



HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

TUESDAY, AUGUST 19, 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@highlandut.gov

6:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Mayor Kurt Ostler

Pledge of Allegiance: Council Member Kim Rodela

1. UNSCHEDULED PUBLIC APPEARANCES

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

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
June 17, 2025
- b. **Approval of Meeting Minutes General City Management**
Stephannie Cottle, City Recorder
July 1, 2025
- c. **Approval or Ratification of Large Purchases General City Management**
David Mortensen, Finance Director
The City Council will consider and review large purchases made by the City during July 2025.

3. ACTION ITEMS

- a. **ACTION: Plat Amendment - Lot Combination Windsor Meadows Land Use (Administrative)**
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider a request from Jeff Harvey and Larinda Nilsen to amend their lot to combine their main lot with an adjacent open space parcel sold to them by the City and, as part of that combination, remove a public utility and drainage easement that runs along the rear lot line that is being adjusted.
- b. **ACTION: Contract Authorization with DLS Consulting, Inc. General City Management**
Erin Wells, City Administrator
The City Council will consider renewing a contract with DLS Consulting, Inc. for consultant services focused on grant and legislative support for a one (1) year term.

- c. **ORDINANCE: Professional Office Zone Text Amendment Development Code Update** *(Legislative)*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider comprehensive amendments to the Professional Office (PO) zoning district regulations.
- d. **ACTION: Interlocal Agreement with Utah County - 4800 West Project** *General City Management*
Chris Trusty, City Engineer/Public Works Director
The City Council will consider approving an interlocal agreement between Utah County and Highland City to fund improvements to 4800 West through Highland and Alpine.

4. 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: Hanover Sewer Repair Change Order** *General City Management*
Chris Trusty, City Engineer/Public Works Director
The City Council will consider a change order for the Hanover Way sewer repair in the amount of \$18,624.

5. DISCUSSION ITEMS

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

- a. **Utah Wellbeing Survey Participation Opportunity** *General City Management*
Erin Wells, City Administrator
The City Council will give direction as to whether they would like to participate in the 2026 Utah Wellbeing Project Survey.

6. COMMUNICATION ITEMS

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

- a. **Parks Watering & Pressurized Irrigation System Stored Water** *General City Management*
Chris Trusty, City Engineer/Public Works Director, Kurt Ostler, Mayor
- b. **Road Maintenance Plan Update** *Chris Trusty, City Engineer/Public Works Director*
- c. **Culinary Pressure Reducing Valve Implementation** *Chris Trusty, City Engineer/Public Works Director*
- d. **City Investment Options Followup** *David Mortensen, Finance Director*
- e. **Financial Report** *David Mortensen, Finance Director*
- f. **Election Update** *Stephannie Cottle, City Recorder*
- g. **Community Development Update** [\(Current Projects List\)](#) *Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

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.

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.highlandut.gov).

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 14th day of August 2025.

Stephannie Cottle, CMC|UCC, City Recorder

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



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, June 17, 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 Brittney P. Bills

Pledge of Allegiance: Mayor Kurt Ostler

The meeting was called to order by Mayor Kurt Ostler as a regular session at 6:06 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 Brittney P. Bills and those in attendance were led in the Pledge of Allegiance by Mayor Kurt Ostler.

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, City Treasurer Candice Linford.

OTHERS PRESENT: Jon Hart, Liz Rice, Wesley Warren, Cole Gertler, Dana Wallace, Kristin Richey

1. UNSCHEDULED PUBLIC APPEARANCES

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

There were no public appearances.

2. CONSENT ITEMS

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

- a. **Approval of Meeting Minutes General City Management**
Stephannie Cottle, City Recorder
May 6, 2025

b. Approval or Ratification of Large Purchases *General City Management*

David Mortensen, Finance Director

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

c. Library Board Appointments *General City Management*

Kurt Ostler, Mayor

The City Council will consider the Mayor's recommendation to reappointing three members of the Library Board.

Council Member Doug Cortney requested to pull item 2a and 2c from the consent agenda.

Council Member Doug Cortney MOVED to approve the consent agenda, as amended.

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

Council Member Cortney requested amendments to the May 6, 2025 minutes; on the agenda item dealing with golf cart operation in the City. He said that Council Member Smith expressed concerns about golf carts being struck by a vehicle. However, the minutes indicate that Council Member Smith's concerns were regarding a golf cart striking a pedestrian. He stated that Council Member Smith did discuss statistics about auto/pedestrian accidents, but he likened a golf cart passenger to a pedestrian in this case. He proposed striking the text 'hitting a pedestrian' and replacing it with 'being hit by an automobile' and striking the text 'be true for a golf cart accident' and replacing it with 'likely be similar for an automobile/golf cart accident'. He noted he has reviewed the video/audio for the meeting and City Recorder Cottle has done the same and she is comfortable with the amendments. Council Member Smith stated he is also supportive of the amendments.

Council Member Doug Cortney MOVED to approve the minutes of May 6, 2025, with amendments.

Council Member Scott L. Smith SECONDED the motion.

Council Member Cortney then referenced consent item 2c; he is comfortable approving the Library Board appointments but asked that the item be removed from the consent agenda to allow for a brief discussion of the implications of reappointing Wesley Warran to the Board. He stated if the appointment is approved, Mr. Warren will be a member of both the Library Board and the Planning Commission and this is something he thinks should be avoided. In this case, he is not opposed because Mr. Warren is an alternate member for the Planning Commission, but in theory he thinks the City should avoid this situation in the future. Mayor Ostler stated he understands the concern, but the reason that he recommended the reappointment of Mr. Warren to the Library Board is that the Library Director felt consistency on the Board is important given the significant work underway in the Library.

Council Member Smith stated that Mr. Warren is also a candidate for City Council and he asked if he will be replaced on his Library Board position if he is elected to the City Council. Mayor Ostler stated that will be a decision of the Council in the future. He noted that Mr. Warren would need to step down from the Plannig

Commission. City Attorney Patterson stated that if Mr. Warren is elected to the City Council, the Council will need to make a decision on the Library Board matter because only one Council Member can serve on the Library Board and Council Member Campbell currently holds that position.

Library Director Cardon asked that the Council approve the appointment of all three candidates because they have served them very well and it would be a great benefit to have them continue to serve.

Council Member Doug Cortney requested Council approval to amend his earlier motion.

Council Member Doug Cortney MOVED to approve the meeting minutes for May 6, 2025, as amended, and approve the Library Board Appointments, item 2c.

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. PUBLIC HEARING/ORDINANCE: Approval of FY2024-2025 Budget Adjustments General City Management**
David Mortensen, Finance Director

The City Council will hold a public hearing and consider amending the fiscal year 2024-2025 budget for various items as shown in the attached exhibit.

Finance Director Mortensen explained State code allows municipalities to amend their fiscal year budget throughout the year as needed. With the help of administration and other staff, the Finance Department has prepared a list of requested amendments to the budget. In addition, the proposed ordinance allows staff to make a transfer from the General Fund to a Capital Fund including Parks, Building, and Roads if needed to keep the General Fund balance below the 35 percent State statutory limit. He used the aid of a PowerPoint presentation to illustrate the fiscal impact of the proposed amendments as follows:

- General Fund:
 - Revenue - increase of \$74,985
 - Use of Fund Balance - decrease of \$386,575
 - Expenditure - decrease of \$386,575
- Cemetery Fund:
 - Revenue - no change
 - Use of Fund Balance - increase of \$74,985
 - Expenditure - increase of \$74,985
- Library Fund:
 - Revenue - increase of \$6,000
 - Use of Fund Balance - increase of \$4,300
 - Expenditure - increase of \$10,300
- Building & Development Fund:
 - Revenue - no change

- Use of Fund Balance - increase of \$116,820
- Expenditure - increase of \$116,820
- Parks Capital Improvement Fund
 - Revenue - decrease of \$300,000
 - Use of Fund Balance - increase of \$700,197
 - Expenditure - increase of \$400,197
- Roads Capital Improvement Fund
 - Revenue - no change
 - Use of Fund Balance - no change
 - Expenditure - Increase of \$20,000 in one area and corresponding decrease of \$20,000 in another area
- Sewer Fund
 - Revenue - no change
 - Use of Fund Balance - increase of \$300,000
 - Expenditure - Increase of \$47,000
- Pressurized Irrigation Fund
 - Revenue - no change
 - Use of Fund Balance - decrease of \$500,000
 - Expenditure - decrease of \$500,000
- Culinary Water Fund
 - Revenue - increase of \$47,221
 - Use of Fund Balance - increase of \$14,284
 - Expenditure - increase of \$61,505
- Internal Service IT Fund
 - Revenue - increase of \$5,425
 - Use of Fund Balance - no change
 - Expenditure - increase of \$5,425

Throughout Mr. Mortensen's presentation, he engaged in high level discussion with the Council regarding topics such as use of the IT fund for needs throughout the City; bond/debt service payments; use of reserve funds for the library; the cost for the General Plan update project exceeding the funding allocation; costs associated with the third-part inspections agreement with other entities; and reasons for the various capital project budget increases. Council Member Smith thanked Mr. Mortensen for the detailed and clear information regarding the basis for the budget amendments. Council Member Cortney agreed and thanked Mr. Mortensen for a job well done. Council Member Campbell agreed and stated that Mr. Mortensen presents budget information in a way that it is easily understandable.

Mayor Kurt Ostler opened 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 Scott L. Smith MOVED that City Council adopt the ordinance amending the Highland City fiscal year 2024-2025 budget as shown in the included exhibit and as discussed by the Council and presented by the staff.

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

b. RESOLUTION: Consolidated Fee Schedule General City Management

Candice Linford, Treasurer

The City Council will consider the new fees and rates proposed in the FY2026 Consolidated Fee Schedule.

Treasurer Linford explained the proposed changes to the Consolidated Fee Schedule for Fiscal Year (FY) 2026 include format changes to align as much as possible with departments, their various sections, and to visually simplify an expanding schedule. Administration has also added some clarifying statements to eliminate opportunities for misinterpretation by the public. The scope of the fee changes include every department except for the Library, who just recently updated their fees in spring, and the Justice Court, as the state sets those fees. She then reviewed the following specific fee changes:

- Administration: added "Highland Family Park" to replace Mountain Ridge.
- Building:
 - Updated the fees for water meters (both culinary and PI) for ¾ inch and 1" to capture increased material costs.
 - Added the cost of the PI meter box fees. These are Highland City branded boxes.
- City Recorder's Office
 - Updated the resident and non-resident fee as per the annual perpetual cemetery fund increase of 3%.
 - Eliminated the offering of electronic copies (tapes) of meetings since these are available for free online.
- Community Development:
 - We eliminated "Hobby Breeder" as an option for licensing since this was previously removed from the code. Anyone filing for what we would have considered Hobby Breeder falls under the home occupation business license filing fee & renewal.
 - Lot/Parcel Combinations as well as Boundary Adjustments have been removed due to a state law change. These are now:
 - Full Boundary Adjustment
 - Simple Boundary Adjustment
 - Sign permits are still being processed, but they now fall under the building department as a simple building permit.
 - Use Determination was added per a councilmember suggestion in a code update discussion.
- Engineering & Public Works:
 - Fee increases and additions for hydrant meter rentals to ensure we are accurately capturing the true costs for all apparatus involved in the rental.
 - We did have one addition - daily rental fee - which we feel will facilitate quicker returns as well as help us pay for new meters by placing the fee burden on the actual users.
- Events: had quite a few adjustments for both city events and special events.
 - Special Events now offers contracted cleanings, which we've negotiated to include using our contracted cleaning staff based on their availability and rates.
 - The Fling eliminated non-current events, added Pickleball, and streamlined the advertisements, sponsorships, and vendors structures.
- Utilities: currently only has one section update, and that's all down to our contracted rate increases with

Waste Management. Across the board the fees increased for both monthly and per requested occurrences for garbage and recycling services by roughly 8%.

Discussion among Ms. Linford and the Council centered on the need to differentiate between fees for residents and non-residents seeking to rent the new baseball fields at Highland Family Park; different types of sign permits; hydrant and meter fees; and any connection between library fees and the interfund library loan.

Council Member Doug Cortney MOVED that City Council adopt the FY2026 Consolidated Fee Schedule as described in the meeting.

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. RESOLUTION: Certified Tax Rate General City Management

David Mortensen, Finance Director

The City Council will consider adoption of the Fiscal Year 2025-2026 Certified Tax Rate.

Finance Director Mortensen explained each year, the City Council must choose to either adopt the certified tax rate for the new fiscal year as set by Utah County, or begin the process of Truth in Taxation if there is a desire to increase the property tax rate above the calculated certified rate. The certified tax rate for Highland City general operations was 0.000689 for fiscal year 2024-2025. The Library operations certified tax rate was 0.000104. Overall, property values in the City increased from the prior year's values, which has the effect of decreasing the certified rate. For fiscal year 2025-2026, the calculated tax rate for Highland City is 0.000643 for general City operations, and 0.000097 for Library operations. Property tax revenues remain relatively level when there is no growth within the City. Highland has had some growth since the last certified tax rate was calculated, resulting in an increase in certified rate revenue of \$53,611 for general operations, and an increase of \$7,904 for Library operations.

Discussion among the Mayor and Council, as well as Mr. Mortensen, centered on the manner in which the certified tax rate impacts individual property owners; the Mayor stressed that if the rate is lowered, but a property valuation is not adjusted, the individual property owner will pay less in property tax revenue. The total tax bill is determined by the certified tax rate and the property valuation.

Council Member Scott L. Smith MOVED that City Council approve the resolution adopting the Fiscal Year 2025-2026 Certified Tax Rate of 0.000740, which includes 0.000643 for City operations and 0.000097 for Library operations.

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
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<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

d. PUBLIC HEARING/RESOLUTION: Pressurized Irrigation Fund Transfer General City Management

David Mortensen, Finance Director

The City Council will consider a transfer of funds from the Pressurized Irrigation Fund to the General Fund.

Finance Director Mortensen explained State code allows the City to transfer funds from an enterprise fund into another fund, such as the General Fund, only after required public noticing and a public hearing where the residents of the City can give their input. In the past, Highland City has transferred an amount from the Pressurized Irrigation Fund equal to the estimated amount that the General Fund pays to the Pressurized Irrigation Fund for the use of irrigation water on park space throughout the City. The proposed transfer reimburses the General Fund for the cost of the used irrigation water. The fiscal impact of the proposal is as follows:

- General Fund - \$108,000 Revenue - Included in the fiscal year 2025-2026 Budget
- Pressurized Irrigation Fund - \$108,000 Expenditure - Included in the fiscal year 2025-2026 Budget

Staff recommends approval of the resolution authorizing a transfer of \$108,000 from the Pressurized Irrigation Fund to the General Fund.

Discussion among the Council and Mr. Mortensen centered on the history of the fund transfer, and the transparency of the transfer versus an action to increase other revenue sources to fund the General Fund. Mr. Mortensen stated that if the Council does not approve the transfer, it will be necessary to identify other sources of revenue to make up the \$108,000 in the General Fund. This led to discussion of the implications of denying the enterprise fund transfer for purposes of adopting a balanced budget.

Mayor Kurt Ostler opened the public hearing at 7:20 p.m.

There were no public comments.

Mayor Kurt Ostler closed the public hearing at 7:20 p.m.

Council Member Kim Rodela MOVED that City Council approve the resolution authorizing a transfer of \$108,000 from the Pressurized Irrigation Fund to the General Fund for fiscal year 2025-2026.

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>No</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 4:1

e. PUBLIC HEARING/ORDINANCE: Officer Compensation *General City Management*
David Mortensen, Finance Director

The City Council will consider adopting an ordinance enacting budgeted compensation increases for specific City officers for fiscal year 2025-2026.

Finance Director Mortensen explained that during the 2024 legislative session, S.B. 91 was passed and signed into law. The bill amended Utah Code Section 10-3-818 regarding City employee salaries. The new requirement is that a public notice be sent out, and a public hearing be held to consider the approval of any budgeted increases in compensation for City officers. Included in this ordinance for Highland City are the City Administrator, Assistant City Administrator/Community Development Director, Public Works Director/City Engineer, City Attorney/Planning Administrator, Finance Director, Library Director, and Assistant Public Works Director. The proposed budgeted increases are all included in the proposed Highland City Fiscal Year 2025-2026 Budget and the Fiscal Year 2025-2026 Pay Plan. The budgeted increases proposed include those city employees who are eligible for, including an inflationary component and, for any URS Tier II employees, a one-time bonus meant to offset the additional cost of URS retirement contributions for this fiscal year. Some officers are also recommended for a market adjustment based on the results of the City's annual pay plan analysis. The total percentage increase of these items can be found in the exhibit attached to this ordinance. The proposed increases to the compensation of specific City officers have been included in the proposed Highland City Fiscal Year 2025-2026 Budget. Mr. Mortensen used the aid of a PowerPoint presentation to provide the total proposed wage increase for the City officers listed in his staff memo:

Title	Total Proposed FY2025-2026 Increase
City Administrator	7.82%
Assistant City Administrator/Community Development Director	3.81%
Public Works Director/City Engineer	3.00%
City Attorney/Planning Administrator	3.81%
Finance Director	4.89%
Library Director	10.71%
Assistant Public Works Director	3.00%

Council Member Smith asked if this is the total increase these officers will receive or if they will be eligible for an additional percentage increase that is offered to all City employees. Mr. Mortensen stated the numbers above are all inclusive and are the total increase each officer will receive.

Council Member Cortney asked about the .81 percent increase included in the adjustments for the Assistant City Administrator and City Attorney. Mr. Mortensen stated that is included to cover the additional URS contribution required for tier two employees. Council Member Cortney stated that his recollection is that the URS contribution last year was .70 percent and he asked if the contribution amount increases each year. Mr. Mortensen stated that the additional percentage is not an increase in the employees wage, but a one time contribution or bonus to cover the URS contribution. Council Member Cortney stated that if last year's contribution was a one-time bonus, this year's contribution should be the difference between the .81 percent and .70 percent. Mr. Mortensen stated that is incorrect; the .81 percent is added to their new wage after the three percent market increase. Council Member Smith stated that the State of Utah mandates the URS contribution for tier two employees, but the City is covering those costs as an additional benefit. Council Member Cortney stated that is technically not correct; the employees are receiving a bonus in the amount that

matches the URS contribution. Mr. Mortensen stated that there was hope that the Utah Legislature would enact a new law to enable cities to directly pick up the tier two URS contribution, but no such bill was passed.

City Administrator Wells stated that she thought she understood Council direction on this matter was to cover the contribution, similar to what is done for public safety employees. State law procudes the City from covering the contribution for general employees so it is handled this way. Council Member Cortney stated that he is not opposed to covering the contribution, but he wanted to fully understands the fiscal impact.

Mayor Kurt Ostler opened the public hearing at 7:27 p.m.

There were no public comments.

Mayor Kurt Ostler closed the public hearing at 7:27 pm.

Council Member Kim Rodela MOVED that City Council adopt the ordinance enacting compensation increases for specific City officers for fiscal year 2025-2026.

Council Member Doug Cortney SECONDED the motion.

Council Member Cortney stated it is important to clarify that all employees are receiving a three percent cost of living increase; some employees have an additional .81 percent over that cost of living increase, but those employees that have an increase greater than 3.81 percent are receiving a market adjustment responsive to a survey conductd to determine wages paid in other entities for like positions. The purpose of conducting market studies is to ensure that the City is able to retain quality employees.

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

- f. PUBLIC HEARING/ORDINANCE: Adoption of the Fiscal Year 2025-2026 Budget General City Management**
David Mortensen, Finance Director
The City Council will consider adoption of the Highland City Fiscal Year 2025-2026 Budget.

Finance Director Mortensen reviewed changes to the budget since the tentative budget that was adopted on May 6th including revenues and expenditures in multiple funds. In the General Fund, property tax revenue was increased by \$11,900 because the certified tax rate and certified revenue amount were obtained from Utah County. The use of beginning General Fund balance reserves was increased by \$105,000 for a carryover of FY25 budget for trail maintenance. Expenditures in the General Fund saw a net increase of \$144,941, primarily due to an increase in the public safety assessments paid to Lone Peak Public Safety District to cover the cost of increased animal shelter fees and adding 2 full-time and 1 part-time fire personnel. Another part of the General Fund expenditure increase is from the carryover of FY25 budget for trail maintenance mentioned above. Also in the General Fund, there is a decrease in the transfer to the Roads Capital Improvement Fund meant to help fund the 10400 & 6000 W pedestrian improvements. This transfer decrease was done to help make room in the General Fund budget for the public safety increase already mentioned. The tentative budget included a 3%

inflationary increase for employees, but upon completion of the market study, it was determined that a few employees needed a larger increase. At a minimum, all employees are budgeted to receive an inflationary adjustment of 3%. Increases and decreases to wages and benefits as a result of the wage market study also impacted multiple other funds of the City including Cemetery, Library, Building & Development, Sewer, Pressurized Irrigation, Storm Sewer, Culinary Water, and Utility Transportation. In the Library Fund, a \$10,000 use of fund balance was added for the purpose of replacement of old books and other materials. In the Building Capital Improvement Fund, a \$144,621 use of fund balance was added for the purpose of completing the fire station driveway project. This is a budget carryover from the FY25 budget. In the Sewer Fund, a \$253,000 use of fund balance was added for the purpose of completing the Dry Creek lift station project. This is a budget carryover from the FY25 budget. In the Pressurized Irrigation Fund, there was an error in the list of positions in the tentative budget that was doubling up the budget for a PI Operator. This has been corrected in the final budget, reducing the total expenditure in the fund by approximately \$70,000. This position was also partially allocated to the Culinary Water fund, so that fund expenditure was also reduced by about \$10,000 due to the correction. Also in the Culinary Water Fund, the tentative budget included a \$1,000,000 state grant that is no longer anticipated for FY26, so it has been removed, along with the grant expenditure, in the final budget. (In talking with the City's lobbyist and grant consultant, they feel like there is more opportunity for the City for grants in roads than water at this time.) The first phase of the MXU replacement project for \$260,000 was also added. The planned savings for future capital asset replacement was reduced by approximately \$250,000 as a result. Mr. Mortensen concluded the fiscal impact of the proposed budget on each individual fund can be found in the All Funds Summary table on page four of the budget document. City wide, total revenues, including the use of prior year fund balance, total \$38,951,589. Total expenditures, excluding savings for future capital asset replacement, total \$38,210,938. Net Revenue, including the use of prior year fund balance and excluding savings for future capital asset replacement, totals \$740,651. The City-wide planned use of prior year fund balance to complete various projects totals \$2,212,255.

Council Member Smith stated it is important to note that the City is required to have a general fund balance that is between five percent and 35 percent of the City's total budget; the exact percentage of the fund balance will not be known until after the audit of the FY 2024-2025 budget is completed. He asked where the fund balance is located and if the money held in reserve is earning interest. Mr. Mortensen stated that all fund balances are held in the same bank account, but accounted for separately using general ledger numbers. The interest accrued is allocated according to fund balances. Council Member Smith stated that he works with a member of Administration from Saratoga Springs and he relayed information about their ability to accrue interest on their fund balance sufficient enough to help cover the costs of a building construction project. Mr. Mortensen added that interest earnings also help to offset inflation associated with various costs paid by the City.

The Mayor and Council then engaged in high level discussion with Mr. Mortensen regarding the revenue sources for various funds listed in the budget, such as the Parks Tax Fund, Open Space Fund, Town Center Exaction Fund, and Enterprise Funds. There was also a discussion about the expense for a lobbyist who has been working to secure grant funding for the City and whether to continue that contract in the new FY.

Council Member Campbell noted that the Library Director is retiring soon, but she will work for at least a month with the new Library Director to help get that person acclimated; he asked if the cost of paying two employees for that position for a one month period has been included in the budget, to which Ms. Wells answered Administration was aware there would be a wage gap and there is sufficient funding to cover the wages for the outgoing and new Library Director.

