HIGHLAND CITY COUNCIL MINUTES

Tuesday, December 7, 2021

Approved on January 18, 2022

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 CLOSED SESSION

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

At 6:04 pm Council Member Kurt Ostler MOVED that the City Council recess to convene in a closed session to discuss pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

Council Member Scott Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Absent*
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 Timothy A. Ball MOVED to adjourn the CLOSED SESSION and Council Member Kurt Ostler SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 6:58 pm.

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Kurt Ostler
Pledge of Allegiance – Council Member Timothy A. Ball

The meeting was called to order by Mayor Rod Mann as a regular session at 7:03 pm. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Council Member Kurt Ostler and those in attendance were led in the Pledge of Allegiance Council Member Timothy A. Ball.

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, Public Works Secretary JoAnn Scott, Finance Director Tyler Bahr, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Assistant Public Works Director Jeff Murdoch, Parks Superintendent Josh Castleberry, PI Superintendent Tayson Arnoldsen
OTHERS PRESENT:	Jon Hart, Scott Smith, Brady Giles, Kristen Giles, Grant Carlson, Brian Braithwaite, Joe Ham, Mel Cook, Mario Chiaro, Natalie Devey, Noor Majeed

Mayor Mann mentioned an issue that has generated a great deal of public concern related to the actions taken by Blue Bison to fence their private property in the northwest area of Highland. The Mayor and City Council are aware of the situation and there are ongoing discussions regarding the legal implications of the matter and options for trail access.

1. UNSCHEDULED PUBLIC APPEARANCES

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

Via Zoom Chat: Roy Huntsman voiced his concerns about the lighting in the Highland Marketplace of the development. The new plans for the project have changed the trees and lighting and he would like the City to keep the tall evergreens and wall between church and marketplace.

2. RECOGNITION ITEMS

a. Mayor Recognition Awards

Mayor Rod Mann will give special recognition to individuals who have contributed to Highland City. Award to Suzanne Mann for her support of Mayor Mann in his position with Highland City over many years in various roles.

Mayor Mann stated this is his last City Council meeting as the City's Mayor and he would like to give an award to someone who has deserved one for a very long time – his wife, Suzanne. She is travelling to attend to the birth of their 12th grandchild, but he has prepared a certificate and he read the text of the certificate for the record of the meeting; he cited major projects she has worked on and recognized her for her service as the editor of the City's magazine. Her creativity and cheerful outlook have quietly improved the community. She is a wonderful example of what it means to be a Highlander, and Highland is a better place because of her charitable services.

b. Recognition Award for Mayor Rod Mann

Mayor Elect Kurt Ostler will thank Mayor Rod Mann for his years of service to Highland City and present a special recognition award.

Council Member Ostler presented Mayor Mann with a recognition for his service as Mayor and as a City Council member for the past eight years. Mayor Mann is a great friend and a great public service; he was serving in a part-time position, but he has worked full time. He is a dedicated servant and truly cares about the residents; he has served Highland as well as any Mayor ever has. He also echoed the Mayor's comments about the services provided by Mayor Mann's wife; she has always been supportive of the Mayor, and he presented Mayor Mann with flowers for his wife. He thanked Mrs. Mann for allowing Mayor Mann to share his time with the City.

3. PRESENTATIONS

a. Parks

Parks Superintendent Josh Castleberry used the aid of a PowerPoint presentation to provide the Council with an update and report on the status of parks and open space maintenance for the 2021 growing season. He reviewed the staffing chart for the Division, noting there are four full time employees and 25 seasonal employees. The primary responsibilities of the of the Division include:

- 163-acres manicured parks
- 137-acres native mowing areas
- 73-acres native area, limited maintenance
- Over 5,000 trees
- 15 playgrounds
- 6 pavilions
- 2 baseball fields
- 1 tennis Court
- Snow clearing from City facilities

He presented a map illustrating the City's open space maintenance areas, noting the legend converts the acreage to an equivalent of football fields mowed per day. Additional maps illustrated the native open space maintenance areas and weed control spay areas. 2021 highlights for the Division include:

- 2,207 Bags fertilizer placed by City crews
- 28 Trees planted by City crews
- 253 Trees pruned by City crews
- 125 Trees removed by City crews
- 494 Sprinkler heads replaced by City crews
- 10 Sprinkler main-line breaks repaired by City crews
- 10 Sprinkler lateral-line breaks repaired by City crews
- 2,500 Garbage bags
- 5 Garbage cans added to parks
- New bathrooms at Highland Glen, Heritage, and Beacon Hills

In the past, grass maintenance has occupied a high percentage of time and focus and in the future, he would like to implement a balanced approach to maintenance of all parks features and trails. To get there, it will be necessary to determine how to maximize the employee resources the Division has, determine if all grass areas need to be mowed weekly, and decide whether to prioritize high visibility areas. He presented a pie chart illustrating the 2021 Parks employee time allocation and presented an additional chart illustrating how he would like the allocation to change by 2023. He then engaged in a high-level discussion with the Council regarding topics such as the current mowing schedule and what areas can be mowed less, xeriscaping opportunities, long range planning for the Division, additional resources needed by the Division, comparability of wages with other municipalities, tree health and weed control, and the efforts of the Division to maintain open spaces during the drought.

b. Pressurized Irrigation

Assistant Public Works Director Jeff Murdoch used the aid of a PowerPoint presentation to provide the Council with an update regarding the 2021 pressurized irrigation water usage. He presented a graph illustrating the availability of water from May to October of 2021, noting this year was the second driest on record, the first being 1934. He compared the pressurized irrigation usage in 2021 with 2020, noting the City saw a 17% reduction in water usage. The City has an on-farm agreement providing for 140-acre feet per year for farmland irrigation. The 2021 drought allocation was 100-acre feet, but the actual usage was between 50- and 60-acre feet. Usage of the Provo system was minimized, and savings can be carried forward to 2022. Continued strategies for making the public aware of the continued need to conserve water include notifications on the City's website and newsletter, as well as the City's social media channels. He then engaged in brief discussion with the Council regarding the City's conservation efforts.

c. Youth Council

A member of the Highland City Youth Council, Noor Majeed, provided a report to the Council on the Youth Council's activities and service during the last month. This included events such as the citizens appreciation dinner, a meeting with Mayor Mann and other Youth City Council's to discuss local government regulations, and several Christmas events culminating with the assembly of refugee support kits. She stated that she has truly enjoyed her experience with the Youth Council and thanked the Mayor and Council for their support. The Mayor and Council spoke of the success of the events managed by the Youth Council and thanked Ms. Majeed for her report.

d. Traffic Data

Mayor Rod Mann used the aid of a PowerPoint presentation to report traffic data that has been collected on various roads in Highland City; he started with Highland Boulevard and 6000 West. He presented a standard traffic study summary, which identifies average and 85th percentile speeds for a defined period of time. For the entire day, less than 25 percent of people are travelling under 30 miles per hour. The conclusion he draws from this study is that people are not following speed limit laws for the roadway and it may be that the Council needs to consider changes aimed at adjusting behaviors. He then discussed Canal Boulevard east of Alpine Highway and presented a chart illustrating the average number of trips per day for four different time periods. Additional charts illustrated the average speed compared with the speed limit and the percent of trips at three speed ranges compared to the speed limit. He then presented the same data for Highland Boulevard at 11880 North and 6000 West at 9760 North, where speed radar trailers have been placed. He noted he has this data for several roads in the City dating back to 2014 and he is working with staff to compile this data into a document that can be provided to the entire Council for ongoing evaluation. High level discussion between the Council and Mayor centered on development projects in the City that will increase traffic levels; the Council commented on the importance of the Mayor's efforts to collect ongoing data that can be used to measure changes and the propensity for accidents at specific areas. Mayor Mann stated that he believes that a 45 mile per hour speed limit is appropriate for Highland Boulevard, but changes should not be made until appropriation intersection signalization can be completed.

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 – October 19, 2021 and Special City Council Meeting - November 16, 2021

b. Action: Award Contract for the Murdock Irrigation Pump Station & Pheasant Hollow Sewer Lift Station *Administrative*
City Council will consider a request to approve a bid to Nelson Brothers for $2,877,000.90 for the construction of the Murdock Irrigation Pump Station and Pheasant Hollow Sewer Lift Station Projects and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

c. Resolution: Highland Blvd – Intent To Annex *Legislative*
The City Council will hold a public meeting to consider a request by Highland City to annex approximately 184,944 square feet (4.246 acres) of property located approximately east of 11800 North and Highland Blvd into Highland City boundaries. The City Council will take appropriate action.

d. Plat Amendment: Peck Hollow Plat B Lot 2 Amended (PA-21-11) *Administrative*
The City Council will consider a request by Ezra Lee Design + Build on behalf of Vess Pearson to amend the Peck Hollow Plat B subdivision to combine Lot 2 with a portion of the property behind 6387 W 9600 N. The City Council will take appropriate action.

e. Resolution/Action: Disposal of Equipment from Public Works Department *Administrative*
Staff is requesting that the City Council approve the surplus sale of a utility dump truck bed from the Highland City Public Works fleet. The Council will take appropriate action.

f. Voter Participation Areas *Administrative*
City Council will consider reaffirming the City's Voter Participation Areas until updated Areas are available for the purpose of signature collection for initiatives and referendums as required in Utah Code 20A-7-401.3. The Council will take appropriate action.

Council Member Smith asked to pull item 4b from the consent agenda.

Council Member Kurt Ostler MOVED to approve consent items 4a, 4c, 4d, 4e, 4f.

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.

Council Member Smith stated he asked to pull item 4b because he has a few questions about the project and the contract, specifically the fact that the contract amount exceeds the budget defined for this project. He stated that he knows a great deal about the Pheasant Hollow lift station because he lives next to it and knows that it needs to be rebuilt because it is fairly small. However, he would like to discus the Murdock Canal pump station, he asked what property it is located on. City Engineer Spencer stated that it the property upon which the station will be located came to the City as part of a dedication from the Ridgeview project. He stated the station will produce four cubic feet per second (CFS) and it is so important because of the limited capacity in the Central Utah Piping System as Alpine has increased its draw on that system. The station will allow the City to access the stored Deer Creek water and draw it into the pressurized irrigation system. He provided an overview of the scope of the project.

Council Member Ostler inquired as to how the amount of the project in excess of the budget - $291,000 – will be funded. Mr. Spencer stated that a budget amendment will be necessary, and he will recommend use of impact fee revenues collected from the Ridgeview development; the Ridgeview impact fees were created to address this need. Council Member Ostler inquired as to the timing of the impact fee collection. Mr. Spencer stated that The Boyer Company has submitted the Plat B plans for the Ridgeview project and they anticipate build out fairly quickly.

