



HIGHLAND CITY COUNCIL MINUTES

Tuesday, February 4, 2025

Approved March 4, 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: Mayor Kurt Ostler

Pledge of Allegiance: Council Member Kim Rodela

The meeting was called to order by Mayor Kurt Ostler as a regular session at 7:01 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 Mayor Kurt Ostler and those in attendance were led in the Pledge of Allegiance by Council Member Kim Rodela.

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, City Engineer/Public Works Director Chris Trusty, Police Chief Brian Gwilliam, Fire Chief Brian Patten

OTHERS PRESENT: Jon Hart, Pam Redman, John Redman, Kyle Pettit, Luann West, Stephen West, Gregg Morgan, Debbie Morgan, Jason Headrick, Kari Headrick, Noah Van Cott, Regan Homer, Daniel Campbell, Liz Rice, Donnell Ostler, Greg Hyatt, Sherry Kramer, Melissa Bond, Wesley Warren, Dain Hodson, Abby Loosle, Ed Kilgore, Rachael Hodson, Sieg Widmer, Amy Colby, Ray Halls, Katrina Bancroft, Melissa Bond, Ray Gubler, Jim Colby

1. UNSCHEDULED PUBLIC APPEARANCES

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

Greg Hyatt referenced the pedestrian crossing near Mountain Ridge Park at approximately 5300 West and 10400 North. The main road does not have a stop, but the other two do and although there are painted pedestrian crossing lines, there are no lights or other features that support the pedestrian crossing. He stated that over the summer his daughter was walking home from tennis practice, and she had to wait for all cars to be gone because

none yielded to her at the pedestrian crossing. He stated this was frustrating for her, but he also feels it is very dangerous. With the addition of the new park in the area, there is an increase in traffic and without some type of safety measure, the crossing remains unfriendly or even hazardous to pedestrians. He asked the Mayor and Council to think about safety measures to protect pedestrians.

Mayor Ostler thanked Mr. Hyatt for his comments and informed him of the traffic calming application process that he can utilize to make a formal request to the City. City Administrator Wells stated the City has received an application for traffic calming at Walker Lane on 10400 North and intended to install flashing pedestrian signs; she will follow up with staff to determine the status of that project.

Sherry Kramer stated that last fall she attended a planning conference with Planning Commissioners and one session provided information about speed mitigation. The presenter provided information about projects that he has been involved in to reduce and mitigate speed in Salt Lake City. The speed mitigation department in Salt Lake City was eliminated in the past due to funding issues but has now been reinstated because of the need. Salt Lake City has seen some great benefits after having the opportunity to redesign some 'problem roads; they have noticed reduced speeding, reduced accidents, improved traffic flow, reduced need for traffic enforcement officers, etc. She recently traveled to a tourist location and all along the main road there were speed tables or speed humps, which were designed to keep traffic flowing at the speed limit. She stated that she is sure that tourists would complain about the speed tables, but residents appreciate them because they live on the roads that people are speeding on. She stated she watched a Highland City Council meeting last summer during which speed tables were discussed; the former Public Works Director indicated that temporary speed tables would help to slow traffic and that the residents living on the street would be supportive of them. The residents were told that if the temporary speed tables were moved, the City would find another solution to replace them; there was also discussion of speed bumps rather than tables, which do not slow traffic as much as the tables, but keep people driving the speed limit, and the residents living along Canal Boulevard liked that idea. She concluded by referencing the 2024 resident survey; when she first saw the question about speed mitigation features, she thought that no one else would want the speed tables besides the people living on the road they are placed on. She wished the City would have provided information about why the speed tables were installed and statistics about traffic safety associated with the speed tables. This would have helped residents make an informed decision when answering that question.

Mayor Ostler noted that he will allow public comment on the agenda items dealing with deer fencing and traffic calming on Canal Boulevard.

2. **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
January 7, 2025
- b. **Approval of Meeting Minutes General City Management**
Stephannie Cottle, City Recorder
January 21, 2025

Council Member Cortney asked to pull both items from the consent agenda. He offered two corrections to the January 7 minutes; on page five, agenda item 3b, the proposed text omits HDC 5-7-104(5)(a), which is the key reason for the proposed amendment. He proposed adding the following text immediately below the HDC 5-7-104 heading:

5. Effect of Notice of Approval.

a. Property for which a notice of approval of a lot or parcel combination has been approved and recorded pursuant to this section shall be treated as a single, combined lot or parcel for all purposes under this Code, including the following:

- i. The property line to which setbacks may be measured shall be the property line of the combined property furthest from the structure; and
- ii. Property coverage regulations shall be calculated based upon the size of the combined property.

The second correction is on page six, agenda item 3b, the minutes incorrectly read that "Council Member Cortney stated it is his recollection that the law gave cities and counties the option of deciding whether to abide by the law; the current situation is that the City of Highland has chosen to abide by the law, but the County has not." He stated he checked the recording, and what he said was "to go with the expedited process." He proposed striking both instances of the text "abide by the law" and replacing each with the text "go with the expedited process."

Council Member Cortney then offered four corrections to the January 21 minutes. On page two, unscheduled public appearances, the draft minutes state that "Council Member Cortney stated he has also recommended the creation of a volunteer program, and this is a topic that will be discussed in the upcoming budget retreat." He reviewed the video from the meeting and confirmed that he did not say he had recommended the creation of such a program. He proposed to strike the text from the minutes. On page nine, agenda item 4a, according to the video, Mr. Patterson did not say Verizon "found they need a small tower" but rather that they "were looking in a small area to put a new tower". Similarly, the "narrow range of land" was not the land lacking service but the land where they were looking to put the tower. He proposed striking the words "small tower for a narrow range of land that is lacking service" and replacing them with the words "tower within a narrow range of land." On page 10, agenda item 5b, Mr. Baughman is incorrectly identified as "Assistant City Administrator/Community Development Director Patterson." I propose to change this to "Assistant City Administrator/Community Development Director Baughman." On page 11, agenda item 5c, the city of Elk Ridge is incorrectly identified as "Elkridge." I propose to strike the word "Elkridge" and replace it with the words "Elk Ridge."

Council Member Smith stated he appreciates Council Member Cortney's deep dive into the minutes. He then stated he recalled some discussion during the January 21 meeting about the creation of a volunteer program. Council Member Cortney stated that he has discussed and proposed it in the past, but he did not say that during the meeting.

Council Member Doug Cortney MOVED that the City Council approve item 2a, meeting minutes from January 7, 2025, and item 2b, meeting minutes from January 21, 2025, with amendments as discussed.

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

3. ACTION ITEMS

a. ACTION: Mayor Pro-Tempore General City Management

Kurt Ostler, Mayor

The City Council will nominate and vote for a Mayor Pro-Tempore to preside over City Council

meetings in the Mayor's absence.

Mayor Ostler explained Council Member Bills has previously served as Mayor Pro Tempore since 2022 and has done a great job. Traditionally, the Council selects a Mayor Pro Tempore at the beginning of each year. This action is done pursuant to Highland City Municipal Code 2.12.040 and Utah Code 10-3b-302(2). He provided a brief explanation of the duties performed by the Mayor Pro Tempore.

Council Member Cortney read the following statement regarding the Mayor Pro Tempore position:

"UCA 10-3b-302(2) specifies that "if the Mayor is absent or unable to act, the Council may elect... a mayor pro tempore." Because of this language, I have had some serious concerns about our authority to elect a mayor pro tempore when Kurt is present, able, and willing to perform his duties. In fact, I intended to vote against any attempt to elect a mayor pro tempore this evening and to encourage the rest of the Council to do likewise. That said, I found UCA § 10-1-103, which requires the powers delegated in the Utah Municipal Code to be "liberally construed ... except in cases clearly contrary to the intent of the law." Because the law is ambiguous, I do not find our City Attorney's interpretation to be "clearly contrary to the intent of the law" and must therefore construe the statute to include that interpretation. For this reason, I will be voting to elect a mayor pro tempore to serve through January 6, 2026, or until a new mayor pro tempore is elected. Note that I am still very concerned about the authority we vest in a single individual. According to the City Attorney, it is the Mayor Pro Tempore alone (advised by staff) who has authority to decide if he or she should use the Mayoral authority in any case. In other words, our Mayor Pro Tempore is the only person who gets to determine that the Mayor is unable or unwilling to serve. And state law provides no way for the Mayor to take back this authority. I am deeply concerned about giving the authority effectively to depose the Mayor to any individual. My request to Council is that we revise HMC § 2.12.040 to put some commonsense restrictions on the position of Mayor Pro Tem. In particular, notification to Council whenever the Mayor Pro Tem assumes Mayoral authority and the requirement that Council affirm any assumption of Mayoral authority under the "inability or refusal to act" clause that continues beyond 48 hours."