There was additional high level discussion of increased animal shelter fees; the potential for the City's assessment from the Lone Peak Public Safety District (LPPSD) to increase following some mediation underway with the LPPSD Board; the changes of the transfer amount from the General Fund to the library fund

with clarification that this is not a subsidy to the library; and adjustments to the pressurized irrigation fund pertaining to staffing adjustments and asset replacement savings.

Council Member Smith commented on population growth in Highland and surrounding cities over the past several years and the impact that growth has had on budgets of various municipalities; there have been several tax increases in recent years as cities have tried to keep pace with the demand for higher wages for all employees, but specifically for Police Officers; from 2022 to present, the City’s cost for public safety has increased by \$2 million and he is concerned about how to continue to pay for increases year after year. He noted that other costs are increasing as well, and the City’s general fund budget increases by approximately \$1 million each year and he is wondering how to pay for those increases without burdening the residents of the City. He understands the budget proposal this year and will vote to approve it, but the Council needs to carefully consider other funding options because, otherwise, the City’s expenditures will outpace revenues before long. He feels it is important to consider options for reducing expenditures in the future as well. Council Member Cortney stated that the budget increase mentioned by Council Member Smith from 2022 to 2025 equates to 48 percent. He and Council Member Rodela supported further exploration into the causes of the increases in recent years and options for reducing expenditures.

Mayor Ostler issued a warning for the Council; the Ridgeview Development in Highland generated a significant amount of money in building fees. The revenues of those fees have been used to augment multiple areas of the budget, but once that development is completed, the building fee revenue will be eliminated. The Council discussed this matter and agreed that these issues should be considered and carefully examined; Council Member Smith added that the road fee expires in a couple of years, around the same time that the park and building bonds are paid off and this is an issue that should be added to the list of items to be considered. Mayor Ostler agreed and noted that the City is slated to be debt free in 2027; he thanked Mr. Mortensen for providing a clear picture of the City’s financial condition. Mr. Mortensen noted that he has begun working on the citizens budget document, but it is not completed yet. He will publish it once available. Council Member Smith stated the citizens budget was well done last year and he looks forward to seeing it.

Mayor Kurt Ostler opened the public hearing at 8:15 p.m.

There were no public comments.

Mayor Kurt Ostler closed the public hearing at 8:15 p.m.

Council Member Doug Cortney MOVED that City Council approve the ordinance adopting the Highland City Fiscal Year 2025-2026 Budget.

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

4. 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: Sewer Slip Lining Project Phase 2 Bid Award *General City Management*

Chris Trusty, City Engineer/Public Works Director

The City Council will consider a bid award to Insituform for the installation of 5,137 linear feet for an 8-inch sewer liner for the FY2026 Sewer Slip Lining Project.

City Engineer/Public Works Director Trusty explained in conjunction with the approval of the Fiscal Year (FY) 2026 City budget, the City Council approved funding for Sanitary Sewer Capital Expenses as they relate to the operations and maintenance of city infrastructure. This budget line item included the slip lining project, which is a part of the city's overall capital improvement plan to extend the service life of the sewer main lines throughout the city and reduce groundwater infiltration. The recommended method is CIPP (Cured in Place Pipe). It is a 4.5mm liner with a resin that is cured and hardened with steam or ultraviolet (UV) light. A portion of this liner will need to be UV-cured due to existing pipe conditions. When hardened, it becomes a new pipe within the existing pipe without any joints. It is a trenchless repair installed through the manholes. It has a 100-year design life with a 1-year installation warranty. This is the same product we have used in past successful projects. After the liner has cured, the contractor will open the lateral connections from homes adjacent to lining project. The curing and connection process all occurs on the same day, so there is no significant impact on adjacent residents. This total includes the base bid and 16 of the alternate bid top-hat lateral seals. Top-hat seals are seals that are placed inside the main sewer pipe after the sewer lateral connection to the pipe has been restored. The seal is between the sewer main and the lateral. It extends approximately 6-inches into the sewer lateral and seals the lateral-to-main connection. They are called "Top Hat" because the assembly has the appearance of a top hat. Earlier this year city staff elected to bid the remaining portions of the sewer line over the course of the next four years. This was done to check current pricing in the hopes of potentially bundling some projects and/or obtaining pricing now for future phases. Phase 1 was awarded on March 3, 2025 and was recently completed. If awarded, this phase, Phase 2, is expected to begin July 1 to fall in the appropriate fiscal year and will be completed this summer. For the current phase to be installed this next fiscal year (Phase 2), the low bid for the project was \$238,998.00 from Insituform. Typically, a 10 percent contingency is added to the bid award, so the total value of the bid award is up to \$262,897.80. Staff has been pleased with the work that Insituform has done in the past and recommends working with them again.

Council Member Cortney referenced the location sheet included in the Council packet; two locations have been identified in phase one and phase two, and he asked which phase they are actually included in. Mr. Trusty stated that he believes those properties are included in phase one, but he will research and determine the final answer before proceeding with the project. Council Member Cortney stated it is a point of curiosity for him, and he would like that issue resolved before the project moves forward.

Council Member Bills asked if this project involves filling in the ditch near the country club. Mr. Trusty answered no.

Council Member Ron Campbell MOVED that City Council APPROVE a contract with Insituform in an amount up to \$262,897.80 for the FY26 Sewer lining project and AUTHORIZE the City Administrator to sign the contract documents.

Council Member Kim Rodela SECONDED the motion.

Council Member Smith stated this project is very important because it addresses old sewer lines that were installed around 50 years ago. Lining prevents leakage into the ground and saves a significant amount of money in the long run. Council Member Cortney agreed and thanked Mr. Trusty for being proactive in addressing these issues.

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

b. ACTION: Purchase of MXU's for Culinary System *General City Management*

Chris Trusty, City Engineer/Public Works Director

The City Council will consider the purchase of MXU “M” series radios with FY2026 monies for the culinary drinking water system.

City Engineer/Public Works Director Trusty explained these MXU type "M" radios are intended to replace the older “R” series radios, which are not compatible with the recently installed Sensus Advanced Metering Infrastructure (AMI) tower system. The “M” series radios have the capability to communicate directly with the Sensus AMI tower, enabling more efficient and accurate remote meter reading and system monitoring, which is a benefit to both residents, as well as, the city organization. The prior Council approval allowed City staff to pre-order the new radios to account for significant fulfillment delays that were occurring at the time. The City worked with Mountainland Supply Company to order the units, and they are currently storing them with the anticipation that the City will take delivery with the start of the new fiscal year on July 1. At the time of approval, staff was encouraged to seek a grant for the funding. Unfortunately, staff has not been able to obtain any grants for this project. However, staff has worked to lower the impact of the project on the water fund and rates by 1) spreading the purchase over three years to lessen the high upfront costs of the purchase, and 2) planning to use the new meter tech position to complete the installations rather than hiring an outside contractor. In working with the City's financial advisor to update the rate study with these considerations, it does not appear that a rate change needs to be considered until FY27. Fortunately, the significant fulfillment delays that existed a year ago, no longer exist. As such, staff is not concerned about only taking about one-third of the total number of meters we will need at this time. Once we are able to hire the new meter tech position and they start working on this project, we will get a feel for how quickly we'll be able to do the project and have an idea about when we need to submit our next order. Staff will strategically start with the oldest homes first to prevent battery failure issues. As homes' MXU's are replaced, they will then be able to monitor their culinary usage like they now can their P. I. Those homes will also then be read by the radio towers and won't need to be read through the drive-by system. Breaking up the project over three years will lessen the immediate impact on the fund but will mean we will likely be paying more in increased costs for MXU's. The financial analysis did assume the cost of the MXU's would increase year over year. The cost of this purchase is \$260,000. Funding for this expense is included in GL 55-40-78 Grants capital Outlay within the FY26 budget. Staff recommends the purchase of \$260,000 worth of MXU type "M" radios for installation in the City's Culinary Water System. This upgrade is proposed as part of the FY26 budget.

High level discussion among the Council and Mr. Trusty centered on how the radios work and a resident's ability to program their meter to provide them with alerts for certain usage patterns. There was also a brief discussion about potential future cost savings due to the reduced time for employees reading meters.

Council Member Scott L. Smith MOVED that City Council APPROVE the purchase of 1,365 MXU's in the amount of \$208,967.85 from Mountainland Supply Company for our Culinary Water meter reading system and AUTHORIZE the City Administrator to sign the necessary purchase agreement.

Council Member Ron Campbell SECONDED the motion.

Council Member Cortney stated that the Council just approved \$260,000 in the budget for this project, but the purchase price is \$208,967.85. He asked if it is necessary to adjust the budget accordingly. Mr. Trusty stated that he will not spend the full amount, and the money will remain in the budget throughout the fiscal year.

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. DISCUSSION ITEMS

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

a. Fiscal Year 2024-2025 Fraud Risk Assessment *General City Management*

David Mortensen, Finance Director

The City Council will receive and discuss the fiscal year 2024-2025 Fraud Risk Assessment

Finance Director Mortensen explained a few years ago, the State Auditor's Office created the fraud risk assessment. Each governmental entity is required to complete the self-assessed fraud risk questionnaire annually. The purpose of this assessment is to determine an entity's ability to prevent fraud from occurring and the entity's ability to detect fraud that is occurring. Categories that are assessed include separation of duties, internal financial, ethical, and security policies, professional and ethical education and training of staff and elected officials, use of an audit committee and internal audit function, and the use of a fraud hotline. For fiscal year (FY) 2024-2025, Highland City scored 350 points, which puts the City in the "Low" fraud risk category. Items that the City could implement in order to score higher and obtain the highest level of "Very Low" include adopting a written policy regarding IT and computer security, implementing an audit committee, and implementing an internal audit function.

The Council and staff engaged in philosophical discussion and debate of the additional steps the City could take to improve its fraud risk score; Council Member Cortney indicated that he likes the idea of an audit committee in theory but is not convinced the effort to create and manage the committee would be worth the expense and staff time. Council Member Campbell agreed. Council Member Bills noted the Lone Peak Public Safety District (LPPSD) Board has decided to work to create an audit committee and the City can monitor that situation to determine if it would be beneficial to do something similar for Highland City.

6. COMMUNICATION ITEMS

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

a. Utah County Sherriif's Office Evidence Memorandum of Understanding *Brian Gwilliam, Police Chief*

Police Chief Gwilliam reported Highland and Alpine cities were approached by the Utah County Sherriif's Office about entering into a memorandum of understanding (MOU) regarding the disposal of evidence related to misdemeanor offenses. This MOU is being pursued under the authority granted by Utah State Code 77-11c-202(2)(b), which permits prosecutors and law enforcement agencies to enter into agreements for the disposal of evidence. He summarized the key details of the MOU as follows:

- The proposed MOU aims to create a consistent, county-wide framework for the management and disposal of misdemeanor evidence.

- This initiative is administrative in nature, potentially to ensure compliance with evidence retention standards, improve efficiency, or provide for future shared services.

The cities of Highland and Alpine and the Lone Peak Police Department have not historically relied on the Utah County Sheriff's Office for evidence collection or retention services. As such, the practical benefit or operational need for entering into this MOU may be limited for the cities of Highland and Alpine. After reviewing the MOU, there appears to be no harm in signing the agreement. It does not impose new operational obligations, nor does it require the police department to change our current practices. Rather, it provides a framework should coordination with the County ever become necessary in the future. Chief Gwilliam concluded that after reviewing the MOU, he does not feel there is any harm in signing it as it does not impose any new operational requirements but will streamline efforts pertaining to the retention and disposal of evidence.

Council Member Smith asked where the evidence will be disposed. Chief Gwilliam stated that is dependent upon the nature of the evidence; biohazard evidence will be disposed of properly through incineration, some items can be deposited into the landfill, and any firearms would need to be dismantled before disposal.

Council Member Cortney asked if this is an agreement each City will sign, or if it will just be signed by the Lone Peak Public Safety District (LPPSD) Board. Chief Gwilliam stated it will be signed by the Board and by each City to ensure that all entities are addressed. City Attorney Patterson stated this will be an action item at a future meeting.

b. Election Update *Stephannie Cottle, City Recorder*

City Recorder Cottle provided the Council with an election update; she reviewed the candidate list in ballot order:

- Mayoral Candidate:
 - Brittney P. Bills
- Council Candidates:
 - McKaiden Carruth
 - Ron Campbell
 - Wes Warren
 - Liz Rice
 - Kristin Richey
 - Scott L. Smith
 - Corey Freeze

Ms. Cottle then noted information regarding each candidate can be found on the City's website and she reported on options for early voting, returning by-mail ballots via drop box, voting in person on Election Day, and how residents can track their ballots. A meet the candidates event will be held on July 17, 2025 at 6:00 p.m. and questions for candidates will be solicited from the public.

Mayor Ostler stated the new School District will also be holding an election for School Board members; he asked if there is an opportunity to involve candidates for Highland's representation on the School Board in the meet the candidates event. The Council discussed the proposal and supported involving the School Board candidates in the meet the candidates event.

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

City Attorney/Planning & Zoning Administrator Patterson provided an update on the General Plan update

project and other text amendments and project applications currently under the Community Development Department’s purview. The Mayor and Council discussed pending development projects and the manner in which the City will communicate with property owners and applicants in the event that General Plan or ordinance updates could potentially impact their projects.

Council Member Smith stated he recently spoke with Representative Kennedy about Highland City getting its own zip code; the feedback he received was that there would be more support if Highland agreed to join with Alpine and share a zip code. The Council discussed this concept and was opposed to joining with Alpine. Council Member Smith stated that he will continue to emphasize that the City needs its own zip code for purposes of appropriate revenue allocation.

d. School District Update Kurt Ostler, Mayor

Mayor Ostler reiterated the School District will also be holding an election this year and he encouraged residents to seek out information regarding the candidates for the School Board seats.

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 9:00 pm Council Member Ron Campbell MOVED that the City Council recess the regular meeting to convene in a closed meeting in the Executive Conference Room to discuss pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member 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

Council Member Doug Cortney MOVED to adjourn the CLOSED SESSION and Council Member Scott L. Smith SECONDED the motion.

All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 9:43 pm.

ADJOURNMENT

Council Member Ron Campbell MOVED to adjourn the regular meeting and Council Member Doug Cortney SECONDED the motion.

All voted in favor and the motion passed unanimously.

The meeting adjourned at 9:44 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on June 17, 2025. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle, CMC, UCC
City Recorder

DRAFT



HIGHLAND CITY COUNCIL MINUTES

Tuesday, July 1, 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 Kim Rodela

Pledge of Allegiance: Council Member Doug Cortney

The meeting was called to order by Mayor Kurt Ostler as a regular session at 6:00 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 Kim Rodela and those in attendance were led in the Pledge of Allegiance by Council Member Doug Cortney.

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, City Engineer/Public Works Director Chris Trusty, Police Chief Brian Gwilliam, Fire Chief Brian Patten

OTHERS PRESENT: Jon Hart, Liz Rice, Claudia Saldana, Jessica Delora, Barb Lamb, Sherry Kramer, Vanessa Moody, Gavin Moody, Wesley Warren, Eileen Miller, Pam Redman, John Redman

1. UNSCHEDULED PUBLIC APPEARANCES

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

Liz Rice stated that as she has been going door to door for her campaign, she has learned that people on Canal Boulevard are not happy, and it is time for the City to act and really do something. She sat in one location for several hours to observe conditions on the road and her suggestion is for a consistent speed limit throughout the entire length of Canal Boulevard. She sat at the intersection of 6000 West and Canal Boulevard for 20 minutes and feels that a four-way stop sign is needed at that site. Crosswalks on all four streets are needed as well. If the City is not using the two temporary speed bumps and there are no plans to put them on Canal Boulevard, she would prefer they be placed on 9600 North. At this time of year, there are people racing on that street during the overnight hours. Whatever is done on Canal Boulevard, the City should not place a 'silly survey sign' inviting

people to visit a website and provide their feedback regarding the speed bumps. Nobody likes speed bumps, but they are needed on Canal Boulevard and 9600 North. She then referred to the baseball field rental policy on tonight's agenda and stated she hopes the policy and rental costs are reasonable; she has four grandsons who are heavily involved in baseball, and it is very expensive. To host a good baseball tournament, four fields are needed. The City just has one field, and she is not sure how a good tournament can be hosted there.

Barb Lamb stated she lives on Canal Boulevard at the corner of 5650 West. About eight years ago she started asking for speed mitigation on the road. She knows that a final decision will not be made on the issue tonight, but she implored the Council to get something done as soon as possible. She has seen her neighbors' trees taken down and fences crashed through, as well as many different types of vehicle accidents on the road. It is no longer an issue of speeding, but one of safety. She thanked the City for placing the speed tables last fall, but noted she was disappointed that something else was not put in their place when they were removed. She noted people were actually driving a bit slower after the tables were removed, but car racing along the street has resumed. If the Council is not ready to make a final decision, she asked for another temporary solution to the problem; she is speaking on behalf of all of the residents on Canal Boulevard who are concerned with the existing conditions. She then noted that she lives a block from the corner of Canal Boulevard and Alpine Highway, and she has noticed that all the trees and grass in the park there are being allowed to die, and she does not understand why that is happening. She has reached out to the City and was told there may be insufficient funding to maintain the area and she hopes that is not true because the improvements were paid with taxpayer dollars. It is disappointing to see the mature trees die.

Mayor Ostler referenced Ms. Lamb's comments and noted there is an item on tonight's agenda regarding traffic mitigation and speed limits on Canal Boulevard, as well as an item dealing with landscape issues that have been noticed throughout the City. Ms. Rice noted that Larsen Park is in the same condition; the grass and landscaping there is completely brown.

Vanessa Moody stated a very scary incident happened in her neighborhood last weekend and she is here to plead with the Mayor and Council to look into rules and regulations for kids operating motorized bikes and scooters. The Police Officers who responded to the incident were incredible and encouraged her to help get the word out about the dangers of these vehicles. She is in an impossible situation because she does not want to ruin relationships with her neighbors. Her son was driving home under the speed limit when he was hit by a five-year-old boy on a motorized scooter. The boy was not wearing a helmet and was injured and taken to the emergency room. Her son thought that he had killed the child. She did not know until she was told by the Police Officers that motorized scooters are illegal, even on sidewalks. She was shocked by that information and noted that there are people and kids operating the scooters and bikes throughout the entire City. This incident has changed the life of her son and the child that was on the scooter. She found a clip online from an emergency room doctor where he stated that the majority of the incidents they are dealing with as of late are related to motorized bikes and young children. She asked that the City take action on this matter.

Mayor Ostler stated that this topic will be discussed under agenda item 7b.

Gavin Moody stated he is Vanessa's son, and he was involved in the accident; he was driving to work and a kid shot out of a cul-de-sac on his motorized bike. It was the most terrifying thing that has happened in his life, he thought the child was dead. The police were great, and the child ended up being ok, but he does not want something similar to this to happen again. It was very scary.

Council Member Smith expressed his concern to the Moody's for the situation they have been involved in; he noted that as people bring problems to the City Council, he would also like them to offer suggested solutions. He asked Mr. Moody if he has any suggestions for the Mayor and Council to consider. Mr. Moody stated the best solution would be to promote awareness of the laws regulating motorized bikes or scooters. Kids driving these vehicles with no helmets is problematic; perhaps the parents of the kids could be cited if they allow their

children to operate the vehicles illegally.

2. PRESENTATIONS

a. **Community Development Block Grant Funds (CDBG) through Mountainland Association of Governments (MAG)**

Claudia Saldana and Jessica Delora from MAG's CDBG office will provide information to the Council regarding the CDBG program and possible projects the City may pursue for funding, if Council chooses to enter into an agreement to be eligible for the funds.

Claudia Saldana and Jessica Delore from Mountainland Association of Governments (MAG) used the aid of a PowerPoint presentation to discuss the Utah County Community Development Block Grant (CDBG) program; they expounded on the intent of the CDBG program, and the types of projects funded with CDBG funding. Some project ideas include things like improving accessibility in public facilities, building ADA ramps throughout City sidewalks, and creating programs and services for any of the categories of target beneficiaries of funding. Participation in the Utah County CDBG program is renewed every three years for cities and towns; cities can opt in and partner with the County to access funding for important community projects. Participation makes the City eligible to apply for funds but does not require the City to apply for funds. Ms. Saldana provided a list of current city/town participants and noted Highland City can participate by adopting a resolution before July 15, 2025, and signing an agreement with Utah County. Participation will commence July of 2026.

Discussion among the Council and the MAG representatives centered on topics such as Highland City's past participation in the program; eligible projects; any 'red tape' associated with the CDBG program; common matching requirements; the amount of funding available each year; and the entity that oversees compliance with the grant program. Mayor Ostler polled the Council to determine if they would like to participate in the program; he received positive feedback and indicated an action item will be included on a future agenda for the Council to vote regarding participation in the program.

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. **ACTION: Polyfluoroalkyl Substances (PFAS) Litigation Legal Service Agreement** *General City Management*

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider approving the execution of a legal services agreement with Stag Liuzza, LLC and Fabian Vancott to represent the City in pending PFAS legal action.

b. **ACTION: Utah County Sheriff's Office Evidence Memorandum of Understanding** *General City Management*

Brian Gwilliam, Police Chief

The City Council will consider signing a Memorandum of Understanding (MOU) with the Utah County Sheriff's Office regarding the disposal of evidence related to misdemeanor offenses.

Council Member Scott L. Smith asked to pull item 3a from the consent agenda.

Council Member Doug Cortney MOVED to approve the consent agenda, as amended.

Council Member Kim SECONDED the motion.

The vote was recorded as follows:

Council Member Brittney P. Bills Yes

<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

Council Member Smith stated that he is concerned about the Polyfluoroalkyl Substances (PFAS) Litigation Legal Service Agreement; the attorneys representing people in the class action suit receive a third of the money awarded, but in actuality, they will likely receive about 50 to 60 percent of the award. He finds the people who are truly impacted in these cases do not receive the amount they deserve. He discussed historical class action suits related to medical issues. Council Member Cortney stated he also has concerns about class action lawsuits, but in this case, he feels it makes sense for the City to move forward. Council Member Campbell stated he also has concerns, but if this agreement provides the City access to an evaluation of the drinking water system, he feels the City should proceed. Council Member Smith stated his concern is whether the evaluation will be unbiased.

Council Member Cortney asked if the City has any indication of problems with the drinking water system. City Attorney Patterson provided some background information on the matter and noted that based upon past testing, there are no issues with the City's drinking water system. His hope is that the City will enter into the agreement and receive free testing of the City's drinking water system with findings of no issues; however, if contamination is found, there will be a sliding scale applied to the litigation awards that are given. Council Member Cortney asked if PFAS are similar to asbestos in that they are not an issue if the pipes are in-tact and only become problematic if pipes degrade over time. Mr. Patterson stated he does not know the answer to that question; from his limited understanding of the situation, it is less about the pipes and more about other substances that enter into the system, such as fire fighting foam that contain harmful chemicals.

Council Member Smith asked if the City could get a second opinion if problems are found; he believes the study will be biased. Mr. Patterson stated that the attorney is interested in finding claims that are meritorious, and the City could pursue independent testing to secure a second opinion of the condition of the system. Council Member Campbell stated based on that information, he supports entering into the agreement to secure free testing of the system.

Council Member Cortney stated that he provided some suggestions regarding the wording of the resolution to the other Council Members and staff before tonight's meeting; he is concerned that the current version of the resolution reads as if Highland's culinary water is contaminated and since that is not true to the best of the City's knowledge, he does not want to give that impression to residents. He proposed adding a recital to the resolution to clarify this issue; the recital would read: "whereas, the City is not aware of any contamination of its drinking water but is committed to regular and responsible testing and system maintenance of its drinking water system and sources to ensure that its drinking water remains safe and clean for its customers."

