



HIGHLAND CITY COUNCIL MINUTES

Tuesday, May 6, 2025

Approved June 17, 2025

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

6:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Scott L. Smith

Pledge of Allegiance: Council Member Ron Campbell

The meeting was called to order by Mayor Kurt Ostler as a regular session at 6:01 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 Council Member Scott L. Smith and those in attendance were led in the Pledge of Allegiance by Council Member Ron Campbell.

PRESIDING: Mayor Kurt Ostler

COUNCIL MEMBERS:

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

CITY STAFF PRESENT: City Administrator Erin Wells, 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, Liz Rice, Lynne Power, Owen Power, R. Albers, Aaron Gleave, Eileen Miller, Wesley Warren, Laurie Todd

1. UNSCHEDULED PUBLIC APPEARANCES

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

Lynne Power stated she has lived on Cypress Drive since 2009, and she discussed the greenspace and playground near her home. There have been problems recently with people riding dirt bikes on the playground; they ride dirt bikes across the playground and have placed ramps in the area, and it has posed a danger for children and trail users in the area. They cross the trail while people are walking and there have been a few close calls of people being struck by a dirt bike. She would like to know what the Council can do to protect residents and children using the trails and playground. She asked the Council to add this matter to a future meeting agenda to discuss any funds available for signage or enforcement by the Police Department. She suggested the Police should be able to issue fines and even impound vehicles that are being used dangerously.

She has spoken with several neighbors who are too afraid to be outside or to take their children to the playground because of the situation. She personally had a close call where she had to take a few steps back to allow dirt bikes to get out of her way before she could continue walking on the trail. She noted a Facebook group called Highland Hills Neighbors has been created and there are many stories from residents who have had an encounter with the dirt bikes; they have asked her to come to speak to the Council and represent their neighborhood about this issue.

Council Member Smith asked if the vehicles are e-bikes or dirt bikes. Ms. Power stated that they are both e-bikes and dirt bikes and the average age of the individuals operating them are 12 to 14 years of age. She discussed the topography of the area to illustrate how the dirt bikes are using the areas surrounding the trail and playground as a ramp so that they become airborne; they have also created trails in the open space and caused other damage. They have dug a hole to install a wooden ramp, and it will be costly to repair the damage.

Council Member Rodela asked if anyone had spoken with the parents of the juveniles operating the bikes. Ms. Power stated she does not have their identity and does not know exactly where they live. She has called the Police about the situation, but the Police have not been able to stop them and get their names because they use a trail that a police vehicle cannot drive on to get away. Mayor Ostler asked Chief Gwilliam if the police has been able to determine where the kids are coming from. Chief Gwilliam stated that the kids typically flee when the police arrive and the responding officers must ascertain whether it is worth putting the public at risk to try to apprehend kids on e-bikes. Recently, a Police Officer stopped an e-bike as the operator was trying to flee, and the officer was taken to the ground and injured. Additionally, the Police Department is being asked to pay for the damage caused to the bike. He noted that each city in the State is dealing with this issue. Mayor Ostler stated that he has observed conditions associated with e-bikes on trails and he asked who is best suited to address the issue. Public Works Director/City Engineer Trusty indicated there are signs on the City's trail system that communicate motorized vehicles are not allowed; additional signs could be installed closer to the playground where the activity mentioned by Ms. Power is occurring. Council Member Rodela stated she does not believe signage will deter the kids from riding their bikes in the area. This led to a brief brainstorming discussion among the Council and staff about optional solutions for addressing the issue. They concluded to use temporary construction fencing in the area to block access to the areas that have been used as ramps and trails, with Council Member Rodela noting she feels the best solution would be to find the parents of the kids to inform them that their kids should not be using their e-bikes in the park or on City trails.

Laurie Todd stated she has emailed the Council and some members of City staff, and she thanked those that have responded. She noted that motorized vehicles are not allowed on the mountain bike trails in the City and that is why they are likely going on the other trails and in parks. There is not really anywhere the bikes can be operated, because they are also not allowed on roads. Chief Gwilliam stated it depends on the classification of the e-bike, but Ms. Todd is accurate that most e-bikes are not allowed on roads or trails. Ms. Todd stated that the police have been called multiple times, and she does not believe the activity will stop until citations are issued or the bikes are impounded. Fencing may help to protect the kids that are playing on the playground, but the bike operators will find other ways to get into the green space and drive on the trails they have created. The bikes move at speeds up to 30 miles per hour and the conditions are very unsafe.

Council Member Smith asked if the City's ordinances clearly prohibit the operation of e-bikes on trails and in parks. Mayor Ostler answered yes. Council Member Smith asked why the Police Department is not enforcing that ordinance. City Attorney Patterson stated the police cannot issue a citation if they are not able to capture the violators. Chief Gwilliam added that the Police Department does not get a lot of cooperation from parents when they are found. Council Member Rodela stated that many people own e-bikes and wish to ride them in the community, and she feels it would be appropriate to find a way to cohabitate and find a place for users to ride those bikes. She would like feedback from residents, particularly those who own e-bikes, on places they would like to operate the e-bikes in a safe manner. The Council discussed optional locations for safe e-bike

operation; they also discussed different classifications of e-bikes and the specifications, such as rates of speed and power for the different classifications. Mayor Ostler asked staff to include a discussion item on a future agenda; he asked Mr. Patterson to provide information regarding current ordinances in the City and be prepared to discuss options for addressing the issue.

Liz Rice stated that she has a motorcycle license and one of the first things she learned when training to obtain her license was to wear a helmet so that she could have an open casket funeral. This information was provided by an experienced Highway Patrolman who rode a motorcycle. She acknowledged that operation of e-bikes on the City's trails and in parks is a safety issue for other residents, as well as those operating the e-bikes. Until there is a death or broken neck or back, people will not take it seriously. She then commented about the golf cart issue, which is on tonight's agenda; she relayed an experience that happened in her neighborhood a few months ago. Seven children got on their grandparents' golf cart, and it nearly tipped over on them. Additionally, the owners of the golf cart use it to load their golf clubs and drive down 9600 North and cross a very busy highway to get to Fox Hollow Golf Course. She asked the Council to be very careful when considering this issue.

Aaron Gleave stated he is grateful the Council is considering the golf cart issue, which he raised several months ago. He is grateful for the thoughtful work that has been done by some and the consideration that has been given to this issue thus far. He sent an email to the Council this afternoon to communicate the foundational principles that he and other Highland residents are focusing on as they approach the issue of golf cart use in the City. There are zero incidents to date of any golf cart accidents or injuries, and he feels there is an opportunity to allow something very special for the community, an activity that can bring people together and offer families a chance to get out with their kids and connect to the community. He would love to be on his golf cart enough to know all the parents of the kids who are driving e-bikes in the City. In the two to three years that he has been driving his golf cart through the community, he has met many residents and expanded his connections unlike any other place he has ever lived. He is excited about the ordinance the Council will be considering tonight, and he encouraged them to avoid creating restrictions that defeat the purpose of the ordinance. Those that he has spoken with who own and operate golf carts are high quality people who are very community-minded and responsible. He expressed his strong support for approving an ordinance that will allow for golf cart use in the City.

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** *Stephannie Cottle, City Recorder*
March 18, 2025

Council Member Cortney offered proposed amendments to the March 18 minutes; on page two of the minutes there's a brief discussion he started about the general fund balance versus the state maximum. What is included is accurate, but it omits Mr. Mortensen's observation that the City is spending down the balance. According to the video of the meeting, Mr. Mortensen said "we have proposed to use fund balance for additional items that have brought that below the 35 percent." Council Member Cortney proposed inserting the text "and that plans to spend fund balance have brought us below the 35 percent point" immediately after the text "has not been astronomical". Also, on page two of the minutes, the draft states that "Mr. Mortensen then explained the fund balances in other City funds are ... " According to the video, he said "use of fund balance" instead of "fund balances." Council Member Cortney proposed inserting the text "use of" immediately before the text "fund balances" in the fourth paragraph on page two. Finally, on page eight of the minutes, it states that Representative Chevrier said the data privacy act "was expounded on this year." According to the video, she said "so, HB444 is another data privacy bill that was passed this year, and it builds on that one from last year." Council Member Cortney proposed striking the word "expounded" and replacing it with the word "expanded."

Council Member Doug Cortney *MOVED* that the City Council approve the meeting minutes from March 18, 2025, with proposed amendments discussed.

Council Member Ron Campbell *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

3. ACTION ITEMS

a. ACTION: Lone Peak Public Safety District Fiscal Year 2025-2026 Tentative Budget *General City Management*

David Mortensen, Finance Director

The City Council will consider approval of the Lone Peak Public Safety District Fiscal Year 2025-2026 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 29, 2025.

Finance Director Mortensen explained in their April 29, 2025, Board Meeting, the Lone Peak Public Safety District (LPPSD) Board approved their Fiscal Year 2025-2026 Tentative Budget which includes assessments due from Highland City of \$245,916 for Administration, \$3,162,739 for Police, and \$2,689,539 for Fire/EMS. He reviewed highlights from each Department:

- Administration:
 - Each City is responsible for its assessment from Central Utah 911. Dispatch fees are increasing by approximately \$39,000 largely due to wage adjustments.
- Police:
 - The Board authorized a salary increase of 6% total to be allocated based on the Chief's direction within the department. The salary increases also increase overtime, call pay, retirement, and FICA/Medicare.
- Fire:
 - The fire department expects to see a \$77,000 increase in revenue between Utah County reimbursements and increased ambulance revenue.
 - The fire department plans to use \$23,000 of grant money for their mental health program.
 - Similar to police, the Board authorized a salary increase of 6% total to be allocated based on the Chief's direction within the department. Again, the salary increases also increases overtime, call pay, retirement, and FICA/Medicare.
 - Three engineer positions were added that will be promotional opportunities for firefighters to take on to oversee care of our heavy apparatus.
 - Our part-time firefighters will receive a \$1.00 per hour increase.

This Lone Peak Budget will have the following impact on the City Budget:

- \$3,162,739 in the General Fund, account 10-54-31 (Police - Lone Peak Public Safety Dist.).
- \$245,916 in the General Fund account 10-57-11 (Administration Expense).
- \$2,689,539 in the General Fund account 10-57-31 (Fire/EMS - Lone Peak Public Safety Dist.)

Council Member Campbell clarified that the tentative budget does not include the three new full-time

employees (FTEs) that were requested by the Fire Department. Mr. Mortensen stated that is correct.

Council Member Cortney referenced medical insurance increases both in Highland City and for the LPPSD and noted it is his understanding that the increases are a result of higher-than-normal usage. Mr. Mortensen stated that is correct; rates are based upon group size and usage, but because the number of enrollees in the medical insurance program is less than 100, the City does not receive detailed usage information. Council Member Cortney stated he was asking the question to gauge whether it makes sense to maintain the current employee group structures in terms of benefits programs, or to separate public safety from Highland City, but he believes it is best to maintain the current structure. Council Member Smith noted it is his understanding that there was an increased usage of emergency rooms rather than urgent care; emergency rooms visits are much more expensive, and he suggested that the City educate employees on other options that are available to them and to avoid using the emergency room unless absolutely necessary. The led to brief high level discussion regarding costs associated with utilization of different facilities, as well as the out-of-pocket costs employees pay for different types of visits.

Mr. Mortensen then presented a spreadsheet illustrating the increases in LPPSD assessments from FY 2025 to 2026; Highland's total assessment will increase \$408,341, but the final budget will also include an increase to animal shelter fees of approximately \$20,000. Additional adjustments related to wage adjustments will also impact the final budget. The LPPSD Board is planning to meet in a work session on May 13 to continue their budget discussions, with a business meeting scheduled for the following day to adopt a final budget. Mayor Ostler briefly explained the additional issues the LPPSD Board will be discussing during their work session, and he encouraged anyone interested in those issues to attend the meeting.