Council Member Scott Smith moved to approve item 4b.

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.

5. PUBLIC HEARING/ORDINANCE: RIGHT-OF-WAY VACATION – MILLERS ACRE SUBDIVISION PLAT B *Legislative*

The City Council will hold a public hearing and consider a request by Highland City to vacate approximately 1,385 square feet of right-of-way in the Millers Acre Subdivision Plat B. The City Council will take appropriate action.

Planner & GIS Technician Kellie Smith presented an aerial image to orient the Council to the location of the subject property, noting that the Millers Acre Subdivision plat was approved by the City Council on February 2, 2010. The developer of the Spruce Subdivision has tried to work with the owner of the Miller Acre property to continue a roadway that would stub into the Peterson property; the property owner refused to work with the developer so the developer worked with staff to adjust the planned road to avoid the property owner's land. This adjustment created 1,385 square foot right-of-way that would no longer be used as roadway. The City has notified all property owners within a 300-foot radius of the proposed amendment and a sign was posted on the subject property advertising this public hearing. The right-of-way vacation petition has been signed by seven property owners within the 300-foot radius as required by State Code. Staff finds that good cause exists for the vacation and the public interest, or any person will not be materially injured by the proposed vacation; staff recommends approval of the vacation based upon these findings.

Mayor Mann opened the public hearing at 8:28 pm.

There were no persons appearing to be heard.

Mayor Mann closed the public hearing at 8:29 pm.

Council Member Ostler stated his only concern is that someone was using this right-of-way to access the back of their property. Ms. Smith stated that individual was told that if he sold that portion of property to the developer of the Spruce Subdivision, his access would be preserved, but he chose not to. That individual has engaged in private discussions regarding the continued access of his property, but the City is not privy to those discussions. Council Member Ostler stated he is concerned that one person will be materially injured by this adjustment. Mayor Mann stated that individual acknowledged that the access from the Snowflake Drive stub road would be eliminated as a result of his decision not to sell. City Engineer Spencer added that the individual will still have their primary access from 11200 North. The condition that will primarily restrict the rear access to that individual's property is the geometric configuration of the roads and the danger with allowing a driveway on a street corner.

Council Member Kim Rodela *MOVED to accept the findings and approve the request to vacate the proposed right-of-way in the Millers Acre Subdivision Plat B.*

Council Member Brittney 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.

6. PUBLIC HEARING/ORDINANCE: GENERAL PLAN TEXT AMENDMENT – TRANSPORTATION *Legislative*

The City Council will hold a public hearing to consider a request by City Staff to amend the General Plan to discourage external road connections that are not existing or listed in the General Plan. The City Council will take appropriate action.

Planner & GIS Technician Kellie Smith explained the State Code requires that each City's General Plan include a transportation and traffic element that identifies major transportation connections and options. The Highland City General Plan calls out the following major roads:

- 11000 North (SR-92)
- Alpine Highway (SR-74)
- 4800 West
- 6000 West
- 10400 North
- 9600 North
- Highland Boulevard
- Canal Boulevard/9850 North
- 6800 West
- 11800 North

She then noted that in August of 2020 the City Council adopted an ordinance regulating new roads serving property outside Highland City corporate limit; the ordinance dictates that the City not accept/permit road connections that primarily serve property out of Highland City boundaries unless they are part of the City's transportation or annexation plans. She noted that The proposed amendment to the transportation element of the City's General Plan will ensure that the General Plan conforms to the Council's adopted policy regarding external, inter-city road connections by limiting future external, inter-city connections to those that are already identified in the City's general plan (listed above) or those that meet the standards described the City's municipal code. She reviewed the text that staff proposes adding to the Recommended Transportation Network section of the General Plan, after which she concluded the Planning Commission held a public hearing on the matter on November 16, 2021 and recommended approval on a four to zero vote. There was no public input provided to the Planning Commission. She summarized the public noticing process for this type of amendment and indicated staff recommends that the City Council hold a public hearing and approve the proposed General Plan amendment.

Mayor Mann opened the public hearing at 8:38 pm.

Brian Braithwaite stated he feels this amendment is very appropriate; it will give the City the ability to consider each proposed transportation connection on a case-by-case basis; the regulation gives the Council the freedom to deviate from the General Plan if they choose; however, a potential developer cannot demand that they have a certain right to connect.

Brady Giles echoed Mr. Braithwaite's comments.

Mayor Mann closed the public hearing at 8:40 p.m.

Council Member Bills asked what impact, if any, this amendment will have on the View Point property, the gravel pit, and adjacent properties. City Administrator/Community Development Director Crane stated there is a provision addressing existing stub roads or planned connections and that View Point will fall under that provision. If a potential connection through the gravel pit is added, it will be identified on the General Plan; this particular amendment would not have an impact on View Point or the gravel pit because they would either be addressed in the General Plan and approved by the Council or is addressed by the provision regulating existing or planned connections.

Council Member Smith asked for further clarification of Mr. Crane's explanation of the stub road in View Point into Alpine City; he asked if the General Plan has always identified that stub road. Mr. Crane stated there has always been a road connecting View Point to Alpine as part of the View Point development. That project contains 133 homes with only one point of access. There have been a number of public safety issues in the development that has caused restricted access for residents; the grade of Park Drive is above eight percent and school buses will not drive on that road. The stub road from the north would allow for improved access and school bus access; there are a number of reasons from safety and circulation standpoints to include the access. It is needed and has been planned for since the subdivision was in its infancy. Council Member Smith stated that he feels more discussion about that matter will be needed in the future as he feels that the road will increase the traffic dramatically in the View Point project. Council Member Bills agreed; she understands the need for an additional point of access, but there are also safety concerns associated with increasing traffic from Alpine, especially when those vehicles will be driving down a hill that is too steep for a school bus to drive up. There was brief high-level discussion about the need to engage with Alpine City to discuss the extension of the roadway through the View Point project.

Council Member Kim Rodela MOVED that the City Council accept the findings and approve the proposed General Plan amendment to discourage external road connections that are not existing or listed as a major road in the General Plan.

Council Member Kurt Ostler 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. RESOLUTION: ADOPTION OF THE DESIGNATION OF DISPOSABLE PROPERTIES *Legislative*

The City Council will review and discuss the open space requests that were deferred on November 9th, 2021. The City Council will also consider the adoption of a resolution designating specific parcels of public real property as orphan parcels that may be disposed of. The Council will take appropriate action.

Planner & GIS Technician Kellie Smith facilitated a brief review of the City's Open Space Disposal Policy, which was adopted by the Council via Resolution 2021-15. She then discussed the properties for which residents have expressed interest in acquiring; for Beacon Hills Plat I, there are three residents interested in purchasing property and one resident concerned about the transaction. Staff has expressed concern about encroachment and pressurized irrigation system issues in the area. She presented an aerial image identifying the current encroachment lines for the properties in question, noting that the total encroachment is a bit over two acres. Based upon the Council's discussion during the November 9 meeting, staff understood the Council was comfortable selling property up to 10 feet of the scrub oak boundary and she presented an image illustrating where the property lines would be extended to based upon that direction; this would result in the disposition of up to 66,674 square feet of property. Another analysis that staff conducted included disposition of property extending 15 feet of the private property lines, which would result in the sale of 31,024 square feet. This is not a staff recommendation, but an additional analysis for the Council to consider. She presented an image of the area served by the Hogs Hollow pump station; it is a two-pump system and is nearing capacity. If the Council determined to sell the property that residents have already encroached upon, the additional gallons per minute (GPM) needed from the Hogs Hollow pump station would be 40; if the Council decided upon the area that is 10 feet from the scrub oak line, 30 GPM would be needed; and, if the Council decided to sell the area 15 feet from the private property lines, 15 GMP would be needed. Even the minimum of 15 GPM is more than what was intended for the Hogs Hollow system. There is a third pump at the station, but it is intended for emergency use only. For the Beacon Hills Plat, staff recommends that the Council's adopted policy be considered.

Council Member Rodela asked if staff's analysis takes into account that the encroached upon area is already grassed over. Ms. Smith answered yes; the square footage she presented is the area that has already been planted and that is the area that would require an additional 40 GPM of irrigation. Council Member Rodela stated that must be what is currently happening if that area is landscaped. The Council engaged in brief philosophical discussion about the need for a policy to address encroachment in general.

Council Member Smith wondered what would become of the landscaped area if the Council only approves the sale of property 15 feet from the current private property lines. Ms. Smith stated the Council could consider maintenance agreements that would require specific types of landscaping aimed at conserving water. Council Member Smith stated that his preference is to allow the residents to purchase all the property they have already encroached upon, encourage xeriscaping, and use the money from the sales to upgrade the pressurized irrigation system. Council Member Rodela stated that proposal seems reasonable, but she is concerned about fire hazards in the areas abutting the scrub oak. The Council discussed the concept proposed by Council Member Smith and continued to restate that a general encroachment policy is needed in the City.

Mayor Mann referenced the Utah County parcel map to identify the City's trail corridor and highlighted properties along the corridor where residents have encroached and performed substantial improvements. The City can consider alternate access, but there are some areas of significant encroachment that should be addressed. Council Member Ostler agreed and noted that at one point in time the Council received the report that over 220 property owners in the City have encroached on City property in some fashion.

Council Member Smith stated it may be appropriate to table this item and allow residents to continue to work with their neighbors to formulate a proposal that ensures consistency in terms of the extension or private property lines. Council Member Bills stated she is hesitant to delay this matter further. She is also concerned about making decisions that will not apply to the entire City. The City needs a general policy regulating encroachment and it is concerning to make decisions that the Council already knows will create problems.

Council Member Ball stated there is a tendency to decriminalize behavior that is a violation of a City ordinance because the City either cannot or does not want to take enforcement action; he is not sure that is a good tendency or a good precedent for the City to set. Council Member Smith agreed and stated that if the Council is going to consider an encroachment policy, they also need to consider how the policy will be enforced. Lack of enforcement is problematic. Mayor Mann stated that based upon the discussion thus far, he feels it is best to continue discussion of the Beacon Hills Plat properties until a policy can be developed. He asked that a few Council Members work with staff to develop a draft policy for the entire Council to consider. This led to high level discussion of the purpose of an encroachment policy, with Council Member Bills offering to participate in development of the process. Council Member-elect Peterson indicated a willingness to participate as well.

