



HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

TUESDAY, OCTOBER 6, 2026

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 Brittney P. Bills

Invocation: Council Member Ron Campbell

Pledge of Allegiance: Council Member Doug Cortney

Respect Statement: Mayor Brittney P. Bills

1. UNSCHEDULED PUBLIC APPEARANCES

Anyone may share information with the City Council. If your comments require a response, staff or an Elected Official will contact you. Please limit your comments to three minutes per person. Please state your name.

2. PRESENTATIONS

Items in this section are formal presentations by invited organizations or individuals. If further discussion is needed, it will be brought to the City Council on a future agenda.

a. New Employee Introduction

Erin Wells, City Administrator, will introduce new employees to the City Council.

b. Twin Bridges Entrance Improvements Change Order Request

Resident Paul Watterson will update the Council on the construction of the entryway improvements to Twin Bridges and request additional financing from the City's insurance payout for a change order to the project.

3. CONSENT ITEMS

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

a. Approval of Meeting Minutes *General City Management*

Stephannie Cottle, City Recorder

September 15, 2026

b. Ratifying the Purchase of a Bucket Truck *General City Management*

Chris Trusty, City Engineer/Public Works Director

The City Council will consider ratifying the purchase of a bucket truck in the amount of \$30,000.

4. ACTION ITEMS

Items in this section are to be acted upon individually by the City Council. A report will be given on these items.

- a. **ORDINANCE: Business Hours Change - Veterinary Urgent Care Municipal Code Update**
(Legislative)
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider a proposed amendment to add veterinary urgent care to the businesses exempted from City hours of operation regulations.
- b. **ACTION: Mitchell Hollow Change Order General City Management**
Chris Trusty, City Engineer/Public Works Director
The City Council will consider approving a change order to Vancon in the amount of up to \$160,129.20 for the Mitchell Hollow Trail project.

5. EXPEDITED ITEMS

Items in this section are to be acted upon individually by the City Council. These items have previously been discussed by the Council. No report will be given.

- a. **RESOLUTION: Dean Property Swap - Mitchell Hollow Trail General City Management**
Rob Patterson, City Attorney/Planning & Zoning Administrator
Chris Trusty, City Engineer/Public Works Director
The City Council will consider a resolution approving a property exchange between Highland City and the Dean family that will provide additional right of way property for 9600 North Street in exchange for property currently owned by City within property owned by the Dean family at 6511 West 9600 North.
- b. **ACTION: Paxman Land Aquisition - Mitchell Hollow Trail General City Management**
Rob Patterson, City Attorney/Planning & Zoning Administrator
Chris Trusty, City Engineer/Public Works Director
The City Council will consider an agreement between Highland City and the Paxman family to provide certain improvements to their residence at 6225 West and 9600 South in exchange for the dedication of property to Highland City for the 9600 North Right of Way.
- c. **RESOLUTION: Orphan Parcel Land Sale - Barry General City Management**
Jay Baughman, Assistant City Administrator
The City Council will review documents prepared for the sale of a city-owned orphan parcel adjacent to property owned by Barbara Barry and if approved, direct staff to prepare a sale contract and finalize the sale of that property.
- d. **RESOLUTION: Orphan Parcel Land Sale - Burgon General City Management**
Jay Baughman, Assistant City Administrator
The City Council will review documents prepared for the sale of a city-owned orphan parcel adjacent to property owned by Scott Burgon and if approved, direct staff to prepare a sale contract and finalize the sale of that property.

6. DISCUSSION ITEMS

Items in this section are for discussion, and include supplementary information in the packet. No final action will be taken.

- a. **Chlorination Requirement from Utah Division of Drinking Water General City Management**
Chris Trusty, City Engineer/Public Works Director

City Council will review information the City has received from the Division of Drinking Water requiring the City to begin consistently chlorinating our City's drinking water.

b. Draft - Proposed Council Code of Conduct *General City Management*

Brittney Bills, Mayor

The Council will consider the draft of the proposed Council Code of Conduct prepared by Mayor Bills.

7. COMMUNICATION ITEMS

Items in this section are for notification and update. No final action will be taken.

a. Christmas Lights Follow-up & Budget Request

Jay Baughman, Assistant City Administrator

b. Procedures Regarding Business Grand Openings

Brittney Bills, Mayor

Erin Wells, City Administrator

c. Quarterly Finance Report

David Mortensen, Finance Director

d. Meeder Investment Update

David Mortensen, Finance Director

e. Community Development Update (Current Projects)

Rob Patterson, City Attorney/Planning & Zoning Administrator

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.

9. WORK SESSION

a. Highland Glen Park Priorities

The City Council will discuss and prioritize the projects needed to improve Highland Glen Park.

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 B. 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 1st day of October 2026.

Stephannie B. Cottle, CMC|UCC, City Recorder

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



HIGHLAND CITY COUNCIL MINUTES

Tuesday, September 15, 2026

Waiting Formal Approval

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

6:00 PM REGULAR SESSION

Call to Order: Mayor Brittney P. Bills

Invocation: Council Member Scott L. Smith

Pledge of Allegiance: Council Member Liz Rice

Respect Statement: Mayor Brittney P. Bills

The meeting was called to order by Mayor Brittney P. Bills as a regular session at 6:03 pm. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting. The prayer was offered by Council Member Scott L. Smith and those in attendance were led in the Pledge of Allegiance by Council Member Liz Rice. The Respect Statement was read by Mayor Brittney P. Bills.

PRESIDING: Mayor Brittney P. Bills

COUNCIL MEMBERS:

Ron Campbell	Present
Doug Cortney	Present
Liz Rice	Present
Kim Rodela	Present
Scott L. Smith	Present

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator 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, Civic Events Coordinator Brooke Boyd

OTHERS PRESENT: Jon Hart, Lori Volmar, Ty Ricks, Sam Dibb, Bryon Tarbet, Wesley Warren

ELECTRONIC PARTICIPANTS: Heather Richards, Jenna Heinemeyer, Micah Dickman, Russ Loehr

1. UNSCHEDULED PUBLIC APPEARANCES

Anyone may share information with the City Council. If your comments require a response, staff or an Elected Official will contact you. Please limit your comments to three minutes per person. Please state your name.

There were no public comments.

2. PRESENTATIONS

Items in this section are formal presentations by invited organizations or individuals. If further discussion is needed, it will be brought to the City Council on a future agenda.

a. Constitution Week Proclamation

Brittney Bills, Mayor

Mayor Bills will read a proclamation declaring the week of September 17th - September 23rd as Constitution Week.

Mayor Brittney P. Bills read a proclamation designating September 17-23, 2026, as Constitution Week. Lori Volmar, Vice Regent of the Daughters of the American Revolution (DAR) Pony Express chapter, spoke, noting their efforts to distribute 5,000 Constitution booklets to children in Utah County and expressing gratitude for the proclamation. Council Member Rice announced she would be speaking at the Constitution Day event.

b. Fling Report

Brooke Boyd, Civic Events Coordinator

A report will be presented to the City Council on the 2026 Fling, including highlights and the final budget, along with plans for the 2027 Fling.

Brooke Boyd, Civic Events Coordinator, presented the financial overview for the 2026 Highland Fling. Expenses totaled over \$87,000, with revenue of nearly \$24,000, resulting in a net City investment of approximately \$63,500. The budget variance was approximately \$500 over budget. Ms. Boyd highlighted cost considerations, noting unexpected increases in some areas, and outlined plans for improvement including reviewing vendors, seeking cost-saving opportunities through in-kind trades and partnerships, and earlier outreach for sponsorships starting in November. Highlights from the event included strong growth in the car show (116 registered vehicles) and parade, successful all-ages activities, high interest in Fling merchandise, which has led to suggestions of a future pop-up shop, and positive feedback for the new 5K route. Plans for improvement included earlier planning and communication with event chairs and city departments, stronger marketing efforts to reach all parts of the City, better volunteer coordination, and expanding all-ages activities. Ideas for Highland Fling 2027 included bringing back the Play Day rodeo, a Western night, a Highland Queen event, and drone videography for the City's 50th anniversary.

Council Member Rice inquired about the Kids Market's financial performance, to which Ms. Boyd responded that as a separate entity, she did not have specific feedback. Council Member Rice also noted positive feedback for the Colonial Village.

The possibility of moving the Highland Fling to Highland Family Park for more space was discussed. Ms. Boyd confirmed it has been a discussion point, but nothing is solidified. Assistant City Administrator Baughman noted that car show participants prefer Heritage Park due to the shade provided by the trees, which is currently lacking at Highland Family Park.

Mayor Bills thanked Ms. Boyd for the successful Senior Citizens Appreciation Dinner held the previous night.

c. Christmas Light Event Location

Jay Baughman, Assistant City Administrator

Brooke Boyd, Civic Events Coordinator

The City Council will consider two potential locations for the Highland City Christmas event for 2026.

Assistant City Administrator Baughman presented a report on the Christmas lights event, outlining the pros and cons of holding it at Heritage Park versus the City Center.

- **Heritage Park Pros:** Traditional venue since 2020, visible from the road, potential for Santa Claus inside the community center.
- **Heritage Park Cons:** Very limited power access (precluding last year's walkthrough display), potential for mud, limited indoor venue (only for Santa, not bell choir).
- **City Center Pros:** Plenty of power outlets at the splash pad, ideal tree size for full wrapping, paved walkway, indoor venue for warming up (Santa, bell choir), aligns with General Plan's placemaking goal to bolster local businesses.
- **City Center Cons:** Not visible from main roads.

Mr. Baughman mentioned that the partner for the light display could make the City Center tree taller: 24 feet for \$1,800 or 32 feet for \$3,000. He also noted that \$4,000 was allocated in the Fiscal Year (FY) 2026-2027 budget for the Christmas event, and \$2,000 could be freed up if reindeer were not scheduled. Securing donations for refreshments could save \$500. Ideas for a hybrid approach to the event included limited lights at Heritage Park, lighting leading from City Center to main roads, or the Public Works Department purchasing a bucket truck and City-owned lights to decorate Heritage Park.

Council Member Rodela supported keeping the main event at the City Center with a 32-foot mega tree, using additional funds and donations, and allocating remaining budget for lights leading to the road.

Council Member Smith expressed concern about the lack of visibility at the City Center, noting many residents believed there were no lights last year. He suggested exploring more power at Heritage Park for the future and favored a hybrid approach with some lights at Heritage Park for drive-by visibility. City Engineer/Public Works Director Trusty indicated he can investigate the option of increasing electrical capacity at Heritage Park.

Council Member Cortney agreed on the visibility concern and supported a hybrid approach, finding the City Center better for the event itself.

Council Member Campbell strongly favored Heritage Park for visibility, noting the high number of resident complaints about the lack of lights last year. He supported a significant hybrid approach, questioning why a 32-foot tree couldn't be at Heritage Park and suggesting adding power there.

Council Member Rice preferred Heritage Park for its traditional, special atmosphere, suggesting solutions for Santa's warmth. She expressed concern that a hybrid approach might spread resources too thin.

Mayor Bills leaned towards the City Center for convenience and the paved walking area, noting the challenges with Heritage Park's tall trees and branch breakage. She suggested doing something visible off Highway 92 to direct people to the City Center.

Council Member Smith suggested decorative light poles along Timpanogos Highway and Alpine Highway to establish a unique City Center look for the holidays.

Mr. Baughman confirmed staff would work on a hybrid approach, acknowledging the need for a significant effort at Heritage Park.

3. **CONSENT ITEMS**

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

- a. **Approval of Meeting Minutes** *General City Management*
Stephannie Cottle, City Recorder
 September 1, 2026

b. Ratification of Large Purchases *General City Management*
David Mortensen, Finance Director
August, 2026

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

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Liz Rice</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. ACTION ITEMS

Items in this section are to be acted upon individually by the City Council. A report will be given on these items.

a. PUBLIC HEARING/ORDINANCE: New Business Use Application - Small Animal Veterinary and Urgent Care Clinic Land Use (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider the request to approve a new business use of Small Animal Veterinary and Urgent Care Clinic in the CR Zone.

City Attorney/Planning & Zoning Administrator Patterson presented the staff report for a request by Sploot Veterinary Clinic to add "small animal veterinary clinic and urgent care" as a new business use in the CR zone. The proposed location was the former Yummy Ice Cream Emporium. Mr. Patterson noted that veterinary services were not explicitly addressed in Highland's code but were compatible with the CR zone's allowance for human medical uses and pet grooming/retail. Sploot has proposed operating hours of 8:00 a.m. to 8:00 p.m., seven days a week, arguing they fall under the existing exception for urgent care clinics. Rob stated this was a legislative decision with broad council discretion.

A representative of Sploot Veterinary Clinic, Jenna Heinemeyer, and the project architect, Heather Richards, addressed the Council regarding the project; they explained Sploot's model focuses on urgent and emergency care, crucial for weekends when general practice vets are closed. They also clarified that retail sales are less than one percent of the clinic's business.

Mayor Brittney P. Bills opened the public hearing at 6:55 pm.

Ty Ricks expressed support for the clinic, citing a personal experience of driving over an hour for urgent pet care.

Wes Warren also expressed support for the clinic, noting the convenience and the gap it fills between pet grooming/supplies and human medical care.

Mayor Brittney P. Bills closed the public hearing at 6:57 pm.

Council discussion ensued. Councilmember Smith asked about staffing, services offered, sales tax, and parking accommodations planned for the clinic. Ms. Heinemeyer stated there will be two to three vets and three to four support staff daily, with one emergency vet available on the weekend for urgent support. Services offered will be a mix of urgent care and pre-booked visits, but not routine appointments. Council Member Smith stated he would be more supportive if Sunday operations are for urgent cases only, given the City’s policies requiring businesses to close on Sunday. Sales tax will be charged for medications dispensed, but there will be very little retail space at the clinic. Mr. Patterson added there will be 28 parking spaces for the building, which exceeds the 16 spaces required for a building of this size.

Mayor Bills asked about another vet clinic opening near Lone Peak High School, which Mr. Patterson clarified was going to be located in a different zone and that it will not offer Sunday hours or urgent care.

Council Member Cortney expressed support for adding the use but raised concerns about expanding the business hours exemption for "urgent care clinics" to include veterinary care without explicit public notice of a potential code amendment, as historical context suggested it was for human care. He preferred continuing the item to explicitly update the code.

Council Member Campbell disagreed, arguing the City’s code does not explicitly exclude veterinary care from "urgent care" and supported interpreting it to include animals, given the emergency nature of some pet needs. He supported Sunday opening for emergency care.

Council Member Rice supported the clinic, noting the community's need for urgent pet care, but was sensitive to Sunday opening. She asked about the clinic's timeline for opening for business. Ms. Heinemeyer communicated plans to open the clinic in approximately six months.

Council Member Doug Cortney MOVED that the Highland City Council continue this item until its next regular meeting and include consideration of amendments to HMC 5.04.180 to provide exemptions for veterinary hospitals / urgent care facilities as an earlier item on that same agenda.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Ron Campbell</i>	<i>No</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Liz Rice</i>	<i>No</i>
<i>Council Member Kim Rodela</i>	<i>No</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion failed 3:2

Council Member Liz Rice MOVED that City Council adopt the proposed ordinance authorizing "Small Animal Veterinary Clinic and Urgent Care" as a permitted use within the CR zone.

Council Member Ron Campbell SECONDED the motion.

Discussion continued regarding Sunday operations. Council Member Smith emphasized allowing only urgent/emergency care on Sundays, not routine appointments, to honor Sunday closing laws. Ms. Heinemeyer agreed that typical weekend cases are urgent and they could work within that exclusion. Mr. Patterson suggested

distinguishing between urgent/emergent and routine care. Council Member Cortney suggested "same-day appointments only" for Sundays.

Council Member Liz Rice MOVED that City Council adopt the proposed ordinance authorizing "Small Animal Veterinary Clinic and Urgent Care" as a permitted use within the CR zone, with the following requirement:
1. Allowing no advance appointment for routine care on Sunday. Specifically, only urgent care on Sunday.

Council Member Ron Campbell SECONDED the motion.

Council Member Cortney stated he will be voting against the amendment because of his objection to the process of expanding exemptions without explicit public notice, not the use itself. He stated he does support the business and offering emergency services on Sunday. Mr. Patterson confirmed staff could update the business license code to explicitly include veterinary urgent care at a future meeting.

The vote was recorded as follows:

<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>No</i>
<i>Council Member Liz Rice</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 4:1

- b. ACTION: Ricks Subdivision - Parkway Detail Modification Request Land Use (Administrative)**
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider a request from Ty Ricks, developer of the Ricks Subdivision, to modify the requirements for the parkway detail required along 6800 West.

City Attorney/Planning & Zoning Administrator Patterson presented a request from Ty Ricks for modifications to the parkway detail requirements along 6800 West for his development. He explained that the City Development Code requires parkway detail along major corridors like 6800 West, but over half of it has been developed without one. Staff supported some modifications: a straight sidewalk (to match existing sections) and blending xeriscape with some turf. Mr. Patterson concluded this is an administrative decision and noted that the applicant has requested to make a presentation to the Council.

Ty Ricks presented his concerns, arguing that 6800 West has inconsistent development, with most sections maintained by homeowners, not the city. He expressed concern about the quality of city maintenance and the additional 20 feet beyond the 74-foot right-of-way.

Council Member Cortney clarified the Highland Development Code 3-621 3B8 requires parkway detail on 6800 West.

Mr. Ricks cited language in the General Plan that encourages preserving the area's rural character, which he argued conflicted with the rigid parkway detail requirements in the code. He desired homeowner maintenance with attractive landscaping and fences of their choice. Council Member Cortney clarified that while the General Plan provides a vision, the Highland Development Code is the specific, legally binding regulation. Mr. Ricks stated that the code should be interpreted in the spirit of the General Plan. Council Member Cortney emphasized that removing this requirement would necessitate a text amendment, not an administrative decision; the ordinance was last amended as recent as 2024.

Council Member Campbell supported allowing residents to maintain the area and questioned the need for an additional 20-foot taking if the 74-foot right-of-way was already provided. Mr. Patterson clarified the 20-foot easement is standard for parkways.

Council Member Rice supported a straight sidewalk and liked the idea of attractive, homeowner-maintained landscaping, but expressed concern about setting a precedent for future developers.

Council Member Smith noted the inconsistency of 6800 West and the need for consistency. He supported a straight sidewalk and homeowner maintenance but emphasized the need for xeriscaping and proper code amendment for significant changes. He clarified that Ty Ricks's desire was for choice in fence style, not elimination of fences.

Council Member Doug Cortney MOVED that the Highland City Council adopt the following findings:
1. The parkway detail to the north of the property in question doesn't meet current standards.
2. Mitigating between the two sections is beneficial to the look and function of the parkway detail on 6800 West.

The City Council therefore permit a straight sidewalk in the parkway detail along this section, allow some lawn to transition on both ends of the section, and direct staff to work with residents to make maintenance agreements with the residents interested in maintaining adjacent parkway detail.

Council Member Scott L. Smith SECONDED the motion.

Council Member Rice asked if there is any underground water infrastructure in 6800 West. Mr. Patterson answered no, there would be no infrastructure issues if the motion was approved.

The vote was recorded as follows:

<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Liz Rice</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 individually by the City Council. These items have previously been discussed by the Council. No report will be given.

- a. ORDINANCE: Amendments to City Code Regarding Electric Bikes** *General City Management Rob Patterson, City Attorney/Planning & Zoning Administrator*
The City Council will consider proposed amendments to city code that address new state regulations regarding E-Bikes and other similar devices.

City Attorney/Planning & Zoning Administrator Patterson presented a proposed ordinance regarding e-bikes; the ordinance would allow non-motorized, Class 1, and Class 2 e-bikes on City trails and sidewalks, prohibit Class 3 e-bikes on these surfaces, and prohibit motor vehicles in parks. All users must comply with state law and signage. E-bikes would be prohibited in the bike park.

Council Member Rodela inquired about state law regarding e-bike operation for individuals under 14 without

adult supervision, especially given the lack of sidewalks on some roads. Mr. Patterson clarified current state law requires adult supervision for those under 14 on public property (highways, paths, sidewalks) when the motor is engaged, but this will change next year with a certification program. Council Member Rodela also asked about helmet enforcement. Police Chief Gwilliam confirmed helmets are required for those under 21 and would be enforced as a secondary violation.

Council Member Smith raised concerns about the definition of "adult supervision" and the City's ability to enforce some of the rules included in the proposed ordinance. Chief Gwilliam clarified adult supervision means that the e-bike is being operated within eyesight or control of a supervising adult. Council Member Smith also expressed concern about e-bikes on narrow sidewalks impacting older citizens, emphasizing the need for personal responsibility of all users of the sidewalks.

Council Member Cortney thanked staff and clarified that electric personal assistive mobility devices (e.g., electric wheelchairs) are allowed under the ordinance. Mr. Patterson stated that is correct and such devices will be permitted in all City parks and trails.

Council Member Campbell expressed strong concern about e-scooters on trails, noting safety issues with dogs and pedestrians. He asked if there are plans for a certification course for e-scooters. Mr. Patterson stated they will be treated as Class 1 or 2 e-bikes in terms of regulations and enforcement. Council Member Campbell stated he is hopeful there will be continued discussion and state-level tweaking.

Council Member Kim Rodela MOVED that the City Council adopt the proposed regulations regarding electric bicycles and other vehicles and devices on city property.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Liz Rice</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 include supplementary information in the packet. No final action will be taken.

a. Traffic Monitoring Software General City Management

Chris Trusty, City Engineer/Public Works Director

The City Council will consider the approval of purchasing traffic monitoring software as budgeted in the FY2027 budget.

City Engineer/Public Works Director Trusty introduced Micah Dickman and Ross Loehr from Urban SDK, who presented their traffic monitoring software. Mr. Dickman explained Urban SDK is a Jacksonville, Florida-based company that provides speed, volume, and delay information for every road 24 hours a day, 365 days a year. The data is collected from anonymized telematics devices in vehicles (e.g., GPS, OnStar) and contains no Personally Identifiable Information (PII). The software aims to:

- Shorten response time to citizen complaints from weeks to minutes/days.

- Ensure effective capital improvement decisions by providing pre- and post-implementation data.
- Proactively implement safety measures to reduce serious injuries and fatalities.
- Provide transparent, shareable data.

Mr. Dickman emphasized that Urban SDK is not a crime-fighting camera company like Flock.

Council Member Rice asked about the intended use of the cameras, whether the company has been hacked in the past, and the proposed locations for the cameras. Mr. Dickman and Mr. Trusty responded that there are no cameras, and the data is used solely for traffic data collection. The company employs robust security protocols and has no history of data breaches.

Council Member Rodela questioned the value of purchasing the software if the Council is not always willing to make data-driven decisions, referencing a previous decision on Canal Boulevard speed limits.

Council Member Smith acknowledged the value of data but stressed the need to balance it with citizen input and neighborhood concerns, citing examples of traffic calming in other cities.

Mr. Trusty clarified that the proposed three-year contract for the software, totaling over \$25,000 but under \$25,000 annually, would typically be an administrative approval, but staff sought Council's direction due to the commitment.

Council Member Cortney clarified that Urban SDK never receives PII. Mr. Dickman stated that is correct. Council Member Cortney asked about staff time savings associated with the proposal. Mr. Trusty estimated the staff time savings would be significant – five to six hours for setup and five to six hours for office time per street study. Mr. Dickman provided a live demonstration of the software's dashboard and reporting features using data from Kaysville, Utah, highlighting its user-friendliness and ability to provide quick analysis and reports.

Council Member Campbell fully supported the software, agreeing on the need for data-driven decisions while acknowledging other variables. He challenged Urban SDK to consider collecting pedestrian data in the future.

Mayor Bills confirmed no PII is collected and that licensing will be city wide rather than per user. Mr. Dickman stated that there are a select number of administration licenses, but an unlimited number of viewer licenses. Mayor Bills then asked if the Police Department would utilize the tool and data collected. Police Chief Gwilliam indicated the police department would find the data useful for asset deployment and identifying high-speed roads. Mayor Bills suggested exploring sharing the cost of the system with Alpine City.

Council Member Cortney suggested setting metrics to evaluate the software's effectiveness after one year, even with a 3-year contract.

7. COMMUNICATION ITEMS

Items in this section are for notification and update. No final action will be taken.

a. **Potential Code Update on Right of Way Permit Requirements**

Brittney Bills, Mayor

Rob Patterson, City Attorney/Planning & Zoning Administrator

Mayor Bills raised the issue of fiber installation in her neighborhood by a Comcast contractor, noting that homeowners were not notified before digging up driveways and easements. She inquired if the Council was interested in requiring notification for work in the right-of-way. Council Members expressed strong interest in pursuing adoption of a regulation that would require resident notification of this type of work. City Attorney/Planning & Zoning Administrator Patterson confirmed notification would be best practice, but it is reasonable and possible to implement regulations for requiring proof of notification.

b. Community Development Update (Current Projects)

Rob Patterson, City Attorney/Planning & Zoning Administrator

City Attorney/Planning & Zoning Administrator Patterson provided a brief update: an assisted living facility application will be presented to the Planning Commission soon, discussions are ongoing about clarifying building height measurement, and potential code changes for fences in Ridgeview (especially for smaller lots) will go to the Planning Commission in October.

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 9:08 pm Council Member Liz Rice 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, 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 Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Liz Rice</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 Ron Campbell MOVED to adjourn the CLOSED MEETING and Council Member Liz Rice SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED MEETING adjourned at 9:38 pm.

ADJOURNMENT

Council Member Doug Cortney MOVED to adjourn the regular meeting and Council Member Liz Rice SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 9:39 pm.

I, Stephannie B. Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 16, 2026. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie B. Cottle, CMC, UCC
City Recorder



CITY COUNCIL AGENDA REPORT

ITEM #3b

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Chris Trusty, City Engineer/Public Works Director
SPONSORED BY: City staff
SUBJECT: Ratifying the Purchase of a Bucket Truck
TYPE: General City Management

PURPOSE:

The City Council will consider ratifying the purchase of a bucket truck in the amount of \$30,000.

STAFF RECOMMENDATION:

Staff recommends ratifying the purchase of a bucket truck.

PRIOR COUNCIL DIRECTION:

On August 11, 2026, Council approved the FY2027 Final Budget which included funding in the streets department as well as Parks Capital.

On September 15, 2026, the Council discussed the idea of purchasing a bucket truck to help with, amongst other things, hanging Christmas lights at Heritage Park. Through subsequent conversations, Council gave informal approval to proceed with the purchase of the truck. This item is to ratify that decision in a formal process.

BACKGROUND:

The primary advantage of purchasing the bucket truck would be to use it for changing out and fixing streetlights and pruning trees. Currently, this work needs to be done with ladders or a manlift. The disadvantage to the manlift is that it is not very mobile, can not be operated unless it's on a completely level surface, and can be dangerous to operate, especially near traffic areas. Protocol dictates that two city staff members are present when operating the manlift. The bucket truck is much more mobile and could be operated by one staff member if needed. The bucket truck can reach a height of 45 feet which is 15 feet higher than what we can get with the manlift. This will allow staff to change streetlights above the signal lights along SR 92, which is not possible to do in a safe manner with the equipment the city currently has. The bucket truck would also allow staff to perform maintenance on the recently completed HAWK signal on Highland Drive, again beyond the capabilities of the manlift.

The bucket truck in question is a privately owned 2013 with 180,000 miles and is priced at \$30,000. Staff inspected the truck and found it to be in great shape and would be able to meet the needs of what the city would want to use it for.

While the vehicle would primarily be used for street and parks projects, an added bonus is that we could use it to string Christmas lights. The height of the boom would allow for staff to string the lights higher

in the trees at Heritage Park than what was previously capable which would provide the city with more flexibility in how we choose to decorate for Christmas.

FISCAL IMPACT:

While this purchase was not anticipated in the current budget, staff would divide the cost of the vehicle between streets and parks departments. The parks department GL# 40-40-75 Park Equipment Purchase has \$70,000 could be used to fund the park's portion of the bucket truck. In streets, 10-60-74 Streets Capital Outlay- Equipment would be the appropriate GL to pull the funds from, although we did not include funding in the GL as this purchase wasn't being considered during the budget process. However, we do think we could reallocate funds from other GL's to cover the \$15,000 share of the expense.

MOTION:

I move that City Council ratify the purchase of a bucket truck in the amount of \$30,000.

ATTACHMENTS:

1. Bucket Truck Invoice

Invoice

Bill To:

Highland City

5400 W Civic Center Drive

Highland, UT 84003

Date

9.21.2026

Date		Amount
21-Sep-26	Bucket Truck	
	GL 40-40-75	\$15,000.00
	GL 10-60-74	\$15,000.00
	Total Amount Due Upon Reciept	\$30,000.00

Make all checks payable to **Matthew Patten** and mailed to the following address:

Matthew Patten

MadFab Signs

1911 N 1200 E

Lehi, UT 84043



CITY COUNCIL AGENDA REPORT

ITEM #4a

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY: City Council
SUBJECT: Business Hours Change - Veterinary Urgent Care
TYPE: Municipal Code Update (Legislative)

PURPOSE:

The City Council will consider a proposed amendment to add veterinary urgent care to the businesses exempted from City hours of operation regulations.

STAFF RECOMMENDATION:

Staff recommends the City Council adopt the proposed amendment with any clarifications needed.

PRIOR COUNCIL DIRECTION:

On September 15, 2026, the City Council considered and approved a new business use within the CR zone: "Small animal veterinary clinic and urgent care, provided there shall be no advance appointments for routine care on Sundays. Only urgent care shall be permitted on Sunday." The understanding was that this business use would operate on Sundays for urgent care visits and appointments, but not routine care appointments. This is arguably permitted pursuant to the existing exemption from City business hour regulations for "urgent care clinics." However, the Council directed staff to prepare an amendment to the City's hours of operation exceptions to add veterinary urgent care in order to resolve any concerns regarding whether the business truly fit within the existing "urgent care" exception.

BACKGROUND:

The proposed ordinance adds "Veterinary urgent care clinics, not to include routine care appointments" to the list of businesses and uses that are exempted from the City's hours of operation regulations. This will allow veterinary urgent care services to operate 24/7 if desired, though the exception is limited to urgent care, not routine care. Staff has no concerns with adding this exception, and it will only apply to one to two businesses in the City. If Council desires to further clarify the exception, the Council can do so in its motion.

FISCAL IMPACT:

No direct fiscal impact.

MOTION:

I move that City Council adopt the ordinance adding veterinary urgent care to the exceptions from City hours of operation regulations.