Council Member Smith referenced the LPPSD budget document and indicated that it has conflicting information in terms of the amount of revenue the District collects; one location cites over \$10 million and another cites \$9.1 million. Council Member Cortney stated that the \$10 million figure is total revenues and the \$9.1 million is the City assessments. City Administrator Wells stated the gap between the two numbers is the amount of revenue the District collects from other sources, such as ambulance billing, the Wildland Fire program, and aid to the County. Council Member Smith stated he deeply appreciates the Public Safety Departments that serve Highland City and believes they are very well managed, which has resulted in Highland being rated as one of the safest cities in the State. However, looking back to 2021, Highland's portion of the LPPSD budget was \$4.1 million and that has increased to \$6 million in less than five years. He understands the need to increase wages to recruit and retain quality employees, but he is concerned about a 50 percent increase in such a short time. He asked if the District would continue to increase wages at the pace of 10 percent each year. Police Chief Gwilliam stated he cannot predict the future, but he is still having a difficult time recruiting employees due to the wages paid by the District in comparison to wages paid by other entities. He has had two openings in the Department for over 45 days and has had a hard time filling those openings. Council Member Rodela asked if that means the Department is understaffed and how that impacts the safety of the community. Chief Gwilliam stated that he is forced to pay other officers overtime wages to cover the shifts that would have been covered by the two vacant positions. This led to a brief discussion among the Council and staff regarding staffing levels of the Department and the number of employees that are working each shift as well as increased costs related to providing officers for local schools. Fire Chief Patten also offered information about his recruitment efforts and staffing levels; since being appointed to his position four years ago, he has been 'playing catch-up' in terms of staffing and appropriate compensation of employees. His goal is to pay his employees at the median wage when compared to similar agencies, but he has not been able to achieve that goal to date. His latest budget proposal would move compensation to the median wage, but that could change easily when other agencies adjusted their wages this year.

Mayor Ostler noted the Chief's requested an eight percent increase for their employees and the Board approved six percent increases in the tentative budget; he checked with other Mayors and was told that they would be giving between four and seven percent increases for their public safety employees and he is hopeful six percent

for LPPSD employees this year will help the District be competitive.

Council Member Smith referenced his earlier comments about an average yearly increase of 10 percent in the LPPSD budget and asked ‘where does it end’. He stated the City will pay nearly \$6 million to the LPPSD, \$1 million of which is funded by the public safety fee and the other \$5 million comes from sales tax, property tax, and franchise taxes. Mr. Mortensen stated that is correct. Mayor Ostler stated the Council has discussed funding sources for the LPPSD assessment in the past and there was some support for increasing the public safety fee when the assessment is increased. He asked if there is an appetite for a fee increase at this time. Council Member Smith stated that must be an ongoing discussion, but at this time he is not comfortable raising the public safety fee because many other fees paid by residents have already been increased. There is some concern about the State Legislature eventually prohibiting public safety fees. Council Member Campbell agreed with Council Member Smith’s position but expressed concern that the public safety fee doesn’t actually cover the public service; masking increases by absorbing them into different parts of the budget is problematic and not transparent. The City does not have much control over many different fees that are charged to residents, but absorbing increases will impact service levels in other areas of the City, and this will eventually be a serious problem. He is not ready to consider a public safety fee increase at this time but supports an ongoing discussion of the issue.

Council Member Kim Rodela MOVED that City Council approve the Lone Peak Public Safety District Fiscal Year 2025-2026 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 29, 2025.

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

b. PUBLIC HEARING/ORDINANCE: Highland City FY 2025-2026 Tentative Budget General City Management

David Mortensen, Finance Director

The City Council will consider adoption of the Highland City Fiscal Year 2025-2026 Tentative Budget.

Finance Director Mortensen presented a spreadsheet titled ‘all funds summary’ for the City’s Fiscal Year (FY) 2025-2026 budget; he noted changes that have been made to the budget since the Council’s last review on April 29 include:

- Increased Garbage Collection Fees - \$34,084
 - Due to expected increase in North Pointe fees of \$34,121
 - Includes increase of monthly can costs of \$1.21 for first garbage can, \$2.35 for second garbage can, and \$1.55 for recycling can
- Transfer of \$250,000 from General Fund to Roads Capital Project Fund for 10400 & 6000 W Sidewalk and Crosswalk project
- Small decrease (\$4,464) in General Fund interest due to transfer of funds to Roads Capital Fund

Council Member Campbell stated that this presentation brings him back to his previous concerns about fees; the

City is charged a fee for garbage collection, but the fees collected by the City from residents do not cover the City's costs. So, the difference is being made up by using the City's General Fund. At some point, the City must increase the rate to residents to pay for service. Mr. Mortensen stated that the garage rate scenario the Council supported was a 'break-even' option. Assistant City Administrator/Community Development Director Baughman stated that is correct; the General Fund is not subsidizing the garbage fund.

Mr. Mortensen then stated additional potential changes to the budget before final adoption include:

- Water Rates
 - Study underway – last study called for small additional increases each year that were not implemented
- Cemetery Fund Study
 - Project in process with Zions Bank Public Finance
 - Will impact Veteran's area project
- Increase to Lone Peak assessment due to animal shelter fee increase
- Certified Tax Rate – Provided by Utah County in early June
- Public Safety Fee (75% of taxes used rule)

There was a brief discussion among the Council and staff about the timing of the Cemetery Fund Study, with the Council expressing a desire to have the findings of the study available before adoption of the final budget.

Mr. Mortensen then further discussed the public safety fee, providing revenue options for the Council to consider funding the increase to the City's assessment. The Council can continue to fund 75 percent of the assessment with taxes or increase the public safety fee to cover the increase. Increasing the fee from \$15.25 per month to \$19.35 per month (27% increase) would raise approximately \$285,000 in revenue but could also spur political questions from the State Legislature.

Council Member Smith complimented Mr. Mortensen on the organization and formatting of the budget document. He discussed general fund revenues listed in the all funds summary and asked where the revenue generated by the road fee is contained in the budget. Mr. Mortensen stated that it is deposited into fund 56, the transportation utility fund; it is located on page 59 of the budget and has a budget of approximately \$1.2 million. Council Member Smith asked why the revenue generated by that fee is not deposited into the general fund and then transferred elsewhere, which is how the City handles other user fees, such as the public safety fee. It is somewhat confusing to have different funding sources deposited into the transportation utility fund. Mr. Mortensen stated that the road fee is collected through the utility fee and Administration felt it made sense to track the revenues of the fee in their own fund, rather than intermingle the revenue with taxes and other sources. However, that can be adjusted if the Council gives such direction. City Administrator Wells stated that the transportation utility fund was created specifically for transparency and to keep the revenues generated by that fee from mixing with other revenues in the General Fund; this is an attempt to address concerns among the State Legislature about the fee being a revenue raising mechanism rather than an actual utility fee. Council Member Smith then inquired as to the funding source of the \$6.9 million balance in the utility transportation fund. Mr. Mortensen stated the City has a \$5.4 million grant from Mountainland Association of Governments (MAG) for the 4800 West widening project.

Mayor Kurt Ostler opened the public hearing at 7:15 p.m.

Lize Rice stated that the budget is much clearer than in the past. She then asked why the Council didn't have a public hearing regarding the Lone Peak Public Safety District (LPPSD) Budget. Mayor Ostler stated the LPPSD Board held the required public hearing. Ms. Rice then referenced the recent creation of a new school district, which will cause some changes in current district boundaries; she is concerned about losing resource officers that have been located at schools and that is concerning to her. She will always support public safety and appropriate funding for public safety employees.

Mayor Kurt Ostler closed the public hearing at 7:17 p.m.

Council Member Smith cited the increase in the utility transportation fund from FY 2025 to 2026 and asked about the cause of that increase. Mr. Mortensen stated that the increase is based upon a projected increase in property tax revenue as well as population. This led to brief discussion about ongoing development projects in the community and current growth trends that can be relied upon to make budget projections.

Council Member Ron Campbell MOVED that City Council approve the ordinance adopting the Highland City Fiscal Year 2025-2026 Tentative Budget and schedule a public hearing for Tuesday, June 17, 2025, at 6:00 pm in the Highland City Council Chambers to consider the adoption of the final budget.

Council Member Scott L. Smith SECONDED the motion.

Council Member Cortney asked if the public hearing must commence at 6:00 p.m. City Attorney Patterson stated that is the time that will be advertised on the agenda, but the hearing will commence as close to that time as possible based upon other items on the meeting agenda.

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. PUBLIC HEARING/ORDINANCE: Property Boundary Adjustment Regulations (SB104) Land Use (Legislative)

Development Code Update (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider proposed text amendments related to the procedures for adjusting property boundaries and combining properties.

City Attorney/Planning & Zoning Administrator Patterson explained in the 2025 state legislative session, the legislature adopted SB 104, which revises the state laws regarding boundary line adjustments, lot line adjustments, and lot combinations that were adopted in 2021. Staff believes that this bill may help resolve the conflict the City has had with the County regarding consolidating lots and combining lots with open space parcels. SB 104 removes the previous regulations and classification of property adjustments that were known as parcel boundary adjustments, lot line adjustments, and lot combinations. Now, per SB 104, adjustments to property boundaries are either "simple boundary adjustments" or "full boundary adjustments." There are also no longer any distinctions between boundary adjustments based on whether the property is a lot (subdivided property) or a parcel (property of record not part of a subdivision).

- Simple boundary adjustments: any adjustment of property boundaries that does not create new lots, affect public rights of way, municipal utility easements, public property, other existing easements, onsite wastewater systems, or internal lot restrictions. Simple boundary adjustments are "simple" adjustments to boundary lines that include exchanging property between property owners or combining properties. Simple boundary adjustments do not require a plat amendment and will be approved by staff so long as there is no violation of city zoning and land use regulations.
- Full boundary adjustment: everything that is not a simple boundary adjustment. All full boundary

adjustments require a subdivision plat amendment and survey of property. The process for a plat amendment has been modified somewhat to provide a longer objection period from adjacent property owners but otherwise remains the same process as currently in place.

SB 104 also establishes that a "boundary establishment" does not require municipal approval. A boundary establishment is a recorded document that clarifies and establishes a disputed or uncertain boundary line between property owners. The City did not typically review these types of documents prior to SB 104. Staff has proposed amendments to the City's development code to reflect the changes to state law imposed by SB 104. This will hopefully simplify the process for simple boundary adjustments and clarify that simple boundary adjustments--including lot combinations--are to be accepted by the county when approved by the city. As part of the proposed amendments, staff has retained language referring to previously approved lot and parcel combinations, so to ensure that Highland residents that opted for a lot or parcel combination under prior law are not required by the city to re-do their combination. However, those residents could, if they chose, proceed under the new "simple boundary adjustment" process to combine their properties in order to have the county recognize their combination. Staff has prepared the proposed text amendments in order to comply with SB 104. The Planning Commission held a duly noticed public hearing regarding these amendments on April 22, 2025. No written comments were received prior to the meeting. No comments were made during the hearing. The Planning Commission discussed the amendments and how they would apply to various scenarios and then moved to recommend approval of the amendments to the City Council. Staff recommends that the City Council consider the proposed amendments, hold a public hearing, and approve and adopt the proposed amendments, with the following findings:

1. The proposed amendments incorporate and reflect the boundary adjustment procedures set forth in SB 104.
2. The proposed amendments retain City zoning recognition of previously approved lot and parcel combinations, as previously adopted by the City Council.

Council Member Smith asked if staff has talked with the County to see if this change will address their concerns and satisfy their recording requirements. Mr. Patterson stated he has not reached out to them, but he will.

Mayor Ostler, Council Member Smith, and Council Member Cortney offered examples of different types of land use transactions/issues and asked which category they would fall under in terms of a boundary adjustment. Mr. Patterson answered each example offered based upon the language of the new law and the proposed ordinance amendments.

Mayor Kurt Ostler opened the public hearing at 7:34 p.m.

Eileen Miller, Utah Valley Home Builders Association, offered an additional scenario for Mr. Patterson to consider; there are two existing properties with a fence between them for seven years, but there is some contention between the property owners due to a boundary by acquiescence or adverse possession situation, and the City gets involved and issues a building permit for a property that is actually encroaching on the other property. With the building permit in hand, the permittee begins constructing a structure over the property line. This is a real situation that was litigated all the way to the Supreme Court and there were two points at issue: the fence being in place for seven years constituted the property line, but one owner was paying taxes on property that was on the other side of the fence, so the ownership issue was convoluted. She asked if this would be a full or simple boundary adjustment situation. Mr. Patterson stated it would potentially be neither and, instead, could be a boundary establishment issue. There are two doctrines that must be observed; the fence establishing the property line and adjusting the boundary of the property according to the placement of the fence. Ms. Miller stated she is wondering if the new law or ordinance will address the issue; if the example she cited becomes a legal issue and the City has issued a building permit for one of the property owner, the City could become a party to the litigation. Mr. Patterson stated that there have been similar situations in the City in the past and the City's advice to the property owners has always been for them to settle the

matter privately before submitting applications to the City. Ms. Miller stated the County’s GIS data has been updated to make property boundaries very clear and she hopes there will be less property line disputes in the future. She is still interested in the City’s interpretation of the State law, however, because there will likely still be issues in the future.

Liz Rice stated that if she were to sell off part of her property, her mortgager is not going to be happy about it because it was part of the collateral for her loan. She asked if this law or ordinance addresses those situations. Mr. Patterson stated that mortgages are typically based upon recorded deeds of trust and if a portion of a property is sold, the mortgage company could invoke an escalation clause and require her to pay her loan at that time. However, their interest will be superior to any boundary adjustment that is made, and they can foreclose and take all of property, even if a portion is part of a boundary adjustment. City Administrator Wells added that when she made a boundary line adjustment in the past, she was required to prove that her mortgage company agreed to the adjustment.

Ms. Miller stated that in the scenario she presented initially, one of the property owners still had a mortgage; the boundary adjustment depreciated the value of the property that still had a mortgage, and she anticipates that the previous property taxes for the strip of land as well as the depreciated value of the property should be paid by the person who built the structure. The construction of the structure basically resulted in a taking of a portion of the square footage of the property.

Mr. Patterson stated the City could require proof of clear title when considering a boundary adjustment.

Council Member Smith asked Mr. Patterson if he needs the Council to determine who will be the appeal authority for a boundary adjustment matter. Mr. Patterson answered yes; he asked that they include that direction in their motion, unless they are comfortable with the language included in the draft ordinance.

Mayor Kurt Ostler closed the public hearing at 7:47 p.m.

Council Member Kim Rodela MOVED that the City Council ADOPT the ordinance amending City code related to boundary adjustments with the retention of the definition of "combination" for previously approved combinations.

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

- d. PUBLIC HEARING/ORDINANCE: Adoption of Fire Code Appendices (HB368) Land Use**
(Legislative)
Development Code Update (Legislative)
Municipal Code Update (Legislative)
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider proposed text amendments to adopt all appendices of the state fire code.

City Attorney/Planning & Zoning Administrator Patterson explained in the 2025 state legislative session, the

legislature adopted HB 368, which changed state law regarding many aspects of land development that will be addressed in a separate agenda item, but this item deals with one specific provision of HB 368, found in lines 4323-4324: "A municipality may adopt and enforce any appendix of the International Fire Code, 2021 Edition." Staff had long treated all appendices of the state fire code as adopted and enforceable. This provision calls that into question as it may be interpreted that we must first adopt all appendix to be able to enforce them. Accordingly, at the recommendation of the building official, fire marshal, and fire chief, staff is proposing to adopt all appendices of the International Fire Code, 2021 Edition, and to adopt any appendix of a different fire code edition if adopted by the state. These appendices provide specific rules and regulations for a wide variety of fire code issues, or provide supplemental or explanatory regulations to provisions of the fire code, and currently include:

- Appendix A - Board of Appeals
- Appendix B - Fire-flow requirements for buildings
- Appendix C - Fire hydrant location and distribution
- Appendix D - Fire apparatus access roads
- Appendix E - Hazard categories
- Appendix F - Hazard ranking
- Appendix G - Cryogenic fluids - weight and volume equivalents
- Appendix H - Hazardous materials management plan (Hmmp) and hazardous material inventory statement (Hmis) instructions
- Appendix I - Fire Protection Systems - noncompliant conditions
- Appendix J - Building information sign
- Appendix K - Construction requirements for existing ambulatory care facilities
- Appendix L - Requirements for fire fighter air replenishment systems
- Appendix M - High-rise buildings - retroactive automatic sprinkler requirement
- Appendix N - Indoor trade shows and exhibitions

The proposed text amendments include an amendment to the municipal code to reflect the adoption of the appendices as part of the City's adoption of the state building and fire code as well as amendments to the development code to more specifically require all development and construction to comply with fire code, including all relevant appendices. The Planning Commission held a duly noticed public hearing regarding these amendments on April 22, 2025. No written comments were received prior to the meeting. No comments were made during the hearing. The Planning Commission discussed the amendments and whether they would be retroactive. Staff has been treating these appendices as effective already, so there would be no new enforcement, and to the extent something out of conformity with the fire code appendices was approved by the City prior to now, it would likely have grandfathered, non-conforming status. The Commission then moved to recommend approval of the amendments to the City Council. Staff recommends that the City Council consider the proposed amendments, hold a public hearing, and approve and adopt the proposed amendments, with the following proposed findings:

1. The proposed amendments address the allowance under HB 368 for cities to adopt the appendices of the 2021 fire code.
2. The proposed amendments ensure the City can apply and enforce relevant requirements of fire code found in the appendices to the 2021 international fire code, or future fire codes adopted by the state.

Mayor Kurt Ostler opened the public hearing at 7:52 p.m.

There were no persons appearing to be heard.

Mayor Kurt Ostler closed the public hearing at 7:52 p.m.

Council Member Smith asked if the Design Review Committee (DRC) enforces the Fire Code, to which Mr. Patterson answered yes and noted most enforcement is fairly routine. Council Member Smith asked if the Building Inspector participates in that process, to which Mr. Patterson answered yes.

Council Member Scott L. Smith *MOVED* that the City Council *ADOPT* the two ordinances amending City municipal and development codes related to the adoption of fire code appendices as described in the agenda.

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

e. PUBLIC HEARING/ORDINANCE: Procedures for Classification and Approval of New Business Uses (SB179) Land Use (Legislative)

Development Code Update (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider a proposed text amendment to create city-wide procedures to review new and unlisted business uses within non-residential zones.

City Attorney/Planning & Zoning Administrator Patterson explained in the 2025 state legislative session, the legislature adopted SB 179, which requires every City to amend its land use regulations as follows:

- Create a process to classify a proposed business use as either allowed as an existing use or as a new or unlisted use.
- Create a process to review a new or unlisted business use to determine whether it should be allowed for one or more zones.
- Amend all zones that have a list of approved business uses to refer to the processes above.

The proposed text amendment accomplishes these goals. The proposed amendments have staff (zoning administrator) be the land use authority for classification requests, meaning requests to determine whether a proposed use is permitted or not under the current list of allowed uses. This is how these types of requests have been practically handled prior to now. The amendments then propose--as required by SB 179--that the City Council is the land use authority to decide whether a new or unlisted use should be allowed within a particular zone. For reference, two of the City's zones (PO Professional Office zone and RP Residential Professional zone) already had procedures to review new or unlisted uses to determine whether such uses should be permitted within the zones because the proposed use is compatible with existing allowed uses. Staff has taken these existing procedures and expanded them to apply to all zones. In reviewing new or unlisted uses, staff proposes the following criteria to determine whether a use aligns with an existing use or should be approved as a new, compatible use for the zone:

1. Compatibility of the proposed business use with the plain language of zoning regulations related to existing land uses, including restrictions or limitations on existing uses and relevant definitions;
2. Compatibility of the proposed business use with the intent and purpose of the potential zones;
3. Compatibility of the proposed business use with the General Plan;
4. Compatibility of the proposed business use with the uses of adjacent properties within potential zones;
5. The nature, scope, and impact of the proposed business use compared to existing or allowed uses;
6. Whether the proposed business use is expressly permitted in another zone; and
7. Whether the proposed business use or a similar or aligned use is expressly prohibited by applicable land use regulations.

Staff recommends that the City Council consider the proposed amendments, hold a public hearing, and approve and

adopt the proposed amendments with the finding that they meet the requirements of SB179.

The Council and staff engaged in high-level philosophical discussion about the intentions of the State when drafting and adopting this new legislation, after which Council Member Cortney asked why the senior care/assisted living overlay is not being updated as part of this ordinance. Mr. Patterson stated that for commercial zones of the City, there is a statement that indicates that if someone wants to pursue a use that is not listed as permitted, an applicant can refer to a process defined in the code. He did not include that statement in the senior care/assisted living overlay zone because it is not a true commercial zone in that it only allows two uses: assisted living and nursing facilities. It is intended as an overlay zone and a residential zone could be placed on top of it to allow an applicant to pursue residential or assisted living facility development. Council Member Campbell asked if that includes group homes, to which Mr. Patterson answered yes. Council Member Cortney stated he is comfortable with that position.

Mayor Kurt Ostler opened the public hearing at 8:07 p.m.

There were no persons appearing to be heard.

Mayor Kurt Ostler closed the public hearing at 8:07 p.m.

Council Member Cortney referenced the section of the ordinance that deals with timeframes for the Land Use Authority to make a decision on potential new business uses; he would like to change the proposed 30-day timeframe to 45-days because sometimes there are more than 30 days between a Council meeting and giving an additional 15 days would provide some flexibility.

Council Member Doug Cortney MOVED that the City Council ADOPT the ordinance amending City code related to classification of business uses with changes to the timeframes to be 45 days for a hearing, 45 days for a continued meeting, and final decision within 14 days after last meeting.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

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

The motion carried 5:0

Council Member Cortney indicated he will reach out to State Legislators to encourage them to change a decision on this issue to be legislative rather than administrative; he believes that was an oversight on their part.

- f. PUBLIC HEARING/ORDINANCE: Land Use Regulation Updates per HB 368 Land Use (Legislative)**
Development Code Update (Legislative)
Rob Patterson, City Attorney/Planning & Zoning Administrator
The City Council will consider proposed text amendments to reflect and incorporate changes to land use development procedures as required by HB 368.

City Attorney/Planning & Zoning Administrator Patterson explained in the 2025 state legislative session, the legislature adopted HB 368, which takes effect May 7. The bill changed state law regarding many aspects of land development. These changes include many changes to the building permit application, review, and

approval process, which do not need to be incorporated directly into the City's code. Other portions of HB 368 impose new state regulations that require updates to existing city codes, as set forth below:

- **NO APPEAL HEARINGS (Lines 4289-4290)** HB 368 prohibits any city from requiring a public hearing as part of a request for a variance or a land use appeal. The City was already operating this way: we hold appeal hearings that are open to the public but that are not public hearings at which the public can comment. To ensure that there is no question regarding this procedure, Staff proposes removing any reference to "hearing" within the City's appeal authority procedures.
- **NEW SUBDIVISION BONDING REQUIREMENTS (Lines 3473-3635, 4116-4255)** HB 368 modifies the long-standing bonding procedures for subdivisions. The changes imposed by HB 368 are summarized below:
 - Establishes hard deadlines (generally 15 days, with exceptions for inspections impacted by winter conditions or exceptional circumstances) for completion of inspections of subdivision improvements, determining whether to accept or reject improvements, and the release of assurances.
 - Warranty assurances are no longer able to be required with a performance/completion assurance, but only at the time the warranty period begins
 - Modifies what a performance or warranty assurance covers. Now it appears that completion assurances are tied to categories of improvements in terms of releasing the assurances (e.g., culinary systems, landscaping, transportation, etc.). It is unclear whether performance and warranty assurances are to be handled on an improvement category basis for warranty purposes, i.e., whether a subdivision may enter warranty for a specific category (water systems) while other work remains incomplete (e.g., roads). Staff's position is that there is only one warranty period for a subdivision, rather than multiple warranty periods for various improvement categories.
 - Modifies the release requirement for performance assurances to require 90% of the assurance be released once the improvements within an improvement category are completed, inspected, and accepted. The remaining 10% remains until the end of the warranty assurance.
 - The warranty assurance now appears to directly correspond with the performance assurance, so the City must allow the same forms of assurance for both types of assurances.
 - Cash assurances must be deposited in interest-bearing accounts, and the developer is entitled to the earned interest on the account.
 - Extension of the warranty period from 1 to 2 years now must be based on industry standards.