The Council entertained input from Brian Braithwaite regarding the dedication of water shares that make up the capacity of the City's pressurized irrigation system; the City cannot give residents something that it does not have and that is the case with the irrigation water coming from the Hogs Hollow pump station for the properties that have been encroached upon. Council Member Bills suggested that the proceeds of the open space sales be used to upgrade the pressurized irrigation system. Council Member Ball stated that it is counterintuitive to take money from someone who is purchasing land from the City and then use that money to benefit that individual. Council Member Ostler agreed and stated he feels the City is considering an action that would put added pressure on the irrigation system and that is problematic. Council Member Smith stated that the residents who have encroached are already irrigating with the current system. Council Member Ostler stated that is correct, but the system was not designed for that and it is capacity; there are additional homes to be built and there will not be capacity for them because of these encroachments. Council Member Bills stated she feels this debate is why the City needs an encroachment policy. She reiterated she is happy to work on development of a draft policy and she invited other Council Members and residents to email her any of their suggestions. Council Member-elect Peterson also reiterated her willingness to participate. Mayor Mann suggested that the Council Members involve Engineer Tavis Timothy on the project, and he proposed that a draft policy be developed before the Council's next discussion of this matter.

Mayor Mann allowed input from a resident in representation of the residents in the Beacon Hills Subdivision.

Brady Giles stated that he and his neighbors recognize that this is a challenging topic; they agree with the assessment that the area is already being irrigated, but it may not be necessary to spend a great deal of money to upgrade the irrigation lines in that area to continue watering the landscaping. He then noted that three of the residents interested in acquiring the property behind their homes live on a corner and they have been working diligently with one another to try to develop a proposal that is fair to all, but they need clarity from the Council about whether they are willing to sell the property. If it cannot be purchased, he does not want to continue to discuss the proposed property lines with his neighbors.

Mayor Mann stated that it is his assessment that the Council will eventually be willing to sell property, but no determination has been made as to how much property will be sold. Council Member Ostler agreed; he will not be able to vote on this matter when it comes before the Council again, but his preference would be to sell the 15 feet behind the existing private property lines. There was brief high-level discussion about encroachments that have occurred and noted that some properties with an encroachment issue are now owned by a second owner who did not facilitate the encroachment.

Council Member Kurt Ostler MOVED that the City Council continue the Twin Bridges open space purchase until a later time. Council Member Brittney Bills and Sarah Petersen will come back with a recommendation as what to do with encroachments.

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.

Ms. Smith then discussed the Highland Hills Plat C requests; the properties in this plat border the Horseshoe Trail and staff prefers the avoidance of checkerboarding ownership along the trail. The Council approved the sale of five contiguous properties on the south and deferred one on the north end. An additional resident sent a purchase request to be considered in 2022 and staff needs some direction from the Council. The Council discussed the one property that would be isolated from the others; they determined they still do not want to sell individual properties and only consider contiguous properties. Ms. Smith then discussed the four contiguous properties and the presented the residents' proposals for the extension of their rear property line. They have asked to purchase as much property as possible, but they also acknowledged the Council's discussion about preserving the eight feet of flat area directly abutting the trail. She identified the open space park area that is maintained by the City, and Council Member Ostler noted that the areas that citizens are interested in purchasing actually contribute to the open space feeling of the area. Ms. Smith agreed and noted that if the property is sold, the City would need to continue to maintain the strip of land directly abutting the trail, which would require relocation of the sprinkler main and sprinkler heads.

Council Member Rodela stated that it is her opinion that these properties are actually improved park properties and she is not in favor of selling them. Council Member Ostler agreed and stated that the other areas that the City has agreed to sell are native and have not been improved as these have; the Council needs to make a policy decision about whether it is appropriate to sell park land.

Council Member Smith stated that one of the concerns expressed by the residents that want to buy these parcels is that their properties are being used as a public staging area for sleigh riding; people are parking on their streets and walking through their yards to sled down the hill. Council Member Ostler disagreed; the residents have built retaining walls in their rear yards, and he believes that sledding actually happens on the other side of the trail. Mayor Mann added that the residents have the right to erect fences on their property.

After continued brief discussion of the purchase requests, the Council – with the exception of Council Member Smith – ultimately concluded not to sell improved park land.

Council Member Kurt Ostler MOVED to deny the application for those 4 properties in the Highland Hills subdivision plus 1 property on Horseshoe Trail.

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	*No*

The motion passed 4:1.

Mayor Mann called for a brief recess in the meeting.

8. ORDINANCE: PARKS TAX ORDINANCE *Legislative*

City Council will consider the proposed ordinance to institute the Parks Tax and govern the use of the funds. The Council will take appropriate action.

Assistant City Administrator Wells explained State Statute 59-12-1402 allows for City-wide special sales taxes for specific uses; the 2021 Municipal Election ballot included a ballot question regarding the implementation of a parks tax and 62 percent of residents voted to support the tax. It is now up to the Council to determine a process that will govern the use of the tax proceeds; staff has developed the following process recommendation:

- Administration and the Parks Department will work to add any updates to the Park Inventory completed by blu line designs in May of this year.
- Staff will work with the Parks, Trails, and Trees Commission (PTTC) to prioritize the projects based on the Park Inventory and importance scoring.

- Staff will draft a proposed project list based on the prioritization from the PTTC and take it the PTTC for their approval.
- Staff will bring the PTTC's recommended project list to City Council for their final approval.
- If any individual Parks Tax project is over $25,000, that project will come back to City Council for final approval before proceeding.
- This process would repeat each year.

Ms. Wells then reviewed the draft ordinance that will govern the parks tax; the draft ordinance limits the spending of Parks Tax Funds to, "capital projects and equipment replacement or additions" meaning funds cannot be used on maintenance costs. The intention is to limit spending to physical items going in parks such as playgrounds, benches, pavilions, picnic tables, bike racks etc. Over the past six fiscal years (including FY22), the City has spent about $165,000 on large park capital projects – Spring Creek Park and the fence around the Splash Pad. Some other funds have been spent on smaller items such as bench or table replacement or garbage can additions. Council Member Smith stated he thought the City had spent over $500,000 on the Spring Creek Park. Ms. Wells stated that is correct; her report includes a typographical error. She then noted that based on previous year's sales tax earnings, City staff estimates that the Parks Tax will annually produce between $135,000 and 164,000 in revenue. As the tax will only be in effect for 3 months of this fiscal year, the estimated revenue for this fiscal year is $33,750-41,000.

Mayor Mann asked if the PTTC will review the open space capital fund and make recommendations for use of that money; there is a significant amount of money in that fund. Ms. Wells stated that type of activity should be directed by the Council.

The Council engaged in philosophical discussion about the importance of considering park projects throughout the City rather than focusing on just one park at a time.

Ms. Wells then stated if one of the annual Parks Tax projects approved by the Council is playground equipment replacement, staff is proposing that staff work with a playground installation company to create a few designs that would work in the given space and within the budgeted amount. Staff will then survey local residents through mailers and a sign at the playground to determine the neighborhood preference. Because the cost of a playground would be over $25,000, City Council would have the final approval of that project. In addition to the implementation plans discussed above, staff also plans to work with a designer to create a logo for the Parks Tax that can be branded on each piece of equipment purchased with its funds. Staff will also create a website page for the Parks Tax that will include the branding and basic information about the tax along with the overall parks prioritized list, the annual project list, and pictures of equipment purchased with the Tax funds. This information would also be shared on the City's other communications channels such as social media.

The Mayor and Council thanked Ms. Wells for her public outreach efforts over the past several months, which helped to educate residents regarding the importance of the tax.

Council Member Kurt Ostler MOVED that City Council approve the ordinance adopting a 0.1% Local Sales and Use Tax to Fund Recreational Facilities in the City and Adopting 3.06 Parks Tax in the Municipal Code.

Council Member Tim 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.

9. SITE PLAN AMENDMENT: HIGHLAND MARKETPLACE PHASE 2

Administrative

The City Council will consider a request by MNG Management LLC for master site approval for five (8) commercial buildings located at northeast corner of Alpine Highway (SR74) and Timpanogos Highway (SR92). The City Council will take appropriate action.

Planner & GIS Analyst Smith explained a Development Agreement for the Highland Marketplace subdivision was entered into on April 24, 2007. This agreement outlined architecture, landscaping, lighting, and signage of Highland Marketplace. The approved site plan included 118,250 square feet of grocery and retail on the subject property. On February 2nd, 2021, the City Council reviewed and approved an updated master commercial site plan for Highland Marketplace. That site plan included a 45,000-grocery building. The applicant has requested to amend the site plan because of the failure to find a grocer interested in the site. The applicant has expressed the desire to receive the Council's approval of the general locations of the commercial buildings before moving forward with the civil plans. The applicant's request is to amend the Council site plan approval given February 2, 2021 for five (5) commercial buildings and increase the number of buildings to eight (8). This change adjusts building placement, therefore adjusting circulation and parking. This master commercial site plan is preliminary in nature; the purpose is to establish the general locations of buildings and property ownership. The applicant wanted to get approval of these overall adjustments before spending the time and money on civil plans. Staff is striving to accommodate the applicant's timeline and marketing campaign as they were unable to find a grocer. Staff will provide a formal review and administrative approval once a complete civil application is provided. The master site plan shows pads for two 3,000 square foot restaurants, one 2,600 square foot restaurant, one 7,600 square ft retail building (5 units), two 6,000 square foot retail buildings (5 units each), one 32,214 square foot office building, and one 65,000 square foot office/fitness building. The first phase of development will be the southern-most retail building. The plan shows a total of 125,914 square feet of commercial space. This is a 1,414 square foot increase from the master commercial site plan previously approved. She provided renderings and the applicant's proposed landscape plan for Council review, after which she concluded staff recommends that the City Council approve the amendment to the master commercial site plan subject to the following stipulations recommended by staff.

1. Development of the site shall comply with the site plan and building elevations dated November 30th, 2021 except as modified by these stipulations.

2. All signage shall require a separate permit and meet the requirements of the Development Code.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.
4. Landscaping shall occupy no less than 20% of the total land area of the site, unless the requirements mentioned in Section 3-4362 of the Development Code are met, the landscaping shall occupy no less than 15%.
5. The hours of operation and number of employees will be in compliance with Highland City's Municipal Code.
6. All proposed buildings will be required to go through an architectural review by Planning Commission and Council.
7. The City share with UDOT a copy of the approved site plan and the phasing of the development.