Council Member Doug Cortney MOVED that City Council APPROVE the resolution, as amended, authorizing the city administrator to execute and carry out the legal services agreement.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

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

Council Member Kim Rodela	Yes
Council Member Scott L. Smith	No

The motion carried 4:1

4. ACTION ITEMS

a. PUBLIC HEARING/ORDINANCE: Text Amendment Expiration of Approvals and Applications Land Use (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will hold a public hearing to consider proposed amendments that would establish expiration procedures for land use applications and approvals.

City Attorney/Planning & Zoning Administrator Patterson explained there have been several recent cases where a land use approval, permit, or application has remained pending for an inordinate amount of time. Examples include:

- PO zone amendment, which was started in 2023, but was continued for over 1 year waiting on the applicant to submit new information.
- Fence permits that were issued, but the fence not built for multiple years, during which time fencing regulations changed.
- Site plan approval that was issued in 2022, but no construction has begun, and the current status is unknown.
- Several land use applications for which fees were not paid or required information was not submitted for months.

Highland City does not have specific deadlines for these items. The only deadlines that the City has relate to building permits (per building code - 180 days with no activity), conditional use permits, and subdivision plats. Utah State law provides that the validity of a land use application is conditioned on the applicant proceeding to implement the approval with "reasonable diligence." Because the City does not have any specific standard, and the state standard is loose, staff have been hesitant to revoke any permits or establish time limits for applications or approvals. This leads to permits and projects remaining in limbo for an indefinite period of time, even as City regulations and standards are updated, leaving the project non-conforming. Staff therefore proposes adopting specific deadlines and expiration periods for all land use applications and approvals:

- Incomplete applications expire 14 days after the city's request for payment of fees or submission of necessary information.
- Complete applications lapse after 180 days of inactivity (as with building permits).
- Approvals/permits lapse after 1 year if the applicant does not begin development/construction.
- Approvals/permits lapse after 1 year of inactivity after the applicant begins development/construction.

Delays caused by the City do not count against the applicant. And except for incomplete land use applications, the city must notify the applicant 14 days in advance of the potential expiration of the application or approval. There is also a process to request an extension of time, if necessary, which can be applied for after the applicant receives the notice. The body that reviews the extension is same as the body designated as the land use authority for the application. These amendments would not replace any current process. It will allow staff to clear out old applications and approvals that have not had activity for a long period of time. For current applications and approvals, staff would start their expiration time from the date the amendments are approved, giving them additional time to move their projects forward to completion. If any application or approval expires, the applicant would need to start the process over again as a new application, including paying all current fees and complying with all current requirements.

Mr. Patterson noted the Planning Commission reviewed these amendments at a duly noticed public hearing held on June 24, 2025. No comments from the public were received prior to or at the hearing. After discussing the Highland City Council FINAL DRAFT Minutes ~ July 1,

benefits of having expiration dates, clarifying what City-caused delays means, and reviewing current timing procedures for subdivisions, the Planning Commission unanimously voted to recommend approval and adoption of the proposed amendments. Staff have prepared these amendments to help the staff administer and close out projects that are not progressing within a reasonable timeframe. This will help ensure that current City standards are applied to current projects and encourage applicants to move their projects forward. Notice of the public hearing for the City Council was timely and properly posted. No written comments have been received as of the writing of this report.

The Mayor and Council engaged in high level discussion with Mr. Patterson regarding common causes of delays in an application moving forward after certain approvals have been given; they also discussed different time frames during which substantial completion or improvements must be completed before an approval is revoked.

Mayor Kurt Ostler opened the public hearing at 6:55 p.m.

Liz Rice suggested the proposed ordinance needs to be more specific related to the type of work done on a property that would be defined as ‘activity’ for purposes of avoiding permit revocation. She suggested that some people will believe that simply moving dirt on a site would qualify as ‘activity’ and she suggested that term be better defined.

Wes Warren offered a hypothetical scenario; if a permit is approved and a year has gone by and the applicant wants to either start working on the project or file for an extension, but the code has been changed to complicate moving forward, he wondered how the City would handle that situation. He asked if an applicant would need to substantially modify their plans to comply with the updated code. Mr. Patterson stated that if an application remains active, the application is vested under the code that was in place at the time it was filed. This is why complete applications are so important. There have been instances where development standards are modified after an application is approved, but the applicant is made aware the standards that were in place at the time the application was made are still enforced. Mr. Warren stated that an applicant gets a 180-day time frame as a courtesy before they are required to start the application process over. He suggested the ordinance amendments are not punitive but are meant to ‘grease the wheels’ for applications that get approval but then seem to stall.

Mayor Kurt Ostler closed the public hearing at 7:00 p.m.

Council Member Cortney referenced Mr. Warren’s comments and indicated Section 2-705-4(b)(i) allows the City to deny an extension if the underlying code has changed since the application was approved. He asked if he was reading that section correctly, to which Mr. Patterson answered yes. He added that the language actually provides flexibility to staff in that an extension can be granted if the applicant is willing to update their plans to meet new standards.

Council Member Ron Campbell MOVED that City Council ADOPT the ordinance amending the development code to establish general land use application and approval expiration procedures, changing section 4(b) from "shall not" to "may not".

Council Member Kim Rodela SECONDED the motion.

Council Member Cortney asked if it would make sense to provide additional language to clarify the type or amount of activity that must occur on a site to avoid expired approvals of an application. Mr. Patterson stated that he would not be opposed to including language in the ordinance to eliminate the argument that moving a shovel of dirt on a site qualifies as activity. He would support adding the word ‘reasonable’ under both subsections c and d of 2-705-1.

Mayor Ostler asked if the Council would accept an amendment to the motion to include the text amendment suggested by Mr. Patterson.

The City Council gave unanimous consent to amend the motion as follows:

The City Council ADOPT the ordinance amending the development code to establish general land use application and approval expiration procedures, changing section 4(b) from "shall not" to "may not", and changing the language in 2-705-1(c) and (d) to say "reasonably implement" or "reasonably implementing".

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

b. ACTION: Open Space Maintenance Agreements 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: Coleen Carter, Lorelee AhMu, Barbara Anders, and Craig Roberts.

Assistant City Administrator/Community Baughman provided background information regarding the adoption of the Highland City encroachment policy and subsequent maintenance agreements to address encroachment situations; tonight, there are four maintenance agreements before the City Council, but Administration prefers not to share the personal home address of each of the applicants during this meeting. However, if the public is interested in the address, they can review the information packet for the meeting. Mr. Baughman then summarized each of the encroachment situations:

- Colleen Carter:
 - Nature of Encroachment: Approximately 2,400 square feet of encroached area (2,500 is the maximum), which is mostly grass and seven trees.
 - Resident Justification Narrative: "When we purchased the home, all hardscape, grass, and most of the landscaping was already in place. To enhance the view from the back of the home, we planted seven trees across the back of the property to block the view of the open field with weeds. That field was recently sold to a developer who has built a solid wall fence behind said trees. These trees do not obstruct, interfere with or encroach on the property's unique characteristics, utilities or encumbrances. There are no physical structures on the City-owned space. There is nothing blocking passage across the City-owned space. All sprinklers are within our property lines. The amount of City-owned space that has grass and seven trees at the rear of our yard totals approximately 2070 square feet. We water that area with our existing sprinklers. It appears that there are two spots of cement curbing (approximately two feet wide) at the rear of one side of the yard that extends 24" into the City-owned space. (See attached aerial photo with circled image.) This curbing does not "fence" off any space from other users. Regarding the City-owned space at the rear of our yard: We propose that the City lets us leave that curbing intact until such time that the City improves or changes its open space. We propose that the City lets us leave the improvement of grass and trees that are planted in the City-owned space. We propose that we will continue to water and mow the grass and prune the trees that are in that space. We propose that we will continue to leave that space open and available to access and we will not put any structures (permanent or otherwise) in that space. No other improvements to the property are planned or requested."
 - Staff Comments: Staff supports this MA as it beautifies open space adjacent to a trail corridor without requiring the city's time and resources to maintain. In the case that the city needs to access that corridor or the land beyond it, having a maintained area is more beneficial to the City than unmaintained land. There is the possibility that the city could extend a trail northward (preserved partially with an existing

easement) and join up with the City's property on Dry Creek Lake, so the option to sell the land is not advised.

The Mayor and Council engaged in philosophical discussion and debate of the Carter encroachment request and ultimately concluded to support staff's recommendation to grant the encroachment agreement; Council Member Campbell stated he would like to give the applicant some concessions related to costs for additional water to keep the area of the property involved in the encroachment in good condition. Council Member Cortney stated that if that is something the Council wants to support, it will be necessary to amend the maintenance agreement document given that the agreement specifies that the resident is responsible for the care, maintenance, upkeep, repairs, and condition of the property. Mayor Ostler stated it would be appropriate to address that issue as the City's metering project moves forward.

Council Member Smith asked if the maintenance agreement will remain with the property in the event the Carter's sell the property in the future. Mr. Patterson stated the agreement terminates upon sale of the property and the new owner would need to apply for a new maintenance agreement. Council Member Cortney disagreed and indicated the agreement runs with the land and shall bind future successors of the property. Mr. Patterson reviewed the agreement document and stated Council Member Cortney is correct; the seller will be required to give notice to a future buyer of the maintenance agreement.

Council Member Doug Cortney MOVED that the City Council approve an open space maintenance agreement with Coleen Carter, subject to the following stipulation:

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

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

Mr. Baughman then reviewed the encroachment situation for Lorelee Ahmu:

- Lorelee Ahmu
 - Nature of Encroachment: Approximately 2,500 square feet of encroached area (2,500 is the maximum), which is mostly grass and two trees.
 - Resident Justification Narrative: "I'm writing to formally request a maintenance agreement for the strip of city-owned property that runs along the back of my home. Over time, we have voluntarily improved this area by planting and maintaining grass at our own expense. There are no sprinklers, structures, or additional landscaping—just simple upkeep to enhance the appearance and prevent it from becoming overgrown or neglected. This arrangement benefits both the city and our neighborhood. By maintaining the property ourselves, the city does not need to allocate time, labor, or resources to this area. We are committed to continuing this responsibility and would appreciate formal approval through a maintenance agreement."
 - Staff Comments: Staff supports this MA as it beautifies open space adjacent to a trail corridor without requiring the city's time and resources to maintain. In the case that the city needs to access that corridor or the land beyond it, having a maintained area is more beneficial to the City than

unmaintained land. There is the possibility that the city could extend a trail northward (preserved partially with an existing easement) and join up with the City's property on Dry Creek Lake, so the option to sell the land is not advised.

Council Member Cortney referred to the photos of this property and asked if there will be sufficient room to get equipment through the easement if the maintenance agreement is approved. Council Member Cortney stated the tree may need to be trimmed to eight feet to be in compliance with City ordinances and to provide sufficient room for access. Mr. Baughman agreed and stated tree trimming could be required as part of the agreement.

Council Member Smith asked if there is still a plan to build a trail in the area of this property, to which Mr. Baughman answered yes. Council Member Smith asked if the trail is actually needed. Mr. Baughman stated the trail would provide a branch of the trail system that would go northward towards the City property by Dry Creek Lake. The City currently has an easement for a portion of the trail corridor, and the project is a possibility in the future. However, there are other trail projects with higher priority than this section. This led to discussion and debate among the Mayor and Council regarding the viability of a trail in close proximity to the subject property and the Carter property; Council Member Cortney stated that even if the City decides not to build a trail in the area, he would be disinclined to dispose of the City owned property. The Council agreed.

Ahmu Application:

Council Member Scott L. Smith MOVED that the City Council approve an open space maintenance agreement with Lorelee Ahmu, subject to the following stipulation:

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

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

Mr. Baughman reviewed the encroachment agreement for Barbara Anders:

- Barbara Anders
 - Nature of Encroachment: Resident proposes approximately 600 square feet of encroachment consisting of sod and a tree.
 - Resident Justification Narrative: "I would like to plant a tree in the southwest corner of my lot on the opposite of my fence which would be on the Highland city's land bordering the Highland trails, as can be seen by the red mark on the attached map. There are a couple reasons I am requesting this: We have had a problem with goat heads growing in the area and have been spending our own money every year to have this area sprayed to keep them in check. They have been a problem (as I'm sure you know) getting into our children's feet, harming our neighbors' dog's paws and popping countless bike tires. As a runner, I love running in the Canterbury neighborhood across the street from where I live because a large portion of the trails are shaded and in summer this allows for much relief from the heat of the sun. However, in my neighborhood most of the trails are fully exposed to the sun and offer little shade. If we were allowed to plant a tree and some grass in this area, it would be easier to keep the goat heads

from coming back as the tree would allow for shade to help the grass grow and would give more shade along the path which could be enjoyed by the many residents of our neighborhood. I understand that there is some concern with planting a tree along the path that cause damage to the path due to the root system. I have been told that there are certain types of trees that are better for this area than others and would be willing to plant one of those trees. Also, with proper watering it would be less likely for the root system to grown as shallow and I would be willing to ensure that proper long-term watering for said tree would be provided for."

- Staff Comments: Staff supports this MA as it beautifies a trail corridor without requiring city time and resources to maintain. Other MAs along this same path have been approved by the Council. Branches would need to be maintained so as not to impede access to the trail. Upon inspection, staff found that the resident has already planted a tree has shallow roots which would likely cause damage to the City trail. Staff recommends a stipulation that the resident pull out the existing tree and work with the Parks Superintendent to find a tree and watering schedule that will minimize the possibility of damage to the trail.

The Council discussed the application and indicated there is an existing tree in the area involved in the encroachment that should be relocated and replaced by a tree chosen by the City's parks superintendent. Mr. Baughman noted that the applicant has asked to be given a tree from the City's Arbor Day Sale, and the Council was supportive of the request. The Council heard from the Parks Superintendent regarding the locust tree; he suggested it could be traded with a tree from the Arbor Day sale and planted elsewhere in the City where it is more suitable.

Anders Application

Council Member Scott L. Smith MOVED that the City Council approve an open space maintenance agreement with Barbara Anders, subject to the following stipulations:

- 1. All improvements shall be consistent with the proposed maintenance plan submitted with the application.*
- 2. The existing tree must be removed and the new tree chosen must be approved by the Highland City Parks Superintendent and planted and watered according to guidelines that will reduce the risk that the tree will damage the City's trail. Branches must be trimmed so as not to interfere with passage along the trail.*
- 3. The existing tree can be traded from City Arbor Day Sale, if so chosen.*

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

Mr. Baughman reviewed the encroachment agreement for Craig Roberts:

- Craig Roberts
 - Nature of Encroachment: Resident proposes approximately 1,600 square feet of sod.
 - Resident Justification Narrative: "We would like to propose managing the piece of property owned by Highland City between Parcel 4 and the improved asphalt walking path as shown on Attachment #3 Vicinity Map. We intend to install sprinklers per Attachment #2 Improvement Plan that will cover this area of approximately 1600 square feet and either install sod or spread

grass seed so this area will not be overrun with weeds but will instead be a well-maintained grassy area. At the very least, we will mow the area regularly, so the weeds don't grow so tall. The existing post fence marking the property line will be removed as it is unsightly, broken, and dangerous. We will not install any new fencing of any kind. No other improvements will be made to the area; just grass. We expect little to no grading to be required. If any, there will be a slight downhill grade from our primary property to the walking path. We use the walking path and retention basin behind our house often. This improvement will look much better and will make access from our property to the path and field easier."

- Staff Comments: Staff supports this MA as it beautifies a trail corridor without requiring city time and resources to maintain it. Other MAs along this same path have been approved by the Council. However, staff does not recommend allowing the removal of the City fence. It is part of a fence system that runs along most of the neighborhood and serves to mark the border of private and public land. To have a 100-foot gap in the fence for the length of their property would look strange. Staff inspected the fence and does agree it needs a minor repair which should be the responsibility of staff.

Council discussion of the Roberts application centered on this history of surplus actions taken for the property adjacent to the subject property, as well as any fencing adjustments that are appropriate for the site; Council Member Smith stated he feels the City should fix the existing fence along the property. Council Member Campbell stated that the applicant will need to take the fence down in order to grade the site before installing sod. This led to philosophical discussion and debate about whether the existing fence should be replaced by the applicant, if a different type of fence would be permissible, or if any fence is needed. City Administrator Wells indicated she feels a fence is needed in the area; the fence may be taken down temporarily, but the fence should be restored in the future to delineate between public and private property. The Council needs to provide direction about whether a different type of fence should be installed along this section of the property.

Mayor Ostler added he wants to stipulate that the property owner cannot use the trail easement to access the private property. Council Members Campbell and Bills agreed. Council Member Bills added she thinks the existing fence should be restored if it is taken down temporarily to complete the work.

Roberts Application

Council Member Doug Cortney MOVED that the City Council approve an open space maintenance agreement with Craig Roberts, subject to the following stipulations:

- 1. All improvements shall be consistent with the proposed maintenance plan submitted with the application, except for the request that the City's fence be removed.*
- 2. The city's fence may be temporarily removed while work is being done but must be replaced afterward, within 30 days of the fence coming down.*
- 3. No access for construction can cross the city's property on the back side of the resident's property.*

Council Member Ron Campbell SECONDED the motion.

Council Member Rodela asked if it is necessary to provide a timeframe for restoring the fence. Council Member Cortney suggested a 30-day time frame for restoring the fence once the grading and sod installation is complete. Council Member Smith stated that he does not believe 30 days is long enough and suggested 90 days instead.

The City Council gave unanimous consent to amend the motion as follows:

The City Council approved an open space maintenance agreement with Craig Roberts, subject to the following stipulations:

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

2. *except for the request that the City's fence be removed.*
3. *The city's fence may be temporarily removed while work is being done but must be replaced afterward, within 90 days of the fence coming down.*
4. *No access for construction can cross the city's property on the back side of the resident's property.*

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. ACTION: Speed Limit Policy General City Management

Chris Trusty, City Engineer/Public Works Director

The City Council will consider adopting a policy to determine appropriate speed limits for city streets.

City Engineer/Public Works Director Trusty explained the current city policy has a range for roadways based on their classification. The proposed policy takes those classification and assigns them speed limit ranges as outlined below:

- Local roads should always have a maximum speed limit of 25 miles per hour.
- Collector roads can fall under three separate categories.
 - A neighborhood collector has the same 56-foot road width as a local street, but typically is the main access into a subdivision that would experience higher traffic volumes as vehicles enter the subdivision from larger collector roadways. Speed limits for neighborhood collectors could be 25 to 30 mph.
 - Minor collector roadways are wider at 66 feet and would typically be between 30 and 35 mph.
 - Major collectors are 74 feet in width and would be between 35 and 40 mph.

The recommended policy would be to determine the proposed speed limit based on characteristics of the roadway. These would include road geometry, with curvilinear roads having lower speed limits than straighter roads. Also to be considered, would be the number of driveways, with roadways with a higher number of driveways having a lower speed limit. Thirdly, staff recommend using an unbiased data-driven report such as USLIMITS2 to help determine recommended speed limits, although this should not be the only criterion.

The Mayor and Council engaged in philosophical discussion with Mr. Trusty regarding traffic calming opportunities, such as lane widths coupled with speed limits. The group suggested the City adopt something that is more of a guideline than a policy, but something that provides consistent speed limits for roads throughout the City that have the same classification. Mr. Trusty stated that staff can follow the guidance to create a guideline document rather than a policy and this document will be an exhibit to the City's Traffic Calming Policy; staff will come back to the Council at the next meeting to provide recommendations for speed limits for specific road classifications.

Council Member Smith asked if staff has a recommended speed limit for Canal Boulevard. City Administrator Wells stated that the draft guideline document identifies a speed limit of 35 miles per hour on the section of Canal Boulevard east of the Alpine Highway. Council Member Smith stated he thinks that is reasonable but will fight the change unless the City comes up with other traffic mitigation measures on the road, such as flashing speed limit signs and crosswalks. It is necessary to slow the traffic on the road or someone will be injured.

Mayor Ostler stated that the residents of Canal Boulevard have been waiting for actions and decisions regarding the speed limit and traffic calming on their road; it is important to get that issue addressed as soon as possible. Council Member Cortney stated that he would like the document to be a guideline document rather than a policy, and he would like to address the issue of frequent speed limit changes on a given street.

Ms. Wells stated that Administration is not asking the Council to make a decision regarding Canal Boulevard as part of this item; Canal Boulevard will be discussed in more detail later in tonight’s meeting. The current item is whether to adopt staff’s recommendations as a guideline document or policy document.

Council Member Ron Campbell MOVED that City Council adopt the city Speed Limit Guideline for inclusion in the Traffic Calming Manual.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member 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. ACTION: Hanover Sewer Repair Bid Award *General City Management*

Chris Trusty, City Engineer/Public Works Director

The City Council will consider awarding a bid to Baker Construction for the Hanover Way sewer repair.

City Engineer/Public Works Director Trusty explained earlier this year, City staff discovered a low spot in a sewer line on Hanover Way. The low spot prevents the sewer from being able to properly drain and can create issues that could eventually lead to system backups if not corrected. A 36-inch drainage culvert crosses the sewer line and appears to have leaked, which caused the trench to settle, which led to the low spot in the sewer line. To correct this, the 36-inch culvert will need to be removed and replaced along with the low spot in the sewer line. To prevent possible future issues, the sewer line will be placed in a 12-inch steel casing which would bridge any possible future settlement. The City sent plans to 7 contractors requesting bids. Only 2 contractors provided bids back to the city. They were Baker Construction for \$93,938.34 and Nolan Construction for \$125,261. Baker has done many projects for Highland City, and staff have always been pleased with their work. Typically, the city will add a 10 percent contingency to the bid award. Staff recommends awarding a bid to Baker Construction for the Hanover Way sewer repair in the amount of \$102,792.80, including a 10 percent contingency.

Council Member Scott L. Smith MOVED that City Council award the bid to Baker Construction in an amount up to \$103,332.17 for the Hanover Way sewer repair.

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

6. DISCUSSION ITEMS

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

a. **Baseball Field Rental Costs and Policy Update** *General City Management*

Jay Baughman, Assistant City Administrator/Community Development Director, Kim Rodela, Council Member

The City Council will discuss the draft Baseball Field Rental Fee Structure and Use Policy document and give feedback and direction to staff.

Assistant City Administrator/Community Development Director Baughman stated he and Council Member Rodela have worked together on this issue; he noted on April 15, 2025, the Council discussed field use and reservation guidelines for City fields, specifically the new baseball field and batting cages at Highland Family Park. Specific direction given at that meeting included:

- Add batting cages as a rental option.
- Make fees competitive with what other cities charge.
- Remove the discount for non-profits because verifying their status takes staff time and slows down the reservation process.
- Simplify the reservation process by eliminating the resident and non-resident fee difference because this also takes time to verify under the current reservation system.

The City's current field use policy dates back to 2017. Since that policy was created, the City has added and expanded its number of fields and field use and types. The attached draft policy is a beginning draft specifically for baseball fields that staff are looking for feedback. We are still intending to review the draft, considering our current field rental policy and ordinance, and planned adjustments to grass field rentals. We are also intending to solicit feedback from our typical field rental groups before bringing this topic back to Council for final approval. Overview of the Draft Baseball Rental Policy:

- Teams can reserve fields for games starting in January, well in advance of the upcoming season, which will give staff time to perform needed verifications without slowing down the overall reservation process.
- The general public may reserve fields for any use starting in February. Without the need to verify resident status, reservations can be made and approved online immediately.
- Resident and non-resident fees have been equalized. When two teams want to reserve the same time slot, the slot will be given to the team with the greater number of Highland residents playing on the team (with proper documentation).
- In-kind services, such as field repair and maintenance, with prior agreement from the City Parks Division, can be provided in lieu of monetary payments.
- Field use regulations are in place to keep noise, litter, and other nuisances to a minimum. They are also intended to extend the life of our facilities for as long as practicable by discouraging unnecessary wear and tear.

Items to consider include:

- The City's current field policy requires an organized group, including teams or leagues, to provide a \$3 million liability insurance policy listing Highland City as an additional insured. Because this draft policy requires teams to schedule practices instead of leagues, it may be prudent to only require insurance for game rentals as leagues are the only ones likely to have insurance.

