



HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

TUESDAY, APRIL 16, 2024

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

VIRTUAL PARTICIPATION

 YouTube Live: <http://bit.ly/HC-youtube>

 Email comments prior to meeting: council@highlandcity.org

7:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Ron Campbell

Pledge of Allegiance: Council Member Doug Cortney

1. UNSCHEDULED PUBLIC APPEARANCES

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

2. CONSENT ITEMS

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

a. Approval of Meeting Minutes *General City Management*

Stephannie Cottle, City Recorder

March 12, 2024 and March 19, 2024

3. ACTION ITEMS

a. ACTION: Public Hearing/Plat Amendment: Pearson - Peck Hollow Plat B Lot 2 *Land Use (Administrative)*

Rob Patterson, City Attorney

The City Council will hold a public hearing to consider a request from Angie and Vess Pearson to amend lot 2 of the Peck Hollow Plat "B".

b. ACTION: Plat Amendment: Young - Sunrise Farms Plat A - Lots 103 & 104 *Land Use (Administrative)*

Rob Patterson, City Attorney

The City Council will consider a request from Mary Young to amend the plat for Sunrise Farms Plat A for Lots 103 and 104.

c. ACTION: Plat Amendment: Millhaven Homes - Foxwood Estates - Lots 17-19 *Land Use (Administrative)*

Rob Patterson, City Attorney

The City Council will consider a request from Millhaven Homes to amend the plat for Foxwood Estates Plat A for lots 17, 18, and 19.

- d. **ACTION: Farmers Market Memorandum of Understanding** *General City Management*
Rob Patterson, City Attorney
 The City Council will consider a proposed memorandum of understanding authorizing Highland Farmers Market LLC (Heather Heras) to conduct a farmers' market in Heritage Park.
- e. **ACTION: Approval of Lone Peak Public Safety District Fiscal Year 2024-2025 Tentative Budget** *General City Management*
David Mortensen, Finance Director
 The City Council will consider approval of the Lone Peak Public Safety District Fiscal Year 2024-2025 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 10, 2024.
- f. **ACTION: Mountain Ridge Park Phase 2 Contracts & Change Orders** *General City Management*
Andy Spencer, City Engineer/Public Works Director
 The City Council will consider awarding contracts to award the primary construction items for Mountain Ridge Park Phase 2.
- g. **ACTION: Trails Maintenance Contract Awards** *General City Management*
Andy Spencer, City Engineer/Public Works Director
 The City Council will consider awarding the bid for the 2024 Trail Maintenance Project.
- h. **ACTION: 2024 Street Preservation Contract Award** *General City Management*
Andy Spencer, City Engineer/Public Works Director
 The City Council will consider awarding Morgan Pavement a contract for road seal coat.
- i. **RESOLUTION: Alpine Highland Justice Court Interlocal Agreement** *General City Management*
Rob Patterson, City Attorney
 The City Council will consider a proposed interlocal agreement with Alpine City to formalize the cities' current justice court operations.
- j. **ACTION: Emergency Preparedness Committee** *General City Management*
Ron Campbell, Council Member
 The City Council will consider a request from Council Member Ron Campbell to form an Emergency Preparedness Committee.

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: General Plan Contract Award** *General City Management*
Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney
 The City Council will consider approving a contract with Landmark Design Team to engage their services in the update of the Highland City General Plan.

5. DISCUSSION ITEMS

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

- a. **DISCUSSION: Culinary Meter Reading Technology** *General City Management*
Andy Spencer, City Engineer/Public Works Director
 The City Council will consider purchasing the proper amount of MXU radios for the Culinary Drinking water system to replace the older "R" radios that do not have the capability to communicate with the Sensus AMI tower system with new "M" radios that have the capability to communicate with the recently installed Sensus AMI tower system.

- b. **ACTION: Alpine Highway Fence Replacement Program** *General City Management Rob Patterson, City Attorney, Andy Spencer, City Engineer/Public Works Director*
The City Council will give staff direction on their goals for the Alpine Highway Fence replacement program.

