HIGHLAND CITY COUNCIL MINUTES

Tuesday, September 21, 2021

Approved November 9, 2021

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

VIRTUAL PARTICIPATION

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

Email comments prior to meeting: council@highlandcity.org

6:00 PM WORK SESSION – MOUNTAIN RIDGE PARK

The meeting was called to order by Mayor Rod Mann as a work session at 6:06 pm. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting.

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 Smith, City Attorney Rob Patterson, Secretary Heather White Finance Director Tyler Bahr, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Library Director Donna Cardon, Civic Events Coordinator Corrine Prestwich
OTHERS PRESENT:	Scott Hart, Rex Burningham, Joshua R. Gigger, Brian Braithwaite, Wesley Warren, James Thomas, Tonya College, Laura Burningham, Becky Blackhurst, Michelle Carter, Alan Carter, Steven Downs, Denise Andersen, John Meyers

Council Member Kim Rodela opened the meeting. Council Member Brittney P. Bills then discussed the City's community surveys conducted from 2019 and 2020. She said the outcomes were the same in both surveys, wherein residents indicated a high interest in pickleball and tennis courts, along with swings. She said they planned to focus on these park amenities. Council Member Rodela said she got extra feedback just from stopping people and visiting with them. Residents indicated an appreciation for the design and wanted to fill the empty space with a water feature/play equipment and extra parking. She also noted that several people wanted some kind of field or court (soccer, basketball, etc.) and asked for more trash cans. Council Member Rodela then added that she collected feedback from the Alpine group and Special Angels and both asked for an all-inclusive park though not everything needed to be accessible. Council Member Rodela then introduced Mr. Steven Downs.

Mr. Steven Downs began by talking about the needs of the community. He noted there would be a meeting to discuss a tax to fund these issues. He then went on to discuss the nuance of what it means to be disabled from children in wheelchairs and children on the spectrum. He noted some of this includes sensitivity to lights and music as well as textures. He said they have reached out to a consulting firm to ensure they are addressing special needs. He then went through the $1.2 million dollars allocated for this park project. He said roughly seven to eight hundred thousand was the park itself, including the bathroom with accommodations for accessibility. He said they also changed the layout of the parking lot to include more accessible parking spaces.

Mr. Downs explained that a company from New York created the design in January of 2016 and they focused on both accessibility and themes (i.e.; pirate ships, castles, etc.). He reviewed the fundraising process that went until September of 2016 as this covered some of the fees included in the $1.2 million dollars for the project. He said a big lesson they learned is that some parts of the project could be "democratized" while others could not, which required outside help. He described the volunteer process and the size of the playground, which was a half-acre. Mr. Downs then addressed the donations from both organizations and individuals. Lastly, he stressed that this project is about building community. He also reiterated that the playground would be for all-abilities but not one hundred percent accessible to everyone. He thanked United Way, Habitat for Humanity, and Community Partners for helping recruit volunteers.

Mayor Denise Andersen spoke about Harvey Park. She said Harvey Park was 11 and a half acres that they acquired when they sold a commercial zone. She said the park cost just over $7 million dollars and they paid cash. She stated the City's process was different since they paid for everything in cash outright. She thanked staff for managing the building of the park, shopped the equipment, and shopped the trees. The park was similar to Highland in that they workshopped ideas to the public and obtained input from local Boy Scouts. She said they went with a space theme as that is what the scouts chose. She said they faced some delays because of the size and the number of athletic courts. She said she would modify some items including the pickleball courts' proximity to houses and the lights. She stressed that accessibility and accommodations are very doable along with shade structure. She said they do not leave shade sails up during the winter. Mayor Andersen then spoke on the concession stand, noting several issues that needed to be corrected moving forward. She discussed the turf selection, explaining that she would have preferred a mat type of material instead of a carpet-like material. She said the material they chose was roughly $230,000. She then stressed how much the kids love certain amenities like the splash pad and zipline.

Wesley Warren discussed fundraising. He also highlighted continued costs. He said most of the upkeep revolved around basic maintenance and restroom upkeep. He explained that in marketing it was important to create a sense of urgency in looking for cash deductible donations. With this, he said they had good momentum, but were still pushing for future improvements. Some of these improvements, Mr. Warren noted, revolved around use of open spaces. He stated marketing for donations would vary depending on how you are targeting, but having a strong narrative is important all the same. He said pushing this story would work well for some people. He noted he was willing to build up the community and discussed having a volunteer park proximity fund.

Council Member Timothy A. Ball arrived at 6:50 pm.

Council Member Scott L. Smith asked about the amenities that they could market to which Mr. Warren stressed the need for a narrative they can construct when marketing. Council Member Rodela asked about a timeline and changes. Mr. Brain Braithwaite noted they needed to get a concrete sense of what the park would look like and do this quickly.

The work session adjourned at 7:05 pm.