- Some cities charge cancellation fees. Draper's is \$10. Currently, we refund 100% if cancellations are made more than five days prior to the event but do not charge a fee for the administrative expense of canceling reservations.
- Teams may receive a discount on fees based on the percentage of players on the team who are Highland Residents; the amount owed will be prorated based on the percentage of the team that are Highland residents. For example, if a team has 50% Highland residents, half of their scheduled games will be free, and they will be required to pay for the remaining games. This would prevent some teams from being priced out of our fields but would create a more complicated reservation system and process.

Council Member Rodela and Mr. Baughman facilitated discussion among the Council regarding the appropriate rental policy language and reservation fees for the baseball field; Council Member Campbell referenced Ms. Rice's comments during the public comment period of tonight's meeting and asked if her concerns are valid relative to having just one field to rent. Council Member Rodela stated that most tournaments will require multiple fields as Ms. Rice expressed, but several different leagues often need access to just one additional field, and this policy will help to accomplish that.

Continued discussion among the group centered on maintenance responsibilities for the field; timing of the completion of the construction of the field; appropriate deposit and rental rates; offering team discounts; and making the batting cages part of a given rental. Mr. Baughman stated he feels Administration has sufficient direction and feedback to finalize the proposed policy and bring it back to the Council for consideration or continued discussion at a future meeting.

7. COMMUNICATION ITEMS

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

a. **Traffic Calming Recommendations - Canal Boulevard** *Chris Trusty, City Engineer/Public Works Director*

City Engineer/Public Works Director Trusty used the aid of a PowerPoint presentation to discuss traffic calming recommendations for Canal Boulevard. The road is currently designated as a 30 mile per hour roadway, and he compared Canal Boulevard with other east/west collector streets in the City. He presented speed limits, average speeds, daily trip data, accidents, and population for three sections of Canal Boulevard as well as 10400 North and 9600 North and engaged in high level discussion with the Council regarding the crash data and the common causes of vehicle accidents on Canal Boulevard. He then presented the traffic calming options for Canal Boulevard and noted that staff are fully aware that any one traffic calming measure may not be sufficient and it will be necessary to use multiple tools in this case. Based on scoring criteria used to determine the ranking of the road in terms of urgency, Canal Boulevard received a total score of 70 points and the City's traffic calming policy suggests passive measures should be considered. This includes the following options:

- Passive Measures
 - Radar speed sign
 - Pavement speed limit marking
 - Optical speed bars
 - Additional speed limit signs
 - Striping narrower lanes
 - Landscaping
 - Crosswalks
 - Enforcement
 - Education

Wall Consulting Group (WCG) has offered the following recommendations:

Canal Blvd Section	Recommendations
Canal Blvd West (6800 W-6000 W)	<ul style="list-style-type: none"> • Landscaped median (active) ~ \$1,000,000+ • RRFP at Mitchell Hollow Trail • Buffered Bike Lanes (passive) • Possibly Traffic Circles (active)
Canal Blvd Mid (6000 W-Alpine Hwy)	<ul style="list-style-type: none"> • Optical speed bars (passive) • Bulb outs/ Curb extensions (Active) + 6180 West + Windsor Meadows Trail Crossing <ul style="list-style-type: none"> • Buffered Bike Lanes (passive)
Canal Blvd East (Alpine Hwy-4800 W)	<ul style="list-style-type: none"> • Narrower lanes (completed) • Two-way left turn lane 12' intersections (completed) • Additional RRFB at Featherstone • Radar Speed Limit Signs (passive)

Mr. Trusty also presented information about traffic calming striping and provided images of sections along Canal Boulevard where optical speed bars could be painted to help slow speeds. He also presented images of the points at which RRFB signs could be added at the Mitchell Hollow trail crossing and temporary traffic circles. The total cost of RRFB signs, optical speed bars, radar speed limits signs, buffered bike lanes, temporary traffic circles, and bulb outs would be \$61,000; the City has budgeted \$100,000 for traffic calming this year. The Mayor and Council debated the traffic calming recommendations for Canal Boulevard and considered temporary measures initially, with plans for permanent measures in the future. They provided input regarding the traffic calming items they are supportive of at this time, after which Council Member Cortney stated that he would like to hear from the resident from the neighborhood who is present this evening.

Barb Lamb stated she has one driveway onto Canal Boulevard, and she knows of eight accidents that have gone into yards along the road; cars park along the trail street all the time and there should be a bulb-out at the point at which the trail crosses Canal Boulevard. She feels that is the first thing that should be done, even before striping the road. She invited the Council to visit her yard at any time.

Mr. Trusty stated that his price for a bulb-out was for a full intersection, but placing a bulb out at the trail crossing would be substantially less than the \$30,000 quote included in his presentation. Council Member Cortney stated that the bulb out was not a top priority for him because he would prefer a 'z-crossing' with a median at the trail crossing.

John Redman stated that there has been no mention of noise on the road; reducing speed will also reduce noise. He stated he does not feel the 85th percentile rule should apply to residential areas. He added road widths are artificial; he referenced 700 North in American Fork and stated it massive but there is a huge striped area between the lanes. The rules on that road are enforced and he feels that is something that is missing in Highland; there is a speed epidemic in Highland City. He has set his cruise control to 25 miles per hour on Canal Boulevard, and he is constantly passed on all sides. People do not stop at stop signs or crosswalks, and he cited a specific crash recently that was caused by excessive speeds and failure to observe a stop sign. It is only a matter of time before someone is killed due to these conditions. He stated the City worked on the traffic calming exercise for two years and it has been over nine months since the first official speed calming request was filed for the west section of Canal Boulevard and the only thing that has been done is to paint a crosswalk on the road that is not even hashed.

Police Chief Gwilliam referenced the accident spoken of by Mr. Redman and stated that video evidence of the accident showed the driver was travelling at a speed of between 35 and 37 miles per hour; the speed limit on the road is 35.

Mayor Ostler stated he feels staff have sufficient direction to proceed with some traffic calming on Canal Boulevard; he summarized the direction from the Council in order of priority as follows:

- Four rapid flashing beacon lights
- Optical speed bars
- Two radar speed limit signs
- Bulb-out at trail crossing – Council Member Cortney reiterated his personal preference would be for a z-crossing, which would limit the size of the lanes because a median would be installed at the crosswalk. However, he can support the bulb out if the rest of the Council prefers that option.

City Administrator Wells stated staff will move forward with those items now and will bring back a recommendation to the Council at the next meeting regarding an adjustment to the speed limit on east Canal Boulevard. Council Member Smith stated he will not vote to support changing the speed limit until the flashing speed limit signs are installed.

Council Member Cortney concluded he feels staff should make decisions on what is most appropriate in terms of traffic calming after the Council has provided direction about what they feel is appropriate.

b. E-bike Ordinance Updates *Brian Gwilliam, Police Chief*

Chief Gwilliam stated the Council heard earlier in tonight's meeting a story of a scary incident involving an e-bike; he stated there have been many different instances throughout the City and officers have tried to take enforcement action, but kids operating the bikes evade police. Young kids do not know traffic laws, but they are operating motorized vehicles on streets. Education is important, but parents are ultimately responsible. The Mayor and Council discussed options for communicating the seriousness of the issue with the public and also discussed imposing fines and fees for violation of the laws regulating e-bikes.

Mayor Ostler allowed Vanessa Moody to provide additional input. Ms. Moody stated that the mother of the five-year old who was driving the motorized bike was not aware that the bike was illegal; she told the officer that she had instructed her son to stay on the sidewalk, and the officer informed her that they are not allowed on the sidewalk. She stated she is not opposed to bikers and would be an advocate for education, but she is in a very difficult spot with her neighborhood.

Mayor Ostler asked Chief Gwilliam to prepare educational materials that can be published on the City's website and through the newsletter. The Council also discussed the option of placing an advertisement poster at the library.

Council Member Rodela stated that her children have a Jetson e-bike and they ride them to sports practices; she was not aware they are illegal on the sidewalk. Chief Gwilliam stated that class of e-bike is legal. The motor assisted bike has different rules, but most importantly it should not be operated by a five-year-old. Council Member Rodela agreed and stated that the minimum age is eight.

Council Members Campbell and Smith asked if the City could increase fines to be imposed on parents who allow their children to operate illegal vehicles. City Attorney Patterson stated that the State sets such penalties, and the City cannot increase them beyond what the State allows. Chief Gwilliam stated that the violation is an infraction, and the State has determined fines for such a violation.

c. Watering and Maintenance of City Property *Scott Smith, Council Member, Chris Trusty, City Engineer/Public Works Director*

Council Member Smith stated he was in Alpine six days ago and drove by Burgess Park, which was watered and green. Several streets throughout Alpine are also beautiful and green. He drove into Highland on the Alpine Highway and grass, and park areas are burned up again. No one is using the space as a result. He is typically an advocate for City staff, but the City currently looks awful and something must be done. The Highland Fling will be held at a site that is currently in the worst condition, and he does not want people playing on burnt grass. Trees are dying and this is unacceptable. Highland is supposed to be one of the wealthiest cities in Utah per capita, but it looks bad. When things like this happen, the residents develop incorrect narratives, and he wants to prevent that from happening.

Mayor Ostler invited Josh Castleberry, Parks Superintendent, to provide input about the situation. He discussed higher than normal temperatures throughout the month of June, watering schedules, limited pressures to sufficiently water the City properties, and filter problems in the infrastructure.

The Mayor and Council discussed options for addressing the situation; they discussed staffing levels of the department overseeing irrigation at City properties, deviating from the set watering schedule, using green dye on dead grass, and improving the condition of the park where the Highland Fling will be held.

Council Member Smith suggested Mr. Castleberry reach out to other cities to see how they are keeping their grass green during similar conditions.

A majority of the Council concluded they would like to know that other cities are doing; having nice-looking, well-maintained parks is very important to them and would prefer to water more to make that happen. Council Member Campbell stated he has concerns about watering City property more than residents are allowed to water their personal landscaping, but he feels the City's park spaces are a representation of the City and he would be willing to consider increasing the water schedule for City parks to improve their appearance.

Mr. Castleberry stated that given the current staffing level of his Department, as well as increased turnover, he is largely reactive rather than proactive relative to parks maintenance. He indicated a willingness to hear any feedback the Council has about the condition of City property.

d. Annual Resident Survey *Jay Baughman, Assistant City Administrator/Community Development Director*

Assistant City Administrator/Community Development Director Baughman stated City Administration has started preparing questions for the annual resident survey; he encouraged the Mayor and Council to be thinking of the matter and send any questions they have to him for consideration.

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

City Attorney/Planning & Zoning Administrator Patterson reported on the current projects list, as well as the timing of PO zone text amendments coming before the City Council for consideration and action. He also noted a fencing issue has come up along a trail corridor; per code, fencing along trail must be open at the top two feet. A fence that has been installed without a permit is technically illegal; he could issue a fence permit with a condition stating that the fence is allowed because there is no trail facility currently in the location, but if a trail is installed, the fence will need to meet openness standards going forward. He could impose that same requirement for other fences in the same situation.

Council Member Campbell stated he wants to be consistent in applying land use codes to all properties in the City.

Council Member Rodela stated she wants to have more discussion about the matter in a future meeting given the late hour of tonight’s meeting.

Mayor Ostler reviewed the schedule of upcoming City meetings.

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.

At 10:45 pm Council Member Brittney P. Bills 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, and the purchase, exchange, or lease of real property, 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>	<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

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 12:10 am.

ADJOURNMENT

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

The meeting adjourned at 12:12 am.

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 July 1, 2025. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle, CMC, UCC
City Recorder

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

Fiscal Year: 2025-2026

Month: July 2025

Date	Vendor	Check #	GL Account	Amount	Description
7/1/2025	Wilkinson Supply Inc	36879	40-40-75	\$ 38,529.50	Grasshopper Mowers
7/15/2025	Nelson Brothers Construction	36953	53-40-60	\$ 413,851.10	6000 W Irrigation Payment 9
7/22/2025	Baker X Construction	36981	54-40-41	\$ 38,936.71	10050 N Drainage Improvements
7/22/2025	Black Forest Paving LLC	36983	41-40-71	\$ 325,098.04	2025 Road Preservation Project
7/22/2025	Ewing	36985	10-70-39	\$ 37,313.33	Fertilizer and Park Supplies
7/22/2025	Kilgore Companies	36992	10-60-31	\$ 26,710.96	Crack Seal
7/22/2025	North Pointe Solid Waste District	36997	10-73-49	\$ 30,521.88	Solid Waste Tipping Fees
7/22/2025	Rhino Pumps	36999	55-40-78	\$ 30,056.44	Well #5 Rehab
7/22/2025	Timpanogos Special Service District	37005	52-40-42	\$ 147,700.91	June 2025 Sewer Treatment User Fees
7/22/2025	Lone Peak Public Safety District	37030	10-54-31, 10-57-11, 10-57-31	\$ 519,939.74	July 2025 Public Safety Assessments
7/22/2025	WM Corporate Services, Inc	37043	10-73-50	\$ 83,376.81	Solid Waste Hauling Contract
7/29/2025	Black Forest Paving LLC	37047	56-40-70	\$ 96,458.91	2025 Road Preservation Project
7/31/2025	Rocky Mountain Power	3960	53-40-27	\$ 52,960.85	PI Booster Station Power



CITY COUNCIL AGENDA REPORT

ITEM #3a

DATE: August 19, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney/Planning & Zoning Administrator
SUBJECT: Plat Amendment - Lot Combination Windsor Meadows
TYPE: Land Use (Administrative)

PURPOSE:

The City Council will consider a request from Jeff Harvey and Larinda Nilsen to amend their lot to combine their main lot with an adjacent open space parcel sold to them by the City and, as part of that combination, remove a public utility and drainage easement that runs along the rear lot line that is being adjusted.

STAFF RECOMMENDATION:

Staff recommends that the City Council APPROVE the proposed plat amendment.

PRIOR COUNCIL DIRECTION:

On July 20, 2021, the City Council approved the sale of certain open space areas within the Windsor Meadows subdivision, which area included a parcel adjacent to the applicants' lot. The applicants purchased the open space and now desire to combine it with their lot.

BACKGROUND:

The proposed plat amendment seeks to combine Lot 37 of the Windsor Meadows subdivision with an open space parcel sold by the City, which is adjacent to Lot 37. As part of this combination, the public utility and drainage easement that extends along Lot 37's rear lot line will be vacated. This will allow the property owners to build on and across the previous lot line/easement area.

As of writing this report, no public hearing is required because the application and procedures satisfy all requirements of Highland City Development Code, all owners of the respective properties are signing the amended plat, no objections have been filed, and the petition seeks to join two or more of the property owners' contiguous properties. Notice of the proposed plat amendment was mailed to property owners within 500' of the property and to affected entities on July 31, 2025, with an objection deadline of August 14. No objections were received.

ANALYSIS:

Under HDC 5-7-103(4) and Utah Code 10-9a-608 and -609, the City Council can amend a plat if it finds:

1. Neither the public interest nor any person will be materially injured by the proposed amendment;
2. There is good cause for the amendment;
3. All easements for culinary water and sewer facilities are preserved;

4. No public right of way or municipal utility easement is being vacated, and other easements proposed to be vacated are vacated in accordance with City Code and state law; and
5. The proposed amendment meets all requirements of the Development Code.

As explained in the proposed findings below, staff believes that each of these requirements has been satisfied.

PROPOSED FINDINGS:

1. Neither the public interest, nor any person will be injured by the proposed plat amendment. All owners of property have agreed to the plat amendment.
2. There is good cause for the amendment, because all requirements of the Development Code related to plat amendments are satisfied, the proposed plat amendment and the property line adjustments shown therein conform to the requirements of the Development Code, and the amendment will allow the applicant and future owners of the lots to develop their property as desired.
3. There are no affected easements for culinary water and sewer facilities. The plat contains all required public utility easements. The drainage and public utility easement along the rear of the property is not needed by the City. The applicant had the property blue-staked and received approval from all utility companies to vacate the public utility easement, as required by City code. It is unclear what the drainage easement was for. City public works reviewed the proposed amended plat and had no concerns with removing the drainage easement. There are no public drainage or stormwater systems within the drainage easement, and it is not used by the City. Staff therefore has no concerns with removing the public utility and drainage easement.
4. No public right of way or municipal utility is being vacated as part of this amendment.
5. The proposed amendment results in a lot that conforms to all requirements of the Development Code.

PROPOSED STIPULATIONS:

None.

FISCAL IMPACT:

No anticipated fiscal impact.

MOTION:

I move that City Council APPROVE the Windsor Meadows Amended Lot 37 Subdivision plat.

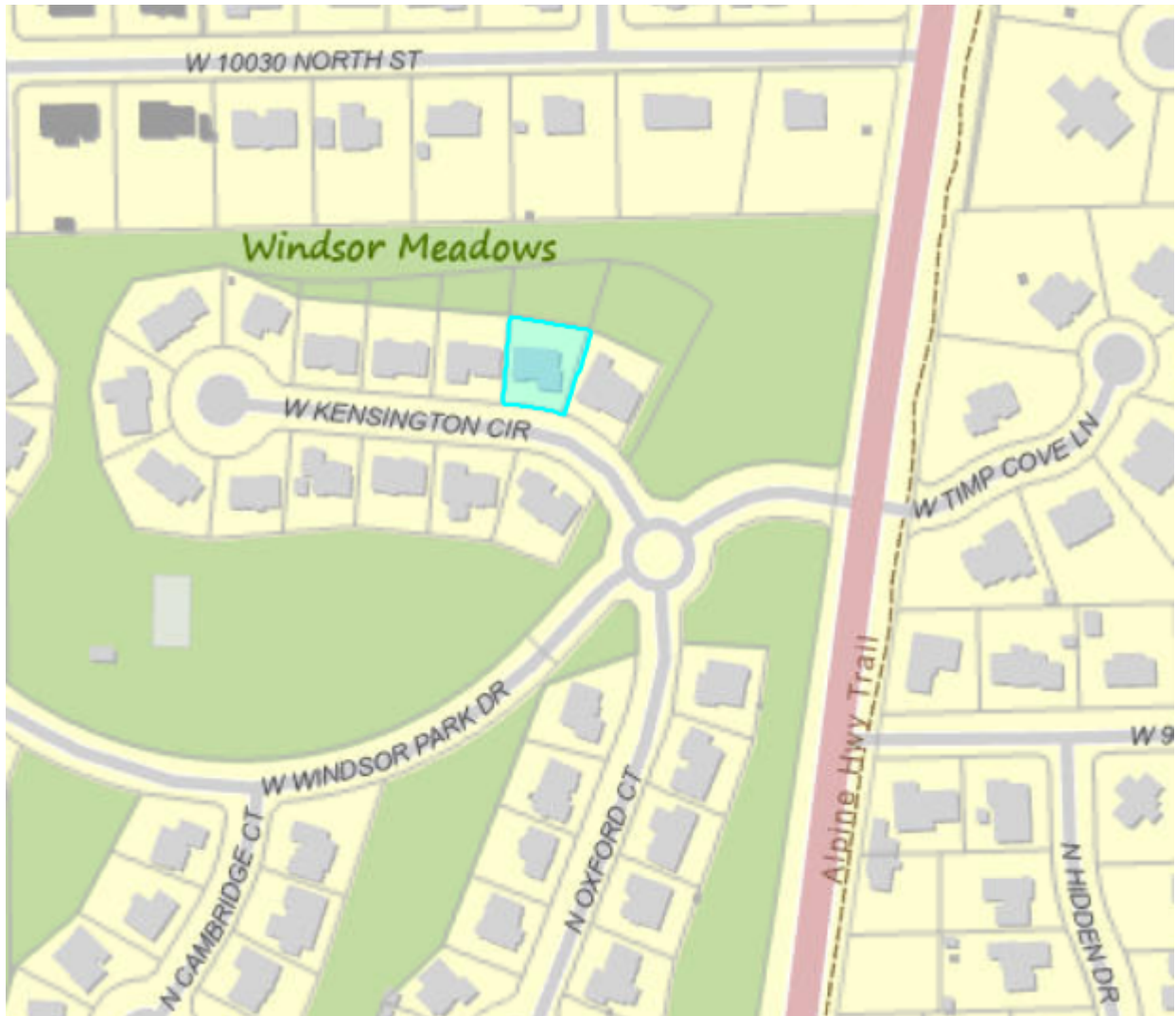
ATTACHMENTS:

1. VICINITY MAP - PA
2. FINAL PLAT-Layout (Signed) - Revised 08.04.2025

VICINITY MAP


5498 W Kensington Cir. Highland, UT

Parcels 55:496:0037 and 55:496:0048



[illegible]

I, JAMES PATRICK FRONK, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 376079, IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT FOUND IN TITLE 58, CHAPTER 22 OF THE UTAH CODE. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HEREAFTER TO BE KNOWN AS "HAWGVELED AMENDED LOT 512 SUBDIVISION", AND THAT THE COMPLETE SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH UTAH CODE SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


JAMES PATRICK FRONK, PLS
(SEE SEAL BELOW)

A PARCEL OF LAND BEING LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

1 LOT TOTAL - CONTAINING 0.415 ACRES OF LAND (18,063 SQ. FT.).

BASIS OF BEARINGS: S0°20'30"E ALONG THE SECTION LINE, AS SHOWN HEREON.

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS _____
DAY OF _____, A.D. 20____

JEFFREY PAUL HARVEY

STATE OF UTAH
S.S.
COUNTY OF UTAH

ON THE _____ DAY OF _____, 20 _____ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY-ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY'S FULL NAME & COMMISSION NUMBER_____

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

THE _____ OF _____ HIGHLAND CITY
COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL
STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE
PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, 20 _____.

APPROVED BY MAYOR _____

APPROVED _____ ATTEST _____

APPROVED _____ ATTEST _____
CITY ENGINEER CLERK-RECORDER
(SEE SEAL BELOW) (SEE SEAL BELOW)

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

BEING A VACATION OF LOT 37, PLAT "A", WINDSOR MEADOWS SUBDIVISION
BEING LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN, CITY OF HIGHLAND, UTAH COUNTY, UTAH
AUGUST - 2025

HIGHLAND CITY

SCALE: 1" = 20 FEET

UTAH COUNTY, UTAH



CITY COUNCIL AGENDA REPORT

ITEM #3b

DATE: August 19, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Erin Wells, City Administrator
SUBJECT: Contract Authorization with DLS Consulting, Inc.
TYPE: General City Management

PURPOSE:

The City Council will consider renewing a contract with DLS Consulting, Inc. for consultant services focused on grant and legislative support for a one (1) year term.

STAFF RECOMMENDATION:

Staff recommends Council consider the proposed contract and potential benefits of renewing the contract with DLS Consulting, Inc.

PRIOR COUNCIL DIRECTION:

For the past three years, the City Council has authorized an annual contract with David Stewart's consulting firm. The Fiscal Year 2026 budget previously approved by Council funds the continuation of this contract.

BACKGROUND:

For the past contract terms with Mr. Stewart, the City has, with his assistance, successfully obtained \$1,000,000 of funding per year for a variety of projects:

- Fiscal Year 2023 - well rehabilitation in our culinary water system
- Fiscal Year 2024 - installation of three pressure-reducing valves (PRV's) and preparations for the last two wells for chlorination in the culinary water system
- Fiscal Year 2025 - improvements of 10400 North and 6000 West and the reconstruction of 6800 West

In discussing additional needs and grant possibilities throughout the City, staff and the Mayor have asked Mr. Stewart to target obtaining grant funding to help with the City's portion of the costs for the roundabout addition at the corner of 11800 North and Highland Boulevard with the impending DR Horton development in Lehi. This was originally Mr. Stewart's focus last year, however plans for the project were delayed and the design is still not quite finalized.