Mayor Ostler expressed confusion; initially Council Member Cortney said he would not vote in favor but concluded by expressing support for Council Member Bills to serve as Mayor Pro Tem. Council Member Cortney stated that he initially intended to vote in opposition to this action, but after finding the State Statute about the liberal construction of Municipal Code Authority, his opinion was changed.

Council Member Campbell added that he believes that any litigation that could arise related to the Mayor Pro Tem position would examine legislative intent; he agreed that the law is poorly written, but the legislative intent can be understood when carefully examined. He added that there has never been a legal challenge in Highland or other cities that currently handle the Mayor Pro Tem appointment in this way.

Council Member Smith stated he appreciates Council Member Cortney's careful examination of this matter, but he agreed with Council Member Campbell that the legislative intent is clear. It is his experience that there is a fair amount of ambiguity in many of the laws that have been written and that is why the City has an attorney to assist the Council in navigating the State Code.

Mayor Ostler invited input from City Attorney/Planning & Zoning Administrator Patterson. Mr. Patterson stated that he agrees with both Council Members Smith and Cortney but believes the interpretation that Highland and other cities have been operating under are valid and reasonable and he is not concerned about the process the City Council has been following. He added that if the Council wants to set more rules about how the Mayor Pro Tempore position functions, he is happy to draft language for the body to consider.

Mayor Ostler summarized the options available to the Council this evening. Council Member Cortney stated he was not proposing to table action on the selection of a Mayor Pro Tempore tonight, but to consider additional language regarding the position at a time in the future.

Council Member Ron Campbell *MOVED* that the City Council appoint Kim Rodela as Mayor Pro-Tempore for 2025.

Council Member Brittney P. Bills *SECONDED* the motion.

The vote was recorded as follows:

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

The motion carried 5:0

Council Member Smith stated that in the past, the Council voted on this position yearly; however, Council Member Bills has served for multiple years without annual action from the Council and he asked what had changed. Mayor Ostler stated that he believes he and the Council simply overlooked the annual appointment.

4. 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. **RESOLUTION: Outlining Flag Status Policy at Highland City Facilities** *General City Management*
Erin Wells, City Administrator
The City Council will consider approving a resolution outlining how Highland City staff will manage flag status at City facilities.

City Administrator Wells explained that due to recent political events, Council members have discussed the topic of flag status (full staff or half-staff) at City facilities. Certain Council members have indicated their interest in creating a resolution outlining what authority City staff will look to for managing flag status. The proposed resolution will create a written policy that outlines that the flags will fly as directed by the Governor of the State of Utah. The flags may also be lowered by direction of the Mayor for a period of local mourning. Staff have created internal processes to ensure that the resolution will be followed.

Mayor Ostler stated this matter was discussed following the recent passing of President Carter, during which the Federal Government directed flags to be lowered to half-staff for the entire month of January. The Utah Governor asked for flags to be raised to full staff during the Presidential Inauguration and this caused some questions regarding inconsistencies. The proposed resolution will bring clarity.

Council Member Smith stated it would be helpful to identify the City facilities that have flags. Ms. Wells stated there are currently four American flags at Highland City facilities: Highland Family Park, City Hall, Fire Station, and the Cemetery.

Council Member Kim Rodela *MOVED* that City Council adopt the 2025 Resolution Outlining Flag Status Policy at Highland City Facilities.

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

5. DISCUSSION ITEMS

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

a. **Deer Fencing Land Use (Legislative)**

Doug Cortney, Council Member

The City Council will discuss whether to amend the City's fencing regulations to create an exception on fence height and materials for fencing around gardens and orchards.

Mayor Ostler stated this item was requested by Council Member Cortney after he received emails over the winter about fencing regulations around garden areas. Council Member Cortney stated that he would like to know if the Council is interested in expanding exemptions to the fencing regulations in the City to allow taller fences around gardens and orchards.

Council Member Rodela stated that she is not interested in pursuing changes to the fencing regulations for deer; this would set a precedent that could extend to other situations. However, she understands this is an issue that the City needs to work on and staff has a solution they need to execute. Council Member Cortney clarified that it is not necessary to change the fence heights, but allowing different materials may help to solve the problem.

Council Member Smith discussed the history of this issue; there are many areas of the City that deal with the deer population and the Council has tried to address the matter repeatedly, but deer do strange things, and it is hard to predict how they would behave. One solution at one time was to cull the deer herd, but the population has grown since then. He stated his hesitation related to deer fencing would be how to define the areas where there are problems to prevent every resident in the City from putting up a 12-foot fence. He stated the City came up with an idea last year, but the first attempt to execute it did not work very well. However, he feels that great lessons were learned, and it may be possible to improve the execution and effectiveness of that solution. He is not necessarily opposed to deer fencing, but he wants to avoid taller fences throughout the entire City.

Mayor Ostler invited input from City Engineer/Public Works Director Trusty. Mr. Trusty stated the City has some cages that can be used to catch deer; this is most effective the last four to six weeks of the summer. The City had one request for a cage last summer and it was deployed, but not effective because it was not staked down properly. The trap in the cage had been sprung, and the deer had escaped. The resident was not happy with the situation, so the cage was removed and not reset. He stated that City staff has received training regarding effective use of the cages in the future if the Council would like to continue with that program.

Mayor Ostler discussed the past efforts to cull deer using a private contractor; those duties were shifted to City employees, and he asked if any City employee has performed deer abatement. Mr. Trusty stated that the private contractor ceased offering that service, but he has not heard of any City employee performing deer abatement. Ms. Wells stated the private contractor was very proactive, but now that the service has been shifted to City employees, the City is much more reactionary and will only place a cage when requested to do so by a resident. The principle of the program is the same, but the execution is different because it is a very time-consuming process and City Administration did not feel it appropriate to spend too much time and resources on the matter.

Mayor Ostler invited public input.

LuAnn West thanked the Council for listening to the concerns of residents who are experiencing increasing damage due to the large number of urban deer living in the City. They are looking to implement measures to significantly reduce the number of deer in Highland. She has always had occasional deer in her yard in the 13 years she has lived here, but over the last two years the numbers have increased dramatically and so has the damage. There have been up to five bucks and eight does in her yard that she has had to chase out, sometimes three or four times per day, and when she is not home, the deer eat whatever they want. She has had damage to fruit trees, raised garden beds, all fruits and vegetables planted in her garden – including plants that are advertised as being a deer repellent. She has searched for options of keeping deer out of her yard on her own, but all that she and her neighbors have implemented have not been successful. There are possibly three solutions; one is to install deer fencing and residents are asking for eight feet – not 12 feet. She knows that some people are not excited about taller fences, so the next solution would be to reduce the number of deer living in the City. She knows the City implemented the trap program last year and she was the resident who had the cage placed in her yard. She actually had two traps, not just one, but the City never checked the traps. One trap was sprung the first night, but no one ever came to reset it. The second night a large buck was trapped in the other cage, but she was not home to see it happen and her neighbor told her that he thrashed around for about an hour before escaping. She confirmed the traps were not properly staked down and when she talked to the Department of Wildlife Resources (DWR) they told her that they had explicitly trained the City to use t-posts in all four corners of the cage or the deer would be able to escape. Unless the program is implemented more effectively, it is useless. The final option would be to reinstate the bowhunting program, which she feels would be the most beneficial and efficient way of reducing the number of urban deer. It is frustrating that someone can call animal control for a stray dog in their neighborhood but cannot find any help with dozens of deer destroying their yard. Because of the limitations the City has placed on residents, they are no longer able to adequately protect their property from damage. She hopes the Mayor and Council will support residents in finding ways to do that.

Stephen West added to his wife's comments; the other problem that he is aware of is that the deer trapping program is that it starts in August and ends in October; this is too late for the purposes of garden protection because residents plant their gardens in the spring with hopes of harvesting in the fall. If the deer are not mitigated, they will destroy the gardens before August.