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Scott L. Smith

Pledge of Allegiance – Council Member Kurt Ostler

The meeting was called to order by Mayor Rod Mann as a regular session at 7:05 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 Kurt Ostler.

1. UNSCHEDULED PUBLIC APPEARANCES

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

Mr. Braithwaite stated that he was on the parks and trails committee and had been working with Surf. He noted Surf agreed to donate the money needed to build the fields. He said any changes being made need to be done soon given the agreements they've come to. He said the contract they have discussed revolves around a structure devised by Arsenal and Lehi. He said the foundation of the agreement will be based on this. Mr. Braithwaite also noted they would be building two fields and paying for the cost of maintenance. He said they will get use of the field, though the timeline could be longer or shorter depending on negotiations and the amount of money they put in.

Mr. Warren emphasized the importance of Highland residents staying plugged in to the process. He noted he spoke with someone who felt removed from the process. He asked the Council keep this in mind especially during fundraising.

Rex Burningham stated that as a neighbor of Highland Glen Park, he sent an email to the Council asking if they wanted to use the area in question for truck storage. In 2002, another letter was sent to the City and residents were told it was City property. He stressed that the storage problem was getting worse. He emphasized that the area was created with federal money and he urged the City to look at the area again as it should be a "jewel of the city."

Laurie Burningham discussed lawsuits related to Highland Glen Park and expressed concern over Highland City's use of the area for dumping and drug deals. She read aloud from the lawsuit and stressed the illegal nature of what is going on in the park. She noted all the dumping of asphalt and yard waste.

Becky Blackhurst stated that as a neighbor to Highland Park, she was aware of proposals to improve the park area but also of the opposition (given the risk of traffic). She said the trucks that come to the park come quickly and create massive dust byproduct that is intolerable. She also complained about the noise that this brings into the area and stressed the need for competency in dealing with this issue.

Michelle Carter explained that there is a chain link fence between her home and Highland Glen Park. She said the dumping in the park can be seen from Google Maps and is only increasing. She said the dumping is constant and her backyard now looks like a gravel pit. She expressed safety concerns and demanded these activities stop.

Alan Carter reiterated that the presence of a gravel pit is a huge issue and a big mess. He noted he had sent pictures out and received feedback from others. He said no one was clear on the number of trucks and the exact amount of debris piling up. He asked that they find another place to dump and stressed the need for rehabilitating the area. He said the area has been reduced to a noisy dirt field and then played a recording. He requested the Council take care of this issue.

2. PRESENTATIONS

a. Fling Update – *Civic Events Coordinator Corrine Prestwich*

Civic Events Coordinator Corrine Prestwich will give a brief report on the 2021 Highland Fling.

Corrinne Prestwich, Civic Events Coordinator, said the theme for the Fling is "Reach" as in reach out and beyond. She said they were trying to reconnect after the pandemic. Some successful event features she noted included a new location for the dinner, a medallion hunt (which was very successful), larger service projects which yielded several quilts, sleeping mats, games, and toys, and lastly she praised the vendors and cash donations.

3. 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 17, 2021

b. Approval to Purchase a Four-Wheel Drive Vehicle for the City Fleet *Administrative*
City Council will consider the purchase of a four-wheel drive vehicle to be incorporated in the City fleet. The vehicle will be used by Building Department to perform daily ongoing tasks. The Council will take appropriate action.

c. RESOLUTION: Updated Personnel Procedures and Polices Related to COVID-19 *Administrative*
The City Council will consider a request by Highland City Staff to adopt a resolution relating to personnel procedures and policies related to COVID-19 and related matters. The City Council will take appropriate action.

d. PLAT AMENDMENT: Ruby Estates Subdivision *Administrative*
The City Council will consider a request by James Thomas to amend the Ruby Estates Subdivision to combine Lot 8 with the right-of-way vacated at the September 7th City Council meeting. The City Council will take appropriate action.

e. PLAT AMENDMENT: Pebble Lane Estates Plat B *Administrative*
The City Council will consider a request by Highland City to amend Pebble Lane Estates subdivision to adjust the property lines of lots 1 and 3. The City Council will take appropriate action.

f. PURCHASE CONTRACT: Canal Blvd Project – Valgardson *Legislative*
The City Council will consider a Real Estate Purchase Contract (REPC) to sell 3,389 square feet located at approximately 5445 W Pebble Lane, Highland, Utah to Eric Valgardson, the property owner of the residential lot directly north of the property for the amount of $6,778. The Council will take appropriate action.

g. PRELIMINARY PLAT APPROVAL EXTENSION: Aberlour Subdivision *Administrative*
The City Council will consider a request by Gilson Engineering for approval of a Preliminary Plat extension for property located approximately at 11020 N 5500 W. The City Council will take appropriate action.

h. RESOLUTION: Declaration of Surplus Property *Legislative*

The City Council will consider a request to declare 31,252 square feet of property surplus for the purpose of adjusting the boundaries of an existing building lot in the Pheasant Hollow subdivision. This request is associated with the Canal Boulevard project and the intent is to sell 1 lot for residential use. The Council will take appropriate action.

