



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, September 7, 2021

Approved October 19, 2021

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

VIRTUAL PARTICIPATION

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

 Zoom: Call 1-346-248-7799 Meeting ID: 863 1519 4601

 Email comments prior to meeting: Council@highlandCity.org

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann

Invocation – Nate Ellison

Pledge of Allegiance – Larry Mendenhall

The meeting was called to order by Mayor Rod Mann as a regular session at 7:04 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 Nate Ellison and those in attendance were led in the Pledge of Allegiance by Larry Mendenhall.

PRESIDING: Mayor Rod Mann

COUNCIL MEMBERS

PRESENT: Timothy A. Ball, Brittney P. Bills, Kurt Ostler, Kim Rodela, Scott L. Smith

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, Assistant City Administrator Erin Wells, City Engineer Andy Spencer, Planner & GIS Analyst Kellie Bronson, City Attorney Rob Patterson, City Recorder Stephannie Cottle, Finance Director Tyler Bahr, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Deputy Fire Chief Jake Beck, Assistant Public Works Director Jeff Murdoch, Code Compliance Officer Brent Wallace, Library Director Donna Cardon, Building Official Jason Nelson

OTHERS PRESENT: Scott Hart, Richard Mickelsen, Matthew Lambert, Nate & Brianne Ellison, John Lambert, Lynn Lambert, Damian Lambert, Jennifer Lambert, Layla Lambert, Dylan Lambert, Lynn Lonsdale, Larry Mendenhall, Jerry Abbott, Sarah Petersen, Brian Braithwaite, James Thomas, Colby Gibson, Spencer Moffit (electronically)

1. UNSCHEDULED PUBLIC APPEARANCES

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

Nate Ellison spoke on the open space he and his wife purchased in 2019. He noted as part of this purchase, they were given specifications about spacing and flooding properties adjacent to the open space. He stated that in early 2021, he contacted the City to receive a fence permit and gave all seven items on the check list including a drawing of the home. He was authorized to build a fence around the yard though after the fence posts were installed, they were instructed to stop construction. Mr. Ellison said Planner & GIS Analyst Kellie Bronson informed his wife that the fence requirements had changed though the changes had occurred after their fence permit was approved. He said that none of their alternative options would be cost effective or work. Mr. Ellison insisted City Council honor their permit already approved. He asked that the City either honor the previously approved plan or pay for the cost of changing the fence plan so it adheres to the new code.

2. RECOGNITION ITEMS – Mayor Rod Mann

Mayor Rod Mann will give special recognition to residents who have contributed to Highland City.

Mayor Rod Mann presented a special recognition to Jenny Lambert for her efforts and contributions with Run Club.

3. PRESENTATIONS

a. PI Water Report – Jeff Murdoch, Assistant Public Works Director

Assistant Public Works Director Jeff Murdoch will present an update to the City Council regarding the current water situation.

Assistant Public Works Director Jeff Murdoch noted canyon flow levels were down to ten CFS which is the lowest he has ever seen it and the second lowest on record since the late 1800's. He showed the council a usage graph and pointed out that trends were similar until around April/May when they started pushing more conservation efforts. He did note they did see increased conservation efforts as they asked residents to save approximately 35% of their water. He acknowledged the summer storms that helped levels. He said Peck Farm has a metered connection and usage has been roughly 40 acre feet which is lower than what they initially turned in. Assistant Public Works Director Jeff Murdoch reported that they anticipate 50-60 acre feet being consumed, and their fall strategy is simple conservation. They plan on sending out more material to the public and networking with those that can help with conservation efforts. He felt the biggest asset is utilizing river water.

Councilmember Scott L. Smith advocated for using their large electronic sign to spread awareness. Assistant Public Works Director Jeff Murdoch said he would bring this up with his staff. Councilmember Kurt Ostler thanked Mr. Murdoch and asked about Provo River or Dry Creek storage. He asked about the carryover to which Assistant Public Works Director Jeff Murdoch noted there was some carryover from the previous year, and they are on track to have a similar amount as last year as long as Deer Creek does not spill in the spring.

b. Introduction of New Deputy Fire Chief – Fire Chief Brian Patten

Fire Chief Brian Patten will introduce Deputy Fire Chief Jake Beck to the City Council.

Fire Chief Brian Patten began by noting Deputy Fire Chief Jake Beck's credentials. He had served in the department for 22 years and acted as Battalion Chief most recently. Mr. Beck said he was honored and thanked the Council.

c. Introduction of New City Staff – Assistant City Administrator Erin Wells

Assistant City Administrator Erin Wells will introduce two new City staff members – Building Official Jason Nelson and Code Compliance Officer Brent Wallace.

Assistant City Administrator Erin Wells introduced two new City staff members. She began with Jason Nelson. He noted he came from Summit County and worked there two years as a building inspector. Before that, he said he worked as an inspector in the south before that. Council Member Scott Smith asked which individual cities he worked for to which Building Official Jason Nelson noted he worked for the whole of Summit County. Next, she introduced Brent Wallace who will be coming in as code compliance officer. Code Compliance Officer Brent Wallace stated he was honored to serve the City. Council Member Scott Smith asked what a code compliance person does to which Assistant City Administrator Erin Wells responded. She said they changed the title from code enforcement to code compliance, and Code Compliance Officer Brent Wallace will be in charge of inspecting instances in which someone may not be complying with City code. Council Member Scott Smith asked if he would be working with home complaints regarding parking or accessory dwelling units. Assistant City Administrator Erin Wells said he would be working with them.

d. Dry Creek Lake Park – Council Member Kurt Ostler

Council Member Kurt Ostler will present an update on the progress of Dry Creek Lake Park.

Councilmember Kurt Ostler began by noting that a majority of the current Council was not serving when this project started. He noted it began three years ago and is the boundary line adjustment between Highland and Lehi. Council Member Kurt Ostler stated that the boundary starts at the inlet by SR 92 and the middle of the dam. He stated there is also a lake that is divided between these two cities, and it is owned by Northern Utah Water Conservancy District. He noted Larry Mendenhall is on the board of NUWCD and has spent a lot of time working on this. Council Member Kurt Ostler said there are two fences which note a boundary of property owners and also a three rail wood fence by trail. Council Member Kurt Ostler acknowledged that this reconstruction started due to earthquake safety. Council Member Kurt Ostler noted the reconstruction began in September of 2020, and the estimated costs would be approximately 15 million. He stated the recreational components would start in the fall of 2021, and Lehi City would be putting in these components for 4.5 million. Moreover, there would be a tourism tax generating 1.5 million. As for Highland, Council Member Kurt Ostler noted the City is doing the easement on the north end and will be providing a donation of 564,154 dollars with 34 acres and 21 acres of water surface. Per the agreement, Council Member Kurt Ostler noted Lehi will have Highland's name on the signage for the reservoir. Council Member Kurt Ostler pointed out that 15 million dollars has come from Utah's Department of Natural Resources to help maintain though Lehi City will be responsible for operations and maintenance.