ATTACHMENTS:

1. Ordinance - Vet Urgent Care Business Hour Exception

**AN ORDINANCE ADDING VETERINARY URGENT CARE AS AN EXCEPTION TO
CITY BUSINESS HOUR REGULATIONS**

WHEREAS, Highland City is authorized pursuant to Utah Code § 10-1-203 to license and regulate businesses by ordinance;

WHEREAS, Highland City has previously adopted hours of operation regulations requiring businesses licensed by the City to operate only Monday through Saturday during the hours of 6 a.m. until twelve a.m. (midnight);

WHEREAS, Highland City has previously adopted regulations exempting certain businesses from the City's hours of operation regulations, including hospitals, health care clinics, and urgent care clinics;

WHEREAS, Highland City desires to exempt veterinary urgent care clinics from the City's hours of operation regulations;

WHEREAS, the Highland City Council finds that there is a need for veterinary urgent care businesses and operations within Highland, that the need for such businesses is not always constrained to normal City hours of operation, and that the operation of such businesses outside of the normal City hours of operation will directly benefit and serve Highland City residents in a similar way as the existing exemption for human urgent care businesses and operations;

WHEREAS, the Highland City Council finds that this ordinance furthers the public welfare, is in the interest of the public, and does not negatively impact family health, stability, and formation.

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

SECTION 1. Title 5, Chapter 4 of the Highland Municipal Code is amended as shown in Exhibit A, attached hereto.

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

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

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

ADOPTED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH,
this 6th day of October, 2026.

Brittney P. Bills
Mayor

ATTESTED:

Stephannie B. Cottle
City Recorder

Exhibit A

5.04.180 Exemption From Hours Of Operation Restrictions

The following businesses shall be exempted from the hours of operation requirement of Section 5.04.170:

1. Holders of Class II business licenses (private clubs with liquor licenses);
2. Businesses whose primary product is motor fuels (gas stations);
3. Assisted living facilities, mortuary/funeral homes, hospitals/health care clinics/urgent care clinics and skilled nursing facilities.
- 3.4. Veterinary urgent care clinics, not to include routine care appointments.



CITY COUNCIL AGENDA REPORT

ITEM #4b

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Chris Trusty, City Engineer/Public Works Director
SPONSORED BY: City Staff
SUBJECT: Mitchell Hollow Change Order
TYPE: General City Management

PURPOSE:

The City Council will consider approving a change order to Vancon in the amount of up to \$160,129.20 for the Mitchell Hollow Trail project.

STAFF RECOMMENDATION:

Staff recommends approving a change order to Vancon for the Mitchell Hollow Trail in the amount of up to \$160,129.20 which includes a 10% contingency.

PRIOR COUNCIL DIRECTION:

On January 20, 2026, the Council awarded Vancon the construction of the Mitchell Hollow Trail project. The City's FY2026 budget includes funding for this trail as previously approved by council.

BACKGROUND:

The City has been awarded by Mountainland Association of Governments (MAG) \$2,527,050 to construct the Mitchell Hollow Trail. The funds for construction were made available in calendar year 2025. The City's portion of the costs is 6.77%. See below for a breakdown of funding and expenses for this project including contingency.

MAG via Utah County	\$2,355,969
Highland 6.77% match	\$171,081
TOTAL FUNDED	\$2,527,050
Design Cost	\$189,170
Construction Bid Award	\$2,025,100
Construction Management	\$45,000
AMOUNT COMMITTED	\$2,259,270
BALANCE	\$267,780
CHANGE ORDER	\$160,129
UPDATED BALANCE	\$107,651

While the original plan was to construct the trail to the Utah County equestrian park, one large property

owner on 9600 North, the Dean's, has declined to provide the City with an easement through their property to construct the trail. As an alternative to ending the trail at 9600 North, the City would prefer to make improvements to 9600 North from the trail to an existing sidewalk to allow for a continuous flow to the equestrian park. Since these costs for the sidewalk improvement were not included in the bid award being presented to council originally, staff is asking the council to approve a change order in the amount of up to \$160,129.

The \$2,025,100 awarded to Vancon for this project included a contingency of \$184,100. Of that amount, \$116,825 has been used, primarily to modify the walls on the south end of the project, which leaves \$67,275 of unspent contingency. Staff doesn't think it's likely that the remaining contingency will be used, but should still be left in the budget should unforeseen expenses occur as the project gets finished out. The total project cost, including this change order, will still be within the original budget from MAG and what was budgeted by the City.

FISCAL IMPACT:

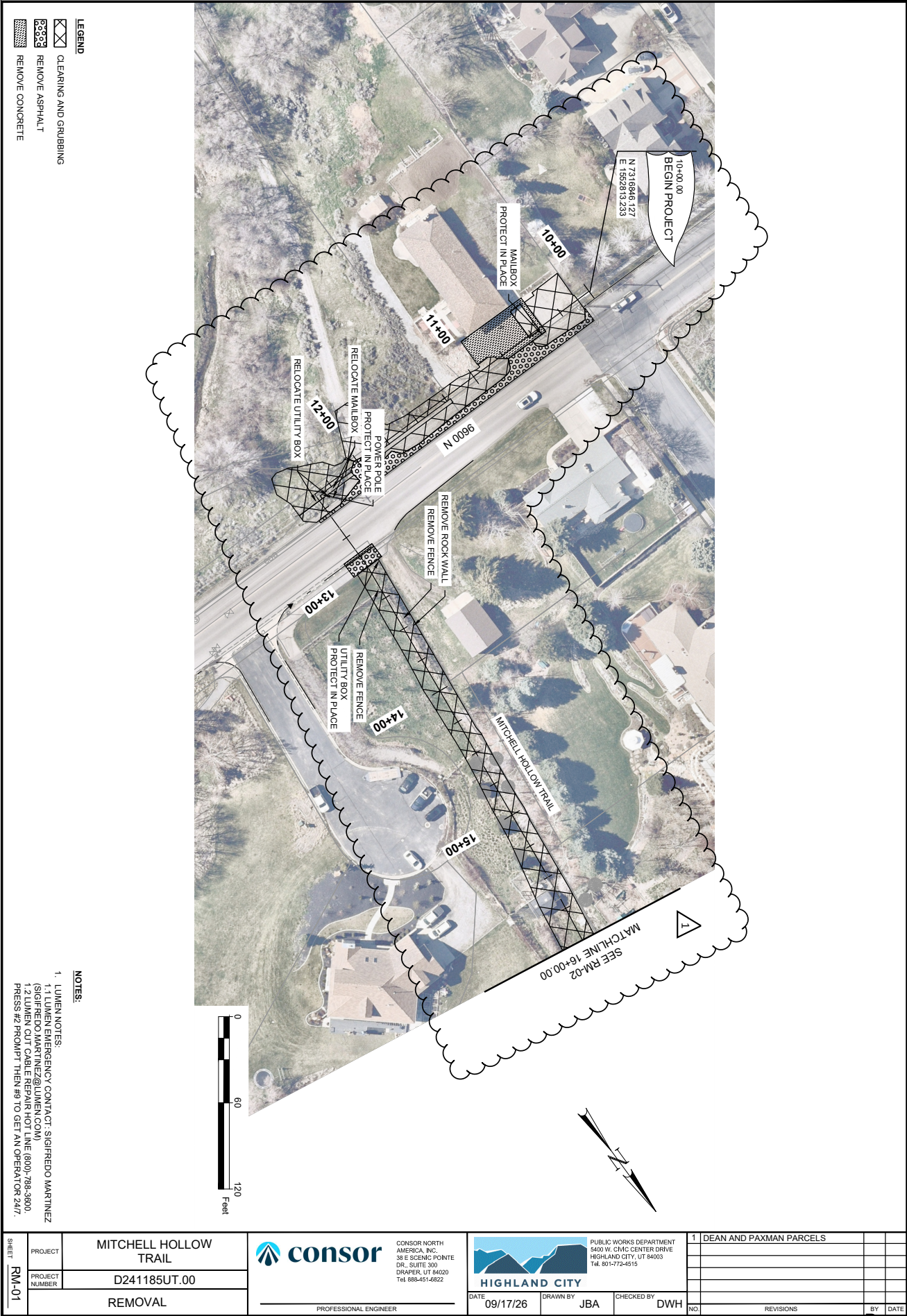
Funding for this project would come from GL# 40-40-76 Trails within the Parks Capital Fund for the FY2026 budget.

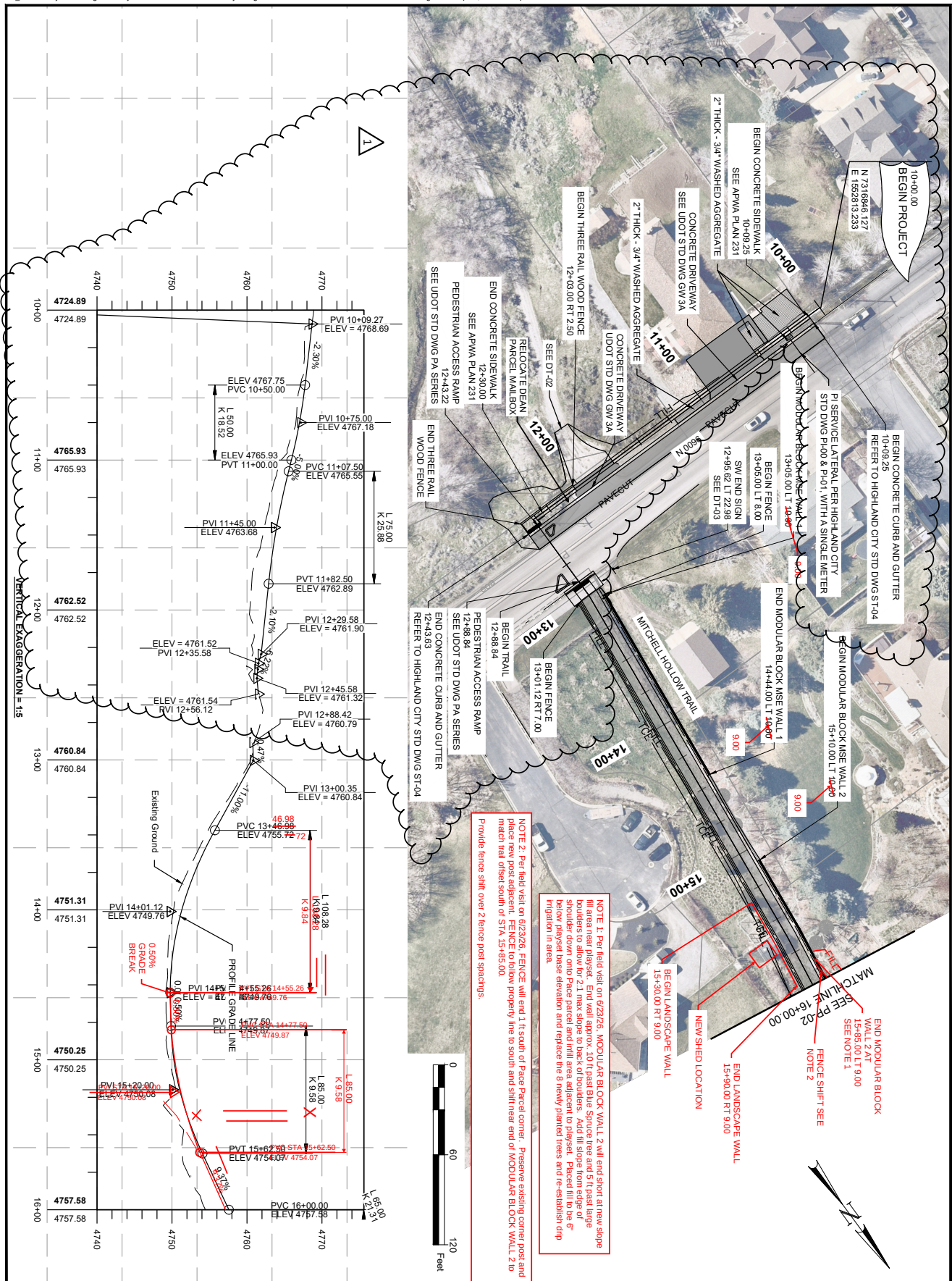
MOTION:

I move that City Council approve a change order for Vancon in the amount of up to \$169,129.20 for the Mitchell Hollow Trail project.

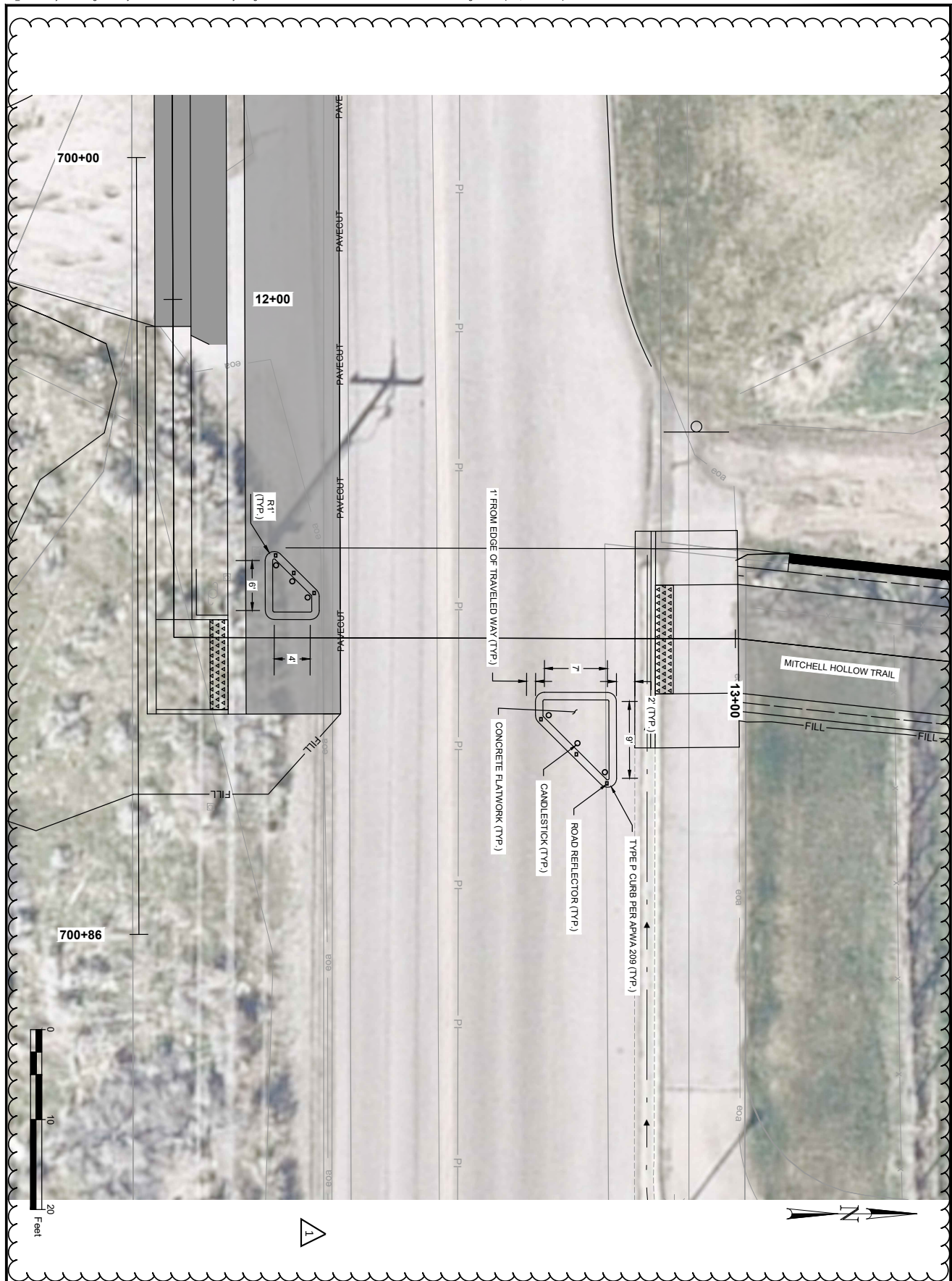
ATTACHMENTS:

1. Change Order Drawings
2. Change Order Costs

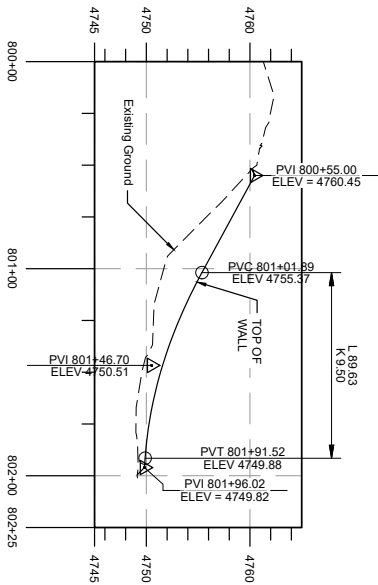
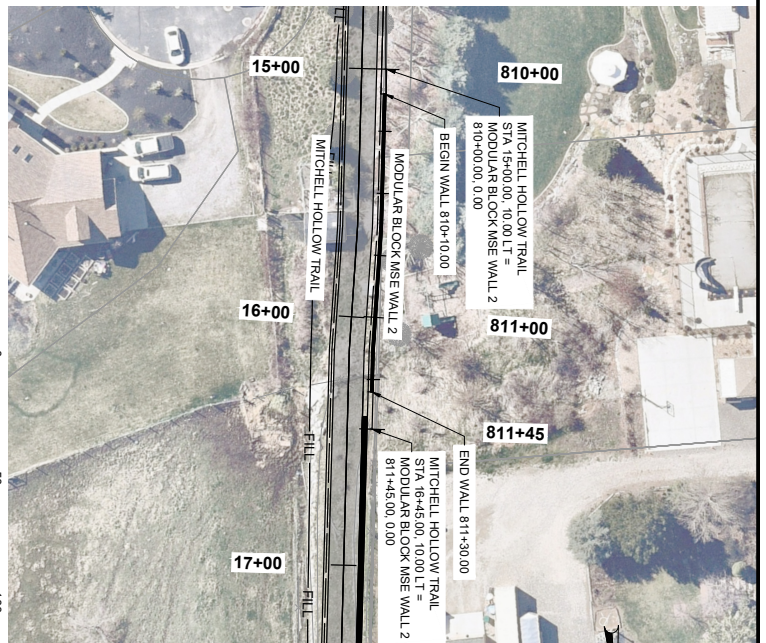
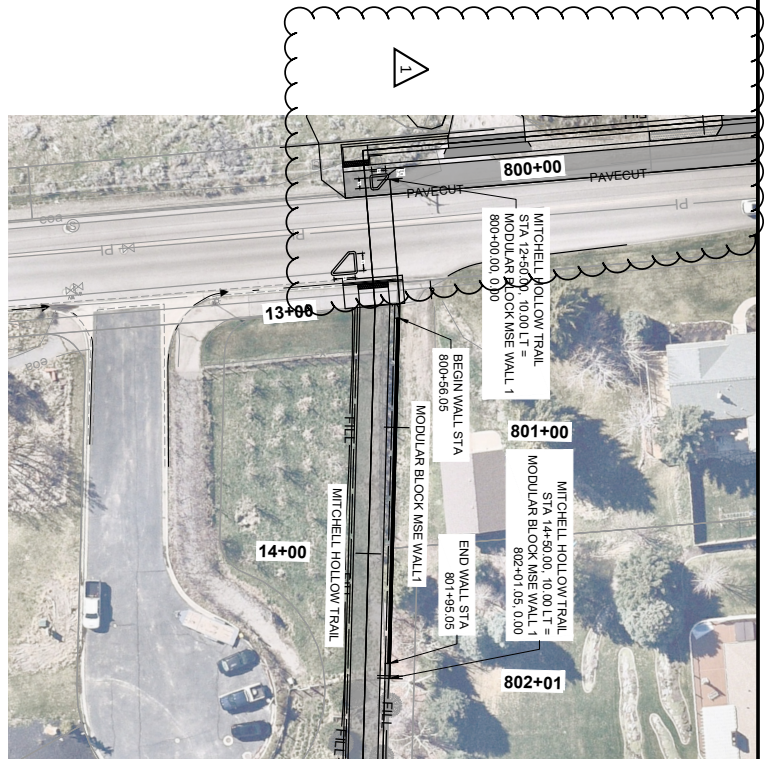




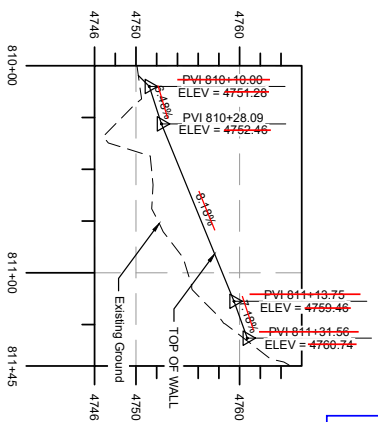
SHEET PP-01	PROJECT	MITCHELL HOLLOW TRAIL	 CONSOR NORTH AMERICA, INC. 38 E SCENIC POINTE DR., SUITE 300 DRAPER, UT 84020 Tel: 888-451-6822	 PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel: 801-772-4515	1 DEAN AND PAXMAN PARCELS							
	PROJECT NUMBER	D241185UT.00										
	PLAN & PROFILE											
		PROFESSIONAL ENGINEER	DATE	09/17/26	DRAWN BY	BJG	CHECKED BY	RMP	NO.	REVISIONS	BY	DATE



SHEET WPP-01	PROJECT	MITCHELL HOLLOW TRAIL		 CONSOR ENGINEERS 986 West 9000 South West Jordan, Utah 84088 Tel. 801-495-4240	PUBLIC WORKS DEPARTMENT 5400 W. CMC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515			1 DEAN AND PAXMAN PARCELS			
	PROJECT NUMBER	D241185UT.00									
	WALL PLAN & PROFILE		_____		DATE	DRAWN BY	CHECKED BY				
	PROFESSIONAL ENGINEER		01/29/2024		CD	RMP	NO.	REVISIONS	BY	DATE	



NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL
UNDER TRAIL. SEE TYPICAL SECTION 3.



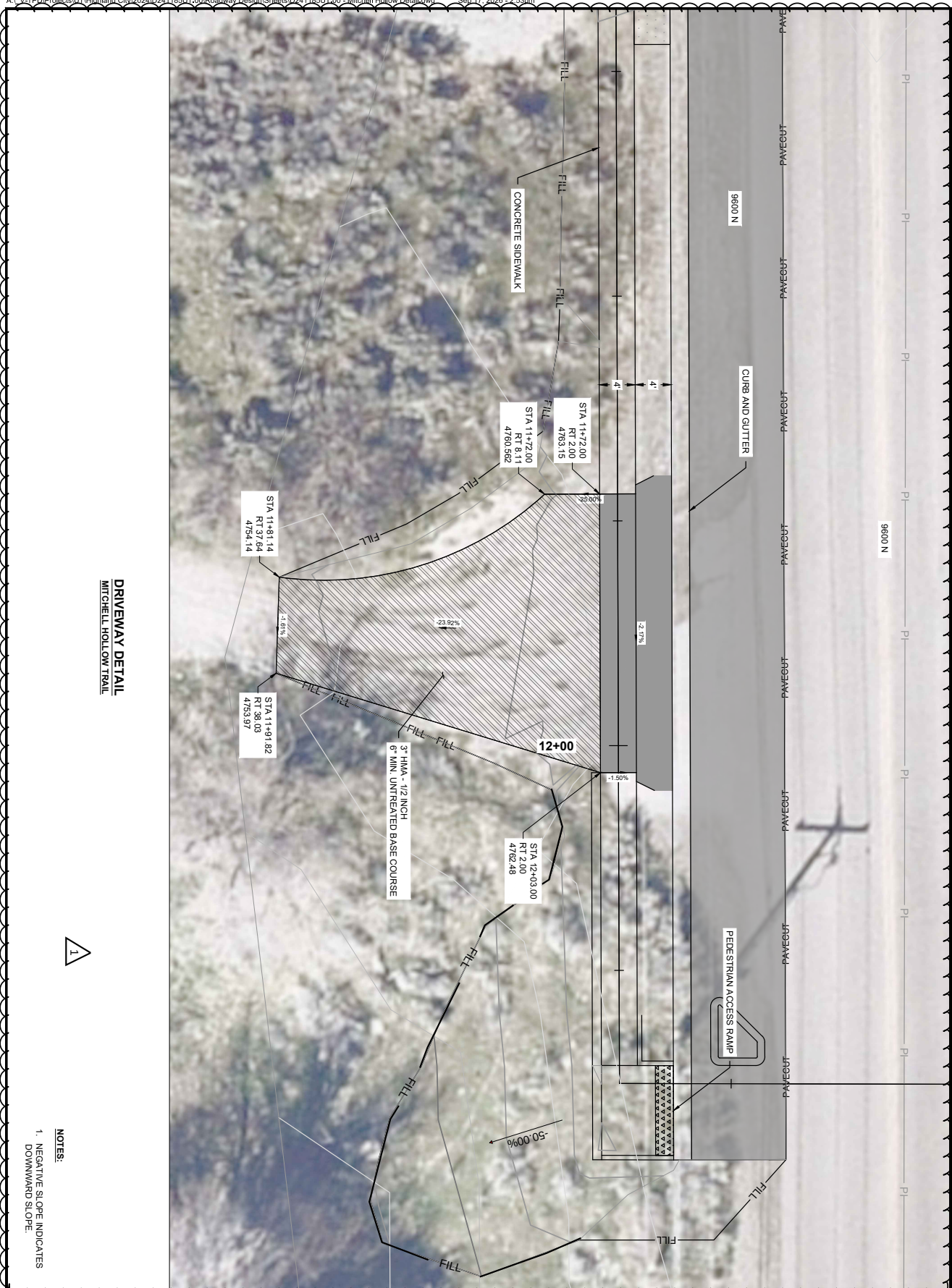
NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL
UNDER TRAIL. SEE TYPICAL SECTION 3.

Station	Top of Wall	Station
800+00	4750.51	810+00
800+56	4755.37	810+56
801+02	4755.37	811+02
801+47	4750.51	811+47
801+92	4749.88	811+92
802+00	4749.82	812+00
802+25	4749.82	812+25

Revised top of wall elevations.
Update Keystone wall shop
drawings for this wall.

VERTICAL EXAGGERATION = 1:5

SHEET WPP-02	PROJECT MITCHELL HOLLOW TRAIL		CONSOR ENGINEERS 986 West 9000 South West Jordan, Utah 84088 Tel. 801-495-4240	PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515	1 DEAN AND PAXMAN PARCELS			
	PROJECT NUMBER D241185UT.00				DATE 01/29/2024	DRAWN BY CD	CHECKED BY RMP	NO.
WALL PLAN & PROFILE			PROFESSIONAL ENGINEER					



DRIVEWAY DETAIL
MITCHELL HOLLOW TRAIL



NOTES:
1. NEGATIVE SLOPE INDICATES
DOWNWARD SLOPE.

SHEET	PROJECT		MITCHELL HOLLOW TRAIL		CONSOR NORTH AMERICA, INC. 38 E SCENIC POINTE DR., SUITE 300 DRAPER, UT 84020 Tel. 888-451-6822		PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515	DEAN AND MAXMAN PARCELS			
	PROJECT NUMBER							NO.			
	DETAIL							REVISIONS			
	PROFESSIONAL ENGINEER							DATE			
DT-02						09/17/26	DRAWN BY	CD	CHECKED BY	RMP	

Highland Mitchell Hollow Trail - Phase II



VanCon Inc.

2335 South State Street

Provo, UT 84606

Contact: Fernando De La Paz

Phone: 801-491-8898

Quote To: Highland City

Job Name: Mitchell Hollow Trail

Date: 9/29/26

Phone:

Revision Date:

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
CO-03.01	Mob, based on 2026 work	1.00	LS	15,000.00	15,000.00
CO-03.02	Traffic Control	1.00	LS	7,500.00	7,500.00
CO-03.03	Construction Survey (Added scope)	1.00	LS	2,600.00	2,600.00
CO-03.04	SWPPP	1.00	LS	3,000.00	3,000.00
A-03	Clear and Grub (Added Plan qty)	0.13	ACRE	12,000.00	1,560.00
A-05	Granular Borrow (Added Plan qty)	101.00	CY	50.00	5,050.00
A-25	Fill Borrow Contingency (if needed)	200.00	CY	45.00	9,000.00
CO-03.05	2" Thick 3/4" Washed Aggregate	1,062.00	SF	3.50	3,717.00
CO-03.06	Demo Concrete	1,176.00	SF	5.00	5,880.00
A-14	Demo Asphalt (Added qty)	189.00	SY	15.00	2,835.00
CO-03.07	Concrete Sidewalk	651.00	SF	20.00	13,020.00
CO-03.08	Concrete Driveway	581.00	SF	25.00	14,525.00
CO-03.09	Concrete Curb and Gutter	236.00	LF	60.00	14,160.00
CO-03.10	Type R Curb (doweled/poured on asphalt curbing)	57.00	LF	75.00	4,275.00
CO-03.11	Stamped Concrete Flatwork	58.00	SF	50.00	2,900.00
A-21	Concrete Pedestrian Access Ramp (added qty)	1.00	EA	7,500.00	7,500.00
A-06	Untreated Base Course (added Plan Quantity)	62.00	CY	70.00	4,340.00
A-07	Asphalt Paving (added qty)	106.00	TON	115.00	12,190.00
A-10	Three Rail Wood Fence (added qty)	43.00	LF	40.00	1,720.00
CO-03.12	Relocate Mailbox	1.00	EA	900.00	900.00
CO-03.13	Relocate Utility Box	1.00	EA	2,500.00	2,500.00
CO-03.14	PI Service Lateral	1.00	LS	6,000.00	6,000.00
CO-03.15	Candlestick	6.00	EA	650.00	3,900.00
CO-03.16	Road Reflector	6.00	EA	250.00	1,500.00

GRAND TOTAL

\$145,572.00

NOTES:

The quantities change as follows:

- Clearing and Grubbing (Plan Quantity) - Increase by 0.13 Acres
- Untreated Base Course (Plan Quantity) - Increase by 60 Cu Yds
- HMA - 1/2 Inch - Increase by 106 Tons - Unit Price is based on 2026 pricing.
- Three Rail Wood Fence - Increase by 43 Feet
- Remove Asphalt Pavement - Increase by 189 Sq Yd

- Pedestrian Access Ramp - Increase by 1

New Items:

- Added Survey -
- Added Granular Borrow under trail - 106 CY
- Added Fill Borrow contingency (if needed) - 200 CY
- Concrete Driveway Flared, 6 Inch Thick - 581 Sq Ft
- Remove Concrete - 1,176 Sq Ft
- Relocate Mailbox - 1 Each
- Relocate Utility Box - 1 Each
- Concrete Curb and Gutter - 236 Feet
- Concrete Sidewalk - 651 Sq Ft
- 2" Thick - 3/4" Washed Aggregate - 1,062 Sq Ft
- PI Service Lateral - 1 Lump
- Concrete Flatwork - 58 Sq Ft
- Type P Curb - 57 Ft
- Candlestick - 6 Each
- Road Reflector - 6 Each

This doesn't include Pavement Marking for a crosswalk which we assumed Highland City would provide as not other striping was needed and Highland has a crew that can come remove the double yellow and paint the white crosswalk lines.

thank you,
Fernando



CITY COUNCIL AGENDA REPORT

ITEM #5a

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
Chris Trusty, City Engineer/Public Works Director
SPONSORED BY: City staff
SUBJECT: Dean Property Swap - Mitchell Hollow Trail
TYPE: General City Management

PURPOSE:

The City Council will consider a resolution approving a property exchange between Highland City and the Dean family that will provide additional right of way property for 9600 North Street in exchange for property currently owned by City within property owned by the Dean family at 6511 West 9600 North.