Council Member Scott L. Smith requested to pull items c, g, and h.

Council Member Scott L. Smith moved that the Highland City Council approve items a, b, d, e, and f. Council Member Timothy A. Ball SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

Council Member Scott L. Smith addressed item C and asked how things have changed on policy and procedures. City Administrator/Community Development Director Nathan Crane said the update includes vaccination requirements in conformance with State recommendations.

Item G regarding the Aberlour subdivision. Planner & GIS Analyst Kellie Smith noted that they needed to work more directly with UDOT to clarify regulations as some deadlines had expired and they subsequently requested an extension to meet requirements. She said regulations were the original rules with some stipulations. Council Member Kurt Ostler noted that the area is for sale and questioned if this was a regulatory stall tactic. Ms. Smith said, to her knowledge, they were trying to prepare the property and the current owner is different from the current applicant.

Item H. Council Member Smith absolved himself as he has a conflict of interest given his residency in the area. He had attended an HOA meeting and thought there were things that needed to happen between the City Attorney and the HOA attorney. City Attorney Rob Patterson said no one had reached out to him and stressed that what the HOA does is up to the HOA. City Engineer Andy Spencer said the HOA had reached out to him and the plan was to bring the two attorneys together, but then the new board president contacted him. He said that Mr. Reed did not approve this plat and they have not needed to involve Mr. Patterson yet. Mr. Smith asked what the City planned to do with the property. City Engineer Andy Spencer said he was not sure but realized that the two lots would not work together because of utility conflicts. He said the plan is that all the City land would have rock mulch, and the detention basin would be fenced with a gate. He thought this could be a nice side yard. Mr. Patterson said Council Member Scott L. Smith should be okay to vote on this. Council Member Ostler then asked, if approved tonight, if they would have to keep paying the HOA fee. City Engineer Andy Spencer said the City had been paying the HOA fee though he had not gotten a response answering that question yet. Mr. Patterson stressed that the decision tonight would not affect that.

Council Member Scott L. Smith MOVED that the Highland City Council approve consent item 3c, Resolution: Updated Personnel Procedures and Polices Related to COVID-19; item 3g Preliminary Plat Approval Extension: Aberlour Subdivision; item 3h Resolution: Declaration of Surplus Property concerning acreage in the Pheasant Hollow Subdivision. Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

4. ORDINANCE: DISPOSAL OF REAL PUBLIC PROPERTY PROCESS

Legislative

The City Council will consider a request by City Staff to amend the City's Municipal Code related to the disposing of property in order to streamline the property disposal process and avoid duplicative meetings and decisions. The Council will take appropriate action.

Mr. Patterson began by reviewing the current process which includes roughly two to four meetings regarding each parcel. He said the proposed process would reduce this to one to two meetings. He went on to discuss the steps that could be taken. He said the Council formally directs the property be sold and will manage the relations between buyers and sellers then this will transition to the council, have a public meeting, and after further consideration, will move forward. He said the point of this was removing any unnecessary steps in the process. He said the Council will be open to talking to people as a means of modifying contracts and streamlining the process.

Council Member Smith asked who would be notified if something was made for disposal. He said this was an extension of public concerns regarding City staff communication. Mr. Patterson said State law indicated the City needed to provide "reasonable notice" of the sale with no further detail. He said more information is on the website. Council Member Smith expressed concern that this is ineffective as it did not reach everyone. It was noted that the State only required notices to be published on the public notice website and the City website. Mr. Patterson said the minimum is all related to the website, but they can always do more.

Mr. Patterson was concerned some parcels would not make sense in their current iteration and was confused as to why only one property owner could buy one parcel at a time. Council Member Ostler stressed the need for a more streamlined process when addressing recent properties. He then asked where the surplus meeting and the appraisal fell into the process. Mr. Patterson explained that the surplus meeting had to precede the appraisal meeting, but there was not much explicit instruction beyond this. Council Member Ostler then asked how they could take this and allow more transparency. Mr. Patterson said this process may actually reduce transparency as people would not have the options to come to as many meetings, and there would be fewer notices and agendas posted. He said the methods have not fundamentally changed, but the issue would come before council less.

Mayor Rod Mann asked if there are too many steps. Council Member Ostler said the loss of transparency was a problem. Council Member Smith suggested that accelerating the process would not necessarily be compatible with transparency. Mr. Patterson said the important thing is that the issues must go through the Council process and have a public meeting. He said much of this is reworking the actual process. Council Member Ostler expressed discomfort with the direction this could go. City Administrator Nathan Crane discussed the procedure for recently sold properties. He said they would never make these selling decisions totally on their own. Mayor Mann said the public hearing seemed to be a key component. Council Member Ostler agreed, especially as these issues usually involve "significant" real estate. Council Member Rodela said they should eliminate some of the informality and move forward from there.