Council Member Ostler referenced the site plans included in the meeting packet and inquired as to which is the official plan as the parking accommodations are different on the multiple site plans. Ms. Smith stated that she was trying to show a comparison of the initial plan with the applicant's updated plan. The number of required parking stalls is based upon the total square footage for the entire site. However, traffic circulation and parking accommodations can be adjusted upon direction from the Council.

Joe Ham with MNG Development approached and discussed the parking accommodations; some retailers want parking directly in front of their door, while others are comfortable with shared parking areas. He discussed the difficulty in attracting large retailers and chain restaurants to the development; while he has been unsuccessful in attracting a grocery store to the site, he has secured letters of intent from several restaurateurs. There will be a full-service restaurant on the north side of the plaza, the corner of the southern building is spoken for by another restaurant, and a great deal of interest for the two drive-through restaurant spaces.

Council Member Ostler inquired as to the timeline for the development. Mr. Ham stated that upon receiving approval of the application before the Council tonight, his team will begin working on the next step in the approval process. A lot line adjustment and architectural review will be necessary.

Council Member Rodela asked what Highland City can do to help Mr. Ham attract quality businesses and restaurants to the development. Mr. Ham stated that he feels the Council has already been very helpful in making the community attractive. He then engaged in continued discussion about the additional uses that will potentially be located in the project; several Council Members referenced the public's desire for a nice sit-down restaurant in the City and they hope there is some effort to locate that type of use in this project. Mr. Ham stated he is still negotiating with one sit-down restaurant for the site, and it may be helpful for that business to hear directly from the Council about the community's desires and support for that type of use. The Council indicated they would be happy to participate in that type of discussion. There was brief discussion about the local alcoholic beverage regulations and the impact that the regulations have on developers' abilities to attract sit down restaurants. Mr. Ham stated that the restaurant he is pursuing is concerned that they will not be able to sell beer; they would also like to pursue some type of exemption from the ordinance preventing them from being open for business on Sunday.

Council Member Kurt Ostler MOVED that the City Council accept the findings and approve the amendment to the master commercial site plan for Highland Marketplace Phase 2 subject to the seven (7) following stipulations recommended by staff.

1. *Development of the site shall comply with the site plan and building elevations dated November 30th, 2021, except as modified by these stipulations.*
2. *All signage shall require a separate permit and meet the requirements of the Development Code.*
3. *Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.*
4. *Landscaping shall occupy no less than 20% of the total land area of the site, unless the requirements mentioned in Section 3-4362 of the Development Code are met, the landscaping shall occupy no less than 15%.*
5. *The hours of operation and number of employees will be in compliance with Highland City's Municipal Code.*
6. *All proposed buildings will be required to go through an architectural review by Planning Commission and Council.*
7. *The City share with UDOT a copy of the approved site plan and the phasing of the development.*

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.

10. ACTION: AWARD CONTRACT FOR WELL #4 *Administrative*

City Council will consider a request to approve a bid to Lang Equipment for $1,439,292.00 for the drilling of the Culinary Well #4 Project and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

Public Works Director/Engineer Spencer presented an aerial image to identify the location of well #4; the City has undertaken efforts to improve the multiple wells in operation in the City and well #4 is next in line. It was drilled originally in 1978 and an inspection showed that the well it currently is a 16" casing which has been reduced to a 12" casing at the 490-foot depth level. This is known as necking down. Necking down inhibits the lowering of the well because it reduces the capacity of the well to produce the amount of water needed. This has left the City unable to add additional depth to the well at the current location. Additionally, since the drilling in 1978 the water level in the aquifer has experienced a 100-foot drop. Staff has been working with a hydrologist to determine the best approach. Through work with a hydrologist a recommendation was given that a new well be drilled and that we extend our pumping depth to the 1200-foot level. The bid for the project exceeds the budgeted amount, but it is important to move forward with the project. The project may be very noisy and will disturb nearby residences; the City will communicate with those residents to ensure they are aware of the need for the well. The project could take up to six weeks and work will be occurring 24 hours per day.

Council Member Ostler asked if this will be the City's deepest well. Mr. Spencer answered yes; the current capacity and depth will be doubled, and this well will be the City's 'core' well. Council Member Ostler inquired as to the proposed cost of the well and what the budget amount for the project was. Mr. Spencer stated that funding identified in the rate study for the complete well costs was $1,622,400 however this included an additional $600,000 in expenses for the well house and pumps to be installed. The additional costs are related to increase in construction costs since the Utility Rate Study was completed last year. The total expenses for the Well #4 project are currently projected at $2,200,000. The budget amount is $1,583,221.20. The bid amount exceeds the budget by approximately $600,000. This led to a brief discussion about the potential need for the Council to examine the budget, capital project priorities, and determine whether adjustments are necessary.

Discussion then shifted to water sources in the general vicinity and whether it will eventually become necessary to dig deeper wells than other communities to access shared aquifers.

Council Member Scott Smith MOVED that City Council approve the contract with Lang Equipment and authorize a contract amount up to $1,583,221.20 for the redrilling of Well #4 and authorize the City Administrator to execute the contract documents.

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.

11. DISCUSSION: FY2022 Q1 FINANCIAL STATEMENT *Administrative*

City Council will discuss financial statements for the first quarter of fiscal year 2022. This item is being presented for discussion only, formal action will not be taken.

Finance Director Tyler Bahr facilitated provided an overview of the FY2022 Quarter One Financial Statement. The purpose of this agenda item is to fulfill a reporting requirement established in the Utah Municipal Code, be accountable to the City Council, and identify significant trends. Purchasing enhancements have been implemented to ensure approval in advance for all purchases; consistently document approval without impeding operations; and align processes between Highland City and Lone Peak Public Safety District. He presented a snapshot by fund, highlighting budgeted and actual revenues as well as budgeted and actual expenditures. In the General Fund, sales tax revenues are trending approximately 16 percent higher than the budgeted projection of $3,025,000 based on sales tax revenues received through November; if this trend continues throughout the rest of the fiscal year, the City's sales tax revenues could exceed $3.3 million. In the Cemetery Fund, lot sales are trending 38 percent higher than the projection for the full year. Impact fee revenues are higher than anticipated due to Ridgeview permits and impact fee changes that went into effect at the end of FY2021. He then discussed expense trends; staff is carefully monitoring the General Fund to determine budget adjustments that may be necessary. In the Enterprise Funds, there have been some unanticipated irrigation repairs that are exceeding the budget. The Major Road Maintenance expenses are at 61 percent of the total year's budget. Projects planed in FY2021 may not be paid until FY2022. The fund balance/savings from prior years can be utilized to cover costs.

Mayor Mann asked Mr. Bahr if he will provide this type of report each quarter, to which Mr. Bahr answered yes.

12. 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. Hollows Trail

City Engineer/Public Works Director Andy Spencer will present an update on the progress of the portion of trail associated with the Hollows Subdivision.

Mr. Spencer presented the Mitchell Hollow Trail Regional Connectivity Map, which identifies the existing portions of the trail, proposed trail improvements, and future trail corridors. He identified the area of current focus and summarized negotiations with property owners for the City to acquire portions of property upon which the trail can be built. He presented an expense report for the Hollows Trail project; earthwork is being performed now, with the next steps being construction of a retaining wall, excavation and backfill, and fencing. The combined total for the project is $90,676, which includes a 10 percent contingency.

Council Member Ostler asked how tall the retaining wall will be. Mr. Spencer stated on the trail side, there will be a two-foot exposed retaining wall and a six-foot fence; along the residential properties, the fence height will vary from seven to eight feet in height. The fence will be placed upon the retaining wall, but since the cut and grade varies, the total height will also vary.

Mayor Mann asked Mr. Spencer for a brief update on the 6800 West project. Mr. Spencer state the project went to bid yesterday, and he anticipates having bids just prior to Christmas. He stated he anticipates the City will be short on funding for the project, but he has spoken to Mountainland Association of Governments (MAG), and they indicated they have set aside $50 for contingency for specific project overages. The project budget was $2.3 million, plus a 10 percent contingency, but construction estimates are $2.3 million. He anticipates needing to ask MAG for an additional $700,000 for the project. He will keep the Mayor and Council updated as he receives bids at the closure of the bidding period.

b. Future Meetings

- January 4, Swearing In Ceremony, 7:00 pm, City Hall
- January 11, City Council Meeting, 7:00 pm, City Hall
- January 12, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- January 18, City Council Meeting, 7:00 pm, City Hall
- January 25, Planning Commission Meeting, 7:00 pm, City Hall

Mayor Mann stated this is his last meeting as the City's Mayor and he will miss working with the City Council and City staff; he will also miss the residents. The Council indicated they will also miss Mayor Mann; they thanked him for his dedication to the City, his thorough and thoughtful research, and data analysis, which has bettered the City.

ADJOURNMENT

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

The meeting adjourned at 11:38 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 December 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

December 7, 2021

HIGHLAND CITY

1

HIGHLAND CITY

6:00 PM CLOSED SESSION

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

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

2

HIGHLAND CITY

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Kurt Ostler
Pledge of Allegiance – Council Member Timothy A. Ball

3

HIGHLAND CITY

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

RECOGNITION ITEMS

2a. Mayor Recognition Awards – *Mayor Rod Mann*

2b. Recognition Award for Mayor Rod Mann – *Mayor Elect Kurt Ostler*

5

PRESENTATION ITEMS

3a. Parks – *Parks Superintendent Josh Castleberry*

3b. Pressurized Irrigation – *Assistant Public Works Director Jeff Murdoch*

3c. Youth Council – *Youth Council Representative*

3d. Traffic Data – *Mayor Rod Mann*

6

HIGHLAND CITY
PARKS DIVISION UPDATE
December 7, 2021

HIGHLAND CITY

7

Parks Division

Employees

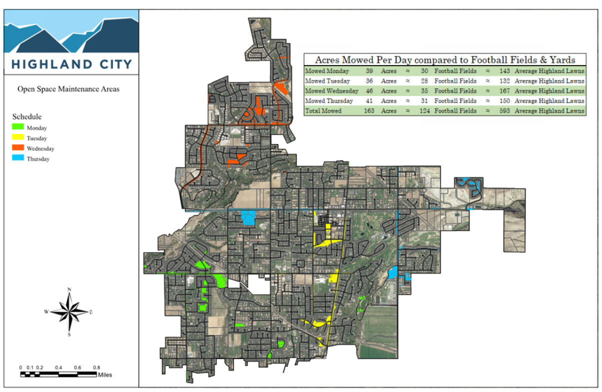
4 full-time, 1 retiring – Josh, Blade, Chance, Weldon, Chris *(retiring in early 2022)*