Mr. Larry Mendenhall from NUCWCD Board shared that the facility is funded by natural resource conservation efforts which are paying 65% of the cost. He noted Utah's natural resources group paid an additional 35% with the water conservancy paying 3.5%. He noted the water conservancy district is a taxing district. Mr. Mendenhall stated the NUCWCD has five facilities which include Silver Lake Flat, Tibble Fork, Grove Creek, and Battle Creek. He noted that it costs 225,000 dollars per year to maintain these facilities, and after they add Dry Creek, they will have five total. He stated the life of these facilities is 50 years. Mr. Mendenhall then went through the process of sediment build up in the basins and how to work through that to prolong the life of the dam.

Council Member Kurt Ostler said that Lehi is building a substantial PI line which will be going to their City center. Moreover, he noted they will be filled year round per fire hydrant needs. Council Member Kurt Ostler went on to note there are 289 parking stalls, and that they are anticipating an overflow into Smith's. Council Member Kurt Ostler also noted there could be overflow into Canterbury or a church in Highland on 6400 W. The area will include asphalt, lawn and sand beach, picnic areas, restrooms, swimming, fishing docks, fish cleaning stations, non-motorized boats, boat rentals, concession stands, and a natural dirt trail. He said the trail is already in the area and has a connection to Murdock trail. Additionally, Council Member Kurt Ostler stated the dock is ADA complaint, and the areas on the east side will be a fisherman's trail with an additional trail around the lake. He noted there would be another natural trail on the Highland side. He stated they are also planning on building

a trail over by the inlet though this has not been approved yet and needs specific approval by UDOT. Council Member Kurt Ostler stressed that fishing would be stocked and fishing licenses would be required. He said there would be some natural rivers present for irrigation and an easement, granted to Lehi, would run all the way from 1200 W to Lehi. Council Member Kurt Ostler also noted there would be a Highland granted 30 foot easement and a temporary 25 foot temporary construction easement. He ended his presentation by noting that Highland itself will have no rights to this water.

Council Member Kurt Ostler and Mr. Mendenhall specified a few things regarding irrigation and runoff which largely centers on Dry Creek and would benefit Lehi's water given the runoff. Mr. Mendenhall said they were currently working with the NRCS to do a clay liner in the lake to reduce water loss, and the Federal Government will be participating along with Lehi. Council Member Scott Smith asked about why they were still calling it Dry Creek to which Mr. Mendenhall said they did not want to destroy a historic name.

Both Council Member Kurt Ostler and Mr. Mendenhall expressed gratitude to Highland City as both the City and property owners have been helpful despite their concerns. They noted that much of these concerns are being addressed through different fences which will also delineate conservation areas. Moreover, they stressed people will not be camping and spending long periods of time in the area.

Council Member Kurt Ostler noted there is a discussion on building a bridge and adding air bubbles to maintain freshness in the water. Mr. Mendenhall added information on Workman Hollow which would be a land bridge to connect fisherman's trails. He stated they originally had no concrete plans though engineers are attempting to fill in and put forty culverts in the hollow area when the lake fills. He also said they are planning on adding abutments which Highland City will be helping with. He added Lehi may possibly build a bridge in the area though they need to remove an area of stagnant water and open up the area first. Part of this preparation, Mr. Mendenhall added, will involve tree maintenance and fire danger assessments. He stated they also plan to thoroughly clean the area despite the fact they are already behind on construction. Councilmember Kim Rodela asked about the distance of the trail to which Mr. Mendenhall noted it would be one and a half miles with the crest of the dam open to pedestrians as well.

Council Member Kim Rodela asked how this project would have been affected if it were not for the 1999 agreement. Council Member Kurt Ostler said they looked at the 1999 agreement, and felt confident that the boundary was clear. He noted the county initially recorded it along the property owner's clear line. Mr. Mendenhall also stressed that part of the area would be in Highland with the rest in Lehi. He emphasized that they wanted it to be a joint facility and use that line of thinking to justify this project to their respective residents. Council Member Kurt Ostler felt this would be a more reachable park for Lehi residents and they would do their part by maintaining everything and having their police force respond to disturbances. Police Chief Brian Gwilliam said they would treat this like the canyon, and law enforcement would respond calmly and work well with Lehi PD.

Council Member Scott Smith asked where Workman Hollow was and Council Member Kurt Ostler pointed it out relative to a small stream that comes through the area. Council Member Kurt Ostler also added that Lehi and Highland would be training on rescue protocol.

Mayor Rod Mann asked Lynn Lonsdale to introduce herself. She was identified as the former director for Waterford schools and a Highland resident for 17 years. She expressed honor in serving the City.

4. CONSENT ITEMS *(5 minutes)*

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

- a. **Approval of Meeting Minutes** *Administrative*
Regular City Council Meeting – August 3, 2021; Special City Council Meetings – August 24, 2021, and August 25, 2021.
- b. **Library Board Applicant Lynn Lonsdale** *Administrative*
The City Council will consider approving the Mayor’s appointment of Lynn Lonsdale to the Highland City Library Board.
- c. **ACTION: Victor’s View Gravity Sewer Project** *Administrative*
The City Council will consider a request to approve a bid with Newman Construction for \$523,160.00 for the construction of the Victor’s View Gravity Sewer Project and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.
- d. **ACTION: Approval To Purchase Three F-150 Vehicles For The City Fleet** *Administrative*
City Council will consider the purchase of three (3) trucks to be incorporated in the City fleet. Trucks will be used by Public Works staff to perform daily ongoing tasks. The Council will take appropriate action.

Council Member Kurt Ostler asked to pull item 4c and 4d.

Council Member Kurt Ostler that the Highland City Council approve consent items a, b. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

Item 4c:

Council Member Kurt Ostler disclosed a conflict of interest as he lives in the neighborhood up for discussion. He chose to recuse himself from this item.

Item 4d:

Council Member Kurt Ostler asked about the vehicles employees drive during the day and where they stay overnight. City Engineer Andy Spencer noted it depends on the job as some superintendents take them home so they can more quickly respond to calls.

Council Member Timothy A. Ball MOVED that the Highland City Council approve consent item 4c. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Abstain</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 4:0.

Council Member Kim Rodela MOVED that the Highland City Council approve consent item 4d. Council Member Timothy A. Ball SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

5. PUBLIC HEARING/ORDINANCE: RIGHT-OF-WAY VACATION - SIENNA SUBDIVISION *Legislative*

The City Council will hold a public hearing and consider a request by James Thomas to vacate approximately 2,120 square feet of right-of-way in the Sienna Subdivision. The City Council will take appropriate action.

City Planner Kellie Smith presented background of the request. Sienna Subdivision was approved in 2017, included 73.17 ft of right of way, the standard right of way is 56 ft. The extra square footage wasn't enough to make a lot. The intent was to add the extra square footage to the adjacent lot in Ruby Estates but was missed during the engineering reviews. Resident is requesting the right of way and to add the square footage to his lot. Mrs. Smith reviewed the public hearing noticing requirements which were fulfilled.