STAFF RECOMMENDATION:

Staff recommends approving the resolution approving the property exchange between Highland City and the Dean family and other related matters.

PRIOR COUNCIL DIRECTION:

On January 20, 2026, the Council awarded Vancon the construction of the Mitchell Hollow Trail project. The City's FY2026 budget includes funding for this trail as previously approved by council.

BACKGROUND:

The City has been awarded by Mountainland Association of Governments (MAG) \$2,527,050 to construct the Mitchell Hollow Trail. The funds for construction were made available in calendar year 2025. The City's portion of the costs is 6.77%.

While the original plan was to construct the trail to the Utah County equestrian park, one large property owner on 9600 North, the Deans, have declined to provide the City with an easement through their property to construct the trail. As an alternative to ending the trail at 9600 North, the City would prefer to make improvements to 9600 North from the trail to an existing sidewalk to allow for a continuous flow to the equestrian park. In addition to adding sidewalk, these improvements will widen 9600 North by approximately 10 feet to match other improved areas along the roadway and will also include the installation of curb and gutter. Chicanes will also be added at the trail crossing to promote traffic-calming in this area.

Currently, the Dean family owns property adjacent to the existing right of way, while Highland City owns property south of the right of way, somewhat "sandwiched" between the Dean property. The proposal would swap the property owned by the city, approximately 7,787 square feet with the property owned by the Dean family, approximately 5,603 square feet. As part of the improvements, the project will also add a 50-foot drive approach and pave into the Dean property approximately 35 feet to make

the access easier to navigate given the rather steep incline as the lane enters 9600 North.

The attached resolution approves the exchange of the City property for the Dean property. Under state law, cities can exchange property if the properties are roughly equivalent in market value. While staff believes the properties are roughly equivalent, in order to ensure there are no concerns with the transaction from a state law process perspective, and to provide additional public notice and transparency, staff also recommends following the orphan sale process and designating the City property as an orphan parcel. The attached resolution accomplishes this as well, and staff will proceed with posting a sign on the City property and bringing back the final approval of sale to the Council for review.

Finally, the attached resolution approves the City entering into a right of occupancy agreement with the Dean family. This agreement, once signed by the Deans, authorizes the City to immediately enter and begin construction upon the Deans' property that will eventually be acquired by the City, without waiting for the City to finish the notice process and the property sale/exchange documents. This allows the City to complete the project this construction season. While unlikely, in the event the City and the Deans do not finalize the property exchange as outlined above, the City would have the option of (1) removing any improvements; (2) abandoning the project; and/or (3) acquiring the property through the eminent domain process. As the City and the Deans have already agreed upon terms, and all that is left is the notice process, staff does not see any reason to delay the construction.

FISCAL IMPACT:

Funding for this project is included in GL# 40-40-76 Trails within the Parks Capital Fund for the FY2026 budget. The Mitchell Hollow Change Order agenda item earlier in the meeting provides a more in-depth breakdown of the costs to add this portion of the project to the Mitchell Hollow Trail project.

The direct costs the City will incur for this particular property swap including closing and title costs and will be within the total amount budgeted for this project.

MOTION:

I move that City Council adopt the resolution approving the property exchange between Highland City and the Dean family, designating the City property as surplus orphan property, and authorizing the execution of the right of occupancy agreement with the Dean family.

ATTACHMENTS:

1. Dean Signature Deed
2. Change Order 2 - Mitchell Hollow Plans 20260917
3. Dean Improvements
4. Deans ROW swap
5. Resolution Approving Exchange, Occupancy Agreement, and Designating Orphan Property - Dean

WHEN RECORDED, MAIL TO:
Highland City Recorder
5400 W Civic Center Drive
Highland City, Utah 84003

Warranty Deed

Utah County

Tax ID No. 12:055:0107

Owen C. Dean and Lorene P. Dean, Husband and Wife as Joint Tenants, Grantors, of 6511 West 9600 South, Highland, County of Utah, State of Utah, hereby CONVEYS AND WARRANTS to HIGHLAND CITY, Grantee, at 5400 W Civic Center Drive, Highland City, Utah 84003, for the sum of TEN (\$10.00), Dollars, and other good and valuable considerations, the following described parcel of land in Utah County, State of Utah, to-wit:

A parcel of land in fee, situate in the NE1/4NE1/4 of Section 10, T.5S., R.1E., S.L.B.&M. in Utah County, State of Utah. The boundaries of said parcel of land are described as follows:

Beginning at a point on the north line of said Section 10, said point being 762.30 feet West from the northeast corner of said Section 10 and running thence along said section line East 250.00 feet; thence South 21.86 feet to a point on that property deeded to Highland City; thence along said Highland City parcel the following two (2) calls; (1) South 89°49'46" West 208.05 feet; (2) South 67°11'34" East 2.70 feet; thence South 89°52'21" West 44.44 feet to a point on the west line of grantor's tract; thence North 23.63 feet to the point of beginning.

Contains 5,603 Square feet or 0.129 Acre more or less.

STATE OF)
) ss.
COUNTY OF)

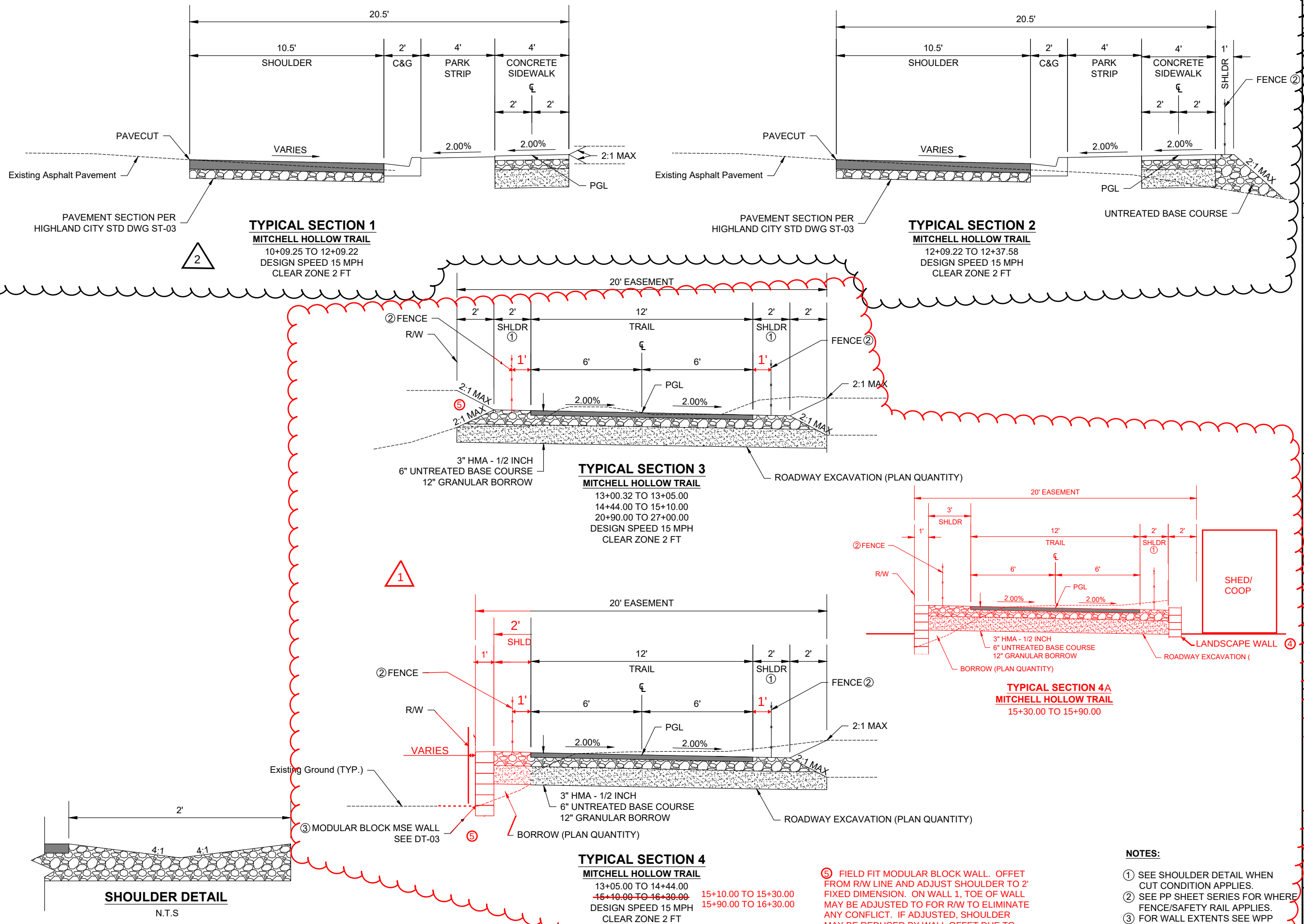
Owen C. Dean

Lorene P. Dean

On this ____ day of _____, in the year 20__, before me personally appeared Owen C. Dean and Lorene P. Dean, who proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged to me that he/she/they executed the same.

Notary Public

A:_V_TPD\Projects\UT\Highland City\2024\ID241185\UT.00\Roadway Design\Sheets\ID241185\UT.00 - Mitchell Hollow Typical Section.dwg Sep 17, 2026 - 10:54am



1 TYPICAL SECTION REVISIONS
2 DEAN AND PAXMAN PARCELS

PUBLIC WORKS DEPARTMENT
5400 W. CIVIC CENTER DRIVE
HIGHLAND CITY, UT 84003
Tel. 801-772-4515

HIGHLAND CITY

DATE 09/17/26
DRAWN BY CD
CHECKED BY RMP

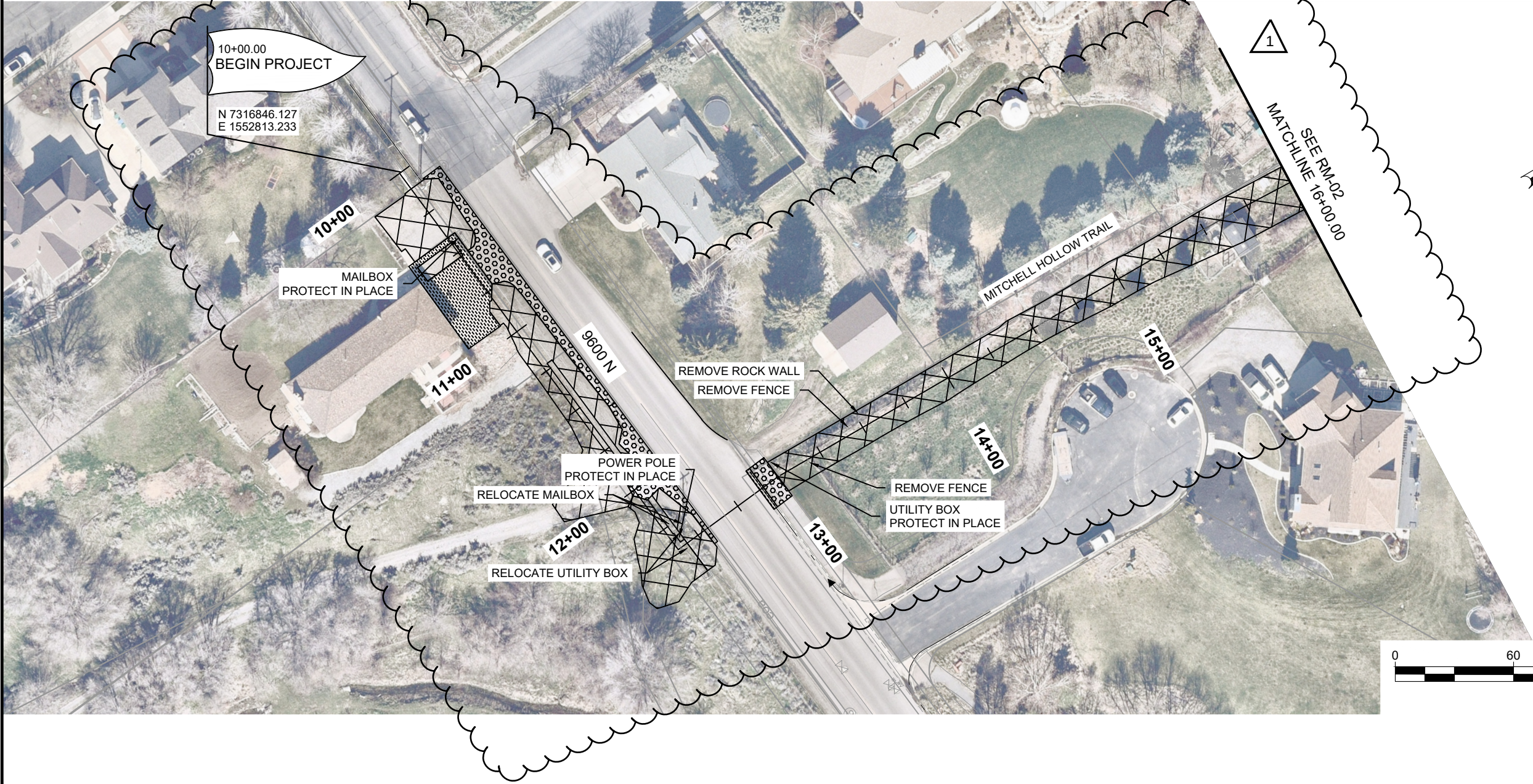
CONSOR NORTH AMERICA, INC.
38 E SCENIC POINTE DR., SUITE 300
DRAPER, UT 84020
Tel. 888-451-6822

consor

MITCHELL HOLLOW TRAIL
D241185UT.00
TYPICAL SECTION

PROJECT	PROJECT NUMBER	SHEET
MITCHELL HOLLOW TRAIL	D241185UT.00	TS-01

A:_V-TPD\Projects\UT\Highland City\2024\185UT.00\Roadway Design\Sheets\185UT.00 - Mitchell Hollow Removal Sheets.dwg Sep 17, 2026 - 10:55am



LEGEND

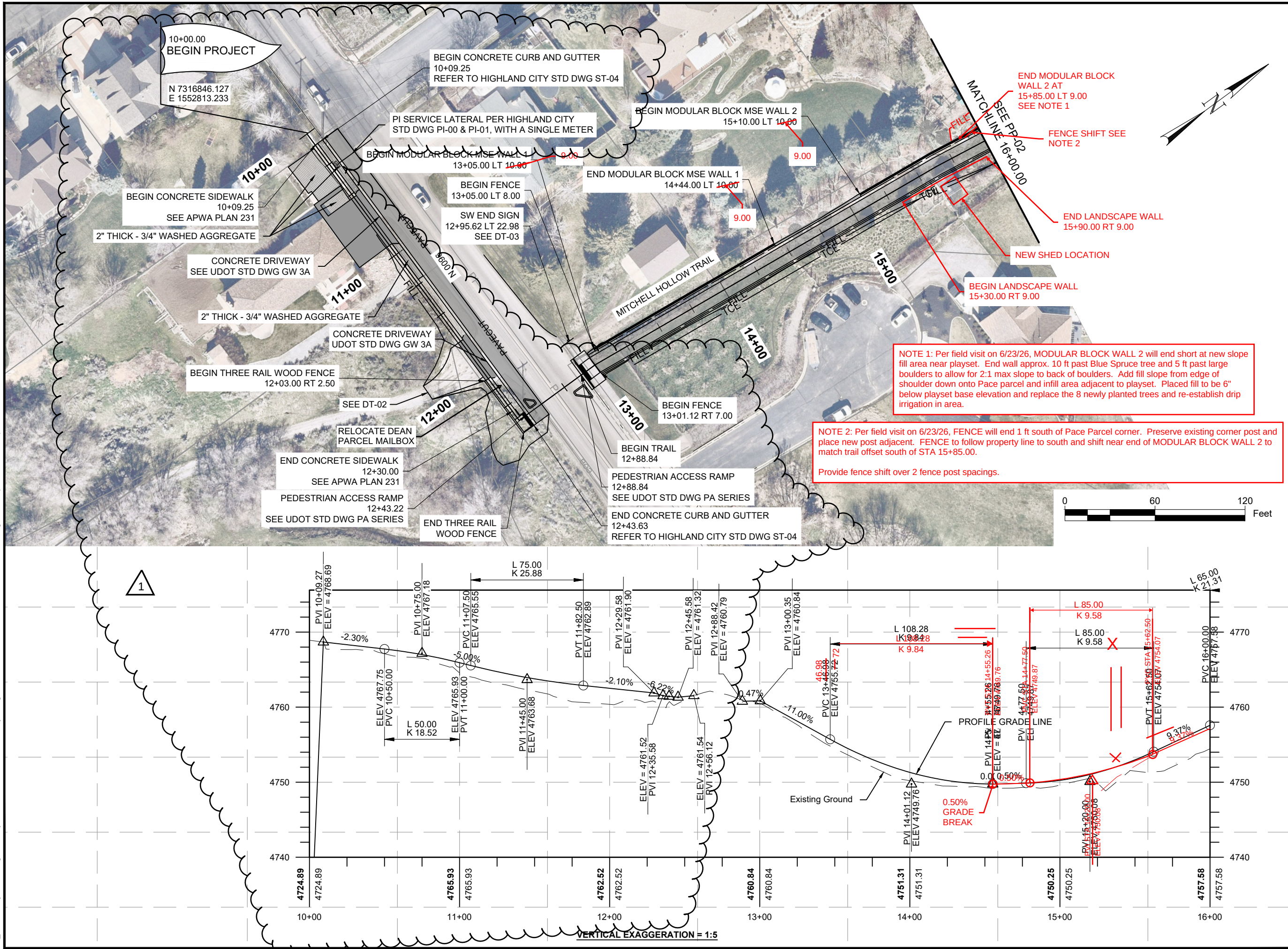
- CLEARING AND GRUBBING
- REMOVE ASPHALT
- REMOVE CONCRETE

NOTES:

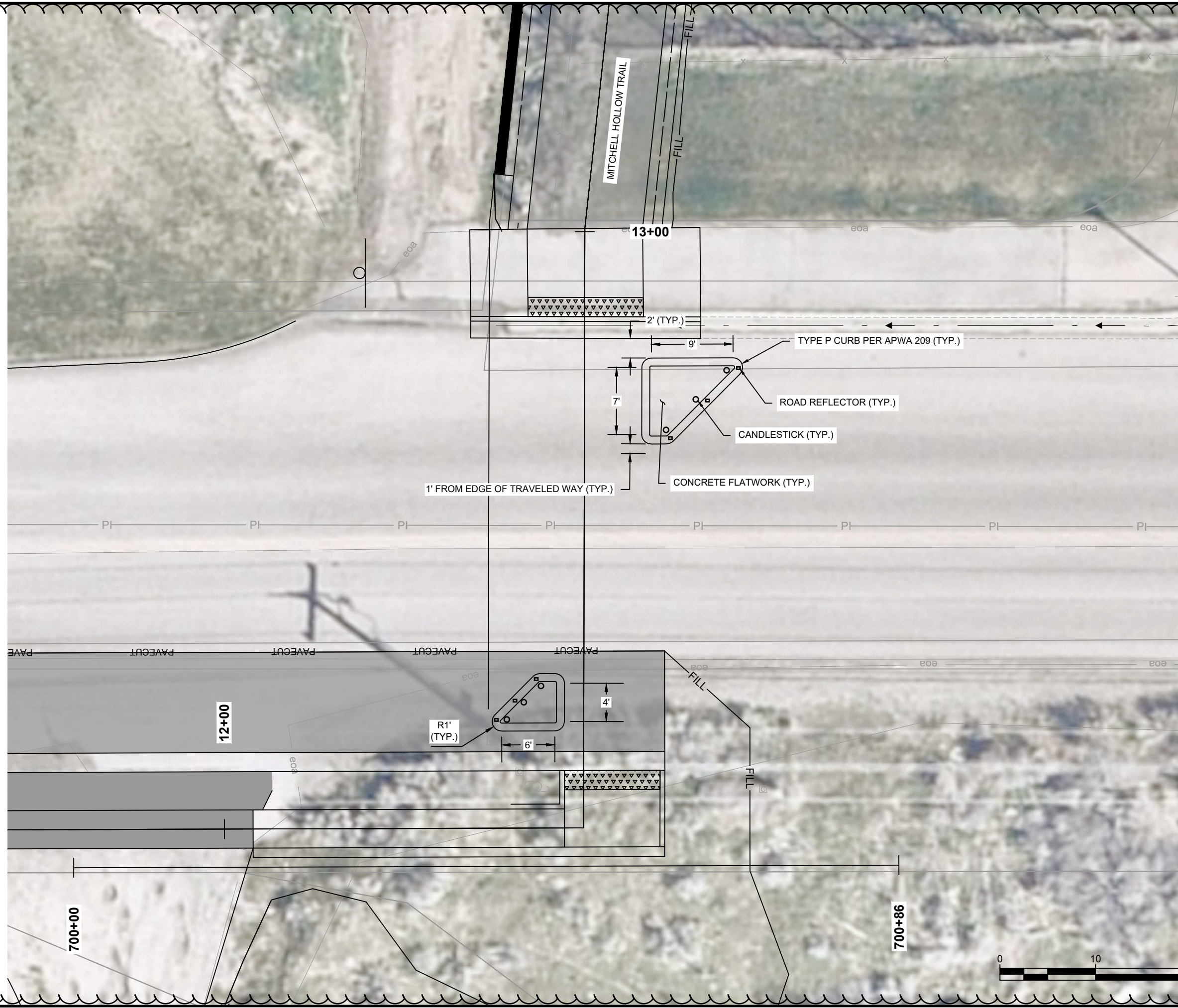
- LUMEN NOTES:
1.1 LUMEN EMERGENCY CONTACT: SIGIFREDO MARTINEZ (SIGIFREDO.MARTINEZ@LUMEN.COM)
1.2 LUMEN CUT CABLE REPAIR HOT LINE (800)-788-3600.
PRESS #2 PROMPT THEN #9 TO GET AN OPERATOR 24/7.

PROJECT		PROJECT NUMBER		SHEET		DATE		DRAWN BY		CHECKED BY		NO.		REVISIONS		BY		DATE	
MITCHELL HOLLOW TRAIL		D241185UT.00		RM-01		09/17/26		JBA		DWH		1							
TRAIL																			
REMOVAL																			
PUBLIC WORKS DEPARTMENT		5400 W. CIVIC CENTER DRIVE		HIGHLAND CITY, UT 84003		Tel. 801-772-4515		HIGHLAND CITY		PUBLIC WORKS DEPARTMENT		5400 W. CIVIC CENTER DRIVE		HIGHLAND CITY, UT 84003		Tel. 801-772-4515			
CONSISTOR NORTH		4000 N. 1000 E.		SUITE 300		DRAFTER, UT 84020		Tel. 888-451-8822		CONSISTOR NORTH		4000 N. 1000 E.		SUITE 300		DRAFTER, UT 84020		Tel. 888-451-8822	
DEAN AND PAXMAN PARCELS																			

A:_V-TPD\Projects\UT\Highland City\2024\ID241185UT.00\Roadway Design\Sheets\ID241185UT.00 - Mitchell Hollow P&P.dwg Sep 17, 2026 - 2:52pm



1 DEAN AND PAXMAN PARCELS		DATE 09/17/26		DRAWN BY BJB		CHECKED BY RMP		BY DATE	
PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515		HIGHLAND CITY		DATE 09/17/26		DRAWN BY BJB		CHECKED BY RMP	
CONSISTOR NORTH AMERICA, INC. 3000 S. 1000 E. SUITE 300 DRAPER, UT 84020 Tel. 888-451-8822		CONSISTOR		DATE 09/17/26		DRAWN BY BJB		CHECKED BY RMP	
PROJECT MITCHELL HOLLOW TRAIL		PROJECT NUMBER D241185UT.00		SHEET PP-01		PLAN & PROFILE		BY DATE	
REVISIONS		NO.		DATE		BY		DATE	



1	DEAN AND PAXMAN PARCELS
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PUBLIC WORKS DEPARTMENT
5400 W. CIVIC CENTER DRIVE
HIGHLAND CITY, UT 84003
Tel. 801-772-4515

PROJECT
NUMBER

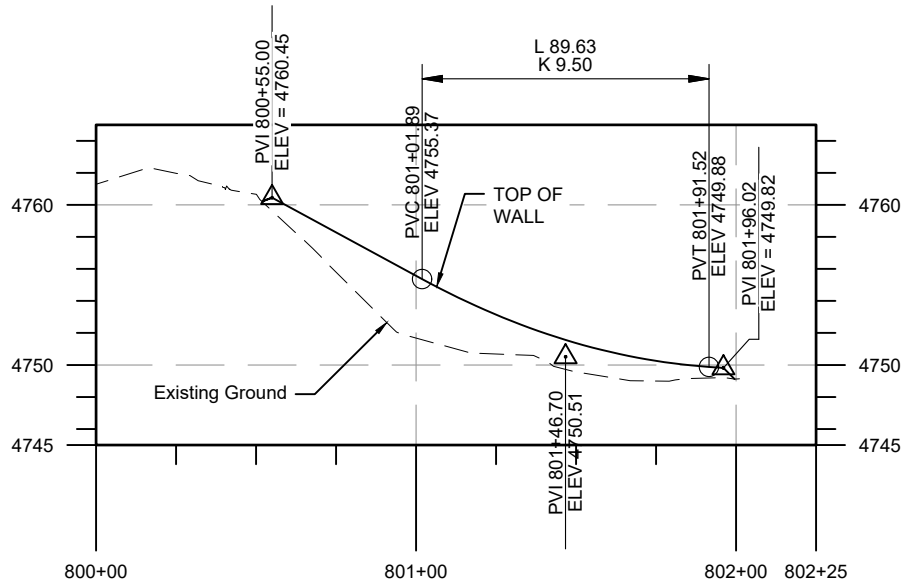
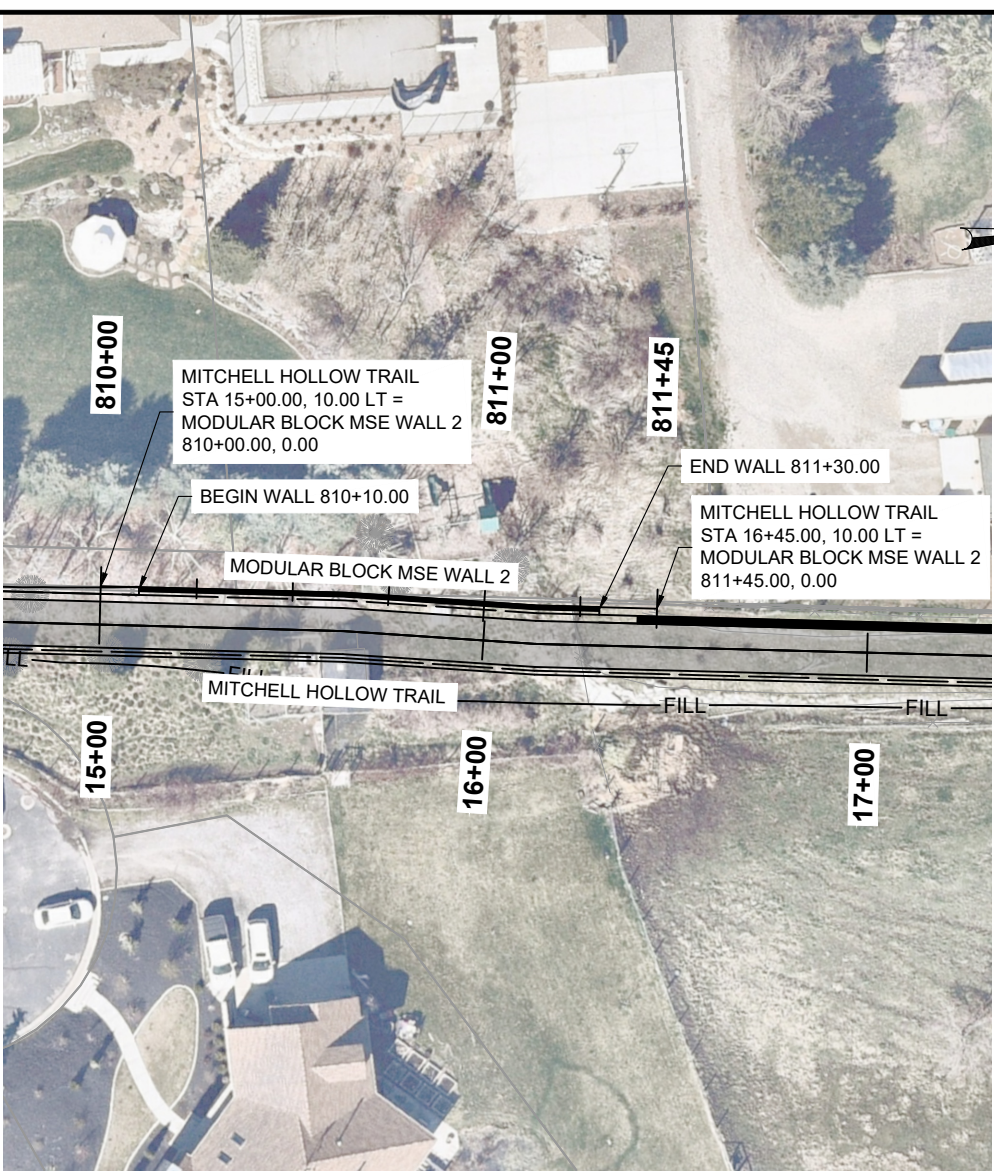
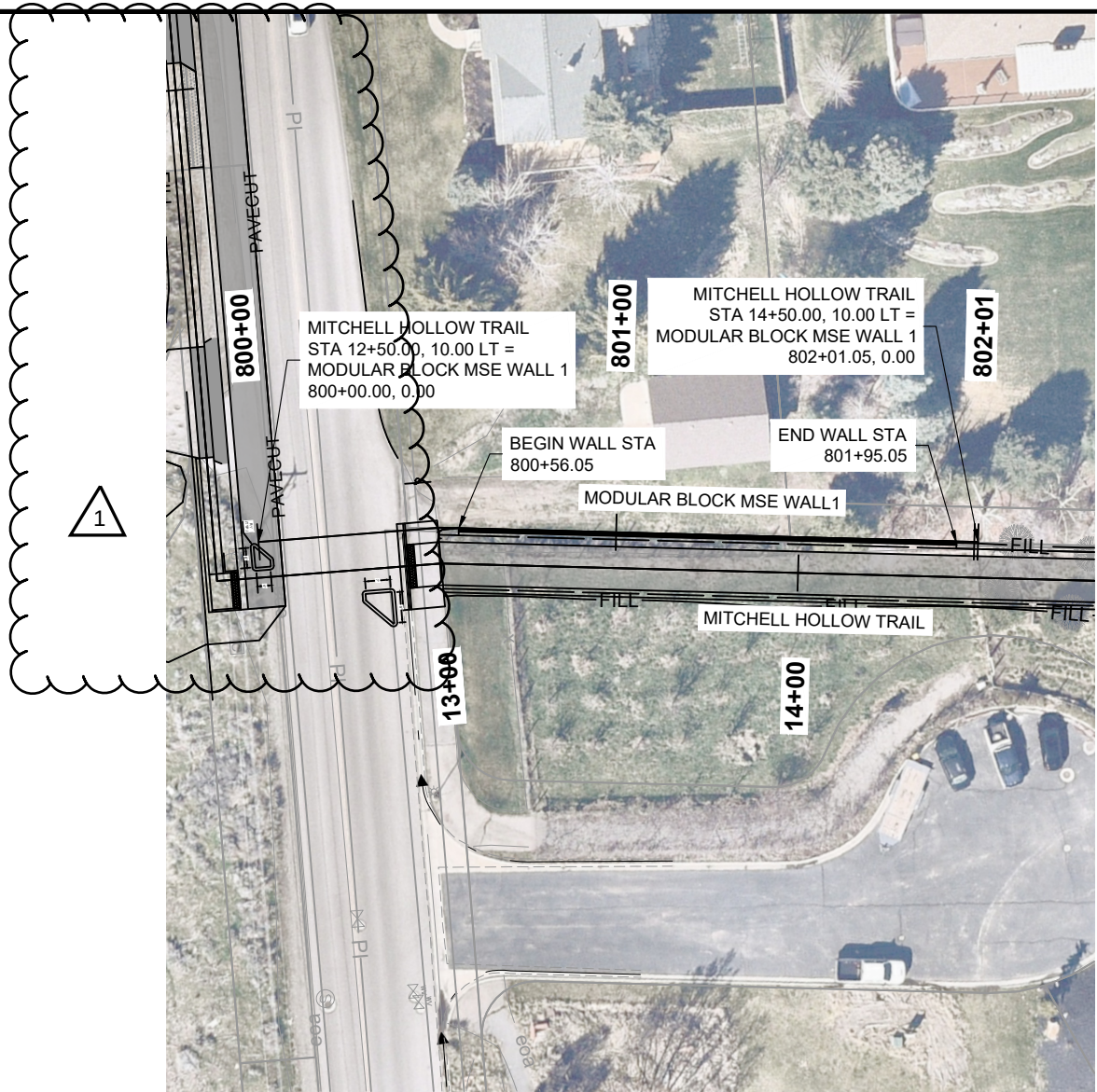
PROFESSIONAL ENGINEER