Initial estimates for Highland's cost for this project are \$900,000. In Fiscal Year 2025, the City budgeted for \$450,000 of those costs. Because the project has not yet moved forward, those funds were not spent and went into fund balance where they can be used in this fiscal year, if needed. In addition, in the current fiscal year, Fiscal Year 2026, the City has budgeted \$100,000 to do the landscaping in the medians that will be added along Highland Boulevard as a part of the DR Horton project.

If the City were not able to obtain grants and all the costs for Highland Boulevard were to be incurred this fiscal year, the City would need to plan for a budget adjustment and consider using fund balance as this is a one-time major expense.

Mr. Stewart's contract also covers lobbying efforts during the 2026 Legislative Session. The City understands that it is very likely that both the Transportation Utility Fee and Public Safety Fee will be topics during the session. Having a lobbyist there to advocate for the City's interests on these topics would be very beneficial.

FISCAL IMPACT:

The cost of the contract with DLS Consulting, Inc. is \$100,000. Funding for this expense is included in the Culinary Water Fund GL 55-40-31, Engineering & Professional Services within the FY26 budget. The intent is that the Fund that Mr. Stewart is able to obtain grant money for pays for the cost of his services. Thus, if Mr. Stewart is able to receive funding for the Highland Boulevard roundabout, staff would bring back a budget adjustment where the charges for his services for this contract are moved likely into the Roads Capital Fund.

MOTION:

I move that City Council approve a contract with DLS Consulting, Inc. in the amount of \$100,000 and authorize the Mayor to sign the contract.

ATTACHMENTS:

1. Proposed Contract

CONSULTING AGREEMENT

This Consulting Agreement (this “*Agreement*”) is entered and effective this 1st day of October 2025, by and between Highland City (“*Client*”) with principal offices located at 5400 W. Civic Ctr. Drive, Highland, UT 84003 and DLS Consulting, Inc. with principal offices located at 11671 Granite Flats Rd., Highland, UT 84003 (“*Consultant*”).

(1) SCOPE OF WORK. Consultant is knowledgeable in work to be performed by Consultant. The Scope of Work to be performed by Consultant is set forth in *Exhibit A* to this Agreement incorporated herein by this reference. This Agreement may be amended only by written instrument signed by both the authorized representatives for Client and the Consultant. Consultant is an independent contractor with respect to the work provided to Client.

(2) AUTHORIZATION TO PROCEED. Execution of this Agreement by the authorized representatives of Client and Consultant will serve as authorization for the Consultant to proceed with the services called for in this Agreement.

(3) PAYMENT OF FEES. Consultant shall invoice Client for services performed for Client under this Consulting Agreement at the rates specified in *Exhibit A*. Each invoice shall be itemized and have an invoice number. Consultant will make all appropriate tax, social security, Medicare and other withholding deductions and payments; will provide worker’s compensation insurance coverage; and will make all appropriate unemployment tax payments. All payments due to Consultant are due 15 days from date of Client’s receipt of invoice. Consultant shall not invoice more frequently than once per month.

(4) OWNERSHIP OF DOCUMENTS. All documents including notes, drawings, and reports generated by the Consultant under this Agreement are the property of Client. Any reuse by Client without written authorization from the Consultant will be at Client’s sole risk and without legal or liability exposure to the Consultant. Consultant may not use the work product for any other client or purpose without the express written consent of Client.

(5) CONFIDENTIALITY Consultant acknowledges that it will have access to Client information that is confidential and proprietary including, without limitation, the existence and terms of this Agreement and any trade secrets, technology, information pertaining to business operations and strategies, customers, pricing, marketing, finances, sourcing, personnel, or operations of Client, its Affiliates, or their suppliers or customers, in each case whether spoken, printed, electronic, or in any other form or medium (collectively, the “***Confidential Information***”). Consultant agrees to treat all Confidential Information as strictly confidential, not to disclose Confidential Information or permit it to be disclosed, in whole or part, to any third party without the prior written consent of Client in each instance, and not to use any Confidential Information for any purpose except as required in the performance of the services Consultant is required to perform hereunder. Consultant shall notify Client immediately in the event it becomes aware of any loss or disclosure of any Confidential Information. If Consultant makes a disclosure contrary to the provisions of this Section, Client shall have the right, without prejudice to any other rights or remedies it may have hereunder or otherwise, to terminate this Agreement effective immediately upon notice to Consultant. This obligation shall be of a continuing nature and shall survive the expiration, suspension or termination of the Agreement. In the event Consultant is compelled by law or judicial or administrative process to disclose any such

Confidential Information, it shall give prior notice of such disclosure to Client and shall cooperate with Client's efforts to avoid or minimize the extent of the required disclosures. Client shall be entitled to seek injunctive relief for any violation of this Section. Confidential Information shall not include information that: is or becomes generally available to the public other than through Consultant's breach of this Agreement; or is communicated to Consultant by a third party that had no confidentiality obligations with respect to such information.

(6) CONFLICT OF INTEREST. Consultant agrees to advise Client prior to undertaking services for any other company whose interests are known, or could reasonably be believed to be, adverse to the interests of Client.

(7) INDEMNITY. Consultant will indemnify, defend and hold harmless Client and its agents, directors, officers and employees from and against all suits, losses, damages, causes of action or claims (including attorneys' fees and costs) arising from Consultant's breach of any obligation in this Agreement or any error, omission or negligent act of Consultant or any person employed by Consultant or acting on Consultant's behalf. Client may satisfy such indemnity (in whole or in part) by way of deduction from any payment due to Consultant.

(8) TERM. The term of this Consulting Agreement shall be for the base period stated in *Exhibit A*. This Agreement shall terminate at the end of the base period unless Client extends the term of the Agreement in writing.

(9) NOTICES/APPROVALS. All notices and approvals required under or because of this Consulting Agreement shall be in writing and shall be deemed given when sent to each party's authorized representative as follows:

Client

Highland City
Attn: Erin Wells
5400 W. Civic Center Drive Ste. 1
Highland, UT 84003
Telephone: 435-850-2450
Email: erin@highlandcity.org

Consultant

DLS Consulting, Inc.
David Stewart, President
11671 Granite Flats Rd.
Highland, UT 84003
Telephone: (801) 910-3936
Facsimile: (801) 763-8160

(10) CHOICE OF LAW AND REMEDIES. This Consulting agreement is made and shall be enforced pursuant to the laws of the State of Utah. The parties agree that monetary damages alone would not be sufficient remedy for any breach of this Agreement and each party, in addition to monetary damages, shall be entitled to specific performance and injunctive relief as remedies for any such breach. Additionally, the prevailing party in any judicial proceeding shall be entitled to recover from the other its/his/her reasonable costs and expenses, including attorney's fees. Such remedies shall not be deemed to be the exclusive remedies for a breach of this Agreement but shall be in addition to all other remedies available at law or in equity.

(11) EQUAL OPPORTUNITY. Consultant shall comply with Equal Employment Opportunity as provided by Executive Order 11246.

(12) SEVERABILITY AND SURVIVAL. Should any part of this Consulting Agreement be found to be void, voidable or unenforceable, such void, voidable or unenforceable provision shall be deemed severed from this Agreement and shall not affect the remainder of this Agreement. The provisions of Sections 4, 5, 6, 7, 10, and 12 shall survive the termination of this Agreement for a period of one (1) year from any such termination.

(13) ASSIGNMENT. Client shall have the right to assign this Consulting Agreement to its successors or assigns and all covenants and agreements hereunder will inure to the benefit of and be enforceable by or against its successors or assigns. The rights and obligations of Consultant under this Agreement are personal to Consultant, and no such rights, benefits, or obligations shall be subject to voluntary or involuntary alienation, assignment or transfer.

This Agreement entered as of the date written above.

Client

Highland City

Consultant

DLS Consulting, Inc.

Print Name: Kurt Ostler
Title : Mayor, Highland City

Print Name: David Stewart
Title: President

Attest

Stephanie Cottle, City Recorder

Exhibit A

Scope of Work to Be Performed

1. Scope of Work. Consultant shall perform the following services as requested by Client:

- A. Consultant will work with client to identify funding for a road project selected by client.
- B. Consultant will work with client during the 2026 legislative session on policy issues the city and client identify as a priority.
- C. Consultant shall advise client on legislative issues.

2. FEES

A retainer of \$100,000 will be paid in monthly installments of \$8,333.33 upon the receipt of invoices.

3. TERM

This Agreement shall be effective from October 1, 2025 through September 30, 2026. The length or terms of the contract can be extended or amended with agreement from both parties.



CITY COUNCIL AGENDA REPORT

ITEM #3c

DATE: August 19, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney/Planning & Zoning Administrator
SUBJECT: Professional Office Zone Text Amendment
TYPE: Development Code Update (Legislative)

PURPOSE:

The City Council will consider comprehensive amendments to the Professional Office (PO) zoning district regulations.

STAFF RECOMMENDATION:

Staff recommends that the City Council consider the proposed amendments and the Planning Commission's favorable recommendation and ADOPT the proposed amendments with any desired changes.

PRIOR COUNCIL DIRECTION:

These amendments were previously considered by the City Council on August 5, 2025. Council gave direction on some additional changes to be added and directed staff to incorporate those changes into the proposed amendments for final adoption.

BACKGROUND:

Staff has prepared draft changes to the PO zone to try and incorporate the Planning Commission and Council's direction. These amendments update virtually every portion of the PO zone regulations. Staff's primary objectives--as staff understood the direction--was to accomplish the following:

- Decouple the original master plan (master site plan, landscaping plan, and design exhibits) from the PO zone, but retain certain restrictions to avoid allowing development that is drastically different from what was originally planned.
- Resolve internal inconsistencies within the zone
- Ensure the zone is more generally applicable to any property that is or may be zoned PO

The proposed amendments attempt to accomplish these goals. The proposed amendments are the same as presented to the City Council on August 5, 2025, with the additional changes discussed by the Council during that meeting, including:

- Addition of industrial businesses and tattoo and piercing parlors or studios to the list of prohibited uses
- Removal of promotion of "natural open space" from landscape requirements
- Clarification of "walkable/habitable roof"
- Minor edits for clean-up and consistency (setbacks for property near vs. adjacent city boundaries,

removing unnecessary introductory statements, clarifying loading areas must be away from all fronting ROWs, allowed projections include roofs, canopies, and other similar LUA-approved projections, berm standards, etc.)

The proposed amendments include the changes recommended by the Planning Commission and previously reviewed by council, including the limit on flat roofs to no more than 50% of a building footprint, requirement for materials/colors to have 70% or less LRV, and retaining the single-story, traditional design approach for buildings on the east side of Highland Blvd.

PUBLIC NOTICE AND PLANNING COMMISSION ACTION

As described in the August 5, 2025, staff report, notice of these proposed amendments was published and mailed to property owners, affected entities, and adjacent residents in June 2025. Notice of the Council's August 5, 2025, public hearing was published on July 23. The few written and public hearing comments have been addressed by the Planning Commission and City Council in the additional changes made to the proposed amendments. No further comments have been received since August 5, 2025. Another public hearing is not required, as the Council held a public hearing on August 5.

STAFF REVIEW

Staff has drafted and proposed the amendments to the PO zone based on input from the City Council, Planning Commission, developers (the prior proposed amendments), and resident feedback from the prior proposed amendments. Staff believes that the proposed amendment will help allow the PO zone to function as a general zoning district that can be applied in appropriate areas of the City, rather than as the quasi-planned development that it currently is. Staff supports the changes proposed by the Planning Commission and requested by the City Council. Staff is open to any further changes or revisions desired by the City Council. Staff believes the amendments are ready for adoption. Staff recommends adopting the amendments with any further changes desired by the Council.

FISCAL IMPACT:

No anticipated fiscal impact

MOTION:

I move that City Council ADOPT the ordinance amending the Professional Office zoning district regulations and standards. [Council may specify different or additional amendments to be incorporated]

ATTACHMENTS:

1. Ordinance PO Zone Proposed Amendments_08.13.2025

ORDINANCE NO. 2025-_____

**AN ORDINANCE AMENDING THE PROFESSIONAL OFFICE ZONING DISTRICT
REGULATIONS AND STANDARDS**

WHEREAS, Highland City is authorized to enact land use regulations that govern the use and development of property in accordance with State law;

WHEREAS, Highland City has previously adopted land use regulations that established the Professional Office zoning district, rezoned property to be within the Professional Office zoning district, and established standards and requirements for development of property within said district, including master site plan, landscaping plan, and building design requirements;

WHEREAS, Highland City desires to comprehensively update the Professional Office zoning district regulations to clarify development standards and requirements and to ensure more harmonious and consistent development;

WHEREAS, a duly noticed public hearing was held by the Planning Commission regarding the proposed amendments described herein on July 22, 2025, after which hearing the Commission recommended adoption of amendments to the regulations;

WHEREAS, the Highland City Council provided notice of and conducted a public hearing regarding the proposed amendments and to review the recommendation of the Planning Commission on August 5, 2025;

WHEREAS, the Highland City Council finds that the proposed amendments maintain the historical intent and goals of the Professional Office zone while providing clearer development standards, 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 Development 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.

Mayor

ATTESTED:

City Recorder

EXHIBIT A

3-4901 Introduction: Purpose/Intent

The ~~design-regulations guidelines~~ provided herein for the Professional Office (“P.O.”) Zone have been ~~devised-adopted as a method of to~~ achieving a high quality, cohesive design for professional office development in Highland City. ~~These~~ The regulations guidelines set forth herein will serve as design criteria to developers, builders, engineers, architects, landscape architects and other professionals in preparing plans for construction. In addition, these articles will lend guidance to staff, the Planning Commission and the City Council in the review and evaluation of future development projects related to professional office development. There are certain key design elements which contribute significantly to the visual order and consistency of the entire professional office area. These common features--site planning, residential-scale architecture, landscape design, parking, signage, lighting and other details--are the subject of this ordinance. The ~~guidelines-regulations~~ express the desired character of future development. Each ~~guideline-regulation~~ shall be considered in terms of how it applies to a given project. The intent of the ~~guidelines-regulations~~ must be met in order for a project to be approved during the plan review process. ~~All of the above must be consistent with the Site Plan attached hereto as Exhibit “A”, the Landscape Plan attached hereto as Exhibit “B”, and the Architectural Details, attached hereto as Exhibit “C”.~~

1. The purpose of this ordinance is to define a range of goods and services which may be offered by professional and service entities within the community and to establish guidelines for the physical development of such professional and service entities.
2. The overall intent of these regulations is to establish a standard for professional office and storage facility development and maintenance which:
 - a. Promotes the overall functionality, safety and visual attractiveness of professional office buildings, storage facilities, accompanying substructures, and surrounding landscape;
 - b. Promotes architecture with a residential scale and flavor;
 - c. Promotes development which works in harmony with the open, rural atmosphere of Highland City;
 - d. Prevents the erection of buildings or substructures with an industrial or a pre-fabricated appearance; and,
 - e. Allows some flexibility of architecture so as to encourage creativity of design.

- f. Promotes the successful completion of the project and of the ability of professional and service entities to succeed ~~by carefully reviewing financial statements and character references of developers, builders and users submitted to the Planning Commission.~~

3-4902 Conditional Uses

The P.O. Zone is intended to allow the provision of professional services, and not general retail commercial. ~~As noted in the following sections, t~~The only uses allowed within the P.O. Zone shall be Conditional Uses described below. ~~which satisfy the primary intent or purpose for the Zone.~~ All such conditional uses are subject to additional conditions considered appropriate and necessary by the conditional use Land Use Authority in accordance with Chapter 4. ~~Those uses which are incompatible with the desired land use for the P.O. Zone are prohibited. Following is a list of conditional uses for the P.O. Zone, subject to the standards and procedures established in this Code.~~

1. Professional offices and services including but not limited to: architects, engineers, contractors, real estate offices, property managers, and mortgage and title offices.
2. Financial or legal offices consisting of but not limited to: banks, insurance offices, and law or accounting offices.
3. Medically related offices/services consisting of but not limited to: doctor's office, dentist's office, pharmacy, physical therapy, optometrists, chiropractors, counselors, and psychiatrists.
4. Other types of Professional Services including but not limited to: information technology services, marketing, travel and employment agencies, journalists, collection agencies, educational services, daycares, music studios, photography studios, churches, colleges & schools (academic, preschools, special education, indoor instruction only).
5. Art and craft galleries, and studios for the teaching of arts and crafts.
6. Storage ~~sheds~~ units and associated office uses not ~~to exceed exceeding nine (9)~~ 13.6 acres in total within the zone as set forth in Exhibit "A".

3-4903 Other and Prohibited Uses

1. If a proposed business use has not been expressly identified as a permitted, conditional, or prohibited use, a request to classify the proposed business use as an existing use or a petition to approve the proposed business use may be made in accordance with Chapter 3, Article 1 of this Code.

2. The following uses are prohibited:

- a. Residential occupancy is not allowed in ~~the~~ professional offices or storage ~~sheds-units~~ themselves, but living quarters for full-time employees having onsite responsibilities for ~~this-a~~ storage facility may be permitted as part of the conditional use process.
- b. General retail
- c. Convenience stores
- d. Gas stations
- e. Industrial businesses
- f. Sales, rental, or leasing of motor vehicles, recreational and off-road vehicles, boats, and similar conveyances.
- g. Restaurant and food services
- h. Slaughtering of animals or live animal processing
- i. Sexually Oriented Businesses
- j. Tattoo or body piercing shops or parlors

3-4904 Development ~~Standards~~Requirements

- ~~1. The area to be zoned P.O. (a legal description of which is incorporated in Exhibit "A" (Amended: 10/19/04)), shall be recommended by the Recommending Body and approved by the Land Use Authority pursuant to the City's legislative authority and discretion, and shall have the following characteristics:~~
 - ~~a. Development site, excluding dedicated roads, shall be approximately twenty-three (23) acres (excluding the roadway). In order to encourage uses consistent with the objectives of the professional office district and to ensure adequate site planning, the entire site must be master planned at the time of site plan approval, even though it may be developed in stages or phases. Each phase must adhere to the original plan except as subsequently approved by the site plan Land Use Authority. The project must have a minimum of four hundred (400) feet of frontage on a dedicated public street.~~
 - ~~b. Although the professional office district may provide services to citizens from surrounding communities, i.e., Alpine, Cedar Hills, American Fork, etc., it shall cater primarily to the citizens of Highland City.~~
 - ~~c. The cumulative total, including the roadway, of professional office zoned property in Highland City shall not exceed twenty seven (27) acres (the size of the entire site).~~
 - ~~d. Development site shall be located in the vicinity the Mieron property at the border of Lehi City and Highland City, more specifically defined as: north of the intersection of State Road 92 and Highland Blvd.~~

1. Development of property zoned P.O. requires the following approvals:

- a. If a project will develop only a portion of a lot or parcel, or project will develop multiple lots or parcels as a single project, subdivision plat approval is required to ensure the property aligns with the scope of the site plan and adequate provision is made for access and public infrastructure.
- b. Site plan approval, which includes review and approval of site coverage, building setbacks, screening and fences, parking, loading, and driveway areas, traffic circulation, landscaping and hardscaping, transition and buffering between adjacent uses, lighting, grading, drainage, utility design, and other engineering design elements;

~~a.—~~

- ~~b.c.~~_____ Architectural review approval, which includes review of building height, design, materials, and aesthetics;
 - ~~e.d.~~_____ Conditional use permit approval, for conditional uses; and
 - e. Construction approvals, including building permits, sign permits, and right of way permits.
2. Site plan, architectural review, and conditional use permit approvals may be submitted simultaneously. Building permits shall not be issued prior to site plan, architectural review, and conditional use permit approval.

3-4905 Site Size and Coverage

1. There is no minimum or maximum site size, provided that the coverage and setback requirements shall apply to each individual lot or parcel sought to be developed. If a lot or parcel cannot be independently developed, a subdivision or subdivision plat amendment to combine or adjust property boundaries shall be submitted in accordance with Chapter 5 prior to site plan approval.
- 1.2. Coverage regulates the area of the site that may be covered by the building footprint. Covered walkways, roof structure overhangs, and other solar protection or aesthetic structural elements should not be included in building coverage calculations. ~~These guidelines also help protect area dedicated to landscape and parking. Site Coverage shall conform with Exhibit "A".~~
- 2.3. Coverage of a site by a building structure shall not exceed thirty (30) percent of the total site. This coverage may be increased, subject to the approval of the site plan Land Use Authority, if the project demonstrates superior response to the intent, goals, and design requirements of the professional office zoning guidelines. In no case, however, shall site coverage exceed 40 percent.
4. In all site plan configurations, landscaping, including ~~and/or~~ natural open space areas, shall occupy no less than thirty-five percent (35%) of the total land area under development~~5.~~
5. ~~Reduction of landscaped areas may with minor deviations being allowed as approved by the site plan Land Use Authority if necessary to provide adequate access, circulation, parking, and loading areas and if the applicant provides enhanced landscaping and alternative building design that mitigates the visual and physical impacts, including temperature, of additional hardscape areas. This may include roof or second story terraces and balcony areas, green walls, gardens, and courtyards.~~
6. All landscaping plans and open space designations must be approved by the site plan Land Use Authority.
- 3.7. Coverage shall be based on the size of the lot or parcel being developed. If a site plan includes multiple lots or parcels, the area of such lots or parcels may not be counted for coverage requirements for a different site plan.

3-4906 Building Setbacks

~~It shall be within the authority of the~~ The site plan Land Use Authority ~~shall to~~ determine, ~~for any lot in this district,~~ which property line or lines shall be considered as front, side, or rear lines for ~~the setback purposes~~ purpose of administering this ordinance. All buildings, primary and accessory, shall conform to the setback requirements of this section.

1. No building shall be closer to a public street right-of-way than twenty-five (25) feet unless all parking is provided in the rear of the building, in which case it may be no closer than twenty (20) feet. No building, ~~with the exception of any portion that contains a drive-up window or counter,~~ shall be closer than eight (8) feet from any private road or driveway. Structures which are adjacent to a parking area, plaza, mall, or other permanent pedestrian open space under the same ownership as the structure may abut the space and have openings into it. Those professional office buildings directly bordering residential property to the rear shall have no parking in the rear.
2. The public street right-of-way line shall be considered the front property line of a lot. Where a lot is bordered on two or more sides by a public street right-of-way, all such sides shall be considered as front property lines, and the area between the front property line and the building lines shall be known as the front setback area in all cases. Canopies, overhangs, and similar coverings may project into the front setback area up to ten feet, as much as 10', if approved by the architectural review Land Use Authority.
3. Side setback areas shall be a minimum of ten (10) feet including canopies and overhangs except where a side property line abuts a residential district, in which case the setback area shall be a minimum of thirty (30) feet.
4. Rear setback areas shall be a minimum of ~~thirty-two~~ (32) feet except where a rear property line abuts a residential district, in which case the rear setback area shall be a minimum of ~~twenty-five~~ thirty (2530) feet.
5. Side and ~~R~~rear setbacks for storage areas ~~near adjacent to a the City boundary~~ ies (i.e. along the Micon/Lehi border) can be reduced to five (5) feet.
- 5.6. Side and rear setbacks for property lines that abut non-residential districts may be reduced to five (5) feet, subject to the approval of the site plan Land Use Authority, if the reduction promotes more efficient use of property, allows a superior response to the intent, goals, and design requirements of the professional office zone, and all building and fire code requirements are met.

3-4907 Building Height

1. ~~Except as required to comply with Subsection (2), T~~the maximum height of any building in the Professional Office zone shall not exceed thirty-five (35) feet. ~~The height is measured from one location along any elevation where the “Grade of Building” (as defined in 10-102(23)) to the highest part of the building is at its greatest vertical distance. On sloped lots where the grade difference exceeds four feet in elevation the averaged maximum “Height of Building” (as defined in 10-102 (26)) in the Professional Office Zone shall not exceed thirty-five (35) feet. measured from the highest point on the top back of curb along the property’s public street frontage. If a property has multiple frontages, height shall be measured from curb adjacent to the street with the greater vehicular use.~~
2. No building shall be constructed to a height of less than the height of 105 feet or one story above finished grade from the point where finished grade is at its highest elevation and meets the foundation.
3. No building shall have more than one basement story.
4. Building height shall be measured to the highest part of the building, including parapets and other screening features, and HVAC and other mechanical equipment, but not including chimneys and similar structures.
5. Buildings on property fronting the east side of Highland Boulevard between Timpanogos Highway and Sunflower Drive shall comply with the following:
 - a. Buildings shall not be constructed in excess of one story, regardless of any other provision, guideline, or regulation set forth in this Article.
 - a.b. Buildings may have a single basement level that is located entirely beneath the point where finished grade is at its highest elevation and meets the foundation.