Ray Halls stated that everyone has a deer problem, but he is opposed to fences eight to 12 feet in height. He would like to suggest some other options, such as prohibiting the feeding of urban deer with hay, grain, or salt blocks. Another thing the Council should consider is that someone with a large parcel of property, meaning multiple acres, that they are not taking care of, is one cause for urban deer coming to a neighborhood. The deer are able to hide in tall grass and he suggested an ordinance that would prevent unkempt yards. He concluded that the Wests have a beautiful garden, and he sympathized with their situation.

There were no additional persons appearing to be heard.

Council Member Rodela stated she loves when residents offer suggestions and solutions for the Council to consider. She stated on the suggestion of allowing taller fences, she feels there are a few problems. The second solution as to improve the trapping program to make it more effective and she feels that can be done. She agreed that the months during which that program can be offered should be adjusted in order to provide the best protection for gardens. She concluded that the bowhunting option is no longer available because the private contractor that offered that service is no longer operating. She does like the idea of an ordinance requiring specific maintenance of grass to prevent a situation that attracts deer for eating/sleeping during the day.

Council Member Bills asked if the DWR has dictated the months during which the trapping program can be used. Mr. Trusty answered yes; the months have been set by the DWR. Mayor Ostler stated it is his understanding that deer enter the City most commonly during those months. However, he has noticed deer in his own yard during other times throughout the year. He added that when the City was utilizing the private contractor to cull

deer, the Police Department noted fewer vehicle accidents involving deer. He asked Police Chief Gwilliam if the Police are noticing more dead deer on roadways or an increase in accidents involving deer. Chief Gwilliam stated that he has not seen an uptick, but it is also something he has not been studying. He stated that when the Police Department does take an accident report involving a deer, the DWR is contacted to retrieve the deer.

Council Member Smith stated that the former private contractor that performed bowhunting may no longer be operating, but there are other bowhunters and they may be interested in performing that service for the City. He stated that program was very successful and in the first year, the contractor removed 85 urban deer. He agreed that deer can cause so much damage to yards, and this is awful for avid gardeners. Chief Gwilliam stated that he was heavily involved in hiring the contractor to cull the deer and it was important to be very selective of individuals who were allowed to hunt within City limits due to safety concerns. He asked that the Council involve him or other Public Safety officials in the selection of a new contractor to provide that service, if that is the solution that is selected. He stated that in the first year the private contractor was operating in the City, the Police Department did not receive on call about the program. Over the next five or six years, he only received one call. He stated the program was very effective. This led to discussion of other individuals who could provide the service, as well as similar programs in other communities. The Council concluded they would like to explore other organizations or individuals that can offer a deer culling service. They also concluded that increasing fencing heights would be a last-ditch option, but they may be willing to explore solutions such as allowing six-to-eight-foot net fencing to assist in protecting gardens. Council Member Smith added that it would be good to reach out to the two legislators from Highland and ask that they consider legislative amendments that would refine the State rules regarding urban deer. Mayor Ostler added that he will direct staff to reach out to other cities to see what they do to mitigate the negative circumstances associated with urban deer; they will also investigate if there are other individuals or companies that could provide a deer culling service. Council Member Bills stated one of her neighbors works for DWR and she will ask him about the issue as well. The Mayor and Council decided to schedule additional discussion on the matter in June of 2025. City Recorder Cottle stated that the parameters of any deer culling program must be approved by DWR; if the Council waits to discuss the issue until June, it is likely that it will not be possible to implement a culling program this year because it will take some time for DWR to consider and make a decision on. Mayor Ostler suggested the item be discussed again in March or April, which will give himself, the Council, and staff time to conduct additional research prior to continued discussion.

6. COMMUNICATION ITEMS

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

a. Canal Boulevard - Traffic Calming Toolbox *Chris Trusty, City Engineer/Public Works Director*

City Engineer/Public Works Director Trusty explained 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 collected data on driver behavior along Canal Boulevard, specifically between 6000 West and Alpine Highway. He noted WCG relied upon the road classification map and speed limit map; Canal Boulevard is identified as a collector road with a speed limit of 30 miles per hour. He presented a rendering that illustrated the locations in which speed tables were located during the pilot program, as well as the areas at which speed count data was being collected. The findings were that average speeds were initially around 34-35 miles per hour, and the speeds decreased to 33-34 miles per hour during the pilot program. Two additional tables communicated the 85th percentile speed data summary as well as the percentage of vehicles traveling 40 miles per hour or higher. The average speed of 35.25 miles per hour decreased to 33 miles per hour with the speed tables, rose to 33.5 miles per hour after the speed tables were removed, and 34.25 miles per hour two months after the speed tables were removed. He offered the same data points for the 85th percentile and the percentage of vehicles driving 10 miles per hour over the speed limit. He then offered volume data and a volume comparison for 10400 North, Canal Boulevard, and 9600 North while speed tables were in place and after they were removed for both east and west bound traffic. Total volumes decreased on 10400 North by 11.2 percent, increased on Canal Boulevard by 5.5 percent, and increased in 9600

North by 4.7 percent. The increases in traffic volumes observed are minimal and fall within a range that could be attributed to minor inaccuracies in the counting equipment or seasonal variations in traffic. He then presented bar graphs for 5740 West illustrating the average 85th percentile speed versus the speed limit, as well as the percent of daily trips at 10 miles per hour over, five to 10 miles per hour over, or five miles per hour under the speed limit compared to the speed limit. He concluded that higher speeds occur in the overnight hours when there are fewer vehicles on the road. The average and 85th percentile speed is eight miles per hour over the speed limit, which is approaching the level at which the matter should be addressed. He provided the following ‘traffic calming rule of thumb’:

- 85th percentile speeds can be used to determine if traffic calming is needed
 - >5 over set speed limits, traffic calming implementation should be considered
 - >10 mph over more active traffic calming solutions should be considered

He added that WCG obtained accident report data from the Police Department; the total number of accidents that have occurred on the stretch of Canal Boulevard from North County Boulevard to 6800 West between 2020 and 2025 is 55; 42 were on east Canal Boulevard, 7 on mid Canal Boulevard, and 5 on west Canal Boulevard. He also summarized the passive and active traffic calming measures, as well as pedestrian and bicycle safety tools taken from the City’s Traffic Calming Handbook, noting the Handbook indicates “It is important to note that often one single measure will not result in reduced speeds. Combining multiple passive and active traffic calming measures creates a cumulative effect on speed reduction.” He then noted that one project staff would like to pursue immediately as part of the Mitchell Hollow Trail project is a RRFB (Rectangular Rapid Flashing Beacon) sign at the trail crossing. The next steps for the Council to consider include:

- Collect speed and traffic data on Canal Boulevard between 6800 West and 6000 West
- Collect speed and traffic data on Canal Boulevard between Alpine Highway and North County Boulevard
- Design/ install RRFB at Mitchell Hollow and Murdoch Canal trails
- Complete accident traffic incident reports on 10400 and 9600 North
- Present findings to Council/residents in April

There was brief discussion about the traffic accident data provided by the Police Department responsive to Mr. Trusty’s recommendation to collect additional data for additional sections of Canal Boulevard, after which Council Member Smith provided a history of discussions on this matter and the growth that has been seen in the area that has resulted in increased traffic and vehicles traveling at high rates of speed.

Mayor Ostler invited public input.

Pam Redman thanked Mr. Trusty for the information he provided about the conditions on Canal Boulevard. She also wanted to address some of the information included in the Highland Insider. She feels the City Engineer addressed the fact that some of the solutions provided by the Traffic Calming Toolbox are no longer adequate. She thanked Council Member Cortney for personally visiting the area to observe that the chicanes and medians are not slowing traffic; the only thing that slowed people down was a physical curve in the road. She also thanked Council Member Bills for pushing against the toolbox at the time because of weaknesses in the policy. Something more aggressive is needed to solve the problems on Canal Boulevard. When the speed tables were in place, they were working, and she asked that they moved to the west side of the road when they were removed from their initial location. She feels the information gathered through the survey was skewed; people want to be able to speed through the area and they flooded the survey and manipulated the data. She added she received some information through a Government Records Access and Management Act (GRAMA) request regarding the number of traffic stops and citations on the road; there have been just two citations in 25 months, two days apart from one another.

Donnell Ostler stated he lives on Ashby Lane and has seen many accidents there; some have not resulted in a police report, meaning that the traffic accident statistics may not be fully accurate. There are higher speeds at night and the problem is that the road looks nice and wide, but the curve throws people off resulting in accidents.

One thing that concerns him is that the sidewalk starts at the south side of the road at the Alpine Highway and then stops halfway through and starts on the north side to 6000 West. So, a pedestrian must cross the road in order to stay on a sidewalk, but they cross where people are speeding. He suggested a sidewalk be located on both sides of the road. He added that patrolling is an issue, and he does not see a patrol officer in the evenings and on weekends.

