vehicles. Some sort of connection to 11200 North would be beneficial in the future. The Council discussed different types of scenarios that could occur in the neighborhood or on SR92 that could result in a need to access 11200 North; Chief Patten stated that he would need an area that is at least 20 feet wide for emergency access.

Mayor Ostler then noted that the City collects impact fees based upon the 66-foot road width standard; he asked if an amendment to the General Plan would impact how the City collects impact fees. Mr. Patterson stated that is a very good question and one that is not really settled by Utah Law. The City's transportation impact fee studies would be amended based upon the updated version of the General Plan and Transportation Master Plan and those policy decisions would inform impact fee collection in the future. Council Member Cortney asked if the City would need to consider refunds for impact fees collected in the past. Mr. Patterson stated that Utah State Law states that if collected impact fees are not spent or incumbered within six years of collection, they must be refunded; an impact fee can only be spent on a project included in an Impact Fee Facilities Plan (IFFP), but if the IFFP is changed, the City is not required to refund collected money.

The Mayor and Council continued their debate of the proposed text amendment aimed at providing flexibility; Council Member Cortney stated that he feels that it is appropriate to preserve the connection area for an emergency access road, but standard connectivity is not needed. Council Member Campbell agreed; he previously believed a standard connection was appropriate, but he feels an emergency access is adequate.

Mr. Patterson stressed staff has not taken a position on whether the 11200 North connection should occur in the future; he presented a map of the area and identified the 'gap' in the road where there is no connection. It has been planned as a two-lane residential collector road, but that small section of the road where the gap is could be assigned a different classification – such as emergency access designation – if that is what the Council desires. City Administrator Wells stated the City is in the process of surveying the area in the gap because there is some discrepancy about the width of the road that the City owns. Mr. Patterson stated that he believes the width owned by the City is approximately 33 feet. Mayor Ostler asked Public Works Director/City Engineer Trusty what his recommended use of a 33 foot right of way would be. Mr. Trusty stated that he would not want to suggest anything narrower than 20 feet in terms of the asphalted area as the minimum traffic lane should not be any narrower than 10 feet. Council Member Cortney stated it is his recollection that the City typically does not build a traffic lane narrower than 12 feet; considering two lanes, and curb and gutter, the road width would be 31 feet.

Council Member Rodela stated she feels an action on the text amendment to the General Plan is not the same as making a decision on the future connection to 11200 North.

Council Member Smith stated he would like to continue the item dealing with the amendment to the General Plan.

*Council Member Kim Rodela MOVED that City Council ADOPT the two proposed amendments to the transportation element of the City's general plan.*

*There was no SECOND.*

*The motion failed.*

Council Member Cortney stated it sounds as if the Council is not ready to decide what should occur in the unbuilt section of 11200 North; he believes that how the Council reclassifies that gap area is dependent upon what will be done with the road. He does not want to reclassify the area as a local road if it is not going to be constructed

as a local road. He stated he feels the question of reclassification needs to be continued. Relative to the broader questions surrounding the General Plan text amendment, he is comfortable with the proposal but believes there is some skepticism among the Council regarding the matter.

*Council Member Doug Cortney MOVED to reclassify 11200 N as a local road, with the exception of the unbuilt portion, which will be brought back to the City Council to reclassify that portion appropriately.*

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

Council Member Cortney stated that based on his motion, the unbuilt portion of the road will remain classified as a two-lane collector, but the expectation is that the issue will come before the Council again in the future for a decision on the future use/classification of the road. He stated his proposed motion is based upon his respect for the input from the residents about their desires for the future of the road.

*The vote was recorded as follows:*

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

*The motion carried 5:0*

*Council Member Doug Cortney MOVED to adopt amendment #2 regarding flexibility that was included in the staff report.*

*Council Member Ron Campbell SECONDED the motion.*

Council Member Smith stated he would prefer the text amendment to be tabled; he would like more discussion with staff in order for him to gain a greater understanding and how the text amendment will impact other areas of the City. He stated he understands that the connection to 11200 North may be designated for emergency only, but it is important to understand that the text amendment will apply to the whole City, not just 11200 North. Mr. Patterson stated that if the motion fails, staff recommends a new motion to continue the matter so staff will continue working on the text amendment for further consideration of the Council.

*The vote was recorded as follows:*

<i>Council Member Brittney P. Bills</i>	Yes
<i>Council Member Ron Campbell</i>	Yes
<i>Council Member Doug Cortney</i>	Yes
<i>Council Member Kim Rodela</i>	Yes
<i>Council Member Scott L. Smith</i>	No

*The motion carried 4:1*

Mr. Patterson stated staff will begin working on optional classifications and design of the gap section of 11200 North. Council Member Smith stated his understanding from the Council discussion is that there is some support for an emergency access in the gap area. Council Member Rodela stated she would like to see different optional designs for multiple types of emergency access roads, or a residential road. She would like to see the results of the property survey to understand how much area the City owns and how that area can be used. Council Member

Campbell stated he would like to see that information as well. Council Member Smith stated that he is willing to consider different emergency access options, but he is not interested in building a residential road in the area. Council Member Bills agreed. Council Member Cortney stated he would also like to see optional road designs as well, but he does not think it is necessary to require engineered design options.

**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.

Council Member Doug Cortney requested a three-minute recess.

The meeting recessed at 8:10 p.m. and reconvened at 8:21 p.m.

City Engineer/Public Works Director Trusty explained on January 9, 2018, the City 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 (SWPPP). During the recent State Legislative Session, Senate Bill (SB) 220 made revisions related to how cities should be enforcing the SWPPPs, which are required to be permitted through the state for projects that are larger than one-acre in size or part of a common plan of development that is larger than one-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 Municipal Code changes proposed by staff 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. Staff proposes the following fines for specified violations:

- Working without a permit- \$500 per occurrence.
- Tracking mud on a city road- \$300 per occurrence.
- Failure to clean up or report spills- \$250 per occurrence.
- Failure to conduct inspections- \$100 per occurrence.
- Failure to maintain storm water records- \$100 per occurrence.
- Failure to use general best management practices- \$500 per occurrence.

Council Member Campbell asked if the City has previously issued fines for these types of violations, to which Mr. Trusty answered no. Council Member Cortney clarified that the fines recommended by staff were included in the new State Law.