88

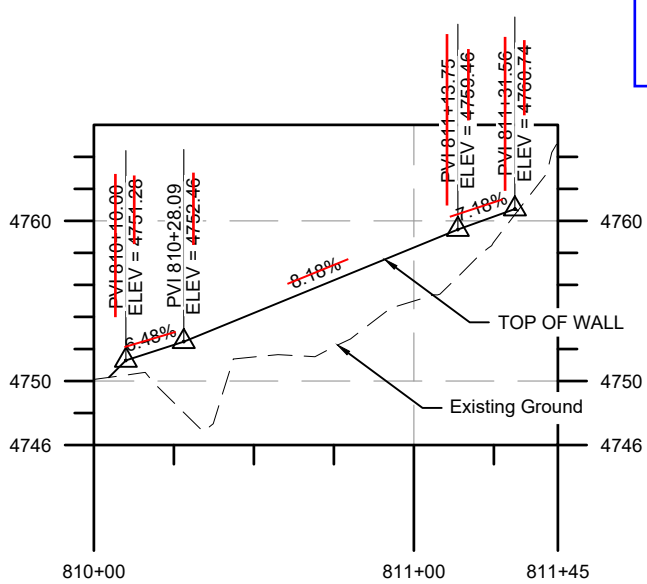
CHECKED BY RMP

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		RV
		RV



NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL
UNDER TRAIL. SEE TYPICAL SECTION 3.



NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL
UNDER TRAIL. SEE TYPICAL SECTION 3.

Revised top of wall elevations.
Update Keystone wall shop
drawings for this wall.

Trail Station	Top of Wall Elevation [ft]	Wall Station
15+10.00	4750.78	810+00.00
15+22.00	4751.33	810+12.00
15+34.00	4752.02	810+24.00
15+46.00	4752.86	810+36.00
15+58.00	4753.85	810+48.00
15+70.00	4754.97	810+60.00
15+82.00	4756.10	810+72.00
15+94.00	4757.22	810+84.00
16+06.00	4758.35	810+96.00
16+18.00	4759.47	811+08.00
16+30.00	4760.59	811+20.00

PROJECT

MITCHELL HOLLOW TRAIL

PROJECT NUMBER

D241185UT.00

DATE

01/29/2024

CHECKED BY

RMP

DRAWN BY

CD

REVISIONS

NO	BY	DATE
1	DEAN AND PAXMAN PARCELS	

CONSOR ENGINEERS

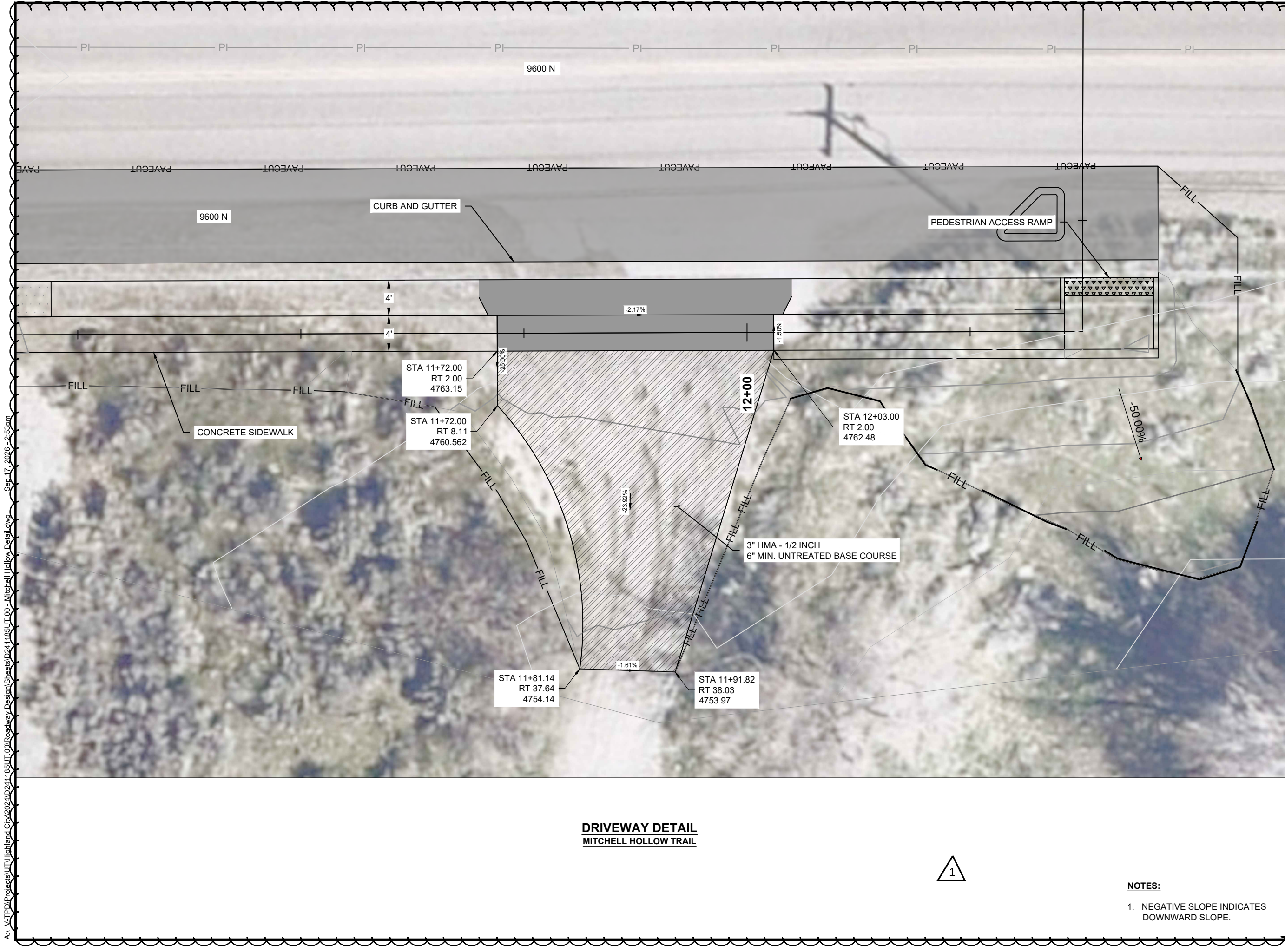
988 West 5000 South
West Jordan, Utah 84086
Tel. 801.495-4240

consor

PROFESSIONAL ENGINEER

PUBLIC WORKS DEPARTMENT

5400 W. CIVIC CENTER DRIVE
HIGHLAND CITY, UT 84003
Tel. 801-772-5615



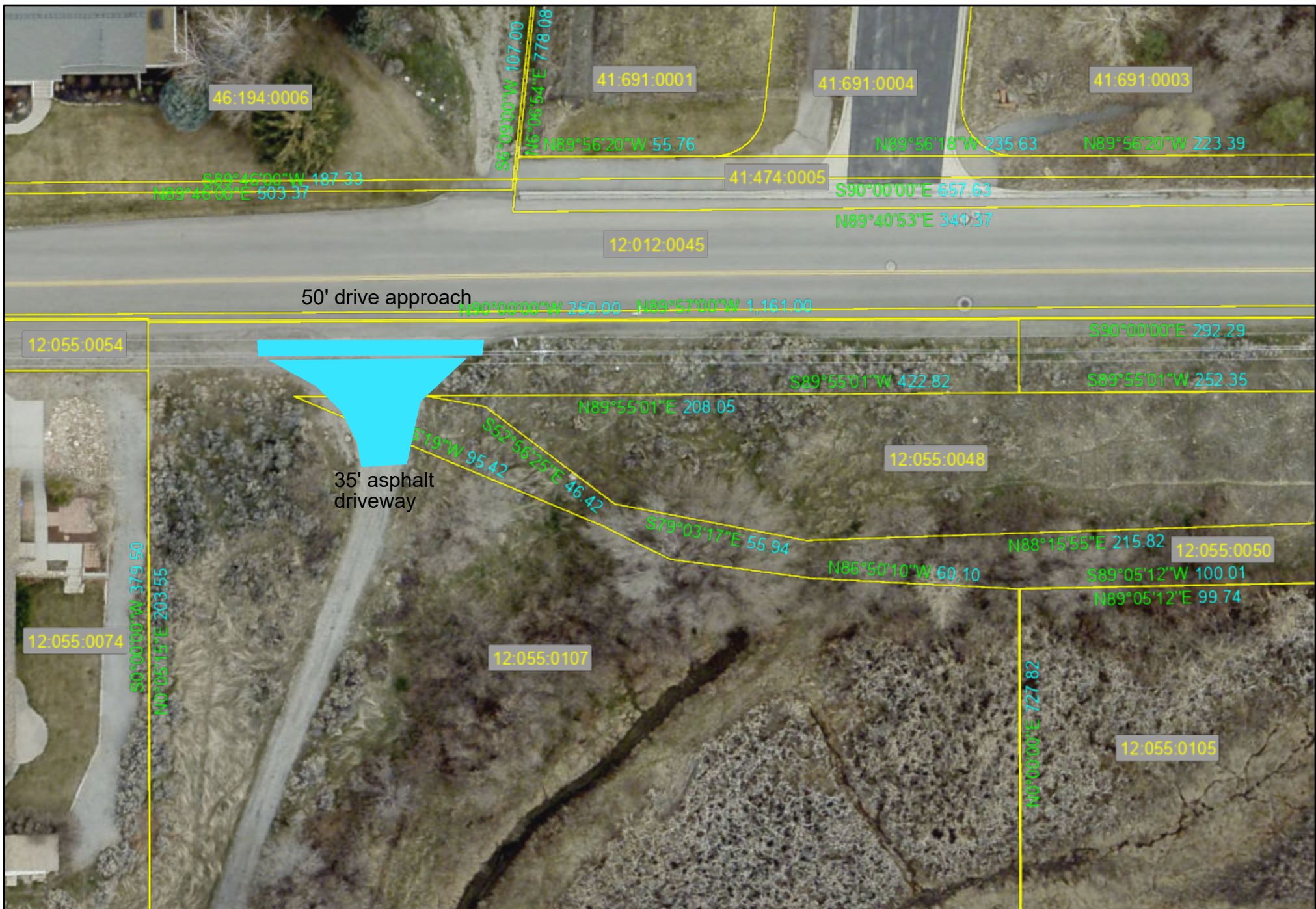
A:_V\TPD\Projects\UT\Highland City\2024\ID241185\UT_00\Roadway Design\Sheets\ID241185\UT_00 - Mitchell Hollow Detail.dwg Sep 17, 2026 - 2:53pm

DRIVEWAY DETAIL
MITCHELL HOLLOW TRAIL

1

- NOTES:
- 1. NEGATIVE SLOPE INDICATES DOWNWARD SLOPE.

PROJECT		MITCHELL HOLLOW TRAIL		DATE	
PROJECT NUMBER		D241185UT.00		09/17/26	
SHEET		DT-02		DRAWN BY	
				CD	
				CHECKED BY	
				RMP	
CONSISTOR NORTH AMERICA, INC. 38 E SCENIC POINTE DR., SUITE 300 DRAPER, UT 84020 Tel. 888-451-5822				PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515	
consor				HIGHLAND CITY	
CONSOR NORTH AMERICA, INC. 38 E SCENIC POINTE DR., SUITE 300 DRAPER, UT 84020 Tel. 888-451-5822				PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515	
PROFESSIONAL ENGINEER				REVISIONS	
				BY	
				DATE	



Utah County Parcel Map

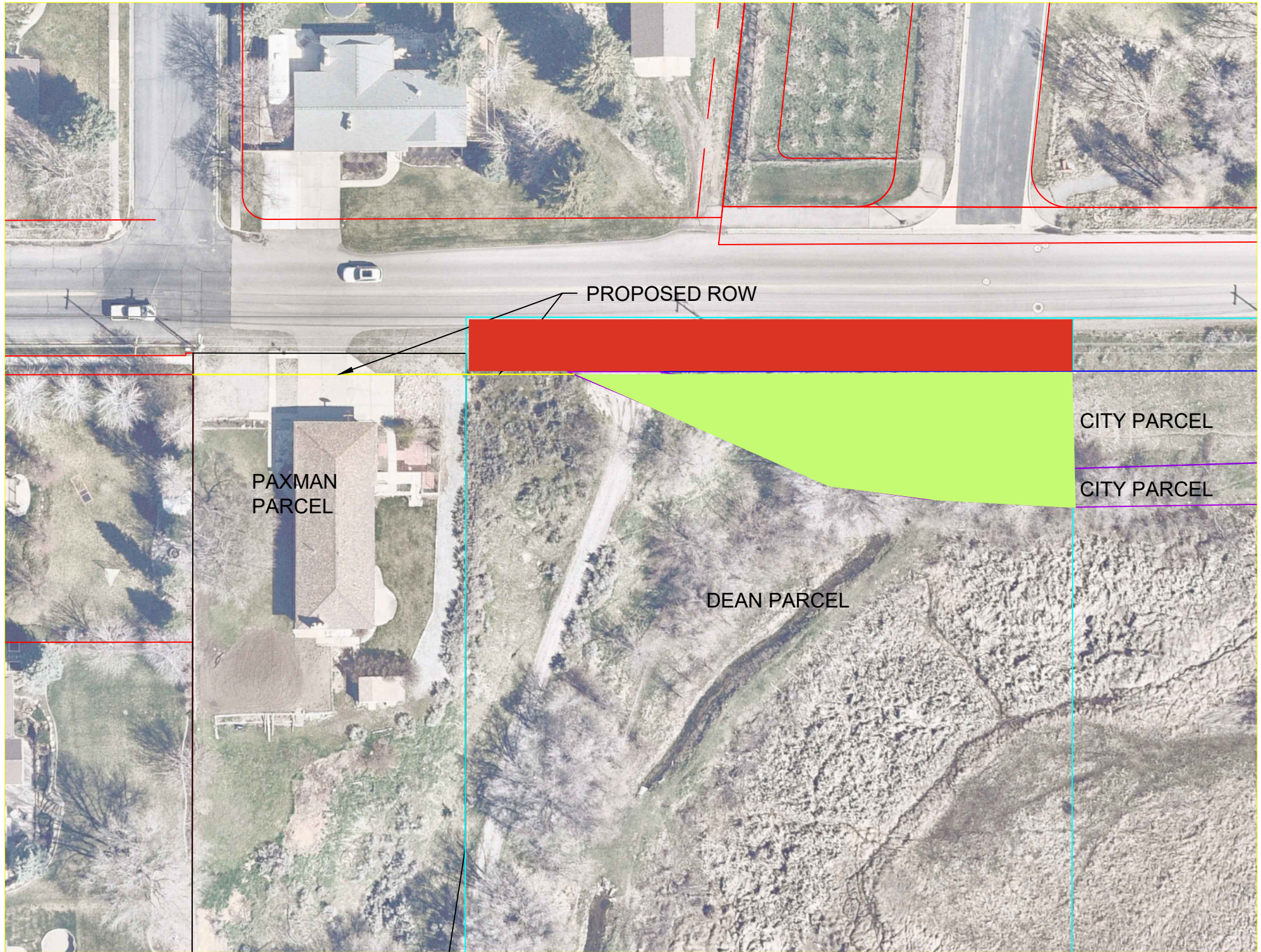
Dean Parcel

1 inch equals 47 feet

Date: 10/1/2026

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey.





**A RESOLUTION OF THE HIGHLAND CITY COUNCIL, HIGHLAND CITY, UTAH
APPROVING THE EXCHANGE OF CERTAIN REAL PROPERTY, DECLARING
CERTAIN PROPERTY AS A SURPLUS ORPHAN PARCEL, AND APPROVING THE
EXECUTION OF A RIGHT OF OCCUPANCY AGREEMENT**

WHEREAS, Highland City is authorized pursuant to Utah Code § 10-8-2 to purchase, receive, sell, convey, exchange, and dispose of real property for the benefit of the municipality, if the action is in the public interest and complies with other law;

WHEREAS, Highland City may exchange real property for another parcel of real property without following the notice procedures set forth in Title 11, Chapter 1, Part 2, Utah Code, if the properties have roughly the same fair market value;

WHEREAS, Highland City desires to exchange a portion of two City-owned parcels of property ("City Property") that are located and orphaned within privately owned property for adjacent privately property that adjoins Highland's 9600 North right-of-way that can be used by the City for transportation and right-of-way purposes ("New ROW Property");

WHEREAS, Highland City finds that the City Property cannot be directly accessed or used by Highland City, is not needed for City purposes, and due to its orphaned nature and small size, has a limited pool of potential purchasers;

WHEREAS, Highland City further finds that the City Property and the New ROW Property have roughly the same fair market value;

WHEREAS, Highland City desires to approve and facilitate the exchange of the City Property for the New ROW Property;

WHEREAS, out of an abundance of caution but not by way of admission, Highland City further desires to follow the process set forth in Title 11, Chapter 1, Part 2, Utah Code regarding disposal of property that is not classified as a significant parcel of real property, in order to provide additional notice of the proposed transaction and ensure that all prerequisites to the transaction have been completed;

WHEREAS, Highland City has adopted a policy outlining the sale of orphan properties suitable for sale, which orphan parcels are deemed to not be significant parcels of real property pursuant to City ordinance;

WHEREAS, the Highland City Council has determined that the City Property in question meets the criteria for designation and sale as orphan parcels;

WHEREAS, the Council believes that it is in the best interest of the City to approve the sale or exchange of the City Property;

WHEREAS, the Council further desires to authorize the execution of a right of occupancy agreement with the Deans, current owners of the New ROW Property, in order to allow the City to begin construction of its transportation and right-of-way project

improvements within the New ROW Property while the sale and exchange of properties are being negotiated and finalized, in order to allow the City to complete such construction in a timely manner.

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

1. The City-owned property, consisting of the western portion of parcels 12:055:0048 and 12:055:0050 within the property owned by Owen C. Dean and Lorene P. Dean (“Deans”) having a parcel number of 12:055:0107 and 6511 W 9600 N, Highland, UT 84003, which City Property is generally depicted in the attached Exhibit A (“Property”), is declared as a surplus orphan parcel eligible for sale or exchange to the Deans in exchange for the New ROW Property owned by the Deans, also as generally depicted in the attached Exhibit A.
2. Staff is directed to prepare the City Property for sale or exchange as required by Municipal Code and Utah State code, including posting notice on the property, soliciting a property survey, and preparing sale documents and a contract in negotiation and discussion with the Deans.
3. The City Council further approves the execution of a Right of Occupancy Agreement with the Deans regarding the New ROW Property, in a form substantially similar to that included and attached hereto as Exhibit B, and directs the Mayor and City staff to execute and carry out the terms thereof.
4. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this resolution and to the documents referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.
5. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by Highland City Council this 6th day of October, 2026

HIGHLAND CITY, UTAH

Brittney P. Bills
Mayor

ATTESTED:

Stephannie B. Cottle
City Recorder

EXHIBIT A

Depiction of Surplus City Property To Be Exchanged For New ROW Property



Exhibit B

Form of Right of Occupancy Agreement

WHEN RECORDED, RETURN TO:

Highland City
5400 W Civic Center Dr Ste. 1
Highland, UT 84003

Parcel No.(s): 12:055:0107
Description: See Exhibit A
Property Address: 6511 West 9600 North, Highland, UT 84003
County of Property: UTAH
Grantor/Owner: OWEN C. DEAN and LORENE P. DEAN
Grantor/Owner's Address: 6511 West 9600 North, Highland, UT 84003

Grantee: Highland City, 5400 W Civic Center Dr Ste. 1, Highland, UT 84003
Project Name/Location: 9600 North ROW

This Right of Entry and Occupancy Agreement (“Agreement”) is entered between OWEN C. DEAN and LORENE P. DEAN (“Property Owners”) and Highland City (“City”) for the property in the attached **Exhibit A** (“Property”), regarding the improvements to be constructed as described in the attached **Exhibit B** (“Project Improvements”).

Property Owners hereby grant to Highland City, its employees, contractors, permittees, and assigns, including but not limited to utilities and their contractors, the right to occupy and commence construction or other necessary activity on the Property, and to do whatever construction, grading, relocation or installation of utilities, and other work as may be required in furtherance of the Project Improvements, generally described in Exhibit B, located on the Property described in attached Exhibit A. Property Owners agree to not interfere with City’s right to access, use, and commence construction and other work on the Property described in the attached Exhibit A.

This Agreement is made in anticipation of a pending property exchange and purchase agreement and is intended to provide for the entry and occupancy of the Property pending further negotiations and completion of required noticing and approval processes. Title shall not be transferred until the parties execute a purchase agreement and close on the transaction as provided in said purchase agreement. Property taxes and other taxes and encumbrances will be the responsibility of Property Owners until transfer of title through appropriate deed(s) and documents to City.

If a satisfactory purchase agreement cannot be agreed upon, City will, upon notice from the Property Owners that the amount of compensation offered and/or other proposed terms are not acceptable, or at City’s own election, proceed to

- A. Remove incomplete, unsafe, or otherwise undesired portions of the Project Improvements;
- B. Abandon in-place safe portions of the Project Improvements; and/or
- C. Pursue eminent domain proceedings to acquire the ROW Property, including obtaining appraisals, entering into good faith negotiations, and participating in a mediation or arbitration procedures through the Office of the Property Rights Ombudsman as provided for and required by Utah State law.

If City files a condemnation action, Property Owners agree to not oppose the granting of an order of occupancy pursuant to Utah Code 78B-6-510 with respect to the Property. If the clerk of court files the required deposit in an interest-bearing account as part of an order of occupancy, the parties shall request and stipulate that the interest accrued thereon, if any, shall not be deducted from the final settlement or judgment amount, but instead shall be paid to the Property Owners as a separate consideration for entering into this Agreement.

The effective date of the Right Of Entry and Occupancy Agreement shall be the date this Agreement is executed by the Property Owners, as shown below, and that date shall be the date of value for fair market valuation purposes in the context of settlement negotiations, arbitration, or an eminent domain proceeding, should one be necessary.

Attachments:

EXHIBIT A – Property Description
EXHIBIT B – Project Improvements

Parcel No.(s): 12:055:0107
Description: See Exhibit A
Property Address: 6511 West 9600 North, Highland, UT 84003
County of Property: UTAH
Grantor/Owner: OWEN C. DEAN and LORENE P. DEAN
Grantor/Owner's Address: 6511 West 9600 North, Highland, UT 84003

Grantee: Highland City, 5400 W Civic Center Dr Ste. 1, Highland, UT 84003
Project Name/Location: 9600 North ROW

SIGNATURE PAGE TO HIGHLAND CITY
RIGHT OF ENTRY AND OCCUPANCY AGREEMENT

DATED this _____ day of _____, _____

Property Owner: _____ Property Owner: _____

STATE OF UTAH
County of _____

On the _____ day of _____, _____, personally appeared before me
_____, a notary public, the signer of the above Agreement for Property Owner,
_____, who duly acknowledged to me that they executed the same.

NOTARY PUBLIC

STATE OF UTAH
County of _____

On the _____ day of _____, _____, personally appeared before me
_____, a notary public, the signer of the above Agreement for Property Owner,
_____, who duly acknowledged to me that they executed the same.

NOTARY PUBLIC

DATED this _____ day of _____, _____

Highland City Mayor Brittney P. Bills

STATE OF UTAH
County of _____

On the _____ day of _____, _____, personally appeared before me
_____, a notary public, the signer of the above Agreement for Highland City,
Brittney P. Bills, who duly acknowledged to me that they executed the same.

NOTARY PUBLIC

EXHIBIT A

Description of Property

WHEN RECORDED, MAIL TO:
Highland City Recorder
5400 W Civic Center Drive
Highland City, Utah 84003

Warranty Deed

Utah County

Tax ID No. 12:055:0107

Owen C. Dean and Lorene P. Dean, Husband and Wife as Joint Tenants, Grantors, of 6511 West 9600 South, Highland, County of Utah, State of Utah, hereby CONVEYS AND WARRANTS to HIGHLAND CITY, Grantee, at 5400 W Civic Center Drive, Highland City, Utah 84003, for the sum of TEN (\$10.00), Dollars, and other good and valuable considerations, the following described parcel of land in Utah County, State of Utah, to-wit:

A parcel of land in fee, situate in the NE1/4NE1/4 of Section 10, T.5S., R.1E., S.L.B.&M. in Utah County, State of Utah. The boundaries of said parcel of land are described as follows:

Beginning at a point on the north line of said Section 10, said point being 762.30 feet West from the northeast corner of said Section 10 and running thence along said section line East 250.00 feet; thence South 21.86 feet to a point on that property deeded to Highland City; thence along said Highland City parcel the following two (2) calls; (1) South 89°49'46" West 208.05 feet; (2) South 67°11'34" East 2.70 feet; thence South 89°52'21" West 44.44 feet to a point on the west line of grantor's tract; thence North 23.63 feet to the point of beginning.

Contains 5,603 Square feet or 0.129 Acre more or less.