John Redman stated 33 months ago, Canal Boulevard went through and 25 months ago the residents made their first presentation regarding their concerns. Eight months ago, they filed a formal application for traffic mitigation and last week he updated that application with current and historical data. He stated that there are truly three different sections of the road; there are many residents on the west and east ends of the road, and the middle section is like a racetrack, which is causing the problems. It is too fast, unsafe, and noisy. He graduated from the Air Force Academy a long time ago and later served as an instructor and last week he watched the events that happened at Reagan National Airport. Everyone knows there were dangerous conditions at that Airport and 67 people paid with their lives for the failure to recognize and solve those conditions. He stated that he hopes that the same type of thing will not occur on Canal Boulevard. He does not see why the speed limit must be 30 miles per hour with little to no enforcement. Lowering the speed limit will not cost motorists more than 30 seconds. His recommendation is to install two permanent drainage depressions, two speed tables, or four stop signs. He would also like camera enforcement in the residential areas and for the speed limits to be lowered to 25 miles per hour.

Kyle Pettit stated he lives on the corner of 6630 West and Madison and there have been three accidents at that corner. He would like the City to take care of the issue before something worse happens. He saw in the traffic statistics that the City is aware of 55 accidents on Canal Boulevard, and he found information online that indicates that there were 209 total accidents in 2023; if 55 accidents occurred on Canal Boulevard in 2023, that means between 20 and 25 percent of the total accidents in the City occurred on Canal Boulevard. He would also support some permanent improvements like those that were mentioned by Mr. Redman; he prefers drainage depressions or four-way stop signs. He asked those present tonight for the Canal Boulevard discussion to raise their hand to be recognized and noted for the record that a majority of the audience was present for this matter

Rachael Hodson stated that she lives west of 6000 West and has lived there for 17 years; according to the City website, her lot is zoned as R-140, which is characterized by large lots, well-spaced buildings, well-kept lawns, trees, and other landscaping with the nature of the environment unsubstantially disturbed, a minimum of vehicular traffic, and quiet residential conditions favorable to family life. She stated that a majority of homes along Canal Boulevard have the same zoning as her property and she hopes the Council can understand the frustration of the residents related to the connection of the road and making it a collector road. Some of their frustrations related to increased speed overnight, more traffic, daily impacts of traffic, and unsafe conditions. She supports the permanent suggestions offered by Mr. Redman as well.

Liz Rice stated that she appreciates the City also considering traffic calming on 9600 North and she is aware that two residents on that road have been working on a formal application. She is curious as to what happened to the temporary speed bumps that were previously placed on the road; she asked if they are in storage, to which Mr. Trusty answered yes. Ms. Rice stated she struggles with the City spending \$100,000 on the speed bumps, only to place them in storage. She stated the speed bumps slowed traffic and she asked that they be placed on the road again. She has appreciated law enforcement on 9600 North because it has helped to slow traffic, but if the speed bumps are not going to be located on Canal Boulevard, they could be moved to 9600 North. She stated that residents are not using 9600 North and most of the traffic is construction traffic traveling to and from the Rhinehart property. She is supportive of any calming measures on Canal Boulevard and 9600 North.

Noah Van Cott thanked the City Council for the service they provide to the City. He also thanked Chief Patten for the Fire Department's response to a fire in his garage last summer and he is grateful to still have a home for his family due to that response. He then stated that he listened to the Council talk about their own experiences

with the urban deer population in the community and he asked them to consider the experiences of those living on or near Canal Boulevard. His family lives on Madison Avenue and he is worried about the safety of his children each time they go out his front door. He does not even feel they are safe getting the mail from their mailbox. He referenced a vehicle accident where a car drove through and took out three or four sections of concrete fence and asked the Council to think how they would feel if they lived on a street where that type of thing is possible due to high levels of traffic traveling at high rates of speed. He stated he would also suggest reducing the speed limit to 25 miles per hour, the installation of four-way stop signs, and speed tables. He stated he also does not feel the results of the survey are meaningful and suggested that the Council put more weight into the experiences of those who live on Canal Boulevard and surrounding roads.

Amy Colby stated she also lives on Madison Avenue and has witnessed the accidents in her neighborhood; she walks every morning between 7:15 and 7:30 a.m. and the crosswalk is not lit at all. She has been in the middle of the crosswalk, afraid for her safety because people are coming from 6800 West and driving very fast. There are blinking lights on the opposite ends of the street, but nothing on Canal Boulevard. She is also sad that the City spent money on the speed bumps only to have them in storage. She stated she is passionate about the intersection closest to her home but also recognized the need for traffic mitigation at other intersections through the area.

Council Member Rodela noted that the speed bumps that have been referred to are temporary in nature and cannot be used in the wintertime. That is why they are currently in storage.

Liz Rice reapproached and noted that in front of Legacy Elementary in American Fork there are three speed bumps she asked how they are allowed to stay in during the winter months. Council Member Courtney stated those are not temporary speed bumps.

Daniel Campbell stated he lives on Madison Avenue near the intersection with 6630 West. He thanked Mr. Trusty for his presentation and noted he is grateful the City is being forthright with information about traffic accidents. He has seen evidence of at least nine accidents, and this is the fourth time he has addressed the Council about this issue. He stated that the first time he addressed the Council he communicated his thoughts about how dangerous the road was going to be; many residents feel vindicated due to the perceived danger of the road coming to fruition. Mr. Trusty's presentation was great because it demonstrated that the speed is out of control and needs to be calmed. However, many residents have shared their own experiences with the road, and they have been ignored and this is very disappointing. There is no signage to inform drivers of the blind intersection at Madison Avenue and 6630 West; it is a bad road design, and all the residents know it and it is insulting that the City hasn't listened to them. He is glad that studies are being performed, but those studies only evaluate speed and not the fact that drivers are looking at their phones, leaving the roadway, or traveling too fast. He stated the speed limit should be lowered to 25 miles per hour, knowing that people will drive at least five miles per hour over that limit. Two additional radar speed indicator signs should also be installed on Madison Avenue. The crosswalk at the intersection he has described has not been painted, even though he asked for that two years ago. Signage should be installed to indicate that cross-traffic does not stop. He is not in favor of enforcement cameras, however, because he considers that tool to be digital tyranny.

Katrina Bancroft stated that she has young children and something happened last May that made her very nervous; she was travelling home on Canal Boulevard towards Madison Avenue and a car full of teenage drivers came up behind her and passed her on the side. This is a windy road, and she was traveling the speed limit; she noticed her neighbors in their yard and asked them if they had seen the vehicle because she lost sight of it in seconds. Her children were later outside riding bikes, and the same vehicle came by again, still traveling very fast. She is concerned about the safety of her children. People should not be driving that fast and dangerously through residential areas. She reiterated all the traffic calming suggestions that have been made by previous speakers.

Jason Headrick stated that the Bancroft's garage fire was one of the best things that happened in the

neighborhood because cars slowed down to 20 miles per hour to look at the remains of the building. There are many families with young children living in the neighborhood and the speed limit is way too fast. He has almost seen children struck by vehicles. He stated that the residents know what the problem is, and he wondered what is taking the City so long to take action. He does not care what the final outcome is, but he wants something to be done. He hopes the day never comes that a resident is forced to say "I told you so" after a child is hit by a vehicle because of the conditions. He stated he can hear the vehicles traveling at high rates of speed and it is very dangerous. He pleaded with the Council to take action to avoid someone being hurt.

Abby Loosle stated she lives on the west portion of Canal Boulevard by Madison Avenue and Mountain View Drive; she can recognize now several vehicles that start at 6800 West and drive east on Canal Boulevard. They drive very late in the night and early in the morning and they drive way too fast. Almost every time she drives on Canal Boulevard, turning onto Mountain View Drive, she is nearly rear-ended because she is slowing down to make a very tight turn and the cars behind her do not care and try to pass her on the side. Anytime after 2:00 p.m., she tries to avoid that turn because she has her kids in the car. When driving west, the visibility is nearly zero near the dip; speeds really need to be lowered, especially where the road is narrower. Stop signs may be more effective and she would also be in support of speed signs that have red and white lights to make motorists think a police officer is present. A four-way stop sign at 6000 West would also be effective at addressing unsafe driving behaviors.