Council Member Smith asked if the fines will only be imposed on new developments. Mr. Trusty stated that the fines are applicable to any project for which a SWPPP permit has been issued; he reiterated these are usually on sites larger than one-acre in size or part of a common plat of development that is larger than one-acre. Council Member Smith asked if it could apply to existing storm drain violations, such as someone parking on a trailer on an existing street and dumping their sewage and water into the storm drain. Mr. Trusty stated other codes can be used to enforce those violations.

*Council Member Scott L. Smith MOVED 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.*

*Council Member Ron Campbell SECONDED the motion.*

*The vote was recorded as follows:*

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

*The motion carried 5:0*

## **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.

City Attorney/Planning & Zoning Administrator Patterson explained 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. Staff, including 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. 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 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. He presented the following diagram to illustrate the intent of the proposed code amendment:



Staff believes this change would allow better enforcement of the intent of the City's parking regulations.

The Council discussed the proposal and applauded Mr. Wallace for his research and the recommendation. Council Member Rodela stated it is important to understand that this will not apply just to camp trailers, but also to boats, recreational vehicles, and other types of trailers.

Council Member Smith asked how prevalent this issue is in the City. Police Chief Gwilliam stated it is not an overwhelming issue, but it is fairly common. Mr. Patterson agreed; Mr. Wallace drove throughout the City and found many issues.

Council Member Campbell asked if the regulation can be enforced on State Road (SR) 92. Chief Gwilliam stated that SR92 is a State Road, and the City typically does not take enforcement action on State Roads unless there is an obvious traffic hazard or concern. Mr. Patterson agreed and noted that these types of issues are typically handled by the Code Enforcement Officer and enforcement action is only taken after notices are issued and compliance is not achieved.

*Council Member Kim Rodela MOVED 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.*

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

*The vote was recorded as follows:*

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

*The motion carried 5:0*

- 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.

City Attorney/Planning & Zoning Administrator Patterson explained 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. 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.

Council Member Campbell asked if American Fork and Pleasant Grove are comfortable with the amended approach. Mr. Patterson answered yes, both cities have already approved it.

The Mayor, Council, and staff engaged in discussion regarding the book transfer data in adherence with the MOU; the residents of each of the three cities that are party to the consortium are mutually benefiting from the arrangement. Council Member Cortney stated he appreciates the amendment to the MOU that ensures that Highland City will not be financially harmed by the arrangement. He is also pleased that the three library directors will not constitute a public body.

Council Member Rodela asked if the agreement will address the issues that have occurred with the Libby software program. Library Director Cardon stated that the agreement does not affect Libby and it only impacts physical materials. The Libby program is owned by the State of Utah. She explained the management of the Libby program and how each public library utilizes it.

Council Member Smith asked if there is potential or the consortium to expand to other libraries in the County given its success with the three current libraries. Ms. Cardon answered yes; a few of the other libraries in the County has expressed interest in participating. However, she and the other directors will consider distance between libraries before accepting other facilities into the program.

Mayor Ostler asked if there has been an increase in non-resident library card holders. Ms. Cardon stated that some have expressed opposition to increased non-resident fees, but when they are offered the explanation that the fee is based on increased service, they are accepting of the change. She has not seen anyone choose not to renew their library card based on the increased fee.

Council Member Campbell asked if adding two additional libraries – and subsequently two additional directors – to the consortium could present some issues in terms of the MOU. Ms. Cardon stated it may be more difficult to achieve unanimous support of the terms of the MOU, but that would be considered before accepting additional libraries. The document will be reviewed each year to ensure it is still appropriate.

*Council Member Ron Campbell MOVED that the City Council approve the Timpanogos Library Consortium memorandum of understanding with American Fork and Pleasant Grove.*

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

*The vote was recorded as follows:*

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

*The motion carried 5:0*

- 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.

This item was pulled from the agenda.

## 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 Follow-up** *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.

City Engineer/Public Works Director Trusty used the aid of a PowerPoint presentation to provide updated traffic count and speed data for the City's east-west collector roads. The presentation included spreadsheets identifying the speed limit and average speeds on the roads and Mr. Trusty noted staff wants to identify policies for setting speed limits. He presented a 'heat map' identifying the areas of the City where accidents are more common; most accidents have occurred at intersections and most accidents on east Canal Boulevard occurred prior to the installation of the concrete median curb. He has used USLIMITS2 software, which generally suggests looking to solve accident rates through traffic calming measures as opposed to changing speed limit. This software has also provided the following speed limit recommendations, though staff has disagreed with some of the recommendations and that is also identified:

	Current Speed Limit	USLIMITS2 Recommended Speed Limit	Staff Recommended Speed Limit	Notes/ Comments
11800 North*	35	35	35	Limited access/ wide road
11200 North*	25	35	25	Narrow Road; driveways
10400 North	35	35	35	Mid-range volume; TC
Canal Blvd East	30	35	35	High traffic count & speeds
Canal Blvd Mid	30	35	30	Limited access; wide
Canal Blvd West	30	30	30	Limited access; wide; curvy
9600 North	25	30	25	Narrow road/ high access

Council Member Rodela asked why staff would recommend something different from the recommendation from USLIMITS2 software, considering that it has access to a broad range of data upon which to base its analysis. Mr. Trusty stated the biggest reason for the staff's recommendation deviating from the USLIMITS2 recommendation is that the software is based upon 85<sup>th</sup> percentile speeds, which is a formula that has been used to set speed limits on rural roads or state highways, and he does not think that is as applicable to a City street. For example, the software recommends a speed limit of 30 miles per hour (MPH) on 9600 North, but there are too many driveways and access points on that road and a 30 MPH speed limit could potentially create unsafe conditions. Council Member Rodela asked if the software fails to consider driveways and access points, to which Mr. Trusty answered yes. He was using the software to generate a starting point to work from.

Council Member Smith stated he lives off of Canal Boulevard East and can support the recommendation to change the speed limit, but that must be appropriately advertised, and he suggested installing a flashing speed limit sign and mechanisms for ensuring safe crossing of the road.