6. COMMUNICATION ITEMS

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

- a. **School District Boundaries** *Rob Patterson, City Attorney*

7. CLOSED SESSION

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

ADJOURNMENT

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

ELECTRONIC PARTICIPATION

Members of the City Council may participate electronically during this meeting.

CERTIFICATE OF POSTING

I, Stephannie Cottle, the duly appointed City Recorder, certify that the foregoing agenda was posted at the principal office of the public body, on the Utah State website (<http://pmn.utah.gov>), and on Highland City's website (www.highlandcity.org).

Please note the order of agenda items are subject to change in order to accommodate the needs of the City Council, staff and the public.

Posted and dated this agenda on the 11th day of April, 2024

Stephannie Cottle, CMC, City Recorder

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
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HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, March 12, 2024

[Waiting Formal Approval](#)

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

7:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Doug Cortney

Pledge of Allegiance: Council Member Scott L. Smith

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

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/Community Development Director Rob Patterson, City Recorder Stephannie Cottle, City Engineer/Public Works Director Andy Spencer, Communications Specialist Brooklyn Wild, Police Chief Brian Gwilliam, Fire Chief Brian Patten

OTHERS PRESENT: Jon Hart, Wesley Warren, Jay Curley, Todd Knowles, Jon Ort, Shane Davenport, Shannon Davenport, Richard Trowbridge, Harrold L. Christensen, Lois Christensen, Audrey Moore, Spencer Robison, Scott and Deanna Pymm, Stephen Stowe, Wendy Bishop, George Bishop, Chad Broadhead, Stan and Shellie Biesele, Liz Rice, Deborah Gardner, Trent Boggess, Rochelle Broadhead, Jed Robinson, Andrea Nelson, Rachel Miller, Debra Maughan, Chelsea Chen

1. UNSCHEDULED PUBLIC APPEARANCES

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

There were no public appearances.

2. CONSENT ITEMS

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

- a. **Approval of Meeting Minutes General City Management**
Stephannie Cottle, City Recorder
February 6, 2024 and February 20, 2024

Council Member Doug Cortney MOVED that the City Council approve consent item 2a, the approval of meeting minutes from February 6, 2024 and February 20, 2024, with a correction to the February 20th minutes as follows: Item 4d, change May 15 City Council meeting to May 15 Resident Meeting.

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 passed 5:0.

3. ACTION ITEMS

Items in this section are to be acted upon by City Council.

- a. **PUBLIC HEARING/RESOLUTION: Fiscal Year 2023-2024 Mid-Year Budget Adjustments General City Management**
David Mortensen, Finance Director
The City Council will consider amending the fiscal year 2023-2024 budget for various items as shown in the attached exhibit.

City Administrator Wells introduced the proposed amendments to the Fiscal Year (FY) 2023-2024 budget, noting many of the items included in the proposal have already been discussed by the Council and Administration. She noted the proposed budget adjustments affect multiple funds, including the General Fund, Open Space Fund, Cemetery Perpetual Fund, Parks Capital Improvement Fund, Building Capital Improvement Fund, Town Center Exaction Fee Fund, Sewer Fund, Pressurized Irrigation Fund, Culinary Water Fund, and Utility Transportation Fund. The projected impact of these adjustments, when added to the existing budget amounts already adopted, on the fund balance of each of the listed funds is as follows:

- **General Fund - \$217,973 decrease in fund balance** from \$5,443,273 to \$5,225,300.
 - Elimination of cemetery fund transfer ~\$200,000
 - 5% Increase for Fire Department Wage mid-year adjustments
 - Previously approved by Lone Peak Board and Alpine City
 - Trail Improvements in Wimbelton subdivision funded through Open Space sale proceeds in that neighborhood
- **Open Space Fund - \$449,846 decrease in fund balance** from \$449,846 to \$0.
 - Moves all Open Space Fund Balance to the Building Capital Fund for the Parks Maintenance Building
 - Timing of Parks Maintenance Building moved into FY25
- **Cemetery Perpetual Fund - \$70,917 increase in fund balance** from \$29,021 to \$99,938.
 - Elimination of cemetery fund transfer ~\$200,000
 - FY22 and FY23 transfer were ~\$50,000 too much
 - Plot sales have decreased by ~\$70,000 per year
 - ~\$68,000 cemetery maintenance building