Melissa Bond stated she lives on Madison Avenue, and she chose her home because it was safe and quiet, but she did not realize there would be a thoroughfare in her side yard. She has young children and often tells them they cannot ride their bikes outside because it is so dangerous. People often travel at least five miles per hour above the speed limit, but she has noticed speeds between 40 and 60 miles per hour more frequently. One of her sons was talking to a friend who bragged about driving 60 miles per hour on the road. The road is very dangerous because of its curves; the blind intersection at 6640 West and Madison Avenue is very dangerous, and people quite often cruise in the area because there is no stop sign or speed tables to slow them down. She has also seen kids walking to and from school trying to cross Madison Avenue and she has witnessed some running for their lives and screaming because cars cannot see them. A stop sign is needed at that intersection and people need to slow down. If someone is driving 40 to 50 miles per hour and sees kids walking in the street, they will not be able to stop in time before hitting them.

Sherry Kramer stated that the number of people who are present tonight about this issue is not truly indicative of the total number of residents who are concerned; there is a lot of support in her neighborhood for permanent traffic calming measures. She then stated her neighbor, Barb Lamb, could not be present tonight and she asked her to read a statement on her behalf. The written statement from Ms. Lamb addressed the speeds on Canal Boulevard, removing the temporary speed tables being very disappointing to the residents, and the survey results being inaccurate. The City did not adequately relay to the population of the City the effectiveness of the speed tables, nor were the conditions on Canal Boulevard properly relayed. Many who do not live on Canal Boulevard would agree that a speed table is better than a traffic accident. It is frustrating that the City chose to take the opinion of those who are not affected by this situation in higher regard than the safety of those who have been and are affected. The information about the speeds and traffic counts on the road was misleading. The citizens of Canal Boulevard are not opposed to the testing of other physical speed mitigation measures, as long as they work and keep accidents from happening, damaging property, or potentially killing someone. It is of great importance that the City not drop the ball again but instead work on plans for permanent mitigation. Speed patrol always helps, but more is needed on Canal Boulevard and the residents are asking for plans for a permanent mitigation device. She asked that the Mayor and Council stop delaying this issue and take action immediately.

Ray Gubler stated that his oldest child is six, followed by a four-year-old, two-year-old, and four-month-old baby. His mailbox is across the street from his home and his kids are always outside playing; he has tried to teach them that roads are dangerous, but he is deeply concerned about becoming a statistic that will be used to tell the Council "I told you so" when it comes to the safety of the roadway. The minimum appropriate action for

the Council to take is to reduce the speed limit to 25 miles per hour and installing a four-way stop at Madison Avenue.

Jim Colby stated he did not speak out when the road was going through because he felt the extension was inevitable. It is now inevitable that the City do something to address the dangers of the road now that it is there. He asked why the City is fighting a four-way stop or lowering speed to 25 miles per hour. He was so surprised when he found out the speed limit was 35 miles per hour. He asked the Council to do the inevitable and fix the road.

Ed Kilgore stated he lives on Canal Boulevard, and he never believed the road would go through because of the green belt status of adjacent property. However, things change, and the road did go through. The City has had a plan for the roads since 1974, but plans change all the time. There is no reason to not make the road entirely residential. The road in front of his home is narrower than other sections, which makes it more dangerous. He has grandchildren who play in his yard, and he wants to know they are protected. He believes the Council wants the best for their residents and he asked them to take into consideration converting it to a more residential road. He appreciates everything the Council does, and he hopes they will do what the residents have asked tonight.

Sieg Widmer stated he lives on Canal Boulevard at 6180 West and he likened it to 'Nascar all the time'. He stated his daughter was involved in a traffic accident in the fall of 2023, during which there was a fatality. There was no flashing stop sign at the site of her accident and her vehicle was t-boned. He is in favor of dropping the speed limit and installing a four-way stop sign at 6630 west and 6180 West.

There were no additional persons appearing to be heard.

Mayor Ostler stated he and the Council have heard extensive feedback, and everyone is concerned about the road; he facilitated discussion among the Council and staff regarding the input provided during the public comment period, specifically the recommended traffic calming measures recommended for the three different sections of the road. This included a focus on reducing the speed limit, use limitations for the temporary speed humps, drawbacks of the flashing speed signs, and the need to set a deadline for making a decision regarding permanent traffic and speed mitigation efforts on Canal Boulevard. Mr. Trusty indicated he will proceed with collecting traffic data, evaluating site distances and restrictions, and evaluate the tools available to the City to solve the issues on the road. Council Member Rodela indicated she would also like to understand the repercussions for other roads in the immediate area based upon recommended traffic calming solutions for Canal Boulevard. Mr. Trusty indicated he can also provide that information as part of an in-depth evaluation of the situation. Council Members Rodela and Bills indicated the public is exhausted by the amount of time this issue has been studied with no action being taken; she wants to move quickly to provide some solutions to the problems that exist. Council Member Rodela stated the cost of the temporary speed bumps was \$35,000, not \$100,000. Council Member Bills stated she would be supportive of increased enforcement of speed limits on the road. This led to continued discussion of options for improving road striping, painting crosswalks and using flashing crosswalk signs, and lowering the speed limit. Mayor Ostler asked if there is any Council Member opposed to lowering the speed limit to 25 miles per hour. The entire Council indicated they were in favor of reducing the speed limit, but asked for guidance from the City Attorney as to whether they could take action on that matter or provide official direction to Mr. Trusty to lower the speed limit given that this issue was only advertised as a discussion item. Mr. Patterson indicated that speed limits are established by the Council via a formal action; he advised the Council they can take a formal action on the issue at their next meeting in two weeks. City Administrator Wells also encouraged the Council to consider that the speed limit can be reduced, but other measures can be taken along with the speed reduction to help signal that the road is a residential road with lower speed limits.

The Mayor and Council expressed support for an action item at their next business meeting to reduce the speed limit and consider other optional immediate changes that have been recommended this evening. On April 8,

there will be an additional action item to consider recommendations that will be provided by Mr. Trusty after he has collected necessary data to recommend permanent traffic calming measures.

b. City Council Meeting Times *Ron Campbell, Council Member*

Council Member Campbell indicated he requested this agenda item because he wanted to discuss the idea of starting Council meetings at 6:00 p.m. rather than 7:00 p.m. to make it easier for residents to attend. Council Member Smith stated that start time will be very difficult for him and it has been difficult for others in the past. Council Member Campbell stated that he understands and sympathizes with that situation; however, currently City Council meetings often do not adjourn until after 11:00 p.m. and there are not many residents that will attend such a late meeting. Earlier end times would also be good for staff. Another option would be to hold work sessions on a different night, rather than trying to hold them on the same night as a business meeting. He concluded that his goal is to achieve more community involvement in meetings. The Council discussed the idea as well as meeting start times for other cities; they also discussed options for streamlining meetings by limiting certain topics to a set amount of time. Mayor Ostler and Council Member Cortney expressed concern that an earlier start time may preclude some individuals from filing to run for office because it would be difficult for them to end their workday in time to be at a 6:00 p.m. meeting. Council Member Bills stated the opposite is true for some people; she starts her workday at 5:30 a.m. and it is hard for her to stay at a meeting until after 11:00 p.m. and then get up for work the next morning. The Council concluded by offering support for considering a change in meeting start times and the Mayor indicated that he would include an action item on a future business meeting to allow for continued discussion and possible action.

c. Sewer Rate Combination *Erin Wells, City Administrator*

City Administrator Wells stated this is a follow-up item from a previous discussion about possibly combining the two sewer rates that residents see on their utility bill into one amount. She has reached out to the company that creates the City's bill and found that it is possible to combine the two rates, and she wanted to revisit the issue with the Council before moving forward. She is concerned that combining the two rates actually reduces the transparency of the rates because the two costs are for two different services and the Timpanogos Special Service District (TSSD) will continue to increase rates over the next few years and it would be good to communicate to residents that the increase is due to actions taken by the TSSD Board and not the City.