HB 368 is somewhat unclear or contradictory as to the assurance requirements, so the proposed amendments may need to be revisited as developers and municipalities begin to apply the new regulations. Staff is also evaluating whether to keep cash bonding as one of the approved forms of assurances, given the new requirement to track and return accrued interest. Staff may propose additional changes to the bonding process in a future amendment as we weigh the administrative burden of cash bonds/interest vs. the ease of access to the bond.

- **ADJUSTED ANNEXATION PROCEDURES (Lines 183-1908)**
 - HB 368 adjusts several procedures, definitions, conditions, and requirements related to annexation of property. Because the state annexation code is adjusted frequently and supersedes city code, staff proposes removing all city-specific annexation provision and simply referring to state code for annexation procedures. The only provisions that staff believe are important for the City to retain in its code regarding annexation address the broad discretion of the City to review annexations, to accept or reject an annexation, and to set terms, conditions, and restrictions on annexation.

The Planning Commission held a duly noticed public hearing regarding these amendments on April 22, 2025. No written comments were received prior to the meeting. One resident spoke during the hearing to raise concerns that the state legislature was further restricting local government authority with land use and whether a city could challenge these (or other) restrictions. The Planning Commission discussed the amendments and how they will affect the administration of developments, particularly with the new infrastructure categories and timing of warranty bonding and expressed support for staff's position to treat the warranty period as triggering for the entire subdivision, not for each improvement category. The Commission also discussed and asked questions regarding the changes to the building permit process from HB 368, which are not directly reflected in City code. The Commission then moved to recommend approval of the amendments to the City Council, and with that motion incorporated one additional change to the proposed amendments clarifying that the refund that is required to be provided if the City fails to meet deadlines is based upon the bond amount for a particular infrastructure category, as recommended by staff. This change has been incorporated into the proposed amendment included with this report.

Staff recommends that the City Council consider the proposed amendments, hold a public hearing, and APPROVE and ADOPT the proposed amendments, with the finding that the proposed amendments address and comply with the land use requirements and procedures amended or established by HB368.

Mr. Patterson facilitated high level discussion among the Council regarding the implications of some of the proposed ordinance amendments, including how the City establishes a bond amount; tracking interest on cash bonds for a development; and consideration of a single warranty bond rather than several different types of warranty for a development.

Mayor Kurt Ostler opened the public hearing at 8:29 p.m.

There were no persons appearing to be heard.

Mayor Kurt Ostler closed the public hearing at 8:29 p.m.

Council Member Scott L. Smith MOVED that the City Council ADOPT the ordinance amending City development code to conform to HB 368 as recommended by the Planning Commission, and information from the City Attorney, Planning Commission, and the agenda.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

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

The motion carried 5:0

Council Member Scott L. Smith requested a break. Meeting recessed at 8:30 p.m. The meeting resumed at 8:43 pm.

- g. ORDINANCE: Golf Cart Ordinance Municipal Code Update (Legislative)**
Rob Patterson, City Attorney/Planning & Zoning Administrator, Ron Campbell, Council Member
The City Council will consider an ordinance to permit golf carts on at least some City streets and to

provide rules and regulations for golf cart operations.

City Attorney/Planning & Zoning Administrator Patterson explained the Council has had several discussions during previous council meetings regarding golf carts. The Council asked staff to survey adjacent cities as to why or why not those cities permitted golf carts on their city streets. After receiving this information, discussing the advantages and disadvantages of allowing golf carts, and potential regulations, City council members directed staff to prepare an ordinance allowing and regulating golf carts for the Council's consideration. Mr. Patterson provided background information regarding the matter; by default, golf carts are not permitted to be driven on any street within the state of Utah, as they do not qualify as street-legal motor vehicles. Utah Code 41-6a-1510 gives municipalities the authority to allow golf carts on city streets, if the municipalities choose. If a municipality decides to allow golf carts on city streets, the municipality is required to adopt and provide sufficient parameters regarding the operation of golf carts, including on which streets golf carts are permitted, who can operate golf carts, and hours golf carts are allowed to be operated. However, regardless of the regulations adopted by a municipality, golf carts are not permitted on any non-city street, which for Highland means that golf carts are not permitted on SR-92, Alpine Highway, and North County Blvd. This means that a person driving a golf cart cannot cross these streets, so someone who lives north of Timpanogos Highway cannot drive a golf cart to the Highland Family Park or the City splash pad. Further, golf carts are exempted by state law from titling, odometer statement, vehicle identification, license plates, and registration under Title 41, Chapter 1a, Motor Vehicle Act; county motor vehicle emissions inspection and maintenance programs under Section 41-6a-1642; motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act; driver licensing under Title 53, Chapter 3, Uniform Driver License Act; and certain state fees. The proposed ordinance does not attempt to require any of these items. The proposed ordinance, which was modeled after ordinances in other communities, allows golf carts on city streets with certain rules (some of which are incorporated as reminders of existing law, rather than enacting new law):

- Drivers/passengers are subject to alcohol, DUI, and open container laws
- Golf carts cannot be driven on state highways or any city road with a posted speed limit greater than 25 MPH (the Council can choose whether to add or remove this restriction)
- Golf carts cannot be driven on City parks, trails, open space, cemetery, or sidewalks (except for parking or driveway access)
- Drivers must be 16 years old and have government-issued identification demonstrating their age - the Council can set a different age limit (e.g., 18 years old)
- Golf carts cannot have more riders than seats and each rider must be in their own seat
- Golf carts generally cannot be operated before sunrise or after sunset unless the cart has headlights, taillights, and safety reflectors
- Golf carts must stop at all stop signs (golf carts are treated like bicycles, which do not always need to stop at stop signs)
- Golf carts cannot be driven more than 25 MPH
- Golf carts must comply with City vehicle parking regulations
- Property owners (e.g., churches, schools, businesses, etc.) can prohibit golf carts on their property
- Violations of golf cart rules are infractions (like speeding tickets)

Mr. Patterson noted staff needs the Council to make a decision on the following matters:

1. Whether to adopt the ordinance allowing golf carts, and, if so:
2. What age should golf cart drivers be? (16, 18?)
3. Whether to restrict golf carts on City roads with speed limits over 25 MPH (e.g., Highland Blvd., Canal Blvd., 10400 N.). If the Council keeps the restriction prohibiting golf carts on streets with speeds over 25 MPH, then this will prevent residents from driving golf carts across 10400 N, for example, to reach the Highland Family Park or crossing Canal Blvd.
4. Any other changes to the ordinance the Council wishes to make.

Mr. Patterson concluded Police Chief Gwilliam has reviewed the proposed ordinance and if the Council chooses to allow golf carts, he is supportive of the restrictions outlined therein. He facilitated discussion among the Mayor, Council, and staff regarding the four questions to which staff needs answers from the Council. The discussion centered on insurance requirements for golf cart vehicles; the types of roads the City has the ability to allow golf carts on; and the manner in which golf cart regulations are enforced in cities where they are allowed.

Council Member Campbell stated he is comfortable allowing golf carts on roads with a speed limit of 25 miles per hour or less, and carving out other streets on which golf carts would be allowed.

Council Member Bills stated she is unsure that carving out certain streets will be helpful; she looked at feedback regarding the St. George golf court ordinance and some residents expressed confusion when trying to figure out which roads they could drive their golf cart on. She added she does not believe a school identification card should be considered valid identification for a golf cart driver because most school ID cards don't list a person's age.

Council Member Doug Cortney MOVED to extend the meeting to 10:00 p.m.

Council Member Ron Campbell SECONDED the motion.

All voted in favor, except Council Member Scott L. Smith.

Police Chief Gwilliam addressed the comments regarding the ability to enforce a golf cart ordinance; a law enforcement officer cannot stop a golf cart unless they have probable cause, and he listed some violations that would be clearly obvious that would warrant an officer stopping a golf cart. This led to continued philosophical discussion and debate about whether allowing golf cart operation in the City is appropriate, as well as reasonable restrictions to place on golf carts, such as age limit for the driver; restricting golf cart operating during certain weather conditions or after dark; making a parent responsible for illegal operation of a golf cart by a minor; and limiting golf carts to residential roads with a speed limit of 25 miles per hour or less.

Council Member Smith expressed his concerns about allowing golf carts because of the increased likelihood of a golf cart being hit by an automobile; he cited statistics for automobile/pedestrian accidents and the percentages of deaths based upon the speed the vehicle was moving. The same statistics would likely be similar for an automobile/golf cart accident and, for that reason, he is opposed to allowing golf carts on streets with a speed limit greater than 25 miles per hour. Council Member Cambell noted it is important to understand that golf carts have a governor that restricts their speed to 20 miles per hour or less, regardless of the speed limit of the road.

Council Member Cortney referenced the discussion of limiting golf cart operation in certain weather conditions or after dark; he noted lights or reflectors are already required if there are unfavorable atmospheric conditions that prevents visibility at a distance of 1,000 feet. This is already required by the bicycle code, which golf carts must also follow. If this becomes a problem, the City would have the ability to enforce that regulation. Relative to penalties for violations, he would very much like for the penalty listed under 10.08.060(B)(a), driving under the influence of alcohol, to be a misdemeanor rather than an infraction.

Mr. Patterson asked the Council if they want a separate provision to be included in the ordinance to hold parents responsible for penalties associated with their child's operation of a golf cart. The Council answered yes.

Council Member Cortney stated that he would prefer to require seat belts and proof of insurance for golf cart use, but he believes those restrictions are too great that it would defeat the purpose of an ordinance permitting

golf cart use. Council Member Rodela agreed.

Council Member Smith asked Council Member Campbell to provide a compelling argument for the Council to adopt an ordinance allowing golf carts. Council Member Campbell stated it is a desire of many residents to be permitted to operate golf carts in the City; he views this as a matter of providing and preserving liberty and freedom for residents. He stated that he could offer strong arguments for prohibiting bicycles on roadways based upon the number of deaths that occur each year, but he feels that would restrict someone's freedom. Everyone has a right to determine the risk level they would like to take, and many in the community, including a County Commissioner, have come forward and expressed a desire to allow golf cart operation in the City. Prohibiting golf carts based upon past accidents is not reasonable to him. He supports an ordinance that he views as a 'first step' regarding this issue, and that ordinance can be expanded in the future if the Council deems it is reasonable to do so.

Council Member Smith stated he views the proposed ordinance as 'opening Pandora's Box'; he does not feel he is unpatriotic or not in favor of liberty because he thinks this is an act of foolishness. He stated the City has never conducted a survey regarding this issue and it is hard to say that a majority of the residents are supportive of allowing golf carts simply because one Council Member has received some emails. In his neighborhood, a resident allowed his 9-year-old to drive their golf cart to church and that is concerning to him. He will support what the majority of the Council wants, but he does not believe he is a bad person or not supportive of liberty based on his position on this issue. Council Member Campbell stated he is not stating that liberty is not important to Council Member Smith; he noted the two of them simply have differing opinions on this matter.

Council Member Rodela stated that there was a golf cart accident in St. George recently involving a 9-year-old, and a week ago there was a 9-year-old who was killed by a senior citizen who was driving after having his keys repeatedly taken away from him by his children, yet he still had a license to drive. She stated that there is a higher number of accidents involving senior citizens, but she does not believe the City will enact an ordinance restricting senior citizens from driving. There is great reason to allow certain freedoms, but to consider restrictions that are aimed at preserving public safety.

Council Member Cortney addressed Council Member Smith's question, noting he does not believe there is a compelling argument to pass an ordinance; however, there are good arguments on both sides of the issue. There are many legitimate safety concerns that he shares, but there are also legitimate liberty concerns, and he shares those as well. He has gone back and forth on this issue, but based upon his own weighing of the issues, he is slightly in favor of adopting the ordinance allowing golf carts.

Mr. Patterson summarized his understanding of the feedback he has heard from the Council regarding the restrictions they would like to include in the ordinance.

Council Member Ron Campbell MOVED that the City Council adopt the proposed ordinance allowing and regulating the use of golf carts on City highways, with the following criteria previously stated by City Attorney Rob Patterson:

- 1. Golf carts are restricted to roads 25 mph or less*
- 2. Drivers must be at least 18 years old*
- 3. Penalties for parents or persons who allow minors to drive*
- 4. Violations related to alcohol will be a misdemeanor*
- 5. Golf carts are not allowed after dark*

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>No</i>

The motion carried 4:1

h. ACTION: Playground Vendor Selection General City Management

Jay Baughman, Assistant City Administrator/Community Development Director

The City Council will consider giving staff authority to negotiate and execute an agreement with Big T Recreation as the City's preferred playground supplier for funds spent from the City's Parks Tax.

Assistant City Administrator/Community Development Director Baughman explained in 2022, Highland City implemented a city Parks Tax for the purpose of maintaining and revitalizing the city's 26 parks. To this point, the money collected has been spent on Highland Family Park. Moving forward, the intention has been to use the money to replace other playgrounds in the City. The City Council has budgeted \$175,000 for this purpose in FY 2024-2025 and now needs to select a qualified vendor to partner with. In February 2025, staff prepared and posted a Request for Proposal (RFP) document on the state of Utah Procurement website with the purpose of selecting a qualified firm/vendor to partner with on a playground equipment replacement and updating program. In addition to requesting all firms demonstrate several relevant qualifications, the RFP requested that each proposal show what type of playground equipment the firm would be able to provide for the budgeted \$175,000. The city received seven proposals. Council Members Bills and Rodela met with staff members as part of a selection committee to review the proposals and make a selection. The firm that was chosen is Big T Recreation. The city has worked with this firm in the past, including for the installation of the ninja course, and they have an excellent reputation for quality construction and excellent customer service. Staff anticipates, barring any work quality concerns, using Big T recreation for the next five years on playground installations. The first two playgrounds the city anticipates using Big T to replace are at Heritage Park and Mitchell Hollow Park. Funding for this item was allocated in the current year's budget in the amount of \$175,000, 23-40-10 Park Expenditures. There is also approximately \$220,000 in the Parks Tax Fund fund balance from last year's tax collection. With these funds, staff anticipates doing two playground replacements right away with Big T recreation. Staff recommends the City Council give staff authority to negotiate and execute an agreement with Big T Recreation to be signed by the Mayor. Mr. Baughman then presented renderings of the park and identified several different elements of the park; the City has the ability to choose the color scheme for the project, and Big-T has indicated they can have the project completed six to eight weeks after the order is placed.

Council Member Campbell referenced the color scheme options; he asked if there was any consideration given to those with color-blindness. Mr. Baughman stated he is not sure of the answer to that question, but he can reach out to Big-T.

Council Member Cortney stated that it is his understanding that it is necessary to replace the playground because it is not in good shape and the City cannot get replacement parts for it; however, the replacement playground is twice the size of what is already there and he asked if the cost of the project could be reduced if the size of the new playground were closer to that of the old playground. Council Member Rodela stated she understands the point of that question, but the existing playground is nearly 15 years old, and the population has increased dramatically in that time; as the population increases, playground sizes should also increase. This led to high level discussion among the Mayor, Council, and staff regarding the parks throughout the City in which larger playgrounds are appropriate, as well as the prioritization of playground replacement projects. Mr. Baughman noted that as park elements and playgrounds are updated, they must be compliant with the

Americans with Disabilities Act (ADA). Council Member Cortney stated he is comfortable upgrading the playground, but noted the same consideration should be paid to other playgrounds throughout the City when they are in need of replacement.

Council Member Kim Rodela MOVED that the City Council give staff authority to negotiate and execute an agreement with Big T Recreation, to be signed by the Mayor.

Council Member Scott L. Smith SECONDED the motion.

Council Member Campbell asked if there is a contingency built into the budget, to which Mr. Patterson stated the City does not have a strict bid, so there is no contingency, but those elements will be negotiated.

The vote was recorded as follows:

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

The motion carried 5:0

City Administrator Wells noted the playground was actually built in 2003, so it is 22 years old.

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. ACTION: 2025 Road Maintenance Package General City Management

Chris Trusty, City Engineer/Public Works Director

The City Council will consider awarding the bid for the 2025 Road Preservation Projects.

City Engineer/Public Works Director Trusty explained on June 18, 2024, Council approved the FY25 Final Budget which included \$1,490,000 for road projects in 41-40-71 Major Road Maintenance and 56-40-70 Road Fee Projects. The FY26 Tentative Budget has \$1,455,000 budgeted between the two accounts. On April 30, the City received bids on the 2025 Road Preservation Project. There were 5 bidders which provided bids for certain aspects of the project, which included Reconstruct and Overlay, High Density Mineral Bond, and Bonded Matrix Overlay. The low bids for the project were as follows:

- Crack Sealing- Kilgore Contracting- \$26,710.96
- Asphalt Reconstruction and Overlay- Black Forest- \$745,060.00
- High Density Mineral Bond and Bonded Matrix Overlay- Holbrook Asphalt- \$243,910.42

The collective total of these bids was \$1,015,681.38. The engineer's estimate for this project was \$1,098,053.50. The total bid award with contingency would be for \$1,117,249.52. The cost of this project is \$1,117,249.52 which includes a 10 percent contingency. As is typical with the City's road construction projects, work on, and subsequently payment of these projects will span over two fiscal years.

Mayor Ostler asked if it would be appropriate to change the specifications for road preservation projects in order to secure more competitive bids for these projects. Mr. Trusty stated that he has tried to track alternative methods of road preservation, but communities that use other methods have not been as effective.

Council Member Campbell referenced a project that was completed by Holbrook Asphalt on Country Club Drive

and Highland Circle; during the preparation phase for the project, they did not blow the seeds out of the cracks and just last week a neighbor pointed out plants growing up through the cracks that were sealed one year ago. Holbrook was approached and offered to extend the warranty for the project, but in the future, he would prefer that they blow the seeds out of the cracks before completing the project.

Council Member Kim Rodela MOVED that City Council APPROVE awarding the 2025 Roads Project to the following contractors:

- *Crack Seal- Kilgore Contracting in the amount up to \$29,382.06*
- *Reconstruction and Overlay- Black Forest in an amount up to \$819,566.00*
- *High Density Mineral bond and Bonded Matrix Overlay- Holbrook Asphalt in an amount up to \$268,301.46*

and AUTHORIZE the City Administrator to sign the contract documents.

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

- b. ACTION: Waste Management Contract** *General City Management*
Jay Baughman, Assistant City Administrator/Community Development Director
The City Council will consider a one-year renewal of the Solid Waste Services Agreement with Waste Management. The Council will take appropriate action.

Assistant City Administrator/Community Development Director Baughman explained at the March 31, 2020 City Council Meeting, the City Council approved a five-year contract with Waste Management that would run from July 1, 2020 to June 30, 2025. In early 2020, the City sent a Request for Proposal (RFP) to the major garbage haulers in our area. Proposals were received from three haulers: ACE, Republic Services, and Waste Management. At the March 31 City Council Meeting, the Council accepted Waste Management’s proposal to begin Solid Waste Services for a contract period of five years. The terms of the agreement with Waste Management allow for a 12-month extension at the end of those five years. Per the terms of the agreement, any extension will be on the same terms as the current agreement. Waste Management's increase to FY2026 hauling rates is 5% and has been included in the Tentative Budget. Overall, City staff have been pleased with Waste Management's performance for our residents and as a contract partner. Staff recommends continuing to utilize Waste Management as our hauling partner. The Waste Management portion of the garbage operation costs, identified as "hauling contract" (10-73-50), in the garbage fund budget for fiscal year 2025, was \$921,076. Staff recommends renewing the contract with Waste Management for one year, extending from July 1, 2025 through June 30, 2026.

Brief discussion among the Council and Mr. Baughman centered on rates offered in other communities in comparison to the rates offered to Highland City by Waste Management; Mr. Baughman concluded rates are very competitive and in a recent resident survey, residents rated the service they receive from the garbage hauler very high.

Council Member Cortney stated the agreement lists a number of collection locations and frequency times and

he asked if Highland Family Park should be added to that list. Mr. Baughman answered yes, he will look into who is currently collecting the garbage from the Park.

Council Member Campbell asked if the City could secure lower rates if the contract term were five years rather than one year. Ms. Wells stated the contract stipulates that Waste Management can increase their rates every year based upon the consumer price index, regardless of the contract term.

Council Member Scott L. Smith MOVED that City Council renew the Solid Waste Service Agreement with Waste Management for a period of one year to begin services on July 1, 2025 through June 30, 2026.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

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

The motion carried 5:0

5. DISCUSSION ITEMS

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

There were no discussion items.

6. COMMUNICATION ITEMS

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

a. Repeal of R-2025-07: Establishing Meeting Duration Limitation

Doug Cortney, Council Member

Council Member Cortney stated the City currently has a resolution that establishes a Council meeting duration and requires a motion to extend beyond that time; there is some risk associated with the resolution in that if the Council takes an action after the specified meeting ending time without having voted to extend the meeting. The Council routinely ignores the time limit, and he would like to repeal the resolution, and he asked if there is support from the Council for including an action item on a future agenda.

The Council briefly debated the pros and cons of the resolution, concluding that the resolution makes the meetings more effective and they expressed a willingness to follow the rules and consider a motion when extending the meeting time. They also indicated that time limits should not apply to closed sessions. City Attorney Patterson stated he can work on an amendment to the resolution that would address concerns related to times associated with closed sessions.

b. Noise Ordinance Rob Patterson, City Attorney/Planning & Zoning Administrator

City Attorney/Planning & Zoning Administrator Patterson stated that he received a complaint from a resident about Texas Instruments working on Sundays; he reviewed the City’s current noise ordinance which identifies daytime hours as 7:00 a.m. to 10:00 p.m., regardless of the season/day. There is an exception for “temporary or short-term use of equipment or machinery for construction, maintenance, or cleaning, during daytime hours”, but all construction is permitted between 7:00 a.m. to 10:00 p.m., every day of the week. The ordinance does

not differentiate between noise sources/types, such as impulse, intermittent, continuous, or pure tone. He noted he wanted to make the Council aware of the issue to see if they are comfortable with the current ordinance or if they would like to make any changes.

Council Member Rodela stated she is comfortable with the current ordinance.

Council Member Smith asked if the main issue is that Texas Instruments work on Sunday. Mr. Patterson answered yes.

Council Member Campbell stated that unless staff feels there is a need to update the ordinance, he is fine with it in its current form.

c. FY25 Q3 Financial Report *David Mortensen, Finance Director*

Finance Director Mortensen stated he will email the FY25 Q3 report to the Council.

d. East West Collector Road Data Follow-up *Chris Trusty, City Engineer/Public Works Director*

City Engineer/Public Works Director Trusty will email this information to the City Council.

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

There were no Community Development updates.

f. School District Updates *Kurt Ostler, Mayor*

There were no School District updates.

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

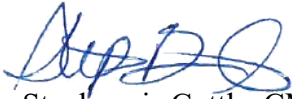
Council Member Kim Rodela MOVED to adjourn the regular meeting and Council Member Ron Campbell SECONDED the motion.

Prior to adjourning, Council Member Smith stated he received communication from a neighbor regarding a street project that will be occurring for the next three days during overnight hours; he asked what road project that is. City Engineer/Public Works Director Trusty stated it is a road project related to the installation of utilities for the new veterinarian clinic on North County Boulevard; their contractor was informed by the Utah Department of Transportation (UDOT) that they needed to install their utilities by May 15 and that work would only be permitted during nighttime hours. They are starting the project tonight. Council Member Smith stated he is already getting complaints, and this relates to the earlier discussion about the noise ordinance. Council Member Cortney stated that if the project is limited to a UDOT road, the City has no authority to regulate them based on the noise ordinance. Mr. Patterson agreed.

All voted in favor of adjourning the meeting and the motion passed unanimously.

The meeting adjourned at 10:01 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 May 6, 2025. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle, CMC, UCC
City Recorder



2



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.

3

CONSENT ITEMS

2a. Approval of Meeting Minutes: March 18, 2025
General City Management

4

Motion to Approve

I move that the City Council approve consent item 2a, the approval of meeting minutes from March 18, 2025, with proposed amendments.

5

LONE PEAK PUBLIC SAFETY DISTRICT FISCAL YEAR 2025-2026 TENTATIVE BUDGET

General City Management

6

LPPSD Tentative Budget Highlights

- Dispatch costs increased from FY25 by \$38,734
- Medical insurance cost increase of 12%
- Police wage adjustment of 6%
- Fire/EMS wage adjustment of 6%
- Fire promotion of three Firefighters to Engineer included
- No new positions are included in the tentative budget

7

LPPSD Tentative Budget Highlights

FY2026 LPPSD City Assessments				
Annual	Fire	Police	Admin	Total
Alpine	\$ 1,460,073	\$ 1,516,641	\$ 121,057	\$ 3,097,771
Highland	\$ 2,689,539	\$ 3,162,739	\$ 245,916	\$ 6,098,194
TOTAL	\$ 4,149,612	\$ 4,679,380	\$ 366,973	\$ 9,195,965
FY2025 Assessments (Prior Year)				
Annual	Fire	Police	Admin	Total
Alpine	\$ 1,339,127	\$ 1,497,976	\$ 125,331	\$ 2,962,434
Highland	\$ 2,405,818	\$ 3,035,195	\$ 248,840	\$ 5,689,853
TOTAL	\$ 3,744,945	\$ 4,533,171	\$ 374,171	\$ 8,652,287
Change Over Prior Year				
Annual	Fire	Police	Admin	Total
Alpine	\$120,946 (9%)	\$18,665 (1.2%)	-\$4,274 (-3.4%)	\$135,337 (4.6%)
Highland	\$283,721 (11.8%)	\$127,544 (4.2%)	-\$2,924 (-1.2%)	\$408,341 (7.2%)
TOTAL	\$404,667 (10.8%)	\$146,209 (3.2%)	-\$7,198 (-1.9%)	\$543,678 (6.3%)

8

LPPSD Tentative Budget Highlights

- \$408,341 increase in Highland's total assessment compared to FY25 budget
- Final budget will include an increase to animal shelter fee of approximately \$20,000
- May 13 – Lone Peak Board Work Session
- May 14 – Lone Peak Final Budget Approval

9

Motion to Approve

I move that City Council approve the Lone Peak Public Safety District Fiscal Year 2025-2026 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 29, 2025.

10



HIGHLAND CITY FY 2025-2026
TENTATIVE BUDGET

General City Management

Item 3b – Public Hearing/Ordinance
Presented by – David Mortensen, Finance Director

11

FY26 Budget Summary

ALL FUNDS SUMMARY					
Fund	Estimated Beginning Fund Balance	Budgeted Revenue (Including FY Fund Balance)	Budgeted Expenditure (Excluding Saving for Cap Asset Replacement)	Net Revenue (Including FY Fund Balance & Excluding Saving for Cap Asset Replacement)	Estimated Ending Fund Balance
General Fund	\$ 5,599,882	\$ 11,826,128	\$ 11,784,178	\$ 41,950	\$ 5,561,882
Cemetery Perpetual Fund	\$ 129,817	\$ 486,361	\$ 479,991	\$ 10,370	\$ 35,189
Library Fund	\$ 80,793	\$ 420,000	\$ 420,000	\$ -	\$ 40,793
Public Tax Fund	\$ 254,874	\$ 189,000	\$ 189,000	\$ 9,000	\$ 263,874
Building & Development Fund	\$ 947,495	\$ 1,128,401	\$ 1,128,401	\$ -	\$ 188,838
Debt Service Fund	\$ 12,743	\$ 994,879	\$ 994,879	\$ -	\$ -
Public Capital Improvement Fund	\$ 3,152,448	\$ 3,171,960	\$ 3,171,960	\$ -	\$ 240,082
Roads Capital Improvement Fund	\$ 1,126,924	\$ 6,021,400	\$ 6,021,400	\$ -	\$ 354,919
Buildings Capital Improvement Fund	\$ 1,600,734	\$ 641,364	\$ 641,364	\$ -	\$ 325,852
Town Center Seawall Fund	\$ 6,194	\$ -	\$ -	\$ -	\$ -
Sewer Fund	\$ 4,054,034	\$ 3,374,255	\$ 3,010,618	\$ 363,636	\$ 4,417,654
Pressurized Irrigation Fund	\$ 5,488,919	\$ 3,165,021	\$ 3,169,111	\$ 55,910	\$ 5,542,845
Storm Sewer Fund	\$ 2,235,638	\$ 1,343,437	\$ 1,343,437	\$ -	\$ 292,549
Culinary Water Fund	\$ 1,997,120	\$ 3,002,848	\$ 2,520,083	\$ 482,765	\$ 2,479,885
Utility Transportation Fund	\$ 360,096	\$ 1,248,606	\$ 1,248,606	\$ -	\$ 12,317
Internal Service IT Fund	\$ 3,584	\$ 77,400	\$ 77,400	\$ -	\$ -
TOTAL - ALL FUNDS	\$ 28,077,809	\$9,361,878	\$9,678,260	\$99,618	\$ 1,499,935

12

Budget Changes from April 29 Version

- Increased Garbage Collection Fees - \$34,084
 - Due to expected increase in North Pointe fees of \$34,121
 - Includes increase of monthly can costs of \$1.21 for first garbage can, \$2.35 for second garbage can, and \$1.55 for recycling can
- Transfer of \$250,000 from General Fund to Roads Capital Project Fund for 10400 & 6000 W Sidewalk and Crosswalk project
- Small decrease (\$4,464) in General Fund interest due to transfer of funds to Roads Capital Fund

13

Potential Changes for Final Budget

- Water Rates
 - Study underway – last study called for small additional increases each year that were not implemented
- Cemetery Fund Study
 - Project in process with Zions Bank Public Finance
 - Will impact Veteran's area project
- Increase to Lone Peak assessment due to animal shelter fee increase
- Certified Tax Rate – Provided by Utah County in early June
- Public Safety Fee (75% of taxes used rule)

14

Public Safety Revenue Options

- Total City assessment increase = \$408,341

Fiscal Year	Public Safety Fee Total	LPPSD Assessment	Portion of Assessment Covered by Sales & Property Tax	Percent of Public Safety Fee	Percent of Tax Subsidy	Total Sales Tax	Total Property Tax	Total Taxes	Percentage of Taxes Used for Public Safety	Percentage of Taxes Used for Public Safety if No Public Safety Fee is Collected
2020	648,941	4,186,349	3,538,009	16%	80%	2,742,113	1,872,264	4,615,377	76.60%	90.72%
2021	633,689	4,186,463	3,544,764	16%	84%	3,345,412	1,984,840	5,330,252	67.64%	86.32%
2022	672,560	4,368,096	3,595,538	16%	84%	3,662,461	1,960,481	5,642,922	63.72%	75.84%
2023	933,764	4,967,575	4,053,811	19%	81%	3,987,459	2,136,936	6,066,396	66.86%	82.39%
2024	974,625	5,361,339	4,365,714	18%	82%	4,279,436	2,150,745	6,530,181	67.18%	82.38%
2025	990,000	5,689,853	4,699,853	17%	83%	4,140,000	2,215,557	6,355,557	74.01%	88.00%
2026	1,030,000	6,086,154	5,076,154	17%	83%	4,140,000	2,253,268	6,393,268	79.44%	88.48%

15

Public Safety Revenue Options

- Maintain 75% of taxes used to pay assessment
 - Public Safety Fee Increase
 - From \$15.25 per month to \$19.35 per month (27% increase)
 - Would raise approximately \$285,000 in revenue
 - Political questions from state legislature

16

Motion to Approve

I move that City Council approve the ordinance adopting the Highland City Fiscal Year 2025-2026 Tentative Budget and schedule a public hearing for Tuesday, June 17, 2025, at 6:00 pm in the Highland City Council Chambers to consider the adoption of the final budget.

17



PROPERTY BOUNDARY ADJUSTMENT REGULATIONS (SB104)

Land Use (Legislative)

Item 3c - Public Hearing/Ordinance

Presented by - Rob Patterson, City Attorney/Planning & Zoning Administrator

18

Background

- 2021 and 2022 – State legislature changes state law on adjusting and combining properties
 - Lot & parcel definitions, parcel boundary adjustments, lot line adjustments, lot combinations
 - City incorporates state law into city code
- 2024 – Due to county not recognizing city lot combinations, city amends city code to ensure city will recognize city-approved lot combinations
- 2025 – State changes state law again in SB 104

19

SB 104

- Boundary establishment
 - Previously boundary line agreements
 - Used to establish/settle uncertain property lines
 - Not subject to city review, not part of city code
- Simple boundary adjustments
 - Previous parcel boundary adjustments, lot combinations, and some lot line adjustments
 - Adjustments to property that do not create new lots or affect ROWs, easements, public property, wastewater, or lot restrictions
 - No plat amendment, only requires city consent, conveyance document, and description of affected properties
- Full boundary adjustment
 - All other types of property adjustments that do not create new lots
 - Requires plat amendment, survey, and city approval

20

Proposed Amendments

- Removes many definitions and other language that duplicate state law and instead points to state law
- Updates boundary adjustment processes per state law
- Establishes land use authority for all procedures
 - Simple boundary adjustment – staff, appeals to appeal authority (change from appeals to council)
 - Plat amendment – council, appeals to court
 - Full boundary adjustment (after plat amendment) – staff, appeals to appeal authority (new)
- Keeps effect of approved lot combinations - suggestion to retain definition of “combination”

21

Staff and Commission Review

- Staff drafted amendments to comply with state law
- Notice of hearings published April 10 (Commission) and April 23 (Council), with no comments.
- Planning Commission held a public hearing on April 22, with no comments
- Planning Commission unanimously recommended approval of amendments as presented
- Staff recommends adoption of the amendments with the one change to retain definition

22

Motion to Approve

I move that the City Council ADOPT the ordinance amending City code related to boundary adjustments with the retention of the definition of “combination” for previously approved combinations.

[Council may specify additional or different amendments to be adopted]

23



ADOPTION OF FIRE CODE
APPENDICES (HB368)
Land Use (Legislative)

Item 3d - Public Hearing/Ordinance
Presented by - Rob Patterson, City Attorney/Planning & Zoning Administrator

24

Background

- State adopts international fire code and requires all local governments to follow and enforce same code
 - Current state fire code is 2021 version
 - State typically adopts updated versions (e.g., 2024 version) years after the updated version is released, after the state reviews the changes and incorporates any amendments
- City staff have always assumed that the state’s adoption of the international fire code included the international fire code appendices, but they are not

25

HB 368

- HB 368 is a lengthy bill modifying many aspects of land use and development
- Includes lines 4323-4324 “A municipality may adopt and enforce any appendix of the International Fire Code, 2021 edition.”
 - Appendices provide specific regulations on specific uses
 - Appendix D – access requirements and standards

26

Proposed Amendments

- Amends municipal and development code to specifically adopt and require compliance with all appendices to current and future state-adopted fire codes
- Fire chief, fire marshal, and building official recommended adoption
- If appendices are adopted at a city level, then city can address specific situations in the future. Adoption of appendices establishes baseline

27

Staff and Commission Review

- Notice of hearings published April 10 (Commission) and April 23 (Council), with no comments.
- Planning Commission held a public hearing on April 22, with no comments
- Planning Commission unanimously recommended approval of amendments as presented after ensuring that changes would not be retroactive or affect home occupations
- Staff recommends adoption of the amendments

28

Motion to Approve

I move that the City Council ADOPT the two ordinances amending City municipal and development codes related to the adoption of fire code appendices.

[Council may specify additional or different amendments to be adopted]

29



PROCEDURES FOR CLASSIFICATION AND APPROVAL OF NEW BUSINESS USES (SB179)

Land Use (Legislative)

Item 3e - Public Hearing/Ordinance

Presented by - Rob Patterson, City Attorney/Planning & Zoning Administrator

30

Background

- In two commercial zones (Residential Professional and Professional Office), city has a process to approve new business uses that are not specifically listed in the list of allowable uses
 - “In the P.O. Zone, any use not expressly listed as a conditional use shall be evaluated by the conditional use Land Use Authority to determine if said use
 - Is consistent with the intended use of the zone; and
 - Is compatible with other listed uses; and
 - is compatible with the uses of adjacent properties.”

31

SB 179

- Requires municipalities:
 - To “incorporate into the municipality’s land use ordinances a process for reviewing and approving a new or unlisted business use and designating an appropriate zone or zones for an approved use”
 - To “amend each land use ordinance that contains a list of approved or prohibited business uses to include a reference to the process for petitioning to approve a new or unlisted business use”
- Requires two procedures for zones with business uses (not residential zones): one to classify a use as new or existing, and one to potentially approve a new use

32

Examples

- Classification
 - Business license request for “health and wellness spa”
 - C-1 zone permits “personal services such as barber, beauty shops, [and] tanning salons,” and “medical offices.”
 - Approved as aligning with existing allowed uses
- New Use
 - Zaana Jewelry – jewelry consulting, design, and sales
 - PO Zone prohibits retail but permits professional offices
 - Approved as new use, with condition that store not have showroom or allow general retail

33

Proposed Amendments

- Provide procedures to classify a use as new or existing
 - Staff review (as currently done)
 - If use cannot be classified as an existing use, then the use is not permitted unless approved as a new use
- Provide procedures to review a new use for potential approval within a zone
 - Requires review by council (required by state law)
 - Applicant can appeal decision as administrative act
- Amends all commercial zones to reference procedures

34

Proposed Amendments

- Per SB 179, the City must establish timeframes for council review of potential new businesses uses
 - Proposed amendments give 30 days after application for public hearing, can continue to another meeting within 30 days to request additional information, and then requires decision within 14 days after last meeting
 - Can change timeframes
 - 45 days for hearing after application
 - If continued, continue to a meeting within 45 days of hearing
 - Decision within 30 days after hearing/continued meeting

35

Proposed Amendments

- Staff-proposed criteria to classify or approve use (any others?)
 - Compatibility of the proposed business use with the plain language of zoning regulations related to existing land uses, including restrictions or limitations on existing uses and relevant definitions;
 - Compatibility of the proposed business use with the intent and purpose of the potential zones;
 - Compatibility of the proposed business use with the General Plan;
 - Compatibility of the proposed business use with the uses of adjacent properties within potential zones;
 - The nature, scope, and impact of the proposed business use compared to existing or allowed uses;
 - Whether the proposed business use is expressly permitted in another zone; and
 - Whether the proposed business use or a similar or aligned use is expressly prohibited by applicable land use regulations.

36

Staff and Commission Review

- Staff drafted amendments to comply with state law
- Notice of hearings published April 10 (Commission) and April 23 (Council), with no comments.
- Planning Commission held a public hearing on April 22, with one resident asking to confirm this would not affect home occupations (it will not) nor allow uses that have previously been prohibited (it will not)
- Planning Commission unanimously recommended approval of amendments as presented
- Staff recommends adoption of the amendments with any changes desired for timeframes

37

Motion to Approve

I move that the City Council ADOPT the ordinance amending City code related to classification of business uses.

[with changes to the timeframes to be 45 days for a hearing, 45 days for a continued meeting, and 30 days for a decision]

[Council may specify additional or different amendments to be adopted]

38



LAND USE REGULATIONS UPDATES
(HB368)

Land Use (Legislative)

Item 3f - Public Hearing/Ordinance

Presented by - Rob Patterson, City Attorney/Planning & Zoning Administrator

39

HB 368

- HB 368 is a lengthy bill modifying many aspects of land use and development
- Many things will be implemented by default without need to amend city code (e.g., building permits, notice changes)
- Three areas where staff recommends updating City Code
 - Appeal hearings
 - Annexation procedures
 - Subdivision bonding

40

HB 368 - No Appeal Hearings

- HB 368 prohibits an appeal authority from conducting a public hearing on a variance or land use appeal
- Appeal authority proceedings will still be public meetings, but public cannot participate as hearing
- Does not affect public hearings to review land use applications or amend/adopt code
- Proposed amendments remove references to hearings within appeal authority procedures

41

HB 368 - Annexation Procedures

- HB 368 amends aspects of annexation procedures (policy plan requirements, boundary commission procedures, calculating value of property, annexation timelines, clarify who is responsible to act)
- Proposed amendments remove procedures in city code related to annexations and instead point to state law
- Retained in city code the criteria by which annexations are evaluated and statements that annexations are legislative and may be approved/denied/conditionally approved based upon the discretion of the council

42

HB 368 – Subdivision Bonding

- HB 368 significantly changes bonding for subdivision improvements
- Background information: Final Plat Approved
 - Complete all improvements, provide a warranty bond to ensure improvements remain in good condition for 1 year, and record final plat and sell lots
 - Provide completion bond covering 100% cost of all public improvements (plus 10% admin), record final plat and sell lots

43

HB 368 – Subdivision Bonding

- Requires a land use authority for bonding issues
 - city engineer/public works director
- Completion bond must be allocated between 7 infrastructure improvement categories:
 - Culinary; sewer; storm water; transportation; PI; landscaping; public parks, trails, and open space
 - Partial and complete releases of completion bond is now done by category, rather than based on overall completion of improvements

44

HB 368 – Subdivision Bonding

- 15 days to complete inspections for completed infrastructure or warranty work (winter and exceptional circumstances exceptions)
- 15 days to provide bases for any rejection
 - If not timely process, new process for applicant to request explanation, and if City does not, City must refund 20% of applicable bond for category
- 15 days to release funds after request

45

HB 368 – Subdivision Bonding

- Completion bond is now released down to 90%
 - HB 368 is unclear on whether remaining 10% is the warranty bond or if a separate warranty bond can still be required
 - Proposed amendments state that 10% will be kept unless a separate 10% warranty bond is provided
- Warranty bond cannot be required until warranty (previously required upfront with completion bond)
- Administrative fee not released until after warranty
- Cash bonds must accrue interest and must be paid to developer (potentially changing allowed forms)

46

Proposed Amendments and Future

- Current amendments address HB 368
- Staff will be reviewing our current bonding procedures:
 - Better process/enforcement of timeline for bonds and foreclosure
 - Whether to keep cash bonds or require a different form
 - Limitations on “punch-list” duration

47

Staff and Commission Review

- Staff drafted amendments to comply with state law
- Notice of hearings published April 10 (Commission) and April 23 (Council), with no comments.
- Planning Commission held a public hearing on April 22, with one resident raising concerns that the state was further restricting local government land use authority
- Planning Commission unanimously recommended approval of amendments with one adjustment staff recommended (penalty for untimely inspection report)
- Staff recommends adoption of the amendments as recommended by Commission

48

Motion to Approve

I move that the City Council ADOPT the ordinance amending City development code to conform to HB 368 as recommended by the Planning Commission.
[Council may specify additional or different amendments to be adopted]

49



GOLF CART ORDINANCE
Municipal Code Update (Legislative)

Item 3g – Ordinance
Presented by – Rob Patterson, City Attorney/Planning & Zoning Administrator

50

Background

- By state law, golf carts are by default prohibited on all streets, as they are not “street-legal” vehicles
- UCA 41-6a-1510 allows cities to choose to permit golf carts on their city streets, and cities must adopt regulations regarding golf cart operations:
 - On which streets are golf carts permitted
 - Who can operate golf carts
 - Hours golf carts may be operated

51

State Restrictions

- Golf carts are never permitted on or across state roads (SR-92, Alpine Highway, North County Blvd)
- Golf carts are exempt from certain typical vehicle requirements
 - Titling, registration, license plates, identification
 - Emissions/maintenance
 - Insurance
 - Driver licensing

52

Potential Amendments

- Permits golf carts on city streets 25 mph or under
- Cannot drive on sidewalks, trails, parks, cemetery, open space (may need to adjust exception language – “except upon a designated vehicular access or parking area”)
- Must be 16 with ID
- Cannot have more riders than seats, each in own seat
- No driving after dark unless has lights & reflectors
- Stop at all stop signs
- Can’t drive more than 25 mph (most can’t anyway)
- Subject to state alcohol laws, city parking restrictions
- Property owners can restrict (schools, churches, businesses)
- Infraction for violations

53

Questions for Council

- Allow golf carts on 25+ MPH streets?
- Age of golf cart driver?
- Allowance of golf carts after dark?
 - Proposed - only with lights and reflectors
 - Specific state standard (bicycles or standard vehicles)?
 - Federal standard (LSV)?
- Require golf carts to meet standards to be street-legal for any use, like ATVs (Federal standard?)?
- Penalties? Stronger penalties for certain violations?
- Other requirements/restrictions?

54

Motion to Approve

I move that City Council adopt the proposed ordinance allowing and regulating the use of golf carts on City highways, specifying:

- Golf carts [ARE / ARE NOT] permitted on city streets with speed limits over 25 MPH
- Drivers of golf carts must be at least [16 / 18] years old
- Golf carts [ARE / ARE NOT] permitted after dark [UNLESS MEET (STATE or FEDERAL) STANDARD]
- Adopt revised exception language for golf carts in parks
- [Certain] Violations penalized as [MISDEMEANOR / INFRACTION]

[Council may specific different or additional changes to the proposed ordinance]

55



PLAYGROUND VENDOR SELECTION

General City Management

Item 3h - Action

Presented by - Jay Baughman, Assistant City Administrator/Community Development Director

56

Selection Process

1. Request for Proposals (RFP) was drafted and posted on the state's procurement site for 30 days:

- o Vendor/Firm qualifications and experience
- o Case Study requesting what playground the vendor would propose with a budget of \$175,000

2.Seven responses

57

Selection Process

Selection committee:

- Brittney Bills, Council Member
- Kim Rodela, Council Member
- Chris Trusty, Public Works Director
- Josh Castleberry, Parks Superintendent
- Jay Baughman, Assistant City Administrator

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Vendor Selection

Big T Recreation

Highland City RFP - Heritage Park

Highland City, Utah





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Highland City RFP - Heritage Park

Highland City, Utah

23-0000126

Sales Representative

Equipment Manufacturer



Site Information

Equipment Details

Model	Color	Material	Height	Weight
1000000000	Blue	Steel	10'0"	10000 lbs
1000000000	Blue	Steel	10'0"	10000 lbs
1000000000	Blue	Steel	10'0"	10000 lbs
1000000000	Blue	Steel	10'0"	10000 lbs

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Playground Design

- For children 5-12 years of age
- 14' tower is completely enclosed for safety
- Colors can be selected by the city
- Durability and warranty meet or exceed industry standards
- 6-8 weeks from order placement to opening
- City has worked with Big T before

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Motion to Approve

I move that the City Council give staff authority to negotiate and execute an agreement with Big T Recreation, to be signed by the Mayor.

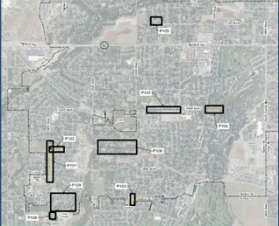
65

**2025 ROAD MAINTENANCE PACKAGE**
General City Management

Item 4a - Expedited
Presented by - Chris Trusty, City Engineer/Public Works Director

66

Project Area



Types of Projects/Road Work

- Reconstruction & Overlay
- High Density Mineral Bond
- Bonded Matrix Overlay
- Crack Seal

67

Motion to Approve

I move that City Council APPROVE awarding the 2025 Roads Project to the following contractors:

- Crack Seal- Kilgore Contracting in the amount up to \$29,382.06
- Reconstruction and Overlay- Black Forest in an amount up to \$819,566.00
- High Density Mineral bond and Bonded Matrix Overlay- Holbrook Asphalt in an amount up to \$268,301.46.

and AUTHORIZE the City Administrator to sign the contract documents.

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WASTE MANAGEMENT CONTRACT

General City Management

Item 4b – Expedited
Presented by – Jay Baughman, Assistant City Administrator/Community Development Director

69

Waste Management

- Original five (5) year contract is ending June 30, 2025
- Year-to-year contract under same terms
- Over 90% of respondents rated the city's Garbage/Recycling service as Good or Excellent
- Citing excellent performance by WM, staff did not feel it was necessary to go out to bid

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Rate Comparison

City	Population	Waste Management	Charge to Resident- 1st	Charge to Resident-2nd	Charge to Resident- Recycle
Milled	2,300	Waste Management	\$23.05	\$9.25	"Included"
Hyde Park	5,600	Waste Management	\$23.00	\$8.67	"Included"
Morgan City	4,500	Robeson Waste	\$19.00	\$19.00	\$6.50
Burkeville	20,000	Waste Management	\$18.75	\$13.35	Included with Garbage
North Logan	12,100	Waste Management	\$18.55	\$8.70	\$6.50
Clearfield	34,500	Waste Management	\$17.75	\$17.00	\$6.50
Providence City	9,800	Clearfield PPP	\$16.85	\$8.25	\$6.25
Sealeman City	20,000	Republic Services	\$16.31		\$9.85
Vineyard	20,000	Republic Services	\$16.25	\$10.00	\$7.50
Sealeman Springs	65,000	Republic Services	\$16.05	Included with garbage 1st can	\$0
Toole County	86,243	Republic Services	\$16.00	\$12.00	\$9.00
Perry	6,000	Republic Services	\$15.30	\$11.20	\$11.20
Green River	681	Waste Connections (DB)	\$15.00	\$12.00	NA
Vernal	10,500	G&H Garbage (local)	\$15.00	\$5.00	\$12.00
Perry City	40,000	Waste Management	\$14.16	\$9.14	\$7.94
Boomer City	3,500	Hughes & Sons	\$14.00	\$10.00	
South Salt Lake	26,000	ACE Disposal	\$14.00	Included with Garbage	
Pharret Grove	38,000	Republic Services	\$13.75	\$10.36	\$7.68
Orem	98,000	Waste Management	\$13.55	\$12.55	\$4.85
Spanish Fork	48,452	Republic Services	\$13.50	\$13.50	\$8.00
Riverton City	46,047	Waste Management	\$13.00	\$7.00	Included with garbage 1st can
London	12,500	Republic Services	\$12.43	\$10.88	\$5.25
Alpine City	10,500	ACE Disposal	\$11.50	\$8.40	\$6.25
Highland	20,000	Waste Management	\$11.33	\$8.07	\$7.03
Willard	6,000	ACE Disposal	\$11.00	\$11.00	\$4.50
		Mean	\$15.56	\$10.96	\$7.40
		Median	\$15.24	\$11.04	\$7.40

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Motion to Approve

I move that City Council renew the Solid Waste Service Agreement with Waste Management for a period of one year to begin services on July 1, 2025 through June 30, 2026.

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REPEAL OF 2025-07: ESTABLISHING MEETING DURATION LIMITATION

Item 6a – Communication
Presented by – Doug Cortney, Council Member

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NOISE ORDINANCE

Item 6b – Communication
Presented by – Rob Patterson, City Attorney/Planning & Zoning Administrator

74

Current Ordinance

- Daytime hours: 7 am to 10 pm, regardless of season/day
- Exception for “temporary or short-term use of equipment or machinery for construction, maintenance, or cleaning, during daytime hours”
 - All construction permitted between 7 to 10, every day of the week
- Ordinance does not differentiate between noise sources/types
 - Impulse, Intermittent, Continuous, Pure Tone

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FY25 Q3 FINANCIAL REPORT

Item 6c – Communication
Presented by – David Mortensen, Finance Director

76

Highland City Financial Report Fiscal Year: 2025 Quarter: 3 (Ending March 31, 2025) Percent of Fiscal Year Elapsed: 75%

Category	Year-to- Date Actual	FY25 Budget	Percent of Budget	Notes
General Fund:				
Revenue	9,984,378	13,254,678	75%	
Expenditures	10,296,982	14,065,678	73%	
Net Revenue over Expenditures	(312,606)	(810,998)		
Open Space Fund:				
Revenue	16,900	-		Interest earnings (will be transferred out to General Fund prior to year end)
Expenditures	-	-		
Net Revenue over Expenditures	16,900	-		

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Category	Year-to- Date Actual	FY25 Budget	Percent of Budget	Notes
Cemetery Fund:				
Revenue	272,114	365,500	74%	Cemetery lot sales at 74%
Expenditures	325,541	335,513	97%	Transfer of PI surplus to General Fund recorded - year end adj needed
Net Revenue over Expenditures	(53,527)	29,981		
Library Fund:				
Revenue	408,380	427,101	96%	
Expenditures	330,899	454,222	73%	
Net Revenue over Expenditures	77,481	(27,121)		
Parks Tax Fund:				
Revenue	151,680	184,000	82%	
Expenditures	-	175,000	0%	
Net Revenue over Expenditures	151,680	9,000		
Building & Development Fund:				
Revenue	643,766	1,139,000	57%	Building permits 55%, plan check fees 51%, inspection fees 23% of budget
Expenditures	845,550	1,118,434	76%	
Net Revenue over Expenditures	(205,784)	20,566		

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Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
Debt Service Fund:				
Revenue	951,257	951,257	100%	Transfers in recorded at beginning of year
Expenditures	946,524	951,257	100%	Debt service payments front-loaded
Net Revenue over Expenditures	4,733	-		
Parks Capital Improvement Fund:				
Revenue	1,210,211	1,145,000	106%	Park donations and grants recorded that need a year end budget adj.
Expenditures	3,642,858	4,154,154	88%	Debt service front loaded, Highland Family Park at 50% of budget
Net Revenue over Expenditures	(2,432,646)	(3,009,154)		
Roads Capital Improvement Fund:				
Revenue	1,080,517	995,000	109%	Transfers in recorded at beginning of year, impact fees at 112% of budget
Expenditures	117,779	1,279,990	9%	
Net Revenue over Expenditures	962,738	(284,990)		
Buildings Capital Improvement Fund:				
Revenue	484,403	436,542	111%	Transfers in recorded at beginning of year, impact fees at 104% of budget
Expenditures	1,435,449	2,663,642	54%	
Net Revenue over Expenditures	(951,045)	(2,227,100)		

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Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
Town Center Exaction Fund:				
Revenue	1,531	-		Interest earnings
Expenditures	-	-		
Net Revenue over Expenditures	1,531	-		
Sewer Fund:				
Revenue	2,250,044	3,120,000	72%	Impact fees at 50% of budget
Expenditures	1,666,922	3,245,726	51%	
Net Revenue over Expenditures	583,122	(125,726)		
Pressurized Irrigation Fund:				
Revenue	4,358,672	6,508,000	67%	Grant revenues at 54% of budget
Expenditures	4,880,403	8,142,954	60%	
Net Revenue over Expenditures	(521,731)	(1,634,954)		
Storm Sewer Fund:				
Revenue	749,293	930,000	81%	
Expenditures	486,536	1,255,160	39%	
Net Revenue over Expenditures	262,757	(325,160)		

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Category	Year-to-Date Actual	FY25 Budget	Percent of Budget	Notes
Culinary Water Fund:				
Revenue	1,615,729	2,988,400	54%	Impact fees 61%, meter fees 36%, grant revenue 9% of budget
Expenditures	1,261,140	3,037,125	42%	
Net Revenue over Expenditures	354,589	(56,726)		
Transportation Fund:				
Revenue	951,621	1,155,000	82%	
Expenditures	657,624	1,153,769	57%	
Net Revenue over Expenditures	293,997	1,231		
Internal Service IT Fund:				
Revenue	49,197	48,750	101%	
Expenditures	31,464	48,750	65%	
Net Revenue over Expenditures	17,734	-		

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EAST WEST COLLECTOR ROAD DATA FOLLOW UP

Item 6d – Communication
Presented by – Chris Trusty, City Engineer/Public Works Director

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East West Collectors							
	11800 North	11200 North	10400 North	Canal Blvd West	Canal Blvd Mid	Canal Blvd East	9600 North
Speed Limit	35 MPH	25 MPH	35 MPH	30 MPH	30 MPH	30 MPH	25 MPH
Average Speed	36.75 MPH (1.75 over)	31.5 (6.5 over)	36.2 MPH (1.2 over)	30.5 MPH (0.5 over)	34.25 (4.25 over)	36.0 MPH (6 over)	31.2 MPH (6.2 over)
85 th % speed	40.5 MPH (16% over)	36.75 (26% over)	40.0 MPH (14% over)	35.5 MPH (18% over)	38.0 MPH (27% over)	39.75 MPH (30% over)	36.0 MPH (44% over)
% trips > 10 mph over	5.8%	26.8	3.0%	3.6%	8.3%	20%	20%
# daily trips	5,903	916	4,161	1,154	2,717	10,175	1,771
# residential accesses*	2	43	31	11.5	0	0	80
# schools	1	0	2	0	0	0	0
length	1 Mile	1.4 Miles	2.3 miles	1 mile	0.72 miles	0.85 miles	2.3 miles

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COMMUNITY DEVELOPMENT UPDATES

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

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SCHOOL DISTRICT UPDATES

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

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FUTURE MEETINGS

- May 13, Lone Peak Public Safety District Work Session, Alpine City Hall, 7:30 am
- May 13, City Council/Planning Commission General Plan Meeting, 7:00 pm, City Hall
- May 14, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- May 14, City Open House, 5:00 pm – 8:00 pm, Highland Family Park
- May 20, City Council Meeting, 6:00 pm, City Hall
- May 21, Community Budget Meeting, 6:00 pm, City Hall
- May 27, Planning Commission Meeting, 7:00 pm, City Hall

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Subject: March 18 Minutes

Date: Monday, May 5, 2025 at 9:34:30 AM Mountain Daylight Time

From: Doug Cortney

To: Stephannie Cottle

CC: Erin Wells, City Council

I have a few proposed amendments (below) to the March 18 minutes. I'll bring printed copies to the meeting.

1. On page 2 of the minutes (page 5 of the agenda packet), there's a brief discussion I started about the general fund balance versus the state maximum. What is included is accurate, but it omits David's observation that we are spending down the balance. According to the [video](#), he said "we have proposed to use fund balance for additional items that have brought that below the 35%."

I propose inserting the text "and that plans to spend fund balance have brought us below the 35% point" immediately after the text "has not been astronomical".

2. Also on page 2 of the minutes, the draft states that "Mr. Mortensen then explained the fund balances in other city funds are..." According to the [video](#) (also here), he said "use of fund balance" instead of "fund balances."

I propose inserting the text "use of" immediately before the text "fund balances" in the fourth paragraph on page 2.

3. On page 8 of the minutes (page 11 of the packet), it states that Rep. Chevrier said the data privacy act "was expounded on this year." According to the [video](#), she said "so, HB444 is another data privacy bill that was passed this year, and it builds on that one from last year."

I propose striking the word "expounded" and replacing it with the word "expanded."

Doug Cortney, Council Member
Highland City, Utah
801-380-9133