Council Member Kurt Ostler MOVED that the City Council ADOPT the proposed ordinance amending Highland City Code section 2.44.030 Disposal of Real Public Property adding back in B1 to declare the property surplus at a regularly scheduled city council meeting. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

5. ACTION: BROADLEAF CHANNEL EASEMENT AND RECONSTRUCTION PROJECT *Legislative*

The City Council will consider a request to approve a new channel easement on Lot 308 of Dry Creek Highlands Phase 3 subdivision. The Council will also review the easement approach that has been coordinated with the residents on the Broadleaf Channel corridor and staff's request to put the project out to bid.

City Engineer Andy Spencer explained that the primary issue was finding a new location for the channel easement on lot 308 given the intense amount of erosion and the meandering beyond the area originally platted. He said given the nine homes facing this channel, this could become a long term issue. The City needed to find a new location for the channel and create new easements to mitigate erosion and destruction to the area. The biggest challenge was to find a plan for the channel and easements that pleases the residents. Desire had been expressed to have that channel exist in the easement that was originally in the lot. This would require fortifying the area with rocks. There was discussion regarding pushing the channel towards the trail though this would present conservation problems. Staff had met with or spoken on the phone with some affected residents and buyers and how the Meyer's parcel would be affected. Residents have been welcoming and were anxious to have a resolution for this issue.

City Engineer Andy Spencer then went through the layout of the area. He said the first 30 feet is the trail easement, so there will be an area that must be sloped and differentiated from the rest of the channel. The Meyer's property will have a nine feet slope reinforced with rock along with a five foot easement on the western portion of the channel. He said this would become a new channel easement. He said there may be difficulties in mitigating where tractors are allowed. City Engineer Andy Spencer also looked at the edge of the access easement, and said this varies lot by lot.

Council Member Smith asked for clarification as it looks like they are pushing the channel east. City Engineer Andy Spencer said property owners would still be able to make changes to their property as the channel moves. Council Member Ostler asked what happens if the stream starts meandering to which City Engineer Andy Spencer said they would line the channel with more rocks to help prevent more damage. He said having a fence could be a risk though there would be a ten feet buffer. Council Member Ostler asked more about the easement. Mr. Patterson felt this would not be a huge issue as it was not designed as a conservation easement. Council Member Smith asked for comments from the public.

Tonya Colledge said she lives in lot 310. She said she has been a major recipient of this problem and expressed gratitude for the City acting. She said they did not agree to move the easement on their property as they would have a huge net loss of property. She said she recognized that this was for the greater good, but had some reservations. She said she did not feel rocks would solve the problem, and the best solution would be piping the area. Given the cost for the project, she felt this current construction plan was not feasible. She stressed that she wanted to fix the property but asked for more cost effective measures that consider future developments. Ms. Colledge also expressed concern over safety issues having a ditch present and kids in the area.

John Meyers said he appreciated the efforts to find a solution and emphasized the excitement people have over the resolution.

City Engineer Andy Spencer addressed Mr. Meyers' lot, and how it is a test case. He noted the easement vacation would not happen until the channel was moved and discussed the steps needed to be taken. Council Member Ball asked if this was addressed by the developer and who the developer might be. He also asked why they aren't having the developer do more assessment work. Mr. Patterson said they were going with the original developer though they may not be responsible for damages as it was the City's responsibility to maintain the area. Council Member Ball said it seemed like the City was not following up with the developers. Mayor Mann said all the City could do now is sign off on the construction. Council Member Ball asked about restrictions they can impose on the developers to which Mr. Patterson said they cannot restrict the developer process beyond what they agree upon ahead of time.

Council Member Bills asked what the cost would be to pipe the area. City Engineer Andy Spencer said he did not know. Council Member Bills asked if they could add a fence on the other side. Ms. Colledge said she would like to see a permanent fence on the edge of the trail easement. Mayor Mann asked for clarification. He asked if they just wanted the ability to build a fence, to which Ms. Colledge said yes. Council Member Ostler expressed some concern over fence length and proximity to the trail, especially given the slope. Mayor Mann said they could play around with the height of the fence, and City Engineer Andy Spencer said this construction could work.

Council Member Ostler expressed some reservations about piping given the velocity of the water and the potential for more erosion. Council Member Bills said they should consider fencing more in depth.

City Engineer Andy Spencer said his goals for the discussion tonight included determining the build lines and the procedure for vacating the old easement. He said once they figure those things out they can address fencing and other concerns. He said the Meyers are anxious to do something with their property and need to get ahead of the formal construction process. He ended the discussion point by encouraging staff to explore the issue further.