Council Member Smith stated that he feels the current format is not transparent and that is why he recommended combining the rates into one on the bill. Council Member Cortney argued that he feels the best way is to keep the two rates separate and to provide a description of the two rates on the bill. Ms. Wells agreed and stated that the bill has been adjusted to reflect the entities that are charging the two different rates. A majority of Council members agreed.

d. 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 discussed the recent joint meeting between the City Council and the Planning Commission, the purpose of which was to receive the first presentation regarding the General Plan update project. He wanted to emphasize that the information provided by the consultant was preliminary in nature and was meant to generate discussion among the two bodies to provide continued guidance to the consultant. He stated that his feeling was that the joint discussion and the outcome of the meeting was not what the Council was hoping for, but staff is committed to ensuring that the General Plan update meets the hopes and desires of both the Planning Commission and the Council. Staff plans to schedule more joint meetings between the two bodies as well as with the consultant and there will be just one element of the General Plan discussed during a single meeting rather than trying to cover the entire Plan. The Mayor and Council Members offered feedback to Mr. Baughman regarding the format of the joint meeting and options for

improving the environment to facilitate meaningful discussion among the group.

Council Member Doug Cortney MOVED to extend the meeting to 10:15 pm.

Council Member Ron Campbell SECONDED the motion.

Council Members Campbell, Cortney, and Smith voted in favor. Council Members Bills and Rodela voted in opposition. The motion carried on a three to two vote.

Council Member Smith thanked Mr. Baughman for his report tonight but noted that he did not feel the joint meeting with the Planning Commission was ineffective; he felt good information was presented and discussed and the consultant was very willing to listen to the feedback provided by the group. Mr. Baughman stated that all parties involved understood that the first draft of the General Plan and the joint meeting were a starting point; the consultant was concerned that the Commission and Council were not pleased with the data they presented, but they understood the seriousness of the project and look forward to continued collaboration with the City.

Mr. Patterson interjected that if the City chooses to schedule more meetings with the consultant, the project will be more costly because that was not included in their scope of work. He agreed that holding a work session to discuss each element of the General Plan will be very beneficial, but it will ultimately increase the cost of the project.

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

Mayor Ostler provided the Council with a report regarding legislation moving through the 2025 Legislative Session that could impact Highland City; this included legislation regarding road fees and public safety fees. The Utah League of Cities and Towns (ULCT) Legislative Policy Committee conducted a survey to determine if the League membership is in favor of waiving road fees for the Church of Jesus Christ of Latter-day Saints and 75 percent of the membership voted in favor of offering the exemption. Mayor Ostler noted that last year the legislation got held up because of this issue and the League is working to make sure that does not happen again.

Council Member Smith wondered why the ULCT wouldn't be gathering information about its membership's willingness to also exempt schools from the road fees. Council Member Cortney stated that he believes the wording that was used in the survey was 'churches and non-profit entities', meaning schools would be included.

Mayor Ostler then noted there are several land use legislative bills, and he facilitated brief discussion among the Council regarding the implications of some of the bills. Council Member Rodela added there is legislation dealing with revenue bonds to fund infrastructure projects, specifically municipal broadband projects.

Police Chief Gwilliam noted there are pending amendments to the school safety legislation, and he is closely tracking that issue.

Fire Chief Patten added there is also pending legislation that would allow wildland fire agencies to collect money from private property owners.

Council Member Campbell asked if there are any unions in Highland City that would be impacted by HB267. Chief Gwilliam stated that law enforcement is not engaging in that fight. Chief Patten indicated that the Fire Chiefs Association is opposed to the legislation. Council Member Campbell stated that he is opposed to it as well.

f. School District Update *Kurt Ostler, Mayor*

Mayor Ostler reported on the recent updates to the School District legislative bill; it offers two years of employee protection, but administrators are not included in that protection. The funding will be weighted per student to help fund the reorganization. The Mayor and Council discussed the implications of the bill, with the conclusion that the bill will result in an improvement of the School District Modifications law. Mayor Ostler then summarized the timeline for proceeding with selecting a new School Board, after which Council Member Bills summarized the duties of the School Board and a Mayor Board, including hiring a superintendent.

Council Member Smith stressed that Highland City needs a representative on the School Board. Council Member Campbell agreed. Mayor Ostler noted that there are several different groups of people meeting with the sponsor of the new legislation to try to negotiate different options for creating the District map for the purposes of representation.

There was then brief continued discussion of legislation being considered in the 2025 Legislative Session that could impact Highland, including House Bill (HB) 355 regarding gravel operations.

Mayor Ostler also reported that there will be a Chamber of Commerce lunch tomorrow during which Harris Orthodontics will be recognized as the business of the year.

7. 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 meeting.

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 10:23 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 February 4, 2025. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle, CMC, UCC
City Recorder



2



7:00 PM REGULAR SESSION

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.

CONSENT ITEMS (5 minutes)

- 3a. Approval of Meeting Minutes: January 7, 2025
General City Management
- 3b. Approval of Meeting Minutes: January 21, 2025
General City Management

Motion to Approve

I move that the City Council approve consent item 2a, meeting minutes from January 7, 2025, and item 2b, meeting minutes from January 21, 2025.



MAYOR PRO-TEMPORE
General City Management

Motion to Approve

I move that the City Council appoint XXXXX to Mayor Pro-Tempore for 2025.

7



**OUTLINING FLAG STATUS POLICY AT
HIGHLAND CITY FACILITIES**
General City Management

Item 4a - Expedited/Resolution
Presented by - Erin Wells, City Administrator

8

Motion to Approve

I move that City Council adopt the 2025 Resolution Outlining Flag Status Policy at Highland City Facilities.

9



DEER FENCING
Land Use (Legislative)

Item 5a - Discussion
Presented by - Doug Cortney, Council Member

10



**CANAL BOULEVARD - TRAFFIC
CALMING TOOLBOX**

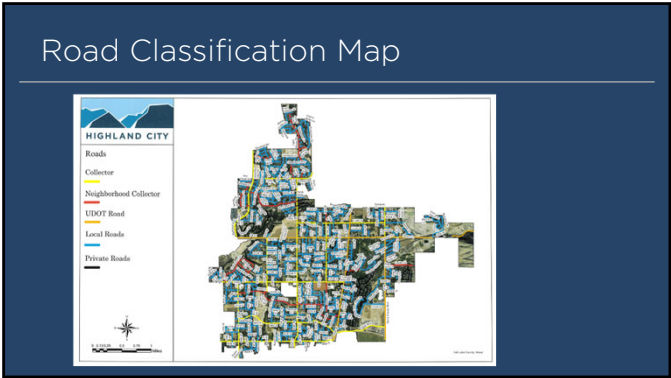
Item 6a - Communication
Presented by - Chris Trusty, City Engineer/Public Works Director

11

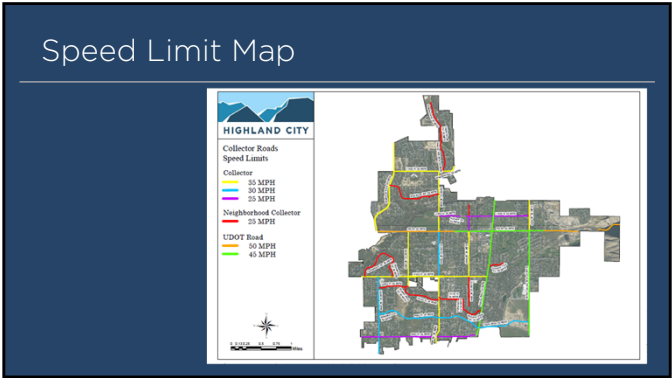
Background

- 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 collected data on driver behavior along Canal Blvd, specifically between 6000 West and Alpine Highway

12



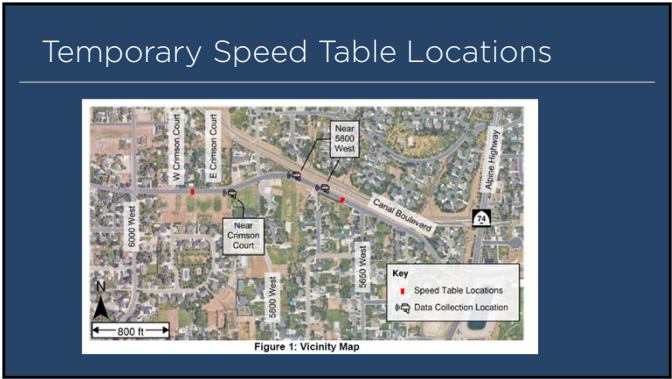
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14



15



16

Average Speeds

Table 3: Average Speed Data Summary										
Location	Direction	Metric	3/15-3/31 2022	5/10 2023*	Speed Tables installed on 4/23/24 and 5/15/24	7/3-7/10 2024	10/15-10/24 2024	Speed Tables removed on 10/29/24	10/31-11/14 2024	1/16-1/23 2025
Near East Crimson Court	Westbound	Average Speed	35	-		34	33		34	34
	Eastbound	Average Speed	34	-		33	33		33	34
Near 5800 W	Westbound	Average Speed	-	36		32	-		-	34
	Eastbound	Average Speed	-	36		33	-		-	35

