



HIGHLAND CITY COUNCIL MINUTES

Tuesday, December 3, 2024

Approved January 7, 2025

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

7:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Scott L. Smith

Pledge of Allegiance: Council Member Ron Campbell

The meeting was called to order by Mayor Kurt Ostler 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 Scott L. Smith and those in attendance were led in the Pledge of Allegiance by Council Member Ron Campbell.

PRESIDING: Mayor Kurt Ostler

COUNCIL MEMBERS:

Brittney P. Bills	Present
Ron Campbell	Present
Doug Cortney	Present
Kim Rodela	Present
Scott L. Smith	Present

CITY STAFF PRESENT: City Administrator Erin Wells (via Zoom), Assistant City Administrator/Community Development Director Jay Baughman, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle, Finance Director David Mortensen, City Engineer/Public Works Director Chris Trusty, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Library Director Donna Cardon

OTHERS PRESENT: Jon Hart, Blakely Cragun, Justin Olsen, Steve Sears, Ammon Banagas, Liz Rice, Wesley Warren, Richard Mendenhall

1. UNSCHEDULED PUBLIC APPEARANCES

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

There were no public comments.

2. PRESENTATIONS

a. Lone Peak Mountain Bike Park

Steve Sears representing Lone Peak Trails Association will provide a presentation on the Mountain Bike Park.

Steve Sears and Blakely Cragun, representatives of Lone Peak Trails Association, used the aid of a PowerPoint presentation to discuss the Association's proposal to continue improvements at the Bike Park at Highland Glen. He discussed the history of the park, including previous funding sources, as well as provided photographs of the park in its current condition. They discussed the user statistics of the park, and noted the population of the area has grown significantly since phase one of the park was finished in 2016; increased demand has contributed to the need to improve and expand the park to provide a place where every biker can grow their skills, and every family can have fun outdoors. The Association is asking for support from Highland City in the form of including the project in the General Plan, funding \$50,000 with a grant or City funds, providing \$15,000 to maintain existing jump lines, \$50,000 to build new jump lines, and \$35,000 to create a master plan for park improvements in the area of the bike park.

Council Member Campbell stated it is incredible that volunteers have built and raised funding for the park to this point; he expressed his support for augmenting the funding for improvement and expansion of the park.

Discussion among the Mayor, Council, and representatives of the Association centered on the current and ongoing maintenance needs at the park; the City's liability associated with the bike park; other possible funding sources – such as grant programs that the City could assist the Association in applying for; and the potential for the surrounding residential neighborhoods to be concerned about growth of the bike park.

Mayor Ostler stated he believes there is support for including the bike park in the City's General Plan under the parks section; he then thanked the group for their presentation and indicated the Council will take their requests under advisement over the next several months throughout the process to prepare the next Fiscal Year (FY) budget.

3. CONSENT ITEMS

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

a. Approval of Meeting Minutes General City Management
Stephannie Cottle, City Recorder
October 15, 2024

b. Approval of Meeting Minutes General City Management
Stephannie Cottle, City Recorder
November 12, 2024

c. 2025 Meeting Schedule General City Management
Stephannie Cottle, City Recorder

The City Council will consider approving the City Council Regular Meeting Schedule for 2025.

Council Member Doug Cortney requested to pull item 3a.

Council Member Ron Campbell MOVED that the City Council approve consent item 3b, meeting minutes from November 12, 2024; and 3c, the 2025 City Council Meeting Schedule.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

Council Member Cortney indicated the Library Director was in attendance at the October 15, 2024 meeting, but she was not listed as part of the staff present. He asked that the correction be made to the minutes.

Council Member Doug Cortney moved to approve meeting minutes from October 15, 2024, as amended.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

4. ACTION ITEMS

a. ACTION: Secondary Vehicle Access for Corey Freeze General City Management

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider whether to grant permission for Mr. Freeze to use the City's Highland Glen/ Murdock Canal Trailhead parking lot near Ridgeview as a secondary vehicular access to his property.

Mayor Ostler noted that Mr. Freeze did not bring this application forward; rather, it was added to the agenda at the request of Council Members Campbell and Cortney.

City Attorney/Planning & Zoning Administrator Patterson explained as a general rule, the City Council decides—whether by ordinance, policy, or decision—how property owned by the City may be used or may not be used by the public. Under state law, UCA 10-8-1, the City Council has “the power to control the finances and property of the corporation.” The Council has given direction on how the public may connect to City streets, how the public may use parks, trails, and open space, and how the public may use city buildings and facilities, which staff implements and enforces. But for other properties, where the Council has not given direction, City staff generally will not permit the public to use or access the property in an atypical way, absent Council direction. Mr. Freeze has requested that he be allowed to have a secondary vehicular access to his lot connecting to the eastern Highland Glen and Murdock Canal Trailhead parking lot near Ridgeview. Neither the parking lot nor the interior roads in that area have been specifically dedicated as public right of way. This means that, without specific direction from Council, City staff have treated Mr. Freeze’s access to the parking lot generally in accordance with the City’s general park and open space regulations and have not permitted a permanent vehicular access: HMC 9.13.020 – prohibiting damage to public property and HMC 12.24.020 “No unauthorized person may park, drive upon or across, or store a vehicle, trailer, boat, motor home, camper, ATV or motorcycle upon public open space, public trails or within public open space.”

Staff did allow Mr. Freeze temporary construction access through the parking lot as an accommodation, but always informed him or his contractors that permanent access would not be permitted. When Mr. Freeze first applied for a building permit for his accessory pool house, staff noted on the plans that the driveway access/connection was not permitted. Mr. Freeze or his contractors revised his plans to remove the driveway connection, and as such, the approved set of plans do not show a driveway connection. Despite this, Mr. Freeze's contractors built a driveway access connecting to the parking lot. Mr. Freeze was also required to submit a fence permit for his fence built in connection with the home, which he has not done. Had he done so, staff would have reiterated, just as with the pool house plans, that a driveway access and gate was not permitted. Staff believes that allowing Mr. Freeze's requested vehicular access has the potential to interfere with the normal use of the parking lot by the general public who should have the expectation of being able to park cars throughout the lot, including in a manner that would block Mr. Freeze's requested access. In addition, Mr. Freeze's access could make the City staff feel that they couldn't alter or even use the parking lot in such a way that would interfere with his access, despite the City being the property owner of the lot. For example, the City has used the area adjacent to Mr. Freeze's property as a storage area at times. Further, there is currently no curb cut access, so Mr. Freeze would be driving over the curb, potentially damaging it. Another concern staff has with this request is that, while granting Mr. Freeze access to the parking lot as a secondary access does not establish a right for other residents to use this or other City parking lots to access their properties, it does provide an example that such other residents may use in asking for such access. And while the concern and impact may be minor in Mr. Freeze's situation, it has the potential to be greater in other areas of the City in similar situations. In summary, staff does not see any general public benefit from allowing this connection and does see some negative impacts to City operations. Staff recommends against granting a one-off authorization. If the Council desires to allow residents to have driveways connecting into parking lots, then staff would recommend making such authorization pursuant to a code or policy that establishes the specific circumstances under which these types of connections may be permitted. If the Council desires to pursue this option, staff will prepare a draft ordinance for Council consideration. If the Council were to grant permission for Mr. Freeze to use the City's parking lot as a secondary access as a one-off circumstance, staff would recommend that the permission be granted with the following stipulations:

1. Mr. Freeze is responsible for any damage done to the City's curb by his use of the secondary access
2. The City will not ensure or guarantee the secondary access is clear. Mr. Freeze understands that the access may be obstructed at times by parked vehicles, public works equipment, or other obstacles, and Mr. Freeze will not have the right to have those obstructions removed.
3. The authorization is subject to the City's right to own and control City property, including the right to permanently alter the property in such a way that Mr. Freeze's access is permanently cut off, without notice or compensation to Mr. Freeze.

Council Member Smith asked why a pool house needs its own driveway. Council Member Campbell stated that there is a garage that faces the requested access, and he wishes to store a recreational vehicle there. He could benefit from having an access point to drive the vehicle on to get into his property. Mayor Ostler stated that the City explicitly denied that access point, but Mr. Freeze proceeded with installing it. Council Member Campbell stated that the City actually denied a fence permit, but that permit was applied for by the developer, not Mr. Freeze, and Mr. Freeze was not aware of that matter. He would not have built his garage in the present location if he had known that he would not be able to build an access there. Council Member Smith stated that may be the case, but that is a private matter between Mr. Freeze and his builder. Council Member Campbell agreed, but noted he feels there is a precedent for allowing this type of thing and it is possible to impose conditions of approval, or stipulations, that will protect the City's interest in the property. The lot is currently empty and Mr. Freeze's use of the lot to access his property will not limit the City's ability to utilize the property as intended. Council Member Smith stated that there is more storage in the lot during the summer months and this will impact the City's use of the lot during that time of the year. Council Members Smith and Campbell debated the merits of the proposal; Council Member Cortney stated that he supported adding this item to the agenda in order to hear Mr. Freeze's position, but he does not have a position on the issue at this point.

Council Member Smith asked if the original application for the development of the subject property included the pool house or garage in the rear of the property, to which Mr. Patterson answered yes. Council Member

Smith asked why the City did not ask about the need for access to the garage at that time. Mr. Patterson stated that the City must approve building plans that meet the land use code; the code does not prohibit an accessory structure in the rear yard. Staff did circle the access road that was included in the application and indicated that would not be allowed. The applicant revised the plans and removed the driveway and the gate and resubmitted it. Staff approved the revised plans but included a note that the structure could not be used as an accessory dwelling unit. Council Member Smith stated that the applicant essentially adjusted their application in order to get approval but moved forward with development of the lot as indicated on the original plans. Mr. Patterson stated that is correct.

Council Member Cortney asked if there is a difference between vehicular access and pedestrian access from a residential property to a City property. Mr. Patterson stated there is no real difference; if someone wanted to install a gate in their fence, the City does not have rules to prohibit it. However, in this instance, there was a driveway along with the gate that was included on the plan, and that is why it was denied. The applicant could have been allowed to build the gate, but not the driveway. Mayor Ostler added that the gate is essentially creating an encroachment onto City property; the main question the Council should be asking is approving Mr. Freeze’s request would benefit the public and he personally cannot see any benefit. Approval of the application may actually hinder the City’s ability to use City property as intended. He stated that he does not like approving applications that will benefit one individual; he believes approving this would set a precedent for similar applications to be filed in the future. Council Member Smith agreed and noted that many residences in Ridgeview could request similar access accommodations as well. Council Member Campbell stated that he genuinely does not believe that others will ask for this type of accommodation. He supports approval of the application because he wants to help a resident. The parking lot is empty and allowing Mr. Freeze to use it as an access to his property will not harm the City. Mayor Ostler disagreed.

Council Member Cortney stated that Mr. Freeze is travelling and was unable to attend tonight’s meeting. He suggested that this matter be continued to the next meeting to give Mr. Freeze an opportunity to attend and participate in discussion with the Council.

Council Member Doug Cortney MOVED to CONTINUE the item until the next meeting.

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

b. RESOLUTION: Proposed Sewer Rate Increase General City Management
David Mortensen, Finance Director

The City Council will consider increases to Highland City sewer rates in response to increases previously made and additional increases that are expected to be made to the Timpanogos Special Service District (TSSD) rates by the TSSD Board.

Finance Director Mortensen explained on October 15, 2024, Council held a work session regarding proposed sewer rate increases. A presentation with the administration's recommendation was given by Fred Philpot with

LRB Public Finance Advisors (LRB), the City's financial advisor, who has been working with staff on the sewer rate study for the past several months. After considering the proposed increases, Council asked staff to prepare and present additional options, including a phased-in approach for the increase, as well as looking at what increases would be required if a lower "days of cash on hand" target of 270 days was used in the rate study model rather than the previously presented 360 days. On November 11, 2024, Council was presented with five rate increase scenarios and directed staff to bring back scenarios three and five for final consideration. Mr. Mortensen used the aid of a PowerPoint presentation to illustrate the implications of scenarios three and five; both scenarios provide 270 days of cash on hand, but scenario three is an upfront increase while scenario five is an equalized increase to all rates. He stated that he is most supportive of scenario three because he feels it is more transparent and easier for residents to understand.

Council Member Campbell stated that he is supportive of scenario three because it actually fixes the problem that has been occurring over the past several years wherein the City was not collecting enough for the Timpanogos Special Service District (TSSD) portion of the rate. Council Member Cortney agreed; he added that an additional problem is that the City's portion of the sewer bill is artificially low at the moment and the increase to the total rate over the long term is actually closer to 20 percent than 80 percent. Mr. Mortensen stated that is correct.

Council Member Smith stated that one of the hard things about this matter is that the City is being forced to raise rates because the TSSD is raising its fees to cover infrastructure projects. He stated he feels that splitting the City portion apart from the TSSD portion and trying to explain that to residents is very confusing and he supports scenario three for that reason because the increase over the long term is lower for residents. Council Member Bills agreed that scenario three is the best option. Council Member Smith expressed the need to educate residents on the need for the increases.

Council Member Ron Campbell MOVED that City Council approve the resolution Approving Sewer Rate Increases for Fiscal Year 2024-2025 with Scenario 3 rates.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

City Administrator Wells asked if the Council would like to combine the City and TSSD rates into one rate and list it that way in the consolidated fee schedule. Mayor Ostler stated it seems several Council Members would support listing the combined rate on the fee schedule. Ms. Wells indicated staff will research the implications of that change and report back to the Council.

- c. ACTION: School District Interlocal Agreement Amendment** *General City Management*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider an amendment to the interlocal agreement between Highland, Alpine,

Cedar Hills, Lehi, American Fork, and Draper related to the creation of a new school district.

City Attorney/Planning & Zoning Administrator Patterson explained on April 29, 2024, the Council approved entering into an interlocal agreement with Alpine, Cedar Hills, Lehi, American Fork, and Draper that would allow the cities to go through the process of considering the creation of a new school district comprised of these cities out of the Alpine School District. After conducting a feasibility study, conducting public hearings, and considering public feedback, all of the cities' councils voted to submit the question of whether to create the new school district and divide Alpine School District to a vote. A majority of voters within the boundaries of the proposed new "central" school district voted to create the new school district on November 4, 2024, which vote was certified on November 19, 2024. The original agreement did not specifically address post-election actions and staff is recommending the following amendments to clarify that cities agree to continue to take actions related to the creation of the school district as required by law:

- Allows cities to make reports and recommendations
- Specifically states that cities will not take any action that is reserved for the future school board or that conflicts with future legislation
- Authorizes expenditures of funds as approved by the cities by majority vote, allocated between cities according to population within the new school district

Council Member Cortney asked if the interlocal agreement protects the cities against potential legislation aimed at municipality involvement in creation of a new school district. Mr. Patterson answered yes. Following the 2025 Utah Legislative Session, it may be necessary to consider another amendment to the interlocal agreement, or a new interlocal agreement, that addresses the creation of the district in compliance with updated State legislation.

There was a brief discussion about potential names for the new school district.