STATE OF)
) ss.
COUNTY OF)

Owen C. Dean

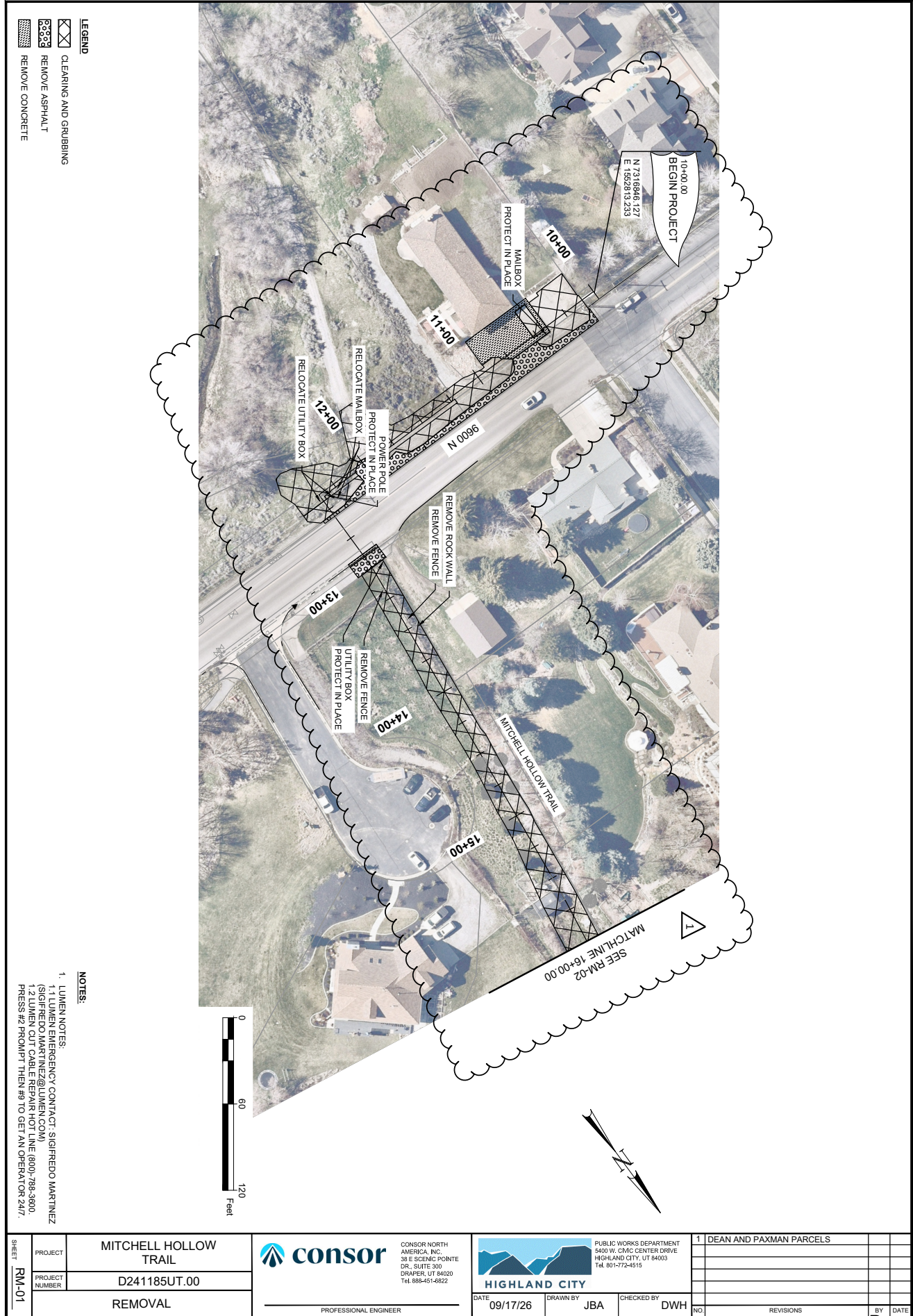
Lorene P. Dean

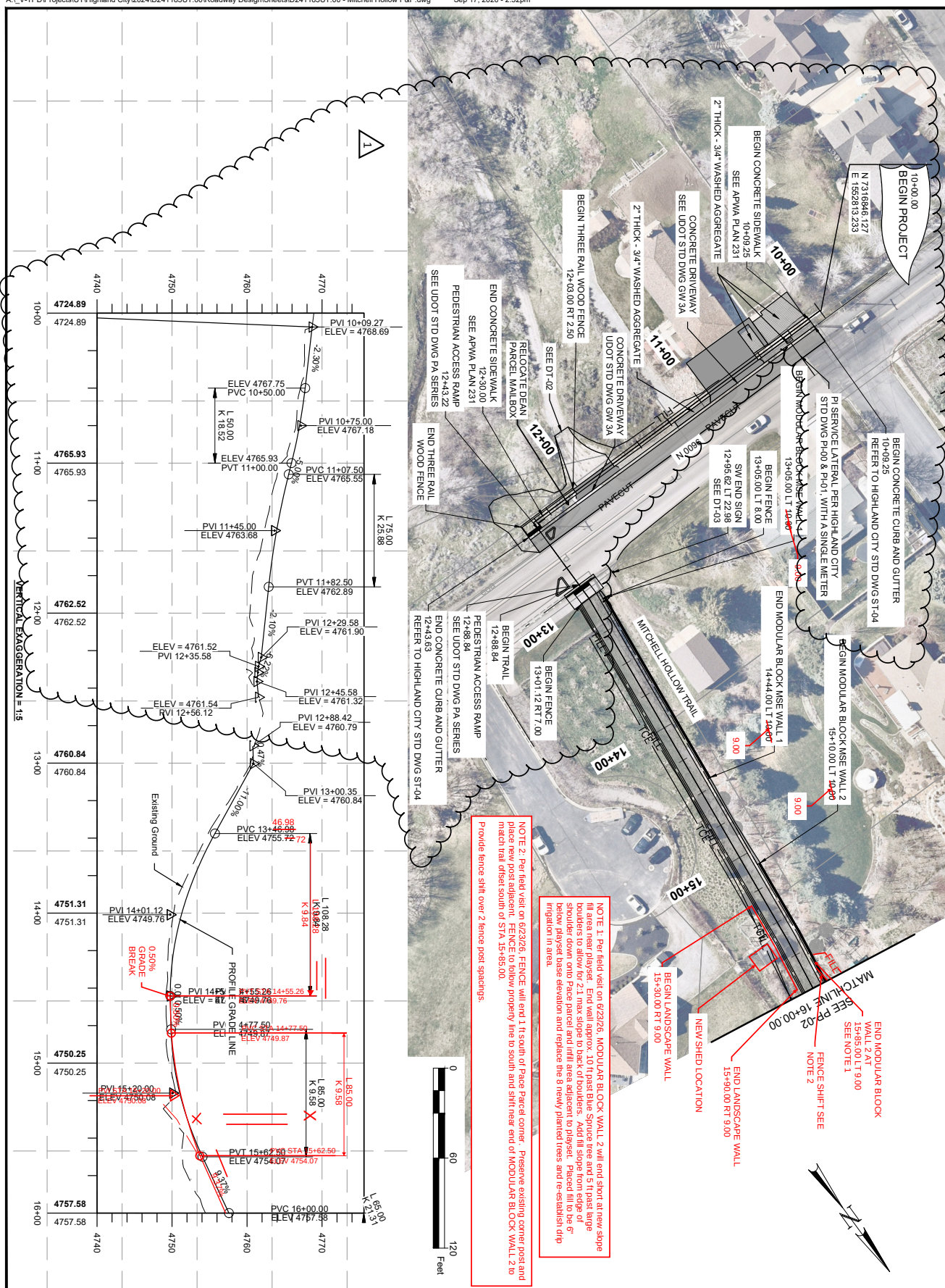
On this ____ day of _____, in the year 20__, before me personally appeared Owen C. Dean and Lorene P. Dean, who proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged to me that he/she/they executed the same.

Notary Public

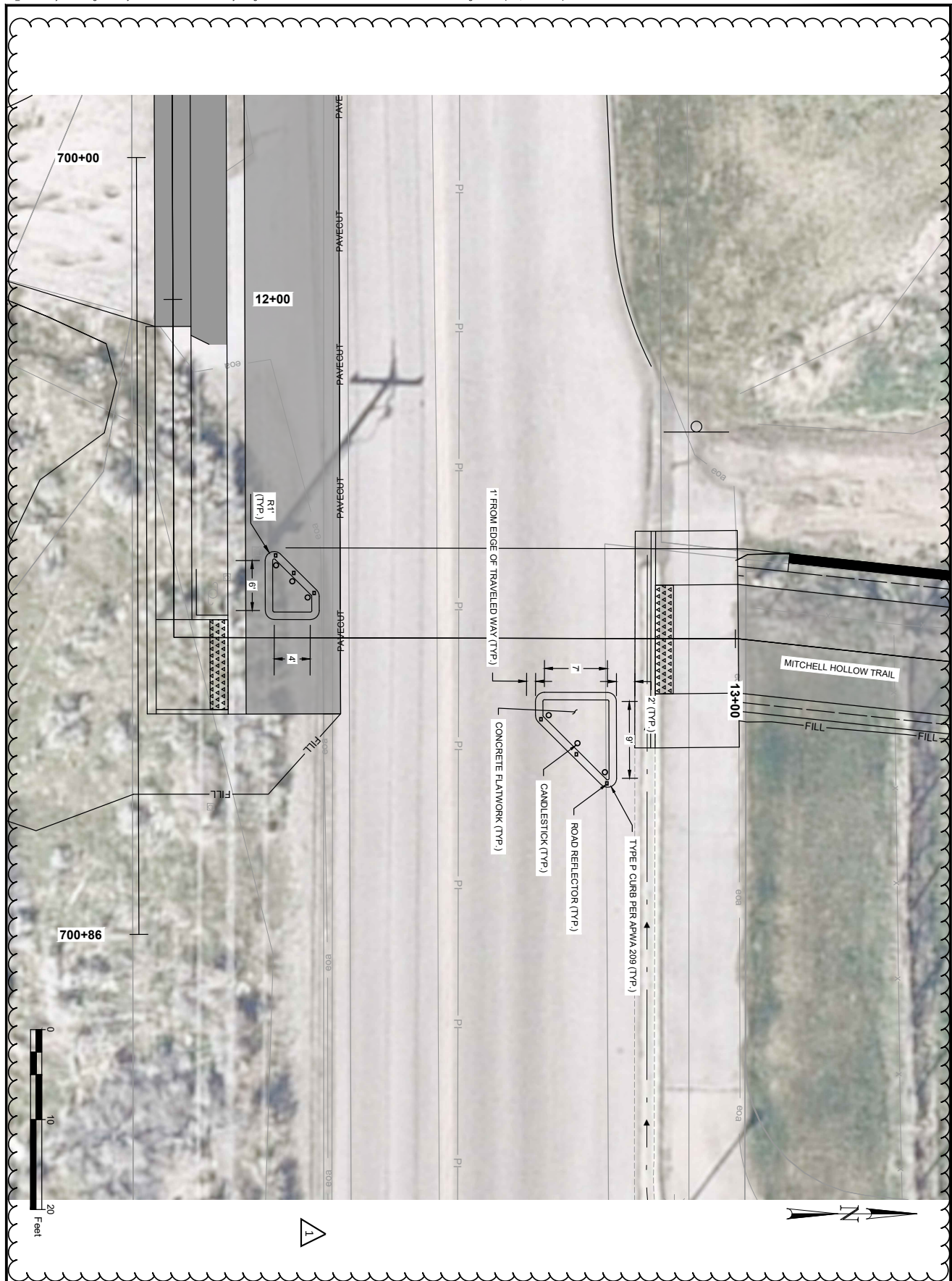
Exhibit B

Project Improvements

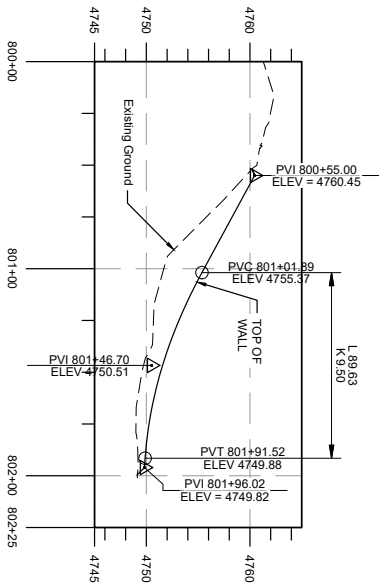
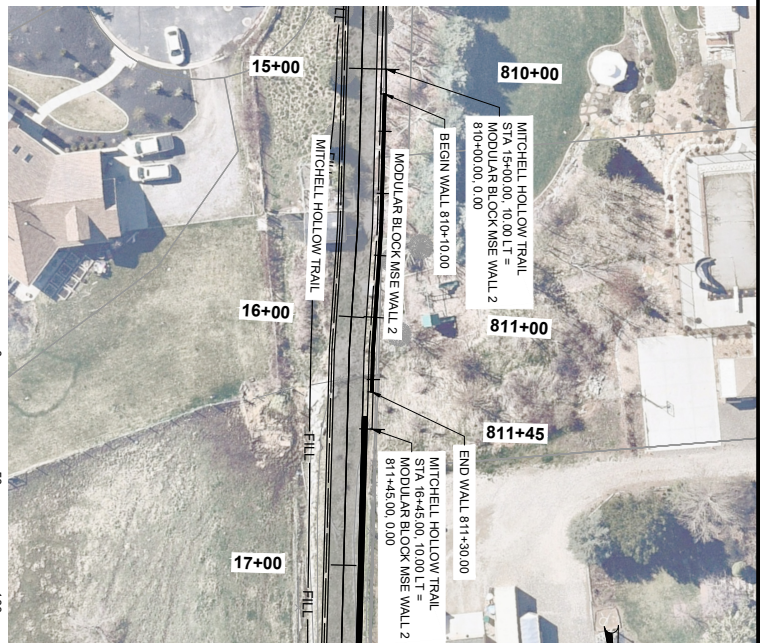
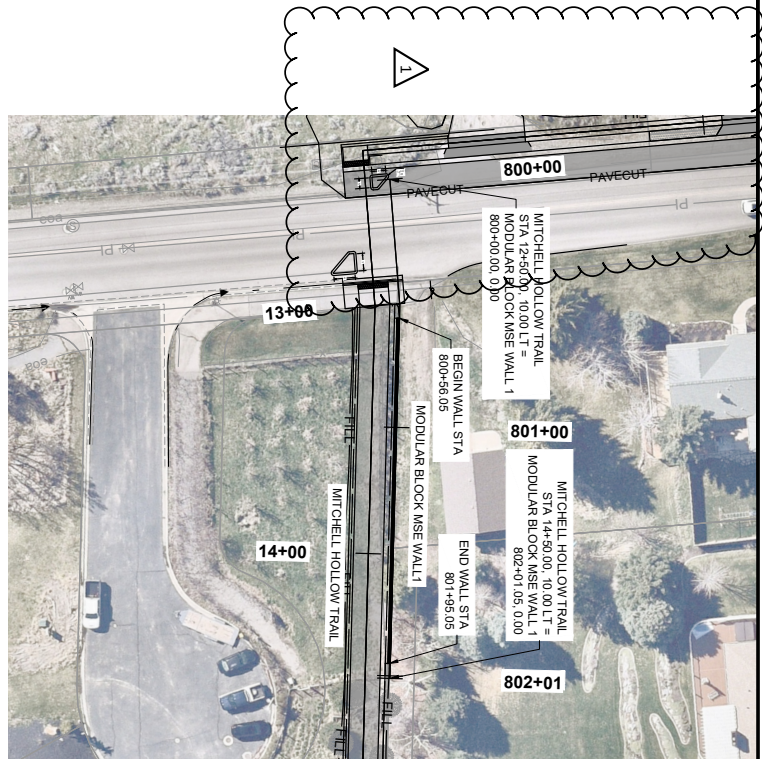




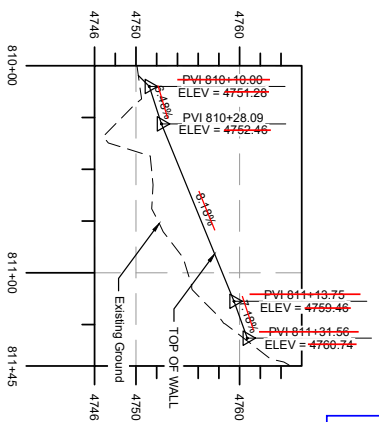
SHEET PP-01	PROJECT	MITCHELL HOLLOW TRAIL	 CONSOR NORTH AMERICA, INC. 38 E SCENIC POINTE DR., SUITE 300 DRAPER, UT 84020 Tel. 888-457-6822	 PUBLIC WORKS DEPARTMENT 5400 W. CMC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515 HIGHLAND CITY	1	DEAN AND PAXMAN PARCELS						
	PROJECT NUMBER	D241185UT.00										
	PLAN & PROFILE				_____ PROFESSIONAL ENGINEER		DATE	09/17/26	DRAWN BY	BJG	CHECKED BY	RMP
							NO.	REVISIONS		BY	DATE	



SHEET WPP-01	PROJECT	MITCHELL HOLLOW TRAIL	 CONSOR ENGINEERS 986 West 9000 South West Jordan, Utah 84088 Tel. 801-495-4240	PUBLIC WORKS DEPARTMENT 5400 W. CHMC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515			1 DEAN AND PAXMAN PARCELS					
	PROJECT NUMBER	D241185UT.00										
	WALL PLAN & PROFILE											
	PROFESSIONAL ENGINEER											
DATE			DRAWN BY		CHECKED BY							
01/29/2024			CD		RMP							
NO.					REVISIONS				BY	DATE		



NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL
UNDER TRAIL. SEE TYPICAL SECTION 3.



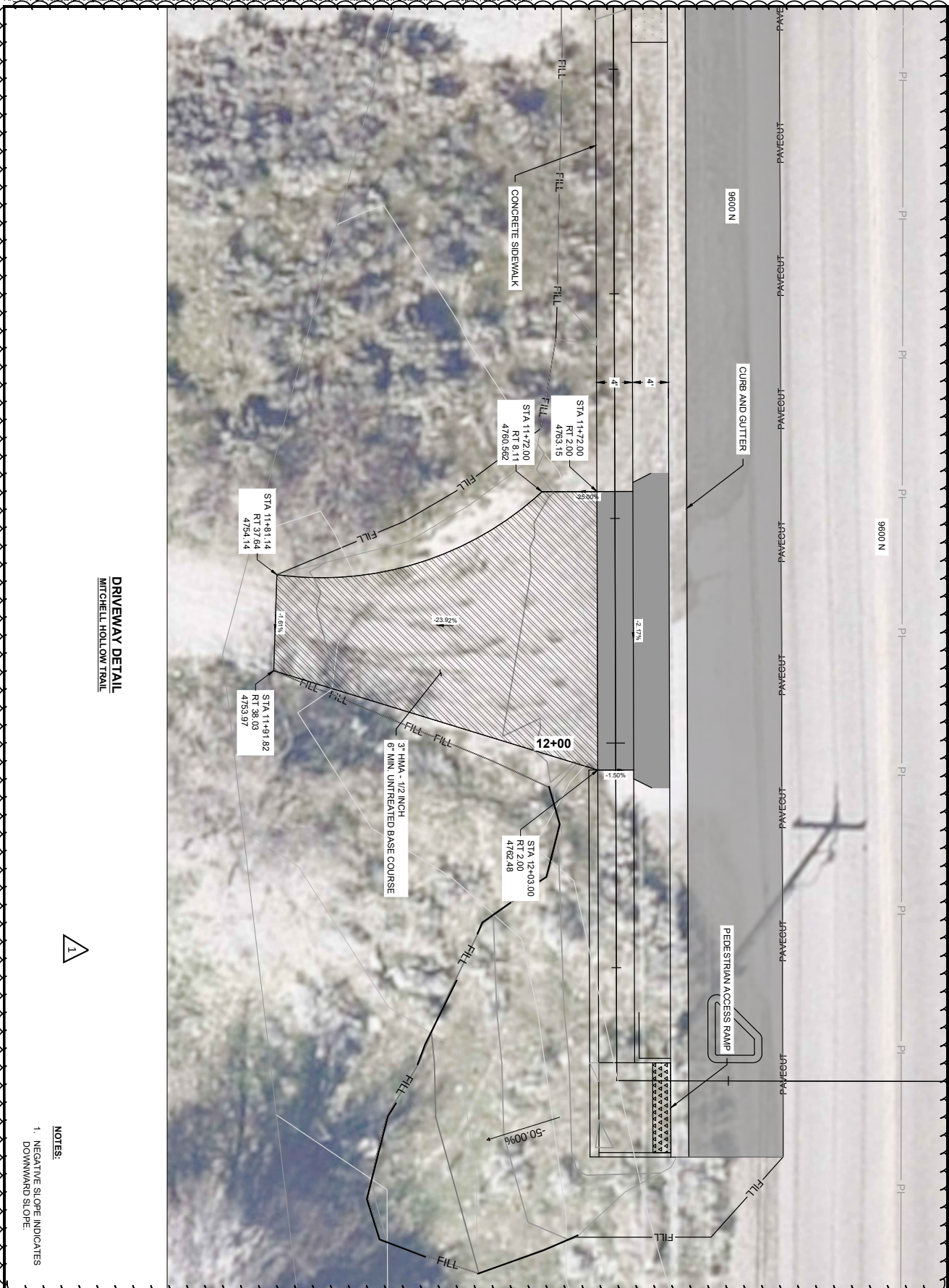
NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL
UNDER TRAIL. SEE TYPICAL SECTION 3.

Station	Top of Wall	Station
800+00	4750.51	800+00
801+00	4755.37	801+00
802+00	4749.88	802+00
803+00	4749.82	803+00
804+00	4749.82	804+00
805+00	4749.82	805+00
806+00	4749.82	806+00
807+00	4749.82	807+00
808+00	4749.82	808+00
809+00	4749.82	809+00
810+00	4751.20	810+00
811+00	4752.46	811+00
812+00	4750.46	812+00
813+00	4760.74	813+00
814+00	4760.74	814+00
815+00	4760.74	815+00
816+00	4760.74	816+00
817+00	4760.74	817+00
818+00	4760.74	818+00
819+00	4760.74	819+00
820+00	4760.74	820+00

Revised top of wall elevations.
Update Keystone wall shop
drawings for this wall.



SHEET WPP-02	PROJECT MITCHELL HOLLOW TRAIL		CONSOR ENGINEERS 986 West 9000 South West Jordan, Utah 84088 Tel. 801-495-4240	PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515	1 DEAN AND PAXMAN PARCELS			
	PROJECT NUMBER D241185UT.00				DATE 01/29/2024	DRAWN BY CD	CHECKED BY RMP	NO.
WALL PLAN & PROFILE			PROFESSIONAL ENGINEER					



DRIVEWAY DETAIL
MITCHELL HOLLOW TRAIL



- NOTES:
1. NEGATIVE SLOPE INDICATES DOWNWARD SLOPE.

SHEET DT-02	PROJECT	MITCHELL HOLLOW TRAIL	 consor CONSOR NORTH AMERICA, INC. 38 E SCENIC POINTE DR., SUITE 300 DRAPER, UT 84020 Tel. 888-451-6822	 HIGHLAND CITY PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515	1. DEAN AND MAXMAN PARCELS			
	PROJECT NUMBER	D241185UT.00			DATE	09/17/26	DRAWN BY	CD
	DETAIL				CHECKED BY	RMP	NO.	REVISIONS
	PROFESSIONAL ENGINEER				Page 1			



CITY COUNCIL AGENDA REPORT

ITEM #5b

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
Chris Trusty, City Engineer/Public Works Director
SPONSORED BY: City Staff
SUBJECT: Paxman Land Aquisition - Mitchell Hollow Trail
TYPE: General City Management

PURPOSE:

The City Council will consider an agreement between Highland City and the Paxman family to provide certain improvements to their residence at 6225 West and 9600 South in exchange for the dedication of property to Highland City for the 9600 North Right of Way.

STAFF RECOMMENDATION:

Staff recommends approval of the agreement between Highland City and the Paxman family in which right of way will be acquired by and dedicated to the City for 9600 North.

PRIOR COUNCIL DIRECTION:

On June 4, 2024, the City Council approved an award to Consor for the design of the Mitchell Hollow Trail project. The City's FY2026 budget includes funding for this trail as previously approved by council.

BACKGROUND:

The City has been awarded by Mountainland Association of Governments (MAG) \$2,527,050 to construct the Mitchell Hollow Trail. The funds for construction were made available in calendar year 2025. The City's portion of the costs is 6.77%.

While the original plan was to construct the trail to the Utah County equestrian park, one large property owner on 9600 North, the Dean's, has declined to provide the City with an easement through their property to construct the trail. As an alternative to ending the trail at 9600 North, the City would prefer to make improvements to 9600 North from the trail to an existing sidewalk to allow for a continuous flow to the equestrian park. In addition to adding sidewalk, these improvements will widen 9600 North by approximately 10 feet to match other improved areas along the roadway and will also include the installation of curb and gutter. Chicanes will also be added at the trail crossing to promote traffic-calming in this area.

The estimated valuation of the was based partially on an appraisal of property the City acquired in 2023 for the 2024 Safe Routes sidewalk project, which valued property along the 6000 South at \$385,000 per acre. The City will be obtaining 985 sq ft or 0.023 acres from the Paxman's for right of way along 9600 North. At the appraised value of \$385,000/ acre, the value of the property would be approximately

\$8,855. However, because the appraisal previously obtained was about 3 years old and in an effort to expedite the property transition, staff felt it was reasonable to add an inflationary factor of 10% to the purchase, increasing the property value to \$9,740.50.

The Paxman family has asked that in exchange for this property, the city provide certain improvements to their property. The curb, gutter, and sidewalk are part of the trail project, so those items have not been included as part of the betterments provided for compensation. What has been requested by the family and will be included in calculating the compensation provided will be a connection for a pressurized irrigation service, gravel placed in the parking west parking area and area between the driveway and walkway, and to have the mailbox relocated as directed by the family once the improvements have been completed. It should be noted that while the city is providing a PI connection, the city will not be providing PI water until such time that water rights are dedicated to the city for this purpose. The improvements the Paxman's have requested are estimated at \$10,617, which is roughly equivalent to the value of their property the City would be acquiring.

While the work is being completed, the Paxman's have requested that the contractor replace their remaining driveway as it is in relatively poor condition. The Paxman's will be responsible for paying for that portion of the work.

The proposed property purchase agreement outlines the terms of the transaction, summarized as follows:

1. The City will construct and provide the improvements outlined above for the Paxmans, to be completed by the end of the year.
2. The Paxmans will deed (warranty deed) and dedicate the property to the City.
3. The proposed schedule will have disclosure and diligence deadlines due on Oct 15 and 19 respectively, with closing scheduled for Oct 22.
4. The Paxmans agree that the City can immediately enter and begin construction upon the property that is being acquired by the City prior to closing, so the City can complete the project this season. While unlikely, in the event the City and the Paxmans do not close on the transaction, the City would have the option of (1) removing any improvements; (2) abandoning the project; and/or (3) acquiring the property through the eminent domain process. As the City and the Paxmans will have already agreed upon terms by both executing the agreement, and all that is left is the diligence and closing process, staff does not see any reason to delay construction or any significant risk from beginning prior to closing.

FISCAL IMPACT:

Funding for this project would come from GL# 40-40-76 Trails within the Parks Capital Fund for the FY2026 budget. The Mitchell Hollow Change Order agenda item earlier in the meeting provides a more in-depth breakdown of the costs to add this portion of the project to the Mitchell Hollow Trail project.

Regarding the property sale transaction itself, the City will pay for all title insurance, closing, and recording costs. These collectively total to approximately \$800 and will be within the total amount budgeted for this project.

MOTION:

I move that City Council approve the proposed real estate purchase agreement between the Paxman family and Highland City to acquire property for the 9600 North right of way.

ATTACHMENTS:

1. Paxman Signature Deed
2. Change Order 2 - Mitchell Hollow Plans 20260917
3. Paxman Improvements
4. 2026 Paxman Purchase Agreement

WHEN RECORDED, MAIL TO:
Highland City Recorder
5400 W Civic Center Drive
Highland City, Utah 84003

Warranty Deed

Utah County

Tax ID No. 12:055:0074

Alfred A. Paxman and Valois P. Paxman, Trustees (and to their Successors in trust) of the PAXMAN FAMILY TRUST U/A/D March 17, 2014, Grantors, of 6525 West 9600 South, Highland, County of Utah, State of Utah, hereby CONVEYS AND WARRANTS to HIGHLAND CITY, Grantee, at 5400 W Civic Center Drive, Highland City, Utah 84003, for the sum of TEN (\$10.00), Dollars, and other good and valuable considerations, the following described parcel of land in Utah County, State of Utah, to-wit:

A parcel of land in fee, situate in the NE1/4NE1/4 of Section 10, T.5S., R.1E., S.L.B.&M. in Utah County, State of Utah. The boundaries of said parcel of land are described as follows:

Beginning at the northeast corner of Lot 1 of Sierra Hills Plat "A" Subdivision and running thence along the east line of said subdivision North 00°05'15" East 8.88 feet; thence South 89°54'45" East 112.50 feet along the north line of grantor's parcel to the northeast corner of said parcel; thence along the east line of said parcel South 00°05'15" West 8.63 feet; thence South 89°57'36" West 112.50 feet to the point of beginning.

Contains 985 Square feet or 0.023 Acre more or less.

STATE OF)
) ss.
COUNTY OF)

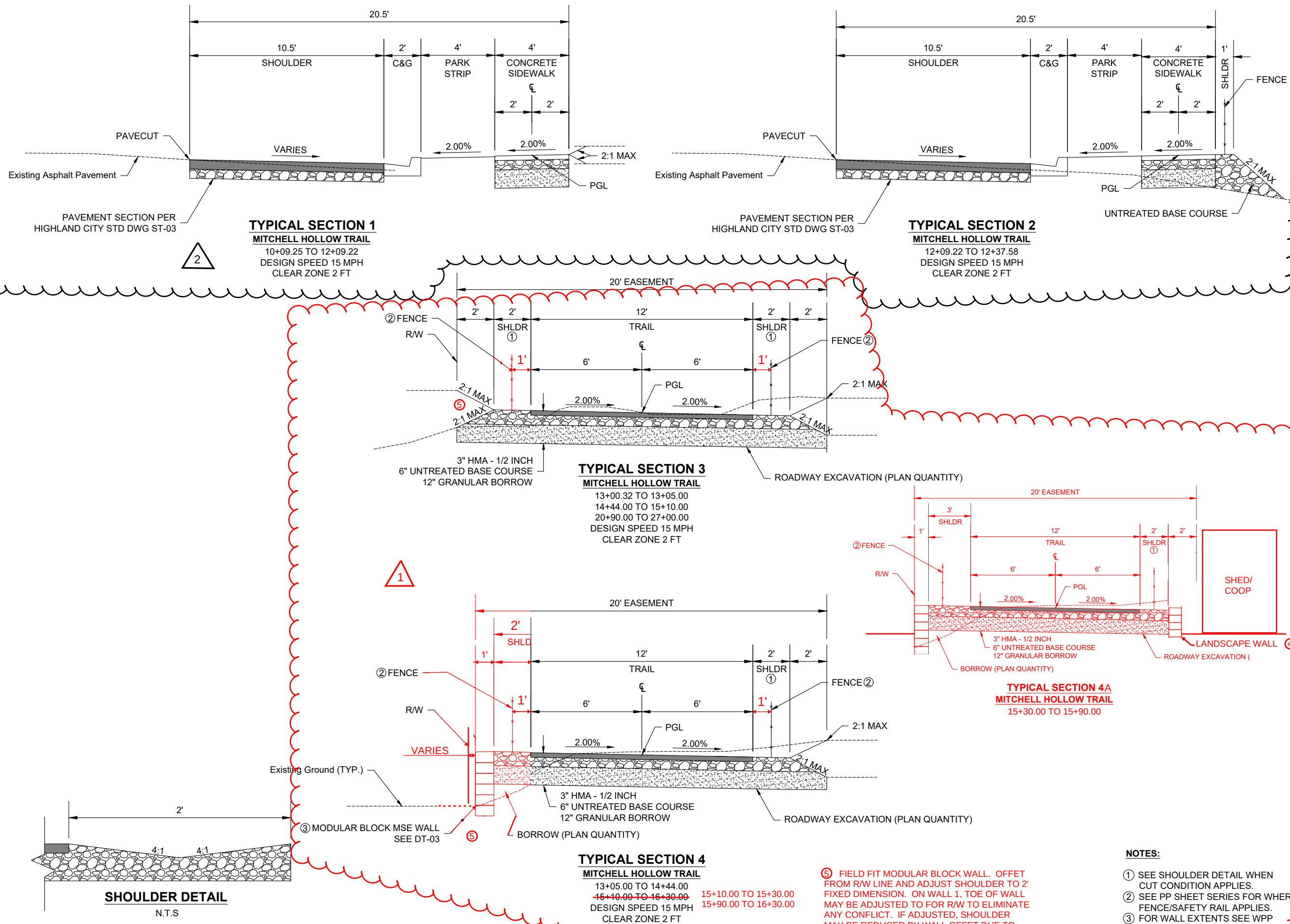
Alfred A. Paxman, trustee

Valois P. Paxman, trustee

On this ____ day of _____, in the year 20__, before me personally appeared Alfred A. Paxman and Valois P. Paxman, who by me being duly sworn/affirmed, that they are the Trustees and that said document was signed by them on behalf of Alfred A. Paxman and Valois P. Paxman, Trustees (and to their Successors in trust) of the PAXMAN FAMILY TRUST U/A/D March 17, 2014 who, acknowledged to me that they signed the within and foregoing instrument in accordance with the authority as Trustees given under the instrument creating said Trust.