Council Member Kim Rodela MOVED that the City Council APPROVE the channel easement for Dry Creek Highlands Phase 3 lot 308 and AUTHORIZE staff to make preparations for the adjusted easement on the entire project and place the reconstruction project out to bid, and also direct staff to look into fencing along the trail. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

6. ACTION: PLAYGROUND EQUIPMENT FOR HIGHLAND GLEN PARK

Administrative

The City Council will authorize the execution of a contract for the purchase and construction of the selected playground equipment for Highland Glen Park.

City Engineer Andy Spencer said the City is looking to replace the playground equipment for Highland Glen Park. He presented photos of the park to the body. He noted they are currently looking at two different designs, and he has personally reviewed both options. He said the first option is $158,729.75 dollars and is more traditional with some geometric cubes and climbing areas but largely straight forward playground set-up. He said the second is a more modern design with more climbing options and higher energy activities. He said the second one is more costly at 165,096.60 dollars and has fewer activities for little ones but higher skilled equipment. City Engineer Andy Spencer also stressed that the cost factored in the removal of old equipment.

Council Member Smith expressed concern over past and potential vandalism in the park. City Administrator Nathan Crane said most of the vandalism has occurred on the other side of the park. He noted they had considered putting in cameras, but there are few fiber optic options. Nonetheless, he said they'll continue looking into it. Council Member Rodela asked about the camera in Mitchell Hollow. City Administrator Crane pointed out these are trail cameras. Next, Council Member Rodela asked about the Playworld brand and their current supply. City Administrator Crane said they do not have to stay partnered with them though there is an advantage given their variety and interchangeability with parts.

Council Member Ostler asked about the makeup of the area to better determine who would use the park and how it would mesh with the area. City Engineer Andy Spencer said the park that's currently there has been geared more towards little kids. Council Member Rodela said she was ready to branch out and encourage new things as the City is getting older and so are the kids in that area.

Council Member Ostler asked how important it would be to stay with the vendor. City Engineer Andy Spencer said the main priority is getting the parts they need in a timely manner and having interchangeable options. He said Playworld parts are the best with these requirements. Council Member Bills said she would still like to look into other options.

Brittany P. Bills MOVED to continue this item and ask staff to look at other vendors; Game Time, as well as two other vendors that she will provide staff with a link to. Council Member Kim Rodela SECONDED the motion.

Council Member Scott L. Smith AMENDED the motion to include previous stated motion and add that staff look at ways to prevent vandalism, such as a dummy camera or motion sensors. Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

7. DISCUSSION: RESOLUTION REGARDING USE OF OPEN SPACE FEE FUNDS

City Council will discuss a resolution that identifies the public areas located within open space subdivisions which will be funded by the Open Space Fund.

Mayor Mann by explaining that this issue has been apparent since he began running for office. He mentioned he had done research on the cost of maintaining parks, trails, and other open spaces. Subsequently, he reviewed the cost allocation proposal and removed the following expenses from the costs covered by the open space fund: all trails and parks within open space subdivisions which have fields and can be reserved by leagues and teams and front roads which serve non-open space subdivisions. Mayor Mann asked the Council to look at the changes and proposed details. He noted he had personally reviewed the differences between the current and proposed policy and would like the Council to do the same.

Council Member Smith said he thought they had developed a six year plan but could not remember all the details. He acknowledged some of the trails needed to be rebuilt and asked if this was considered. Mayor Mann noted someone had assessed the trails last year, and the new five year plan should address significant work needed on trail maintenance and trail connections.

Council Member Smith went through the money allocated for these areas. He said last year $100,000 was allocated along with an additional $35,000 later approved by Council. He noted this year, they agreed on $75,000 specifically for The Hollows. He said they should be able to find money elsewhere. Mayor Mann said there may be an opportunity to complete trail repair and maintenance with money from MAG. He did not think the five-year trail plan included trail completion, and suggested a rough plan to use current funding in the five year plan to fix the trails in question. Mayor Mann said the proposed changes should not have a financial impact.

Council Member Rodela she would love to learn more about this when they received the report and asked who would be paying for open space maintenance and if they would be doing a deeper financial analysis. Mayor Mann said he would look into it. Council Member Ostler asked if a deeper analysis would reveal greater costs to run the park. City Administrator Nathan Crane said much of this depends on their ability to change and allocate acreage which would affect the cost. Mayor Mann asked about using the general fund to pay for trails and open space maintenance. Council Member Ostler and Council Member Smith liked the idea of that direction. Council Member Rodela agreed somewhat but still wanted to see additional usage data. Council Smith agreed that more data would benefit them.

The Council took a break from 9:57 PM to 10:09 PM.

8. 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.