+/-25 seasonal employees

Primary Responsibilities

- 163-acres manicured parks
- 137-acres native mowing areas
- 73-acres native area, limited maintenance
- Over 5,000 trees
- 15 playgrounds
- 6 pavilions
- 2 baseball fields
- 1 tennis Court
- Snow clearing from City facilities

8



Acres Mowed Per Day compared to Football Fields & Yards

Mowed Monday	39	Acres	≈	30	Football Fields	≈	143	Average Highland Lawns
Mowed Tuesday	36	Acres	≈	28	Football Fields	≈	132	Average Highland Lawns
Mowed Wednesday	46	Acres	≈	35	Football Fields	≈	167	Average Highland Lawns
Mowed Thursday	41	Acres	≈	31	Football Fields	≈	150	Average Highland Lawns
Total Mowed	163	Acres	≈	124	Football Fields	≈	593	Average Highland Lawns

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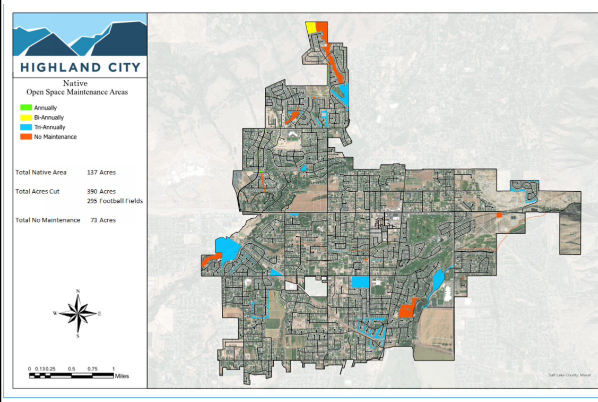

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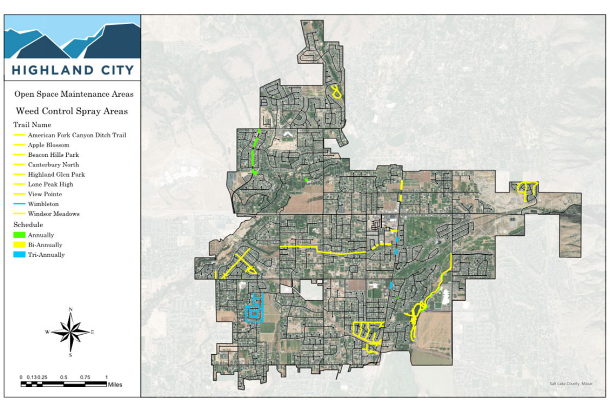

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Additional 2021 Highlights

By the Numbers

- 2,207 Bags fertilizer placed by City crews
- 28 Trees planted by City crews
- 253 Trees pruned by City crews
- 125 Trees removed by City crews
- 494 Sprinkler heads replaced by City crews
- 10 Sprinkler main-line breaks repaired by City crews
- 10 Sprinkler lateral-line breaks repaired by City crews
- 2,500 Garbage bags
- 5 Garbage cans added to parks
- New bathrooms at Highland Glen, Heritage, and Beacon Hills

12

Moving Forward

Where have we been?

- Grass maintenance has occupied a high percentage of time and focus

Where are we going?

- We would like to implement a balanced approach to maintenance of all parks features and trails

How do we get there?

- How do we maximize the employee resources that we have?
- Do all grass areas need to be mowed weekly?
- Do we prioritize high-visibility areas?

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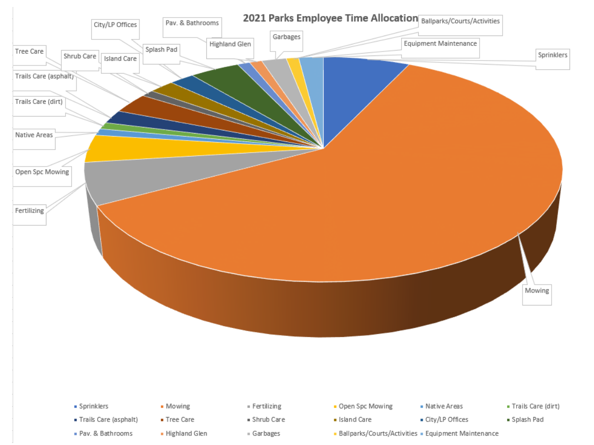

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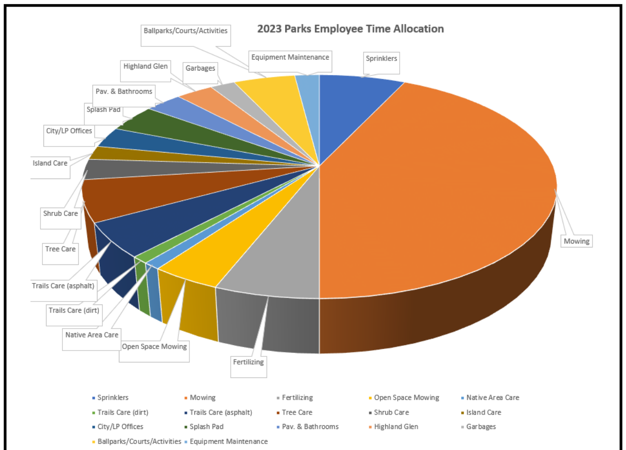

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Questions?

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HIGHLAND CITY
PRESSURIZED IRRIGATION UPDATE
December 7, 2021

HIGHLAND CITY

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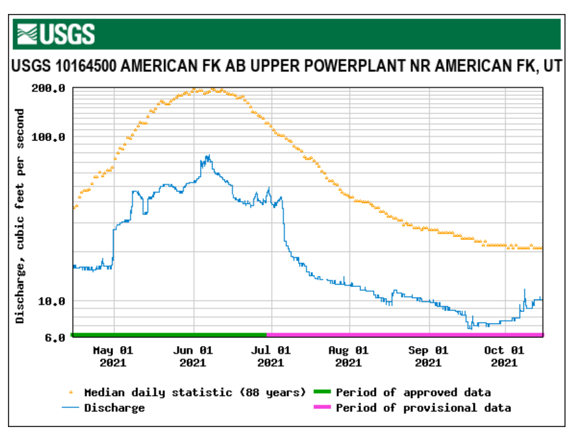

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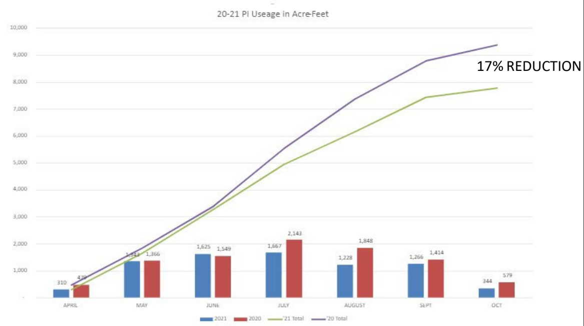

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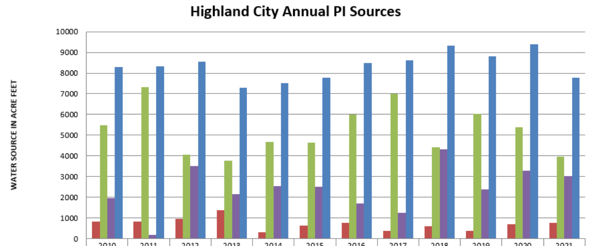

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Well Total	842	834	968	1,394	307	634	777	370	599	385	701	780
Total AF/LEHI Irr	5,477	7,321	4,048	3,762	4,665	4,643	6,000	7,002	4,404	6,040	5,396	3,961
CUP/DEER CREEK	1,971	180	3,519	2,145	2,537	2,502	1,700	1,243	4,326	2,389	3,280	3,041
TOTAL AF	8,290	8,335	8,535	7,301	7,509	7,779	8,477	8,615	9,329	8,814	9,377	7,782

Total Reduction in Use from 2020 to 2021 (Conservation): 17%

20

On Farm Irrigation Update

- Agreement provides for 140 Acre-Feet per year
- 2021 Drought Allocation – Approximately 100 Acre-Feet
- Total Year Usage – Approximately 50-60 Acre-Feet

21

2022 IRRIGATION SEASON

- 17% Savings to date over last year (2021)
- Minimize Provo System for next year
  - Used in 2021 – +/- 3,242 AF
  -
  - Savings from 2020 – +/- 868 AF
- Continued Strategies for Public Awareness
  - Newsletter/Website – On-going
  - Text/Email/Social – On-going

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Traffic Data

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Summary Reports

- Highland Blvd
- 6000 W

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Canal Blvd East of Alpine Hwy

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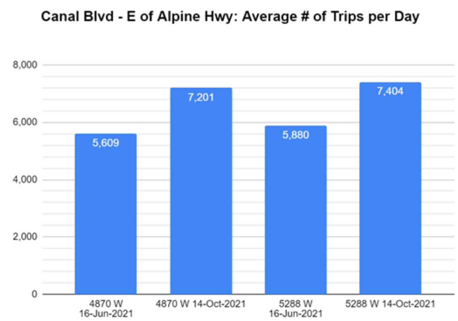

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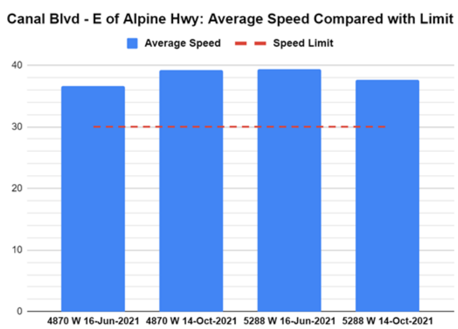

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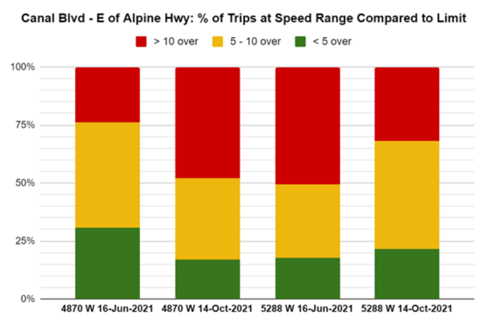

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Highland Blvd @ 11880 N

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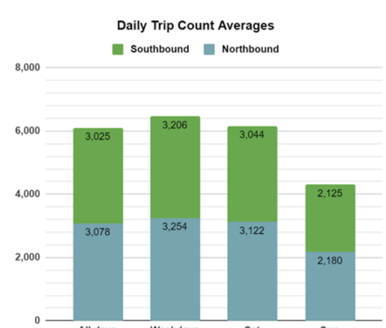