Notary Public

A:_V-TPD\Projects\UT\Highland City\2024\ID241185\UT.00\Roadway Design\Sheets\ID241185\UT.00 - Mitchell Hollow Typical Section.dwg Sep 17, 2026 - 10:54am



- 1 TYPICAL SECTION REVISIONS
- 2 DEAN AND PAXMAN PARCELS

PUBLIC WORKS DEPARTMENT
5400 W. CIVIC CENTER DRIVE
HIGHLAND CITY, UT 84003
Tel. 801-772-4515

HIGHLAND CITY

DATE: 09/17/26
DRAWN BY: CD
CHECKED BY: RMP

CONSOR NORTH AMERICA, INC.
38 E SCENIC POINTE DR., SUITE 300
DRAPER, UT 84020
Tel. 888-451-6822

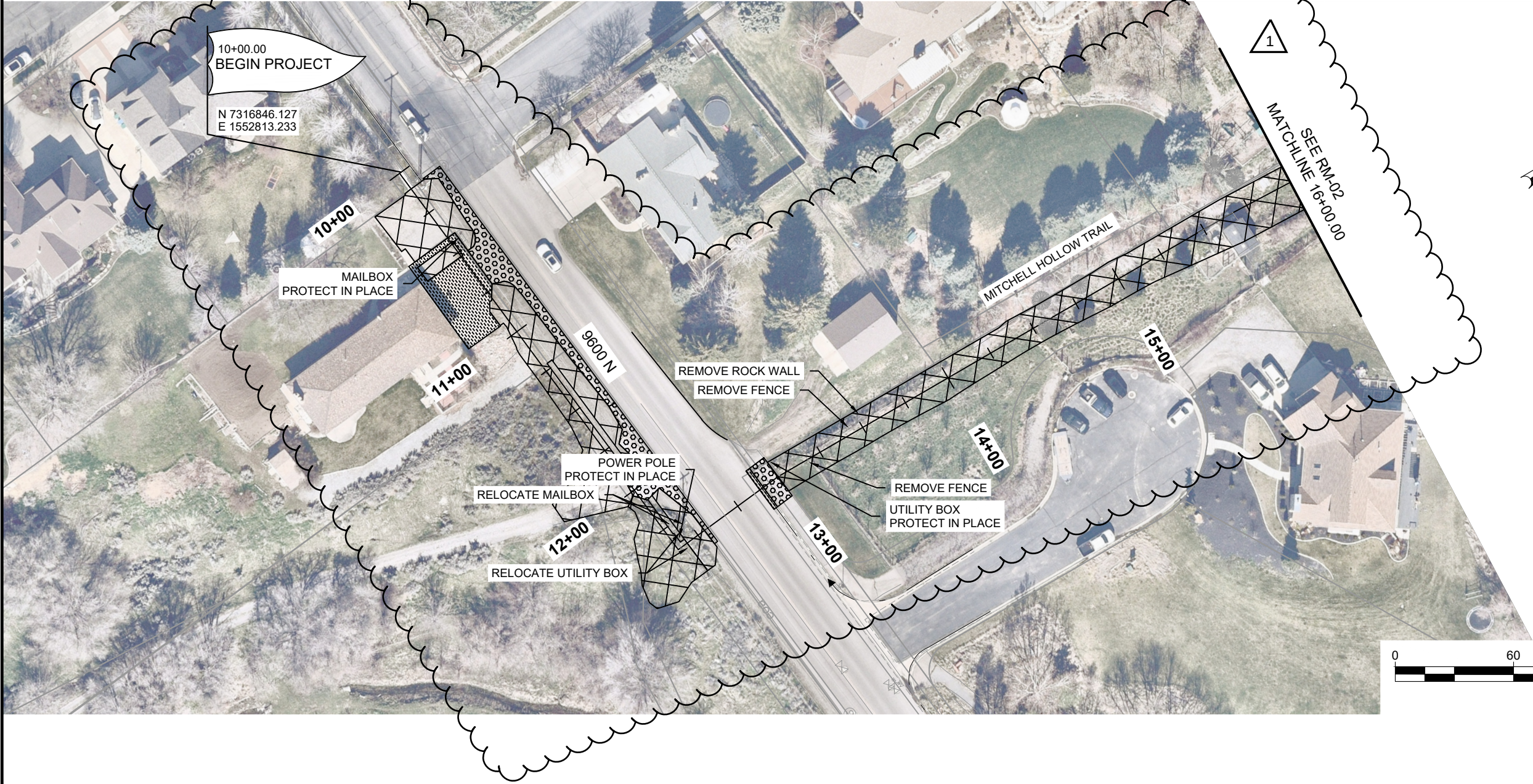
consor

PROFESSIONAL ENGINEER

PROJECT		PROJECT NUMBER	
MITCHELL HOLLOW TRAIL		D241185UT.00	
SHEET		TS-01	
TYPICAL SECTION		TYPICAL SECTION	

- NOTES:**
- ① SEE SHOULDER DETAIL WHEN CUT CONDITION APPLIES.
 - ② SEE PP SHEET SERIES FOR WHERE FENCE/SAFETY RAIL APPLIES.
 - ③ FOR WALL EXTENTS SEE WPP SHEET SERIES.
 - ④ FIELD FIT LANDSCAPE WALL. USE KEYSTONE COMPAC III TO MATCH MSE WALLS.
 - ⑤ FIELD FIT MODULAR BLOCK WALL. OFFSET FROM R/W LINE AND ADJUST SHOULDER TO 2' FIXED DIMENSION. ON WALL 1, TOE OF WALL MAY BE ADJUSTED TO FOR R/W TO ELIMINATE ANY CONFLICT. IF ADJUSTED, SHOULDER MAY BE REDUCED BY WALL OFFSET DUE TO HEIGHT. 2:1 SLOPES ALONG PACE PARCEL MAY BE STEEPER TO STAY WITHIN R/W.

A:_V-TPD\Projects\UT\Highland City\2024\185UT.00\Roadway Design\Sheets\185UT.00 - Mitchell Hollow Removal Sheets.dwg Sep 17, 2026 - 10:55am



LEGEND

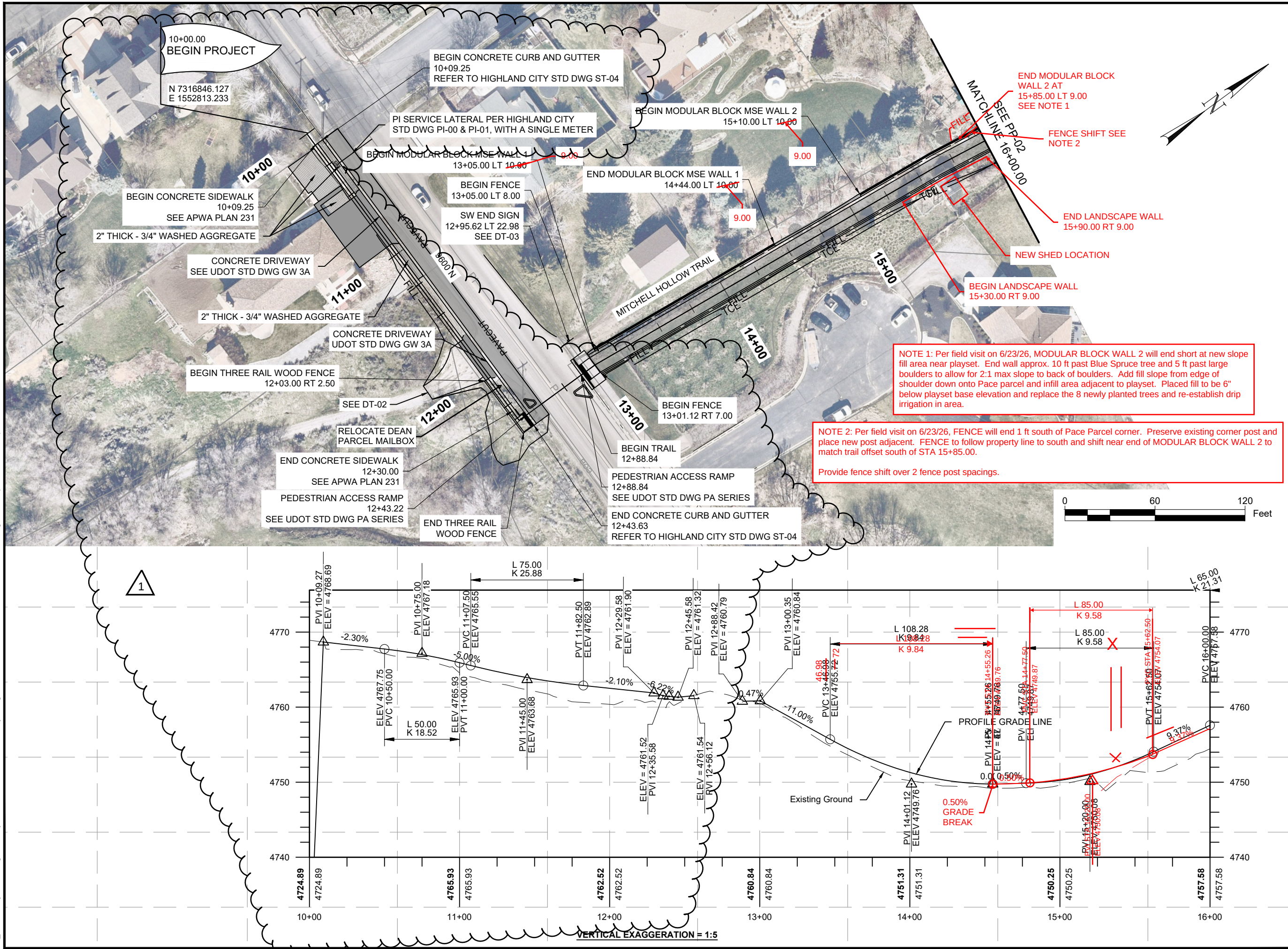
- CLEARING AND GRUBBING
- REMOVE ASPHALT
- REMOVE CONCRETE

NOTES:

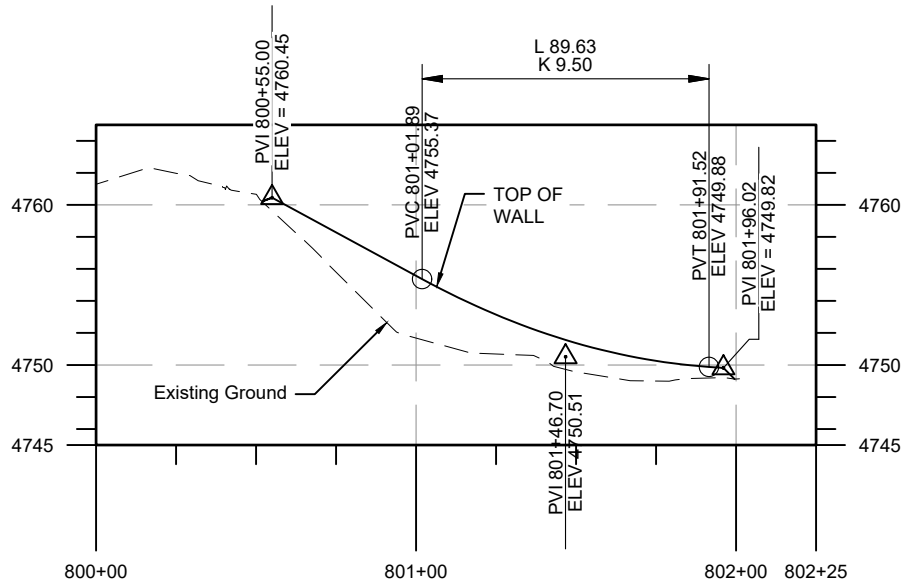
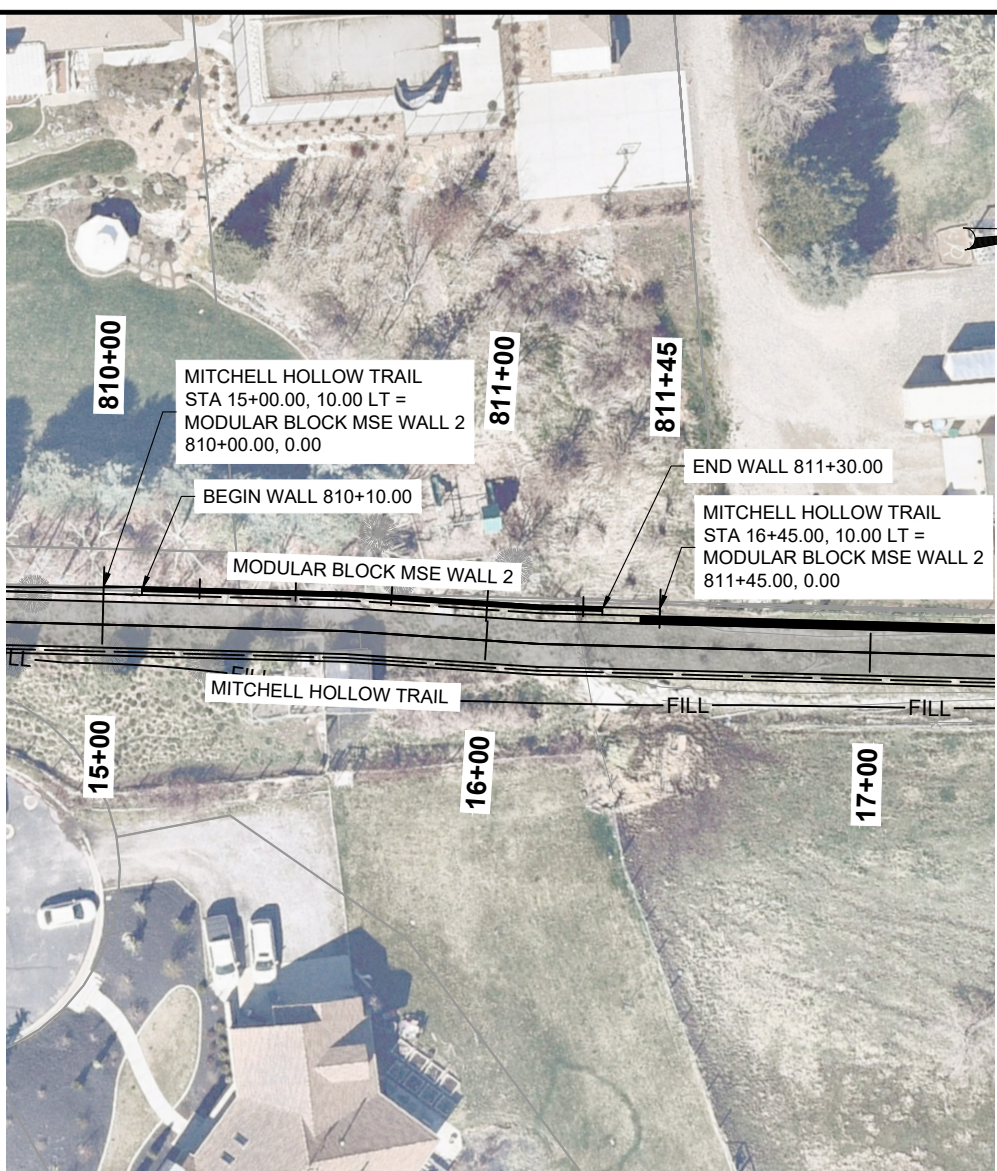
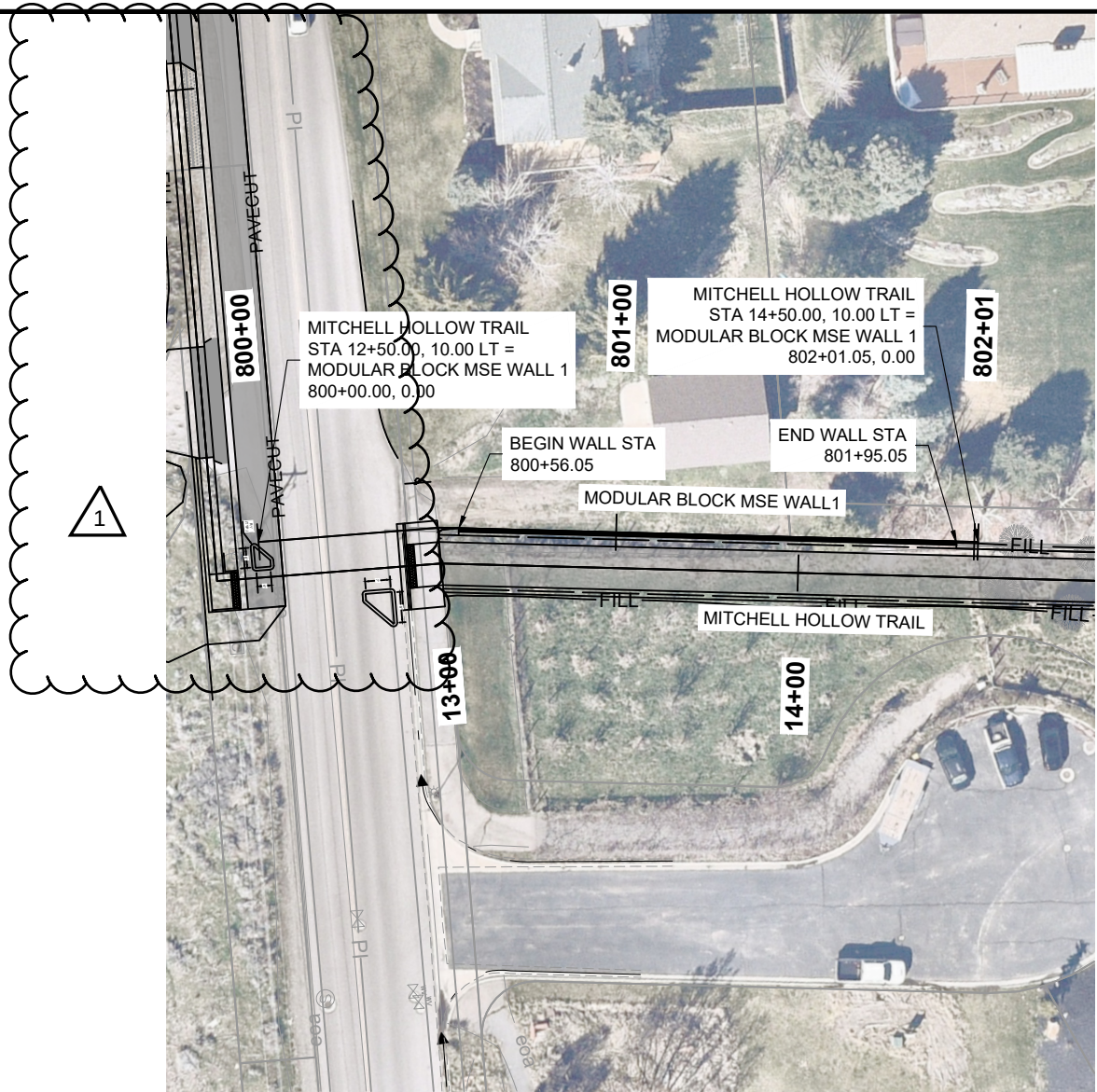
- LUMEN NOTES:
1.1 LUMEN EMERGENCY CONTACT: SIGIFREDO MARTINEZ (SIGIFREDO.MARTINEZ@LUMEN.COM)
1.2 LUMEN CUT CABLE REPAIR HOT LINE (800)-788-3600.
PRESS #2 PROMPT THEN #9 TO GET AN OPERATOR 24/7.

PROJECT		PROJECT NUMBER		SHEET	
MITCHELL HOLLOW TRAIL		D241185UT.00		RM-01	
REMOVAL		REMOVAL		Page 65 of 105	
CONSISTENT NORTH AMERICA, INC. 200 E. 1000 S. SUITE 300 DRAPER, UT 84020 Tel. 888-451-8822		CONSISTENT NORTH AMERICA, INC. 200 E. 1000 S. SUITE 300 DRAPER, UT 84020 Tel. 888-451-8822		CONSISTENT NORTH AMERICA, INC. 200 E. 1000 S. SUITE 300 DRAPER, UT 84020 Tel. 888-451-8822	
HIGHLAND CITY		HIGHLAND CITY		HIGHLAND CITY	
PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515		PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515		PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515	
DATE 09/17/26		DRAWN BY JBA		CHECKED BY DWH	
NO.		REVISIONS		BY DATE	
1		DEAN AND PAXMAN PARCELS			

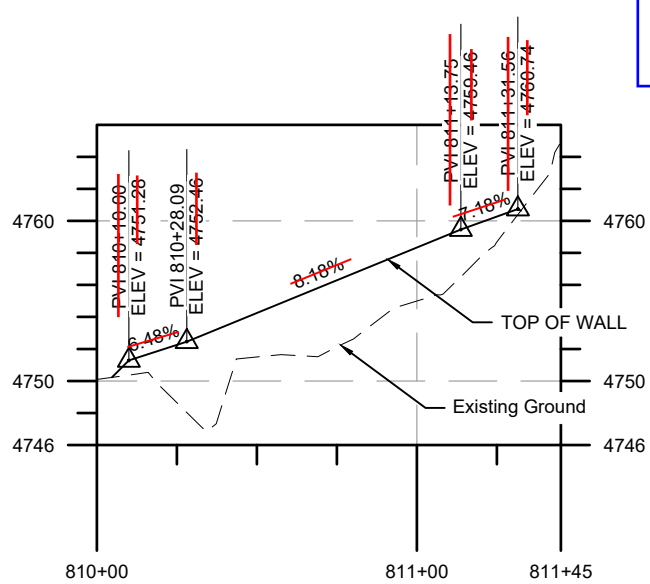
A:_V-TPD\Projects\UT\Highland City\2024\ID241185UT.00\Roadway Design\Sheets\ID241185UT.00 - Mitchell Hollow P&P.dwg Sep 17, 2026 - 2:52pm



1 DEAN AND PAXMAN PARCELS		DATE 09/17/26		CHECKED BY RMP		DRAWN BY BJB		BY DATE	
PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515		DATE 09/17/26		CHECKED BY RMP		DRAWN BY BJB		BY DATE	
CONSISTOR NORTH AMERICAN, INC. 3600 S. 3000 EAST DRAPER, UT 84020 Tel. 888-451-8822		DATE 09/17/26		CHECKED BY RMP		DRAWN BY BJB		BY DATE	
PROJECT MITCHELL HOLLOW TRAIL		PROJECT NUMBER D241185UT.00		PROFESSIONAL ENGINEER		PLAN & PROFILE		BY DATE	
SHEET PP-01		Page 66 of 105							



NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL UNDER TRAIL. SEE TYPICAL SECTION 3.



NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL UNDER TRAIL. SEE TYPICAL SECTION 3.

Revised top of wall elevations.
Update Keystone wall shop
drawings for this wall.

Trail Station	Top of Wall Elevation [ft]	Wall Station
15+10.00	4750.78	810+00.00
15+22.00	4751.33	810+12.00
15+34.00	4752.02	810+24.00
15+46.00	4752.86	810+36.00
15+58.00	4753.85	810+48.00
15+70.00	4754.97	810+60.00
15+82.00	4756.10	810+72.00
15+94.00	4757.22	810+84.00
16+06.00	4758.35	810+96.00
16+18.00	4759.47	811+08.00
16+30.00	4760.59	811+20.00

PROJECT

MITCHELL HOLLOW TRAIL

PROJECT NUMBER

D241185UT.00

SHEET

WPP-02

CONSOR ENGINEERS
988 West 5000 South
West Jordan, Utah 84086
Tel. 801.495-4240

DATE

01/29/2024

CHECKED BY

RMP

DRAWN BY

CD

REVISIONS

NO

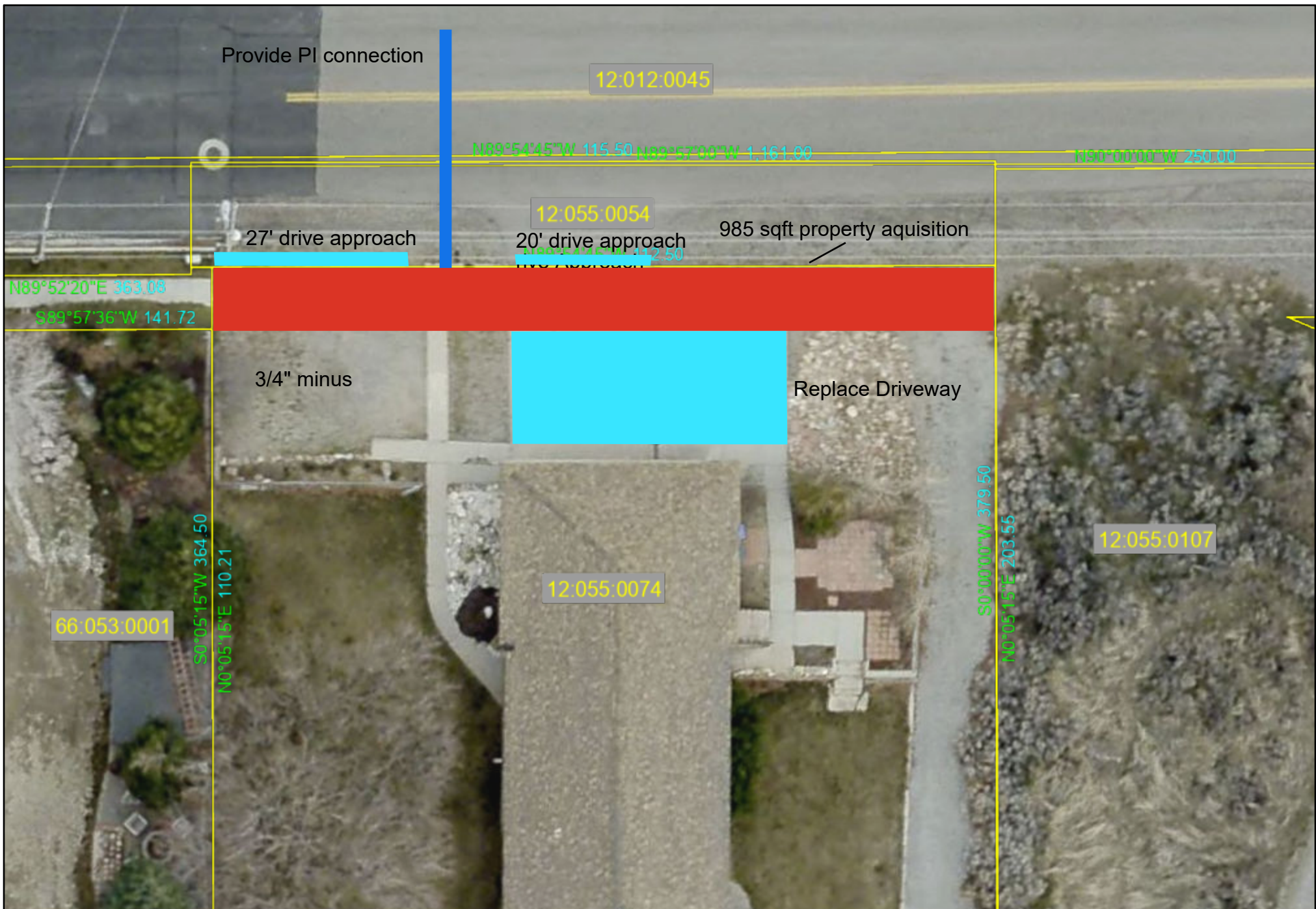
BY

DATE

1

DEAN AND PAXMAN PARCELS

Page 68 of 105



Utah County Parcel Map

Paxman

1 inch equals 23.5 feet

Date: 9/16/2026

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey.



REAL ESTATE PURCHASE AGREEMENT

This Real Estate Purchase Agreement (“**Agreement**”) is dated March 1, 2021, between ALFRED A. PAXMAN and VALOIS P. PAXMAN, as trustees of the PAXMAN FAMILY TRUST U/A/D MARCH 17, 2014 (“**Seller**”) and HIGHLAND CITY, a Utah municipality (the “**City**”), together with their respective principals, agents, officers, attorneys, and representatives (collectively, “**Parties**”).