- **Parks Capital Improvement Fund - \$3,027,100 decrease in fund balance** from \$7,133,406 to \$4,106,306.
- **Building Capital Improvement Fund - \$1,793,000 increase in fund balance** from \$1,182,038 to \$2,975,038.
- **Town Center Exaction Fee Fund - \$200,000 decrease in fund balance** from \$278,383 to \$78,383.
- **Sewer Fund - \$81,258 decrease in fund balance** from \$2,308,718 to \$2,227,460.
- **Pressurized Irrigation Fund - \$1,336,437 decrease in fund balance** from \$5,302,774 to 3,966,337.
- **Culinary Water Fund - \$20,006 decrease in fund balance** from \$1,425,092 to \$1,405,086. Page 29 of 163
- **Utility Transportation Fund - \$500,000 decrease in fund balance** from \$539,596 to \$39,596.

Mayor Kurt Ostler opened the public hearing at 7:14 p.m.

There were no public comments.

Mayor Kurt Ostler closed the public hearing at 7:14 p.m.

Council Member Kim Rodela MOVED that the City Council adopt the resolution amending the Highland City fiscal year 2023-2024 budget as shown in the included exhibit and as presented by staff.

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 passed 5:0.

b. PUBLIC HEARING/ORDINANCE: General Plan Amendment - 4800 West Re- designation

General Plan Amendment (Legislative)

Rob Patterson, City Attorney

The City Council will consider whether to amend the transportation element in the City's general plan to re-designate a portion of 4800 West between SR-92 and 11200 North from a 3-lane major collector to a 5-lane arterial.

Mayor Ostler briefly summarized the history of this matter, dating back to March of 2022. There have been ongoing discussions about the need to improve the safety of the intersection of 4800 West and SR 92, a project that has been included in a list of transportation improvements considered by the Mountainland Association of Governments (MAG). The fact that this project has been included on that list of projects means that it is eligible for some grant funding. Recently, there have been renewed discussions with the Council and residents that live in the area of the intersection. The City hired a Traffic Engineer to study the area and the Council heard the results of that study at the end of January. There was a neighborhood meeting regarding the study as well, after which an application to consider an amendment to the transportation element of the General Plan was presented to the Planning Commission. That body voted, five to one, to recommend denial of the application.

City Attorney Patterson then summarized the State laws regulating a City's Transportation Master Plan and General Plan documents; no transportation project can be pursued unless it conforms with the City's

Transportation Master Plan and General Plan. The proposal is to reclassify 4800 West from a three-lane major collection road to a five-lane arterial road for the entire length of 4800 West within Highland City. This is a legislative decision for the Council and the Council is not bound by the Planning Commission's recommendation; however, he reviewed the recommendation from the Planning Commission for the Council's consideration. He noted that based upon actions taken by the Council in 2022, staff has proceeded with the application to fund the approved intersection project, and MAG approved the application and granted funding for the intersection improvements. MAG would prefer to support a project on 4800 West that will permanently resolve the intersection safety and capacity concerns, so additional funding requests are not needed in the future. Essentially, MAG has asked that the full scope of whatever improvements are determined to be necessary for 4800 West to be done at one time, rather than having a subsequent funding request for the same project area in the future. This led to a review of the scope of the project that has been submitted to MAG, with high level discussion among the Mayor, Council, and City staff regarding certain elements of the project.

City Engineer/Public Works Director Spencer then focused on northbound options on 4800 West; there are four different options:

- Option 1 – provide two receiving lanes for northbound through lanes. (Proposed 4800 West expansion, scope TBD)
- Option 2 – merge northbound through lanes south of SR-92.
- Option 3 – One of the northbound travel lanes becomes a “trap” left at SR-92. (Existing condition)
- Option 4 – One of the northbound travel lanes becomes a “trap” right at SR-92.