*Data was collected over a few hours, and may not be completely representative as it is a smaller sample size

17

85% Speeds

Table 2: 85 th Percentile Speed Data Summary										
Location	Direction	Metric	3/15-3/31 2022	5/10 2023*	Speed Tables installed on 4/23/24 and 5/15/24	7/3-7/10 2024	10/15-10/24 2024	Speed Tables removed on 10/29/24	10/31-11/14 2024	1/16-1/23 2025
Near East Crimson Court	Westbound	85 th Percentile	39	-		37	37		38	38
	Eastbound	85 th Percentile	38	-		36	36		37	37
Near 5800 W	Westbound	85 th Percentile	-	40		36	-		-	38
	Eastbound	85 th Percentile	-	40		37	-		-	39

*Data was collected over a few hours, and may not be completely representative as it is a smaller sample size

18

Speeds at 40 MPH or over

Table 4: Percent of Vehicles 40 MPH or Higher					
Location	Direction	Metric	3/15-3/31 2022	5/10 2023	7/5-7/10 2024
Near East Crimson Court	Westbound	Percent 10+ MPH Over Limit	12.3%	-	4.9%
	Eastbound	Percent 10+ MPH Over Limit	9.3%	-	4.5%
Near 5800 W	Westbound	Percent 10+ MPH Over Limit	-	23.0%	-
	Eastbound	Percent 10+ MPH Over Limit	-	21.0%	-

*Data was collected over a few hours, and may not be completely representative as it is a smaller sample size.

The 85th percentile and average speeds have increased slightly over time since the removal of the speed tables. The percentage of drivers traveling 10 MPH or more over the posted speed limit has increased more significantly, particularly near 5800 West. Thus, the installation of speed tables on Canal Boulevard had the largest impact on vehicles traveling at excessive speeds over the speed limit.

19

Speed Comparison

	Average Speed before tables	With Speed Tables	After Speed Tables	2 months after speed tables
Average Speed	35.25	33	33.5	34.25
85 th Percentile	39.25	36.5	37.5	38
%>10 mph over	16.25	4.7	6.25	8.2

20

Volume Comparison

Table 2: Volume Data Summary						
Location	With speed tables	After speed tables removed	With speed tables	After speed tables removed	With speed tables	After speed tables removed
	Eastbound	Westbound	Total	Eastbound	Westbound	Total
10400 North	2,496	2,294	2,375	2,032	4,871	4,326
Canal Blvd	1,318	1,380	1,399	1,487	2,717	2,867
9600 North	870	912	901	943	1,771	1,855

As shown in Table 2, total volumes decreased on 10400 North (11.2%), increased on Canal Boulevard (5.5%) and increased on 9600 North (4.7%). The increases in traffic volumes observed are minimal and fall within a range that could be attributed to minor inaccuracies in the counting equipment or seasonal variations in traffic.

	w/ Speed Tables	w/out Speed Tables
10400 West	10/2 - 10/09	11/18-11/26
9600 West	10/15- 10/24	10/31- 11/14

Mountain Ridge Jr High held two choir concerts on 10/3 and student movie night on 10/4; largest decrease in numbers was in the evening

21

5740 West

Avg. & 85th Percentile Speeds vs. Limit (Dotted Line)

Category	Avg Speed	85th Percentile
Westbound	34.4	34.9
Eastbound	34.8	34.8
Combined	34.6	34.8
85th Percentile	34.8	34.8

% of Daily Trips at Speed Ranges Compared to Speed Limit

Time Interval	> 10 MPH	5 - 10 MPH	< 5 MPH
All Day	~15%	~45%	~40%
05:00 - 05:59	~15%	~45%	~40%
06:00 - 11:59	~15%	~45%	~40%
12:00 - 17:59	~15%	~45%	~40%
18:00 - 23:59	~15%	~45%	~40%

22

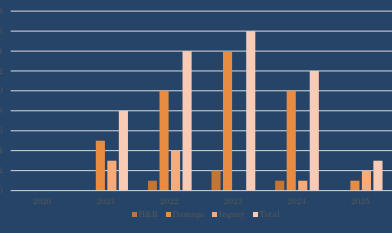
Traffic calming rule of thumb



- 85th percentile speeds can be used to determine if traffic calming is needed
- > 5 over set speed limits, traffic calming implementation should be considered
- >10 mph over more active traffic calming solutions should be considered

23

Accidents report on Canal Blvd



Total number of accidents = 55

East Canal= 42

Mid Canal= 7

West Canal = 5

24

Highland City Traffic Calming Handbook

• Passive Measures

– Radar speed sign

– Pavement speed limit marking

– Optical speed bars

– Additional speed limit signs

– Striping narrower lanes

– Landscaping

– Crosswalks

– Enforcement

– Education

• Active Measures

– Roadway design

– Curb bulb-outs

– Medians

– Road diet

– Raised crosswalk

– Roundabouts/ traffic circles

– Neckdowns

– On-street parking

– Raised intersection

– Chicanes

– Speed cushions

– Speed tables

25

Highland City Traffic Calming Handbook

• Pedestrian and Bicycle Safety

– Rectangular rapid-flashing beacon (RRFB)

– Crosswalk markings (striping)

– Yield to pedestrian crossing sign

– In-street pedestrian crossing sign

– Curb extension

– Pedestrian refugee island

– Road diet

– Pedestrian hybrid beacon (PHB) aka HAWK signal

26

Highland City Traffic Calming Handbook

“It is important to note that often one single measure will not result in reduced speeds. Combining multiple passive and active traffic calming measures creates a cumulative effect on speed reduction.”

27

Mitchell Hollow Trail



• As part of the Mitchell Hollow Trail project a RRFB (Rectangular Rapid Flashing Beacon) sign could be added at trail crossing

28

Next Steps

• Collect speed and traffic data on Canal Blvd between 6800 West and 6000 West

• Collect speed and traffic data on Canal Blvd between Alpine Highway and North County Blvd

• Design/ install RRFB at Mitchell Hollow and Murdoch Canal trails

• Complete accident traffic incident reports on 10400 and 9600 North

• Present findings to council/ residents in April

29



CITY COUNCIL MEETING TIMES

Item 6b - Communication

Presented by - Ron Campbell, City Council

30



SEWER RATE COMBINATION

Item 6c – Communication
Presented by – Erin Wells, City Administrator

31



COMMUNITY DEVELOPMENT UPDATE

Item 6d – Communication
Presented by – Jay Baughman, Assistant City Administrator/Community Development Director
Rob Patterson, City Attorney/Planning & Zoning Administrator

32

Land Use Table Example

Use	A	R-E	R-1	R-1A	R-2	R-2A	R-M	PVS	C	C-M	I
Agriculture/Animal											
Ag Implement Sales and Service	C	NP	NP	NP	NP	NP	NP	NP	C	NP	C
Agricultural Production	P	P	P	P	P	P	P	P	C	C	C
Animal Confinement	NP	NP	NP	NP	NP	NP	NP	NP	C	NP	C
Adventure/Nature Center	C	C	C	C	C	C	C	C	C	C	C
Farmers' Market	C	C	C	C	NP	NP	C	C	C	C	C
Floral Shop	C	C	C	C	NP	NP	P	NP	P	P	P
Garden Center/Nursery	C	C	NP	NP	NP	NP	NP	NP	C	P	C
Pet Services	NP	NP	NP	NP	NP	NP	NP	NP	C	C	C
Veterinary Clinic, Large Animal	C	NP	NP	NP	NP	NP	C	NP	C	NP	C
Veterinary Clinic, Small Animal	C	NP	NP	NP	NP	NP	C	NP	C	C	C
Use	A	R-E	R-1	R-1A	R-2	R-2A	R-M	PVS	C	C-M	I
Public, Institutional, and Civic Uses											
Bus/Transit Terminal	NP	NP	NP	NP	NP	NP	C	P	C	C	C
Cemetery	C	C	C	C	C	C	C	NP	C	NP	
Church/Places of Worship	C	C	C	C	C	C	C	C	C	C	C
Club/Service Organization/ Lodge	NP	NP	NP	NP	NP	NP	C	C	C	NP	C
College/University	C	NP	NP	NP	NP	NP	C	P	C	C	C
Government Services	C	NP	NP	NP	NP	NP	P	P	P	NP	P
Hospital	NP	NP	NP	NP	NP	NP	C	NP	C	NP	C

33

Highland Uses – “Financial Institutions”

- R-P: Financial Institutions
- P-O: Financial or legal offices consisting of but not limited to: banks, insurance offices, and law or accounting offices.
- C-1: Financial institutions, excluding non-charted financial institutions
- CR: Banks or credit unions (not to exceed 10% of the total area of a contiguous zone or master planned commercial center).