For good and valuable consideration, the sufficiency and adequacy of which is hereby acknowledged, the Parties do agree and covenant as follows:

1. **Property.** The City agrees to purchase and Seller agrees to convey, sell, and transfer certain property (“**ROW Property**”), which ROW Property consists of:
 - a. Real Property: Fee title to 985 square feet of real property, which consists of the northerly portion of parcel number 12:055:0074 adjacent to the City’s 9600 North right of way, located at 6525 West 9600 North, Highland, Utah County, Utah, and all the appurtenances, rights, and privileges belonging thereto. The ROW Property is more particularly described in Exhibit A, attached hereto.
2. **Warranties.** Seller represents and warrants that Seller lawfully has fee title the ROW Property and that Seller is authorized and able to convey marketable title to the ROW Property to the City. Seller represents and warrants that there are no liens, leases, other rental or use agreements, or any other encumbrances that would limit or restrict the City’s ownership, occupation, and use of the ROW Property.
3. **Consideration.**
 - a. As consideration for the City’s acquisition of the ROW Property, the City will provide, install, construct, and cover all costs associated with such installation and construction, certain improvements and betterments for Seller (collectively, “**In-Kind Purchase Price**”), which improvements and betterments will be located on the remainder of Seller’s property, consisting of the remainder of parcel number 12:055:0074, located at 6525 West 9600 North (“**Remainder Property**”) and on the ROW Property. The In-Kind Purchase Price consists of each of the following, as generally depicted and shown in Exhibit B, attached hereto:
 - i. Curb, gutter, and sidewalk, constructed to City design and construction standards, provided within the ROW Property along the northerly boundary of the Remainder Property;
 - ii. A reconstructed driveway apron/approach of 47 linear feet within the ROW Property, but the City shall not provide or pay for the costs of reconstruction of the driveway within the Remainder Property. The driveway reconstruction shall only be done, if at all, at Seller’s sole cost and expense as set forth herein;

Seller Initial: _____

Page 1 of 9

- iii. Two-inch (2") thick layer of three-quarter inch (3/4") washed aggregate in the western parking area and in the areas between the front walkway and the driveway.
 - iv. Installation of a three-quarter inch (3/4") pressurized irrigation connection stub from the City's pressurized irrigation main to a locked meter can. No meter shall be installed, and no pressurized irrigation water shall be provided to Seller or the Remainder Property until and unless Seller conveys water rights/shares and pays appropriate pressurized irrigation impact fees for the Remainder Property, according to City's ordinances, policies, and standards.
 - v. Mailbox to be relocated to a location along the Remainder Property frontage approved by Seller.
- b. The City shall also, in connection with the In-Kind Purchase Price work, facilitate the demolition and replacement of Seller's driveway within the Remainder Property by City's contractor(s) as depicted and shown in Exhibit B attached hereto, if Seller pays for all actual costs such work, currently bid at \$14,525. Seller shall be solely responsible for all costs associated with such work and any additional costs arising from Seller's change orders or modifications from the scope of work shown in Exhibit B. No change orders or modifications shall be permitted that impede or delay the City's completion of the In-Kind Purchase Price or associated right-of-way improvement project.
 - c. The City's shall complete the installation and construction of the In-Kind Purchase Price by December 31, 2026.
 - d. No financing or appraisal is required or made a condition of this Agreement. The Parties agree that the In-Kind Purchase Price represents fair market value and adequate consideration for the ROW Property.
 - e. This Agreement is a voluntary transaction and not a settlement or resolution of any pending or threatened eminent domain action.
 - f. This section, the City's obligation to install, construct, and cover all costs of the In-Kind Purchase Price, and Seller's obligation to pay for all costs associated with the demolition and replacement of Seller's driveway, shall survive Closing.
4. **Settlement.** Settlement shall take place no later than the Settlement Deadline described in Section 14. "**Settlement**" will occur only when all of the following have been completed:
- a. The Parties have signed and delivered to each other or to the escrow/closing office all documents required by this Agreement, by the title insurance and escrow/closing offices, by written escrow instructions (including any split closing instructions, if applicable), or by applicable law;

- b. Any monies required to be paid by the Parties under this Agreement have been delivered by the responsible Party to the other Party or to the escrow/closing office, in the form of cash, wire transfer, cashier's check, or other form acceptable to the Party or escrow/closing office.
- 5. **Closing.** Closing shall take place no later than four calendar days after Settlement. "Closing" will occur only when all of the following have been completed:
 - a. Settlement has been completed;
 - b. The applicable Closing documents, including deeds and other legal instruments, have been recorded in the office of the county recorder ("**Recording**").
- 6. **Possession.** Seller shall deliver physical possession of the ROW Property to the City upon Recording, provided that Seller authorizes City upon execution of this Agreement to enter upon and take immediate occupancy of the ROW Property and the Remainder Property as necessary to allow City to construct and install the In-Kind Purchase Price. These provisions shall survive closing. Should Settlement or Closing not occur for whatever reason, City shall have no obligation to complete the In-Kind Purchase Price, may remove incomplete, unsafe, or otherwise undesired portions of the In-Kind Purchase Price, may abandon in-place safe portions of the In-Kind Purchase Price, and/or may pursue eminent domain proceedings to acquire the ROW Property, as determined by the City.
- 7. **Payment Obligations.** The following obligations and provisions shall survive Closing:
 - a. Seller shall maintain and be responsible for all utilities and other services for the ROW Property prior to Settlement. The City shall maintain and be responsible for all utilities and other services for the ROW Property after Settlement. At all times, Seller shall maintain and be responsible for all utilities and other services provided to the Remainder Property, with utility services provided subject to this Agreement and applicable City ordinances, policies, and standards.
 - b. City shall pay all fees charged by the escrow/closing office for their services in the Settlement/Closing process.
- 8. **Title and Title Insurance.**
 - a. Seller shall convey marketable title to all of the ROW Property to the City at Closing. Title to all real property shall be conveyed by general warranty deed. Title to all other property shall be conveyed by such other affidavits, deeds, and documents as is necessary.
 - b. The City will accept title to the ROW Property subject to the contents of the Commitment for Title Insurance, as reviewed and approved by the City under Section 10. City shall pay for and cause to be issued in favor of the City the most current available version of an ALTA Seller's Policy of Title Insurance.

9. **Seller Disclosures.** No later than the Seller Disclosure Deadline described in Section 14, Seller shall provide to the City the following documents in hard copy or electronic format (collectively, the “**Seller Disclosures**”):

- a. Written notice of defects in the ROW Property known to Seller that materially affect the value of the ROW Property that cannot be discovered by a reasonable inspection by an ordinary prudent purchaser.
- b. A copy of any lease, rental, and any other use or management agreement affecting the ROW Property as of the date of this Agreement.
- c. Written notice of any claims or conditions known to Seller relating to geologic or environmental problems, and a copy of any studies, reports, findings, notices, claims, or other documents describing or relating to geologic or environmental issues, conditions, or claims related to the ROW Property.
- d. Written notice if Seller is a foreign person under FIRPTA.

10. **The City’s Conditions of Purchase.** The City’s obligation to purchase the ROW Property under this Agreement is conditioned upon the City’s Due Diligence, as described below:

- a. The City’s Due Diligence shall consist of the City’s review and approval of the contents of the Seller Disclosures referenced in Section 9, and any other tests, evaluations and verifications of the ROW Property deemed necessary or appropriate by the City, such as: Commitment for Title Insurance and issues regarding title to and encumbrances upon the ROW Property; the physical condition of the ROW Property; the existence of any hazardous substances, environmental issues or geologic conditions; the square footage or acreage of the land and/or improvements; the condition of any structures, improvements, or other construction on the ROW Property; the costs and availability of property and flood insurance, if applicable; water source, availability and quality; the location of property lines; regulatory use restrictions or violations; greenbelt rollback taxes; fees for services such as HOA dues, municipal services, and utility costs; and any other matters deemed material to the City in making a decision to purchase the ROW Property.
- b. All of the City’s Due Diligence shall be paid for by the City and shall be conducted by individuals or entities of the City’s choice. Seller shall cooperate with the City’s Due Diligence. The City agrees to pay for any damage to the ROW Property resulting from any such inspections or tests during the Due Diligence.
- c. If the City determines, in the City’s sole discretion, that the results of the Due Diligence are unacceptable, the City may either:
 - i. No later than the Due Diligence Deadline described in Section 14, cancel and terminate this Agreement by providing written notice to Seller. Upon such termination, all obligations and rights of the Parties under this Agreement shall immediately terminate.

- ii. No later than the Due Diligence Deadline described in Section 14, resolve in writing with Seller any objections the City has arising from the City's Due Diligence. If unable to resolve the objections, the City may elect to terminate this Agreement as set forth above.

- d. If the City fails to terminate this Agreement or to resolve in writing with Seller any objections the City has arising from the City's Due Diligence, the City shall be deemed to have waived the Due Diligence Condition.

11. As-Is Condition of Property. The following obligations and provisions shall survive Closing:

- a. The City agrees that in reference to the physical condition of the ROW Property:

- i. the City is purchasing the ROW Property in its "As-Is" condition without expressed or implied warranties of any kind, except as expressly set forth herein;
- ii. the City shall have, during the City's Due Diligence, an opportunity to completely inspect and evaluate the condition of the ROW Property; and
- iii. if based on the City's Due Diligence, the City elects to proceed with the purchase of the ROW Property, the City is relying wholly on the City's own judgment and that of any contractors or inspectors engaged by the City to review, evaluate and inspect the ROW Property.

- b. In reference to the physical condition of the ROW Property, Seller agrees to:

- i. carefully review, complete, and provide to the City the Seller Disclosures required by Section 9; and
- ii. deliver the ROW Property to the City in substantially the same general condition as it was on the date of this Agreement, ordinary wear and tear excepted.

12. Final Pre-Settlement Walk-Through Inspection. No earlier than five (5) calendar days prior to Settlement, and upon reasonable notice and at a reasonable time, the City may conduct a final pre-Settlement walk-through inspection of the ROW Property to determine only that the ROW Property is "as represented," meaning that the items referenced in Sections 1 and 10.c.ii ("**Items**") are respectively present, repaired or corrected as agreed. The failure to conduct a walk-through inspection or to claim that an Item is not as represented shall not constitute a waiver by the City of the right to receive, on the date of possession, the Items as represented.

13. Changes During Transaction. Seller agrees that from the date of this Agreement, Seller shall not, without the prior written consent of the City:

- a. Make any substantial alterations or improvements to the ROW Property;

Seller Initial: _____

- b. Further financially encumber the ROW Property;
- c. Make any changes to the legal title to the ROW Property;
- d. Enter into any additional lease, rental, or any other use or management agreement affecting the ROW Property;
- e. Change any existing lease, rental, or any other use or management agreement affecting the ROW Property.

14. Schedule of Deadlines.

- a. Seller Disclosure Deadline: Thursday, October 15, 2026
- b. Due Diligence Deadline: Monday, October 19, 2026
- c. Settlement Deadline: Thursday, October 22, 2026
- d. The Parties may agree in writing to close/settle earlier, subject to completion of City's due diligence and the completion of title inspection and insurance.

15. Property for Public Purpose. The following provisions shall survive closing.

- a. Seller agrees and acknowledges that the ROW Property being purchased will be used by the City for public purposes, structures, and improvements, which may include public street, sidewalk, curb, gutter, and other right-of-way improvements, utility mains, facilities, and lines, and other utility or public infrastructure and access purposes.

16. Time Is of the Essence. Time is of the essence regarding the dates set forth in this Agreement. Extensions must be agreed to in writing by all Parties. Unless otherwise explicitly stated herein: (a) performance under each Section of this Agreement which references a date shall absolutely be required by 5:00 PM Mountain Time on the stated date; and (b) the term "days" and "calendar days" shall mean calendar days and shall be counted beginning on the day following the event which triggers the timing requirement. Performance dates and times referenced herein shall not be binding upon title companies, lenders, appraisers and others not parties to the Agreement, except as otherwise agreed to in writing by such nonparty.

17. Insurance and Risk of Loss. Prior to closing, if any part of the ROW Property is damaged or destroyed by fire, vandalism, flood, earthquake, or act of God, the risk of such loss or damage shall be borne by Seller, provided that if the cost of repairing such damage or loss would exceed ten percent (10%) of the Purchase Price, either the City or Seller may elect to cancel and terminate this Agreement by providing written notice to the other Party. Upon such termination, all obligations and rights of the Parties under this Agreement shall immediately terminate. As of Closing, the City shall be responsible to obtain casualty and liability insurance coverage on the ROW Property in amounts acceptable to the City. These provisions shall survive closing.

18. **Documents and Deeds.** The Parties agree to promptly and timely complete and provide all forms, deeds, assignments, receipts and any other instrument or document required to carry out the terms of this Agreement. These provisions shall survive closing.
19. **Complete Agreement.** This written Agreement is the entire contract entered into between the Parties, and no Party is relying or may rely on any other representations, promises, or understandings of any kind not expressly set forth herein. This Agreement may not be altered, amended, modified, or otherwise changed in any respect except in a writing executed by all Parties.
20. **No Third Parties.** The rights, duties, and obligations of this Agreement are for the sole benefit of the named Parties, and no third party, other than successors in interest as described in Section 20, has any rights hereunder to enforce the terms of this Agreement.
21. **Assignment and Successors.** This Agreement may not be assigned to any other person without the prior written consent of the other Party. Provided, however, that the Parties agree that this Agreement shall continue and be binding on all successors-in-interest, partners, agents, officers, trustees, attorneys, insurers, representatives, heirs, executors, and administrators of each of the Parties, and the transfer of a Party's interest to such person shall not be treated as an assignment requiring prior written consent.
22. **Authority to Execute.** The person executing this Agreement on behalf of each Party hereby represents that he or she has full authority to execute the Agreement and to bind each Party to the terms of this Agreement, and that all necessary actions for him or her to enter into this Agreement have heretofore been completed.
23. **Counterparts.** This Agreement may be executed in counterparts, whether physical or electronic, which together form a single Agreement. Signatures on this Agreement, whether executed physically or by electronic means, shall be deemed original signatures and shall have the same legal effect as original signatures.
24. **Governing Law and Forum.** This Agreement shall be governed and construed in accordance with Utah law. Any action to enforce this Agreement or adjudicate any issues under or in connection with this Agreement shall be brought and maintained in the Utah Fourth District Court, Utah County, and the Parties agree to submit to the jurisdiction thereof for purposes of this Agreement and any dispute arising out of the same. These provisions shall survive Closing.
25. **Remedies.** In the event of a breach by either Party of any of their obligations under this Agreement, each Party shall be entitled to exercise all rights granted by law and under this Agreement and pursue all remedies available at law and equity. The Parties shall be entitled to specific performance of their rights under this Agreement, and the City and Seller each agree that monetary damages would not provide adequate compensation for any losses incurred by reason of a breach by it of any of the provisions in this Agreement and agree to waive and not assert in any action for specific performance the defense that a remedy at law would be adequate. These provisions shall survive Closing.

26. Attorney Fees and Costs. Both Parties agree to pay for their own attorney fees and costs arising out of or connected in any way to the execution of this Agreement. Any Party that prevails in any legal proceeding, including court proceedings, arbitration, and administrative proceedings, to enforce this Agreement or adjudicate any issues under or in connection with this Agreement will be entitled to recover its reasonable attorney fees, costs, and expenses of such proceedings. These provisions shall survive Closing.

-- SIGNATURE PAGE TO FOLLOW --

THE UNDERSIGNED HAVE READ AND HAVE HAD THE OPPORTUNITY TO SEEK THE
ADVICE OF INDEPENDENT COUNSEL WITH RESPECT TO THE FOREGOING, AND
HEREBY ACKNOWLEDGE AND AGREE TO BE BOUND BY THESE TERMS.

On Behalf of Seller

[Signature]

[Signature]

[Name]

[Name]

[Title]

[Title]

[Date]

[Date]

On Behalf of City

[Signature]

[Name]

[Title]

[Date]

ATTEST:

Stephannie Cottle, City Recorder

Seller Initial: _____

EXHIBIT A

Description of ROW Property

WHEN RECORDED, MAIL TO:
Highland City Recorder
5400 W Civic Center Drive
Highland City, Utah 84003

Warranty Deed

Utah County

Tax ID No. 12:055:0074

Alfred A. Paxman and Valois P. Paxman, Trustees (and to their Successors in trust) of the PAXMAN FAMILY TRUST U/A/D March 17, 2014, Grantors, of 6525 West 9600 South, Highland, County of Utah, State of Utah, hereby CONVEYS AND WARRANTS to HIGHLAND CITY, Grantee, at 5400 W Civic Center Drive, Highland City, Utah 84003, for the sum of TEN (\$10.00), Dollars, and other good and valuable considerations, the following described parcel of land in Utah County, State of Utah, to-wit:

A parcel of land in fee, situate in the NE1/4NE1/4 of Section 10, T.5S., R.1E., S.L.B.&M. in Utah County, State of Utah. The boundaries of said parcel of land are described as follows:

Beginning at the northeast corner of Lot 1 of Sierra Hills Plat "A" Subdivision and running thence along the east line of said subdivision North 00°05'15" East 8.88 feet; thence South 89°54'45" East 112.50 feet along the north line of grantor's parcel to the northeast corner of said parcel; thence along the east line of said parcel South 00°05'15" West 8.63 feet; thence South 89°57'36" West 112.50 feet to the point of beginning.

Contains 985 Square feet or 0.023 Acre more or less.

STATE OF)
) ss.
COUNTY OF)

Alfred A. Paxman, trustee

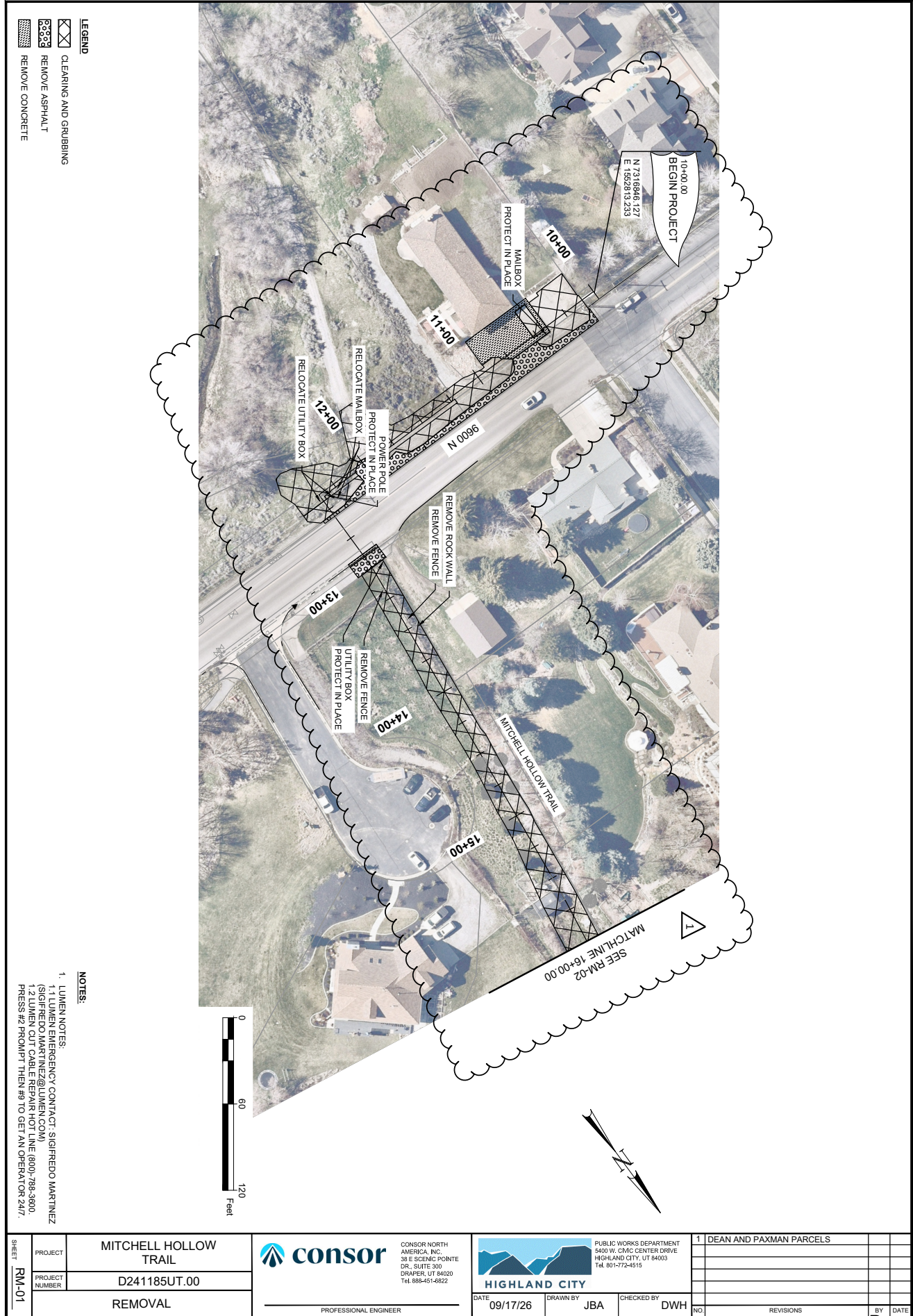
Valois P. Paxman, trustee

On this ____ day of _____, in the year 20__, before me personally appeared Alfred A. Paxman and Valois P. Paxman, who by me being duly sworn/affirmed, that they are the Trustees and that said document was signed by them on behalf of Alfred A. Paxman and Valois P. Paxman, Trustees (and to their Successors in trust) of the PAXMAN FAMILY TRUST U/A/D March 17, 2014 who, acknowledged to me that they signed the within and foregoing instrument in accordance with the authority as Trustees given under the instrument creating said Trust.

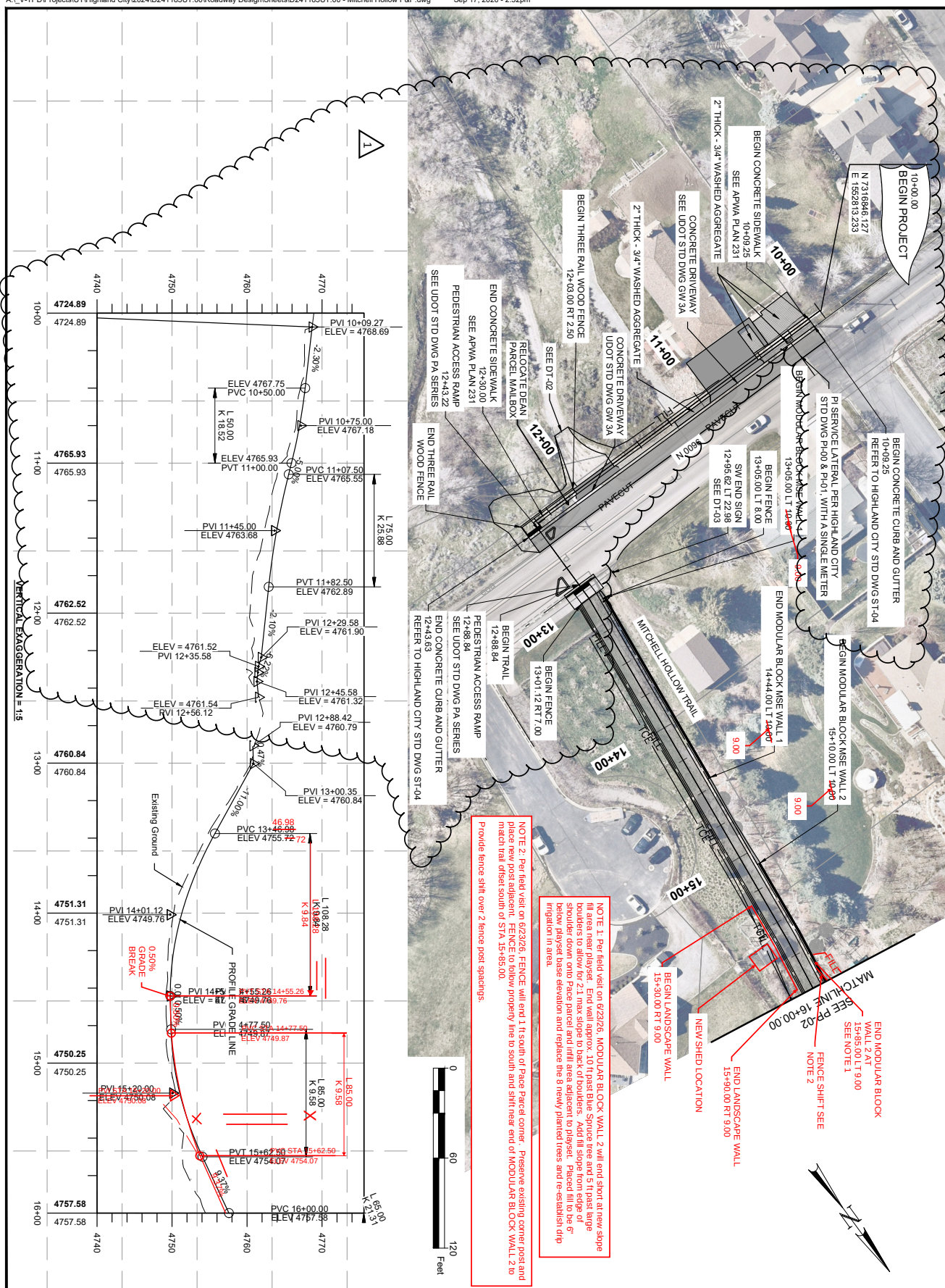
Notary Public

EXHIBIT B

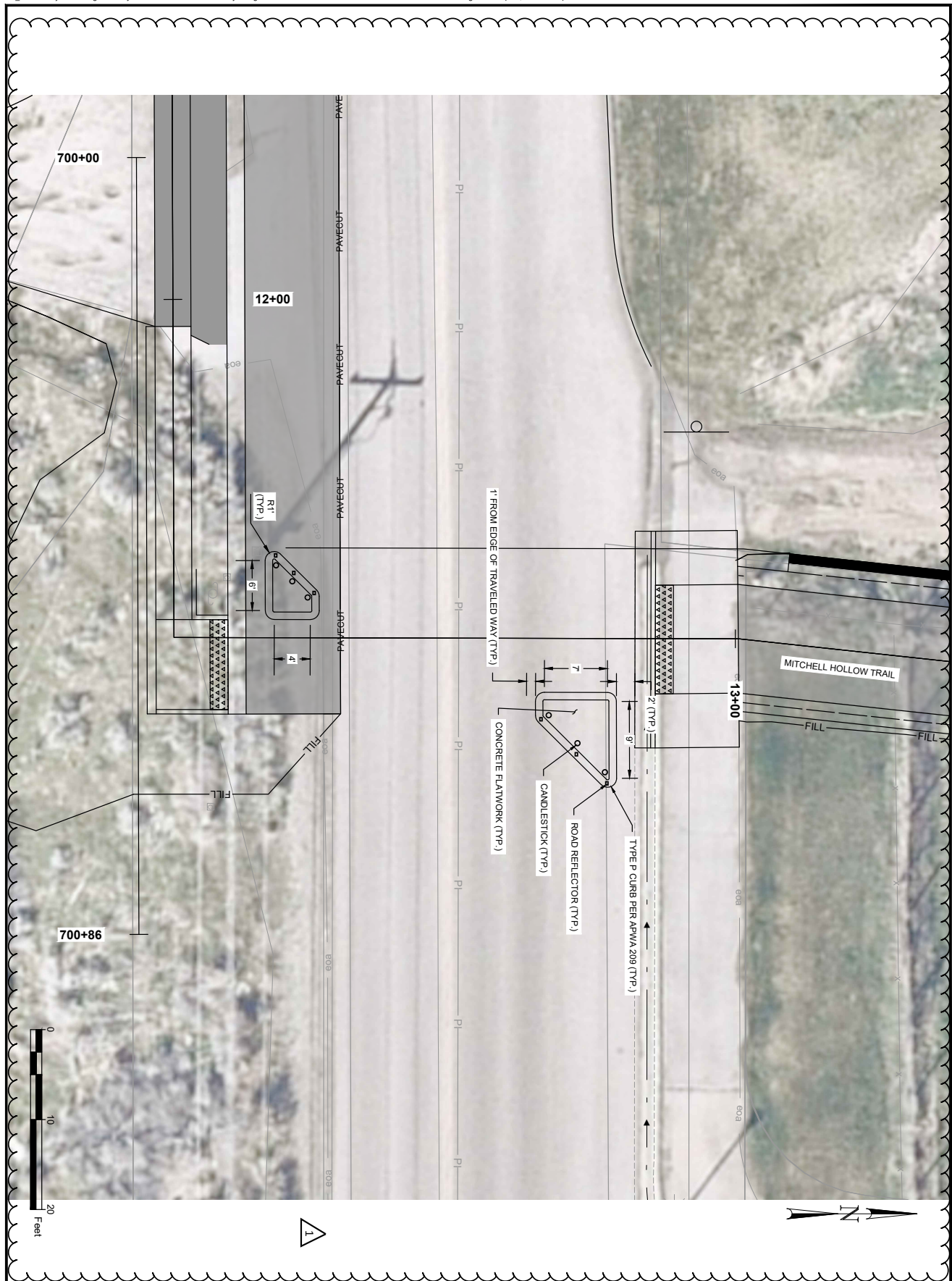
Depiction and Plans for In-Kind Purchase Price Improvements and Betterments