Mayor Rod Mann opened the public hearing at 8:15 pm. There were no public comments. Mayor Rod Mann closed the public hearing at 8:15 pm.

Council Member Kurt Ostler spoke in favor of this vacation as this was property that was excess given to the city and it doesn't have any public interest or anyone injured in doing this.

Council Member Kim Rodela MOVED that the Highland City Council accept the findings and approve the request to vacate the proposed right-of-way in the Sienna Subdivision. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>

The motion passed 5:0.

Mayor Mann requested that the Ridgeview Discussion be moved to this point.

8. DISCUSSION: RIDGEVIEW UPDATE

Presentation and discussion of the proposed minor amendment to the Ridgeview Planned Development District and Phase 1 Commercial Site Plan. This item is bring presented for discussion only.

City Administrator/Community Development Director Nathan Crane began the discussion by going over an outline over the Ridgeview project as many presents were on the Planning Commission when it started. He noted this is one of the largest development projects started in quite some time. He noted the zoning is through their planning development district and was approved in May of 2019. He stated it includes about 115 acres and 7.4 of this is commercial which could be converted to residential. He noted this included the maxim of 699 residential units, town homes, and cluster/estate homes. City Administrator/Community Development Director Nathan Crane pointed out that the planned development district provides several uses, and the requirement is to have a mix of residential and commercial. He stressed there would be master plan changes as Council at the time outlined several key components to define major and minor amendments. City Administrator/Community Development Director Nathan Crane noted these were designed around what was then significant to the plan. Among the things they plan on changing are the number of units with minor changes being road lines - which can be easily approved by staff.

Council Member Kurt Ostler asked if they need to go through City Council before conversing further. City Administrator/Community Development Director Nathan Crane responded that the site plans for permitted uses are approved administratively which can save review time. He also reminded the council that conditional uses already go to City Council which is one more incentive for developers. He said they can offer time in the review process and include two parcels as commercial along with providing more incentive. Ultimately, City Administrator/Community Development Director Nathan Crane said the final plan comes to City Council either way. Regarding minor amendments, he said phase one is commercial and on the north side with phase two going faster than anticipated despite minor changes. He also said that phase one will have its units reduced by ten - from 699 to 689 and there will be an increasing of lot size to help reduce the density. He said the park area will increase from 3.6 to 4.8 acres and the row of homes adjacent to the park is being removed. He also said a stand-alone park with streets on the sides will be added along with a change in product type in the center north area. With these changes, City Administrator/Community Development Director Nathan Crane still stressed that the minimum amount of open space will be met. He recognized that Ivory is building the Northwest side with townhomes being built by Boyer, Northeast by David Weekly, townhomes in the center North area by Lennar. He also noted they have a concept plan for a neighborhood park with amenities like pickleball, a play area, and off-street parking all maintained by the HOA. For the commercial site plan, City Administrator/Community Development Director Nathan Crane said the plan included two buildings - Costa Vida and Arby's - along with a roundabout from Featherstone drive connected to LPHS. He said they also had site plans with two future spots which would probably be offices. Lastly, he said they would meet specific theming requirements at a later date.

Spencer Moffitt spoke next. He praised the project as being very successful with everything lining up and yielding high interest in larger lots. He noted they were adapting to accommodate the larger lots, but there was a strong interest in smaller lots as well along with a mix of housing types. Mr. Moffit said they were pulling the houses away from the park which may diminish park user experience, but would allow different builders with different projects.

Mayor Mann stressed that they should review the more accelerated timeline on phase one and phase two.

Mr. Moffit pointed out that Ivory and Weekly are on the project and have approved 150 products so far with a 12 to 18 month time frame. He brought up the fact that supply chains are still out of whack, and they are pushing through their inventory. He also said the larger lots on the west will be in phases with smaller lots on the south side pushed more in the next six months. He noted David Weekly will be online after building the majority of their existing homes with Lennar being the quickest to finish. Despite the differences in build times, Mr. Moffit said all of the product will be built within the next year.

Council Member Scott Smith said that he felt there were noble intentions behind the project - especially giving the money set aside to help disabled individuals in the community. He noted the benefits of the property include road fees and the specific neighborhood taxes. Ultimately, he felt the advantages of the area are greater than the disadvantage.

Council Member Kurt Ostler asked if all 689 units are being built in three years. Mr. Moffit said the purple, orange, and blue units are most imminent with 300 units with the 96 orange units being ready immediately and the 140 purple units taking the slowest as they are the most expensive.

Mayor Mann and Mr. Moffit had a brief discussion clarifying the progress of phase one. Afterwards, Council Member Scott Smith asked about the acreage to which Mr. Moffit clarified the commercial area would be around 113 acres and would be maintained by Parkway South and the north side would be maintained by the HOA.

6. LETTER OF SUPPORT: TSSD APPLICATIONS FOR UTAH STATE MATCHING GRANT OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDING *Administrative*

Staff is requesting that the City Council review a request by Timpanogos Special Service District (TSSD) to support TSSD's applications for Utah State Matching Grant funds associated with the American Rescue Plan Act (ARPA). The Council will take appropriate action.

Mr. Brain Braithwaite and Mr. Rich Nicholson spoke on behalf of TSSD. Mr. Nicholson said they have two projects. He said the first project will be an engineered wetlands project. He noted as they expand, they will cut into the wetlands and want to subsequently connect the Lindon marina to a boat harbor with a trail. He said they plan on engineering the property east of Timpagogos and then taking 100 acres by adding water to keep the space as open as possible for the wildlife and natural habitat. They would like to have educational signs as well. For funding, they noted they will contact Utah County with TSSD coming up with an additional five million. They also will be asking for five million from ARPA.

Council Member Scott Smith asked where TSSD is getting five million from. Mr. Nicholson said it will come from impact fees. Council Member Kurt Ostler said they could support this project, but asked if there would be any associated City costs aligned with this project. Mr. Nicholson said there should not be any City associated costs because of the impact fee. He also noted they were doing a study measuring growth which would be completed sometime early next year.

Mayor Mann said this would be a good project to do with or without the grant. Mr. Braithwaite clarified that these projects will be done with or without ARPA funding. He noted if it is approved, the payment will impact Highland less though the impact fees will cover it all the same. Ultimately, he said the grant will help mitigate the cost.

Mr. Nicholson reiterated that they would need five million for the project. He went on to discuss the Tertiary Filter Building which offers water reuse options and potentially removes low levels of phosphorus and add other options if clarifiers fail. He stressed that 200 entities are going after this grant money, but this money would help clean polluted lake water and help re-use water. Ultimately, they would need 20 million.

Council Member Scott Smith noted TSSD is not responsible for the dirtiness of the lake. Mr. Nicholson agreed, but clarified that they are providing funding for studying the lake. He noted the state legislature gave \$200,000 for the study and gave \$168,000 last year with a three year plan for the study.

Mayor Mann felt this was the state's call. Mr. Nicholson said the master plan offers flexibility and meets permit parameters with a build-by date of 2030.

Mr. Braithwaite reiterated that this initiative would clean the water which could then be diverted into parks and the lake. He also suggested selling it to Lehi to recharge their aquifers and expand their water rights. With that said, he noted they were working through legal issues.

Mayor Mann clarified that their net ask is 25 million for water use and cleanliness. He noted TSSD is a partnership organization and they have hit several qualifiers. He still stressed they would be reviewing their score sheet and making necessary changes to get the project going.

Councilmember Brittney Bills asked if any of this would be impacted by Representative Brammers Utah Lake Bill. Mr. Nicholson said he felt Rep. Brammers would support this. Mayor Mann did note that there are separate letters for each project. Finance Director Tyler Bahr said the letters were not included in the packet to which Mayor Mann said they would amend that and share it with the Council.

Councilmember Timothy A. Ball asked if the Tertiary Filter System addresses a particular water impurity. Mr. Nicholson said yes, phosphorus and it reduces it to lower levels. Council Member Timothy Ball asked if removing the impurities also removes the algae blooms. Mr. Nicholson said that is being looked at in the study that has been commissioned. He said hopefully they will know at the end of this three year study what would help clean the water.

Council Member Scott L. Smith MOVED that the Council direct the Mayor to sign two separate letters of support for Timpanogos Special Service District's applications for American Rescue Plan Act matching funds to the State of Utah for the following: 1. Utah Lake Engineered Wetlands and 2. Tertiary Filtration of Treated Wastewater, with the following stipulation that staff share those letters with Council and mayor before they are signed. Council Member Kurt Ostler SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

7. ACTION: AMERICAN RESCUE PLAN ACT (ARPA) FUNDING AND APPLICATION FOR UTAH STATE MATCHING GRANT *Administrative*

Staff is requesting approval to use the City's American Rescue Plan Act (ARPA) funding to

develop Mountain Ridge Park and determine if the City will apply for the State of Utah's matching grant program. The Council will take appropriate action.

Mayor Mann began by suggesting they forgo other projects and put more support behind TSSD projects as their existing applications are not as strong.

Finance Director Tyler Bahr spoke next to discuss the fact they are seeking ARPA funds for Mountain Ridge. He noted half of 2.3 million was received in July with the other half arriving next year. He noted they would be obligated in 2024 and must spend it by 2026. Finance Director Tyler Bahr noted the state has set aside 50 million in matching grants. They have decided to focus on an all-abilities area in Mountain Ridge park. He stated the overall cost is 5.4 million though the initial phase will require 2.3 million. Finance Director Tyler Bahr noted he reviewed the criteria which includes public health, negative economic impacts, lost revenue, premium pay for essential workers, water, sewer, and broadband. He noted the creation of this park will benefit both disabled individuals and the elderly. He noted GOBD and ULCT have emphasized a desire to partner. Moreover, he said the grant application would be scored out of 100 points with 25 points to a specific category which would impact public health. Finance Director Tyler Bahr said the application is due on September 15th. He said the committee will review the application, make recommendations, and then the funding awards will be determined. He felt it would be good to pursue Mountain Ridge Park development under federal ARPA funds. He said they would face some difficulties receiving a matching grant as Highland is not considered a disadvantaged community.

Council Member Scott Smith asked if the 1.3 million they would receive from ARPA is extra to which Finance Director Tyler Bahr said yes. Council Member Scott Smith clarified the total amount and Finance Director Tyler Bahr said it would amount to an additional 1.2 million in July of 2022.

Mayor Mann said he supports the TSSD projects given the long term savings and benefits to the community. Council Member Kurt Ostler added that they would be showing support for TSSD as well. Mayor Mann asked to emphasize their support for TSDD in their letter. Council Member Brittney Bills said she could get behind this idea.

Council Member Kim Rodela MOVED that the Council approve the use of the City's ARPA funding to build Mountain Ridge Park. Council Member Kurt Ostler SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

There was subsequent discussion on the motion.

Council Member Brittney P. Bills MOVED to forgo our application for the Utah State matching grant and instead give our support to the TSSD projects. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
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<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

9. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and City staff. Topics discussed will be informational only. No final action will be taken on communication items.

a. Mountain Ridge Park Bidding - City Administrator Nathan Crane

City Administrator/Community Development Director Nathan Crane noted they have been working on this project for a long time; by the end of October, he noted it will be three years. He stated the Council made the decision to focus on amenities and the playground, and a July 2021 subcommittee is working on this with a work session scheduled for next month. City Administrator/Community Development Director Nathan Crane stated that construction plans are completed for the park and 2.46 million dollars in revenue are excluded in action tonight. He noted the overall budget is 2.35 million with 550 to 580 thousand allocated to the playground, 325 to 355 thousand for equipment, 130 thousand for surface costs, 10 thousand in shipping, and 15 thousand in installation costs. He told the Council the area would include two large pavilions, eight pickleball courts, parking, and a grass field. He also noted they have a future development area. He stated the phase one goal is four pickleball courts, the entire playground, restrooms, and parking. City Administrator/Community Development Director Nathan Crane said they would be able to work the shade and lighting for certain buildings and choose other amenities. He noted there was also an alternative bid for phase one as well.

Mayor Mann noted that they could adjust the west area should they raise additional funds. Council Member Scott Smith suggested bidding more to which Council Member Brittney Bills said she would prefer to wait before bidding. She stressed she would like to do a work session first to consider all environmental factors (like noise) and address mistakes other cities have made in these types of projects. She pointed out changing many things after the fact can be problematic and expensive. Subsequently, she wanted to get this as right as she could from the start. Mayor Mann agreed as did Council Member Scott Smith. Council Member Scott Smith suggested having the work session at the end of October. Council Member Kurt Ostler said he was okay waiting, but asked if they had spoken to the local active pickleball group about the City's plans. City Administrator/Community Development Director Nathan Crane said the location is the same so it should not make a huge difference. Council Member Kurt Ostler went on to ask about a park tax and if this relates to the current discussion. Council Member Kim Rodela said they wanted to be specific and then asked how the bidding process will likely work. City Administrator/Community Development Director Nathan Crane said for construction bids, the state has a website that connects cities and contractors. He noted there are also pre-qualified bids. He pointed out the City already approved pickleball court designs as that needs to begin construction sooner and BluLine had the lowest cost.

Mayor Mann noted that they originally wanted to use a different firm for pickleball to which City Administrator/Community Development Director Nathan Crane noted that, in addition to BluLine, they also do a lot of work with Big T. He also said they have been connecting the Council with other potential contractors. Council Member Kurt Ostler said they should go ahead and move forward to bid as the documents are ready. City Administrator/Community Development Director Nathan Crane said they wanted to wait for further direction from Council before moving forward. Council Member Kurt Ostler worried that hesitating would hurt their chances in the bidding process. City Administrator/Community Development Director Nathan Crane said this is somewhat true, but it would not necessarily hurt them at this change as long as they got bids in closer to November

or December. He also said this would not change these orders. Council Member Scott Smith said he appreciated the work staff has put into this project, and wanted to hear the subcommittee recommendation before moving forward. Council Member Brittney Bills said they would go out to bid in March, but in July they brought back samples which got them to realize they need more feedback before finalizing items to ensure they are happy with the results. City Administrator/Community Development Director Nathan Crane noted that the playground would be the same, and if they redesigned the park they would need to find more funding. Mayor Mann noted the consensus seemed to be waiting for the subcommittee recommendation.

Next Mayor Mann handed out traffic summaries from radar counters. Council Member Scott Smith asked if they were doing analysis on Canal Blvd. Mayor Mann said they have collected data there once on the west and once on the east. Right now, he said they have a count on Madison. Council Member Scott Smith said they police the area periodically, but it has not deterred speeding. Council Member Scott Smith advocated for more patrolling on Highland Blvd. Mayor Mann said they currently have lots of data to analyze their speeding issues, and are using that to change speed limits and road design.

b. Future Meetings

- September 8, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- September 21, City Council Meeting, 7:00 pm, City Hall
- September 28, Planning Commission Meeting, 7:00 pm, City Hall
- October 5, City Council Meeting, 7:00 pm, City Hall
- October 13, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- October 19, City Council Meeting, 7:00 pm, City Hall
- October 26, Planning Commission Meeting, 7:00 pm, City Hall

ADJOURNMENT

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

The meeting adjourned at 10:05 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 7, 2021. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle
City Recorder

Welcome to the Highland
City Council Meeting

September 7, 2021



1



7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Kim Rodela
Pledge of Allegiance – Council Member Brittney P. Bills

2



**UNSCHEDULED PUBLIC
APPEARANCES**

Time set aside for the public to express their ideas and comments on non-agenda items. Please state your name and limit your comments to three (3) minutes.

3



RECOGNITION ITEMS

Item 2
Presented by: Mayor Rod Mann

4



PRESENTATIONS

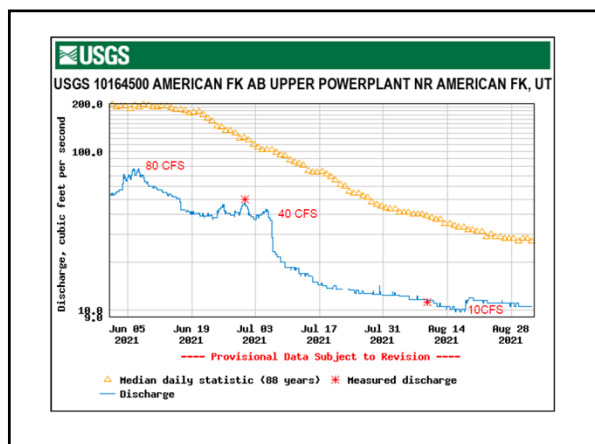
- a. PI Water Report - Assistant Public Works Director Jeff Murdoch
- b. Introduction of New Deputy Fire Chief - Fire Chief Brian Patten
- c. Introduction of New City Staff - Assistant City Administrator Erin Wells
- d. Dry Creek Lake Park - Council Member Kurt Ostler

5

HIGHLAND CITY
PRESSURIZED IRRIGATION UPDATE
September 9, 2021



6



7



8

On Farm Irrigation Update

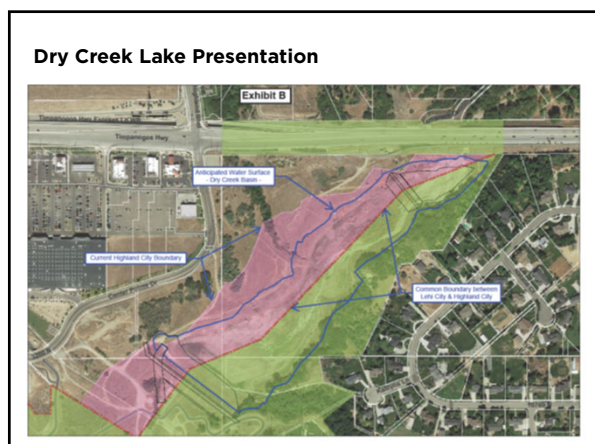
- Agreement provides for 140 Acre-Feet per year
- 2021 Drought Allocation – Approximately 100 Acre-Feet
- Use to Date – Approximated as 40 Acre-Feet
- Anticipated Usage to End of Year – Approximately 10-20 Acre-Feet
- Total Year Usage – Approximately 50-60 Acre-Feet

9

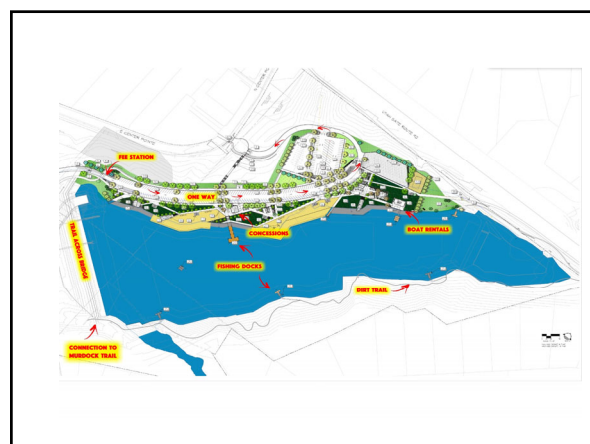
Fall 2021 Strategy

- Conserve so that City has hold over next year
- 17% Savings to date over last year
- Minimize Provo System for next year
 - Used to Date – +/- 2,323 AF
 - Remaining – +/- 1,831 AF
 - Projected Savings – +/- 1,000 AF (similar as last year)
- Continued Strategies for Public Awareness
 - Newsletter/Website – On-going
 - Text/Email/Social – Upcoming Text
 - Promotional Video - Upcoming

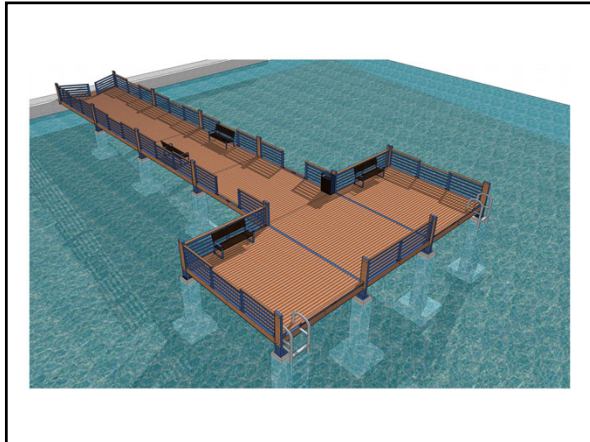
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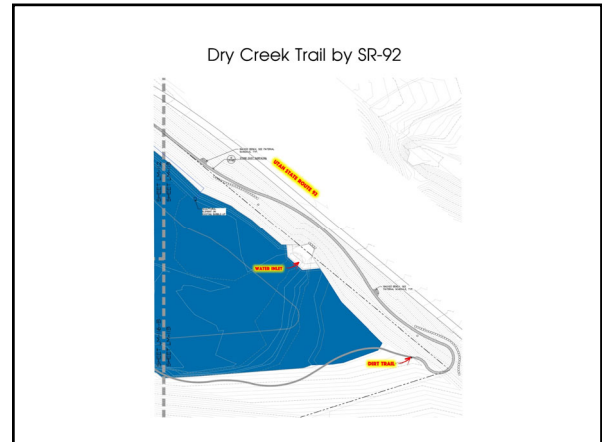
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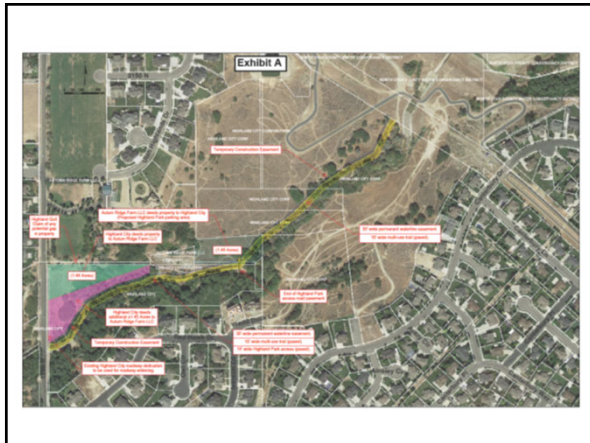
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13



14



15

CONSENT ITEMS *(5 minutes)*

- Item 4a. Approval of Meeting Minutes: August 3, 2021, August 24, 2021, August 25, 2021 *Administrative*
- Item 4b. Library Board Applicant Lynn Lonsdale *Administrative*
- Item 4c. Action: Victor's View Gravity Sewer Project *Administrative*
- Item 4d. Action: Approval To Purchase Three F-150 Vehicles For The City Fleet *Administrative*

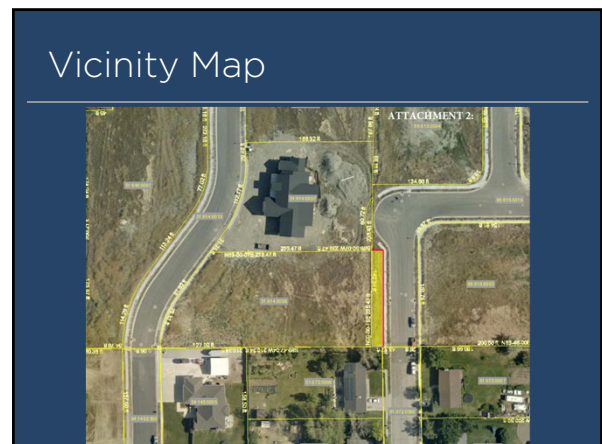
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RIGHT-OF-WAY VACATION - SIENNA SUBDIVISION *LEGISLATIVE*

Item 5 - Public Hearing/Ordinance
Presented by - Kellie Smith
Planner & GIS Analyst

17



18

Background

- Sienna Subdivision
 - Plat approved by City Council on June 20th, 2017
 - Included 73.17 feet of right-of-way rather than the standard 56 feet (Development Code 5-8-105).

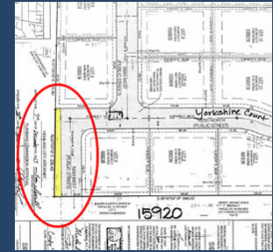
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Recorded Plats

Ruby Estates



Sienna Subdivision



20

Citizen Participation

- Public Hearing Notice
 - Mailed to 500' radius
 - Sign posted on subject property
- Petition signed by 36 property owners within 300' radius per Section 10-9a-609.5 of the Utah State Code

21

Recommendation & Proposed Motion

Staff recommends the City Council hold a public hearing, accept the findings, and **APPROVE** the request to vacate the proposed right-of-way.

I move that the City Council accept the findings and **APPROVE** the request to vacate the proposed right-of-way in the Sienna Subdivision.

22



TSSD APPLICATIONS FOR UTAH STATE MATCHING GRANT OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDING *ADMINISTRATIVE*

Item 6 – Letter of Support

Presented by – Tyler Bahr
Finance Director
Brian Braithwaite
Highland City, TSSD Representative

23



AMERICAN RESCUE PLAN ACT (ARPA) FUNDING AND APPLICATION FOR UTAH STATE MATCHING GRANT *ADMINISTRATIVE*

Item 7 – Action

Presented by – Tyler Bahr
Finance Director

24

Purpose

1. Obtain approval to allocate Highland's ARPA funding to development of Mountain Ridge Park
2. Determine if Highland will apply for matching funds from the State

25

Background

- Total funding = \$2,269,373
 - Highland received \$1,134,687 in July
 - Second installment of \$1,134,687 in one year
- Funds must be obligated by the end of 2024, spent by end of 2026
- State has set aside \$50MM additional funding for local match grants

26

Prior Review

Council direction – Mountain Ridge Park development

- All-abilities elements and other ADA-friendly accommodations
- Cost:
 - Overall \$5.4MM
 - Initial phase \$2.3MM



27

Criteria – Federal Gov't



- Support **public health** expenditures
- Address **negative economic impacts** caused by the public health emergency
- Replace **lost** public sector **revenue**
- Provide **premium pay** for essential workers
- Invest in **water, sewer, and broadband infrastructure**

28

Local Match Grant



- \$50 million
- Criteria
 - Projects or services that address the economic impacts of the COVID-19 emergency on **housing insecurity, lack of affordable housing, or homelessness**;
 - Costs incurred in addressing **public health challenges** resulting from the COVID-19 emergency;
 - Necessary investments in **water and sewer infrastructure**; or
 - Any other purpose authorized under the American Rescue Plan Act

29

Local Match Grant Application

- Points awarded in two categories:
 - General (up to 75 points)
 - Project-specific (up to 25 points) – Public Health Impact



30

Local Match Grant Application

<i>General</i>	
The project has clear long-term benefits that are defined and measurable	25
The project is innovative	10
The project leverages other funding sources	10
The project has a sound plan and budget	10
The project benefits vulnerable populations that have been affected adversely by the COVID-19 pandemic	10
The project does not create a funding dependency	5
The project is a collaborative effort with multiple entities	5
	75

31

Local Match Grant Application

<i>Project-Specific Category: Public Health Impact</i>	
The project mitigates COVID-19 cases, hospitalizations, or deaths, or increases vaccination rates	10
The project addresses (a) physical or behavioral issue(s) exacerbated by the COVID-19 pandemic	5
The project addresses a need related to the COVID-19 pandemic not funded elsewhere	5
The project targets (a) population group(s) at higher risk of being impacted by the COVID-19 pandemic	5
	25

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Local Match Grant Timeline

- August 16 to September 15 – Online application portal opens
- September 15 to October 15 – Committee reviews and evaluates applications
- October 19 – Committee reports selections to Executive Committee
- Mid-November – Applicants notified of project funding
- Mid-November – Funds dispersed to local entities

33

Does this project qualify?

- Federal standards: **YES!!**
- State matching grant: **CHALLENGES**
 1. Doesn't fit State's focus
 2. Lack of partnerships
 3. Highland not considered disadvantaged

34

Recommendation

Staff recommends the Council:

1. Approve allocating the City's ARPA funding to development of Mountain Ridge Park; and
2. Determine if Highland should apply for the State matching grant

Proposed motion:

I move that the City Council (1) approve use of the City's ARPA funding to develop Mountain Ridge Park; and (2) direct staff to **[apply/not apply]** for the State's matching grant program.

35



RIDGEVIEW UPDATE

Item 8 – Discussion

Presented by – Nathan Crane and Spencer Moffat

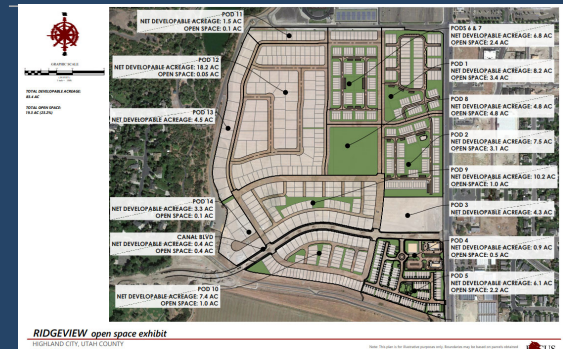
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Phase 2 Master Plan



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Open Space Exhibit



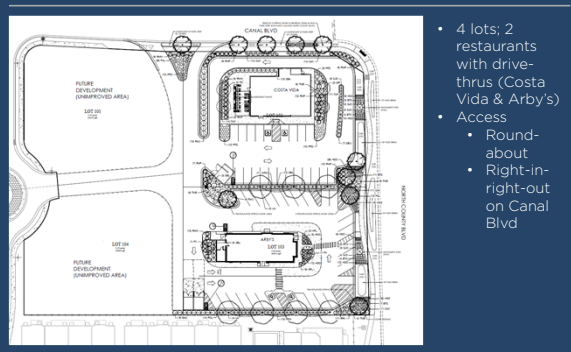
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Conceptual Park Plan



45

Commercial Site Plan Update



46

Costa Vida & Arby's Elevations



47

MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

Item 9a. - Mountain Ridge Park Bidding - *City Administrator Nathan Crane*

Item 9b. - Future Meetings

- September 8, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- September 9, Park Maintenance Building Open House, 6:00-7:00 pm, Community Center
- September 21, City Council Meeting, 7:00 pm, City Hall
- September 28, Planning Commission Meeting, 7:00 pm, City Hall
- October 5, City Council Meeting, 7:00 pm, City Hall
- October 13, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- October 19, City Council Meeting, 7:00 pm, City Hall
- October 26, Planning Commission Meeting, 7:00 pm, City Hall

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Mountain Ridge Park

- Design Fall 2018- Spring 2019
 - Public Meetings in 2018 and 2019
 - Open House and Survey in 2019
 - April 2019 Revised Plan
- September 8, 2020
 - Budget and focus less on fields and more on other amenities
- March 30, 2021
 - Complete the construction plans and go to bid
- July 6, 2021
 - Subcommittee Council members Rodella and Bills – All inclusive Playground

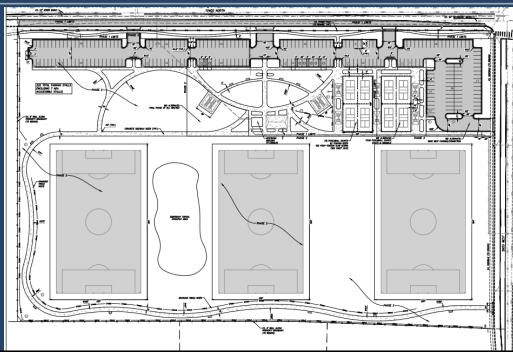
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Mountain Ridge Park

- Phase 1
 - Existing Revenue: \$2.46 Million
 - Excludes AARPA Use of ARPA Funds
 - Programed Budget: \$2.35 Million
- Playground (8,800 sq. ft.)
 - \$550,00 - \$580,000
 - \$325,000-\$355,000 for Equipment
 - \$10,000 in shipping
 - \$85,000 in installation
 - \$130,000 surface

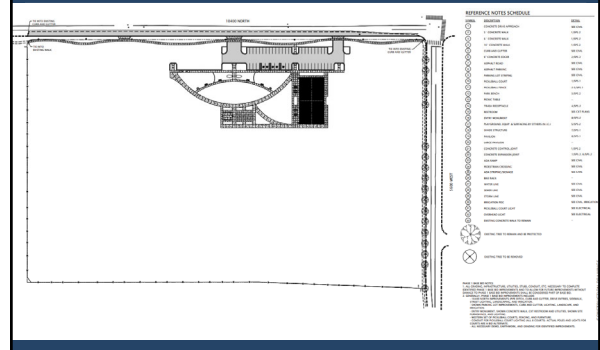
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Mountain Ridge Park



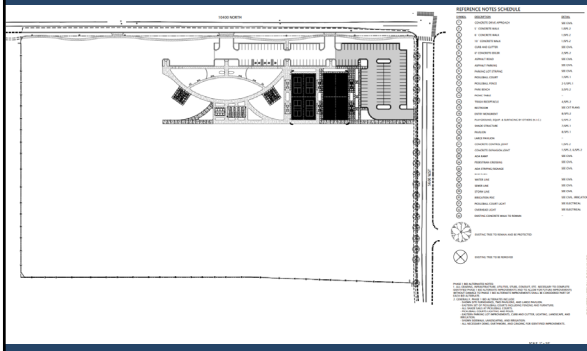
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Phase 1 - Goal



52

Phase 1 - Alternative Bid



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Bid

- Assumed Goal of Opening Next Year
- Pro's
 - Know what we can afford
 - Get on a contractor's schedule
 - Better/Real Pricing
 - Fundraising/Partners
 - Longer we wait higher the costs (potentially)
- Con's
 - Budget for but not the details of the playground
 - Hire a contractor or change item
 - Might be offset by State Contract Pricing

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Revenue Sources

Source	~Amount
Remainder of Sale of Spring Creek Park	\$1,400,000
Sale to Patterson Storage	\$358,000
Sale of Dry Creek Park Property	\$400,000
Street Tree Account	\$95,700
Enterprise Funds (for qualifying expenses)	\$31,275
B&C Road Money (for qualifying expenses)	\$175,000
Total	\$2,460,000

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Timpanogos Special Service District

Alpine • American Fork • Cedar Hills • Eagle Mountain • Highland • Lehi • Pleasant Grove • Saratoga Springs • South Valley • Vineyard

TIMPANOGOS SPECIAL SERVICE DISTRICT

District contact information: Richard Mickelsen, 801-756-5231, richard.mickelsen@timpssd.org

Wastewater

Project Name: Utah Lake Engineered Wetlands

Project Address: 6400 N. 5050 W., Utah County

Project Description: The Timpanogos Special Service District (TSSD) is nearing completion of a master plan to position its communities to successfully overcome the combined challenges of aging infrastructure, anticipated population growth and an uncertain regulatory climate. Expansion of existing facilities does, however, come with anticipated impacts to existing jurisdictional wetlands. TSSD is developing a plan to minimize and mitigate for unavoidable impacts to existing wetlands while increasing the value of existing lands to Utah Lake's ecology and communities. TSSD is seeking partners with whom it can work to acquire the required lands and funding to fully realize its vision for Utah Lake's shoreline.

Objectives:

1. Provide wetland mitigation credits for anticipated and unavoidable impacts to existing jurisdictional wetlands that allow for TSSD to enable its communities' vision for growth into the future.
2. Preserve existing open space in these shoreline lands and protect from future development.
3. Restore the connectivity, hydrology and habitat of these critical shoreline lands.
4. Expand access and recreational opportunities along Utah Lake's shoreline by extending the existing Utah Lake shoreline trail system to connect the Lindon Marina with the American Fork Boat Harbor.
5. Provide new educational opportunities highlighting the importance of habitat and water reclamation facilities to the water quality and ecology of Utah Lake.

Timeline of project work: Completion 2023

Amount Requested: \$5,000,000

Total Project Cost: \$10,000,000

Sources of funding: TSSD, Utah County

Attachments:



Timpanogos Special Service District

Alpine • American Fork • Cedar Hills • Eagle Mountain • Highland • Lehi • Pleasant Grove • Saratoga Springs • South Valley • Vineyard

Project Phase: Complete

Other – Details

NEPA action?

Status of Environmental Review:

Letter(s) of support: TSSD member cities, Utah County, Lindon

Regional plan: Area/communities served by your district: Alpine, American fork, Cedar Hills, Eagle Mountain, Highland, Lehi, Pleasant Grove, Saratoga Springs, Draper, and Vineyard.

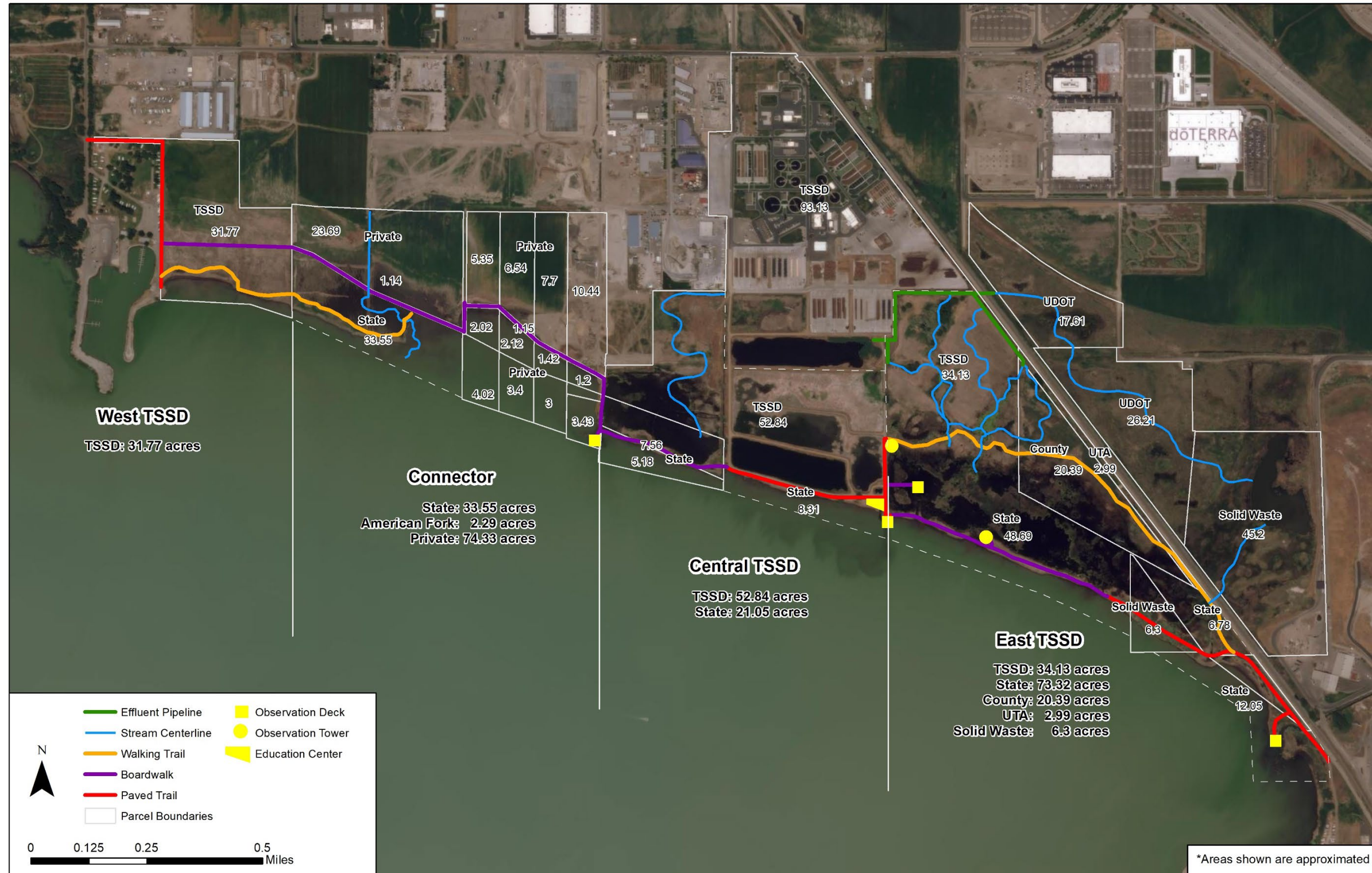


Timpanogos Special Service District

Alpine • American Fork • Cedar Hills • Eagle Mountain • Highland • Lehi • Pleasant Grove • Saratoga Springs • South Valley • Vineyard

Attachment A:

Conceptual Northeast Utah Lake Shoreline Improvements w/land owners





Timpanogos Special Service District

Alpine • American Fork • Cedar Hills • Eagle Mountain • Highland • Lehi • Pleasant Grove • Saratoga Springs • South Valley • Vineyard

Attachment B:

Conceptual Northeast Utah Lake Shoreline Improvements w/trail