3-4908 Screening Walls/Fences/Hedges

- ~~1. Except as specifically set forth herein, No wall, or fence is required for the buildings designated on the site plan as buildings 1-7. An, and walls and fences are discouraged to preserve a more~~ open, rural, ~~and~~ natural setting ~~is preferred.~~
- ~~2. Fences and walls shall only be permitted where reasonably necessary to screen refuse, storage, or loading areas. For uses that require enhanced security, or where necessary to preserve the privacy of the site or adjacent properties, a fence or wall may be permitted as part of conditional use permit review. Screen walls along residential districts may be required if the Land Use Authority determines that screening promotes the intent and goals of the zone and mitigates the visual, sound, or other impacts of the site and use. An outside wall shall be installed and maintained along the areas used for authorized storage unit uses storage portion of the site. Following are acceptable means of providing such screening:~~

 - ~~1. Walls. A wall shall consist of concrete, stone, brick, tile, or similar type of solid masonry material a minimum of six (6) feet high and a maximum of twelve (12) feet high, and a minimum of eight (8) inches thick.~~
- ~~2.3.~~ Berms. A berm shall be no less than thirty (30) feet in width at the base facing an arterial road and no less than twenty (20) feet in width at the base facing any other street or property. It shall be constructed of earthen material and it shall be landscaped. Grading of berms is further detailed in Section 3-~~49174318~~ of this Code.
- ~~3.4.~~ No signs or sign supports shall be permitted on any wall or fence.
- ~~4.5.~~ ~~Notwithstanding the requirements listed above, w~~Where the finished elevation of the property is lower at the boundary line, or within five (5) feet inside the boundary line, than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements for this zone.
- ~~5.6.~~ ~~Note. Since walls and hedges are a main visual feature in any development, regulations related to the placement, size and appearance of such structures must be enacted.~~ The following standards shall apply to the installation of all fences, walls, hedges, or other visual obstructions used for the purpose of screening, either around the perimeter of the development site or within the development site:

 - ~~a. Except as specifically set forth herein, fences and walls shall comply with section 3-612.~~

~~a.b.~~ No stand-alone wall, hedge or other visual obstruction in excess of six (6) feet shall be allowed on any professional office development site, unless along a boundary which abuts a city boundary or residential zone, or a part of the storage shed complex, in which case the height shall not exceed eight (8) feet. Storage shed walls which are also a wall of a storage structure shall not exceed twelve (12) feet in height.

~~b.c.~~ When there is a difference in the ground level between two adjoining lots, the height of any fence, wall, or hedge constructed along the property line shall be determined by using the finished grade of the highest contiguous lot.

~~e.d.~~ All walls and fences shall be of the same or a compatible design and material as walls and fences on adjacent properties within the Professional Office zone to establish a harmonious appearance. New, extended, and reconstructed walls and fences shall conform to this requirement. Only one (1) type of fence or wall design shall be permitted on any one (1) parcel or development. The design may include an appropriate mix of materials subject to the guidelines of these articles.

~~d.e.~~ The use of chain link, barbed wire, electrified fence, or razor wire fence in conjunction with any fence, wall, or hedge, or by itself is prohibited, unless required by any law or regulation of the State of Utah.

~~e.f. On a corner lot, n~~ No fence, wall, hedge, sign, or other structure, shrubbery, mounds of earth, or other visual obstruction over thirty-six (36) inches in height above the nearest street curb elevation shall be erected, placed, planted, or allowed to grow within a traffic safety sight area.

~~f. To protect safe sight distance for vehicular movement, sight obstructing fences, or walls or other obstructions shall not exceed thirty-six (36) inches in height when located in a front setback.~~

~~g. Wall materials shall consist of masonry construction finished with a light colored stucco, or mortar washed brick.~~

~~h.g.~~ Colors will be limited to natural tones. No bright or neon colors will be allowed.

~~i.h.~~ Any hedges used as screening shall be consistent in appearance to the general landscape of the site. Such hedges may be geometric in shape,

but shall be pruned and maintained so as to avoid unsightly appearance and to avoid vehicular sight hazards.

3-4909 Parking

1. ~~Parking in the amount and location as specifically set forth in Exhibit "A".~~ There shall be provided at the time of erection of any building, ~~the minimum required off-street parking space.~~ Requirements are calculated on square footage of professional office or storage space and shall be based upon floor area devoted to the principal use as follows:-

a. Professional office uses: 4.0 parking spaces per 1,000 square feet.

b. Offices for storage uses: 3.0 parking spaces per 1,000 square feet of office area.

a.c. 2% (minimum of one) of parking spaces provided for office uses shall be accessible parking spaces in accordance with Federal regulations and guidance.

2. Commercial Vehicle Parking.

a. Vehicles that display any form of advertising of a commercial enterprise, including phone numbers, logos, or associated artwork, are prohibited from parking, including for loading and unloading purposes, in public or private street rights-of-ways or private parking lots within public view (visible from a public roadway), except for loading and unloading purposes within storage unit areas that are entirely screened from public view. No more than one such vehicle per professional office unit may be parked within private parking lots visible from a public or private right-of-way.

b. Loading Areas

i. Each site that contains a use requiring loading and unloading of commercial vehicles or that contains buildings with over fifteen thousand (15,000) square feet floor area shall provide adequate, screened, on-site loading areas. If a site is developed without loading areas, no use requiring loading areas shall be permitted on the site unless a revised site plan with adequate loading areas is submitted and approved in accordance with this Article and such loading area is installed in accordance with the approved revised site plan.

ii. Loading and unloading of vehicles shall occur on-site within designated, approved, and properly screened loading areas and only between 7:00 a.m. and 10:00 p.m.

iii. Loading areas shall not be located within driveways.

iv. Each loading berth shall not be less than twelve (12) feet wide, twenty-five (25) feet long and, if enclosed or covered, fourteen (14) feet high. Adequate turning and maneuvering space shall be provided on-site.

v. Loading areas shall be located away from the right(s)-of-way to which the building or site is oriented and screened from public view with buildings, landscaping, or grading. If such screening is not feasible, walls and fences may be approved by the Land Use Authority.

3. Drop-off Areas. If a proposed use involves drop-off of clients, customers, or employees, the parking area shall be designed to accommodate temporary parking and drop-off without reducing the required permanent parking spaces.

4. The requirements set forth herein may be adjusted with the approval of the Land Use Authority if the applicant demonstrates, in accordance with accepted engineering and planning standards and an engineered traffic circulation plan, that alternative design standards will provide adequate parking, access, loading, and maneuvering areas.

b.—

e. ~~Parking for commercial vehicles is limited to properly screened loading areas and other approved off-street parking that is properly screened~~

~~Commercial vehicles include, but are not limited to , cars, trucks, vans, trailers, fork lifts and~~

2.5. Landscaping of Parking Areas.

a. Landscaping of parking areas shall conform to Section 3-4911.

b. Large parking areas shall be avoided by using multiple parking areas or by breaking up the parking area with planter islands, peninsulas, or similar landscaping features to reduce the visual and physical impact of the parking area.

a.c. Where possible, siting parking areas lower than adjacent roadways and continuing streetscape grading, berms, hedges, and other landscape treatment into parking areas is encouraged, with intent to reduce their visual impact and to screen the parking from the adjacent roadway.

~~b.d.~~ Planter "islands" shall be provided at both ends of rows of parking spaces and in other areas where feasible to facilitate circulation. Islands between parking bays shall measure six (6) feet from the outside edge of the curb, or five (5) feet inside dimension, to provide adequate space for tree trunks, hedges or parking lot light supports and to allow for proper maintenance.

~~e.e.~~ Vehicles shall be prevented from overhanging into landscaped areas through extended curbs or the use of concrete wheel stops.

~~3.6.~~ Other Considerations.

- a. Circulation within the parking areas shall provide for free flow of vehicular traffic. The on-site parking and traffic circulation plan shall be a part of the traffic impact analysis required as a part of the preliminary site plan review required by Section 3-4926 of this Code.
- b. Bicycle parking areas with suitable racks shall be provided in convenient locations if bicycle access and use is reasonable or likely for the proposed use as determined by the Land Use Authority. Randomly strewn bicycles are not only unsightly, but can create a safety hazard. Bicycle parking areas shall be located so to minimize conflict with pedestrian walkways.

~~Provision for loading/unloading areas for local transit buses (e.g. UTA) are encouraged on-site or along the periphery of the site (e.g. bus bays). Such loading areas shall be located as far as practicable from intersections and access drives so as not to interfere with the safe operation of streets and driveways or impede traffic flow.~~

- c. Regardless of changes in occupancy or type of use, no increase in the amount of parking shall be allowed without submission of a new site plan. Conversion of landscape areas to parking or loading areas shall be prohibited unless necessary to serve the existing or proposed uses and decrease impacts to adjacent properties. Sufficient parking to meet the requirements of actual tenants shall be provided on-site.

3-4910 Driveway And Curb Openings

1. Unobstructed and direct driveways of sufficient width to safely accommodate projected 20 year turning volumes as determined by the Traffic Impact Analysis required by Section 3-4926 shall be provided. Loading driveways may coincide with driveways to parking facilities.
2. In establishing permissible curb openings and sidewalk driveway crossings for access to private property, they shall not be authorized where they are unnecessary or where they would reasonably interfere with the movement of vehicular traffic, with public improvements, or with the rights of the public in the adjacent street or alley, and in no case shall any curb opening be of greater length than necessary for reasonable access to the property to be served thereby. In determining the length of curb openings and spacing of driveways, the end transitions in each case will be considered a part of the length of the curb opening.
3. ~~Unless otherwise specified by this ordinance, d~~Design and location of access drives shall comply with City design, spacing, and access requirements and this section. In the event of a conflict, the Land Use Authority shall determine the standard that applies upon recommendation from the city engineer. "Guidelines for Driveway Location and Design", a Recommended Practice of the Institute of Transportation Engineers, 1987, or as revised.
4. The following standards shall apply in determining the size of curb openings and location of driveways:
 - a. Access shall be by not more than one (1) driveway opening for each two-hundred (200) feet or fraction thereof of frontage on any street.
 - b. Driveway openings shall be offset a minimum of 350 feet from the centerline of major arterials at intersections, but in no case shall be located within the operational area of the intersection (which includes turning lanes with associated tapers) as defined in the "Guidelines" referred to above.
 - c. In order to minimize the number of access points from adjacent streets driveway openings and driveways shall be shared at property lines between parcels whenever possible.
 - d. Driveway design shall incorporate reservoir space or "throat area" at entrances to provide sufficient queue storage for exiting vehicles and adequate deceleration distance for entering vehicles, as well as separating conflict points on site.

- e. Where the construction of more than one curb opening is required, a concrete safety curb between driveway openings, along and inside the property line, shall be provided when the property located between two driveways is used for the purpose of movement, storage, or parking vehicles.
- f. No driveway opening will be approved which results in vehicles encroaching on any portion of the street right-of-way for loading, standing, or unloading.
- g. Driveway openings must serve only legal off-street parking spaces or loading zones.
- h. Curb openings shall be entirely within the extension of the side property lines extended perpendicular to the street center line.
- i. Driveway openings and driveways shall be paved and shall provide for adequate storm drainage.
- j. Curb returns for driveway approaches shall be of the radius type and be provided with wheelchair ramps and shall meet all applicable State and Federal regulations pertaining to access for the handicapped.
- k. Any unused or abandoned driveway openings or portion thereof shall be restored to the original curb section at the expense of the abutting property owner. Upon refusal or neglect of the owner or agent to restore the curb and gutter to their original section, the City shall proceed to do such work, and all expenditures so incurred shall be charged against the owner or agent.
- l. Improvements within the public right-of-way shall be provided, designed, and constructed in conformance with the applicable city design specifications and requirements. All driveway geometrics shall be selected to provide for passage of the AASHTO design vehicle deemed to be appropriate to the development. As a minimum this shall be an AASHTO single unit truck.
- m. No object shall be so situated as to interfere with the required sight distance at intersections, on or off site, including driveway openings, and intersecting driveways, as set forth in the AASHTO "Policy on Geometric Design of Highways and Streets," latest edition, hereinafter referred to as the AASHTO Policy on Geometric Design.
- n. Circulation, parking areas, accesses, and roadways shall also conform to the requirements of the ~~Uniform~~ Fire Code with regard to providing emergency vehicle access.

- o. Where access impacts, connects to, or commercial developments abuts State Highways, state approval and access permits must be obtained prior to site plan approval must be required to regulations adopted by the State of Utah.
- p. Driveways and Curb Openings shall conform with Exhibit "A".

3-4911 Landscaping

The following ~~guidelines for landscaping~~ shall apply to all developments within the professional office district, and a landscape plan conforming to the following requirements shall be submitted for review in connection with site plan approval:

1. Landscaping shall enhance the overall visual appearance of the development and should incorporate varied landscaping features, such as planters, gardens, courtyards, terraces, shade structures, and seating areas to enhance the residential character of the site and provide outdoor spaces for employees and visitors.
2. ~~The A fully dimensioned comprehensive landscaping site plan, attached hereto as Exhibit "B", and incorporated herein as a specific requirement of this zone,~~ shall be dimensioned, to scale, and include, but not be limited to, each of the following:
 - a. List of plants
 - b. Size of plants
 - c. Location
 - d. Irrigation plan
 - e. Hardscape
- ~~3. A fully dimensional, comprehensive site plan shall be submitted and approved by the site plan Land Use Authority prior to each building approval.~~
- ~~4.3. _____~~ Minimum caliper for all trees shall be 2" and minimum shrub size shall be one gallon.
- ~~5.4. _____~~ ~~The City may require that IL~~ landscaping plans shall be prepared by a registered-licensed landscape architect.
5. Landscaping shall incorporate xeriscaping and water-wise landscaping methods~~When inorganic ground cover is used, it shall be in combination with live plants. The preservation of open space is encouraged.~~
6. Landscaping of a site shall be harmonious with adjacent properties within the professional office district by use of identical or compatible vegetation, trees, and organic and inorganic ground cover.
7. All landscaping shall have an automatic irrigation system.

8. Installation. All required landscaping shall be properly installed, irrigated, and maintained prior to use inauguration or occupancy of each specific building site.
9. Maintenance. Maintenance of approved landscaping shall consist of regular watering, pruning, fertilizing, clearing of debris and weeds, the removal and replacement of dead plants, and the repair and replacement of irrigation systems and integrated architectural features.
10. Front Setback Areas. Landscaping in these areas shall consist of an effective, attractive, and water-wise combination of street trees, trees, ground cover, and shrubbery continuously along all public rights-of-way less area for drive entrances. ~~Areas on the East and South side of Highland Blvd shall be a minimum of five (5) feet wide. Areas on the West and North side of Highland Blvd shall be a minimum of twenty (20) feet wide.~~ Where appropriate, setback areas shall be bermed.
- ~~11. Other Setback Areas. The entire area between the side and rear property lines and a point ten (10) feet in back thereof will be landscaped, except for any access driveway in said area. Natural landscaped areas & the preservation of natural open space is encouraged.~~
- ~~12.11.~~ 12.11. At Intersections. Landscaping along all streets and boundaries shall be limited to a height of not more than three (3) feet within the area required for minimum sight distance as specified in the AASHTO Policy on Geometric Design for the following intersections.
 - a. A vehicular trafficway or driveway and a street;
 - b. A vehicular trafficway or driveway and a sidewalk;
 - c. Two or more vehicular traffic ways, driveways, or streets.
- ~~13.12.~~ 13.12. Other Non-Parking Areas. All unpaved areas not utilized for parking and storage shall be landscaped as set forth herein~~utilizing ground cover shrub and tree materials, and/or dry landscaped materials.~~
- ~~14.13.~~ 14.13. Parking Areas. Landscaping shall be separated from the parking area by wall or curb at least six (6) inches higher than the parking area.
- ~~15.14.~~ 15.14. Total Landscaping. In all cases of professional office development, landscaping and natural open space shall meet the coverage requirements set forth in Section 3-4905~~occupy no less than thirty-five percent (35%) of the total land area under development.~~

3-4912 Hardscape

1. Hardscape should be used in coordination with architecture and landscaping to ~~provide a link between the street edge, buildings, parking areas, landscaping and open space, and adjacent developments and individual developments. Attention to Hardscape details can create visual unity by relating different developments to a unifying theme. In addition, proper hardscaping can improve pedestrian safety and movement, and the visual enjoyment of public areas.~~ Hardscape ~~can~~ includes such items as curbing, benches, sculptures, water fountains, enriched paving treatments, cobblestone walkways, etc. Hardscapes should be provided that integrate and support landscaping and open/green spaces. ~~A detailed plan of~~
- 1.2. Hardscape design shall accompany landscape plans and shall be subject to review by the site plan Land Use Authority to determine continuity with overall development plan and harmony with the development of surrounding properties.
1. ~~The following specifications shall apply to Hardscape curbing and are found in Section 3-4911. Driveway and Curb Openings:~~
 - a. ~~Access shall be by not more than one (1) roadway for each two hundred (200) feet or fraction thereof of frontage on any street.~~
 - b. ~~Curb cuts shall be offset a minimum of 350 feet from the centerline of major arterials at intersections, but in no case shall be located within the operational area of the intersection (which includes turning lanes with associated tapers), as defined in the "Guidelines" referred in Section 3-4311.~~
 - c. ~~Curb cuts and driveway aisles shall be shared at property lines between parcels whenever possible.~~

3-4913 Substructures; Storage/Refuse Collection, Etc.

~~1. The following articles shall relate to the screening and location of storage and refuse collection areas:~~

~~2.1.~~ No outdoor storage is allowed in the professional office zone.

~~3.2.~~ Storage Area.

- a. All substructures erected for the purpose of screening storage areas shall be accomplished with materials and architecture which are compatible with that of the primary building structure.
- b. There shall be no visible storage of motor vehicles, trailers, airplanes, boats, or their composite parts: loose rubbish, garbage, junk, or their receptacles; ~~tents, or~~ building materials, or any other material or object except those items permitted by this ordinance to be stored within storage units~~the storage shed site~~. Covered storage (roofs without side walls) of boats and recreational vehicles on the storage shed site is allowed, as long as it is visually screened as described herein.
- c. Building materials for use in the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction.

~~4.3.~~ Refuse.

- a. Every parcel with a building or structure shall have a trash receptacle on the premises. The trash receptacle shall be of sufficient size to accommodate the trash generated.
- b. The refuse collection area shall be located upon the lot so as to provide clear and convenient access to refuse collection vehicles.
- c. The receptacle shall be screened from public view on at least three (3) sides by a solid wall six (6) feet in height and on the fourth side by a solid gate not less than five (5) feet in height. The gate shall be maintained in working order and shall remain closed except when in use. The wall and gate shall be architecturally compatible with the surrounding buildings and structures.
- d. Freestanding refuse containers in retail or public areas which are intended for public use shall be constructed of cast concrete, ceramic or wrought iron, with an inset for a trash can and shall be constructed so as not to allow dispersal of the container or trash by the strong winds

common to the area. The containers shall be natural in color and/or of a design commensurate with surrounding architectural themes.

- e. All outdoor refuse collection areas shall be visually screened from access streets and adjacent property by a complete opaque screen. Professional office owner and/or manager shall be responsible for the abatement, clean-up and removal of all garbage or refuse thrown, placed, or blown on surrounding property or streets rights-of-way. Every effort shall be made by said owner and/or manager to avoid the spread of such refuse or garbage to the surrounding area.
- f. No refuse collection areas shall be permitted between a frontage street and the building line. No refuse collection area shall be located within forty (40) feet of any residential use or zone.
- g. Refuse removal and trash collection operations shall occur between the hours of 7:00 a.m. and 10:00 p.m.

3-4914 Signs/Sign Illumination

All signs shall conform to Chapter 3, Article 7.

3-4915 Lighting

~~The following articles shall relate to guidelines for exterior lighting of any professional office development. These articles relate to parking lighting, sign lighting, architectural lighting, safety lighting, and landscape lighting.~~

1. Lighting shall be stationary. No lighting shall blink, flash, or be of unusually high intensity or brightness.
2. Lighting shall be directed away from all adjacent properties and public streets and rights-of-way.
3. Lighting shall be shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel.
4. Parking lot lighting shall be reviewed by the site plan Land Use Authority. Parking lot lighting may consist of bollard lights no more than four (4) feet in height or light poles no more than fifteen (15) feet in height. Type and location of light pole or bollard shall be approved by the site plan Land Use Authority. Any approved parking lot lighting types shall have a cap to direct all light toward the ground. The maximum foot candles at the center of a parking lot shall be 2. Parking lot lighting shall not be operable between the hours of 11:00 p.m. and 6:00 a.m. Lighting standards for the storage shed area shall not exceed 15 feet in height or the height of the primary building, whichever is less.
5. Street lighting and parking lot lighting contribute to the safety and security of each development, improving night visibility. Unique lighting fixtures may provide easy identification of entrance and exit ways for motorists. Such lighting shall be encouraged, however, lighting potentially visible from adjacent properties shall be subdued and shall not interfere with vehicular traffic.
6. Use of mercury vapor or exposed fluorescent lights is prohibited. Energy efficient warm, white lighting, such as high pressure sodium or quartz halogen, is encouraged.
7. Automatic timers on lighting shall be ~~encouraged~~required. ~~Well designed systems can maximize personal safety during nighttime use while saving energy.~~
8. Lighting may be used to enhance landscaping and reinforce architecture, ~~with dramatic up lighting or wall shadow effects with plant materials encouraged.~~

9. Light fixtures shall be consistent in styling with the design theme proposed for that development.
10. Service area lighting shall be contained within service yard boundaries, with light sources concealed.
11. Lighting shall not cast any glare onto adjacent lots and streets in such a manner as to decrease the safety of pedestrian and vehicular movement.
12. A lighting plan shall be submitted for approval with the site plan at the time of the application for a building permit.
13. Lighting in the storage shed area may remain on at all times for safety and security reasons.
14. The maximum average allowable foot candles on the ground in the professional office area shall be 5.
15. The maximum average allowable foot candles on the ground in the storage shed area shall be 2.
- ~~16. Eastside lighting shall be limited to building mounted only.~~

3-4916 Projections

The following list represents the only projections/construction that shall be permitted within the required setback areas:

1. Front Setback. Roof overhangs, canopies, and similar coverings if approved by the architectural review Land Use Authority.
2. Rear/Side Setbacks. Roof overhangs, and any projection/substructure which is determined by the architectural review Land Use Authority to substantially contribute to public safety.

3-4917 Grading

The following guidelines shall apply to grading of professional office properties:

1. Grading shall conform to natural topography as much as possible and result in a harmonious transition of the man-made grades with the natural terrain. Cuts and fills shall be avoided.
2. ~~Man-made land forms shall be graded to avoid u~~Unnatural sharp or straight edges and planes shall be avoided. The top and toe of graded slopes shall be rounded to avoid a harsh machine-made appearance.
3. Parking lots shall be graded for proper drainage with surface water diverted in such a way as to keep the parking area free of accumulated water, snow, or ice. All surface drainage shall be contained within development site in accordance with City standards and approved by City Engineer.
4. Parking lots shall have minimum and maximum percent grades as set forth by the City Engineer.
5. Berms are to be graded in gentle, undulating naturalistic forms. No straight, steep or erodible slopes are permitted. Provisions are to be made for drainage around or through berms as necessary. ~~Generally, a b~~Berms shall not be higher than -height of thirty-six (36) inches from top of adjacent curb ~~is the maximum desired.~~
6. Retaining walls used to raise or lower grade shall be prohibited unless the applicant demonstrates that the site cannot feasibly be developed without retaining walls. If retaining walls are permitted, they shall be made from materials that preserve a rural and natural appearance, such as natural stone.
- 5-7. All grading and site development shall conform to Chapter 8.

3-4918 Utilities/Equipment

~~The following articles shall relate to the installment, location and screening of utilities and other exterior equipment:~~

1. All utilities, including drainage systems, sewer, gas and water lines, electrical, telephone and communications wires, and related equipment, irrigation ditches and/or pipes, shall, where possible, be installed and maintained underground.
2. ~~No m~~Mechanical equipment (including, but not limited to, components of plumbing, processing, heating, cooling, and ventilating systems) shall be ~~screened from view visible on site or~~ from adjacent public streets and properties as set forth herein.
3. No exterior components of such mechanical equipment (e.g. piping, stacks and duct work, fans and compressors) shall be mounted on any building wall unless they are an integrated architectural design feature. Any such components shall only be permitted with the approval of the architectural review Land Use Authority.
4. Roof mounted mechanical equipment shall be hidden from view by building parapets of equal height.
5. If building parapets do not provide adequate screening of mechanical equipment ~~from the upper floors~~, screening shall be installed as an integral part of the overall architectural design, and painted such a color as to allow its blending with its visual background.
6. Equipment and mechanical devices shall not be located in any required setback area or side yard except for electrical or telephone equipment installed by the utilities and HVAC equipment located within the eave line of the building. Screening shall be provided so that equipment located in the area is screened from view from all adjacent streets and properties. Such screening shall be accomplished with materials and designs that are compatible with the architectural character of the building.
7. Electric transformers, utility pads, cable TV and telephone boxes shall be located in public rights-of-way and under ground or screened with walls, fences or vegetation or otherwise enclosed in a manner harmonious with the overall architectural theme.
8. Each licensed business will provide public rest rooms of sufficient size to service potential customers including men and women. The rest rooms shall be designed in accordance with the UBC to accommodate handicapped persons.

3-~~4920~~-4919 Nuisances

1. No portion of the property shall be used in such a manner as to create a nuisance to adjacent sites, such as, but not limited to, vibration, sound, electromechanical disturbance and radiation, electromagnetic disturbance, air or water pollution, dust emission of odorous, toxic, or noxious matter, or placement, dumping or blowing refuse, paper or other garbage.
2. Noise Attenuation. All professional office areas within Highland City shall be subject to the noise limitations established in Municipal Code Section 8.16.100 Nuisance of Noise and Light.
3. Dust Mitigation. All excavations in excess of 1/4 acre shall obtain and file with the City a dust mitigation plan.
4. Grading, Sedimentation and Erosion Control. All building permits shall be accompanied by a grading, sedimentation, and erosion control plan which shall at a minimum include environmental fencing surrounding the project and best management practices.

~~3-4921-4920~~ Change Of Use

1. Any person constructing or altering a building in the professional office zones shall first obtain a building permit from the City for such construction or alteration, and then shall obtain a certificate of occupancy from the City before the building being constructed or altered is occupied.
2. Any person who desires to occupy vacant floor space, or to change the use of floor space, shall be required to first obtain the following:
 - a. A new or amended conditional use permit for the proposed use; and
 - b. A building permit and a certificate of occupancy for a tenant improvement from the City.
- ~~2.3. Any person constructing or altering a building in the professional office zones shall first obtain a building permit from the City for such construction or alteration, and then shall obtain a certificate of occupancy from the City before the building being constructed or altered is occupied.~~

3-4922 4921 Architectural Design Requirements

~~The architectural design (including design, rendering, and a list of building materials) of each professional office building and the storage shed complex are attached hereto as Exhibit "C" and incorporated herein as a specific requirement of this zone. The location of each building on the site plan is designated in Exhibit "A", which locations are also incorporated herein as a specific requirement of this zone.~~ Prior to the issuance of building permits for any use, the architectural review Land Use Authority shall review the proposed development plans to assure compliance with the ~~architectural design requirements guidelines~~ provided in this ~~Article and other sections of Article 4.9 of Highland City's P.O. Zone. Any appeals of final decisions on architectural compliance shall be heard by architectural review Appeal Body.~~

1. Overall Architectural Outline.

- a. The proposed development shall be of a quality and character which is consistent with the community design goals and policies including but not limited to: scale, height, bulk, materials, cohesiveness, colors, roof pitch, roof eaves and the preservation of privacy.
- b. The design shall improve community appearance by avoiding excessive variety and monotonous repetition.
- c. Proposed signage and landscaping shall be an integral architectural feature which does not overwhelm or dominate the structure or property.
- d. Lighting shall be stationary and deflected away from all adjacent properties and public streets and rights-of-way.
- e. Mechanical equipment, storage, trash areas, and utilities shall be architecturally screened from public view.
- f. With the intent of protecting sensitive land uses, any proposed design shall promote a harmonious and compatible transition in terms of scale and character between areas of different land uses.
- g. All building elevations shall be architecturally treated.
- h. Both sides of all perimeter walls or fences shall be architecturally treated, except for the side that is inside a storage building
- i. Each licensed business will provide public rest rooms of sufficient size to service potential customers including men and women. The rest

rooms shall be designed in accordance with the UBC to accommodate handicapped persons.

2. ~~Architectural Guidelines~~Facade design. ~~The following architectural design guidelines apply to all uses:~~

- a. Building material and design shall be of a type typically associated with residential construction, including gables, hips, and sheds, with overhangs between two to three feet to soften the building's appearance and maintain residential scale, in accordance with one of the following approaches:
 - i. Traditional Approach: Use brick or stone at the base of the building, combined with wood or stucco above for a multi-textured, residential look. Incorporate traditional detailing like exposed rafter tails or trim around windows.
 - ii. Modern Approach: Combine concrete, steel, or glass with warm materials like wood paneling or weathered steel for accent areas.
- b. Buildings on property fronting the east side of Highland Boulevard between Timpanogos Highway and Sunflower Drive shall use the traditional approach for façade design.
- c. The base material should extend no higher than 12 feet. For two-story sections, lighter materials such as wood or stucco should be used on the second story.
- d. Different exterior siding materials add interest to a building, and to the community as a whole, however, the use of too many exterior materials, like excessive ornamentation, detracts from the values of adjoining properties. Exterior walls of any building may be sided with up to three different materials per building, but no more than three materials may appear on any one wall, including ornamental siding. Trim shall not be counted as a siding material. If trim covers more than 10% of a side of the building, it shall be counted as a siding material on that side.
- e. Primary siding materials shall consist of brick, stone, stucco, cementitious fiber board, natural wood, or materials of similar quality and durability.
- a.f. The siding materials listed below are prohibited ~~in any P.O. building in Highland City:~~

- i. Weeping mortar
- ii. Plastic or vinyl siding
- iii. Lava rock
- iv. Asphalt or ~~hardboard plywood~~ siding
- ~~v. Plywood siding~~

~~vi.v.~~ Stucco walls divided by wood dividers

~~vii.vi.~~ Metal grills ~~and/or facades~~

~~viii.vii.~~ Non-colored-anodized and/or unpainted aluminum or other untreated metal siding, except for flagpoles.

~~ix. Aluminum siding~~

g. Colors shall be limited to soft shades and/or earth tones. No bright or neon colors shall be allowed on exterior of buildings.

h. Materials and colors used shall have an LRV rating of 70% or less.

3. Details and Ornamentation

~~b.a.~~ Architectural design in Highland City has primarily been simple. Highly ornate buildings are inconsistent with the architecture of the community and shall be prohibited.

~~b.~~ ~~Different exterior siding materials add interest to a building, and to the community as a whole, however, the use of too many exterior materials, like excessive ornamentation, detracts from the values of adjoining properties. Exterior walls of any building may be sided with up to three different materials per building, but no more than three materials may appear on any one wall, including ornamental siding. Trim shall not be counted as a siding material. If trim covers more than 10% of a side of the building, it shall be counted as a siding material on that side. Residential-scale ornamentation shall be provided in accordance with one of the following approaches:~~

i. Traditional Approach: Use architectural details such as molded cornices, decorative trim, and window shutters. Incorporate elements like brick quoins, gable accents, and stone lintels.

~~i.ii.~~ Modern Approach: Modern detailing can include clean lines, geometric shapes, and minimalist ornamentation, using wood

slats, steel accents, or textured concrete surfaces for visual interest.

c. Buildings on property fronting the east side of Highland Boulevard between Timpanogos Highway and Sunflower Drive shall use the traditional approach for detail and ornamentation design.

4. ~~Colors shall be limited to soft shades and/or earth tones. No bright or neon colors shall be allowed on exterior of buildings.~~Fenestration:

a. The first story of a building shall have no more than 40% fenestration.

b. Other stories shall have no more than 30% fenestration that aligns with the design and location of fenestration on the first story.

c. Fenestration should be residential-scale windows and doors that vary in size and design, incorporating features like casement windows, French doors, or double-hung windows. Storefront windows and sliding glass doors are discouraged, unless opening onto patios or green space areas. Glass-and-steel commercial-type facades are prohibited.

d. Fenestration should be designed to avoid direct sightlines into neighboring properties. Where direct views are unavoidable, screening should be provided such as frosted or shaded glass or landscaping, berming, or fencing that maintains privacy.

e. Fenestration shall be in accordance with one of the following approaches:

i. Traditional Approach: Windows arranged in groups, such as pairs or triplets, with traditional trim, muntins, and shutters. Include front doors with decorative sidelights and transoms. Second story windows should include arched windows, a prominent bay window, or other residential treatment.

ii. Modern Approach: Frameless glass or aluminum frames creating sleek, clean lines. Large windows and glass doors may be included facing terraces, patios, and open spaces, but should not be used to create retail-style storefronts.

f. Buildings on property fronting the east side of Highland Boulevard between Timpanogos Highway and Sunflower Drive shall use the traditional approach for fenestration design.

5. Entrances.

- a. Every building shall provide a residential-style architectural element over each entrance that identifies the entrance, such as a pediment, portico, stoop, or porch, in accordance with one of the following approaches:
 - i. Traditional Approach: The entrance may be a front porch, with columns and decorative elements like railings or a canopy. For a 2-story section, an entryway might include a covered porch or portico to emphasize residential feel.
 - ii. Modern Approach: A clean-lined, minimalist entry can be designed with a cantilevered overhang, large sliding doors, and accent lighting. The porch or entry should be connected to the landscape with modern materials like concrete or wood.
- b. Buildings on property fronting the east side of Highland Boulevard between Timpanogos Highway and Sunflower Drive shall use the traditional approach for entrance design.
- c. The entrance element shall be centrally located and connected to adjacent parking areas, sidewalks, and landscaping with hardscape walkways.
- e.d. The entrance element shall be offset from the façade to provide a clear, welcoming entry point to the building.

~~3-4919-4922~~ Roof Design

The following articles shall apply to roof structure and design in any commercial development:

1. Roof design shall of a type typically associated with residential construction, including gables, hips, and sheds, with overhangs between two to three feet to soften the building's appearance and maintain residential scale, in accordance with one of the following approaches:
 - a. Traditional Approach: Steeply pitched gable roofs with overhangs, dormers, and deep eaves.
 - b. Modern Approach: Some flat or gently sloping roofs with wide overhangs, integrating clean lines and large glass panels. A terrace could be included for a modern aesthetic appeal.
2. Buildings on property fronting the east side of Highland Boulevard between Timpanogos Highway and Sunflower Drive shall use the traditional approach for roof design.
3. Where permitted, roofs with a slope of 2:12 or less shall not be used to cover more than 50% of the building footprint. Walkable/habitable roofs used as balconies, terraces, or walking, congregation, or recreation areas over single-story elements of a multi-story building shall not be included in this calculation.

1.4. The following roofing materials are prohibited, either because of their appearance, or because they are not likely to perform satisfactorily in the climate of Highland City:

- a. Untreated aluminum or metal (except that copper may be used)
- b. Reflective materials
- c. Brightly colored roofing materials such as bright red, blue, yellow, neon colors, or similar colors that are highly visible

2.5. The following roof shapes are prohibited in Highland city, either because of their appearance, or because of their poor performance:

- a. Mansard or fake mansard roofs
- b. Gambrel roofs
- c. Curvilinear roofs

- d. Domed roofs
- e. Geodesic domes
- f. Conical roofs
- g. A-frame or modified A-frame roofs

6. Skylights and solar panels must be designed to fit flush with the roof surface, or up to a maximum of two feet above the roof's surface. No reflective materials may be used unless thoroughly shielded to prevent reflection into nearby properties.

a.

3-4923 Massing Requirements~~Non-Conforming Structures And Uses~~

~~Non-Conforming Structures and Uses are not Allowed.~~

1. Each building's massing shall be broken down into smaller, more approachable components by incorporating cantilevered sections, by varying façade depth, building height, and roof lines, peaks, and overhangs, and by using varied building materials to reduce the visual impact of the building and avoid overwhelming the surrounding environment.
2. Buildings with two stories above grade shall conform to the following requirements:
 - a. The second story element shall not exceed 65% of the total building footprint. The height of the two-story element should not exceed the maximum allowed building height. The second story may incorporate dormers, terraces and balconies, or other methods to reduce the footprint and impact of the second story.
 - b. The single-story element shall not be less than 35% of the total building footprint and should have a maximum height of 25 feet. The first floor should be designed horizontally in nature. Recessed or cantilevered features may help enhance the horizontal nature of the first floor.
 - c. Variation from these requirements may be approved by the Land Use Authority if the building demonstrates superior response to the intent, goals, and design requirements of the professional office zone, the design promotes residential architecture and aesthetics, and the design reduces the visual impact to adjacent properties.

a.—

3-4924 ~~Irrigation Water Requirements~~ Property Dedications

1. All property necessary for public rights-of-way and other public areas shall be dedicated to the city in accordance with city standards.
2. Water rights and shares shall be dedicated to the city in accordance with section 5-5-112. ~~Developments occurring under the provisions of this Article must comply with the irrigation water requirements of Sections 5B8-112 and 7-103 of this Code and the Annexation and Development Agreement entered into between the parties.~~

3-4925 Submittal Requirements

All uses proposed for development under this Article shall be subject to site plan, landscape plan, and architectural design review. There shall be submitted to the ~~Zoning Administrator~~ city a plan for the use and development of each tract for the purposes of and meeting the requirements set forth in this ~~ordinance~~ Article. Said plan shall be accompanied by information concerning ~~the number of persons to be employed,~~ the effects on surrounding property, ~~and other the current and proposed~~ physical conditions of the site, including the effect of the project on adjacent streets, ~~and shall include~~ the following:

1. A site plan showing lot lines and defining the area to be occupied by buildings, the areas and configurations to be used for parking, the location of roads, driveways, signs, and walks, the spaces for loading, location of refuse collection and screening, and all other details required by this Article.
- ~~1.2.~~ A landscape plan that meets the requirements of Section 3-4911 and details the character, location, and extent of landscaping, planting, hardscapes, and other treatment for adjustment to ~~surrounding~~ property.
3. Enough information on land areas adjacent to the proposed development to indicate adjacent land uses, zoning classifications, circulation systems, public facilities, and unique natural features of the landscape.
- ~~2.4.~~ Traffic studies addressing the internal circulation of the site and the impact of the site and use on public rights-of-way.
5. Architectural review approval. Elevations and/or architectural renderings of buildings' facades facing public rights- of-way and district boundaries where the premises abut areas zoned for residential uses, said elevations or renderings being sufficiently complete to show building heights and roof lines, the location and height of any walls, signs, and light standards, openings in the facade, and the general architectural character of the building.
- ~~3.6.~~ The site plan shall provide for the construction, improvement, and dedication of all public improvements necessary or required to serve the proposed development, including right-of-way improvements and utility facilities.
- ~~4.7.~~ Any additional information as required by the Reviewing Body, Recommending Body, or Land Use Authority to evaluate the character and impact of the proposed development.

5.8. Conditional use permit. Additional requirements associated with a Conditional Use Permit application in accordance with Chapter 4, see General Provision Section.

3-4926 Action On Site Plan

The site plan Recommending Body shall review the site plan and make a recommendation to the site plan Lane Use Authority. The site plan then will be reviewed by the site plan Land Use Authority.

1. Findings necessary to granting approval for the site plan are:
 - a. The proposed use and development of land conforms to the provisions of this ordinance, and requirements of Engineering, Fire Department, Flood Control, Business License, and Planning Department.
 - b. The development is otherwise not detrimental to the public health, safety, general welfare, or to adjacent property, or to the orderly development of the City.
 - c. Approval of a traffic impact analysis (TIA) for the proposed development, to be completed by a competent transportation engineer at the developer's expense. Said TIA shall, as a minimum, address the suitability of the proposed parking, street access, driveway, and on-site traffic circulation systems and the impact on the adjacent street system.
 - d. Demonstration that adverse impacts on neighboring residential properties have been reasonably mitigated.

3-4927 Appeals

Any appeals from any final decision of the ~~site-plan~~ Land Use Authority shall be heard by the designated ~~site-plan~~ Appeal Body.

3-4928 Security: Site Improvements/Project Completion

The following articles shall apply to all professional office developments within Highland City.

1. Site Improvements.

- a. Guarantee. To guarantee the construction, repair and/or replacement of required public improvements, the permittee shall post assurances ~~a bond in the form of a cash deposit~~ per Chapter 6, Guarantee of Performance, in this Code.

3-4929 Storage Facilities

The following articles shall apply to the storage facilities within the Professional Office zone.

1. All goods and wares shall be stored within an enclosed building, except that boats and trailers may be stored in structures containing a roof with no side walls where screened from outside view. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked or inoperable vehicles.
2. No storage facilities shall be used for the storage of hazardous materials in violation of the provisions of the Uniform Fire Code or the Uniform Building Code.
3. The repair, reconstruction or construction of any boat, vehicle, small engine, furniture or other items which require the use of gasoline, paint remover or similar materials is prohibited.
4. It shall be unlawful for any owner, renter or operator of a storage facility or any unit located therein to offer for sale or sell any item of personal property within the storage facility, or to conduct any type of commercial activity on the premises, other than the leasing of the storage units, leasing of moving vehicles, or to permit the same to occur.
5. A maximum of two (2) moving vehicles may be displayed outside the enclosed storage facility, with the ability to store an additional maximum of six (6) moving vehicles inside the storage facility, provided that said vehicles are stored in structures containing a roof with no side walls where screened from outside view.
6. No other residence or dwelling structure is allowed, except as is provided in 3-4903(2). No storage facility shall be used for permanent or temporary living quarters.
7. The applicant shall provide to the Planning Commission for their approval rules and regulations governing the use of the storage units. Said rules and regulations shall become a condition of approval in the conditional use process and shall include as a minimum rules governing hours of operation and a traffic circulation and mitigation plan.



CITY COUNCIL AGENDA REPORT

ITEM #3d

DATE: August 19, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Chris Trusty, City Engineer/Public Works Director
SUBJECT: Interlocal Agreement with Utah County - 4800 West Project
TYPE: General City Management

PURPOSE:

The City Council will consider approving an interlocal agreement between Utah County and Highland City to fund improvements to 4800 West through Highland and Alpine.

STAFF RECOMMENDATION:

Staff recommends approving the interlocal agreement between Utah County and Highland City for the funding of improvements to 4800 West through Highland and Alpine.

PRIOR COUNCIL DIRECTION:

On June 16, 2025, the Council approved the City budget which included the revenue sources and city expenditures for this project.

BACKGROUND:

In conjunction with the biannual MAG TIP project cycle, Highland City submitted a request for improvements along 4800 West between Highland City and Alpine City. Improvements generally consist of road widening to provide a 5-foot shoulder, a striped center median, and a 10-foot trail along the east side of 4800 West. The project improvements will be between SR 92 and the roundabout in Alpine.

Funding for TIP projects typically comes either through the state or the county, depending on the scope and nature of the projects funded. In this instance, funding will be through Utah County, and Highland City will be the recipient of the funds. Total funding for this project is \$5,461,250 with \$5,091,523 from Utah County, and a 6.77% match between Highland and Alpine of \$369,726. Highland will need to enter into another ILA with Alpine to clarify how that required match is met by each entity which is planned to be based on the total project cost within each city boundary.

Utah County requires the City to enter into an ILA to receive the funds from them. The agreement has been reviewed and approved as to form by the city attorney.

FISCAL IMPACT:

City Council approved the FY26 budget which included funding for this project in GL# 41-40-79 in the Road Capital Fund. The revenue sources from both Utah County and Alpine were also included in the approved budget in the Road Capital Fund.

MOTION:

I move that City Council approve the Interlocal Agreement between Utah County and Highland City for the funding of improvements along 4800 West.

ATTACHMENTS:

1. Resolution
2. Proposed Interlocal Agreement

RESOLUTION NO. 2025-_____

**A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT
FOR THE NORTH COUNTY BLVD 4800 WEST ROAD WIDENING PROJECT
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 a road known as North County Boulevard - 4800 West Road in Highland and Alpine;

WHEREAS, Utah County will fund \$5,091,523 toward the completion of this projects;

WHEREAS, Highland City desires to facilitate additional improvements to 4800 West consisting of widening of 4800 West from SR-92 to Main Street and a multi-use trail;

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.

Mayor

ATTESTED:

City Recorder

EXHIBIT A
Form of Interlocal Cooperation Agreement

INTER-LOCAL COOPERATION AGREEMENT

**between
UTAH COUNTY and
HIGHLAND CITY**

For A Project Known As

North County Blvd – 4800 West – Road Widening

THIS AGREEMENT, made and entered into **this (chose day) day of August 2025**, by and between **UTAH COUNTY (Program Manager)**, a political subdivision of the State of Utah, with principle offices located at 100 East Center ST, Suite 2300, Provo, Utah 84606 and **HIGHLAND CITY (Project Sponsor)**, a political subdivision of the State of Utah, with principle offices located at 5400 West Civic Center Drive, Highland, Utah 84003.

RECITALS:

WHEREAS, the Utah Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated (1953), as amended, permits local governmental units including cities, counties, inter-local agencies 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, pursuant to Utah Code Ann. § 59-12-1903 (2008) (now Utah Code Ann. § 59-12-2218), the County adopted Ordinance No. 2008-26 to enact a sales and use tax (“3rd Quarter Tax”) of 0.25% upon certain transactions described therein; and

WHEREAS, the Program Manager and the Project Sponsor desire to facilitate the construction of a roadway project known as **North County Blvd – 4800 West – Road Widening (Approved Project)** which consists of intersection safety improvements at SR-92 and North County Blvd, widening of 4800 West from SR-92 to Main Street, and a multi-use trail along the corridor; and

WHEREAS, the Mountainland Metropolitan Planning Organization (“MPO”) Regional Planning Committee determined that the Approved Project should receive a portion of the revenues

of the 3rd Quarter Tax not to exceed \$5,461,250 in 2026 and

WHEREAS, the Program Manager and the Project Sponsor 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, the Program Manager and the Project Sponsor hereby agree as follows:

Section 1. PURPOSES.

This Agreement has been established and entered into between the Program Manager and the Project Sponsor for the purpose of outlining the respective rights and responsibilities of the Program Manager and the Project Sponsor in the construction of the Approved Project.

Section 2. ADMINISTRATION OF AGREEMENT.

The parties hereto agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953 as amended, the Utah County Public Works Director 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.

Section 3. MULTIPLE JURISDICTIONS.

If a project is within multiple jurisdictions and/or agencies, one jurisdiction or agency will enter in to this interlocal agreement and interface with the Program Manager as the Project Sponsor. Multiple jurisdictions and/or agencies interactions will be outlined within a separate interlocal agreement between said jurisdictions and/or agencies. This agreement shall be referenced in this agreement as an Exhibit.