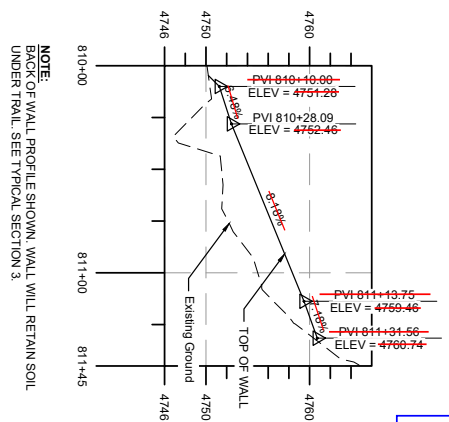
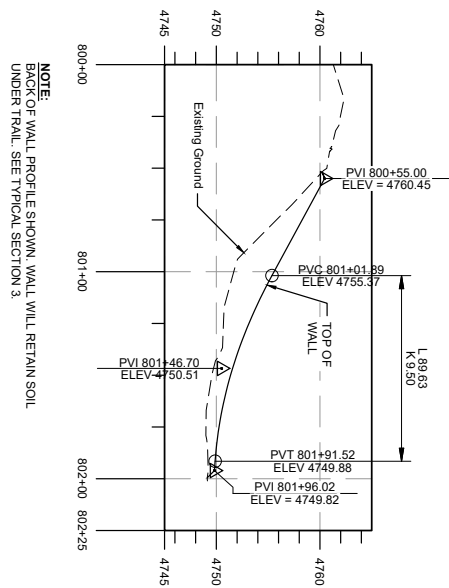
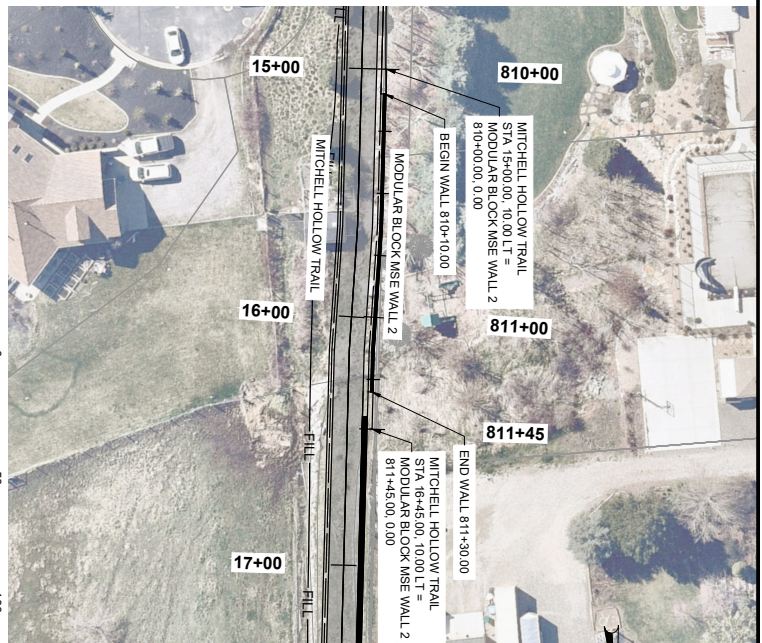
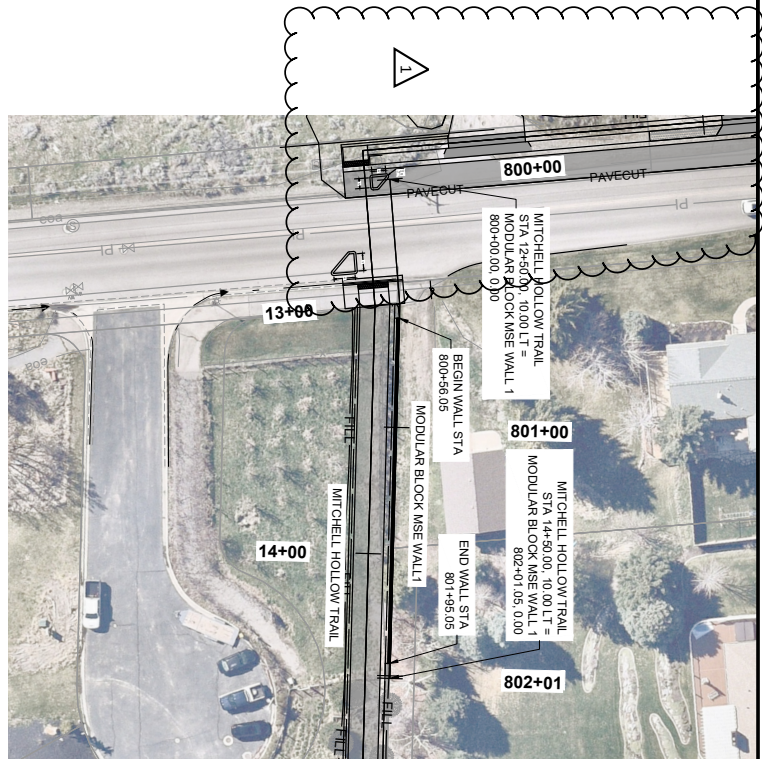
SHEET RM-01	PROJECT MITCHELL HOLLOW TRAIL	CONSOR NORTH AMERICA, INC. 38 E SCENIC POINT DR., SUITE 300 DRAPER, UT 84020 Tel: 888-551-6822	PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel: 801-772-4515	1 DEAN AND PAXMAN PARCELS			
	PROJECT NUMBER D241185UT.00			DATE 09/17/26	DRAWN BY JBA	CHECKED BY DWH	NO. REVISIONS
REMOVAL		PROFESSIONAL ENGINEER	HIGHLAND CITY		BY DATE		



SHEET PP-01	PROJECT	MITCHELL HOLLOW TRAIL	 CONSOR NORTH AMERICA, INC. 38 E SCENIC POINTE DR., SUITE 300 DRAPER, UT 84020 Tel. 888-457-6822	 PUBLIC WORKS DEPARTMENT 5400 W. CMC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515 HIGHLAND CITY	1	DEAN AND PAXMAN PARCELS						
	PROJECT NUMBER	D241185UT.00										
	PLAN & PROFILE				_____ PROFESSIONAL ENGINEER		DATE	09/17/26	DRAWN BY	BJG	CHECKED BY	RMP
							NO.	REVISIONS		BY	DATE	



SHEET WPP-01	PROJECT	MITCHELL HOLLOW TRAIL	 CONSOR ENGINEERS 986 West 9000 South West Jordan, Utah 84088 Tel. 801-495-4240	PUBLIC WORKS DEPARTMENT 5400 W. CMC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515			1 DEAN AND PAXMAN PARCELS					
	PROJECT NUMBER	D241185UT.00										
	WALL PLAN & PROFILE											
	PROFESSIONAL ENGINEER											
DATE			DRAWN BY		CHECKED BY		NO.		REVISIONS		BY	DATE
01/29/2024			CD		RMP							



NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL
UNDER TRAIL. SEE TYPICAL SECTION 3.

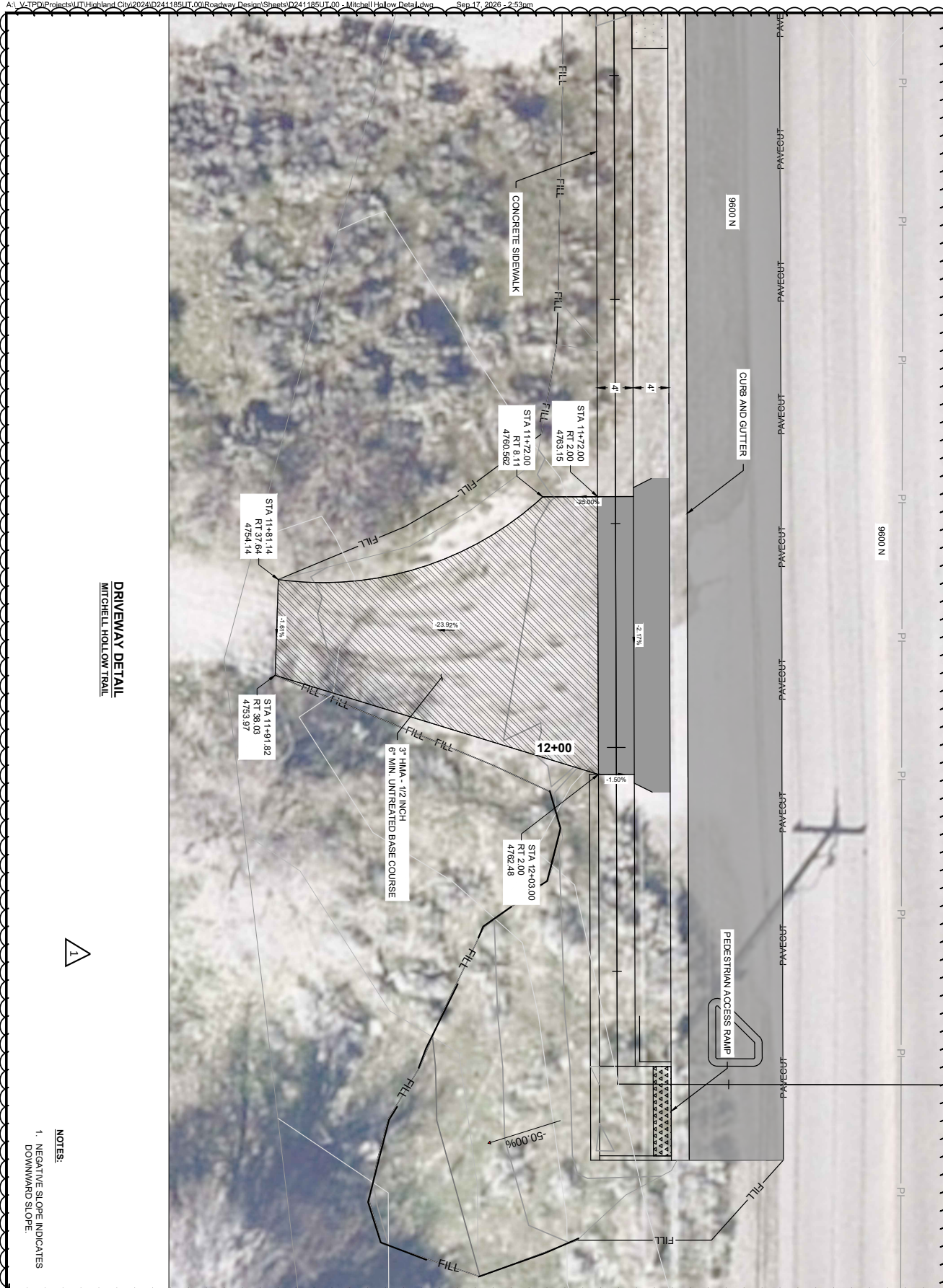
NOTE:
BACK OF WALL PROFILE SHOWN. WALL WILL RETAIN SOIL
UNDER TRAIL. SEE TYPICAL SECTION 3.

VERTICAL EXAGGERATION = 1:5

Revised top of wall elevations.
Update Keystone wall shop
drawings for this wall.

Station	Top of Wall	Station
800+00	4750.51	800+00
800+56.05	4755.37	800+56.05
801+01.89	4755.37	801+01.89
801+46.70	4750.51	801+46.70
801+91.52	4749.88	801+91.52
801+96.02	4749.82	801+96.02
802+00	4749.82	802+00
802+25	4749.82	802+25

SHEET WPP-02	PROJECT	MITCHELL HOLLOW TRAIL		DATE	01/29/2024	DRAWN BY	CD	CHECKED BY	RMP	1 DEAN AND PAXMAN PARCELS REVISIONS NO. BY DATE
	PROJECT NUMBER	D241185UT.00		CONSOR ENGINEERS	586 West 9000 South West Jordan, Utah 84088 Tel. 801-495-4240	PUBLIC WORKS DEPARTMENT	5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515			
	WALL PLAN & PROFILE			PROFESSIONAL ENGINEER						



DRIVEWAY DETAIL
MITCHELL HOLLOW TRAIL



- NOTES:**
1. NEGATIVE SLOPE INDICATES DOWNWARD SLOPE.

SHEET DT-02	PROJECT		MITCHELL HOLLOW TRAIL		 CONSOR NORTH AMERICA, INC. 38 E SCIENCE POINTE DR., SUITE 300 DRAPER, UT 84020 Tel. 800-451-0822	 HIGHLAND CITY	 PUBLIC WORKS DEPARTMENT 5400 W. CIVIC CENTER DRIVE HIGHLAND CITY, UT 84003 Tel. 801-772-4515	DEAN AND FAXMAN PARCELS				
	PROJECT NUMBER		D241185UT.00									
	DETAIL		_____ PROFESSIONAL ENGINEER					DATE	DRAWN BY	CHECKED BY	NO.	REVISIONS
								09/17/26	CD	RMP		Page 1 of 1



CITY COUNCIL AGENDA REPORT

ITEM #5c

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Jay Baughman, Assistant City Administrator
SPONSORED BY: Barbara Barry
SUBJECT: Orphan Parcel Land Sale - Barry
TYPE: General City Management

PURPOSE:

The City Council will review documents prepared for the sale of a city-owned orphan parcel adjacent to property owned by Barbara Barry and if approved, direct staff to prepare a sale contract and finalize the sale of that property.

STAFF RECOMMENDATION:

Staff recommends Council approve the Resolution attached to this report. Staff would then follow all state and local ordinances regarding the sale of City property.

PRIOR COUNCIL DIRECTION:

At the February 3, 2026 City Council Meeting, the City Council approved Resolution R-2026-07, which updated the method by which the City calculated the value of orphan parcels of land and reiterated its policies and guidelines for the disposal of surplus real public property owned by the City. The square footage amount set for 2026 is \$5.72.

At the March 24, 2026 City Council Meeting, the City Council reviewed a draft Open Space Sale Application developed and presented by staff. The application, as an administrative tool to process requests for land purchases, was supported by Council. Staff transposed the application to its online Civic Review platform, where other similar land-use applications are processed. At this time, the link to the application is shared upon request by Community Development and Planning staff so that we are able to speak with and discuss the suitability of a request for purchase with the applicant.

At the September 1, 2026 City Council Meeting, the City Council declared the city-owned property adjacent to property owned by Barbara Barry as an orphan parcel and directed staff to move forward with the sale of that property.

BACKGROUND:

Following the Council's vote to declare property adjacent to Barbara Barry's property an orphan parcel and authorize the sale of the property, staff posted a notice of sale in the location, as required by state law.

During the two-week notice period, the City received no other bids for purchase.

Mrs. Barry, in cooperation with staff, is having the land surveyed and the parcel drawn up with a legal description and map exhibits, which is still pending. The proposed parcel of land for sale is attached as Exhibit A.

Pending approval from City Council, the next steps in the process would be to receive the survey of the property, complete with a legal description and exhibit map that closely resembles the proposed parcel of land for sale, prepare a contract of sale and set a closing date to execute final documents with the appropriate party, which will be handled by the City Attorney and a title company. The authorization of the sale of the property to Mrs. Barry and related sale terms are set forth in the attached draft resolution.

FISCAL IMPACT:

The area for the piece at the southern border of the Barry property is approximately 1,005 square feet, which at the current rate of \$5.72/SF would be \$5,748.



The cost for pressurized irrigation impact fees for the 255 square feet of property that is landscaped with grass, at \$0.51 per square foot, is a total of \$130.



Mrs. Barry, the applicant, is paying for the surveying of the land and preparation of the land exhibit and legal description. Unless directed otherwise, all costs the City directly incurs for the potential sale would be borne by the applicant with the purchase.

MOTION:

I move that the City Council approve the attached Resolution authorizing the sale of city-owned property adjacent to the property owned by Barbara Barry and direct staff and the Mayor to prepare and

execute a sale contract and finalize the sale of that property to Barbara Barry.

ATTACHMENTS:

1. Resolution Approving Sale of Orphan Open Space - Barry

**A RESOLUTION OF THE HIGHLAND CITY COUNCIL, HIGHLAND CITY, UTAH
AUTHORIZING THE SALE OF CERTAIN OPEN SPACE PROPERTY AND THE EXECUTION
OF CONTRACTS AND DOCUMENTS RELATED THERETO**

WHEREAS, Highland City has adopted a policy outlining the sale of orphan properties suitable for sale and allowing interested buyers to complete an Open Space Sale application to seek approval of the sale of an orphan property;

WHEREAS, Highland City may only dispose of property in good faith and for adequate consideration;

WHEREAS, Highland City has previously adopted a methodology for establishing the market value of orphan/surplus open space areas based on the County's current assessment of the market value of similarly situated orphan/surplus open space areas that have been previously sold by the City;

WHEREAS, the Highland City Council has reviewed the Open Space Sale application and the property at issue and determined that the property in question meets the criteria for sale of orphan parcels and designated the property in question as a surplus orphan parcel;

WHEREAS, a physical sign was placed on the property as required by Utah Code § 11-1-203(3) for at least two weeks prior to approval of the sale;

WHEREAS, no other requests besides the original applicant to purchase the property have been received;

WHEREAS, the property being sold is a designated surplus orphan parcel, which is not a significant parcel of real property under Utah Code § 11-1-1-2 and HMC § 2.44.020, and therefore it may be disposed of according to HMC § 2.44.030(D) without following any further process pursuant to the market valuation previously adopted by the City Council;

WHEREAS, the Council finds that the sale of the property according to the previously adopted market valuation, which is based on the market value assessment performed by the Utah County Assessor, will result in adequate value and fair market value being received by the City;

WHEREAS, the Council finds that the sale of the property to the adjacent property owner is a sale in good faith because it aligns with the City's code, policies, and historical practice;

WHEREAS, the Council finds that it is in the best interest of the City to approve the sale of the property in question to the applicant and adjacent property owner according to the City's established orphan sale procedures and valuation process.

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

1. The City-owned property adjacent to 10653 N Canterbury Dr. and illustrated in the attached documents ("Property") be sold to Mrs. Barbara Barry ("Buyer"):
 - a. The Property sold to include the area shown on the attached document.
 - b. The sale price for the Property be the 2026 surplus orphan parcel sale rate adopted

by the City Council.

- c. The Buyer pay the pressurized irrigation impact fees relative to the additional property.
 - d. The Buyer pay all closing, surveying, and title insurance costs associated with the sale.
 - e. The Property be transferred by quit-claim deed.
 - f. The sale of the Property close within the authorized timeframe established by the resolution designating the Property as surplus.
2. Staff is directed to prepare a real estate purchase contract to accomplish the sale of the Property to Buyer on the terms set forth herein.
 3. The Mayor and City Administrator are directed to execute and carry out the real estate purchase contract on the terms set forth herein and to sign and execute all associated and necessary documents and instruments.
 4. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this resolution and to the City codes referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.
 5. This resolution shall take effect immediately upon its adoption.

PASSED and ADOPTED by Highland City Council this 6th day of October, 2026

HIGHLAND CITY, UTAH

Brittney P. Bills
Mayor

ATTESTED:

Stephannie B. Cottle
City Recorder

Attachment A:





CITY COUNCIL AGENDA REPORT

ITEM #5d

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Jay Baughman, Assistant City Administrator
SPONSORED BY: Scott Burgon
SUBJECT: Orphan Parcel Land Sale - Burgon
TYPE: General City Management

PURPOSE:

The City Council will review documents prepared for the sale of a city-owned orphan parcel adjacent to property owned by Scott Burgon and if approved, direct staff to prepare a sale contract and finalize the sale of that property.

STAFF RECOMMENDATION:

Staff recommends Council approve the Resolution attached to this report. Staff would then follow all state and local ordinances regarding the sale of City property.

PRIOR COUNCIL DIRECTION:

At the February 3, 2026 City Council Meeting, the City Council approved Resolution R-2026-07, which updated the method by which the City calculated the value of orphan parcels of land and reiterated its policies and guidelines for the disposal of surplus real public property owned by the City. The square footage amount set for 2026 is \$5.72.

At the March 24, 2026 City Council Meeting, the City Council reviewed a draft Open Space Sale Application developed and presented by staff. The application, as an administrative tool to process requests for land purchases, was supported by Council. Staff transposed the application to its online Civic Review platform, where other similar land-use applications are processed. At this time, the link to the application is shared upon request by Community Development and Planning staff so that we are able to speak with and discuss the suitability of a request for purchase with the applicant.

At the September 1, 2026 City Council Meeting, the City Council declared the city-owned property adjacent to property owned by Scott Burgon as an orphan parcel and directed staff to move forward with the sale of that property.

BACKGROUND:

Following the Council's vote to declare property adjacent to Scott Burgon's property an orphan parcel and authorize the sale of the property, staff posted a notice of sale in the location, as required by state law.

During the two-week notice period, the City received no other bids for purchase.

Mr. Burgon, in cooperation with staff, is having the land surveyed and the parcel drawn up with a legal description and map exhibits, which is still pending. The proposed parcel of land for sale is attached as Exhibit A.

Pending approval from City Council, the next steps in the process would be to receive the survey of the property, complete with a legal description and exhibit map that closely resembles the proposed parcel of land for sale, prepare a contract of sale and set a closing date to execute final documents with the appropriate party, which will be handled by the City Attorney and a title company. The authorization of the sale of the property to Mr. Burgon and related sale terms are set forth in the attached draft resolution.

FISCAL IMPACT:

The area for the piece at the southern border of the Burgon property is approximately 226 square feet, which at the current rate of \$5.72/SF would be \$1,292.



Staff is not recommending any pressurized irrigation impact fees as the area in question is solely consists of large retaining boulders.

Mr. Burgon, the applicant, is paying for the surveying of the land and preparation of the land exhibit and legal description. Unless directed otherwise, all costs the City directly incurs for the potential sale would be borne by the applicant with the purchase.

MOTION:

I move that the City Council approve the attached Resolution authorizing the sale of city-owned property adjacent to the property owned by Scott Burgon and direct staff and the Mayor to prepare and execute a sale contract and finalize the sale of that property to Scott Burgon.

ATTACHMENTS:

1. Resolution Approving Sale of Orphan Open Space - Burgon

**A RESOLUTION OF THE HIGHLAND CITY COUNCIL, HIGHLAND CITY, UTAH
AUTHORIZING THE SALE OF CERTAIN OPEN SPACE PROPERTY AND THE EXECUTION
OF CONTRACTS AND DOCUMENTS RELATED THERETO**

WHEREAS, Highland City has adopted a policy outlining the sale of orphan properties suitable for sale and allowing interested buyers to complete an Open Space Sale application to seek approval of the sale of an orphan property;

WHEREAS, Highland City may only dispose of property in good faith and for adequate consideration;

WHEREAS, Highland City has previously adopted a methodology for establishing the market value of orphan/surplus open space areas based on the County's current assessment of the market value of similarly situated orphan/surplus open space areas that have been previously sold by the City;

WHEREAS, the Highland City Council has reviewed the Open Space Sale application and the property at issue and determined that the property in question meets the criteria for sale of orphan parcels and designated the property in question as a surplus orphan parcel;

WHEREAS, a physical sign was placed on the property as required by Utah Code § 11-1-203(3) for at least two weeks prior to approval of the sale;

WHEREAS, no other requests besides the original applicant to purchase the property have been received;

WHEREAS, the property being sold is a designated surplus orphan parcel, which is not a significant parcel of real property under Utah Code § 11-1-1-2 and HMC § 2.44.020, and therefore it may be disposed of according to HMC § 2.44.030(D) without following any further process pursuant to the market valuation previously adopted by the City Council;

WHEREAS, the Council finds that the sale of the property according to the previously adopted market valuation, which is based on the market value assessment performed by the Utah County Assessor, will result in adequate value and fair market value being received by the City;

WHEREAS, the Council finds that the sale of the property to the adjacent property owner is a sale in good faith because it aligns with the City's code, policies, and historical practice;

WHEREAS, the Council finds that it is in the best interest of the City to approve the sale of the property in question to the applicant and adjacent property owner according to the City's established orphan sale procedures and valuation process.

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

1. The City-owned property adjacent to 10641 N Canterbury Dr. and illustrated in the attached documents ("Property") be sold to Mr. Scott Burgon ("Buyer"):
 - a. The Property sold to include the area shown on the attached document.
 - b. The sale price for the Property be the 2026 surplus orphan parcel sale rate adopted

by the City Council.

- c. The Buyer pay all closing, surveying, and title insurance costs associated with the sale.
 - d. The Property be transferred by quit-claim deed.
 - e. The sale of the Property close within the authorized timeframe established by the resolution designating the Property as surplus.
2. Staff is directed to prepare a real estate purchase contract to accomplish the sale of the Property to Buyer on the terms set forth herein.
 3. The Mayor and City Administrator are directed to execute and carry out the real estate purchase contract on the terms set forth herein and to sign and execute all associated and necessary documents and instruments.
 4. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this resolution and to the City codes referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.
 5. This resolution shall take effect immediately upon its adoption.

PASSED and ADOPTED by Highland City Council this 6th day of October, 2026

HIGHLAND CITY, UTAH

Brittney P. Bills
Mayor

ATTESTED:

Stephannie B. Cottle
City Recorder

Attachment A:





CITY COUNCIL AGENDA REPORT

ITEM #6a

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Chris Trusty, City Engineer/Public Works Director
SPONSORED BY: City Staff
SUBJECT: Chlorination Requirement from Utah Division of Drinking Water
TYPE: General City Management

PURPOSE:

City Council will review information the City has received from the Division of Drinking Water requiring the City to begin consistently chlorinating our City's drinking water.

STAFF RECOMMENDATION:

Staff recommends Council review the provided information and providing any feedback to staff regarding the implementation plans.

PRIOR COUNCIL DIRECTION:

On August 11, 2026, Council approved the FY2027 Final Budget which included funding for chlorination in the event the City needed to begin the chlorination process.

BACKGROUND:

Highland City is required to regularly conduct water samples to ensure our drinking water is safe. On occasion, a sample that is taken shows levels of total coliform (TC) in our water that exceed the state's standards. Total coliform is a mostly harmless bacteria that is unlikely to make people sick, but is an indicator that harmful pathogens could enter the water system. When a "bad sample" occurs, there are certain state required protocols that staff follow, including attempting to find a contamination source, disinfecting a source tank if needed, and retesting to ensure the levels are within acceptable ranges again. It is important to note that no test has ever shown results that require city notification, boil orders, or anything similar.

While it is not uncommon for cities to receive a sample with high coliform levels, Highland's frequency of bad samples has started becoming more frequent in recent years. Staff has never been able to find a source of contamination. The reality is that as the City grows and more connections are added, the more risk there is to the system as there are more connection points which are all a potential contamination source for the entire water system. Staff believes that growth, along with increased temperatures in recent years, have contributed to our increased bad samples. It's worth noting that Highland City is the only municipal water provider of our size in the state that is not currently chlorinating our system.

After a recent test that showed unacceptable coliform levels, Highland city staff received the following in an email from Sarah Page who is the Drinking Water Treatment Lead with the Utah Division of Drinking Water:

"Attached please find a Trigger Report for Highland City detailing the bacteriological sample history that will result in Highland City being required to disinfect per the Division of Drinking Water's Vulnerable Source Assessment Policy. Based on the sample results in this Trigger Report, Highland City does not reliably meet bacteriological standards in the distribution system and will be required to install chlorination and achieve secondary disinfection throughout the entire distribution system. A Stipulated Order to Disinfect is forthcoming."

Attached to this report is a report from Division of Drinking Water that lists our samples that have exceeded allowable total coliform levels which have required actions on the part of the city to mitigate.

The City has yet to receive the Stipulated Order to Disinfect from the Division of Drinking Water. We anticipate it having a required timeframe when the City will be required to chlorinate the entire drinking water system. The City has known that this would be a possibility for some time and has been upgrading our wells to be able to chlorinate. The two final projects needed for that ability are in the wrap-up stages and should be completed by the end of the year. In addition, staff has been receiving training on how to manage the chlorination process and feels confident in their ability to do so. The City has both protocols and equipment in place to disinfect the water in a safe manner.

Pending the directions in the Order to Disinfect, staff is recommending the City begin chlorinating by Spring 2027, ahead of summer, when we tend to have increased bad samples as water temperatures rise, unless directed otherwise by the state. Before that takes place, staff is recommending a public information campaign complete with a mailer and open house to educate residents about the change. While staff understands some may be reluctant to chlorinate due to potential risk, the reality is that our system is already at risk, and it is a risk the City has little control of as we can not constantly monitor the approximately 5,500 connections to our culinary system. Disinfecting through chlorination does pose risks, but as was stated earlier, staff has received training, there is safety equipment already in place, and staff is prepared to put safety protocols in place if the Council makes the decision to begin to chlorinate the drinking water system.

FISCAL IMPACT:

The cost of beginning to chlorinate the entire water system is \$33,000. Funding for this expense is included in GL 55-40-42, Chemicals within the FY27 budget. Staff anticipates spending approximately \$3,000 for expenses for the public information campaign.

MOTION:

Not applicable. Staff is looking for feedback from Council on Staff's proposed direction.

ATTACHMENTS:

1. UTAH25014 Stipulated Order to Disinfect Trigger Report (1)

Facility Type	Facility Name	Facility ID	Description of Trigger	Date(s) of Occurrence	Notes
Di... ▾		DS001	Two or more ... ▾	08/13/2024, 09/23/2024, 07/27/2026	2nd Level 2 Assessment triggered in 12 months in September 2024. Another L2 triggered in July 2026.

II. Total Coliform and E. coli Positive Samples Log

Date of Sample	Facility Type	Facility ID	Result	Sample Type
07/29/2024	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
07/29/2024	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
07/30/2024	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
07/30/2024	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
07/30/2024	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
07/30/2024	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
07/30/2024	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
07/30/2024	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
08/13/2024	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
08/13/2024	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
08/27/2024	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
09/23/2024	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
09/23/2024	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
06/17/2025	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
11/17/2025	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
11/18/2025	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
11/18/2025	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
04/14/2026	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
05/26/2026	Di... ▾	DS001	TC+ EC- ▾	Routine ▾

07/13/2026	Di... ▾	DS001	TC+ EC- ▾	Routine ▾
07/14/2026	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
07/14/2026	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
07/14/2026	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾
07/14/2026	Di... ▾	DS001	TC+ EC- ▾	Repeat ▾

IV. Site Visit and Assessment(s) Summary

Assessment Type	Date Conducted	Person Conducting Assessment	Deficiencies Identified? (Y/N)	Deficiency Code(s)	Deficiency Description	Deficiency Facility ID
Level 1 ▾	08/08/2024	David Griffin	N			
Level 1 ▾	11/24/2025	David Griffin	N			
Level 2 ▾	11/06/2024	Brian Pattee	N			
Level 1 ▾						
Level 1 ▾						

Prepared by:

Name: Sitara Federico

Title: Environmental Scientist

Division: Division of Drinking Water

Date: August 27, 2026



CITY COUNCIL AGENDA REPORT

ITEM #6b

DATE: October 6, 2026
TO: Honorable Mayor and Members of the City Council
PREPARED BY: Brittney Bills, Mayor
SPONSORED BY: City Council
SUBJECT: Draft - Proposed Council Code of Conduct
TYPE: General City Management

PURPOSE:

The Council will consider the draft of the proposed Council Code of Conduct prepared by Mayor Bills.

STAFF RECOMMENDATION:

Not applicable. This item is for Council to review and decide how to proceed.

PRIOR COUNCIL DIRECTION:

On August 18, 2026 the Mayor led the City Council in a discussion about a potential Code of Conduct and solicited feedback on the idea.

BACKGROUND:

Mayor Bills has drafted a proposed Code of Conduct that would apply to the Mayor and City Council if ultimately approved by the City Council. The Mayor is finalizing the draft and it will be sent to Council ahead of the meeting on Tuesday.

FISCAL IMPACT:

Not applicable.

MOTION:

Not applicable. This item is for discussion purposes only.

ATTACHMENTS: