



HIGHLAND CITY COUNCIL MINUTES

Tuesday, January 21, 2025

Approved February 4, 2025

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

6:30 PM SWEARING IN CEREMONY FOR YOUTH COUNCIL

Judge Kelly Schaeffer-Bullock spoke to the incoming Youth City Council and issued the oath of office.

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 Pro-Tem Brittney P. Bills as a regular session at 7:04 pm. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting. The prayer was offered by Council Member Scott L. Smith and those in attendance were led in the Pledge of Allegiance by Council Member Ron Campbell.

PRESIDING: Mayor Pro-Tem Brittney P. Bills, (Mayor Kurt Ostler via Zoom)

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, 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

OTHERS PRESENT: Jon Hart, Isaac Strong, Luke Skaggs, John Gigger, Julia Bartholomew, Gretchen Skidmore, Joseph Egan, Sasha Bertola, Amy Clauson, Naomi Thompson, Jane Creer, Rui Rui Strom, Wesley Warren, Liz Rice, Abe Day, Isaac Day

1. UNSCHEDULED PUBLIC APPEARANCES

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

Abe Day and Isaac Day suggested the creation of a Highland Volunteer Action Committee that could vet

volunteers and also identify volunteer opportunities in the City; this could help to reduce costs in the City's budget associated with things like mitigating fire hazards, trash and garbage disposal, community cleanup, and parks and open space maintenance.

Mayor Pro-Tem Bills stated this is a fantastic idea.

Council Member Cortney stated this is a topic that will be discussed in the upcoming budget retreat. Mr. Abe Day stated that people just need to know where and when to serve and they need some support from the City. He stated that volunteerism can bring the community together. Mayor Pro-Tem Bills asked the Days to leave their contact information so that City Administration can follow up with them regarding their ideas.

2. PRESENTATIONS

a. 2025 Youth Council

The 2025 Youth City Council will be presented to the City Council.

Civic Events Coordinator Armstrong introduced the 2025 Youth City Council:

- Mayor: Julia Bartholemew
- Deputy Mayor: Amy Clawson
- Communications Chairs: Gretchen Skidmore & Joseph Egan
- Service Chair: Isaac Strong
- Council Members: Bode Reay, Sasha Bertola, Johnathan Gigger, Jane Creer, Matthew Bartholomew, Lizzie Yates, Rui Rui Strong, and Luke Skaggs

The Youth City Council leadership will be attending the upcoming Local Officials Day at the Legislature Event.

Council Member Bills stated the City Council relies heavily on its Youth Council; she stated that members will get out of the position what they put into it, and she encouraged them to make the most of this opportunity. She indicated she is willing to help any member of the Youth Council with anything they need, and she encouraged them to reach out when necessary.

Mayor Pro-Tem Bills requested to move item 3a to this point in the meeting.

a. PUBLIC HEARING/RESOLUTION: Budget Adjustment - Lone Peak Public Safety Allocation for Fire Department Wage Adjustments

General City Management

Erin Wells, City Administrator, Brian Patten, Fire Chief

The City Council will consider amending the City budget to increase the allocation to Lone Peak Public Safety for a mid-year wage increase for the Fire Department.

City Administrator Wells explained the Council approved the annual City Budget including the allocation to Lone Peak Public Safety on June 18, 2024. The Lone Peak Public Safety Board approved the below outlined mid-year budget adjustment to the Public Safety Budget on January 8, 2025, pending the approval from the Alpine and Highland City Councils. The Alpine City Council will consider the adjustment on January 28. The cost of this wage adjustment is an additional \$66,322 for the Highland City assessment. As the cost increase was not included in the budget, it will need to be funded by net revenue in the General Fund and will be included as part of the mid-year budget adjustments unless otherwise directed by the Council. Prior to budget adjustments, the General Fund had an estimated net revenue of \$331,078 for FY25. Including this as well as the other requested budget amendments, the General Fund will have an estimated net revenue of \$30,743.

Council Member Campbell asked if the new social security law will have any impact on the District or City budget. Ms. Wells stated that Highland City and the District are both social security exempt; the new law relates

to social security at the time of an employee's retirement.

Council Member Smith stated he would like to hear from Fire Chief Patten regarding the reason for the proposed wage adjustments. Chief Patten stated that he is trying to keep his Department competitive with the market, which has seen dramatic increases over the past few years. He noted that the budget process for the District is about three months ahead of municipal public safety entities, which means that he does not have access to actual wage adjustment benchmarking data.

Council Member Smith commented on the importance of having well trained paramedics and first responders; however, it is important to discuss how to continue to fund public safety services because wages seem to be increasing every six months. He stated he is somewhat irritated by this proposal given that the budget for the District was approved just six months ago; however, he will vote in support of the adjustments and continue his support for the Fire Department. He stated that he and many others are not eligible for a pay increase every six months and he feels better planning of necessary budget increases is needed. He is concerned it will eventually become necessary to raise taxes in order to cover these types of wage adjustments.

Council Member Campbell stated he understands and agrees with Council Member Smith's concerns but noted that the challenge associated with not considering wage adjustments responsive to the market is that the District will lose quality employees. He stated that the District came to the Council last summer and asked for a 10 percent increase to be more competitive with the market, and the Council only approved a six percent increase; if the Council had approved a 10 percent increase, this new recommendation likely would not be necessary. He stated that Public Safety is a budget priority, and he will not vote in a manner that could cause employees to seek higher pay elsewhere.

Council Member Smith asked City Administrator Wells to perform some research and inform the Council of the total percentage increase Public Safety employees have received since Fiscal Year (FY) 2021 when riots were occurring across the Country causing public safety wages to skyrocket. He stated that it is important to recognize that the LPPSD cannot compete with entities with a much different tax base than Highland and Alpine; if the LPPSD is expected to compete with those entities, it is important to develop a strategy for generating revenue to pay for those costs. He noted that many people believe that the revenues of the Public Safety Fee will cover employee costs for the LPPSD, but that is not the case, and it is important to be transparent regarding that matter. Council Member Campbell agreed and stated the same could be said about the Road Fee; these fees should be called 'supplemental fees' because they do not cover the entire cost of the service or infrastructure they are related to. Ms. Wells stated that discussion of these matters can be added to the agenda for the upcoming budget retreat. She then stated that she supports the wage increases because what the Chief is asking for is not extravagant; rather, it will allow the Fire Department to pay competitively compared to the market. Council Member Smith stated he would like to see real data from an independent source in order to make informed decisions on similar matters in the future.

Council Member Cortney stated that for the past two years, the Council has considered a substantial mid-year budget adjustment for public safety wages; if the same thing occurs again in 12 months, he will not support the proposal and the reason would be that the District and City now have historical data to rely upon when developing their budget and that data should be relied upon. He stated that a minor adjustment may be needed, but if the District does not include at least \$50,000 to cover mid-year budget adjustments in the future, he would not consider the budget to be responsible. He then referenced staffing levels; data that has been presented highlights staffing levels for Highland compared to other agencies, all of which are staffed substantially higher than Highland. He is worried that the Fire Department is below the required staffing levels required by OSHA, and this puts the Fire Fighters and the public at risk because response times must be reduced. Council Member Rodela stated she would like to see a comparison of calls per station for the LPPSD compared to other agencies.

Chief Patten stated he can compile the data requested by the Council; call volume and response time are important metrics and response times are very close to eight minutes from any Station in the District. He stated that when he became the Chief of the District, the District was losing Fire Fighters on a regular basis. It has been his goal to retain tenured, experienced Fire Fighters, but wages were at such a deficit that it has taken him three years to address it. He also does not want to regularly ask for mid-year budget adjustments and he feels he is finally at a point where he can maintain wages rather than trying to ‘catch up, but minimum standards in terms of staffing must be adhered to. The most important thing is to be fast in responding to an incident but with the appropriate number of responders and equipment.

Council Member Campbell stated that he was recently in California in close proximity to Palisades fires; he learned that many of the large homes there have their own sprinkler systems, but none of them had sprinklers in their attics and that is what caused the homes to burn. He suggested the Chief consider whether the current sprinkler requirements are adequate for homes over 10,000 square feet. Chief Patten stated that one of the challenges of including a sprinkler system in an attic is that it could freeze easily. He discussed the purpose of sprinkler systems in large homes in Highland City, which is mainly to protect the occupants and to protect mountainsides from home fires.

Council Member Smith stated that according to data provided by the District, the Fire Department has four people in one station and three in the other. Chief Patten stated that is an average; staffing of Fire Stations is dependent upon how close the nearest fire station is and the level to which the District can rely upon mutual aid. Council Member Smith stated that since Highland pays two-thirds of the cost of staffing the District, it would seem that there should be four staffers in Highland and three in Alpine. Chief Patten stated that he considers the District as one entity, not broken down into Highland and Alpine, and he has staffed it in a manner that is most effective and safe.

Mayor Pro-Tem Bills stated that she feels the Council should be focused on doing the right things; this issue was brought to the Council because it is a budget increase. She agreed with Council Member Campbell that if the District had approved the 10 percent increase last summer, this request would not be necessary. She then agreed with Council Member Smith that a holistic approach is needed; if the public safety fee does not cover the cost of public safety, that can be problematic and when it is necessary to increase the costs for public safety, other departments may suffer. She added it is her understanding that this increase will not result in the LPPSD Fire Fighters being the highest paid; rather, they will be just under the midpoint of benchmark data. Chief Patten stated that is correct.

Mayor Pro Tem Brittney P. Bills opened the public hearing at 7:44 p.m.

There were no public comments.

Mayor Pro Tem Brittney P. Bills closed the public hearing at 7:44 p.m.

Council Member Kim Rodela MOVED to approve the resolution adjusting the Highland City fiscal year 2024-2025 budget for the allocation to Lone Peak Public Safety.

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>

Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion carried 5:0

b. Annual Open and Public Meetings Act (OPMA) Training

Rob Patterson, City Attorney, will present the annual training on Open and Public Meetings.

City Attorney Patterson used the aid of a PowerPoint presentation to provide the annually required training regarding the State of Utah Open and Public Meetings Act (OPMA). For a copy of the presentation in its entirety, see the information packet for the meeting. Throughout his presentation, Mr. Patterson engaged in high level discussion with the Mayor and Council regarding the definition of a public body, a quorum, and when an open meeting is required; purposes for closing a meeting; and records of open and closed meetings.

3. ACTION ITEMS

b. PUBLIC HEARING/RESOLUTION: Fiscal Year 2024-2025 Mid-Year Budget
Adjustments General City Management

David Mortensen, Finance Director

The City Council will consider amending the fiscal year 2024-2025 budget for various items as shown in the attached exhibit.

Finance Director Mortensen reported on a proposal to consider Fiscal Year (FY) 2024-2025 mid-year budget adjustments. the proposed budget adjustments affect multiple funds, including the General Fund, Cemetery Perpetual Fund, Library Fund, Building & Development Fund, Parks Capital Improvement Fund, Roads Capital Improvement Fund, Building Capital Improvement Fund, Sewer Fund, Pressurized Irrigation Fund, and Culinary Water Fund. The projected impact of these adjustments, when added to the existing budget amounts already adopted, on the fund balance of the listed funds is as follows:

- General Fund Revenue:
 - Sales Tax – Increase of \$110,000
 - Franchise Tax – Increase of \$15,000
 - Public Safety Fee – Increase of \$15,000
 - Highland Fines (Court) – Increase of \$50,000
 - Highland Traffic School – Increase of \$4,000
 - Use of Prior Year Fund Balance – Increase of \$111,227
- General Fund Expenditures:
 - Warming Shelter Donation - \$2,100
 - Alpine Highway Fence Reimbursement - \$80,000
 - MAG Assessment Increase - \$5,600
 - Court State Surcharge Increase - \$30,000
 - Fill-In Judge Services - \$1,000
 - Council Chambers A/V Upgrade - \$12,000
 - 30 percent of Deputy Recorder Position - \$2,460
 - Recorder Transcriptionist - \$6,000
 - Police Flock Cameras - \$18,000
 - Liquor Tax Contribution to LPPSD - \$44,950
 - AC Replacement for Public Works - \$6,102
 - Move Budget from Council to Highland Fling - \$7,500
 - Move Transfer to Building Capital Fund for Highland Family Park Maintenance Building to Park Capital Fund - \$200,000
- Cemetery Perpetual Fund - \$14,000 maintenance building increase.