Section 4. 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 Program Manager and the Project Sponsor. 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, longer than 3 years from the execution date.

Section 5. NO SEPARATE LEGAL ENTITY.

The Program Manager and the Project Sponsor do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Agreement.

Section 6. TERMS.

- 1) **Project Scope** – Intersection safety improvements at SR-92 and North County Blvd, widening 4800 West from SR-92 to Main Street, and a multi-use trail along the corridor.
- 2) **Project Initiation** - The Project Sponsor will designate a qualified project engineer from its staff or hire a project engineer from the Project Sponsors consultant pool or the prequalified UDOT pool, who will be responsible for project delivery. The designated project engineer will be responsible for the completion of the project.
- 3) **Project Development** - The Project Sponsor and the designated project engineer, will design, acquire the necessary Right of Way (“ROW”), bid out and manage the construction of the Approved Project.
 - a) **Design Standard** - The design and construction of the Approved Project will meet or exceed Highland City standards.
 - b) **Environmental Work** - The Project Sponsor will acquire the appropriate clearances and permits through the design process. The Project Sponsor can follow its own adopted environmental process or follow the Recommended Environmental Guidance / Mountainland & Utah County Programmed Projects document (including designating with the Program Manager the type of environmental work to be completed). The Project Sponser must also follow any National Environmental Policy Act (NEPA) requirements required (Endangered Species Act, Clean Water Act, etc.).
 - c) **Design Work** - The Project Sponsor will involve the Program Manager at the following design milestones:
 - (1) Kickoff Meeting,

- (2) 30% Scope and Schedule Review,
 - (3) 60% On Site Plan Review, and
 - (4) 90% Plans, Specifications and Estimate.
- d) **Final Design Approval** - Once project design is complete the Project Sponsor will review the final design with the Program Manager. Both parties shall agree that the project is ready for the construction phase.
 - e) **ROW Acquisition** - The Project Sponsor will be responsible to acquire all necessary ROW adhering to state and local laws. The Project Sponsor can follow their own adopted ROW acquisition process or follow the Recommended Right of Way Acquisition Guidance / Mountainland & Utah County Programmed Projects guidance document.
 - f) **Procurement** - Advertising of the Approved Project will follow the Project Sponsors established procurement policies. All construction bids will include a 10% construction contingency. The Project Sponsor will provide a copy of the notice of award to the Program Manager.
- 4) **Project Signage/Contact Info** - It is recommended that the Project Sponsor install signage informing the public of the following:
- a) Project name.
 - b) Project description.
 - c) Start and completion dates (general).
 - d) Contact name, phone number, website address, email.
 - e) Use the sentence “This project funded with Mountainland Transportation Funding”.
 - f) List project sponsors and their logos (Project Sponsor, Mountainland, Utah County).
 - g) Generally, one sign at each access point to the project shall be installed.
 - h) Signs should be at least 4’ x 6’, or large enough for passing motorists to read.
 - i) Signs should be installed prior to construction and stay in place through construction.
- 5) **Construction Process** - The Project Sponsor will manage the construction process.
- a) The Program Manager will be notified of any changes that affect the scope of the project or costs that exceed the construction contingency.
- 6) **Project Completion** - Program Manager staff will be notified and allowed to attend the final inspection of the completed project.

- 7) **Project Hold** - The Program Manager has the authority to place a project on hold during the Project Development process or withhold reimbursement of invoices during the Construction Process if the Program Manager deems that the project is not within the Approved Project scope or budget. The Program Manager shall notify the Project Sponsor of the hold in writing and will work with the Project Sponsor to rectify the issues promptly. If the Project Sponsor and Program Manager cannot bring the Approved Project back into scope or if additional funding is needed above what the Program Manager or the Project Sponsor can provide, the issues will be brought to the Mountainland MPO committees for their review, recommendations, and approvals.
- 8) **Total Project Cost** - Both the Program Manager and Project Sponsor acknowledge that the Approved Project has been authorized by the Mountainland MPO Regional Planning Committee (Utah County Commission must also approve if county funds are used) to be funded at an amount not to exceed \$5,461,250.00 (Total Project Cost) for the direct costs of the Approved Project.
- a) **Matching Funds** - The Project Sponsor is required to pay a match or portion of the Total Project Cost. This amount is 6.77% of the Total Project Cost. The use of Project Sponsor equipment and/or Project Sponsor employee time for the project shall not be reimbursable, but can be claimed by the Project Sponsor as a soft match toward the required 6.77% matching funds required from the Project Sponsor. The Project Sponsor is required to pay the difference between the required match and the value of the soft match, if any.
- b) **Multi-Year Funding** - Some projects require funding across multiple fiscal years. Reimbursement for Approved Project activities can only be made up to the available amount identified in a single fiscal year. Any balance from a prior year where available funds have not been expended for the Approved Project are then advanced to the next fiscal year and are added to the funds available that fiscal year. Fiscal years for County Transportation Sales Tax Funds begin on January 1st. The Approved Project has been approved for \$5,461,250 in 2026.
- c) **Reimbursement** - The Project Sponsor, if desiring reimbursement for the direct costs of the Approved Project, will provide the Program Manager with quarterly or bi-annual itemized invoices detailing actual costs for the ROW acquisition, design, utility relocation, construction, or other approved elements of the project. Appropriate backup materials shall also be supplied. The Program Manager agrees to reimburse the Project Sponsor within 30 days of receiving acceptable itemized invoices establishing the

validity of the direct costs of the Approved Project. The maximum amount of reimbursement from the Program Manager to the Project Sponsor shall not exceed \$5,091,523.00 (Total Project Cost less Matching Funds). Any costs which exceed \$5,091,523.00 shall be the sole responsibility of the Project Sponsor. The Program Manager will review and approve monthly each itemized invoice and will reimburse the total invoice amount less the required matching funds.

- d) **Cost Overruns** - The Program Manager maintains an account for cost overruns. The Project Sponsor may request additional funds above the approved Total Project Cost with supporting documentation demonstrating the need for additional funds. The Program Manager may approve up to 10% of the Total Project Cost up to a maximum of \$500,000. The MPO Regional Planning Committee can approve higher amounts (Utah County Commission must also approve if county funds are used). The addition of these contingency funds would require a modification to this agreement. If no additional funds are awarded or the project still requires additional funds, the Project Sponsor will be responsible to fund the overrun.
- e) **Surplus Funds** - Any surplus funds remaining after the completion of the Approved Project will be returned to the Mountainland or Utah County fund balance to be reallocated to other projects selected through the MPO project selection process. Note that Mountainland and Utah County selects and funds projects, not sponsors. Surplus funds cannot be moved to a new project not already approved through the MPO project selection process. Any surplus funds paid by the Project Sponsor shall be returned to the Project Sponsor.
- 9) **Ownership and Maintenance of Approved Project** - The Project Sponsor shall own and be responsible for maintenance, repair and replacement of the completed project.
- 10) **Inspection of Approved Project** - The Program Manager and its designees, upon reasonable notice, reserve the right to enter upon the Approved Project to inspect the same to verify compliance with this Agreement.
- 11) **Other Expenses** - Except as otherwise expressly stated herein, all expenses not identified as a part of the Approved Project or executed prior to the Agreement shall be the sole responsibility of the Project Sponsor.
- 12) **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 Project Sponsor

and Program Manager. This Agreement is not intended to nor shall it be construed to benefit any third party.

13) **Recitals** - The Recitals portion of this Agreement constitutes a part of this Agreement.

Section 7. FILING OF INTERLOCAL COOPERATION AGREEMENT.

Executed copies of this Agreement shall be placed on file with the official keeper of records of the Program Manager and the Project Sponsor, and shall remain on file for public inspection during the term of this Agreement.

Section 8. AMENDMENTS.

- 1) **Amending this Agreement** - 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.
- 2) **Change Orders** - Changes can occur throughout a project. Changes that are outside the scope outlined in this contract must be amended as stated above. Minor changes and adjustments that fall within the original project scope can be addressed with a change order. A change order does not require amending this agreement. A change order is defined as that additional effort necessary by reason of changed conditions which are radical, unforeseen, and completely beyond the control of the Project Sponsor. The Project Sponsor shall create the change order and keep records of them. Any additional costs incurred can be covered by the construction contingency or by added local funding and should be addressed in the change order. If additional costs are more than the construction contingency and available local funds, the Project Sponsor shall contact the Program Manager to review funding options.

Section 9. EXTRA WORK

Extra work shall be undertaken only when previously authorized in writing by the Program Manager, and is defined as additional work which is neither shown nor defined in this Agreement. Extra work includes additional improvements adjacent to the Approved Project or in other locations that the Project Sponsor desires to complete as a package of projects. Extra work can be for utility projects, facilities that tie into the Approved Project, project betterments, or other work desired by the Project Sponsor. No costs incurred by extra work can be billed to the Approved

Project. Any invoices submitted by the Project Sponsor shall clearly detail costs incurred by the Approved Project and list separately costs incurred by the extra work. This agreement shall be referenced in this agreement as an Exhibit.

Section 10. 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 11. 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 12. INDEMNIFICATION.

The Project Sponsor shall indemnify and hold the Program Manager 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 Approved Project or any part thereof. The Project Sponsor shall further indemnify and hold the Program Manager harmless from and against any and all claims arising from any breach or default in the performance of any obligation on the Project Sponsor's part to be performed under the terms of this Agreement, or arising from any act or negligence of the Project Sponsor, or any of the Project Sponsor'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 Project Sponsor and Program Manager 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, U.C.A. 63G-1-101, et. seq. The Project Sponsor's obligations under this provision shall survive the expiration or other termination of this Agreement.

Section 13. ENTIRE AGREEMENT

This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in 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 and passed on this (chose day) day of August 2025,

Board of Commissioners
UTAH COUNTY, UTAH

Brandon B. Gordon, Commission Chair

ATTEST:
Aaron Davidson
Utah County Clerk

Deputy Clerk/ Auditor

REVIEWED AS TO FORM AND
COMPATIBILITY WITH APPLICABLE LAW:
Jeff Gray
Utah County Attorney

By: _____
Deputy Utah County Attorney

HIGHLAND CITY

Authorized by Resolution No. _____ ,
this (chose day) day of August 2025,

HIGHLAND CITY
UTAH COUNTY, UTAH

Mayor

ATTEST:

City Recorder

REVIEWED AS TO FORM AND
COMPATIBILITY WITH APPLICABLE
LAW:

By: _____
City Attorney



CITY COUNCIL AGENDA REPORT

ITEM #4a

DATE: August 19, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Chris Trusty, City Engineer/Public Works Director
SUBJECT: Hanover Sewer Repair Change Order
TYPE: General City Management

PURPOSE:

The City Council will consider a change order for the Hanover Way sewer repair in the amount of \$18,624.

STAFF RECOMMENDATION:

Staff recommends a change order in the amount of \$18,624 for the Hanover Way sewer repair.

PRIOR COUNCIL DIRECTION:

On July 1, 2025, City Council approved a bid award to Baker Construction to repair a sewer line that had developed a belly and was not functioning properly. The contracted amount was \$103,332.17, which had \$9,394 in contingency.

Once the work commenced, additional issues were discovered whose repair costs exceeded the contingency for this project. At the August 5, 2025 Council meeting, staff communicated this issue to Council who gave preliminary approval for the contractor to proceed with the additional work.

BACKGROUND:

Earlier this year, city staff discovered a low spot in a sewer line on Hanover Way. The low spot prevents the sewer from being able to properly drain and can create issues that could eventually lead to system backups if not corrected. A 36" drainage culvert crosses the sewer line and appears to have leaked, which caused the trench to settle, which led to the low spot in the sewer line. To correct this, the 36" culvert will need to be removed and replaced along with the low spot in the sewer line. To prevent possible future issues, the sewer line will be placed in a 12-inch steel casing which would bridge any possible future settlement.

Once the contractor began excavating the site, other issues became apparent. There is also a belly in a 15-inch storm drain line, and an existing catch basin is cracked and leaking. Staff asked Baker Construction for a cost to do the additional work. The contractor also included a price to replace the existing curb and gutter that were settling due to the construction. The total cost of the additional work is \$18,624. Because this amount exceeds the contingency of this project, staff is asking the City Council for a change order.

FISCAL IMPACT:

Funding for this expense would be charged to 54-40-41 System Repairs & Maintenance within the FY26

budget. As other projects were planned for with the budgeted funds in this account, budget surplus from the Storm Drain Fund will be used in FY26 to cover this expense through a mid-year budget adjustment. Estimated Fund Balance for the Storm Sewer Fund is \$2,041,111 at the end of FY26.

MOTION:

I move that the City Council approve a change order to Baker Construction for the Hanover Sewer Repair project for the amount of \$18,624.

ATTACHMENTS:

1. Baker change order



Change order

Bill to
Highland City

date: 08/04/2025

#	Date	Product or service	Description	Amount
1.		15 rcp	Change order	\$2,400.00
2.		3/4 gravel		\$375.00
3.		Trucking	2 Hour minimum	\$625.00
4.		Trench Box		\$1,500.00
5.		Pipe laser		\$600.00
6.		Labor		\$2,150.00
7.		210		\$3,740.00
8.		Concrete Collars	\$1000 min for 1	\$1,350.00
9.		Curb and gutter (Prep and Pour)		\$2,184.00
10.		15 rcp	Extra pipe	\$800.00
11.		3x6 box		\$2,900.00

Note to customer

Thank you for your business.

Total \$18,624.00



CITY COUNCIL AGENDA REPORT

ITEM #5a

DATE: August 19, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Erin Wells, City Administrator
SUBJECT: Utah Wellbeing Survey Participation Opportunity
TYPE: General City Management

PURPOSE:

The City Council will give direction as to whether they would like to participate in the 2026 Utah Wellbeing Project Survey.

STAFF RECOMMENDATION:

Staff recommends Council provide direction on whether they would like to participate in the Wellbeing Survey.

PRIOR COUNCIL DIRECTION:

No prior Council direction.

BACKGROUND:

Dr. Courtney Flint of Utah State University has conducted the Utah Wellbeing Survey from 2019-2024. The survey is conducted online and gauges resident wellbeing and other local perspectives.

Highland participated in the survey once in 2022. Staff opted not to participate in the survey in 2023 and 2024 for a variety of reasons, including staff turnover, project prioritization, and the timing of the Wellbeing survey conflicting with our regular survey and the fear of survey confusion and/or fatigue for our residents.

The Wellbeing survey is expected to take place around March. With the main City survey switching to the fall, staff now feel like it is feasible for us to participate again in the Wellbeing survey. Staff is seeking direction on whether it is something Council is supportive of and feels would be beneficial for the City. Each City that participates in the Wellbeing survey will have core well-being questions on its survey with the option to add some city-specific questions. Results from Highland in 2022 are available at <https://www.usu.edu/utah-wellbeing-project/reports/2022/highland-wellbeing-survey-findings-2022>. The 2024 survey questions are also attached so the Council can get a sense of the core survey. Staff does not look at the Wellbeing survey as a replacement for our annual resident survey, but as an additional opportunity to check-in with our residents.

FISCAL IMPACT:

In the past, participation in the survey has been funded through the University, but due to budget changes, participation in the survey will now come with a cost to the City. The League of Cities and Towns is providing a subsidy, which will bring the cost to the City to \$800, or \$1,300 if we want to ask

some Highland-specific questions in addition to the core Wellbeing questions. The cost includes both conducting the survey along with the cost of the survey data analysis.

While this item has not been specifically budgeted in for Fiscal Year 2026, staff feels we will be able to account for its relatively minor costs without the need for a budget adjustment.

MOTION:

Not applicable as this item is for discussion purposes only.

ATTACHMENTS:

1. General Wellbeing Survey 2024

Utah Wellbeing Project - 2024 Survey

Thank you for your interest in the Utah Wellbeing Project Survey, a statewide initiative!

The goal of this survey is to better understand the life conditions of people in Utah cities and towns and how different aspects of wellbeing vary from person to person and place to place. Results will be shared with your city's leaders. We would like to hear from adults (age 18 or over) who are full-time or part-time residents of [City]. The survey should take about 10 minutes. We will not collect any identifying information about you. Open comments will be shared with city leaders and it may be possible for someone to recognize specifics in the information you share. However, public reporting on the survey data is only done at the city level (not about individuals). All questions are important to us, but you may decline to answer any questions.

Please encourage others age 18+ in your household and community to take the survey as well.
Please do not take the survey more than once.

The Utah State University Institutional Review Board has approved this research study (Protocol 11624). If you have any questions about the survey, please contact Dr. Courtney Flint at (435) 797-8635. If you would like to speak with someone about your rights as a participant or talk with someone other than the research staff, the USU IRB Office can be reached at (435) 797-0567 or at irb@usu.edu.

Thank you!

Dr. Courtney Flint



Are you a full-time or part-time resident of [City]?

- ☐ Yes, I am a full-time resident of [City]
- ☐ Yes, I am a part-time resident of [City]
- ☐ No, I am not a resident of [City]
- ▶ We are only looking for responses from residents of [City]. Please do not complete this survey if you are not a full- or part-time resident

What is your ZIP Code? _____

How long have you been a resident of [City]?

_____ years

How would you rate your overall personal wellbeing? (Use your own interpretation of “wellbeing”.)

Poor 1 2 3 4 5 Excellent

How would you rate overall wellbeing in [City]?

Poor 1 2 3 4 5 Excellent

How connected do you feel to [City] as a community?

Not at All A Great Deal

1 2 3 4 5

☐ ☐ ☐ ☐ ☐

How would you rate your level of personal wellbeing in each of the following categories?

	Poor 1	2	3	4	Excellent 5
Physical Health	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mental Health	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Connection with Nature	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Local Environmental Quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cultural Opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Educational Opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Family Life	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leisure Time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Living Standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Safety and Security	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Social Connections	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transportation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How important are the following categories to your overall personal wellbeing?

	Not at All Important 1	2	3	4	Very Important 5
Physical Health	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mental Health	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Connection with Nature	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Local Environmental Quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cultural Opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Educational Opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Family Life	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leisure Time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Living Standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Safety and Security	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Social Connections	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transportation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How would you describe the current rate of population growth in [City]?

Too Slow Just Right Too Fast No Opinion
☐ ☐ ☐ ☐

How would you describe the current pace of economic development in [City]?

Too Slow Just Right Too Fast No Opinion
☐ ☐ ☐ ☐

[If too slow] What aspects of the local economy would you like to see more of in [City]?

[If too fast] What aspects of the local economy do you feel are growing too quickly in [City]?

[If Local Environmental Quality 1-2-3] Are there specific aspects of local environmental quality that you feel are problematic?

Have you participated in any of the following activities during the past 12 months?

	Yes	No
City or county recreation programs	<input type="radio"/>	<input type="radio"/>
Recreating in parks in your city	<input type="radio"/>	<input type="radio"/>
Using trails in or near your city	<input type="radio"/>	<input type="radio"/>
Motorized recreation on Utah's public lands or waters	<input type="radio"/>	<input type="radio"/>
Non-motorized recreation on Utah's public lands or waters	<input type="radio"/>	<input type="radio"/>
Walking or biking in your neighborhood or city	<input type="radio"/>	<input type="radio"/>
Gardening at home	<input type="radio"/>	<input type="radio"/>
Participating in a community garden	<input type="radio"/>	<input type="radio"/>
Buying food from a farmer's market	<input type="radio"/>	<input type="radio"/>
Community events	<input type="radio"/>	<input type="radio"/>

Please name two cities or towns (near or far) that you go to most often for regular needs and activities?

1) _____

2) _____

How frequently do each of these activities take you out of [City] to another city or town?

	Never	Rarely (a few times per year)	Sometimes (about once a month)	Regularly (about once per week)	Often (more than once per week)
Groceries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Eating Out	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Health /Medical Care	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recreation/ Sports	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Friends and Family	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Religion	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
School/ Education	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other Services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

What are your primary modes of transportation?
(check all that apply on a regular basis)

- | | |
|--|---|
| <input type="checkbox"/> Personal Car | <input type="checkbox"/> Biking |
| <input type="checkbox"/> Carpool | <input type="checkbox"/> Public transportation |
| <input type="checkbox"/> Ride sharing (Uber or Lyft) | <input type="checkbox"/> Scooter or micro-mobility device |
| <input type="checkbox"/> Walking | |

Are any of the following a barrier to your personal travel?

	Not a Barrier 1	Seldom a Barrier 2	Sometimes a Barrier 3	Often a Barrier 4	Always a Barrier 5
Travel time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Knowledge	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Safety	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of routes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cost	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Language	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of transport	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How important are the following possible transportation developments in [city]?

	Not at all Important 1	2	3	4	Very Important 5
Adding road capacity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enhancing safety	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improving road surfaces	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improving public transit	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improving walkability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing more trails, paths, and bike lanes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Connecting communities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

As you look to the future of [City], how much of a concern are the following issues?

	Not a concern	Slight concern	Moderate concern	Major concern
Access to Health Care	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to Mental Health Care	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to substance use disorder treatment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to Healthy/Quality Food	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to Culturally Appropriate Food	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Accessible Transportation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Affordable Housing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Air Quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Climate Change	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employment Opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Great Salt Lake	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Open Space/Green Space	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Opportunities for Youth	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public Safety	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recreation Opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Homelessness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Shopping Opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Social and Emotional Support	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substance Misuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Suicide	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Traffic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trails & Paths	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Water Quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Water Supply	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

What do you value most about living in [City]?

Is there anything that could be done to improve wellbeing in [City]?

Is there anything else you'd like to tell us about wellbeing in [City]?

About You

This last section asks questions that help us ensure that we have heard from a full range of perspectives. Remember that your answers are anonymous. These questions are very important to this project.

Which category matches your age today?

- ☐ 18-29 ☐ 50-59
☐ 30-39 ☐ 60-69
☐ 40-49 ☐ 70 or over

What gender do you identify with?

- ☐ Female
☐ Male
☐ Gender non-conforming or non-binary

What is the highest level of education you have completed?

- ☐ Some high school or less ☐ Vocational/Technical degree
☐ High school diploma or GED ☐ Bachelor's degree (4-year college degree)
☐ Some college, no degree ☐ Graduate degree
☐ Associates degree

Are you of Hispanic, Latino, or Spanish origin?

- ☐ Yes ☐ No

What is your race? Please select all that apply.

- ☐ American Indian or Alaska Native ☐ Pacific Islander
☐ Asian ☐ White
☐ Black or African American ☐ Other: _____
☐ Middle Eastern or North African

Do you have children living in your household?

- ☐ Yes, Under Age 5
☐ Yes, Age 5-18
☐ No

Do you own or rent your place of residence in [City]?

- ☐ Own ☐ Rent ☐ Other

What would you estimate your total household income was for 2023?

- ☐ Under \$15,000 ☐ \$75,000 to \$99,999
☐ \$15,000 to \$24,999 ☐ \$100,000 to \$149,999
☐ \$25,000 to \$34,999 ☐ \$150,000 to \$199,999
☐ \$35,000 to \$49,999 ☐ \$200,000 or higher
☐ \$50,000 to \$74,999

Are you currently... ?

- ☐ Employed for wages ☐ A homemaker
☐ Self-employed ☐ A student
☐ A volunteer at least 20 hours per week ☐ Retired
☐ Out of work and looking for work
☐ Out of work, but not looking for work

What is your marital status?

- ☐ Single, never married ☐ Divorced
☐ Married or domestic partnership ☐ Separated
☐ Widowed

Do you identify as a person with a disability?

- ☐ Yes ☐ No

Do you have a chronic health condition?

- ☐ Yes ☐ No

Which category best describes your religious preference, if any?

- ☐ Atheist or Agnostic ☐ Other Christian Religion
☐ Catholic ☐ Other Non-Christian Religion
☐ Church of Jesus Christ of Latter-day Saints ☐ Spiritual but not religious
☐ Judaism ☐ I have no religious preference
☐ Muslim ☐ Other: _____