Council Member Brittney P. Bills MOVED that City Council ADOPT the resolution approving the first amendment to the school district interlocal agreement.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

d. RESOLUTION: Utah County Major Crimes Task Force ILA Amendments General City Management

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider approving an extension and other amendments to an interlocal agreement allowing Highland City to participate in the Utah County Major Crimes Task Force.

City Attorney/Planning & Zoning Administrator Patterson explained the Council first approved participating in the Utah County Major Crimes Task Force on September 6, 2016. The interlocal agreement governing the task force was updated and amended, with the Council approving amendments in 2019. Currently, the agreement expires at the end of 2026. The purpose of the Major Crimes Task Force is to enforce, investigate, and prosecute

violations of narcotics and controlled substance laws and to coordinate county-wide efforts to combat gang-related activities and serious property crimes. It allows for broader coordination and increased experience, personnel, and equipment for investigating and preventing serious criminal matters. Highland and Alpine are part of the agreement because the cities fund the Lone Peak Public Safety District, and the County desired all entities that participate or fund any portion of the Task Force be included within the interlocal agreement. The proposed amendments to the interlocal agreement establishing the Task Force are:

- 1. Extend the expiration from the end of 2026 to the end of 2029
- 2. Clarify how claims against the task force or any member entity participating in the task force are received, reported, and resolved, with the intent to encourage the member entities to coordinate negotiation, litigation, and settlement efforts with each other.

Council Member Smith asked Police Chief Gwilliam if he is comfortable with the proposed changes. Chief Gwilliam answered yes.

Council Member Cortney asked if there is some reason that 2029 was selected as the expiration year for the agreement. Mr. Patterson answered no; the contract has previously been extended in four-year increments.

Council Member Scott L. Smith MOVED that City Council ADOPT the resolution approving the amendments to the Major Crimes Task Force interlocal agreement, which extends to 2029.

Council Member Doug Cortney SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

e. ACTION: Warming Shelters Utah County ILA General City Management

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider entering into an interlocal agreement with Utah County to donate \$2,100 to support homeless services in Utah County.

City Attorney/Planning & Zoning Administrator Patterson explained the Utah County Winter Response Task Force is reaching out to request Utah County cities' support through a voluntary donation for our warming center and homeless program. Utah County has already invested \$200,000 that will provide warm nights for the homeless. The County is asking for assistance by considering a contribution of \$100 for every 1,000 individuals in each city. For Highland, this would be a contribution of \$2,100. All funds raised will be dedicated solely to projects benefiting the homeless community, and both the collection and expenditure of these funds will require board approval from the Utah County Winter Response Task Force. This is an opt-in, voluntary donation. There is no specific requirement by state law to participate in this program, but it will assist with caring for the unsheltered in Utah County. Mr. Patterson concluded he has reviewed the agreement for form and compatibility with law and staff recommends that the Council consider the request from the Utah County Winter Response Task Force for a \$2,100 donation.

Council Member Campbell asked if approval of this donation request ‘checks a box’ for the City in terms of

providing these types of services. Mr. Patterson stated there is no law requiring cities to provide this type of support for the homeless population. Council Member Campbell stated he supports providing this type of support; he likes that the same formula was applied to all cities to determine the amount of funding each would allocate to the service.

Mayor Ostler stated that he has not seen a lot of homeless activity in Highland or nearby; he asked Police Chief Gwilliam if he is aware of an increase in homelessness in the area. Chief Gwilliam stated that he has not seen anything in Highland, but he likes the idea of Highland City participating in this type of program.

Council Member Smith asked if the County is seeking funding from private entities and individuals. Mr. Patterson stated he assumes that is the case.

Council Member Rodela referenced State legislation in 2024 that requires counties to provide these types of facilities for the homeless population; there was a fiscal note attached to that legislation, but she still supports providing the \$2,100 to help the County to comply with that mandate.

Council Member Doug Cortney MOVED that City Council ADOPT the resolution approving the interlocal agreement with Utah County for a \$2,100 donation for homeless support services.

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

5. EXPEDITED ITEMS

Items in this section are to be acted upon by City Council. These items have been brought before Council previously. The report and presentation may be abbreviated.

a. ACTION: Library Long-Range Strategic Plan *General City Management*

Donna Cardon, Library Director

The City Council will consider approving the Library's Long-Range Strategic Plan 2024-2029

Library Director Cardon stated that on October 15, 2024, the Highland City Library Board presented its annual report to the City Council. At that time, the Council was given a copy of the proposed Highland City Library Long-Range Strategic Plan for 2024-2029. In that same meeting, the Library did a presentation about joining the Timpanogos Library Consortium, which is anticipated in this Strategic Plan. She briefly summarized some of the information that was provided during that presentation, after which she asked for Council support and approval of the Plan.

Council Member Cortney stated that the funding allocated to training for library staff was decreased this year. Ms. Cardon stated that is correct; the training budget was reduced by nearly half when compared to the previous fiscal year budget. The equipment budget was also decreased, but there is a need to replace security cameras so it will become necessary to consider a budget amendment to allocate funding for that need. Council Member

Cortney stated that he does not want the Library staff to feel it necessary to cut their budget in a manner that will create long term harm to the library. Ms. Cardon stated that she has attempted to keep her expenditures in line with revenue and that is the reason for the reduction to some of the budget lines; she will analyze the budget carefully before providing her budget proposal for the next fiscal year.

Council Member Smith stated that he appreciates the efforts of the library staff and noted that the population increase in the City will ultimately benefit the library because the library receives a portion of the property tax paid by each household. Ms. Cardon agreed; the increase in revenue the library has received due to population growth has allowed the library to keep pace with inflation. However, the City is approaching buildout and when that occurs, the library will not receive increased property tax revenue to keep pace with inflation. This led to a broad discussion of all funding sources available to the library, including the elimination of certain fines that will result in a reduction in the revenue received by the library. Ms. Cardon noted that she would prefer to dip into reserve funding rather than cutting services offered at the library.

Council Member Kim Rodela MOVED that City Council approve the Highland City Library Long-Range Strategic Plan 2024-2029.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

Council Member Campbell asked Ms. Cardon if she has met with Cedar Hills City. Ms. Cardon stated she has, and the City Council was very kind and supportive of the annual report. They were not opposed to an increase to non-resident fees for the library.

b. ORDINANCE: Text Amendment: Fire Sprinklers in Single-Family Homes *Municipal Code Update (Legislative)*

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider amending the Municipal Code to require fire sprinklers in single-family homes over 10,000 square feet and other single-family homes that meet the conditions set out in state fire code.

City Attorney/Planning & Zoning Administrator Patterson explained on November 12, the Council discussed this potential ordinance and amendment and directed staff to prepare an ordinance that requires automatic fire sprinkler systems in all conditions allowed by state law.

Council Member Kim Rodela MOVED that City Council ADOPT the proposed ordinance amending Title 15, Chapter 4 of the Municipal Code.

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

- c. ACTION: 2025 American Fork Irrigation Company Assessment General City Management**
Chris Trusty, City Engineer/Public Works Director
The City Council will consider approving payment for the City's annual assessments for the American Fork Irrigation Company.

City Engineer/Public Works Director Trusty explained Highland City owns 1326.25 shares with the American Fork Irrigation Company for which this year's assessments total \$66,331.50. These annual assessments occur every year and pay for the ongoing maintenance and upkeep of the water assets with American Fork Irrigation Company including the upcoming replacement of the weir located at the mouth of American Fork Canyon. As the assessment price is above \$25,000, staff is bringing the item to City Council for purchasing approval, per the City's purchasing policy.

Council Member Cortney stated that he thought the weir replacement was not going to start until 2025. Mr. Trusty stated the project was accelerated because the Company secured grant funding, and the contractor was anxious to get started on the project.

Council Member Smith stated that he recalled providing a pre-payment of funds to reconstruct a retention basin and the weir in the past, but he does not recall paying the Irrigation Company \$60,000 each year. Mayor Ostler stated that the expenditure Mr. Trusty has discussed is the assessment for the water shares owned by the City. City Attorney Patterson stated that it has not come to the Council in the past because staff has been approving it; however, staff realized the amount of the assessment this year was higher than the \$25,000 dollar amount identified in the purchasing policy, so it is being presented to the Council for approval this year.

Council Member Scott L. Smith MOVED that City Council approve the payment of the 2025 American Fork Irrigation Company Assessment as delineated in the material.

Council Member Doug Cortney SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

Council Member Cortney suggested that this action could be included on a consent agenda in the future now that it has come to the Council one time. City Administrator Wells stated that Administration would like to have a discussion about that type of action with the Council early in the new year.

6. DISCUSSION ITEMS

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

a. **WPI Site Plan Land Use (Legislative)**

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will discuss the concepts for a new commercial building within the Town Center commercial area, south of Wendy's, and give direction.

City Attorney/Planning & Zoning Administrator Patterson explained that the lot south of Wendy's in the Town Center commercial area has been designated as a separate, developable commercial lot since at least 2002. WPI is now seeking to develop the parcel with a new restaurant building, completing the Town Center Commercial development. WPI is proposing a site plan for Lot 3 with a pick-up access serving the restaurant. The concept plan, however, may have a setback code issue. WPI is looking for preliminary feedback on the concept site and building plan and to get direction on how to handle setback issue. Mr. Patterson provided the conceptual plan for the Council to review and discuss; he facilitated discussion among the Mayor and Council, and Richard Mendenhall of WPI, to determine the Council's position on the setback issue. The Council focused on several design options that would address concerns associated with allowing a pick-up lane that does not meet the setback requirements, including a raised walkway; increased landscaping buffering; transportation improvements to efficiently route traffic through the site; directional signage; and pedestrian amenity improvements. The Council communicated support for the concept plan and a text amendment in the City Code to address the issue, rather than counting multiple properties as one property in order to comply with the setback requirement. They also indicated they would like to ensure that the drive-through lane is used for pick-up orders only, and that orders cannot be placed through the drive-through lane. Mr. Patterson stated he will use that feedback to work with Mr. Mendenhall to update the application materials that will be submitted to the Planning Commission, and, ultimately, the City Council.

7. COMMUNICATION ITEMS

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

a. **2024 Resident Survey Jay Baughman, Assistant City Administrator/Community Development Director**

Assistant City Administrator/Community Development Director Baughman used the aid of a PowerPoint presentation to provide the results of the 2024 Resident Survey. The City received 1,537 responses in 2024, which is an increase compared to 2022 (the survey was skipped in 2023 due to the alcohol sales survey). Online responses to the survey have increased year-over-year, with 72 percent of the respondents completing the survey online in 2024. He then summarized the following findings:

- City Service ratings have increased over 2022's ratings with the exception of Traffic Enforcement and Utility Billing, which had slight decreases. Pressurized Irrigation is a new category this year.
- The condition of City roads is important to residents and their satisfaction with road quality has been on the rise.
- Resident satisfaction with City parks has also increased, going from 74% to 87% in two years.
- Personnel ratings have remained the same or increased. Public safety ratings will be tracked in the future.
- The majority of respondents indicated they would 'definitely' or 'probably' not support raising property taxes for keeping pace with growth and inflation of City operations and personnel costs, inflation of library costs, and new trail construction and ongoing maintenance.
- The majority of respondents indicated support for raising the public safety fee to raise wages for police officers and to help with recruitment and retention.

The survey also included questions about development of the Longhorn Property, residential lots along Timpanogos Highway, allowing smaller lots for age restricted senior housing, allowing detached accessory dwelling units and flag lots throughout the City, and partnering with American Fork and Pleasant Grove libraries to share library catalogues. Mr. Baughman summarized the responses to these questions as well. He concluded by discussing survey questions regarding the manner in which the City communicates with residents, knowledge of the citizens budget, and the demographics of those that responded to the survey. For a copy of the presentation in its entirety, see the information packet for the meeting.

Throughout the presentation, the Council engaged in discussion with staff regarding the implications of the results of the survey.

Mr., Baughman then reported that the City has received a grant up to \$15,000 for the water-use and conservation element of the General Plan; this will reduce the burden on the City's budget for this issue. This led to brief discussion about the City's water metering plans and fee adjustments.

b. Finance Report *David Mortensen, Finance Director*

Finance Director Mortensen reviewed the financial report for the first quarter of Fiscal Year (FY) 2025; the report is somewhat 'tricky' because some departments expend funds early in the FY while others expend funds later in the FY. However, the budget seems to be on track in general. Sales tax trends are positive.

c. Annual Conflict of Interest Statements *Rob Patterson, City Attorney/Planning & Zoning Administrator*

City Attorney/Planning & Zoning Administrator Patterson explained elected officials and City staff are required to annually complete a conflict-of-interest form; he distributed a copy of the form to the Mayor and Council Members and asked them to complete it by January 31, 2025.

Council Member Smith then reported on an interaction he had with a employee at a business who assisted him in placing an online order for a product that was not available in store. He likened that to a conversation he had with a resident who was upset that a City employee was not able to help them make an application for a fence permit and that they would need to complete the application online. He suggested the City employ technology that can be used in person to help an employee complete an online application. Assistant City Administrator Baughman stated that a City employee can help a resident complete an online application, but for a fence permit the applicant is required to upload very specific documentation and it may be that the person who spoke with Council Member Smith did not have that documentation available at the time they were speaking with the employee.

Mayor Ostler then reviewed the City's schedule for the remainder of the month of December.

8. CLOSED MEETING

The City Council may recess to convene in a closed meeting to discuss items, as provided by Utah Code Annotated §52-4-205.

At 10:01 pm Council Member Scott L. Smith MOVED that the City Council recess the regular meeting to convene in a closed meeting in the Executive Conference Room to discuss the character, professional competence, or physical or mental health of an individual.

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

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

The CLOSED SESSION adjourned at 11:25 pm.

ADJOURNMENT

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

The meeting adjourned at 11:26 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 3, 2024. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle, CMC, UCC
City Recorder

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SECONDARY VEHICLE ACCESS FOR COREY FREEZE *General City Management*

Item 4a – Action
Presented by – Rob Patterson
City Attorney/Planning & Zoning Administrator

7

Background



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Background

- Freeze owns lot within Ridgeview that backs onto the southeast Highland Glen/Murdock Canal trailhead parking lot
- Freeze/contractors were informed by staff that permanent secondary access into the lot through the parking lot would not be permitted
- Freeze/contractors constructed secondary driveway
- Freeze requests permission for secondary access

9

Legal Standard

- Council controls the use of public property
 - No specific policy or code regarding use of City parking lots for secondary access
 - City code generally prohibits driveways across parkway details and open space and prohibits driving across parks
- Staff have historically prevented residents from using park areas for secondary accesses
- Council would need to either grant a one-off authorization or direct staff to prepare a policy or code to authorize the access

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Staff Concerns

- Parking lot is used by the public for parking
- Parking lot is used by staff for storage. Parks crew typically store materials in the parking lot that cannot be located on gravel (playground chips, wood mulch, etc.), which occupies the access area for months at a time
- Currently no driveway/curb-cut for access on City property, so Freeze would be driving over curb and -4' park strip

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Staff Concerns

- Staff do not want conflict with a resident, so if access is granted, staff asks for clarification on the following:
 - Does approving the access mean that staff cannot use that area of the lot for storage of materials and equipment?
 - If City storage use continues, how should staff handle Freeze's access? Do staff need to give notice before storing materials/equipment and prohibiting access in/out for extended periods of time?
 - How should staff handle conflict between public parking and Freeze's access? Normally, parking in front of driveways is prohibited, but this is not a normal driveway.
 - Should the curb be red-striped to prevent parking in the parking lot to protect Freeze's access?

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Other Areas

- Granting a one-off access for Freeze does not establish an easement for Freeze nor establishes a legal precedent for others to also have access
- It would establish an example that others could use to request similar access from park areas, open space, or other City property

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Other Areas – Highland Glen



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Other Areas – Hogs Hollow/Angels Gate



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Other Areas – Wimbleton



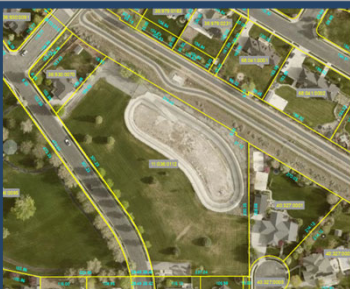
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Other Areas – View Pointe



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Other Areas – Canterbury



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Other Areas – Highland Hollow



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Other Areas – Highland Family Park



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Other Areas – Community Center



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Staff Recommendation

- Staff sees no public benefit and only negative impacts to normal use of parking lot and recommends denial
- If access is granted, staff recommends that the Council adopt a policy or code that allows similar requests to be treated similarly
- If access is granted, staff recommends approval with stipulations:
 - Freeze is responsible for damage to City property by use of the access
 - City will not ensure or guarantee clear access. Access may be obstructed by parked vehicles, public works equipment, stored materials, and other obstacles, and Freeze cannot remove or prevent obstructions
 - Access is subject to the City's right to own and control City property, including the right to permanently alter the property in such a way that the access is permanently cut off, without notice or compensation

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Motion to Deny

I move that the City Council deny Mr. Freeze's request for a secondary vehicular access to the Highland Glen parking lot.

23

Motion to Approve (City-Wide)

I move that City Council authorize the secondary vehicular access to the Highland Glen parking lot for lot 409 of the Ridgeview PUD and direct staff to prepare a code amendment or policy that establishes the specific circumstances under which these types of connections may be permitted.

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Motion to Approve (Only this Access)

I move that City Council authorize the secondary vehicular access to the Highland Glen parking lot for lot 409 of the Ridgeview PUD (with the stipulations recommended by staff or with other stipulations as the Council determines are appropriate).

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PROPOSED SEWER RATE INCREASE

General City Management

Item 4b – Resolution
Presented by – David Mortensen
Finance Director

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Scenario Analysis

Scenario 3 – Rate Increase to Maintain Lower Target

City Rate Adjustment	2023	2024	2025	2026	2027	2028	2029	2030
Residential	0.00%	35.00%	35.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Commercial	0.00%	35.00%	35.00%	2.00%	2.00%	2.00%	2.00%	2.00%
County Resident	0.00%	35.00%	35.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Dairy, Mink, Stock	0.00%	35.00%	35.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Institutional	0.00%	35.00%	35.00%	2.00%	2.00%	2.00%	2.00%	2.00%
None	0.00%	35.00%	35.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Schools (per Student)	0.00%	35.00%	35.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Production Rate Increase	0.00%	35.00%	35.00%	2.00%	2.00%	2.00%	2.00%	2.00%
TSSD Rate Adjustment	2023	2024	2025	2026	2027	2028	2029	2030
Residential	0.00%	0.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Commercial	0.00%	0.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%
County Resident	0.00%	0.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Dairy, Mink, Stock	0.00%	0.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Institutional	0.00%	0.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%
None	0.00%	0.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Schools (per Student)	0.00%	0.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%
TSSD Production Rate Increase	0.00%	0.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%

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Scenario Analysis

Scenario 3 – Rate Increase to Maintain Lower Target

City Rate	2023	2024	2025	2026	2027	2028	2029	2030
Residential	\$7.15	\$7.15	\$9.65	\$11.58	\$11.81	\$12.05	\$12.29	\$12.54
Commercial	\$8.68	\$8.68	\$11.72	\$14.06	\$14.34	\$14.63	\$14.92	\$15.22
County Resident	\$7.15	\$7.15	\$9.65	\$11.58	\$11.81	\$12.05	\$12.29	\$12.54
Dairy, Mink, Stock	\$7.15	\$7.15	\$9.65	\$11.58	\$11.81	\$12.05	\$12.29	\$12.54
Institutional	\$8.68	\$8.68	\$11.72	\$14.06	\$14.34	\$14.63	\$14.92	\$15.22
None	\$7.15	\$7.15	\$9.65	\$11.58	\$11.81	\$12.05	\$12.29	\$12.54
Schools (per Student)	\$0.1162612	\$0.1163612	\$0.1579076	\$0.1885051	\$0.1922752	\$0.1951208	\$0.2000432	\$0.2040440
Production Rate (per 1,000 Gal)	\$0.00	\$0.40	\$0.65	\$0.78	\$0.79	\$0.81	\$0.83	\$0.84
TSSD Rate	2023	2024	2025	2026	2027	2028	2029	2030
Residential	\$32.77	\$32.77	\$32.77	\$32.77	\$33.43	\$34.09	\$34.76	\$35.47
Commercial	\$39.95	\$39.95	\$39.95	\$39.95	\$40.75	\$41.56	\$42.40	\$43.24
County Resident	\$32.77	\$32.77	\$32.77	\$32.77	\$33.43	\$34.09	\$34.76	\$35.47
Dairy, Mink, Stock	\$32.77	\$32.77	\$32.77	\$32.77	\$33.43	\$34.09	\$34.76	\$35.47
Institutional	\$39.95	\$39.95	\$39.95	\$39.95	\$40.75	\$41.56	\$42.40	\$43.24
None	\$32.77	\$32.77	\$32.77	\$32.77	\$33.43	\$34.09	\$34.76	\$35.47
Schools (per Student)	\$0.6593838	\$0.6593838	\$0.6593838	\$0.6593838	\$0.6725715	\$0.6860229	\$0.6997434	\$0.7137382
TSSD Production Rate	\$2.20	\$2.20	\$2.20	\$2.20	\$2.24	\$2.29	\$2.33	\$2.38

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Scenario Analysis

Scenario 3 – Rate Increase to Maintain Lower Target

	2024	2026	% Increase	\$ Increase
City Bill	\$9.55	\$15.47	62.0%	\$5.92
TSSD Bill	\$43.77	\$43.77	0.0%	\$0.00
Combined	\$53.32	\$59.24	11.1%	\$5.92

* Assumes 5 Units of Use

29

Scenario Analysis

Scenario 3 – Rate Increase to Maintain Lower Target

	2024	2030	% Increase	\$ Increase
City Bill	\$9.55	\$16.75	75.4%	\$7.20
TSSD Bill	\$43.77	\$47.38	8.2%	\$3.61
Combined	\$53.32	\$64.12	20.3%	\$10.80

* Assumes 5 Units of Use

30

Scenario Analysis

Scenario 5 – Rate Increase to Maintain Lower Target - Combined

City Rate Adjustments	2023	2024	2025	2026	2027	2028	2029	2030
Residential	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Commercial	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
County Resident	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Dairy Milk Stock	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Institutional	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
None	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Schools (per Student)	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Production Rate Increase	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
TSSD Rate Adjustments	2023	2024	2025	2026	2027	2028	2029	2030
Residential	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Commercial	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
County Resident	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Dairy Milk Stock	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Institutional	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
None	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
Schools (per Student)	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%
TSSD Production Rate Increase	0.00%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%	3.70%

31

Scenario Analysis

Scenario 5 – Rate Increase to Maintain Lower Target - Combined

City Base Rate	2023	2024	2025	2026	2027	2028	2029	2030
Residential	\$7.15	\$7.15	\$7.41	\$7.69	\$7.97	\$8.27	\$8.57	\$8.89
Commercial	\$8.68	\$8.68	\$9.00	\$9.33	\$9.68	\$10.04	\$10.41	\$10.79
County Resident	\$7.15	\$7.15	\$7.41	\$7.69	\$7.97	\$8.27	\$8.57	\$8.89
Dairy Milk Stock	\$7.15	\$7.15	\$7.41	\$7.69	\$7.97	\$8.27	\$8.57	\$8.89
Institutional	\$8.68	\$8.68	\$9.00	\$9.33	\$9.68	\$10.04	\$10.41	\$10.79
None	\$7.15	\$7.15	\$7.41	\$7.69	\$7.97	\$8.27	\$8.57	\$8.89
Schools (per Student)	\$0.11616242	\$0.11616242	\$0.12066600	\$0.12511712	\$0.12955181	\$0.13406622	\$0.13855498	\$0.14404941
Production Rate (per 1,000 Gal)	\$0.48	\$0.48	\$0.50	\$0.52	\$0.54	\$0.56	\$0.58	\$0.60
TSSD Base Rate	2023	2024	2025	2026	2027	2028	2029	2030
Residential	\$32.77	\$32.77	\$33.98	\$35.24	\$36.54	\$37.90	\$39.30	\$40.75
Commercial	\$39.95	\$39.95	\$41.43	\$42.96	\$44.55	\$46.20	\$47.91	\$49.68
County Resident	\$32.77	\$32.77	\$33.98	\$35.24	\$36.54	\$37.90	\$39.30	\$40.75
Dairy Milk Stock	\$32.77	\$32.77	\$33.98	\$35.24	\$36.54	\$37.90	\$39.30	\$40.75
Institutional	\$39.95	\$39.95	\$41.43	\$42.96	\$44.55	\$46.20	\$47.91	\$49.68
None	\$32.77	\$32.77	\$33.98	\$35.24	\$36.54	\$37.90	\$39.30	\$40.75
Schools (per Student)	\$0.0193808	\$0.0193808	\$0.0197910	\$0.0202009	\$0.0206109	\$0.0210206	\$0.0214300	\$0.0218394
TSSD Production Rate	\$2.20	\$2.20	\$2.28	\$2.37	\$2.45	\$2.54	\$2.64	\$2.74

32

Scenario Analysis

Scenario 5 – Rate Increase to Maintain Lower Target - Combined

	2024	2026	% Increase	\$ Increase
City Bill	\$9.55	\$10.27	7.5%	\$0.72
TSSD Bill	\$43.77	\$47.07	7.5%	\$3.30
Combined	\$53.32	\$57.34	7.5%	\$4.02

* Assumes 5 Units of Use

33

Scenario Analysis

Scenario 5 – Rate Increase to Maintain Lower Target - Combined

	2024	2030	% Increase	\$ Increase
City Bill	\$9.55	\$11.88	24.4%	\$2.33
TSSD Bill	\$43.77	\$54.43	24.4%	\$10.66
Combined	\$53.32	\$66.31	24.4%	\$12.99

* Assumes 5 Units of Use

34

Scenario Summary

Scenario 3: Balanced Upfront Increase to City Rate, 270 Days of Cash Target

Scenario 5: Equalized Increase to All Rates, 270 Days of Cash Target

35

Motion to Approve

I move that City Council approve the resolution Approving Sewer Rate Increases for Fiscal Year 2024-2025 with Scenario [3 or 5] rates.

36



**SCHOOL DISTRICT INTERLOCAL
AGREEMENT AMENDMENT** *General City
Management*

Item 4c - Resolution
Presented by - Rob Patterson
City Attorney/Planning & Zoning Administrator

37

Background

- Original interlocal agreement was approved April 29, 2024
- Original agreement contemplated actions leading up to potential vote and creation of new district, but did not specifically address post-election actions

38

Proposed Amendment

- Proposed amendment clarifies that cities agree to continue to take actions related to the creation of the school district as required by law
 - Allows cities to make reports and recommendations
 - Specifically states that cities will not take any action that is reserved for the future school board or that conflicts with future legislation
 - Authorizes expenditures of funds as approved by the cities by majority vote, allocated between cities according to population within the new school district

39

Motion to Approve

I move that City Council ADOPT the resolution approving the first amendment to the school district interlocal agreement.

40



**UTAH COUNTY MAJOR CRIMES TASK
FORCE ILA AMENDMENTS** *General City
Management*

Item 4d - Resolution
Presented by - Rob Patterson
City Attorney/Planning & Zoning Administrator

41

Background

- Highland City joined the county major crimes task force in 2016, together with Alpine City and Lone Peak Public Safety District
- Task force focuses on drug/substance crimes, gang-related activity, and major property crimes
- Agreement has been extended and amended previously

42

Proposed Amendment

- Extends agreement from YE 2026 to YE 2029
- Clarifies how claims against law enforcement officers and agencies participating in the task force are received, reported, negotiated, and resolved, with the intent to encourage cooperation

43

Motion to Approve

I move that City Council ADOPT the resolution approving the amendments to the Major Crimes Task Force interlocal agreement.

44



WARMING SHELTERS UTAH COUNTY
ILA General City Management

Item 4e - Resolution

Presented by - Rob Patterson

City Attorney/Planning & Zoning Administrator

45

Background

- County Winter Response Task Force is requesting financial assistance from Utah County cities to help fund homeless support and shelter, particularly the warming shelter in the County
- County asking cities to make a \$100 per 1,000 population donation - \$2,100 for Highland
- Not a mandatory request - voluntary contribution from City funds to provide homeless services

46

Motion to Approve

I move that City Council ADOPT the resolution approving the interlocal agreement with Utah County for a \$2,100 donation for homeless support services.

47



LIBRARY LONG-RANGE STRATEGIC PLAN
General City Management

Item 5a - Expedited

Presented by - Donna Cardon

Library Director

48

Motion to Approve

I move that City Council approve the Highland City Library Long-Range Strategic Plan 2024-2029.

49



FIRE SPRINKLERS IN SINGLE-FAMILY HOMES *Municipal Code Update (Legislative)*

Item 5b - Expedited
Presented by - Rob Patterson
City Attorney/Planning & Zoning Administrator

50

Fire Code

- State fire code 15A-5-203 allows (but does not require) cities to require fire sprinklers in SF homes in limited circumstances:
 - Urban-wildland interface
 - No fire hydrants
 - Single fire access road greater than 10% grade for more than 500 continual feet
 - Home over 10,000 square feet
 - Home is double the size of other homes in the subdivision under 10,000 square feet

51

Proposed Code Amendment

- Per Council direction from November 12, 2024, staff prepared an ordinance that requiring sprinklers in all circumstances allowed by state fire code
- 15.04.020 Automatic Fire Sprinkler Systems
- Automatic fire sprinkler systems shall be installed in structures in accordance with the current version of the State Fire Code, including in any structure that meets one or more of the conditions described in section 501.5 of the State Fire Code and Utah State Code section 15A-5-203(1)(a), as amended, unless the structure is expressly exempted from such requirement by the State Fire Code.

52

Motion to Approve

I move that City Council ADOPT the proposed ordinance amending Title 15, Chapter 4 of the Municipal Code.

53



2025 AMERICAN FORK IRRIGATION COMPANY ASSESSMENT *General City Management*

Item 5c - Expedited
Presented by - Chris Trusty
City Engineer/Public Works Director

54

Motion to Approve

I move that City Council approve the payment of the 2025 American Fork Irrigation Company Assessment.

55



WPI SITE PLAN

Land Use (Legislative)

Item 6a - Discussion
Presented by - Rob Patterson
City Attorney/Planning & Zoning Administrator

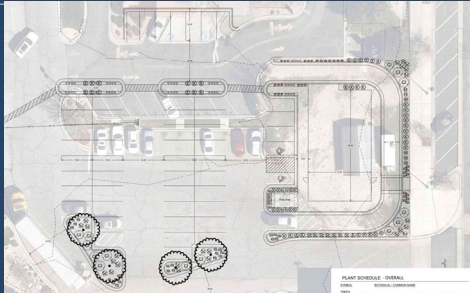
56

Town Center Commercial Lot 3

- WPI has conceptual site plans for Mo'Bettahs on the commercial pad south of Wendys
- Mo'Bettahs requires a pick-up window
- Locating a pick-up window/drive-through aisle is difficult to do under setback requirements and current parking lot constraints
- WPI is looking for preliminary feedback on the concept site and building plan and to get direction on how to handle setback issue

57

Concept Site Plan Lot 3



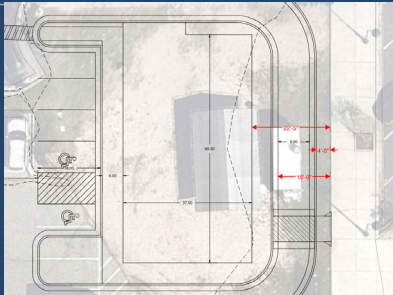
58

Setback Issue

- Town Center Commercial zoning requires buildings to be a maximum of 15' from right of way, with doors a maximum of 10' from Town Center Blvd
- This setback requirement does not apply if the property has frontage on SR 92
- Setback essentially only applies to Lot 3

59

Setback Issue



60

Setback Issue Options

- If the Council is in favor of the concept site plan, then WPI and staff would like direction on how the Council would like the setback issue handled:
 - Code amendment
 - Interpret the SR-92 setback exception to apply to all of WPI's property as a whole, because the properties all are contiguous and have frontage on SR-92

61

Concept Building Elevations

62

Concept Building Elevations

63

Feedback on Site Plan and Elevations

- Drivethrough
- Parking
- Setback issue
- Building look/materials

64


2024 RESIDENT SURVEY

Item 7a - Communication
Presented by - Jay Baughman
Assistant City Administrator/Community Development Director

65


FINANCE REPORT

Item 7b - Communication
Presented by - David Mortensen
Finance Director

66

Highland City Financial Report Fiscal Year: 2025 Quarter: 1 (Ending September 30, 2024) Percent of Fiscal Year Elapsed: 25%				
Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
General Fund:				
Revenue	2,683,997	13,066,678	21%	Main property tax distribution in December
Expenditures	4,761,282	13,791,142	34%	Some front-loaded costs and transfers recorded
Net Revenue over Expenditures	(2,067,285)	(736,464)		
Open Space Fund:				
Revenue	6,839	-		Interest earnings
Expenditures	-	-		
Net Revenue over Expenditures	6,839	-		
Cemetery Fund:				
Revenue	106,750	436,417	25%	
Expenditures	65,185	321,519	20%	
Net Revenue over Expenditures	41,565	114,898		
Library Fund:				
Revenue	28,525	447,301	6%	Main property tax distribution in December
Expenditures	126,358	447,301	28%	Insurance payment and Internal Service IT front-loaded
Net Revenue over Expenditures	(97,833)	-		

67

Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
Parks Tax Fund:				
Revenue	56,161	184,000	27%	
Expenditures	-	175,000	0%	
Net Revenue over Expenditures	56,161	9,000		
Building & Development Fund:				
Revenue	176,137	1,139,000	16%	Building permits 10%, plan check fees 13%, inspection fees 0% of budget
Expenditures	298,025	1,112,694	27%	Capital outlay equipment front-loaded
Net Revenue over Expenditures	(131,883)	26,306		
Debt Service Fund:				
Revenue	951,257	951,257	100%	
Expenditures	926,597	951,257	97%	Debt service payments front-loaded
Net Revenue over Expenditures	24,660	-		
Parks Capital Improvement Fund:				
Revenue	381,235	945,000	40%	
Expenditures	1,064,054	2,094,676	67%	Transfer for debt service front-loaded, Highland Family Park at 70% of budget
Net Revenue over Expenditures	(1,423,449)	(1,148,676)		
Roads Capital Improvement Fund:				
Revenue	941,982	995,000	95%	
Expenditures	117,779	995,000	12%	
Net Revenue over Expenditures	824,203	-		

68

Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
Buildings Capital Improvement Fund:				
Revenue	572,036	636,542	90%	
Expenditures	311,161	2,443,642	13%	
Net Revenue over Expenditures	260,875	(1,867,100)		
Town Center Exaction Fund:				
Revenue	931	-		Interest earnings
Expenditures	-	-		
Net Revenue over Expenditures	931	-		
Sewer Fund:				
Revenue	739,999	3,120,000	24%	Impact fees at 15% of budget
Expenditures	576,989	3,212,675	18%	Includes September TSSD usage paid in October
Net Revenue over Expenditures	163,010	(92,675)		
Pressurized Irrigation Fund:				
Revenue	1,524,653	6,508,000	23%	Piscataway meters 17%, grant revenue 22% of budget
Expenditures	799,050	7,869,748	10%	
Net Revenue over Expenditures	725,115	(1,481,740)		
Storm Sewer Fund:				
Revenue	253,840	930,000	27%	
Expenditures	156,872	1,255,160	12%	
Net Revenue over Expenditures	96,968	(325,160)		

69

Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
Culinary Water Fund:				
Revenue	947,592	2,973,000	19%	Impact fees 19%, meter fees 11%, grant revenue 0% of budget
Expenditures	297,467	2,963,898	10%	
Net Revenue over Expenditures	286,105	9,102		
Transportation Fund:				
Revenue	317,339	1,155,000	27%	
Expenditures	506,025	1,153,760	44%	Road fee projects at 47% of budget
Net Revenue over Expenditures	(189,586)	1,231		
Internal Service IT Fund:				
Revenue	48,905	48,750	100%	
Expenditures	749	48,750	2%	
Net Revenue over Expenditures	48,156	-		

70

Highland City Financial Report Fiscal Year: 2025 Quarter: 1 (Ending September 30, 2024) Percent of Fiscal Year Elapsed: 25%				
Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
General Fund Revenue				
Transfers In	-	178,917	0%	PI and Cemetery transfers calculated and entered at year end
Taxes	1,450,849	7,772,557	19%	Largest property tax distribution is in December
Licenses and Permits	13,045	24,600	53%	Road cut permits at 135% of budget
Intergovernmental	306,130	1,525,000	20%	Beer tax one-time distribution hasn't happened yet. B&C road funds lag
Fees and Services	948,350	976,000	96%	
Court Fines	82,446	212,850	39%	
Interest Earnings	54,777	200,000	27%	
Cell Tower	32,690	45,000	73%	
Miscellaneous	147,427	543,600	27%	Includes PSD rent and admin reimb for Jul-Sep paid in Oct
Garbage Collection	338,736	1,325,000	26%	
Indirect Charges	-	258,154	0%	Indirect charges calculated and entered at year end
Other Sources	8,547	N/A		
Totals	2,683,997	13,066,678	21%	

71

Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
General Fund Expenditures				
Council	13,161	102,847	13%	
Court	77,246	268,686	29%	Alpine fire reimbursement at 30% of budget
Administrative	182,956	590,111	31%	Insurance payment and Internal Service IT front-loaded
Human Resources	16,615	94,118	18%	
Finance	27,805	123,614	22%	
Recorder	31,837	126,364	25%	
Treasurer	22,901	94,144	24%	
Attorney	19,745	81,373	24%	
Planning & Zoning	12,542	48,494	26%	
Education and Promotion	12,318	41,933	29%	Some website costs front-loaded
Police	758,799	3,035,185	25%	
Emergency Services	647,288	2,588,336	25%	
Building Inspection	11,846	58,893	20%	
Streets and Roads	130,760	895,434	15%	
Engineer	35,216	216,924	16%	
Parks and Recreation	364,143	1,904,792	19%	
Community Events	91,171	187,609	48%	Filing expense front-loaded
Garbage Collection	315,902	1,353,250	23%	
Transfers	1,975,023	1,975,023	100%	Transfers out recorded at beginning of year
Totals	4,751,282	13,791,142	34%	
Net Revenue over Expenditures	(2,067,285)	(736,464)		

72



ANNUAL CONFLICT OF INTEREST STATEMENTS

Item 7c – Communication
Presented by – Rob Patterson
City Attorney/Planning & Zoning Administrator

73



FUTURE MEETINGS

- December 10, Planning Commission Meeting, 7:00 pm, City Hall
- December 11, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- December 14, Wreaths Across America Ceremony, 10:00 am, Cemetery
- December 17, City Council Christmas Party, 6:30 pm, City Hall
- January 7, City Council Meeting, 7:00 pm, City Hall
- January 8, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- January 21, City Council Meeting, 7:00 pm, City Hall
- January 28, Planning Commission Meeting, 7:00 pm, City Hall

74

Motion to Adjourn to Closed Meeting

I move that City Council recess the regular City Council meeting to convene in a closed meeting in the executive conference room to discuss the character, professional competence, or physical or mental health of an individual.

75



CLOSED MEETING

The Highland City Council has recessed the regular City Council meeting to convene in a closed meeting to discuss the character, professional competence, or physical or mental health of an individual, as provided by Utah Code Annotated §52-4-205.

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

76



LONE PEAK TRAILS
ASSOCIATION

THE FUTURE OF HIGHLAND GLEN BIKE PARK

December 3, 2024

THE BIKE PARK AT HIGHLAND GLEN



Opened April 2016

Grant & Private Funds

Not Maintained

3

HOW WE STARTED

Bike Park in May 2024



Donations Received

\$53,000 Cash

\$115,000 In-Kind

450 Volunteer Hours

4

HOW WE ENDED: FULL PARK



5

HOW WE ENDED: INTERMEDIATE LINES



RIDER TESTING: BEGINNER

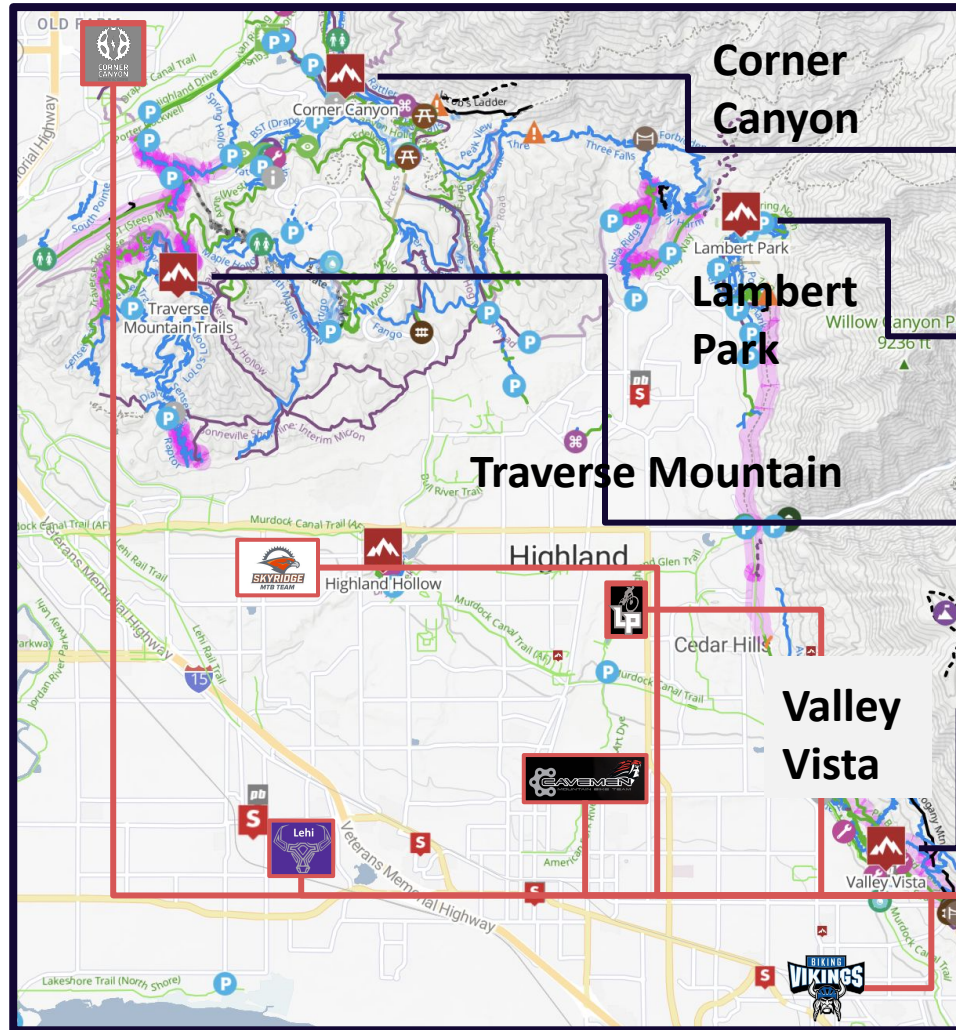


7

RIDER TESTING: ADVANCED



OUR COMMUNITY BIKES



Stats in 2024

75,000 Rides

10,000 Rides

2,000 Rides

10,000 Rides

1,100+ NICA riders

Note: (1) Ride data assumes 32% of riders track rides on Trailforks in 2024
 (2) School team riders are a count of riders in races from named teams

OUR COMMUNITY BUILDS BIKE PARKS

City Bike Parks	Year Opened
Lehi	In Progress
West Valley	2024
Bluffdale	2023
Eagle Mountain	2021
Layton	2020
St. George	2020
Orem	2020
Salt Lake (9 line)	2019
Draper	2018
Highland	2016
Salt Lake (I Street)	1990s

VISION: A PLACE FOR EVERY RIDER TO GROW



A place where **every** biker can grow their skills and **every** family can have fun outdoors

11 HOW HIGHLAND CAN HELP

Include bike park development in Highland's general plan

Fund \$50,000 (half of 2025 plans) with grant or city funds

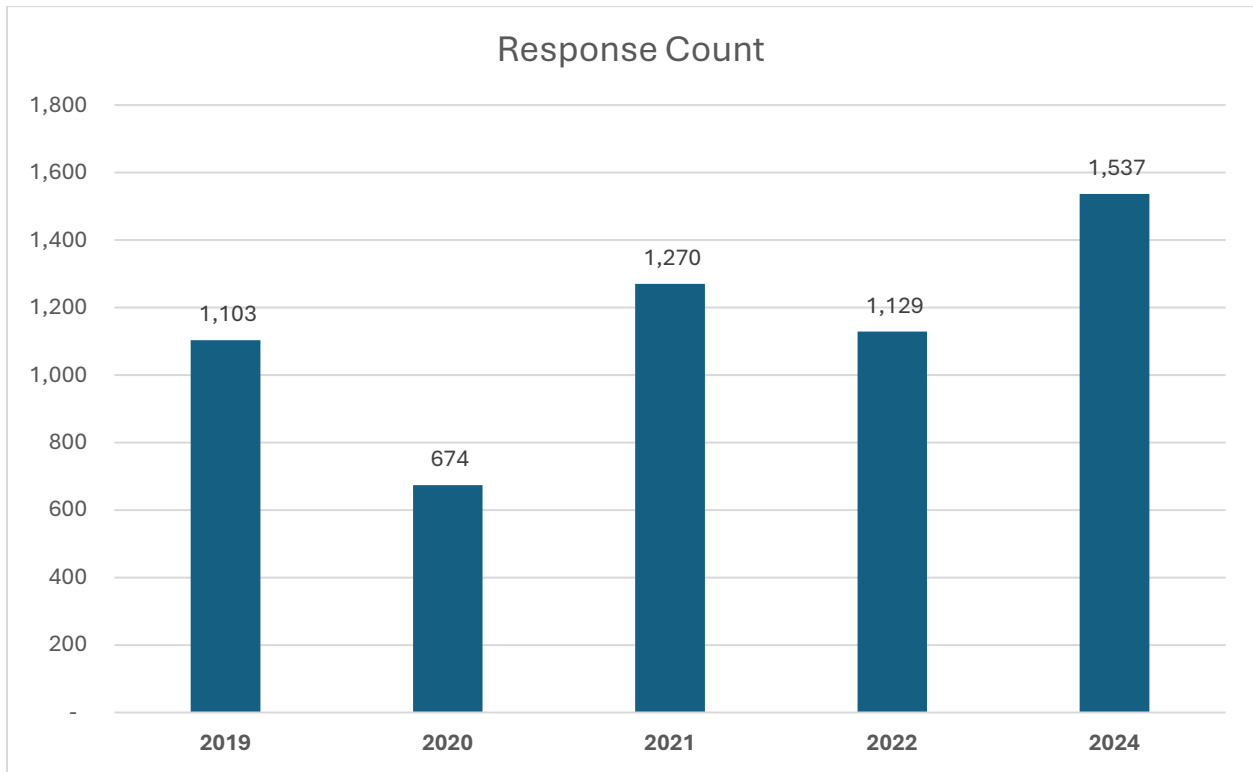
\$15,000 | Maintain existing jump lines

\$50,000 | Build new jump lines and improve area

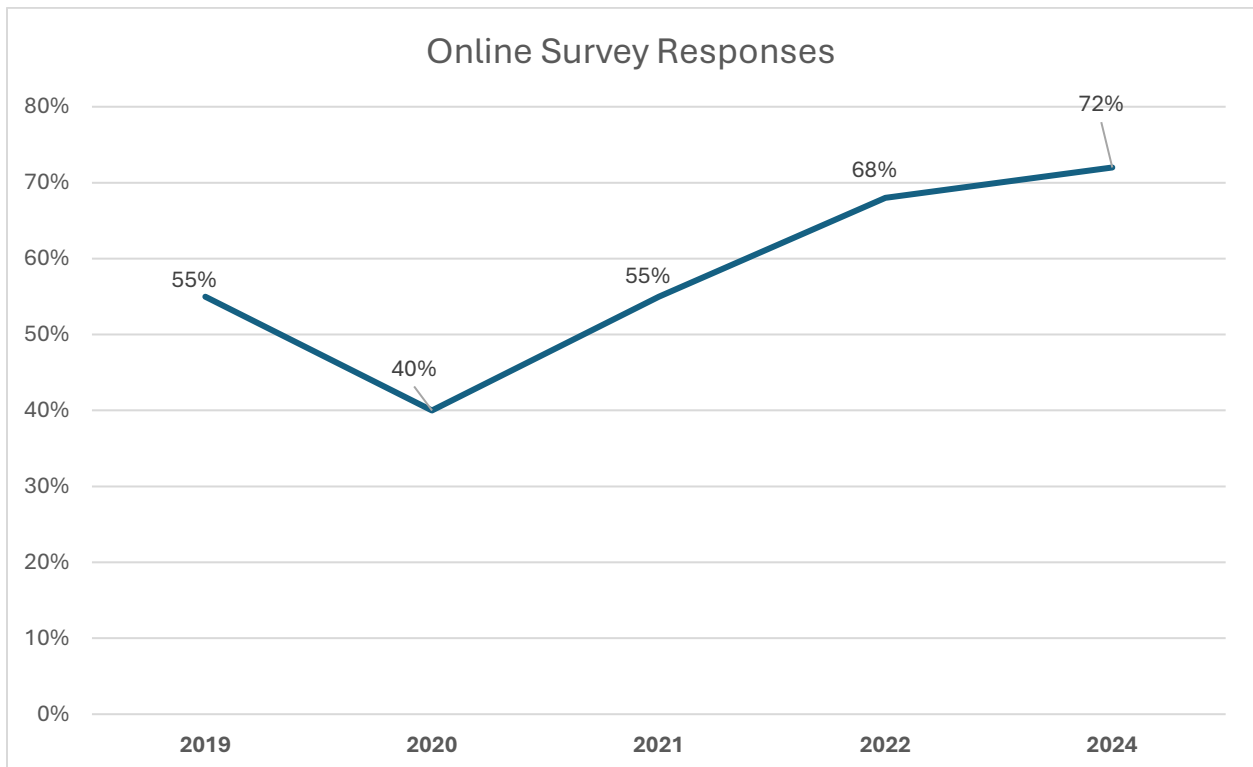
\$35,000 | Create a master plan

Highland City Resident Survey 2024

2023 Survey was skipped in lieu of the Alcohol Sales Survey.



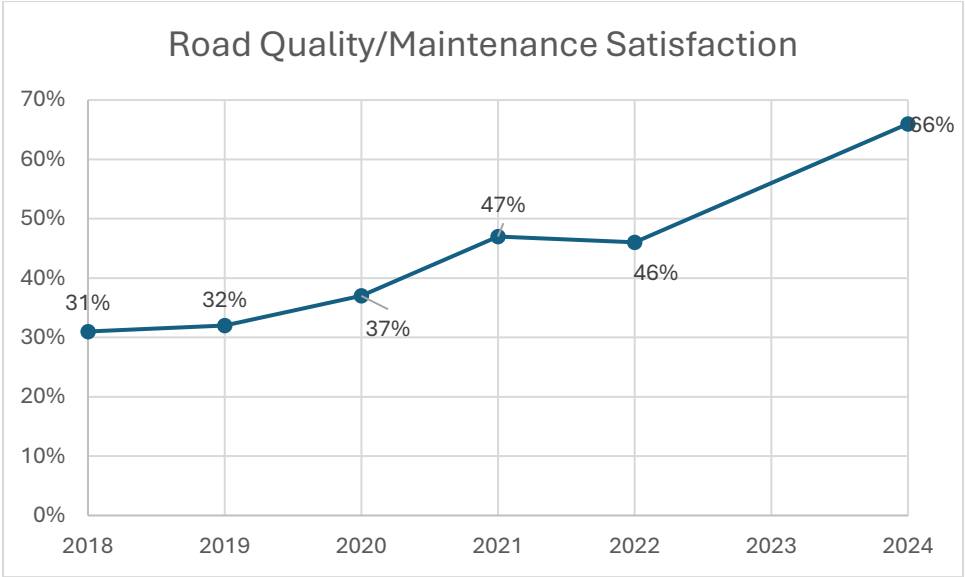
Survey response method: Online responses have increased year-over-year



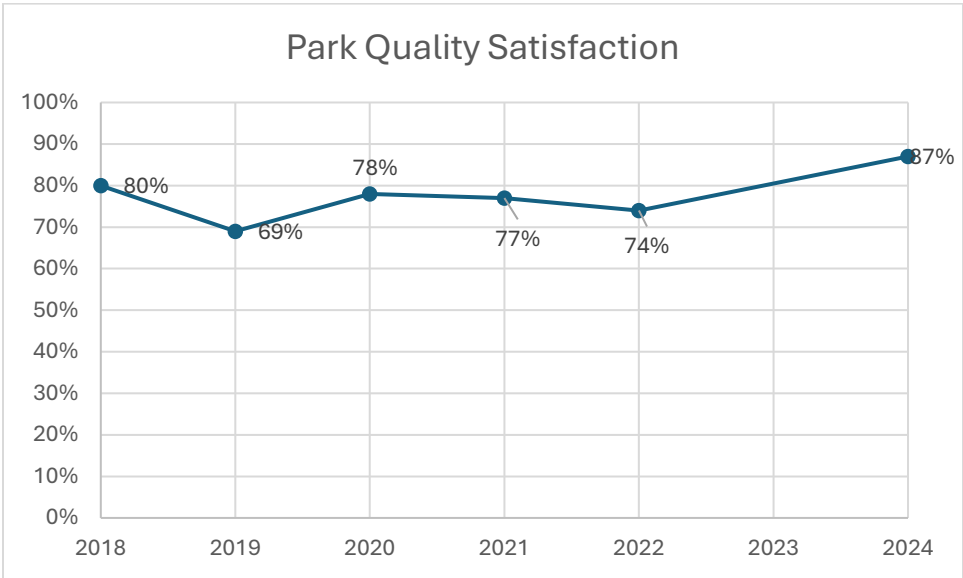
City Service ratings have increased over 2022's ratings with the exception of Traffic Enforcement and Utility Billing, which had slight decreases. Pressurized Irrigation is a new category this year.



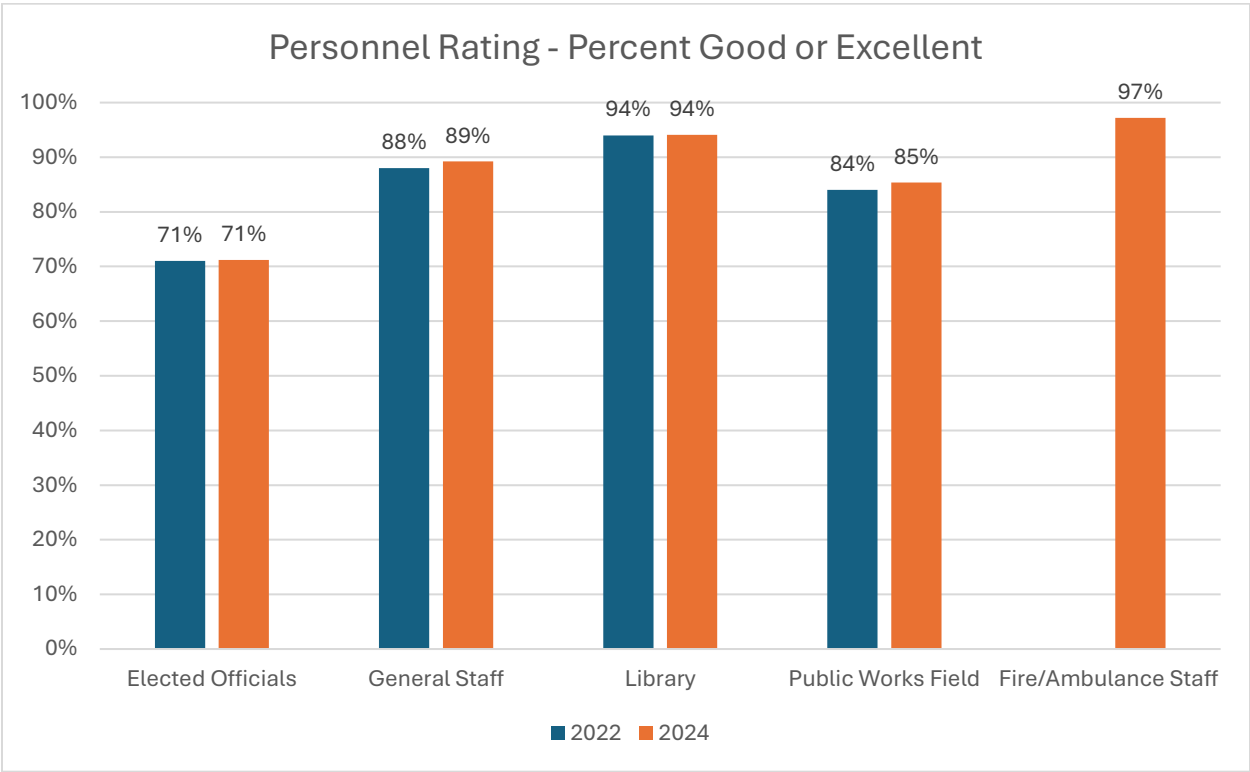
The condition of our roads is important to our residents and their satisfaction with road quality has been on the rise.



Resident satisfaction with our parks has also increased, going from 74% to 87% in two years.



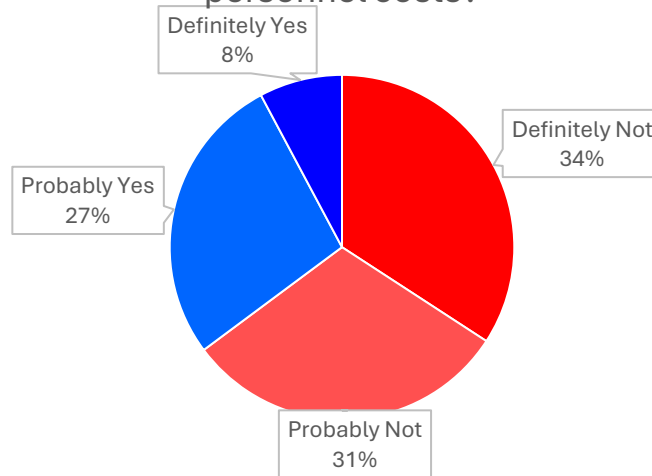
Personnel ratings have remained the same or increased. We will be tracking public safety ratings now.



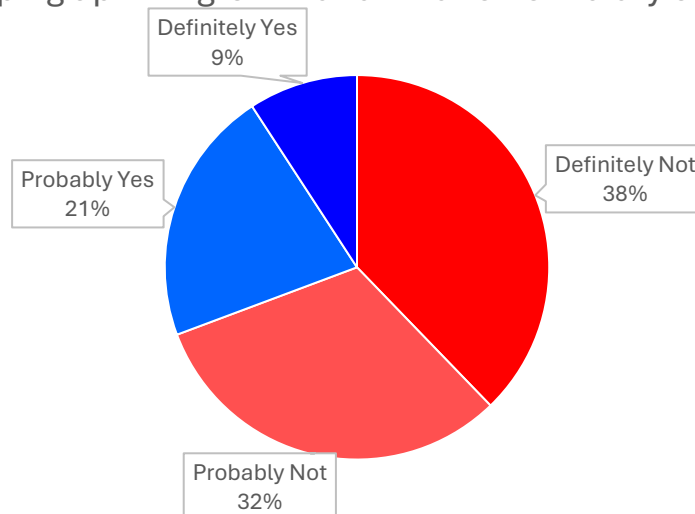
Personnel Rating - Percent Good or Excellent						
	2019	2020	2021	2022	2024	2022-2024 Change
Elected Officials	69%	76%	76%	71%	71%	0%
General Staff	85%	90%	89%	88%	89%	1%
Library	90%	94%	95%	94%	94%	0%
PW Field	86%	88%	89%	84%	85%	1%

Would you support the City raising *property taxes* for the following?

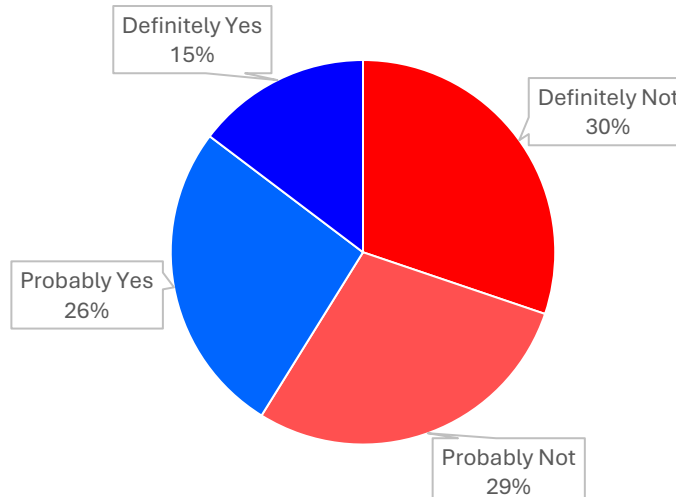
Keeping up with growth and inflation of City operations and personnel costs?



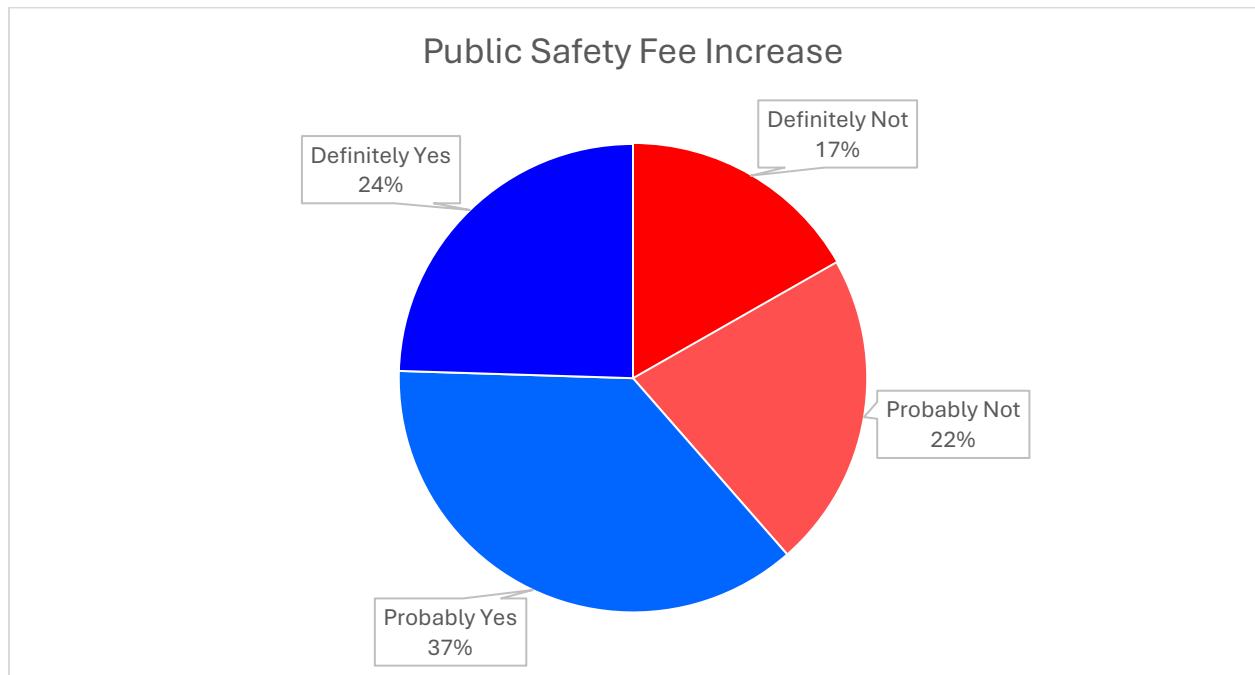
Keeping up with growth and inflation of library costs?



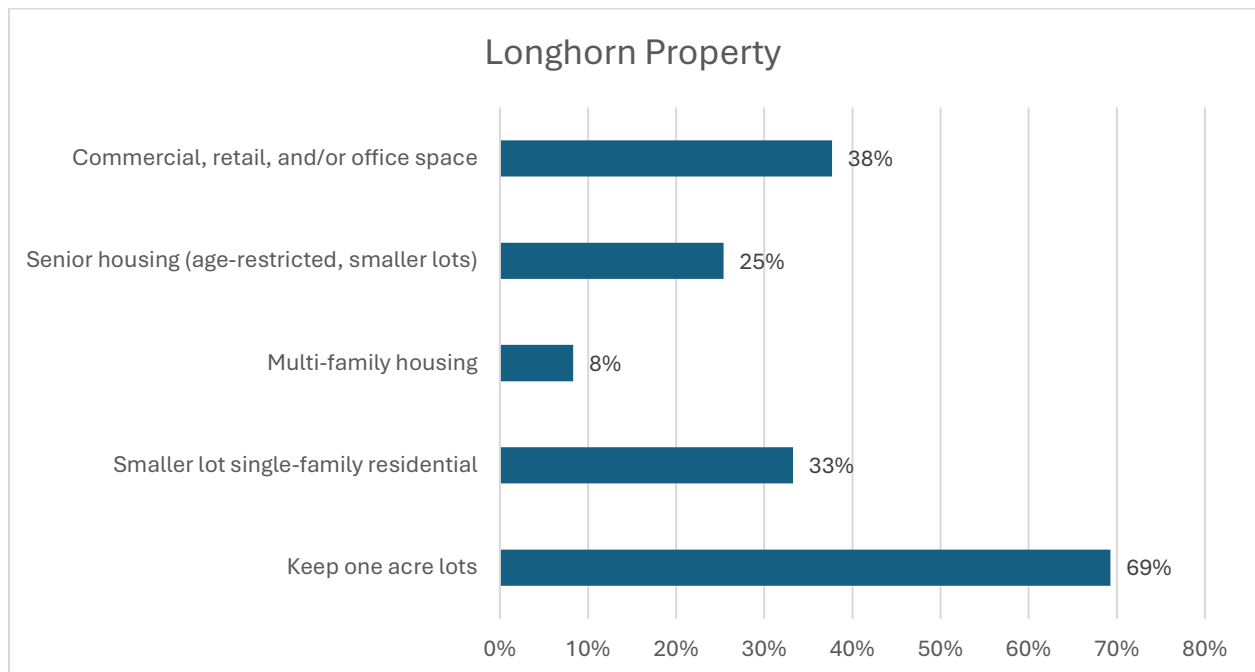
New trail construction and ongoing maintenance?



Would you support the City raising the *Public Safety Fee* to raise wages for police officers and firefighters to help with recruitment and retention?

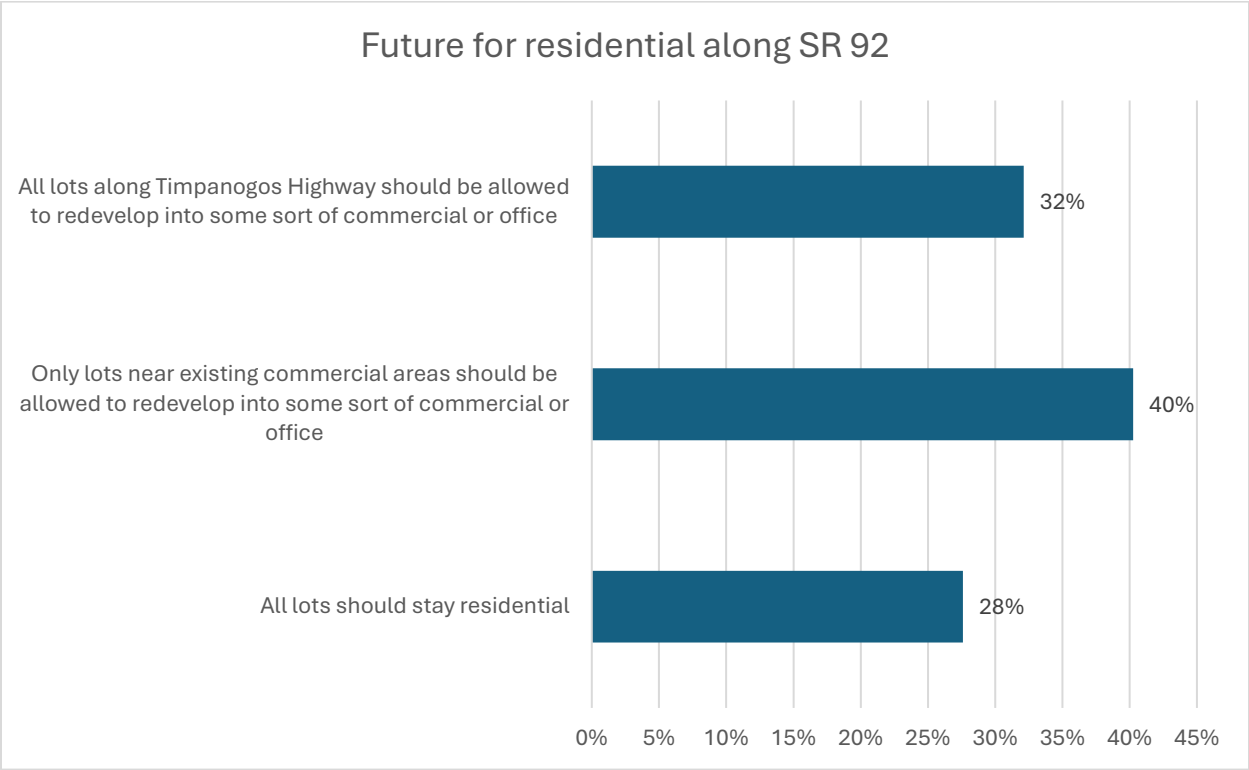


The property at the NW corner of Timpanogos Highway (SR 92) and 6000 West, commonly called the "longhorn property", is currently zoned for one acre lots. If, as part of the current General Plan update, that zoning were to change, which of the following is acceptable?

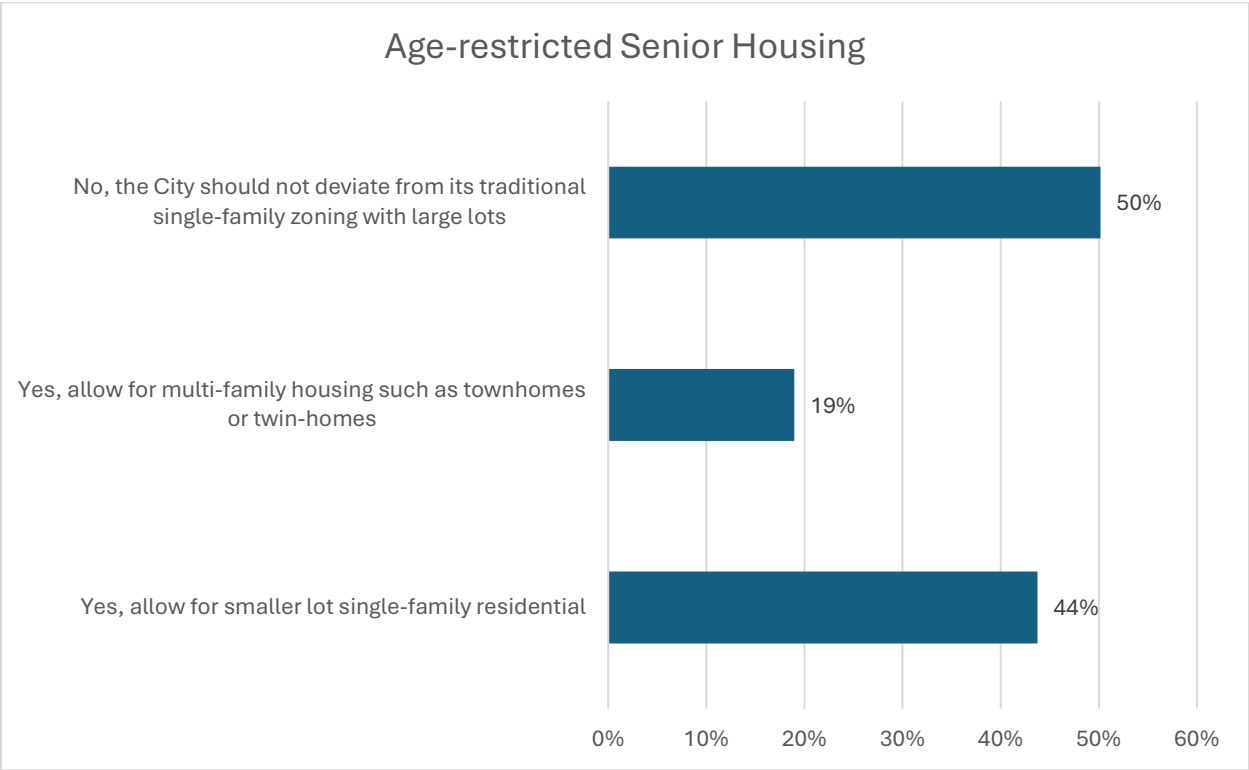


Percentages total more than 100% because respondents could choose more than one option.

What do you think is the best long-term future for the residential lots along Timpanogos Highway (SR 92)?

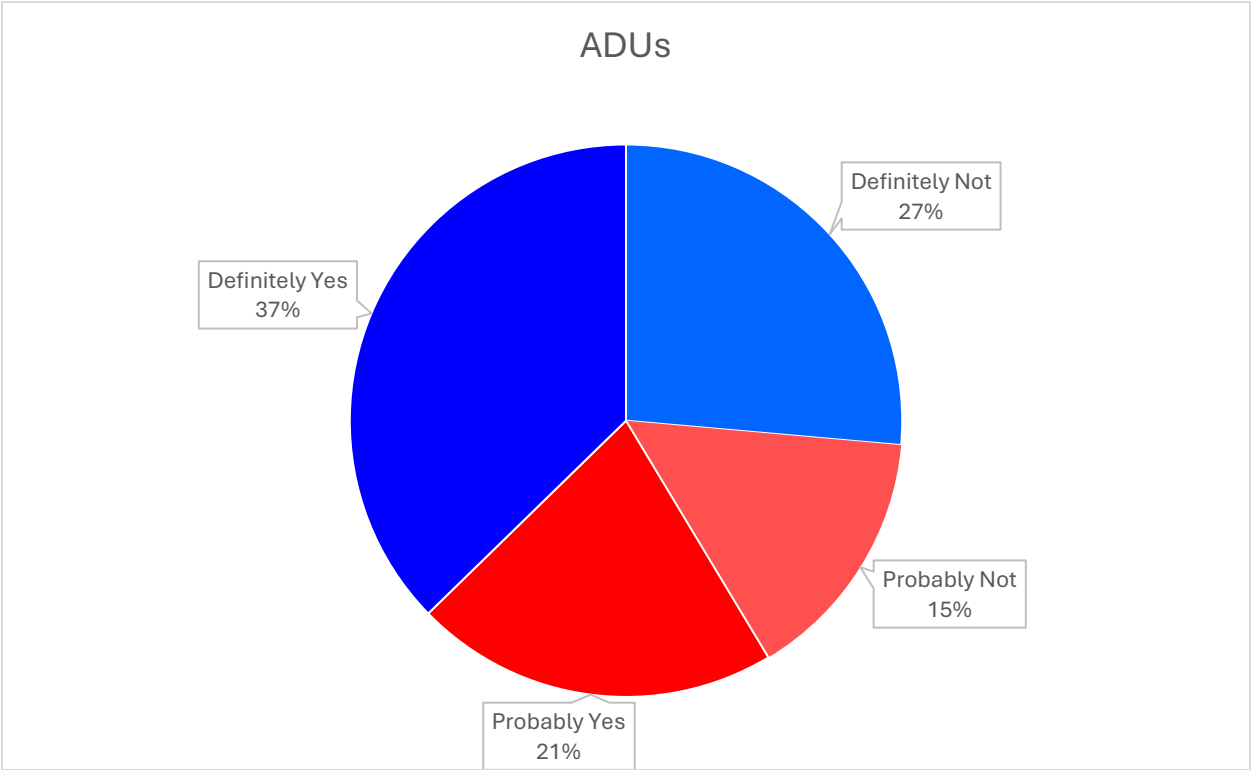


If a proposed development was age-restricted for senior housing, should the City deviate from traditional single family residential with large lots (1-acre) to allow for any of the following types of housing?

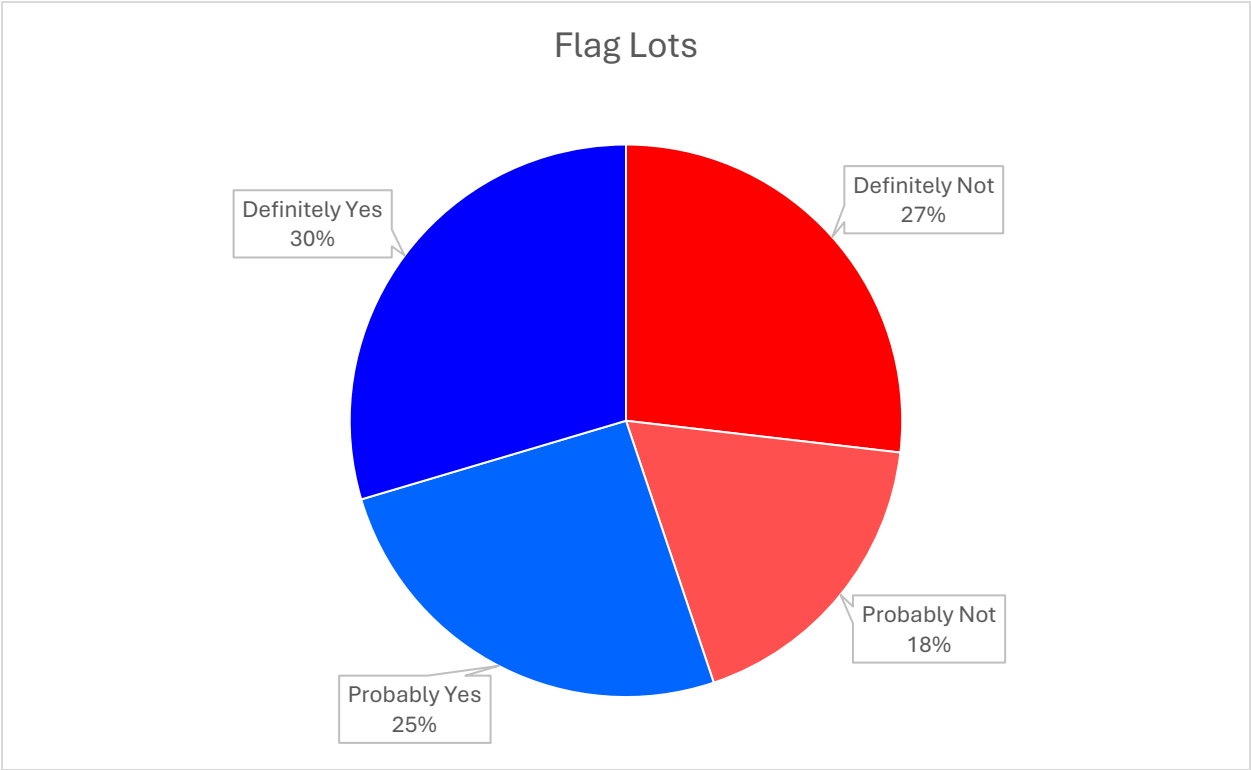


Percentages total more than 100% because respondents could choose more than one option.

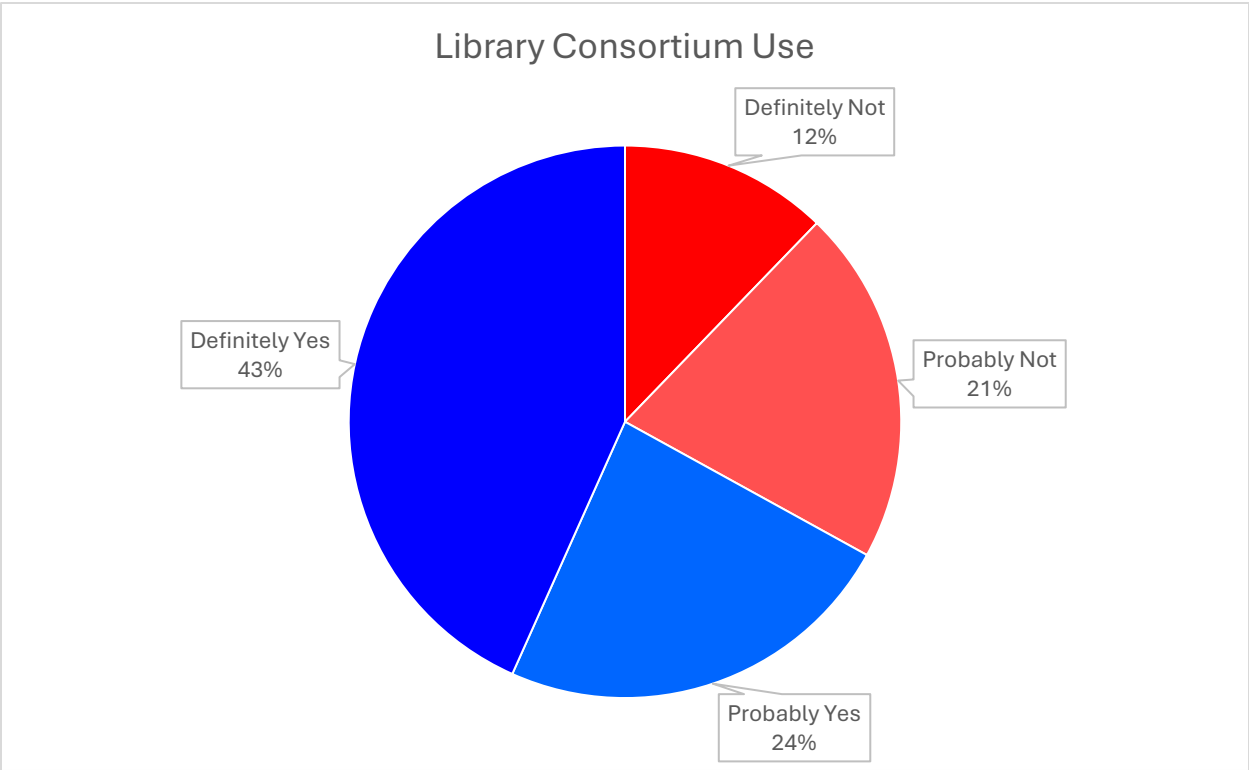
Accessory dwelling units, such as mother-in-law suites, are only allowed in Highland if they are attached to the main home. Should the City allow for accessory dwelling units that are not attached to the main home?



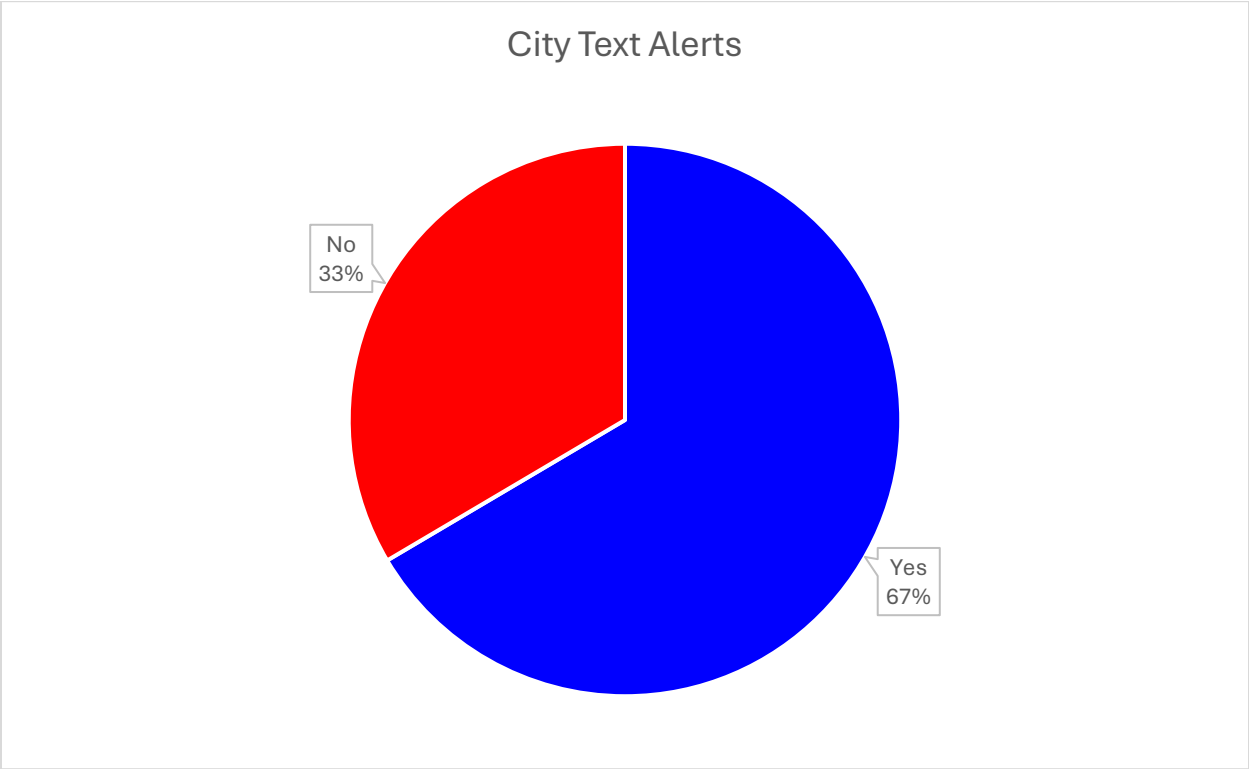
Should the City allow large lot owners to create one additional lot in the back portion of their property that that is accessed by a private drive (flag lot) so long as the lots meet size and density requirements?



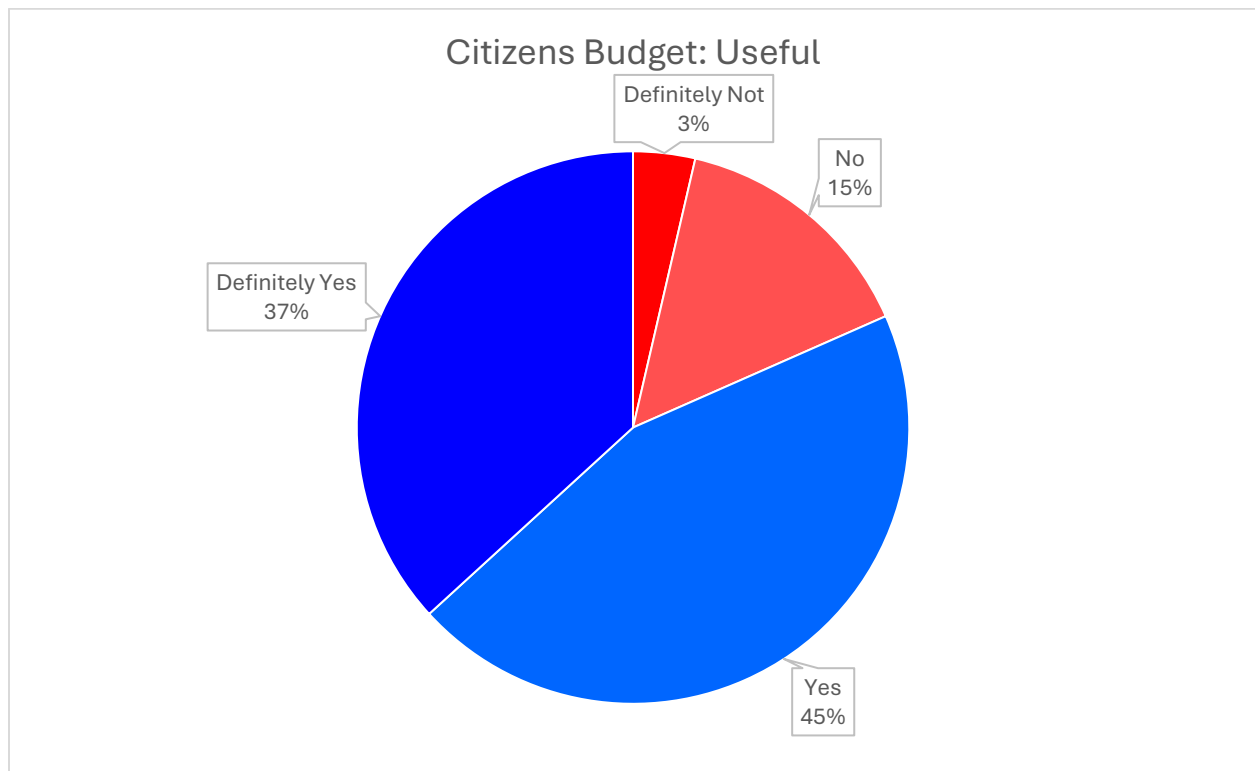
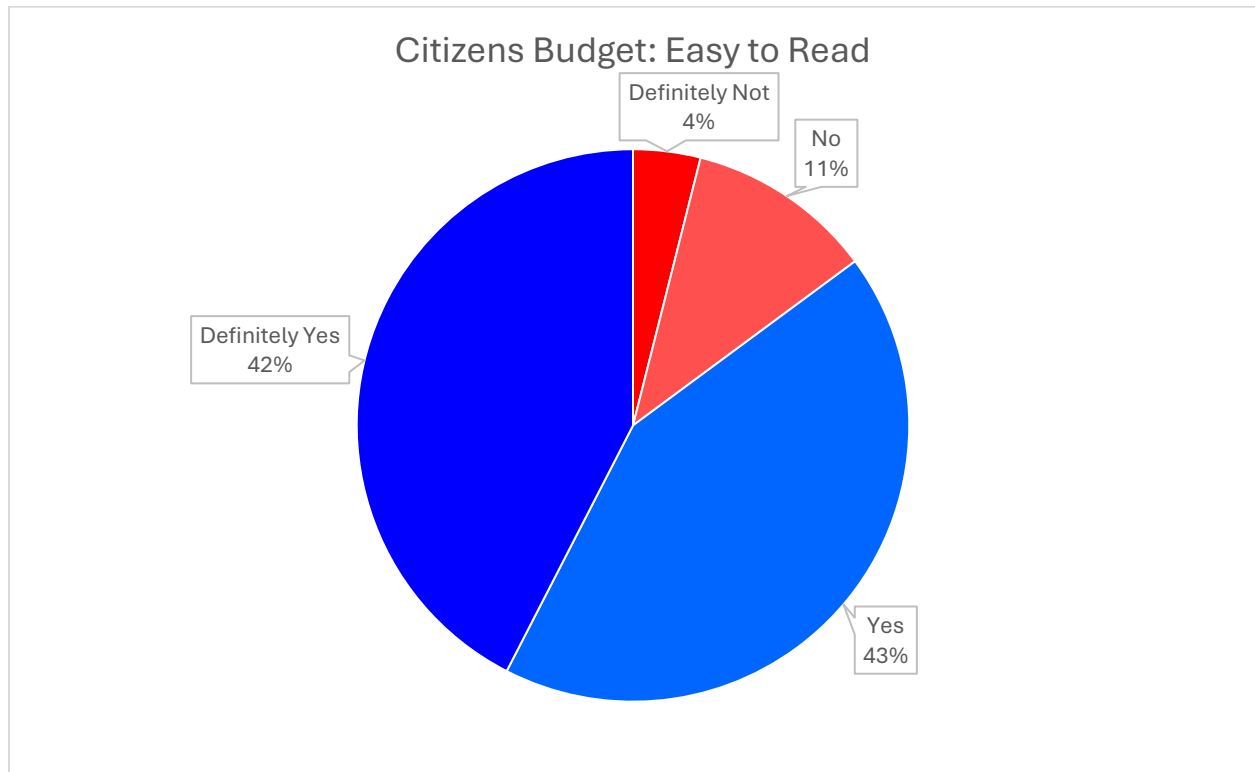
The Highland Library is considering partnering with American Fork and Pleasant Grove Libraries as a service to share library catalogues. Books from the other libraries could be picked up in Highland and late fees would be eliminated. How likely are you or someone in your family to use this service?



Are you aware that you can sign up for text alerts for City news, information, and events?

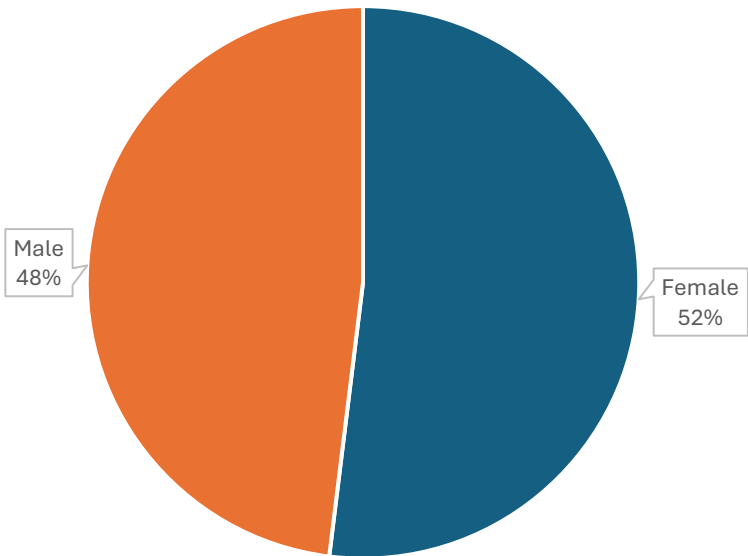


Citizens Budget: How clear and useful did you find the information presented?

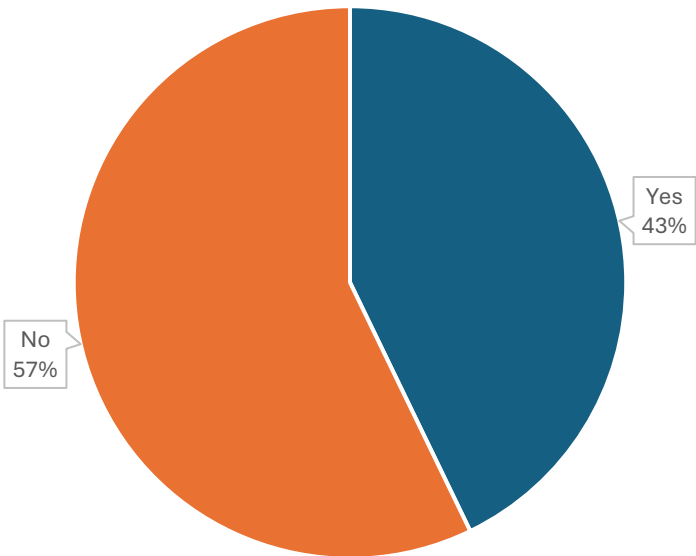


Demographics

Gender

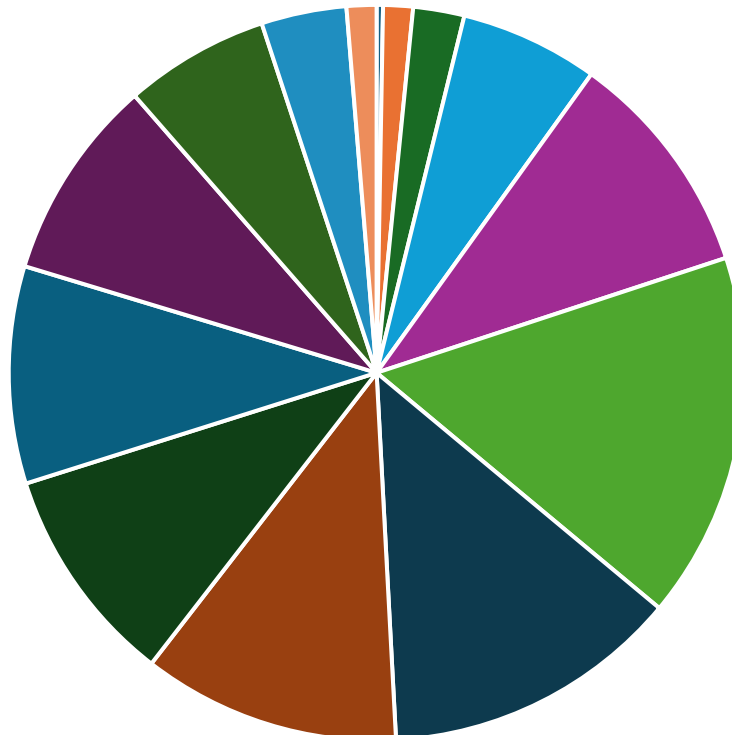


Minor Children at Home



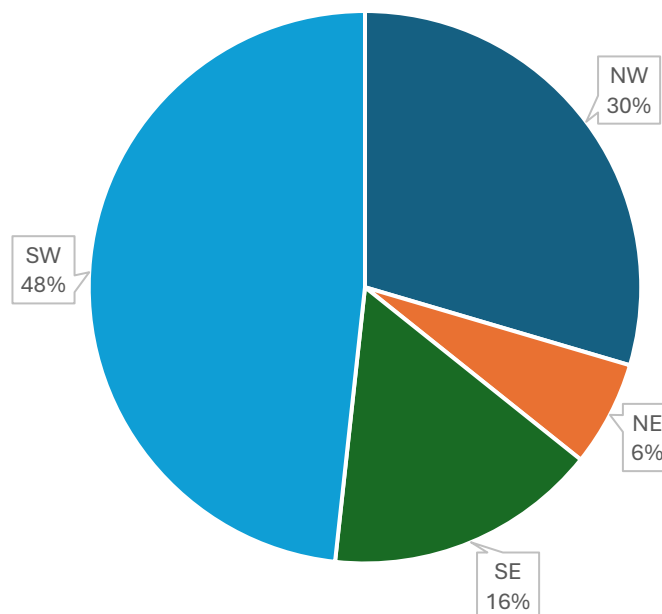
Age Breakdown

18 to 24 years	<1%
25 to 29 years	1%
30 to 34 years	2%
35 to 39 years	6%
40 to 44 years	10%
45 to 49 years	16%
50 to 54 years	13%
55 to 59 years	11%
60 to 64 years	10%
65 to 69 years	10%
70 to 74 years	9%
75 to 79 years	6%
80 to 84 years	4%
85 years and up	1%



- | | | | |
|------------------|----------------------|------------------|------------------|
| ■ 18 to 24 years | ■ 25 to 29 years | ■ 30 to 34 years | ■ 35 to 39 years |
| ■ 40 to 44 years | ■ 45 to 49 years | ■ 50 to 54 years | ■ 55 to 59 years |
| ■ 60 to 64 years | ■ 65 to 69 years | ■ 70 to 74 years | ■ 75 to 79 years |
| ■ 80 to 84 years | ■ 85 years and older | | |

Responses by Geographic Location





HIGHLAND CITY ELECTED OFFICER PLEDGE AND DISCLOSURE (Employment and Conflict of Interest)

Officer Name: _____

I hereby submit this Pledge and Disclosure in accordance with the provisions of the following laws and ordinances and policies:

- Utah Municipal Officers' and Employees' Ethics Act, set forth in Utah Code Ann. §§ 10-3-1301 to 10-3-1313, as amended.
- The Utah Criminal Code, Offenses Against Public Property, set forth in Utah Code Ann. §§ 76-8-401 to 76-8-420, as amended.
- The Public Officers Act, Prohibiting Employment of Relatives, set forth in Utah Code Ann. §§ 52-3-1 to 52-3-4, as amended.
- The Highland City Conflicts of Interest Ordinance, found in Title 2, Chapter 4, Sec 070 of Highland City Code.
- Highland City Personnel Policies and Procedures Manual.

In fulfillment of the duties prescribed under the above-described statutes and Highland City Code, I pledge the following:

1. I will not engage in any transaction involving the City which presents a conflict of interest between my duties as City officer and my personal business interests.
2. I will not use my office in any way which brings a personal benefit or special privilege to myself or any of my friends, family or business associates.
3. I will not accept any gifts which would influence me to depart from the faithful and impartial discharge of my duties as a City officer, or if the gift was offered for the purpose of rewarding official action taken by me.
4. I will not disclose confidential information acquired by reason of my employment with the City unless required to do so by law, such as the Governmental Records Access Management Act, or by court rule or order.

I understand that violating any of the above-described statutes or ordinances may be a punishable crime.

I understand that this Disclosure and Pledge must be filed with the City prior to taking office.

I understand that this Disclosure and Pledge must be filed and updated on an annual basis between January 1 to January 31 each year, when a potential conflict arises, and when any of my disclosed interests, investments, or employment conditions change.

A. Employment and Other Income

All elected officers are required to disclose current and past (within 1 year) employment and any source from which the officer received \$5,000 or more in income during the past year. For officers that provide goods or services to multiple customers or clients, provide information regarding the business/entity/practice through which the goods and services are provided and not information regarding any individual client or customer:

1. Is this a current or past employment/source of income: _____
2. Name of business entity or employer: _____
3. Address of entity or employer (including city, state and zip): _____
4. Principal activity engaged in by the entity or employer: _____
5. Job title or description: _____

1. Is this a current or past employment/source of income: _____
2. Name of business entity or employer: _____
3. Address of entity or employer (including city, state and zip): _____
4. Principal activity engaged in by the entity or employer: _____
5. Job title or description: _____

1. Is this a current or past employment/source of income: _____
2. Name of business entity or employer: _____
3. Address of entity or employer (including city, state and zip): _____
4. Principal activity engaged in by the entity or employer: _____
5. Job title or description: _____

B. Household Disclosures

All elected officers are required to disclose the name of their spouse and their spouse's current and past (within 1 year) employment. Elected officers are also required to disclose any other adult residing in the officer's household who is not related by blood or marriage and such adult's employment and occupation:

- Spouse name: _____
1. Spouse current employment: _____
 2. Address of entity or employer (including city, state and zip): _____
 3. Principal activity engaged in by the entity or employer: _____
 4. Job title or description: _____
 5. Spouse past employment: _____
 6. Address of entity or employer (including city, state and zip): _____
 7. Principal activity engaged in by the entity or employer: _____
 8. Job title or description: _____
1. Name of unrelated adult residing in household: _____
 2. Job title or description of adult's employment/occupation: _____

C. Personal Interest or Investment

Elected officers of Highland City must disclose any personal interest or investment which creates or has the appearance of creating a conflict between the employee's or officials' personal interests and his or her public duties including receiving compensation for assisting a person or business entity in a transaction with the City or holding stocks or bonds having a fair market value of \$5,000 or more (excluding third-party managed funds).

1. Nature of Personal Interest or Investment: _____
2. Name of business entity (if applicable): _____
3. Address of entity or employer (including city, state and zip): _____
4. Principal activity engaged in by the entity: _____
5. Nature of interest or investment: _____

D. Business Involvement

Elected officers of Highland City must disclose any leadership position and any ownership of a substantial interest in any business entity which may be subject to the regulation of the City, or which does or anticipates doing business with the City. Substantial interest shall include the ownership, either legally or equitably, by the employee or officer and his or her spouse or minor children, of at least 10% of the outstanding shares of a corporation or 10% interest in any business entity valued over \$2,000. Life insurance policies and annuities do not need to be considered in determining the value of any such interest.

1. Name of business entity: _____
2. Nature of Business: _____
3. Address of entity (including city, state and zip): _____
4. Nature of leadership position or interest held in entity: _____
5. Value of interest held in entity: _____
6. Principal activity engaged in by the entity: _____

- ☐ The information provided on this form is true and accurate to the best of my knowledge.

☐ I understand that this statement is public information and shall be published.

☐ I agree to revise this disclosure in the event any of the above-described interests or circumstances change.

Officer Signature

Date