Staff recommends the following next steps in terms of traffic calming:

- Set speed limits for roadways
- Adopt methods of speed limit determination in Traffic Calming Toolbox
- Provide options for traffic calming to reduce speeds in areas
- Greater vehicle counts over speed limits will require more active traffic calming
- Passive traffic calming to be applied to lesser violations
- Pedestrian safety will also impact recommendations

Council Member Cortney stated that based upon the information provided by Mr. Trusty regarding the parameters used by the USLIMITS2 software, he believes that greater attention should be paid to traffic calming on 11200 North, Canal Boulevard mid, and 9600 North. He feels that Canal Boulevard mid is of urgent priority; the City previously communicated that they did not feel it appropriate to remove the temporary speed tables without first installing other traffic calming measures, but that is exactly what occurred. Residents have not been provided with traffic calming ideas as promised in April, and he feels that must be done by July. Mr. Trusty agreed. Mayor Ostler also agreed and discussed some traffic calming measures that have been used in Lehi recently.

Concluding discussion among the Council and staff centered on specific conditions on 11200 North and 9600 North and the Council thanked Mr. Trusty for the information provided tonight.

## 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*

Council Member Cortney stated the Council has discussed “flip the strip” rebates in the past and some were surprised to learn that Alpine residents were eligible to receive the rebates. He has researched ordinances of other cities and found that Alpine, American Fork, Cedar Hills, Draper, Lehi, Lindon, Orem, Sandy, South Jordan, Spanish Fork, Utah County unincorporated, and Vineyard have all passed ordinances that make them eligible for the rebate. He feels it appropriate to reconsider the issue and determine if the City should participate in the program to make Highland residents eligible to receive the rebates. Council Member Rodela stated she would support reconsideration of the matter.

Council Member Cortney then stated he is not only interested in conservation of pressurized irrigation water, but in culinary water conservation as well. He stated there are existing conservation programs that offer incentives or rebates to residents, and he feels the City should be publicizing those:

- \$150 rebate for replacing old toilet (<1994) with Water Sense toilet;
- \$100 rebate for installing smart irrigation controllers;
- 10 drips/minute = 1 gallon of water wasted each day;
- Low-flow shower heads = ~800 gallons/ month savings.

Council Member Smith inquired as to the entity that funds the rebates or incentives, to which Council Member Rodela answered the State of Utah.

City Administrator Wells stated she spoke to Alpine Administration about their ordinance that makes residents eligible for the “flip the strip” rebate; additionally, Central Utah Water Conservancy District has reached out to her to see if the City Council wants to reconsider participation in the program. The Council discussed enforcement of an ordinance and indicated they are willing to reconsider participation in the program. Ms. Wells indicated she will invite a representative of the Central Utah Water Conservancy District to a future meeting to discuss the program with the Council.

**b. Final Updates and Direction on the FY2026 Budget** *David Mortensen, Finance Director*

Finance Director Mortensen used the aid of a PowerPoint presentation to summarize the changes that have been made to the Fiscal Year (FY) 2026 proposed budget since the Council's review during the May 6 meeting:

- Increased assessment to LPPSD
  - \$13,573 for Police due to Animal Shelter costs
  - \$127,510 for Fire personnel (1 Position = 2 FT and 1 PT)
- Increased Parks trail maintenance budget
  - \$105,000 carryover from unused FY25 budget (using prior year fund balance)
- Increased transfer from General Fund to Library Fund
  - \$12,522 for Library Director wage and benefit increase
- Decreased transfer from General Fund to Roads Capital Improvement Fund
  - -\$120,000 to make General Fund budget space for LPPSD assessment increase
  - Corresponding \$120,000 decrease in 10400 N & 6000 W pedestrian improvement project
- Increased Library books and materials budget
  - \$10,000 requested by Library Board, from fund balance
- Added fire station driveway budget to Building Capital Improvement Fund
  - \$144,621 portion that will not be completed in FY25, using prior year fund balance
- Decreased Sewer Fund interest revenue
  - -\$10,688 due to a recalculation of the expected available fund balance due to the increased cost of TSSD sewer treatment services, with a corresponding decrease in the saving for capital asset replacement budget.

Council Member Brittney P. Bills left the meeting at 9:22 p.m.

Potential additional changes to the budget include:

- Water Rates
  - Study underway, but preliminary conclusions are that no rate increase is needed.
- Cemetery Fund Study
  - Project in process with Zions Bank Public Finance
  - Could impact budget including the Veteran's area project with a mid-year adjustment
- Certified Tax Rate – Provided by Utah County later this week
- Public Safety Fee (75% of taxes used rule)

Mr. Mortensen then expounded on Public Safety revenue options for the Council to consider responsive to the increase in the City's assessment of \$549,424. The City uses 75 percent of property tax revenue to pay the assessment and there was not support for increasing property taxes to pay for the increase in the assessment. Administration needs feedback from the Council regarding whether they would consider increasing the Public Safety Fee to cover the increase. Increasing the fee from \$15.25 per month to \$21.50 per month (41 percent increase), this would raise approximately \$430,000 in additional revenue. Council Member Smith stated the Council already decided against raising taxes or the Public Safety Fee while they await a final decision from the Lone Peak Public Safety District (LPPSD) Board following mediation regarding the interlocal agreement. City Administrator Wells stated she did not believe the decision was final and that is why Mr. Mortensen included this information in his presentation. The Council concluded that they want to wait until final direction from the LPPSD Board after mediation has been completed.

The Council then briefly discussed the formula used to determine the certified tax rate recommended by Utah County.

c. **Community Development Updates - [Current Projects List](#)** *Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

City Attorney/Planning & Zoning Administrator Patterson drew the Council's attention to a link that is included on the agenda that points to a page on the City's website that provides a list of current projects and their status.

d. **School District Updates** *Kurt Ostler, Mayor*

Mayor Ostler reported the filing period is open for candidates seeking election to the Board of the new school district. There is only candidate from Highland City that has filed. Council Member Campbell stated that choices are important, and he encouraged the Mayor and Council to reach out to their constituents and urge them to run.

Mayor Ostler then reported that for the 2025 Municipal Election, there are currently four candidates for the open City Council seats and one candidate for Mayor.

Council Member Smith briefly addressed the median near Costa Vida; it is unkempt and looks bad and he asked who is responsible to maintain it. City Administrator Wells stated she will review the agreement that governs that area and reach out to the responsible party.

## 8. WORK SESSION

a. **Culinary Water Fund Study**

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

This item will be discussed at a future meeting.