Council Member Campbell stated the residents came up with an additional option and the Planning Commission supported that option. This option was not included in the previous four options. He explained the option as follows: reducing the proposed five lanes to four, and the right-turn-only lane would be converted to a lane with the options of turning right or continuing north. Mr. Spencer stated that he believes that proposal related to southbound travel; the four options he mentioned only apply to northbound travel. Council Member Campbell thanked Mr. Spencer for that explanation and for the work that staff has done on this matter; he noted that he still believes the total number of lanes can be reduced to reduce the impact on residents, while still improving the safety of the area. Council Member Smith agreed with Council Member Campbell; he added that the biggest problems occur in the morning commute hours, and he is not sure why many people choose the routes they choose. However, he does not think that six lanes are necessary, and he would like to find every way possible to narrow the road and decrease impacts on residents. Mr. Spencer noted that the routes that motorists choose are sometimes confusing to him as well, but staff and the traffic engineer have simply studied the area based upon current conditions.

Council Member Bills asked why the travel lanes must be 12 feet wide rather than 10 feet wide. Mr. Spencer stated the City's approved road cross sections include 11-foot travel lanes and a 12-foot center lane; this is in line with the standards imposed by the Utah Department of Transportation (UDOT). He would be comfortable with 11-foot travel lanes, but would not be comfortable with 10-foot travel lanes because that width can be problematic and somewhat dangerous with larger vehicles using the roadway. Council Member Campbell suggested that narrower lanes would automatically reduce the speed on the roadway, and he asked the traffic engineer to address that matter when he is given time to make comments.

Mayor Ostler suggested that the Council hear from the public and then from the traffic engineer.

Mayor Kurt Ostler opened the public hearing at 8:03 p.m.

Spencer Robison stated that he has been communicating with the Council and City staff about this project, but after listening to staff's presentation tonight, he is confused about the purpose of this meeting. A few years ago, the City Council approved an alignment and road widening project that addresses the safety concerns of

residents. It was the result of a lot of work and effort by City staff and residents. In the past, the purpose of the widening was to increase capacity of the road, but tonight staff has indicated that is not the purpose of the widening because the road is already adequate for current capacity. Many residents are now confused about the purpose of the project; if it is not about safety or capacity, he is not sure what it is based upon. He noted City staff's position has 'flipped'. If the City approves five lanes, the road will be much more dangerous.

Wendy Bishop stated that she sold property on the west side of 4800 West to provide for the southbound right-hand turning lane; there is no shoulder on that area of the road so people are parking in the turning lane, and she cannot use it to get out of her property to access the road. She asked that the City do what is necessary to let motorists know where the turning lane starts.

George Bishop stated that over the last few meetings, there has been talk about the right-hand turn lane being underutilized; anyone that drives the road knows that both of the lanes line up with the southbound lanes on the other side of SR 92 and it would not take much for UDOT to make the turn lane a dual-purpose lane. He added that widening two lanes for northbound traffic will impact the homes that front the roadway. Additionally, the road will narrow back down as the road travels north. The northbound lanes are not the issue in the area and most traffic going north is able to get through the intersection in one light cycle. He suggested the Council stick with the option that has already been approved and he also suggested an attempt to align the southbound lanes.

Rochelle Broadhead stated she has looked up the addresses of the elected officials and found none of them live north of SR 92. She commutes the road daily and has seen some improvements that have helped, but has noticed the ongoing problems at the intersection as well. She stated she does not see how any of the options presented tonight will help any of the residents that live on the north side of SR 92, and she feels that the proposal would essentially funnel the problems into her backyard, which touches Alpine. She added that building a five-lane arterial road will definitely impact the property values on that area, which will impact the City's property tax revenue. This should be top of mind for the City's leaders.