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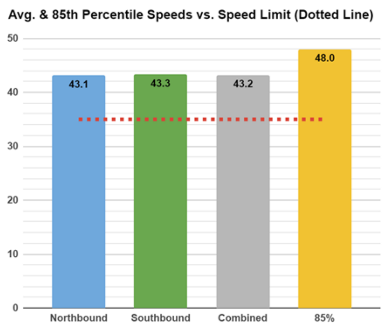

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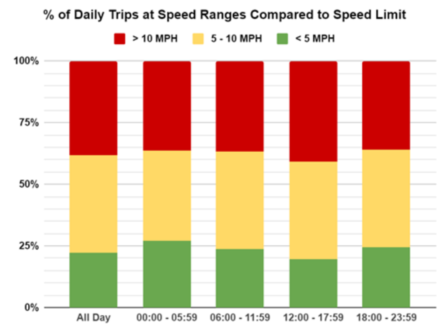

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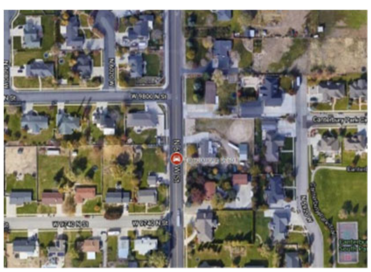
6000 W @ 9760 N



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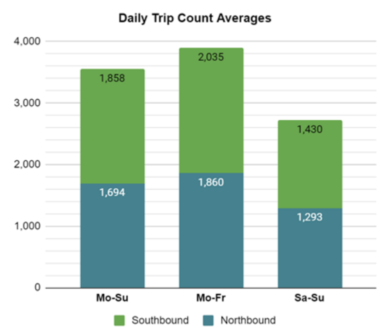

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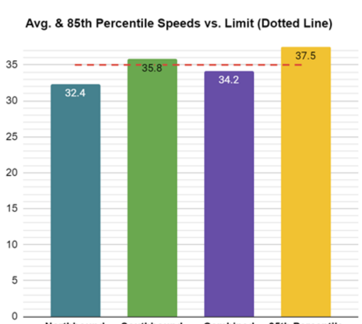

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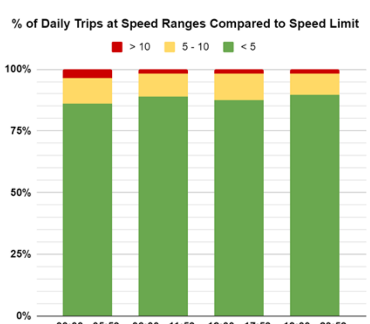

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CONSENT ITEMS *(5 minutes)*

4a. Approval of Meeting Minutes: October 19, 2021 and November 16, 2021 *Administrative*

4b. ACTION: Award Contract for the Murdock Irrigation Pump Station & Pheasant Hollow Sewer Lift Station *Administrative*

4c. RESOLUTION: Highland Blvd – Intent to Annex *Legislative*

4d. PLAT AMENDMENT: Peck Hollow Plat B Lot 2 Amended (PA-21-11) *Administrative*

4e. RESOLUTION/ACTION: Disposal of Equipment from Public Works Department *Administrative*

4f. ACTION: Voter Participation Areas *Administrative*

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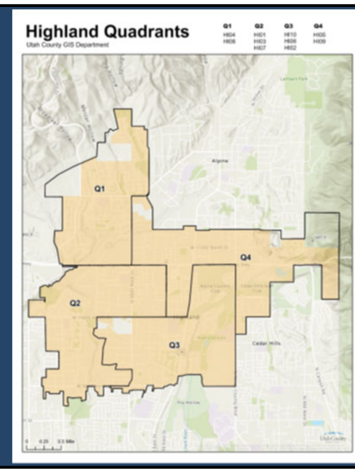

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RIGHT-OF-WAY VACATION – MILLERS ACRE SUBDIVISION PLAT B *LEGISLATIVE*

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

39

Vicinity Map

40

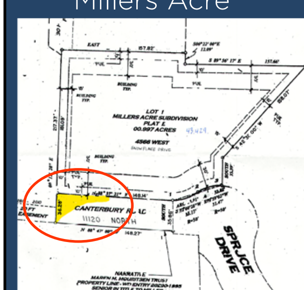
Background

- Millers Acre Subdivision
  - Plat approved by City Council on February 2nd, 2010
- Spruce Subdivision
  - Developer tried to work with adjacent property owner to continue the road to stub to the Peterson property.
  - The property owner refused to work with the developer. The developer worked with staff to adjust the planned road to avoid the property owner's land.
  - The adjustment created **1,385 sq ft** of ROW that would no longer be used as roadway.

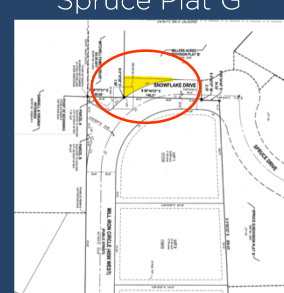
41

Recorded Plats

Millers Acre



Spruce Plat G



42

Citizen Participation

- Public Hearing Notice
  - Mailed to 300' radius
  - Sign posted on subject property
- Petition signed by 7 property owners within 300' radius per Section 10-9a-609.5 of the Utah State Code

43

Analysis/Findings

- Good cause exists for the vacation
- The public interest or any person will *not* be materially injured by the proposed vacation.

44

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 Millers Acre Subdivision Plat B.

45

HIGHLAND CITY

GENERAL PLAN TEXT AMENDMENT – TRANSPORTATION *LEGISLATIVE*

Item 6 – Public Hearing/Ordinance
Presented by – Kellie Smith
Planner & GIS Analyst

46

Background

- General Plan Requirements by State Code
  - Transportation and traffic circulation
  - Identify major transportation connections/options
- Highland City General Plan calls out the following major roads:
  - 11000 North (SR-92)
  - Alpine Highway (SR-74)
  - 4800 West
  - 6000 West
  - 10400 North
  - 9600 North
  - Highland Boulevard
  - Canal Boulevard/9850 North
  - 6800 West
  - 11800 North

47

Background cont.

- Municipal Code Section 12.08.050 – *adopted August 4th, 2020*
  - The City to not accept/permit road connections that primarily serve property out of Highland City boundaries unless they are part of the city's transportation or annexation plans

48

Proposed Amendment

External Connections

Since the adoption of the Highland City General Plan, the City and its municipal neighbors (Lehi, Alpine, Cedar Hills, American Fork, Draper, and others) have seen significant growth and development. That growth has resulted in significant transportation and traffic demands on the City, both from new residents and businesses within Highland City as well as new residents and businesses outside of Highland that use Highland City roads. Highland City recognizes the need to ensure interconnectivity between Highland City and neighboring communities and supports cooperative planning efforts to address the needs of all communities in the area. However, connections to neighboring communities outside of Highland have the possibility of increasing the burden on Highland City residents in terms of additional traffic, congestion, safety issues, and road maintenance costs without providing offsetting benefits.

The City's General Plan identifies the City's primary inter-city transportation connections. Highland City's policy regarding connecting Highland City roads to neighboring communities is that such **connections should be limited to currently existing connections and those connections specifically identified in the City's General Plan.** Additional connections that primarily benefit neighboring communities and other property outside of Highland City or that primarily serve as alternative access points for areas outside of the City to connect to major transportation routes in or through Highland are discouraged. **Requests for additional external or inter-city connections should be carefully reviewed to ensure that such connections are not a burden on Highland City or its residents**, and they should only be approved if the property served by such connection is **annexed** into Highland City or there are appropriate measures in place to address safety, traffic loads, and construction and maintenance costs.

49

Proposed Amendment

Policy: Prohibit the extension or construction of roads outside the Highland City corporate limits that will increase the impact on existing public roads unless such new roads are planned for in the city's transportation plan or the property is included within the city's annexation policy plan.

Implementation Measure: Update the Development Code and Municipal Code as needed.

50

Planning Commission Action

- Planning Commission held a public hearing November 16th, 2021
- No comments nor correspondence
- Recommended **APPROVAL** (voted 4-0)

51

Citizen Participation

- Noticing for public hearing held at Planning Commission
  - Daily Herald
  - State and City websites
- Notice of intent mailed to affected entities (public utility facilities, Utah County, neighboring cities, Alpine School District, etc.)
- Noticing for public hearing held at City Council
  - Daily Herald
  - State and City websites
- No correspondence received.

52

Recommendation and Proposed Motion

Staff recommends the City Council hold a public hearing and **APPROVE** the proposed General Plan amendment.

I move that the City Council accept the findings and **APPROVE** the proposed General Plan amendment to discourage external road connections that are not existing or listed as a major road in the General Plan.

53

HIGHLAND CITY

ADOPTION OF THE DESIGNATION OF DISPOSABLE PROPERTIES
LEGISLATIVE

Item 7 – Resolution

Presented by – Kellie Smith
Planner & GIS Analyst

54

Res. 2021-15 – Open Space Disposal Policy

a. Property should not be disposed of if it is **part of a trail corridor**, meaning the normal width of the trail and any required buffer areas, unless the Council determines the trail is not used and does not have infrastructure in the ground below;

b. Property should not be disposed of if it adds to the **open space feel** of an open space neighborhood;

c. Property should not be disposed of if there are **potential future City needs** for the property;

d. Property should not be disposed of if the transfer of property would result in an **increase of irrigable acreage that would unduly strain or burden the City's pressurized irrigation system;**

e. Property should not be disposed of if the transfer of property would result in the **creation of orphan parcels**;

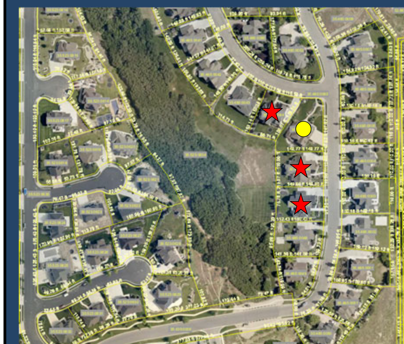
f. If property adjacent to a trail is disposed of, the City must be able to maintain ownership of the trail with a **five foot buffer on both sides of the trail**;

g. Property to be disposed of should otherwise **have issues regarding access, connectivity, usability, and/or location** that render the parcels unsuitable for City purposes.

h. The City Council shall designate by separate resolution those specific properties that are surplus orphan parcels that may be sold in accordance with this resolution and policy.