City Engineer Andy Spencer said they will postpone any road reconstruction at this point. He said given the season, it would be better to wait to begin any road projects. Council Member Ostler asked when the road projects for 2022 will be bid on. City Engineer Andy Spencer said this would be around January as the financial year closes in the middle of the construction year.

a. **Graffiti** – *Council Members Brittney P. Bills, Kim Rodela, and Scott L. Smith*

Council Member Bills said this would be addressed at a later meeting.

b. Community Center Use – *Assistant City Administrator Erin Wells*

Assistant City Administrator Erin Wells led a discussion on community center use as it pertains to events, the arts, historical society issues, and parks. She noted the events storage at the water building at 5600 North. She said they may move the library and the police department storage. She discussed classroom needs which include new lighting fixtures and whiteboard. She noted proposed changes which included a park building.

Council Member Smith asked when they will recarpet and repaint the center's upstairs area. Assistant City Manager Erin Wells said it would happen soon, and Council Member Ostler said there are Council funds which could contribute to the project. Lastly, Assistant City Manager Erin Wells noted they are reorganizing the spaces where they will hold certain events including those pertaining to the Historical Society.

c. Park Maintenance Building – *City Engineer Andy Spencer*

City Engineer Andy Spencer discussed a recent open house they had and how they received good feedback. He showed the Council some architectural renderings of the building. He noted the concrete fence on the northside along with an additional area for supplies and fuel. He said he contacted the neighbors about anything that would affect them and praised the existing building in the area. He then went through amenities by the building including the washout bay for mowers. Council Member Ostler asked him if any vehicles could park outside. City Engineer Andy Spencer responded, no, not after hours. He indicated staff parking was located on the west. City Engineer Andy Spencer then noted the budget would be $826,000 with additional funds available in the building fund. Finance Director Tyler Bahr said they could also access the capital improvements fund though it was up to the council to decide.

Council Member Ball said some of the construction projects will take place Sunday and after hours. Mayor Mann noted he looked into it and determined construction on private property is allowed on a Sunday. He clarified that noise is allowed on private property from 7:00 pm through 10:00 pm as they are still considered daytime hours. Council Member Smith asked about the east/west corridor construction. Assistant City Manager Erin Wells said that project was affected by cooler weather though they plan to talk to the contractors and remind them of deadlines.

Mr. Patterson clarified that Sunday business closure applies to Highland City businesses, so they have to consider this for contract employees and anything that they have a business license for. He noted they are exempt between 7:00 pm and 10:00 pm. Council Member Smith stressed that there is no reason they can't reach out to the contractor.

Assistant City Manager Erin Wells agreed and said they will reach out and document their talks. She also noted the Council worked out a budget for Christmas lights just like last year. She asked for additional lights and noted they would go up in November.

Council Member Ostler addressed the residents talking about asphalt dumping and why it is happening in their area. City Engineer Andy Spencer said he did not know why it started there. He noted the City will pulverize a road, ground it up, then have the material taken down to Highland Glen and repurpose the material. He said over the years, the City has been more active with road reconstruction areas. He said they have looked into moving to Victor's property though halfway through the project, the road contractor lost the contract. City Engineer Andy Spencer assured the Council they would stop hauling materials to Highland Glen Park though they may have to pay to remove the materials. Council Member Smith advocated for a plan to work out noise and safety concerns sooner than later. Mayor Mann said having a plan was most important to ensure they are no longer dumping. He did note it would be best to have a slower plan. City Engineer Andy Spencer said they had to rush things to make it work. He also noticed extra material fills become a timing issue and could be a liability and difficult to monetize.

Council Member Ostler noted some interest from a developer though City Engineer Andy Spencer said they would need to do more inspections first.

d. **Staff Project List** – *City Administrator Nathan Crane*

Discussion point tabled for next meeting.

e. Future Meetings

- 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

9. CLOSED SESSION

The City Council may recess to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

At 10:55 pm Council Member Scott L. Smith MOVED that the City Council recess to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed unanimously.

Council Member Scott L. Smith MOVED to adjourn the CLOSED SESSION and Council Member Kim Rodela SECONDED the motion. All voted in favor and the motion passed unanimously. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 12:50 am.

ADJOURNMENT

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

The meeting adjourned at 12:50 am.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 21, 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 21, 2021

1

6:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann

2

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Scott L. Smith
Pledge of Allegiance – Council Member Kurt Ostler

3

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.

4

PRESENTATIONS

2a. Fling Update – *Civic Events Coordinator Corrine Prestwich*

5

REACH OUT, UP & BEYOND

High attendance numbers at all events- most far above past years.
New location: Mitchell Hollow Park was a great location for the kick-off dinner
New event: Medallion Hunt started by Keri Stroemer
Service projects: 4 large quilts, 1 baby quilt, 2 sleeping mats, file folder games, 60 sensory threading toys, collected other supply donations
Fox13 & Big Budah featured the Fling

6

REACH OUT, UP & BEYOND

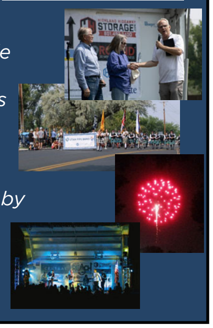
By the numbers:

52 vendors, 8 food vendors, 48 parade entries

Sponsorships: $16,000 cash donations $17,000 in-kind donations

Revenue from vendors, wristbands, meals, etc: $15,000

21 events or activities- Made possible by our volunteers, Youth Council, & our Public Works & Parks Staff



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CONSENT ITEMS *(5 minutes)*

3a. Approval of Meeting Minutes: August 17, 2021 *Administrative*

3b. Approval to Purchase a Four-Wheel Drive Vehicle for the City Fleet *Administrative*

3c. Resolution: Updated Personnel Procedures and Policies Related to Covid-19 *Administrative*

3d. Plat Amendment: Ruby Estates Subdivision *Administrative*

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CONSENT ITEMS *(5 minutes)*

3e. Plat Amendment: Pebble Lane Estates Plat B *Administrative*

3f. Purchase Contract: Canal Blvd Project – Valgardson *Legislative*

3g. Preliminary Plat Approval Extension: Aberlour Subdivision *Administrative*

3h. Resolution: Declaration of Surplus Property *Legislative*

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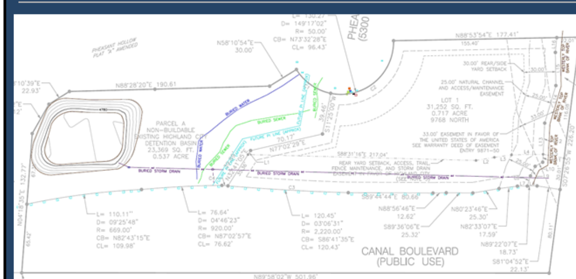
Pheasant Hollow Surplus *Utilities*



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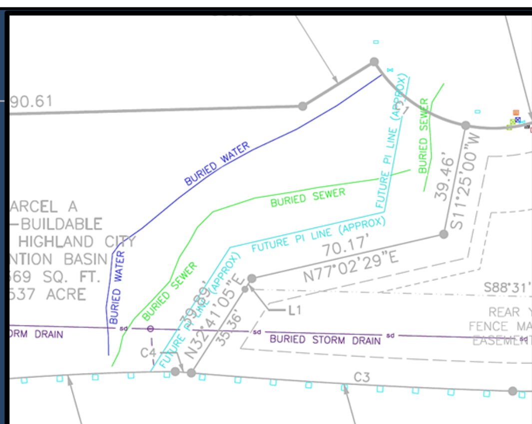

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DISPOSAL OF REAL PUBLIC PROPERTY PROCESS

LEGISLATIVE

Item 4 – Ordinance
Presented by – Rob Patterson
City Attorney

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Current Process

* 2 or 3 meetings

1. Council passes a resolution to declare property as surplus during a public meeting
2. Staff notices for public hearing
3. Council holds a public hearing during a separate public meeting
4. Council directs that the property be appraised
5. Authorize the sale/disposition of the property, potentially another public meeting

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Proposed Process

* 1 or 2 meetings

1. Council formally or informally directs that a certain property be brought to Council for potential sale/disposition
2. Staff notices for public hearing
3. Council holds a public hearing
4. Council formally approves the disposal of the property on such terms and conditions that the Council determines appropriate

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Recommendation & Proposed Motion

Staff recommends the Council **APPROVE** and **ADOPT** the proposed changes.

I move that the City Council **ADOPT** the proposed ordinance amending Highland City Code section 2.44.030 Disposal of Real Public Property.

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HIGHLAND CITY

BROADLEAF CHANNEL EASEMENT AND RECONSTRUCTION PROJECT

LEGISLATIVE

Item 5 – Action

Presented by – Andy Spencer, PE
Public Works Director/City Engineer

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HIGHLAND CITY

PLAYGROUND EQUIPMENT FOR HIGHLAND GLEN PARK

ADMINISTRATIVE

Item 6 – Action

Presented by – Andy Spencer, PE
Public Works Director/City Engineer

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HIGHLAND CITY

RESOLUTION REGARDING USE OF OPEN SPACE FEE FUNDS

Item 7 – Discussion

Presented by – Rod Mann
Mayor

23

Open Space Fund Allocation

SEPT 21,2021

24

2013

When I knocked on doors while running for city council in 2013 I heard the following complaints on the same day:

- I am upset that we pay a $20.00 / month for parks and trails that anyone in the city can use
- I am upset that the we pay for the parks in Open Space neighborhoods

I researched the issue and found the over the previous 4 years the general fund had subsidized the Open Space Fund by anywhere between 30% and 45% each year.

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2014-2021

Since that time staff and elected officials have heard comments like the following from residents:

- "I get nothing for the $20 a month I pay because the city …. lets the trails crumble, never takes care of native open space … ."
- "Why am I paying for the trails that everyone or no one uses?"
- "The park neighbors said that I can't use the park because they pay for it or it is an HOA park."
- "Outsiders regularly use the park that we pay for."