34

Highland Uses – Special Conditions

- CR Zone
 - Banks or credit unions (not to exceed 10% of the total area of a contiguous zone or master planned commercial center).
 - Gasoline islands, canopies, as an accessory use to a permitted use defined above. A gasoline island, canopy or any gasoline use that is not attached to the structure of the primary use shall be subject to specific additional requirements as outlined in 3-4370.
 - Car washes subject to specific additional requirements as outlined in 3-4377.
 - Shipping, mailing, pickup, and return centers not exceeding 2,500 square feet in area.

35

Highland Uses

LAND USE	TOWN CENTER ZONE, BY DISTRICT			
	Commercial Retail	TC-MD Residential	TC Flex Use	TC Civic
TOWN CENTER GROUND FLOOR USES				
1 Story Retail	P	C	C	P
2 Story Retail	P	P	P	P
Other Use Retail	NP	P	P	NP
Convenience, gasoline or similar	P	NP	NP	NP
Food, bakery	P	P	P	NP
Food, deli/grocery shop, candy store	P	P	P	NP
Food, grocery store, organic foods	P	P	P	NP
Food, ice cream, yogurt parlor	P	P	P	NP
Food, nut or cheese store	P	P	P	NP
Food, food and beverage retail stores	P	P	P	NP
Food, food markets	P	P	P	NP
Medical, doctor's office, dentist	NP	P	P	NP
Medical, hearing center and sales	NP	P	P	NP
Medical, optometrist, eye products	NP	P	P	NP
Medical, physical therapy, pharmacy	NP	P	P	NP
Medical, psychologist, psychiatrist	NP	P	P	NP
Office, architect, engineer, surveyor	NP	P	P	NP
Office, attorney	NP	P	P	NP
Office, certified public accountant	NP	P	P	NP
Office, computer software engineer/developer	NP	P	P	NP
Office, insurance (not claims adjuster)	NP	P	P	NP
Office, real estate mortgage title or similar	NP	P	P	NP

36



LEGISLATIVE UPDATE

Item 6e – Communication
Presented by – Kurt Ostler, Mayor
Ron Campbell, Council Member
Kim Rodela, Council Member

37



SCHOOL DISTRICT UPDATE

Item 6f – Communication
Presented by – Kurt Ostler, Mayor

38



FUTURE MEETINGS

- February 18, City Council Meeting, 7:00 pm, City Hall
- February 25, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- February 25, Planning Commission Meeting, 7:00 pm, City Hall
- March 4, City Council Meeting, 7:00 pm, City Hall
- March 12, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- March 18, City Council Meeting, 7:00 pm, City Hall
- March 25, Planning Commission Meeting, 7:00 pm, City Hall

39

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 pending or reasonably imminent litigation.

40



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.

41

Subject: Jan 7 Minutes
Date: Friday, January 31, 2025 at 11:50:59 AM Mountain Standard Time
From: Doug Cortney
To: Stephannie Cottle
CC: council
Attachments: image001.png

I have two corrections (below) to the Jan. 7 minutes. I'll bring printed copies to the Feb. 4 council meeting.

1. On page 5 of the minutes (agenda item 3b), the proposed text omits HDC 5-7-104(5)(a), which is the key reason for the proposed amendment. I propose adding the following text immediately below the "HDC 5-7-104:" heading.

5. Effect of Notice of Approval.

a. Property for which a Notice of Approval of a lot or parcel combination has been approved and recorded pursuant to this section shall be treated as a single, combined lot or parcel for all purposes under this Code, including the following:

- i. The property line to which setbacks may be measured shall be the property line of the combined property furthest from the structure; and
- ii. Property coverage regulations shall be calculated based upon the size of the combined property.

2. On page 6 of the minutes (agenda item 3b), the minutes incorrectly read that "Council Member Cortney stated it is his recollection that the law gave cities and counties the option of deciding whether to abide by the law; the current situation is that the City of Highland has chosen to abide by the law, but the County has not." (emphasis added). I checked the recording, and what I said was "to go with the expedited process." I propose striking both instances of the text "abide by the law" and replacing each with the text "go with the expedited process."

Subject: Jan. 21 minutes

Date: Friday, January 31, 2025 at 12:59:06 PM Mountain Standard Time

From: Doug Cortney

To: Stephannie Cottle

CC: council

I have four corrections to the Jan. 21 minutes. I'll bring printed copies to the Feb. 4 meeting.

1. On page 2 (Unscheduled Public Appearances), the draft minutes state that "Council Member Cortney stated he has also recommended the creation of a volunteer program, and this is a topic that will be discussed in the upcoming budget retreat." I reviewed [the video](#) from the meeting and confirmed that I did not say I had recommended the creation of such a program. I propose to strike the text "he has also recommended the creation of a volunteer program, and" from the minutes.
2. On page 9 (agenda item #4a), according to [the video](#), Rob did not say Verizon "found they need a small tower" but rather that they "were looking in a small area to put a new tower." Similarly, the "narrow range of land" was not the land lacking service but the land where they were looking to put the tower. I propose striking the words "small tower for a narrow range of land that is lacking service" and replacing them with the words "tower within a narrow range of land."
3. On page 10 (agenda item #5b), Jay is incorrectly identified as "Assistant City Administrator/Community Development Director Patterson." I propose to change this to "Assistant City Administrator/Community Development Director Baughman."
4. On page 11 (agenda item #5c), the city of Elk Ridge is incorrectly identified as "Elkridge." I propose to strike the word "Elkridge" and replace it with the words "Elk Ridge."

Highland City Council
February 4, 2025
Doug Cortney

Mayor Pro Tempore

TLDR:

UCA § 10-1-103 requires the powers delegated in the Utah Municipal Code to be “liberally construed,” therefore Rob’s interpretation must be permitted under Utah code since it is not “clearly contrary to the intent of the law.”

DETAIL:

UCA 10-3b-302(2) specifies that “if the mayor is absent or unable to act, the council may elect... a mayor pro tempore.”

Because of this language, I have had some serious concerns about our authority to elect a mayor pro tempore when Kurt is present, able, and willing to perform his duties.

In fact, I intended to vote against any attempt to elect a mayor pro tempore this evening and to encourage the rest of the council to do likewise.

When reading the full paragraph in the Utah code, it is reasonably clear to me that the legislature intended the election of a mayor pro tempore to take place if they mayor cannot or will not perform his or her duties — and that the authority of the elected mayor pro tempore expires when the mayor is again present, able, and willing to act. That said, there is ambiguity in the statute and it is not 100% clear that this is the legislature’s intent.

Our City Attorney has put forth an interpretation that permits proactive election of a mayor pro tempore who would serve as needed over an extended period.

I did not and do not agree with this interpretation.

That said, I found UCA § 10-1-103, which requires the powers delegated in the Utah Municipal Code to be “liberally construed... except in cases clearly contrary to the intent of the law.”

Because the law is ambiguous, I do not find our City Attorney’s interpretation to be “clearly contrary to the intent of the law” and must therefore construe the statute to include that interpretation.

For this reason, I will be voting to elect a mayor pro tempore to serve through January 6, 2026, or until a new mayor pro tempore is elected.

Note that I am still very concerned about the authority we vest in a single individual. According to the City Attorney, it is the mayor pro tempore alone (advised by staff) who has authority to decide if he or she should use the mayoral authority in any case. In other words, our mayor pro tempore is the only person who gets to determine that the mayor is unable or unwilling to serve. And state law provides no way for the mayor to take back this authority. I am deeply concerned about giving the authority effectively to depose the mayor to any individual.

My request to Council is that we revise HMC § 2.12.040 to put some commonsense restrictions on the position of mayor pro tem. In particular, notification to council whenever the mayor pro tem assumes mayoral authority and the requirement that council affirm any assumption of mayoral authority under the “inability or refusal to act” clause that continues beyond 48 hours.

In the meantime, I find Councilmember Bills to be a person of strong integrity who has performed well in this position. I will happily support re-electing her as our mayor pro tempore.