55

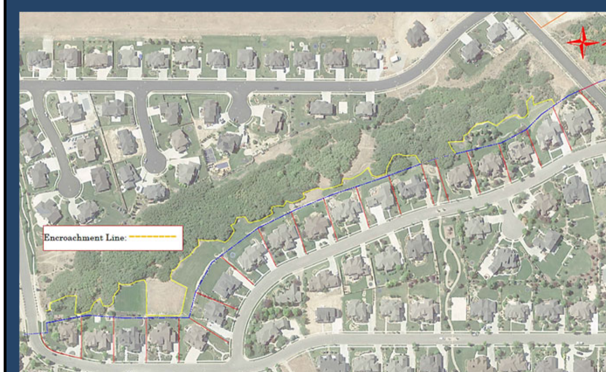
Beacon Hills Plat I *(3 requests + 1 concerned/interested resident)*



- P.I. analysis
- Encroachment

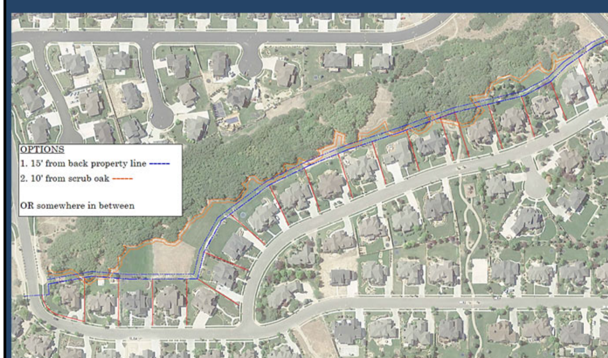
56

Encroachments – 88,919 sq ft (2.04 acres)



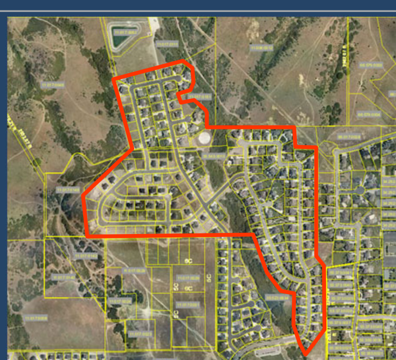
57

10' from scrub oak – 66,674 sq ft
15' from property line – 31,024 sq ft



58

Hogs Hollow Pump Station



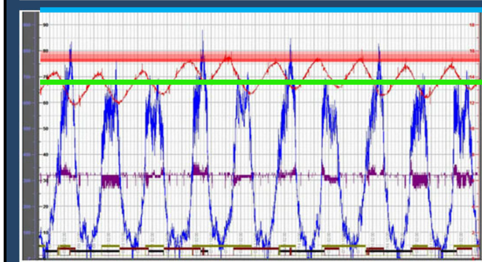
59

Pressurized Irrigation Analysis

Boundary	Square Footage	Additional gallons per minute (gpm) used
Encroachment	88,919 sq ft	40 gpm
10' from scrub oak to property lines	66,674 sq ft	30 gpm
15' from property line	31,024 sq ft	15 gpm

60

Pressurized Irrigation Analysis



- 2-pump design – planned for buildout
- 3rd pump – emergency pump
- Plan after buildout & meters – 2 pumps

**10 days in the middle of July

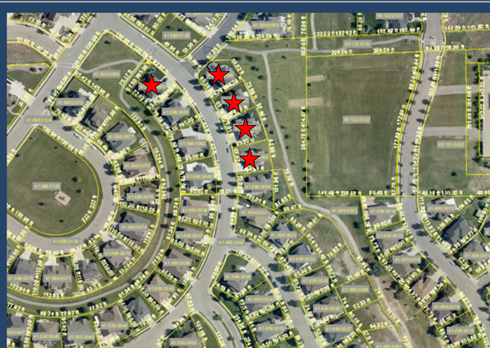
61

Staff Recommendation

- Council's adopted policy be considered

62

Highland Hills Plat C *(5 requests)*

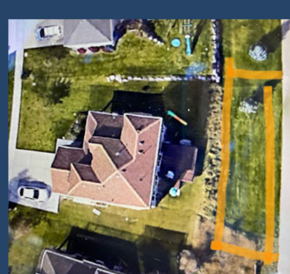


63

Horseshoe Trail

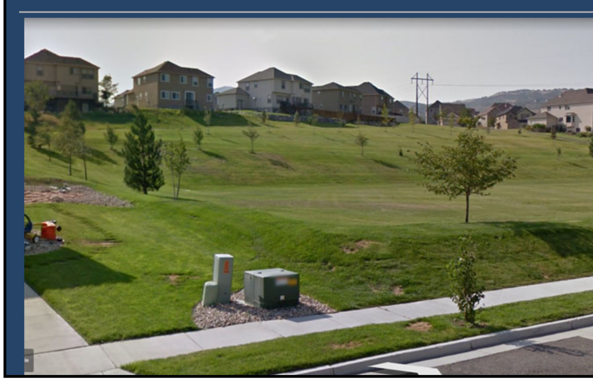
- Staff prefers no checkerboarding along the maintained trail.
- 1 neighbor directly adjacent submitted a request for 2022.

64



65

Slope



66

67

68

Staff Recommendation

- The sprinkler main and sprinkler heads be addressed along the backs of the lots
- Drainage must be kept on property owners' lots (steep slopes)
- Council's adopted policy be considered

69

HIGHLAND CITY

PARKS TAX ORDINANCE

Item 8 – Ordinance

Presented by – Erin Wells
Assistant City Administrator

70

Legal Background

- State Statue 59-12-1402 allows for city-wide special sales taxes for specific uses
- 2021 Election - "Shall Highland City, Utah, be authorized to impose a 0.1% sales and use tax to help fund recreational facilities in Highland?"
  - 62.26% voted for implementation

71

Decision Process for Funds

- Staff update Parks Inventory
- Staff and PTTC prioritize projects
- Staff draft annual project list for PTTC review
- PTTC make recommendation to Council for annual project list
- Council finalize annual project list
  - Council approval for items over $25,000
- Repeated annually

72

Ordinance Limitations

- "Capital projects and equipment replacement or additions"
  - playgrounds, benches, pavilions, picnic tables, bike racks etc.
- Maintenance excluded

73

Financial Information

- Historical
  - ~$32,000 –Splash Pad Fence (2017)
    - $10,000 grant money
  - ~$133,000 – Spring Creek Park (2020-2022)
    - Sale of land proceeds
- Estimated Parks Tax Proceeds
  - $135,000-164,000 annually
  - $33,750-41,000 FY22

74

Playground Replacement

- Create a few designs within budget
- Survey local residents through mailers and signs at playground
- Council approval – financial threshold

75

Communication Plans

- Logo and branding
- Webpage
  - Prioritized list
  - Annual project list
  - Pictures of purchased equipment
- Other communication channels

76

Proposed Motion

- I move that City Council Approve the Ordinance Adopting a 0.1% Local Sales and Use Tax to Fund Recreational Facilities in the City and Adopting 3.06 Parks Tax in the Municipal Code.

77

HIGHLAND CITY

HIGHLAND MARKETPLACE PHASE 2 *ADMINISTRATIVE*

Item 9 – Site Plan Amendment
Presented by – Kellie Smith
Planner & GIS Analyst

78

Vicinity Map

79

Background

- Land use – Commercial
- Zoning – CR (Commercial Retail)
- Proposed uses compliant with zoning.

80

Background Cont.

- The City Council approved a master commercial site plan for Highland Marketplace – February 2nd, 2021
  – Site plan included 45,000 sq ft grocery
  – Applicant requesting to amend because of the difficulty in finding a grocer interested in the site
- Development Agreement for the subdivision - April 24, 2007
  – 118,250 sq ft of grocery and retail – 1 building

81

Request

- Master Commercial Site Plan
  – Establishes circulation, access, parking, building placement, and landscaping
- Architectural plans for each of the buildings will be brought to the Planning Commission and the City Council for review *(Development Code Section 3-4370).*

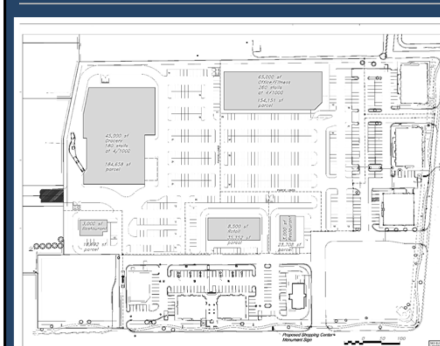
82

Proposed Amendments

	Before	After
# of Buildings	5	8
Total Square Footage	124,500	125,914
Building Footprint Sq Ft	81,167	76,807
% Site Coverage	19.7%	18.6%
Grocery Building	45,000 (1 story)	32,214 (2 stories)

83

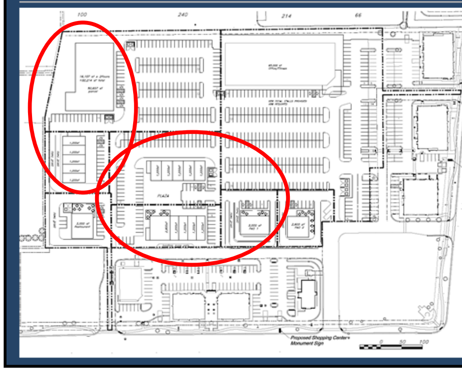
Old Site Plan



- 9.43 acres
- 124,500 sq ft of commercial
- Access
  – Timpanogos Hwy
  – Alpine Hwy

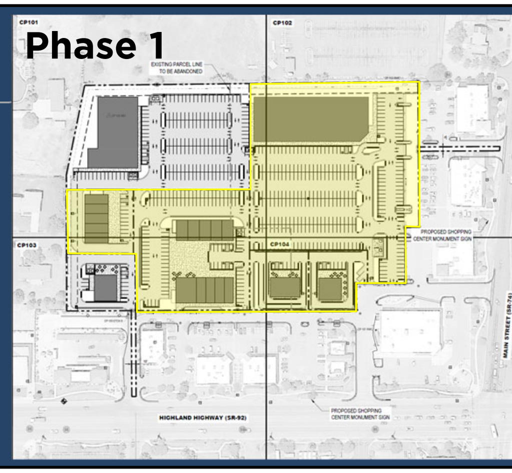
84

Proposed Site Plan



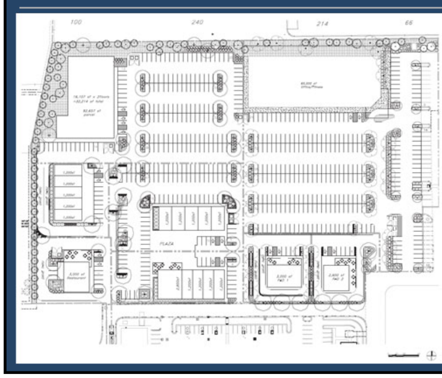
- 9.43 acres
- 125,914 sq ft commercial
- 574 parking stalls, 504 required – 18 handicap stalls
- Access
  - SR-92
  - SR-74

85



86

Landscape Plan



- Landscaping meets Development Code
- Hardscape
  - Plaza
  - Tables
  - Walking Space

87

Architecture (not for review)

Old

New

88

Recommendation

Staff recommends that the City Council **APPROVE** the amendment to the master commercial site plan subject to the following stipulations recommended by staff.

1. Development of the site shall comply with the site plan and building elevations dated November 30th, 2021 except as modified by these stipulations.
2. All signage shall require a separate permit and meet the requirements of the Development Code.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.
4. Landscaping shall occupy no less than 20% of the total land area of the site, unless the requirements mentioned in Section 3-4362 of the Development Code are met, the landscaping shall occupy no less than 15%.
5. The hours of operation and number of employees will be in compliance with Highland City's Municipal Code.
6. All proposed buildings will be required to go through an architectural review by Planning Commission and Council.
7. The City share with UDOT a copy of the approved site plan and the phasing of the development.

89

Proposed Motion

I move that the City Council accept the findings and **APPROVE** the amendment to the master commercial site plan for Highland Marketplace Phase 2 subject to the seven (7) stipulations recommended by staff.

90

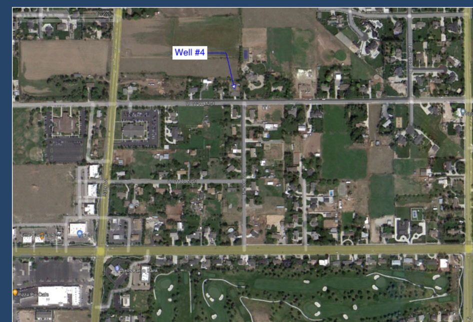
AWARD CONTRACT FOR WELL #4 *ADMINISTRATIVE*

Item 10 – Action

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

91

WELL #4 LOCATION



92

WELL STATUS

Well	*Location*	*Existing Estimated Production*	*Existing Depth*	*Repair/Issue*
Well 1	6800 West	550 gpm	600 ft	Replaced the pump and motor and piping and lowered the pump
Well 2	AF Canyon	900 gpm	600 ft	Replaced the pump and built a new well house
Well 3	10400 N & Mitchell Hollow Park	900 gpm	600 ft	Replaced the pump and built a new well house
Well 4	11200 North	450 gpm with no air	600 ft	Limited production due drop in ground water levels
Well 5	Meier's	0 gpm with no air	600 ft	Limited production due to cascading water which produces air entrainment

93

Proposed Motion

I move that the City Council **APPROVE** the contract with Lang Equipment and authorize a contract amount up to $1,583,221.20 for the redrilling of Well #4 and **Authorize** the City Administrator to execute the contract documents.

94

FY2022 Q1 FINANCIAL STATEMENT *ADMINISTRATIVE*

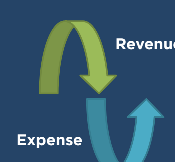
Item 11 – Discussion

Presented by – Tyler Bahr
Finance Director

95

Financial Statements

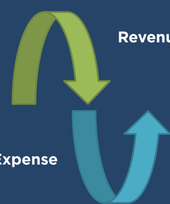
- **Balance sheets** – assets (including cash) & liabilities at a specific point in time
- **Budget** – projected revenue and expenses for a fiscal year, as well as actual revenue & expenses year-to-date



96

Purpose

- Fulfill reporting requirement as established in Utah Municipal Code
- Accountability to City Council
- Identify significant trends



97

Purchasing Enhancements

- Ensure **approval in advance** for all purchases
- Consistently **document** approval without impeding operations
- **Align processes** between Highland City & Lone Peak PSD

98

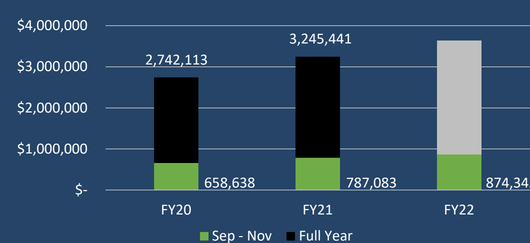
Snapshot by Fund

FUND NAME	REVENUE ACTUAL	REVENUE BUDGETED	% REVENUE EARNED	EXPENSES ACTUAL	EXPENSES BUDGETED	% EXPENSES REALIZED
GENERAL FUND	(3,414,648)	(10,944,734)	31%	1,868,223	10,696,450	17%
OPEN SPACE	(79,477)	(767,413)	10%	85,997	754,604	11%
CEMETERY PERPETUAL FUND	(115,588)	(306,974)	38%	40,532	493,129	8%
LIBRARY	(30,589)	(388,140)	8%	110,027	366,239	30%
DEBT SERVICE	-	(1,379,200)	0%	1,318,933	1,379,200	96%
CAPITAL IMPROVEMENT - PARKS	(473,951)	(1,060,100)	45%	-	3,108,150	0%
CAPITAL IMPROVEMENT - ROADS	(46,625)	(528,700)	9%	502,909	600,000	84%
CAPITAL IMPROVEMENT - BUILDING	(61,061)	(116,104)	53%	2,650	359,152	1%
NW ANNEXATION	(90)	(500)	18%	-	-	0%
TOWN CENTER EXACTION	(282)	(60,000)	0%	61,503	-	0%
SEWER	(725,468)	(2,318,424)	31%	437,087	3,558,052	12%
PRESSURIZED IRRIGATION	(700,535)	(2,405,819)	29%	387,857	3,427,643	11%
STORM SEWER	(152,940)	(543,000)	28%	71,929	938,581	8%
CULINARY WATER	(401,174)	(965,847)	42%	243,811	2,918,032	8%
UTILITY TRANSPORTATION	(269,668)	(1,090,822)	25%	301,901	1,088,048	28%
INTERNAL SERVICE IT	-	(32,000)	0%	8,498	32,000	27%

99

Revenue Trends

- **General Fund** – Sales tax trending approximately 16% higher than the budgeted projection of $3,025,000 based on sales tax revenues received through November



100

Revenue Trends

- **Cemetery Fund** – Lot sales at 38% of the projection for the full year
- **Impact Fees** – Higher than anticipated due to Ridgeview permits & impact fee changes that went into effect at the end of FY2021 (e.g. Sewer and Pressurized Irrigation):
  - Park – $468,506 (53% of the full year projection)
  - Road – $45,258 (56%)
  - Public Safety (Building) – $60,229 (53%)
  - Sewer – $179,460 (119%)
  - Pressurized Irrigation – $134,750 (90%)
  - Culinary Water – $47,637 (100%)

101

Expense Trends

- **General Fund** – Monitoring revenue & expenses to determine budget adjustments to be considered

- **Enterprise Funds**
  - Pressurized irrigation repairs (161% of budget)
  - Fuel costs

- **Major Road Maintenance (Road Capital)** – 61% of budget
  - Projects planned in FY2021, not completed/paid until FY2022;
  - Fund balance/savings from prior years exist to cover these costs

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Council Discussion

Questions?

Thank you!

103

MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

12a. Hollows *Trail – City Engineer/Public Works Director Andy Spencer*

12b. Future Meetings

- January 4, Swearing In Ceremony, 7:00 pm, City Hall
- January 11, City Council Meeting, 7:00 pm, City Hall
- January 12, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- January 18, City Council Meeting, 7:00 pm, City Hall
- January 25, Planning Commission Meeting, 7:00 pm, City Hall

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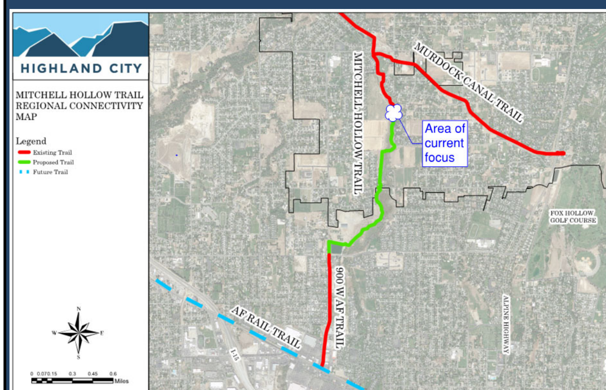
HOLLOWS TRAIL UPDATE

105



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Current Condition

107

Current Condition

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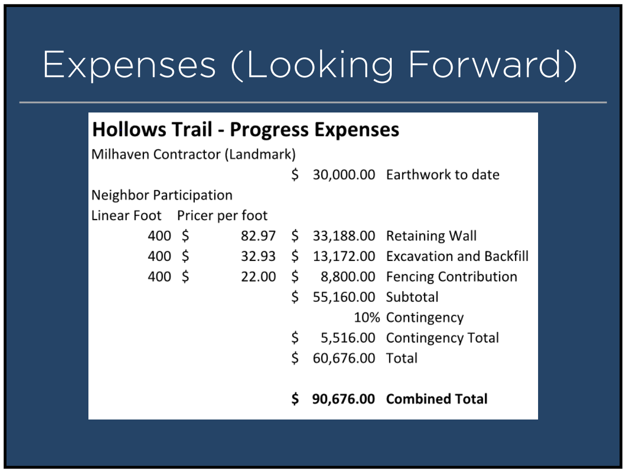

Expenses (Looking Forward)

Hollows Trail - Progress Expenses

Milhaven Contractor (Landmark)			
		$ 30,000.00	Earthwork to date
Neighbor Participation			
Linear Foot	Pricer per foot		
400	$ 82.97	$ 33,188.00	Retaining Wall
400	$ 32.93	$ 13,172.00	Excavation and Backfill
400	$ 22.00	$ 8,800.00	Fencing Contribution
		$ 55,160.00	Subtotal
		10%	Contingency
		$ 5,516.00	Contingency Total
		$ 60,676.00	Total
		$ 90,676.00	**Combined Total**

109

Encroachment Line:
N