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What is the truth?

Based on my research over the last 3.5 years here is what I've discovered.

- We don't have a comprehensive picture of what the parks, trails, and open space cost to maintain.
- I put a model together than is incomplete in that I believe some assumptions are incorrect (eg. average playground replacement cost is $75,000) as well as because I used costs associated with what we are doing today rather than what we "should" be doing tomorrow.
- We are having Lewis and Young create a report that will accurately show what we are spending on maintaining parks, trails, and open space.
- The following slides use my model and historical budget figures but most likely undercount the costs associated with parks and trails.

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Open Space Fund Sources

OS Revenue	2018 Actual	2019 Actual	2020 Actual	2021 Budget	2022 Budget
Fee	$283,353	$287,857	$291,918	$291,600	$291,600
Interest	$ 6,111	$ 13,863	$ 8,579	$ 11,651	$ 8,500
General Fund	$106,924	$100,000	$150,000	$170,000	$317,313
Total	$396,389	$401,720	$450,497	$473,251	$617,413
% GF	27%	25%	33%	36%	51%

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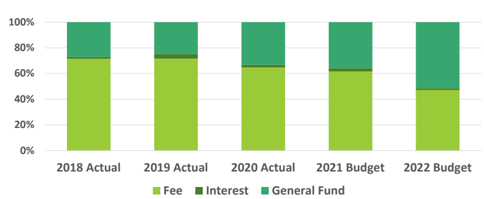
Open Space Fund Sources



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Cost Allocation Proposal

Remove the following expenses from costs covered by the Open Space Fund

- All trails.
- Parks within Open Space subdivisions which have fields that can reserved by leagues and teams (eg. Mitchell Hollow, Beacon Hills Frisbee Golf Park).
- Parkway details that front roads that serve non-open space subdivisions (eg. parkway along 10400 N).
- See staff report for details

Add to all parks and trail budgets expected replacement and periodic maintenance costs (eg. playground replacement, trail seal coats).

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Current vs Proposed Cost to Open Space Fund

Open Space	Current	Proposed	Difference
Annual Cost	$ 464,906	$ 306,833	$ 170,186
Annual Fee Rev	$ 294,720	$ 294,720	$ 12,133
Fee to cover all costs	$ 31.55	$20.82	$ 10.73

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Why and Next Steps?

Why

The proposed change will have no financial impact so why do it?

- Will generate the kind of information needed to make future decisions that may have a financial impact.
- Will help set resident expectations appropriately.

Next Steps

- Council to review criteria used to determine what Open Space Fund should cover and the proposed changes found in the staff report.
- If there is a consensus put the resolution on the October 5th agenda as an action item.

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HIGHLAND CITY

MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

8a. Graffiti – *Council Members Brittney P. Bills, Kim Rodela, and Scott L. Smith*

8b. Community Center Use – *Assistant City Administrator Erin Wells*

8c. Park Maintenance Building – *City Engineer Andy Spencer*

8d. Staff Project List – *City Administrator Nathan Crane*

8e. Future Meetings
- 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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HIGHLAND CITY

COMMUNITY CENTER USE

Item 8b – Discussion

Presented by – Erin Wells, Assistant City Administrator

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Goals

- Preserve rental space in lower level
- Provide needed staff areas
- Minimize cross-over of rental and staff use

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Solution

- Discussions with: Events, Arts, Historical Society, Parks
- Events storage to connex at 5600 N water building
  - Also move Library and Police connex
- Create rental space in entryway
  - Hallway and door
  - Classroom needs: lighting and whiteboard
- Increase building cleaning

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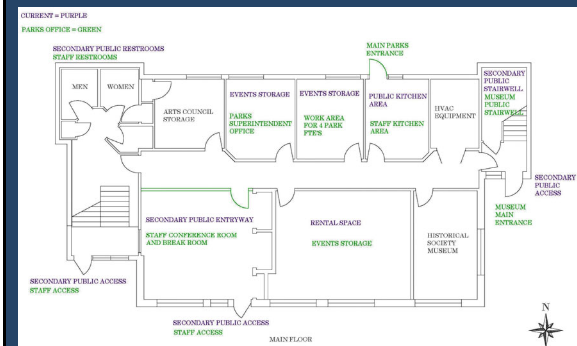

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Future Items

- Potential Phase 2 - Create further rental/staff separation
  - Shifting Historical Society Museum
  - Adding dividing door
- Amend Building Use Policy

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HIGHLAND CITY

PARK MAINTENANCE BUILDING

Item 8c – Discussion

Presented by – Andy Spencer, City Engineer/PW Director

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The new building is 80 feet in length and 50 feet wide running north to south along the east side of the property.

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CLOSED SESSION

HIGHLAND CITY

The Highland City Council has recessed the regular City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

The regular City Council meeting will adjourn immediately following the ending of the closed session.

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