## 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.

*At 9:38 p.m. Council Member Doug Courtney MOVED that the City Council recess the regular meeting to convene in a closed meeting in the Executive Conference Room to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.*

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

*The vote was recorded as follows:*

<i>Council Member Brittney P. Bills</i>	Absent
<i>Council Member Ron Campbell</i>	Yes
<i>Council Member Doug Courtney</i>	Yes
<i>Council Member Kim Rodela</i>	Yes
<i>Council Member Scott L. Smith</i>	Yes

*The motion carried 4:0*

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

*The CLOSED MEETING adjourned at 11:34 p.m.*

## **ADJOURNMENT**

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

*The meeting adjourned at 11:35 p.m.*

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on June 3, 2025. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle, CMC, UCC  
City Recorder

DRAFT

## Highland City Large Purchases Tracking (\$25,000+)

Fiscal Year: 2024-2025

Month: June 2025

Date	Vendor	Check #	GL Account	Amount	Description
6/3/2025	Consor North America Inc	36686	40-40-76	\$ 31,622.78	Mitchell Hollow Trail Design
6/3/2025	Mountainland Supply, LLC	36705	55-40-83	\$ 377,634.98	PI Meter Project
6/3/2025	Timpanogos Special Service District	36714	52-2132	\$ 35,586.00	April 2025 Impact Fees
6/10/2025	Lone Peak Public Safety District	36742	10-54-31, 10-57-11, 10-57-31	\$ 481,892.40	June 2025 Public Safety Assessments
6/10/2025	Nelson Brothers Construction	36745	53-40-60	\$ 194,692.05	6000 W Irrigation Payment 8
6/10/2025	North Pointe Solid Waste District	36746	10-73-49	\$ 34,637.76	Solid Waste Tipping Fees
6/10/2025	WM Corporate Services, Inc	36761	10-73-50	\$ 86,210.21	Solid Waste Hauling Contract
6/17/2025	Insituform Technologies LLC	36785	52-40-73	\$ 163,187.20	Sewer Lining Project Payment 1
6/17/2025	Rhino Pumps	36787	55-40-78	\$ 109,936.33	Well #5 Rehab
6/24/2025	Timpanogos Special Service District	36789	52-40-42	\$ 167,892.30	May 2025 Sewer Treatment User Fees
6/24/2025	Timpanogos Special Service District	36790	52-2132	\$ 41,517.00	May 2025 Impact Fees



# CITY COUNCIL AGENDA REPORT

## ITEM #4a

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**DATE:** July 15, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Chris Trusty, City Engineer/Public Works Director  
**SUBJECT:** Interlocal Agreement with Utah County for Grant to Fund Road Improvements  
**TYPE:** General City Management

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### **PURPOSE:**

The City Council will consider a resolution to approve an Interlocal Agreement between Utah County and Highland City to fund improvements of 10400 North and 6000 West and the reconstruction of 6800 West.

### **STAFF RECOMMENDATION:**

Staff recommends Council considers approving a resolution to sign Interlocal Agreement between Utah County and Highland City to fund road improvement projects.

### **PRIOR COUNCIL DIRECTION:**

On May 6, 2025, Council approved a bid award for Black Forest Paving which included \$337,900 for the pulverizing and repaving of 6800 West Street.

On June 15, 2025, City Council approved the FY 2025-2026 budget which included funds for improvements to the intersection of 10400 North and 6000 West. Additionally, Council directed staff to seek grants to install as many pedestrian safety improvements as possible in the area.

### **BACKGROUND:**

As directed by Council, staff has sought grants to complete pedestrian improvements in the area of 10400 North and 6000 West. Staff worked with the City's consultant, David Stewart on this effort. Mr. Stewart was able to help the City identify this available grant funding through Utah County from the one-fifth transportation tax. Mr. Stewart petitioned Utah County on Highland's behalf for our road projects and was successful in obtaining the grant funding. The agreement has been reviewed and approved as to form by the city attorney.

The 10400 North 6000 West project will improve a previously unimproved section of roadway. It consists of installing approximately 1,650 feet of curb and gutter and asphalt along the north side of 10400 North from 5788 West to 6000 West and along 6000 West from 10400 North to 10485 North. It will also include installing storm inlets and sumps to provide necessary storm water collection. This will tie the curb and gutter into the existing curb and gutter along both streets. The approximate cost for this project is \$750,000.

Because the total funding available from Utah County is for \$1,000,000, it is anticipated that any portion of the funding not used on the 10400 North 6000 West improvement project would be put towards funds

expended by Highland for the 6800 West pulverize and repave project.

Unfortunately, the grant funds can only be used for street improvements and cannot be used to install sidewalks along 6000 West. However, the approved FY2025-2026 City budget did include \$430,000 for improvements along 10400 North and 6000 West which, because of the grant, could then be used to fund the sidewalk portion of this project. Additionally, any funds that are reimbursed for the 6800 West project could also be put toward pedestrian improvements.

**FISCAL IMPACT:**

The FY2025-2026 Budget included \$430,000 to be used on improvements to 10400 North and 6000 West from 41-40-70 in the Road Capital Fund. Because of this additional funding from Utah County of \$1,000,000, a budget adjustment will be necessary to show the additional revenue and expenses for this project.

**MOTION:**

I move that City Council pass a resolution approving the Interlocal Agreement between Utah County and Highland City to fund improvements to 10400 North and 6000 West and the reconstruction of 6800 West.

**ATTACHMENTS:**

1. Proposed Interlocal Agreement
2. Resolution - County 10400 N 6000 W ILA 2025\_FINAL
3. 10400 North 6000 West

**INTERLOCAL COOPERATION AGREEMENT**  
between  
**UTAH COUNTY AND HIGHLAND CITY**  
For  
**Road Projects within HIGHLAND City**

**THIS AGREEMENT**, is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2025, by and between UTAH COUNTY, a body corporate and politic of the State of Utah, with principal offices located at 100 East Center Street, Provo, Utah 84606 (“County”) and HIGHLAND CITY, a political subdivision of the State of Utah, with principal offices located at 5400 Civic Center Dr, Highland, UT 84003 (“City”).

**WHEREAS**, the Utah Interlocal Cooperation Act, Utah Code Title 11, Chapter 13, permits local governmental units including cities, counties, and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with other public entities on the basis of mutual advantage and to exercise joint cooperative action for the benefit of their respective citizens; and

**WHEREAS**, City and County are public agencies under the Interlocal Cooperation Act; and

**WHEREAS**, County has imposed sales and use taxes to fund highways or a system for public transit authorized by the Local Option Sales and Use Taxes for Transportation Act, Utah Code Title 59, Chapter 12; and

**WHEREAS**, the Utah State Legislature has limited the use of the sales and use tax revenue as provided in Utah Code 59-12-2212.2; and

**WHEREAS**, City and County desire to facilitate the construction and reconstruction of roadways (hereinafter “Road Projects” and better defined below in Section 5); the construction of the Road Projects are allowable uses of the sales and use tax revenue; and

**WHEREAS**, City and County held duly noticed public meetings wherein this Agreement was considered, and an Authorizing Resolution was presented for approval by the respective legislative bodies;

**NOW, THEREFORE**, in consideration of the covenants and agreements contained herein and other valuable consideration, the sufficiency of which is hereby acknowledged, City and County hereby agree as follows:

## **Section 1. PURPOSES.**

This Agreement has been established and entered into between the County and the City for the purpose of outlining the respective rights and responsibilities of the City and the County in the construction of the Road Projects. Further, the Parties intend to utilize tax revenue received under the Local Option Sales and Use Taxes for Transportation Act, Utah Code Title 59, Chapter 12, to fund the construction of the Road Projects.

## **Section 2. ADMINISTRATION OF AGREEMENT.**

The parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Agreement. The parties hereto agree that pursuant to Utah Code Section 11-13-207, the Utah County Administrator, shall act as the administrator responsible for the administration of this Agreement. The parties further agree that this Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as the Utah County Auditor shall specify and further agrees that said books shall be open for examination by the parties hereto at all reasonable times. The parties agree that they will not acquire, hold nor dispose of real or personal property pursuant to this Agreement during this joint undertaking.

## **Section 3. EFFECTIVE DATE, DURATION.**

This Agreement shall become effective and shall enter into force within the meaning of the Interlocal Cooperation Act, upon the submission of this Agreement to, and the approval and execution hereof by the governing bodies of the County and the City. The term of this Agreement shall be from the date of execution hereof until the terms and obligations identified herein are completed, but in no event will the duration last longer than 3 years from the execution date. All requests for reimbursements must be submitted before the end of the three-year period.

## **Section 4. NO SEPARATE LEGAL ENTITY.**

The County and the City do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Agreement.

## **Section 5. TERMS.**

**A. Development and Construction of the Road Projects:** City will develop and construct the Road Projects in Highland City for a full construction and improvement of approximately 1650 feet of curb and gutter and asphalt along the north side of 10400 North from 5788 West to 6000 West and along 6000 West from 10400 North to 10485 North with storm inlets and sumps. Also the reconstruction of approximately 1800 linear feet of roadway on 6800 West.

**B. Reimbursement to City for Construction Costs:** City will submit itemized invoices to

County for reimbursement for the direct costs of the Road Projects, not to exceed \$1,000,000.

County agrees to reimburse City within 30 days of receiving acceptable itemized invoices establishing the validity of the direct costs of the Road Projects. The maximum amount of reimbursement from County to City shall be \$1,000,000. Any costs which exceed \$1,000,000 shall be the City's sole responsibility. If the costs of the Road Projects are less than \$1,000,000, then County shall retain those non-utilized funds. The use of City equipment and/or City employee time for the Road Projects shall not be reimbursable.

All reimbursement requests must be received by COUNTY prior to the end of the three-year duration of this interlocal agreement.

**C. Ownership and Maintenance of Road Projects:** The City shall own and be responsible for maintenance, repair, and replacement of the Road Projects.

**D. Inspection of Road Projects:** County, upon reasonable notice, reserves the right to enter upon the Road Projects to inspect the same to verify compliance with this Agreement.

**E. Other Expenses:** Except as otherwise expressly stated herein, all expenses for the development and construction of the Road Projects shall be the sole responsibility of the City.

**F. No Third-Party Rights:** The obligations of the parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to the City and the County. This Agreement is not intended to nor shall it be construed to benefit any third party.

## **Section 6. FILING OF INTERLOCAL COOPERATION AGREEMENT.**

Executed copies of this Agreement shall be placed on file with the official keeper of records of the County and the City and shall remain on file for public inspection during the term of this Agreement.

## **Section 7. AMENDMENTS.**

This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be: (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, and (c) filed in the official records of each party.

## **Section 8. SEVERABILITY.**

If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, 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 Agreement unenforceable.

**Section 9. GOVERNING LAW.**

All questions with respect to the construction of this Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

**Section 10. INDEMNIFICATION.**

The City shall indemnify and hold County harmless from any and all claims of liability for any injury or damage to any person or property whatsoever occurring in, on or about the Road Projects or any part thereof. The City shall further indemnify and hold County harmless from and against any and all claims arising from any breach or default in the performance of any obligation on City's part to be performed under the terms of this Agreement, or arising from any act or negligence of City, or any of City's agents, employees, contractors, subcontractors, or invitees and from and against all costs, reasonable attorney's fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon. Both the City and the County agree that the terms of this Agreement are subject to, and not a waiver of, the protections, immunities and liability limits of the Governmental Immunity Act of Utah, U.C.A. 63G-1-101, et seq. City's obligations under this provision shall survive the expiration or other termination of this Agreement.

**IN WITNESS WHEREOF**, the parties have signed and executed this Agreement, after resolutions duly and lawfully passed, on the dates listed below:

**UTAH COUNTY**

Authorized by Resolution No. 2025-\_\_\_\_, authorized and passed on the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

BOARD OF COUNTY COMMISSIONERS  
UTAH COUNTY, UTAH

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BRANDON B. GORDON, Chair

ATTEST:  
AARON R. DAVIDSON  
Utah County Clerk

REVIEWED AS TO FORM AND  
COMPATIBILITY WITH APPLICABLE LAW:  
JEFFREY S. GRAY  
Utah County Attorney

By: \_\_\_\_\_ By: \_\_\_\_\_  
Deputy Utah County Clerk Deputy Utah County Attorney

**HIGHLAND CITY**

Authorized by Resolution No. \_\_\_\_\_, authorized and passed on the \_\_\_\_\_ day of  
\_\_\_\_\_ 2025.

**HIGHLAND CITY**

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{NAME}  
Its \_\_\_\_\_ (title)

ATTEST:  
{NAME}  
Highland City Recorder

REVIEWED AS TO FORM AND  
COMPATIBILITY WITH APPLICABLE  
LAW:  
{NAME}  
Highland City Attorney

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

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

**RESOLUTION NO. 2025-\_\_\_\_\_**

**A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT  
FOR THE 6800 WEST ROAD MICROSURFACING REIMBURSEMENT BETWEEN  
UTAH COUNTY AND HIGHLAND CITY**

WHEREAS, Highland City, as a Utah Municipality, is authorized to enter into contracts for the benefit and welfare of Highland City and its residents, including pursuant to Utah Code § 10-1-202.

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code, as amended, ("Act") permits local governmental units including cities, counties, interlocal agencies, and other political subdivision of the State of Utah to enter into agreements for mutual advantage and to exercise joint cooperative action;

WHEREAS, Utah County and Highland City desire to establish the terms and conditions by which the parties would cooperate in the facilitation of a road widening and improvement project for roads known as 10400 North and 6600 West in Highland;

WHEREAS, Utah County will fund \$1,000,000 toward the completion of these projects;

WHEREAS, Highland City desires to facilitate additional improvements to 10400 North and 6000 West consisting of asphalt and curb and gutter and a rotomilling and overlay of 6800 West Street;

WHEREAS, Utah County desires to support and participate in the costs of the road improvement projects;

WHEREAS, the parties desire to establish the terms and conditions by which Utah County will participate in the costs of the described road projects by reimbursing Highland City the costs of the projects;

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

1. The City Council approves of the Interlocal Cooperation Agreement BETWEEN Utah County and Highland City for Road Projects with Highland City, which agreement is attached hereto as Exhibit A.
2. The City Council authorizes the Mayor and City Staff, as necessary, to execute and carry out the Interlocal Agreement according to the terms set forth therein.
3. This resolution shall take effect immediately upon adoption.

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

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Mayor

ATTESTED:

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City Recorder

**EXHIBIT A**  
Form of Interlocal Cooperation Agreement





# CITY COUNCIL AGENDA REPORT

## ITEM #4b

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**DATE:** July 15, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Rob Patterson, City Attorney/Planning & Zoning Administrator  
**SUBJECT:** Regulating Materials and Vegetation in Public Ways  
**TYPE:** Municipal Code Update (Legislative)

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### **PURPOSE:**

The City Council will consider amending the municipal code to provide clearer regulations to keep streets, sidewalks, and trails clear of obstructions.

### **STAFF RECOMMENDATION:**

Staff recommends that the City Council ADOPT the proposed amendments to the municipal code.

### **PRIOR COUNCIL DIRECTION:**

No specific prior discussion of these regulations. However, the Council has expressed on several occasions concern for potential damage to trails and sidewalks from tree roots and the need to keep sidewalks and trails clear of tree branches and other vegetation.

### **BACKGROUND:**

Highland City regulates and prohibits obstructions in public spaces such as streets, gutters, parking areas, and sidewalks in [HMC 12.04.060](#). These regulations generally prohibit people from putting construction materials, buildings, mud, or other materials on public streets, sidewalks, gutters, and parking areas. This section of code is also the place that the requirement for residents to clear snow from sidewalks is found. However, these regulations are written in somewhat vague language and do not specifically address how high tree branches and other vegetation should be cleared from sidewalks, trails, or streets nor when sidewalks should be cleared of snow.

The City also has regulations that prohibit damaging or putting private improvements on public parks, trails, and open space, found in [HMC 12.24.030](#). However, this code section is primarily focused on activities that pose a risk of damage to public areas or are encroachments into public areas, e.g., setting fires, landscaping or putting private building on open space, camping in parks, etc. These regulations do not provide clear standards for keeping trails clear of obstructions and vegetation.

The proposed amendments clean up vague or redundant language from HMC 12.04.060 and associated sections of that chapter. The amendments also establish clearer requirements for materials or potential obstructions on public sidewalks, parking areas, gutters, trails, and streets. The amendments to HMC 12.04 are summarized below:

- Makes violations of the regulations an infraction, rather than a class B misdemeanor, and cleans up language regarding enforcement. There is some overlap between these regulations and the city's SWPP (storm water pollution prevention) ordinance, which was also recently updated.

Staff believes that making these violations an infraction is appropriate because these regulation focus more on ensuring residents do not damage or obstruct public spaces, and we can leave more serious SWPP violations by contractors/developers to be handled per the new fine and violation procedures under the SWPP ordinance.

- Makes property owners solely responsible to clear ice and snow from sidewalks along their frontages, unless the city expressly agrees otherwise (e.g., Ridgeview maintenance agreement). Removal needs to be done whenever snow/ice poses an unreasonably dangerous condition or at most within 24 hours after snowfall.
- Prohibits removing ice and snow from sidewalks or private property and depositing it on a public sidewalk, trail, parking area, or street.
- Prohibits people from allowing roots to damage public property. While we may use this code to require property owners to maintain their vegetation and keep roots from growing into city property, this will primarily serve as legal justification for the city to cut roots where necessary to restore or prevent damage to sidewalks and trails or prevent the planting of trees and vegetation in public areas that can damage trails and sidewalks
- Establishes clearance heights for any objects (like tree branches) overhanging public sidewalks, trails, streets, and parking areas.
  - For pedestrian areas such as sidewalks and trails, the proposed clearance requirement is 7 feet above the walking surface. ADA generally has minimum clearance requirement of 80 inches (6 feet, 8 inches) for pedestrian circulation paths. A 7-foot clear height zone requirement for sidewalks and trails ensures compliance with ADA requirements. This clear height zone could be increased to 8 feet if desired, which is a standard used by the US Forest Service for more developed trails used by pedestrians and cyclists.
  - For vehicular areas such as streets and parking lots, the proposed clearance requirement is 15 feet above the driving surface. Utah state regulations limit vehicle height to 14 feet, measured from road surface. A 15-foot clear height zone ensures vehicles may safely pass.
  - For objects near intersections and driveways, clearance is required per the City's sight triangle regulations.

These regulations would also provide guidance to city staff on the expected standards for trail and sidewalk clearing. However, the city will not be directly liable for failing to comply with these standards.

#### **FISCAL IMPACT:**

No anticipated fiscal impact.

#### **MOTION:**

I move that City Council ADOPT the proposed amendments to title 12, chapter 4 of the municipal code. [Council may specify additional or different amendments to adopt].

#### **ATTACHMENTS:**

1. Ordinance - Clearing Obstructions and Vegetation from Public Spaces

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

**AN ORDINANCE AMENDING HIGHLAND CITY MUNICIPAL CODE RELATED  
TO OBSTRUCTIONS AND MATERIALS WITHIN PUBLIC SPACES**

WHEREAS, Highland City is authorized to enact regulations that regulate and control the use of streets, sidewalks, and other public spaces, prevent and remove obstructions on public spaces, and require the owner of property to maintain and clear public spaces of private obstructions and materials in accordance with State law, including Utah Code §§ 10-8-11 and 10-8-23;

WHEREAS, Highland City desires to establish clearer regulations for permitted and prohibited private structures, vegetation, and other materials within public spaces such as sidewalks, trails, parking areas, and streets;

WHEREAS, the Highland City Council finds that the proposed amendments comply with Utah State law, protect City property and ensure it remains open and useable by the public for its intended purposes, further the public welfare, and are in the interest of the public.

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

**SECTION 1.** The Highland Municipal Code is amended as shown in Exhibit A, attached hereto.

**SECTION 2.** All ordinances and parts and provisions thereof in conflict with this ordinance are repealed to the extent of such conflict.

**SECTION 3.** The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this ordinance for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.

**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.

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\_\_\_\_\_  
Mayor

ATTESTED:

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

## EXHIBIT A

### **12.04.060 Placing Trash Or Other Obstructions In Streets, Gutters And Sidewalks Public Spaces**

It is unlawful for any developer ~~of subdivisions~~, contractor, builder, landscaper, resident, owner, lessee, tenant, or other person who ownsing, occupiesying, or hasving control of any premises private property to place, or permit to be placed upon, over, or in, or fail to remove from the-a public sidewalk, parking area, gutter, trail, or on the half of the street next to such private premisesproperty-or to fail to remove from the streets, gutters, or sidewalks:

- A. Any construction materials, landscaping materials, dirt, mud, soil, rocks, vegetation clippings and trimmings, dead trees and stumps, broken ware, glass, filth, rubbish, sweepings, refuse matter, ice, snow, water, garbage, ashes, tin cans or other like substances;
- A.B. Ice and snow on the public sidewalk along any street frontage of the private property. Ice and snow shall be removed from public sidewalks at any time the snow or ice presents an unreasonably dangerous condition, but no later than 24 hours after snow has ceased falling. Removal of ice and snow shall be the exclusive obligation of the person owning, occupying, or having control of the adjacent private property, unless the City approves otherwise by written agreement or ordinance. Ice and snow removed from a public sidewalk or from private property shall not be deposited upon a public street, parking area, trail, or sidewalk.
- B.C. Any vehicles, trailers, lumber, wood boxes, fencing, building material, dead trees, tree stumps, merchandise, or other thing of any kind or character which that shall obstructs or interferes with the lawful use of such public street, gutter, parking area, trail, or sidewalk, or any part thereof, except as expressly authorized by ordinance, without first obtaining the permission of the city council.
- C.D. Any permanent or temporary structure, mechanism, device, vehicle, or other thing of any kind or character except trees planted vegetation, including vegetation roots that encroach upon public spaces and damage or interfere with public infrastructure or improvements, even if the vegetation is on private property or otherwise permitted. Trees may only be planted within park strips and other public spaces pursuant to the provisions of applicable ordinanceTitle 2, Chapter 36.
- E. Structures, machinery, equipment, and vegetation, including trees, on private property or within the park strip adjacent to private property that overhang or project into the space above a public street, gutter, parking area,

trail, or sidewalk, unless maintained and kept according to the following standards:

1. For sidewalks, trails, and other areas intended for pedestrian use, no obstructions or foliage may project into the space seven (7) feet above the walking surface;
2. For parking areas, streets, and other areas intended for vehicular use, no obstructions or foliage may project into the space fifteen (15) feet above the driving surface; and
3. For objects and vegetation near intersections and driveways, as required by sight triangle standards.

D.F. Violations of this section shall be an infraction. It is unlawful for any developer, landscaper, contractor, property owner, or any person owning, occupying or having control of any premises to place, or permit to be placed upon or in the sidewalk, gutter, or any part of the street or right-of-way any dirt, mud, soil, rocks or any landscaping material.

#### **12.04.080 Penalty For Violation Of This Chapter**

Except as provided otherwise herein, Aany person in violation of any part of this chapter shall be guilty of a Class B misdemeanor. The minimum fine for any of these offenses (exception of Seetion 12.04.060(D) of this chapter) shall be two hundred dollars. The minimum fine for a violation of Seetion 12.04.060(D) shall be five hundred dollars for each offense. The responsible party shall correct any violation remove/clean all mud, dirt, debris or specified material from any right-of-way or public property within twenty-four hours of the violation after being notified. The city may at its discretion clean or have cleaned or removed any mud, dirt, debris or other similar prohibited material, object, or structure from any portion of a right-of-way or public property or otherwise correct violations of this chapter that impact or interfere with a right-of-way or public property immediately following any reasonable notification notice to the responsible party. All costs incurred by the city to correct violations elean any tracked mud, dirt, debris or similar materials will be passed on to the responsible party. Where multiple persons own, occupy, or have control of the private property, all such persons shall be jointly and severally liable and responsible. Fines and costs The fine for tracking mud, dirt, debris or similar materials onto a right-of way may be taken from the any bond associated with a building permit related to the private property. The enforcement of this section shall apply immediately following the issuance of a building permit. Enforcement of this chapter shall not supersede or prevent enforcement of the City's storm water pollution prevention ordinances and regulations. Any violation of this chapter that also constitutes a violation of City storm water pollution prevention ordinances and

regulations shall also be subject to the penalties, fines, and other enforcement provisions of City storm water pollution prevention ordinances and regulations.

#### **12.04.150 Penalty**

~~The violation: Any person who has parked their vehicle onto property under construction in violation of this section shall be guilty of a class B misdemeanor. The minimum fine for this offense shall be two hundred dollars. Any person(s) who has tracked mud, dirt, debris or similar material onto a public right of way or public property shall be guilty of a class B misdemeanor. The minimum fine for each offense shall be five hundred dollars. The responsible party shall remove/clean all mud, dirt, debris or specified material from any right of way or public property within twenty four hours of the violation after being notified. If the responsible party has been previously notified of this ordinance the city shall issue a citation when this ordinance is violated immediately upon evidence of each occurrence. The city may at its discretion clean or have cleaned or removed any mud, dirt, debris or similar material from any portion of a right of way or public property immediately following any notification to the responsible party. All costs incurred by the city to clean any tracked mud, dirt, debris or similar materials will be passed on to the responsible party. The fine for tracking mud, dirt, debris or similar materials onto a right of way may be taken from the bond associated with a building permit. The enforcement of this section shall apply immediately following the issuance of a building permit.~~



# CITY COUNCIL AGENDA REPORT

## ITEM #5a

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**DATE:** July 15, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Chris Trusty, City Engineer/Public Works Director  
**SUBJECT:** FY26 Truck Purchase  
**TYPE:** General City Management

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### **PURPOSE:**

The City Council will consider approving the purchase of three trucks as part of the City's vehicle replacement program.

### **STAFF RECOMMENDATION:**

Staff recommends approving the purchase of the three trucks consistent with the FY 2025-2026 Budget.

### **PRIOR COUNCIL DIRECTION:**

On June 18, 2025, the Council adopted the Highland City Fiscal Year 2025-2026 Budget which included the purchase of these vehicles.

### **BACKGROUND:**

As part of the City's annual vehicle replacement, the City purchases three new trucks annually. These vehicles replace existing vehicles which then are transferred to the parks department to be used by maintenance crews. Vehicles that are in poor condition and are no longer needed will then be surplussed where the City typically gets between \$500-\$2,000 depending on the condition of the vehicle.

### **FISCAL IMPACT:**

The cost for each of these vehicles is \$53,919. Funding for the trucks is included in GL 52-40-59, Sewer Capital Equipment Purchase and 54-40-59 Storm Sewer Capital Equipment Purchase. The purchase will be split evenly from these two GL accounts.

### **MOTION:**

I move that City Council approve the purchase of three new trucks in the total amount of \$161,757.

### **ATTACHMENTS:**

1. Car Purchase



CNGP530

## VEHICLE ORDER CONFIRMATION

02/25/25 11:27:52

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Dealer: F56557

Page: 2 of 2

2025 F-SERIES SD  
Order No: Q001 Priority: C4 Ord FIN: QS050 Order Type: 5B Price Level: 525  
Ord PEP: 603A Cust/Flt Name: HIGHLAND PO Number:

RETAIL

RETAIL

SP DLR ACCT ADJ

SP FLT ACCT CR

FUEL CHARGE

B4A NET INV FLT OPT NC  
DEST AND DELIV 2095

TOTAL BASE AND OPTIONS 59240

TOTAL 59240

\*THIS IS NOT AN INVOICE\*

F1=Help F2=Return to Order  
F4=Submit F5=Add to Library  
S099 - PRESS F4 TO SUBMIT

F7=Prev F3/F12=Veh Ord Menu

QC08254

V1DP0588

2,6



# CITY COUNCIL AGENDA REPORT

## ITEM #6a

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**DATE:** July 15, 2025  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Rob Patterson, City Attorney/Planning & Zoning Administrator  
**SUBJECT:** Fence Code Clarification  
**TYPE:** Land Use (Administrative)

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**PURPOSE:**

The City Council will give direction on the intent of the fence code relating to privacy fences near trail corridors where no trail facility is built or planned to be built in the near future.

**STAFF RECOMMENDATION:**

Staff recommends that the City Council give direction on whether to require strict compliance with the fence code for trail corridor privacy fencing when there is no existing trail facility.

**PRIOR COUNCIL DIRECTION:**

This item was briefly discussed during the July 1, 2025, City Council meeting, but no direction was given and the item was continued to this meeting.

**BACKGROUND:**

In July and August 2024, the City Council reviewed and adopted several amendments to the City's fence code. As part of those amendments, the Council loosened the requirement that fences along narrow trail corridors have the top two feet be open. Now, so long as the trail corridor is visible from public areas within 300 feet, residents can have privacy fences along the trail corridor.

The new owner of lot 19 within the Foxwood Estates subdivision has constructed a privacy fence along their western property line. That property line borders a city trail corridor. There is no trail path/paving within the corridor on the west of lot 19, nor is there any current plan to build a trail facility because the trail would dead-end without connecting to any public park or other trail. The City Council also approved maintenance agreements on July 1 with two of the property owners adjacent to the trail corridor to allow them to maintain that corridor.

The fence code requires that the fence along lot 19 in Foxwood Estates have the top 2 feet open because it is "adjacent to a trail or open space" that is not visible from public areas within 300 feet. However, there is no trail facility nor any current plans to build a trail in that corridor. As discussed in the July 1 meeting, there is a possibility for a trail to be constructed to connect to the Murdock Canal Trail near Dry Creek Lake, depending on whether the City is able to acquire trail access across private property. In addition, Highland City maintains utility facilities in the area, and as such staff recommended and Council agreed that they did not want to sell the trail corridor property in question. The corridor will be used by staff, on occasion, for access to the ravine and sewer facilities.

The code does not distinguish between trail corridors that actually have trails and trail corridors that are simply reserved for potential future trails. Staff would like direction from the Council as to whether the Council intended the privacy fence limitations to apply to trail corridors where no trail is constructed and no trail is to be constructed in the near future. Staff can support allowing the privacy fence to remain, subject to a condition that if a trail is built in that corridor, any new or reconstructed fence would need to meet the fence code's openness requirements. If Council supports this approach, staff would apply the approach to any other, similarly situated trail corridors (e.g., trail corridor in Beacon Hills near Perry property),

**FISCAL IMPACT:**

No anticipated fiscal impact.

**MOTION:**

No motion - for discussion only.

**ATTACHMENTS:**

1. Trail and Fence Map and Pictures