- Library Fund Revenue:
 - Fees & Fines Decrease – (\$2,000)
 - Non-Resident Card Increase - \$1,000
 - Printing Increase - \$1,000
 - Donations Increase - \$4,800
 - Use of Prior Year Fund Balance Increase - \$2,121
- Library Fund Expenditures:
 - Security Cameras - \$4,000
 - Storage Unit - \$3,600
 - Printing Services Increase - \$1,000
 - Furniture Cost Decrease – (\$1,679)
- Building & Development Fund Expenditures:
 - 70 percent of Deputy Recorder Position - \$5,740
- Parks Capital Improvement Fund Revenues:
 - Transfer from General Fund Increase - \$200,000
 - Use of Prior Year Fund Balance Increase - \$1,259,278
- Parks Capital Improvement Fund Expenditures:
 - Highland Family (HF) Park Ninja Course - \$568,668
 - HF Park Baseball Bleacher Shades - \$141,240
 - HF Park Futsal Fence - \$42,130
 - HF Park Security Cameras - \$33,000
 - HF Park Lighting Conduits - \$146,238
 - HF Park Baseball Maint. Building - \$128,920
 - HF Park 42” Tall Fence on 5600 W - \$42,320
 - HF Park Drinking Fountain at Baseball Field - \$6,600
 - HF Park Maintenance Building - \$200,000
 - 50 percent of Land Purchase (Split with PI Fund) - \$150,162
- Roads Capital Improvement Fund Revenue:
 - Use of Prior Year Fund Balance Increase - \$284,990
- Roads Capital Improvement Fund Expenditures:
 - Highland Elementary Safe Routes to School - \$172,000
 - Snowplow Equipment (Budgeted in FY24) - \$112,990
- Building Capital Improvement Fund Revenue:
 - Transfer from General Fund Decrease – (\$200,000)
 - Use of Prior Year Fund Balance Increase - \$420,000
- Building Capital Improvement Fund Expenditures:
 - Parks Maintenance Building (Budgeted in FY24) - \$420,000
 - Remove HF Park Maintenance Building (Moved to Parks Capital Fund – (\$200,000)
- Sewer Fund Revenue:
 - Use of Prior Year Fund Balance Increase - \$33,051
- Sewer Fund Expenditures:
 - AC Replacement for Public Works - \$3,051
 - Manor Drive Sewer Connection - \$30,000
- Pressurized Irrigation Fund Revenues:
 - Use of Prior Year Fund Balance Increase - \$153,214
- Pressurized Irrigation Fund Expenditures:
 - AC Replacement for Public Works - \$3,051
 - 50 percent of Land Purchase (Split with Parks Capital Fund) - \$150,163
- Culinary Water Fund Revenue:

- Recycling Material Revenue - \$3,400
- Select Health Rebate - \$4,000
- Use of Prior Year Fund Balance Increase - \$65,828
- Culinary Water Fund Expenditures:
 - Health Savings Account (HAS) Payment Correction - \$4,000
 - 6400 W 10" Water Main - \$62,777
 - Leaks Trailer - \$3,400
 - AC Replacement for Public Works - \$3,051

High level discussion among the Council and Mr. Mortensen included a focus on the reasons for the increase in various revenue sources, except for property tax revenue; the ratio of court revenues retained by the City versus redirected to the State; the source of liquor tax funds and contribution of the funds to the Lone Peak Public Safety District (LPPSD); phasing of HF Park; and the impact of the HSA correction for an employee.

Council Member Cortney asked if the Deputy Recorder is spending 10 percent of their time in the Recorder's Office and 90 percent in the Planning and Community Development Department. Ms. Wells answered yes; the employee attends the Planning Commission meetings and provides support for that body; she also is the backup for City Recorder Cottle.

Mr. Mortensen suggested that a motion to approve the budget amendments should include removal of the Public Safety Assessment amount of \$66,000 from the exhibit to the resolution.

Mayor Pro-Tem Brittney P. Bills opened the public hearing at 8:25 p.m.

There were no public comments.

Mayor Pro-Tem Brittney P. Bills closed the public hearing at 8:26 p.m.

There was brief discussion about the difficulty in calculating and estimating the fund balance from year to year; there are so many factors that impact the fund balance number, and some numbers included in each annual budget are an estimate only and cannot be finalized until the completion of an audit.

Council Member Ron Campbell MOVED that City Council adopt the resolution amending the Highland City fiscal year 2024-2025 budget as shown in the included exhibit and as presented by staff, striking \$66,322 for Public Safety previously approved.

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

c. RESOLUTION: Fee Schedule Update - Fine for Late Conflict of Interest Disclosure Statements
General City Management

David Mortensen, Finance Director, Stephannie Cottle, City Recorder

The City Council will consider changes to the fiscal year 2025 Highland Comprehensive Fee Schedule to add a fine for failure to timely file an annual conflict of interest disclosure statement to the City Recorder.

Finance Director Mortensen explained HB80 was passed and signed during the 2024 Regular Session of the Utah Legislature. This bill enacted Utah Code Section 10-3-1313, which lays out the requirements for municipal elected officials to file an annual conflict of interest disclosure statement with the City Recorder no earlier than January 1 and no later than January 31 of each year. If an elected official fails to file the statement in a timely manner, the City Recorder, within 5 days, shall notify the elected official of the requirement to file the disclosure statement. If the elected official does not file the disclosure statement within 7 days of receiving this notice from the City Recorder, the City Recorder shall report a violation to the Attorney General, and impose a \$100.00 penalty fine against the elected official who failed to timely file the conflict-of-interest disclosure statement. For the purpose of compliance with state law, staff recommends adding this penalty fine to the Highland City Comprehensive Fee Schedule, effective immediately.

Council Members expressed annoyance at the State Legislatures ability to adopt mandates that create an administrative and financial burden on cities.

Council Member Kim Rodela MOVED that City Council adopt the resolution amending the fiscal year 2025 Highland City Comprehensive Fee Schedule to add a fine of \$100 for failure to timely file an elected official annual conflict of interest disclosure statement with the City Recorder.

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>Abstain</i>

The motion carried 4:0

4. DISCUSSION ITEMS

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

a. Cell Tower Agreement *General City Management*

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider a concept site plan and tower design for a new cell tower located on the north side of Mitchell Hollow park.

City Attorney/Planning & Zoning Administrator Patterson explained on August 20, 2024, the City Council discussed the potential for a cell tower site within Mitchell Hollow park near the City's existing well site. After discussion, the Council indicated it was open to leasing a portion of the property to the tower company and directed staff to continue discussions with the tower company to establish tentative lease terms and site configurations. Council indicated that it would like to review more details and receive feedback from adjacent residents as to the impact and desire for the tower. On October 1, 2024, the Council discussed the potential tower site and lease again. The Council specifically discussed whether to allow a 14' setback from the road. The Council indicated that the setback would be fine, but that the Council still needed to receive input from neighboring

residents before approving the site or lease. Staff was directed to work with the tower company to get a site plan put together and facilitate resident feedback. If the tower site lease is approved, it will result in new, unrestricted revenue to the City. The exact amount of such revenue will be finalized as the lease agreement terms are finalized. Mr. Patterson presented a map orienting the Council to the proposed location of the cell tower and a concept plan identifying the layout of the site and the appearance of the tower.

Council Member Smith disclosed that he owns Verizon stock, and they are also his mobile phone service provider. He then noted that he thinks the design of the tower is ugly and it will be visible from most areas of the City. He referenced controversy surrounding cell towers 10-years ago in the City and suggested alternative locations for this new tower to limit the public view of it. Mr. Patterson stated that Verizon has explored other locations, but the land is owned by the Federal Government and Verizon was not sure which branch of the Federal Government to approach to request approval of the tower.

Council Member Smith stated Council Member Rodela lives near the subject property and he asked her opinion and that of her neighbors. Council Member Rodela stated there are people that will fight against this because it will obstruct their view, but some were supportive of it because they are also Verizon customers, and this will improve their service. She stated that the idea of the tower at one of the nicest parks in Highland does not make sense. She stated she would be open to continued discussion regarding the tower, or even a neighborhood meeting.

Council Member Campbell stated he understands the concerns, but wondered what alternatives there are. He felt Verizon would not be spending this much money on a tower unless it was really needed, and he feels the Council owes it to the City's residents to improve their access to this service and to provide coverage. He is willing to consider alternatives as well, but he would like to understand the reasoning behind Verizon's selection of this site. Mr. Patterson stated Verizon knows where their coverage gaps are, and they found they need a tower within a narrow range of land that is lacking in service. This site will help to meet that need.

Council Member Bills stated that Verizon could expend more effort to determine who has the authority to grant access to the Federal Government land across the street. Mr. Patterson agreed.

High level discussion and debate among the Mayor, Council, and staff centered on whether the benefits of the tower and associated revenue for the lease of the property outweigh the negative aspects. Mayor Pro-Tem Bills indicated there are enough members of the Governing Body interested in hearing feedback from the neighborhood regarding the proposal before an application is submitted to the Planning Commission for a review and to make a recommendation to the City Council. She added she is hopeful Verizon will consider the feedback provided by the Council and neighboring property owners about the appearance of the tower and consider modifications to improve the appearance.

5. COMMUNICATION ITEMS

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

a. Traffic Calming Request Updates *Chris Trusty, City Engineer/Public Works Director*

City Engineer/Public Works Director Trusty stated last year, Highland City implemented a Traffic Calming Plan to provide opportunities for residents to submit requests to the City to study traffic areas they were concerned with. Using traffic counters and a traffic consultant, WCG, Highland has completed studies for several of the submitted roads. He then used the aid of a PowerPoint presentation to provide an update regarding the following traffic calming requests:

- 6000 West 10400 to SR 92
 - Safe routes funding for sidewalk along 6000 West
 - Added northbound driver feedback sign

- Added driver feedback sign
- Added LED stop signs at 10400 North
- Repainted stop bars at 10400 North
- Recommendation to add bulb outs at pedestrian crossings
- Striping crosswalks may have issues with no sidewalk and property not owned by Highland
- Staff has had some discussions with property owner at 10400 on obtaining property but not currently budgeted
- 6000 West 11800 North
 - Staff is evaluating if all requests can be implemented. A crosswalk leading to SE corner is difficult with no receiving sidewalk on that corner
- Park West & Westfield
 - Study still underway to collect additional data
- Willowstone Drive
 - Parking has been limited during school hours and events
- 5650 West
 - Northbound driver feedback sign was installed
- Park Drive
 - Added signs and roadway markings at trail crossings
 - Placed temporary driver feedback sign
 - Other recommendations include permanent driver feedback sign, optical speed bars and additional landscape
 - Canal Blvd/ Madison
 - Placed temporary speed tables Spring 2024 to Fall 2024
 - Measured speeds prior to placement of speed tables, with speed tables in place, and after speed tables were removed
 - Measured traffic counts on 10400 & 9600 with speed tables in place on Canal Blvd and again after removal
 - Reset speed detection last week to compare speeds over time
 - Gathering incident information from Lone Peak
 - Will bring back all data with recommendations to city council in February council meeting

Throughout his presentation, Mr. Trusty engaged in high-level discussions with the Council to answer questions they have regarding the scope of various sidewalk projects; grant programs that could possibly be accessed to help fund transportation/sidewalk improvements; the cost of different traffic calming tools available to the City; conditions that have contributed to reduce safety on certain roads throughout the community, which has spurred residents to seek traffic calming measures; and traffic counts on streets involved in traffic calming request applications.

b. Community Development Update *Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

Assistant City Administrator/Community Development Director Baughman and City Attorney/Planning & Zoning Administrator Patterson provided the Mayor and Council with a Community Development Update, which included the following projects and developments:

- Seven lot development, R1-40 zoning of the Pantos property along 10400 North, which will include construction of the parkway detail along the frontage. This could be a chance to build a safe school route and sidewalk improvements and the City could possibly apply for Mountainland Area of Governments (MAG) or Safe Routes grant funds. This could be a very expensive project, but could accomplish desired connectivity in the area. The Council indicated a willingness to explore the scope of public improvements that could be completed in conjunction with the seven-lot development.

- Ridgeview plans have been submitted.
- Rumors of new tenants interested in the project area near Little Caesars and CVS Pharmacy.

c. Golf Carts on City Roads *Ron Campbell, Council Member*

Council Member Campbell stated that he has reviewed ordinances regulating the use of golf carts on city roads for Elk Ridge, Hurricane, Nephi, and St. George; he proposed that Police Chief Gwilliam talk with the chiefs of those four cities to understand their perspective of the regulations and then report back to the Council. He suggested that City Administrator Wells also reach out to the City Administrators in those four cities and ask for feedback.

Mayor Pro-Tem Bills asked Council Member Campbell if he wants this matter brought back to the Council again for more discussion. Council Member Campbell answered yes; he noted he understands that the City cannot require driver's licenses to operate a golf cart, but maybe seat belts could be required, or an adult's presence could also be required. If three Council Members are supportive, he would like to bring the matter back as an action, but if not he is open to continued discussion.

Council Member Cortney stated he would like to hear the same information Council Member Campbell requested; Council Member Rodela agreed. Council Member Smith stated that he is also supportive of additional research regarding the matter. Mayor Pro-Tem Bills stated that she would be interested in hearing what cities around Highland are doing in terms of golf cart usage on City streets. Her understanding is that Lehi, American Fork, Alpine, and Cedar Hills are not considering regulating golf cart usage on city streets.

d. Legislative Update *Kurt Ostler, Mayor, Ron Campbell, Council Member, Kim Rodela, Council Member*

Council Member Rodela stated that the first day of the 2025 Legislative Session has come and gone; there are a lot of election and housing related bills. City Administrator Wells added there are also rumors of bills related to transportation and public safety fees. She is also aware of a potential bill regarding school district formation. She will closely monitor these issues and follow the analysis of the Utah League of Cities and Towns (ULCT).

Council Member Campbell stated that he is concerned about the potential of additional legislation regarding housing affordability in the State; he hopes the Legislature will avoid overreach further into municipal government.

Council Member Rodela advised those interested in any legislation to subscribe to a bill tracker provided by the ULCT.

e. School District Update *Kurt Ostler, Mayor*

Mayor Pro-Tem reported work on the district maps is underway; she advised any member of the Council or the public to contact those working on the mapping if they have suggestions or opinions. The District's name has not yet been decided.

City Administrator Wells noted that Highland City has a resident representative on the Redistricting Advisory Committee, Nicki Brammer, and she is open to feedback or input from the Council.

6. 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.

There was no closed session.

ADJOURNMENT

Council Member Scott L. Smith 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 9:45 p.m.

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 January 21, 2025. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle, CMC, UCC
City Recorder



6:30 PM SWEARING IN CEREMONY FOR YOUTH COUNCIL

Call to Order – Mayor Kurt Ostler

1

Welcome to the Highland City Council Meeting

January 21, 2025

Please Sign the Attendance Sheet

Scan for Agenda





2



7:00 PM REGULAR SESSION

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

3



UNSCHEDULED PUBLIC APPEARANCES

Time set aside for the public to express their ideas and comments on non-agenda items.

- Please state your name clearly.
- Limit your comments to three (3) minutes.

4



PRESENTATIONS

a. 2025 Youth Council – *Brenda Armstrong, Civic Events Coordinator*
b. Annual Open & Public Meeting Training – *Rob Patterson, City Attorney/Planning & Zoning Administrator*

5

2025 Youth Council

Mayor
Julia Bartholomew

Deputy Mayor
Amy Clawson

6

2025 Youth Council

Communications Chairs

Gretchen Skidmore
Joseph Egan

Service Chair

Isaac Strong

7

2025 Youth Council

Council Members

Bode Reay
Sasha Bertola
Johnathan Gigger
Jane Creer
Matthew Bartholomew
Lizzie Yates
Rui Rui Strong
Luke Skaggs

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BUDGET ADJUSTMENT - LONE PEAK
PUBLIC SAFETY ALLOCATION FOR
FIRE DEPARTMENT WAGE
ADJUSTMENTS *General City Management*

Item 3a - Public Hearing/Resolution
Presented by - Erin Wells, City Administrator
Brian Patten, Fire Chief

9

LPPSD Mid-Year Budget Adjustment

Lone Peak PSD
Mid-Year Budget Adjustments
Fiscal Year 2024-2025

Account Number	Account Name	Fund / Department	Revenue or Expense?	One-time or Ongoing	Approved Budget	Recommended Change	Proposed Adjusted Budget	Description
10-37-01	Alpine Assessments	Fire/EMS	Revenue	Ongoing	\$ 1,302,212	\$ 36,915	\$ 1,339,127	Fire Department Wage Adjustments
10-37-02	Highland Assessments	Fire/EMS	Revenue	Ongoing	\$ 2,339,496	\$ 66,322	\$ 2,405,818	Fire Department Wage Adjustments
Total Change in Revenue						\$ 103,237		
10-47-10	Wages - Permanent Employees	Fire/EMS	Expense	Ongoing	\$ 1,765,584	\$ 82,364	\$ 1,847,948	Fire Department Wage Adjustments
10-47-21	Retirement	Fire/EMS	Expense	Ongoing	\$ 458,308	\$ 19,358	\$ 477,666	Fire Department Wage Adjustments
10-47-22	FICA/Medicare	Fire/EMS	Expense	Ongoing	\$ 33,567	\$ 1,194	\$ 34,761	Fire Department Wage Adjustments
10-47-20	Medical Benefits	Fire/EMS	Expense	Ongoing	\$ 436,604	\$ 321	\$ 436,925	Fire Department Wage Adjustments
Total Change in Expense						\$ 103,237		
Surplus/(Deficit)						\$ -		

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Motion to Approve

I move to approve the resolution adjusting the Highland City fiscal year 2024-2025 budget for the allocation to Lone Peak Public Safety.

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FISCAL YEAR 2024-2025 MID-YEAR
BUDGET ADJUSTMENTS *General City Management*

Item 3b - Public Hearing/Resolution
Presented by - David Mortensen, Finance Director

12

Adopted Budget Use of Fund Balance -
General Fund

- Total = \$1,061,542
- Hogs Hollow Trail - \$20,000
- Highland Blvd Matching Funds - \$420,000
- HF Park Maintenance Building - \$200,000
- HF Park Field Light Conduits - \$100,000
- Parks Maintenance Building - \$321,542

13

Adopted Budget Use of Fund Balance -
Cemetery Fund

- Total = \$70,917
- Transfer to General Fund

14

Adopted Budget Use of Fund Balance -
Library Fund

- Total = \$25,000
- New Library Furniture

15

Adopted Budget Use of Fund Balance -
Parks Capital Improvement Fund

- Total = \$1,749,876
- Highland Family Park Phase 2

16

Adopted Budget Use of Fund Balance -
Building Capital Improvement Fund

- Total = \$1,807,100
- Parks Maintenance Building

17

Adopted Budget Use of Fund Balance -
Sewer Fund

- Total = \$92,675
- Capital Projects and/or Capital Equipment Purchases

18

Adopted Budget Use of Fund Balance -
Pressurized Irrigation Fund

- Total = \$1,481,740
- PI Meter Project

19

Adopted Budget Use of Fund Balance -
Storm Sewer Fund

- Total = \$325,160
- System Repairs and Maintenance (Wimbleton, Ditch Crossing, etc.) and Capital Equipment Purchases

20

General Fund Revenue

- Sales Tax - Increase of \$110,000
- Franchise Tax - Increase of \$15,000
- Public Safety Fee - Increase of \$15,000
- Highland Fines (Court) - Increase of \$50,000
- Highland Traffic School - Increase of \$4,000
- Use of Prior Year Fund Balance - Increase of \$111,227

21

General Fund Expenditures

- Warming Shelter Donation - \$2,100
- Alpine Highway Fence Reimbursement - \$80,000
- MAG Assessment Increase - \$5,600
- Court State Surcharge Increase - \$30,000
- Fill-In Judge Services - \$1,000
- Council Chambers A/V Upgrade - \$12,000
- 30% of Deputy Recorder Position - \$2,460
- Recorder Transcriptionist - \$6,000

22

General Fund Expenditures

- Police Flock Cameras - \$18,000
- Liquor Tax Contribution to LPPSD - \$44,950
- AC Replacement for Public Works - \$6,102
- Move Budget from Council to Highland Fling - \$7,500
- Move Transfer to Building Capital Fund for Highland Family Park Maintenance Building to Park Capital Fund - \$200,000

23

Cemetery Fund Expenditures

- Cemetery Maintenance Building Increase - \$14,000

24

Library Fund Revenue

- Fees & Fines Decrease - (\$2,000)
- Non-Resident Card Increase - \$1,000
- Printing Increase - \$1,000
- Donations Increase - \$4,800
- Use of Prior Year Fund Balance Increase - \$2,121

25

Library Fund Expenditures

- Security Cameras - \$4,000
- Storage Unit - \$3,600
- Printing Services Increase - \$1,000
- Furniture Cost Decrease - (\$1,679)

26

Building & Development Fund Expenditures

- 70% of Deputy Recorder Position - \$5,740

27

Parks Capital Improvement Fund Revenues

- Transfer from General Fund Increase - \$200,000
- Use of Prior Year Fund Balance Increase - \$1,259,278

28

Parks Capital Improvement Fund Expenditures

- HF Park Ninja Course - \$568,668
- HF Park Baseball Bleacher Shades - \$141,240
- HF Park Futsol Fence - \$42,130
- HF Park Security Cameras - \$33,000
- HF Park Lighting Conduits - \$146,238
- HF Park Baseball Maint. Building - \$128,920
- HF Park 42" Tall Fence on 5600 W - \$42,320

29

Parks Capital Improvement Fund Expenditures

- HF Park Drinking Fountain at Baseball Field - \$6,600
- HF Park Maintenance Building - \$200,000
- 50% of Land Purchase (Split with PI Fund) - \$150,162

30

Roads Capital Improvement Fund Revenue

- Use of Prior Year Fund Balance Increase - \$284,990

31

Roads Capital Improvement Fund Expenditures

- Highland Elementary Safe Routes to School - \$172,000
- Snow Plow Equipment (Budgeted in FY24) - \$112,990

32

Building Capital Improvement Fund Revenue

- Transfer from General Fund Decrease - (\$200,000)
- Use of Prior Year Fund Balance Increase - \$420,000

33

Building Capital Improvement Fund Expenditures

- Parks Maintenance Building (Budgeted in FY24) - \$420,000
- Remove HF Park Maintenance Building (Moved to Parks Capital Fund - (\$200,000)

34

Sewer Fund Revenue

- Use of Prior Year Fund Balance Increase - \$33,051

35

Sewer Fund Expenditures

- AC Replacement for Public Works - \$3,051
- Manor Drive Sewer Connection - \$30,000

36

Pressurized Irrigation Fund Revenue

- Use of Prior Year Fund Balance Increase - \$153,214

37

Pressurized Irrigation Fund Expenditures

- AC Replacement for Public Works - \$3,051
- 50% of Land Purchase (Split with Parks Capital Fund) - \$150,163

38

Culinary Water Fund Revenue

- Recycling Material Revenue - \$3,400
- Select Health Rebate - \$4,000
- Use of Prior Year Fund Balance Increase - \$65,828

39

Culinary Water Fund Expenditures

- HSA Payment Correction - \$4,000
- 6400 W 10" Water Main - \$62,777
- Leaks Trailer - \$3,400
- AC Replacement for Public Works - \$3,051

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Summary of All Funds

Fund	Revenue Increase/(Decrease)	Expenditure Increase	Increase to Use of Fund Balance
General Fund	\$ 194,000	\$ 274,534	\$ 111,277
Cemetery Fund	\$ -	\$ 14,000	\$ -
Library Fund	\$ 4,800	\$ 6,921	\$ 2,121
Building & Development Fund	\$ -	\$ 5,740	\$ -
Parks Capital Improvement Fund	\$ 200,000	\$ 1,459,278	\$ 1,259,278
Roads Capital Improvement Fund	\$ -	\$ 284,990	\$ 284,990
Building Capital Improvement Fund	\$ (200,000)	\$ 220,000	\$ 420,000
Sewer Fund	\$ -	\$ 33,051	\$ 33,051
Pressurized Irrigation Fund	\$ -	\$ 153,214	\$ 153,214
Culinary Water Fund	\$ 7,400	\$ 73,228	\$ 65,828

41

Motion to Approve

I move that City Council adopt the resolution amending the Highland City fiscal year 2024-2025 budget as shown in the included exhibit and as presented by staff.

42



FEE SCHEDULE UPDATE - FINE FOR LATE CONFLICT OF INTEREST DISCLOSURE STATEMENTS *General City Management*

Item 3c - Action/Resolution
Presented by - David Mortensen, Finance Director
Stephannie Cottle, City Recorder

43

Background

HB80 was passed and signed during the 2024 Regular Session of the Utah Legislature. This bill enacted Utah Code Section 10-3-1313, which lays out the requirements for municipal elected officials to file an annual conflict of interest disclosure statement with the City Recorder no earlier than January 1 and no later than January 31 of each year. If an elected official fails to file the statement in a timely manner, the City Recorder, within 5 days, shall notify the elected official of the requirement to file the disclosure statement. If the elected official does not file the disclosure statement within 7 days of receiving this notice from the City Recorder, the City Recorder shall report a violation to the Attorney General, and impose a \$100.00 penalty fine against the elected official who failed to timely file the conflict of interest disclosure statement.

For the purpose of compliance with state law, staff recommends adding this penalty fine to the Highland City Comprehensive Fee Schedule, effective immediately.

44

Motion to Approve

I move that City Council adopt the resolution amending the fiscal year 2025 Highland City Comprehensive Fee Schedule to add a fine of \$100 for failure to timely file an elected official annual conflict of interest disclosure statement with the City Recorder.

45



CELL TOWER AGREEMENT *General City Management*

Item 4a - Discussion
Presented by - Rob Patterson, City Attorney/Planning & Zoning Administrator

46



TRAFFIC CALMING REQUEST UPDATES

Item 5a - Communication
Presented by - Chris Trusty, City Engineer/Public Works Director

47

Background

- Last year, Highland City implemented a Traffic Calming Plan to provide opportunity for residents to submit requests to the City to study traffic areas they were concerned with.
- Using traffic counters and a traffic consultant, WCG, Highland has completed studies for several of the submitted roads.

48

Evaluation recommendation and status

- 6000 West 10400 to SR 92
 - Safe routes funding for sidewalk along 6000 West
 - Added northbound driver feedback sign
 - Added driver feedback sign
 - Added LED stop signs at 10400 North
 - Repainted stop bars at 10400 North
 - Recommendation to add bulb outs at pedestrian crossings
 - Striping crosswalks may have issues with no sidewalk and property not owned by Highland
 - Staff has had some discussions with property owner at 10400 on obtaining property but not currently budgeted
- 6000 West 11800 North
 - Staff is evaluating if all requests can be implemented. A crosswalk leading to SE corner is difficult with no receiving sidewalk on that corner

49

Evaluation Recommendation and Status

- Park West & Westfield
 - Study still underway to collect additional data
- Willowstone Drive
 - Parking has been limited during school hours and events
- 5650 West
 - Northbound driver feedback sign was installed
- Park Drive
 - Added signs and roadway markings at trail crossings
 - Placed temporary driver feedback sign
 - Other recommendations include permanent driver feedback sign, optical speed bars and additional landscape

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Evaluation Recommendation and Status

Canal Blvd/ Madison

- Placed temporary speed tables Spring 2024 to Fall 2024
- Measured speeds prior to placement of speed tables, with speed tables in place, and after speed tables were removed
- Measured traffic counts on 10400 & 9600 with speed tables in place on Canal Blvd and again after removal
- Reset speed detection last week to compare speeds over time
- Gathering incident information from Lone Peak
- Will bring back all data with recommendations to city council in February council meeting

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COMMUNITY DEVELOPMENT UPDATE

Item 5b - Communication

Presented by - Jay Baughman, Assistant City Administrator/Community Development Director
Rob Patterson, City Attorney/Planning & Zoning Administrator

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GOLF CARTS ON CITY ROADS

Item 5c - Communication

Presented by - Ron Campbell, Council Member

53



LEGISLATIVE UPDATE

Item 5d - Communication

Presented by - Kurt Ostler, Mayor
Ron Campbell, Council Member
Kim Rodela, Council Member

54



SCHOOL DISTRICT UPDATE

Item 5e – Communication
Presented by – Kurt Ostler, Mayor

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FUTURE MEETINGS

- January 22, Local Officials Day at the Legislature, 8:00 am, State Capitol
- January 23, Budget Retreat 9:00 am, AltaBank, American Fork
- January 28, Planning Commission Meeting, 7:00 pm, City Hall
- February 4, City Council Meeting, 7:00 pm, City Hall
- February 12, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- February 18, City Council Meeting, 7:00 pm, City Hall
- February 25, Planning Commission Meeting, 7:00 pm, City Hall

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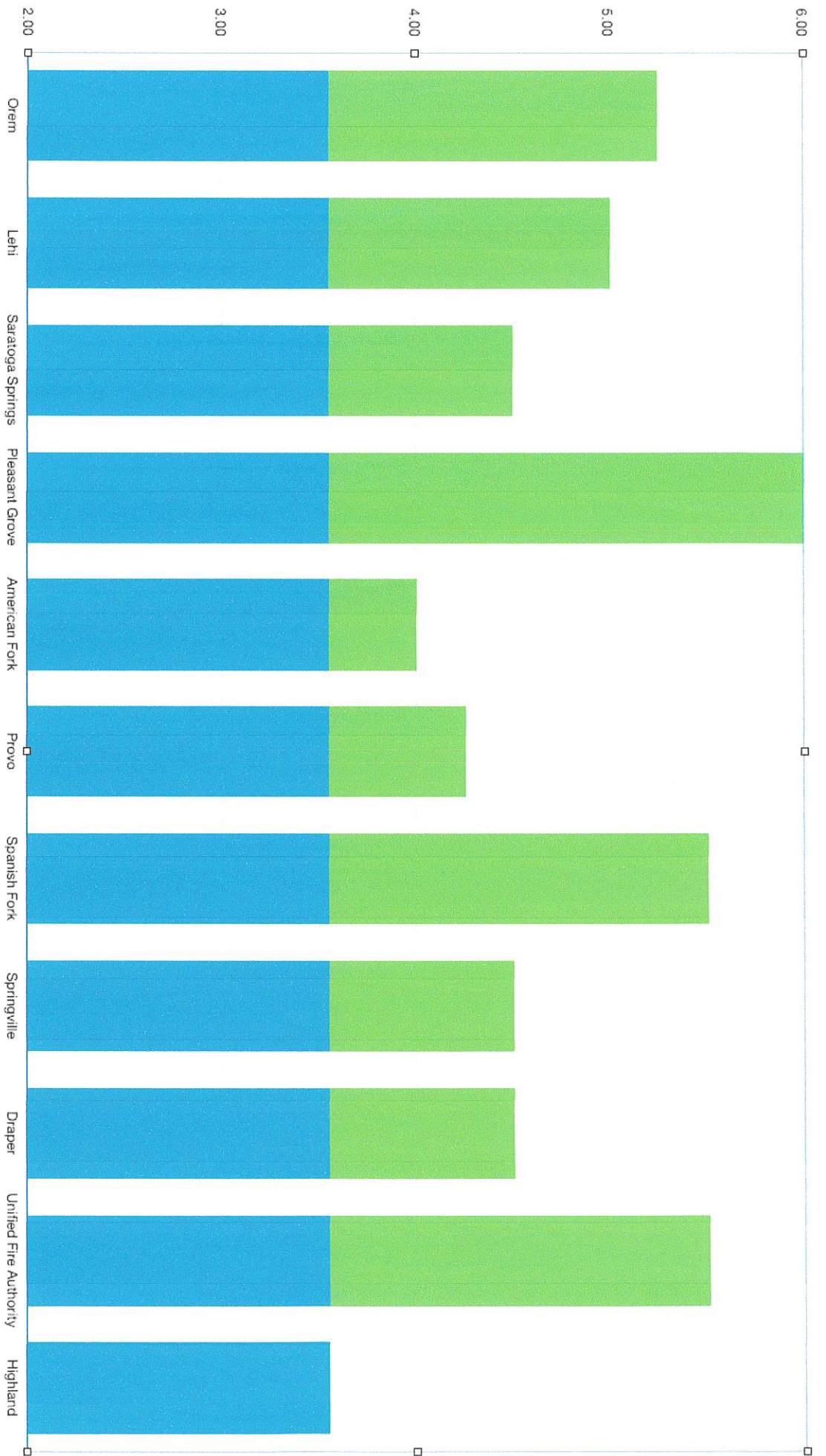
CLOSED SESSION

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

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

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Staffing per Station



OPEN AND PUBLIC MEETINGS TRAINING

Utah Code Title 52, Chapter 4

Public bodies are required to “take their actions openly” and “conduct their deliberations openly”

What is a “Meeting”?

A gathering of a quorum of a public body (majority of voting members), in person or electronically, that is convened by an individual with authority to convene the body per procedures in law to (1) receive public comment on, (2) deliberate over, or (3) act on a relevant matter (within scope of body’s authority)

- Includes workshops, neighborhood meetings, executive sessions, site visits, travelling tours, etc.
- Does not include gatherings that are not “convened” or electronic messages outside of meetings, so long as a quorum does not act in “concerted and deliberate way” to predetermine future action

Open meetings vs. Closed Meeting

All meetings are open to the public, unless closed by 2/3 vote for specific and limited reasons

- To close a meeting, the Council must identify reason, place of meeting, and vote of each member
- May not take any action at a closed session (approve ordinance, contract, appointment, etc.)

Reasons for closed meetings are described in Utah Code § 52-4-205 and include:

- Character, professional competence, or health of an individual
- Pending or reasonably imminent litigation or investigations into criminal misconduct
- Transactions and strategies involving the purchase or sale of real property (notice requirements)
- Trade secrets, certain aspects of procurements, or quasi-judicial deliberation

Public Meeting vs. Public Hearing

Public meeting: Public can attend, observe, and record, but not necessarily participate

Public hearing: Public has opportunity to comment and participate on hearing item (can limit time/topic)

Identification: The name of each non-Council person who comments must be recorded for minutes

Agendas and Notice

Publish annual meeting schedule with date, time, and place of regularly scheduled meetings

Each meeting, regular or special, must have a public agenda that describes the topics to be considered

- The Council may only take final action on items that are listed on the agenda
- The Council may discuss an item not on the agenda if the item is raised by the public during the meeting, but the Council cannot take any action on the item until it is included on future agenda

Must provide at least 24 hours’ public notice of agenda, date, time, and place of all meetings

- Must post notice at City offices, City website, Public Notice Website
- Additional notice and publication requirements for public hearings (1–4 weeks’ notice)

Records

In general, the City keeps detailed records of every meeting, including all presentations and handouts

- Open session: Must audio record and have written minutes that includes votes and actions
- Closed session: Generally must audio record, but do not always need written minutes
- Draft minutes must be publicly available within 30 days, followed by final, approved minutes

Challenges and Enforcement

A court can void any action taken in violation of open meeting, agenda, or notice requirements and may review records of closed sessions. Successful plaintiffs may get attorney fees and costs.