Jay Curley addressed options one and two that were presented by Mr. Spencer; lane one in option one is being aligned with the current lane two on the northbound side. He feels there is an option to keep the expansion on the south side of SR 92 and converting lane one into a 'safety barrier' for motorists. He added that the crash data that has been collected for the area does not support any of the options that have been presented tonight; there are less than five accidents per year for northbound traffic, but about 30 moving west to south and 14 moving east to west. The majority of the accidents do not occur in the north bound lanes and if safety is truly a concern, expanding on the south side of SR 92 will help to address that matter without impacting any properties on the north side of the road. He reiterated Ms. Broadhead's comments about the impact the project could have on property values; the proposal would turn his property into a non-conforming lot and make his driveway unusable. It would be nearly impossible to get in and out of his property safely. He thanked Council Member Smith for acknowledging the odd trip selection of motorists because it is a huge reason for the problems that residents in the area are facing. The traffic study showed a significant decrease in traffic from 2018 and 2024 at the subject increase, but a significant increase in traffic at the intersection to the west, which indicates that the City should start looking at that area rather than 4800 West.

Mayor Ostler noted that Mr. Curley's property would be the most impacted by the proposed project.

Shane Davenport stated he also does not know why the Council is discussing this again; he hopes the City Council has attended one of the two previous resident meetings and will take the Planning Commission's recommendation seriously. He is not sure why further clarification is needed because everyone has read the reports that have been submitted regarding this issue and decisions have been made based upon those reports. One thing that the Hales report indicated is that from now until 2050, the intersection is sufficient, and changes are not needed. Improvements and changes have already been made and further improvements can be considered

that will improve the intersection without disrupting the community and changing the makeup/feel of the community. He added that the proposed project would also render his property non-conforming, and he does not want properties along the road to be made more dangerous just to fit the plan that has been presented. He stated accidents have not increased and there is no reason to change the area and disrupt the community forever.

Chad Broadhead stated he owns a corner lot, and he is 'doubly' interested in this project. He has been working with Mr. Patterson to determine why there is a 30-foot landscape easement on his side of the road when this type of easement has not been imposed on other areas. The easement was created in 2017, and this has caused him and others to question how long the City has been planning on this project. He then noted that he agrees with the comments that others have made about the fact that this project is not needed. Highland and Alpine are essentially cul-de-sacs, and this project will only feed more traffic into that cul-de-sac, which is not a great idea. He believes that a five-lane arterial road will only increase traffic and invite larger vehicles, which will not improve safety. He drives the road at least 10 times per day and the issues that have been discussed are just not a reality; most of the issues are related to the fact that high school students use the road and that will always be the case. He does not understand why the Alpine Highway is not a five-lane road and he suggested that be pursued instead of this project.

John Ort stated he likes the idea of 10-foot-wide lanes and limiting semi-truck traffic on the road. That traffic should be forced to the Alpine Highway in order to preserve the neighborhood feel of the subject area. Lower speed limits will also promote safety. He added that the crosswalk on Alpine Highway at the corner by Harts is about three to five inches lower than the storm drain and it fills up with water and becomes icy during the winter months. He asked the Council to consider whether the 4800 West intersection is more dangerous than Alpine Highway and if adding more traffic to the area will make the safety issues worse. He stated that he likes the idea of better lane alignment and sidewalk connectivity in order to provide for better northbound traffic. He also agreed with Council Member Smith's suggestions regarding lane alignment and reiterated his recommendation to push semi-truck traffic off North County Boulevard. He concluded Alpine Highway should be the five-lane connector road that it is identified as in the City's Transportation Master Plan.

Stephen Stowe stated he is the oldest resident of Highland present and today he drove the section of road in question three times back and forth, which is not an unusual daily activity for him. The latest time he drove the road was at 4:50 p.m. and there were at least 24 cars queued up to turn west onto SR-92, but just one north bound vehicle. He questioned why two northbound lanes are needed and asked the Council to consider past discussions and decisions regarding this matter. The study that was done several years ago was incorrect in its projections for northbound traffic. He is in his yard many hours each day and does not notice traffic backing up in that area and he does not believe the proposed project is needed. He stated that many people are emotional about this project because it will personally impact them. They understand the reality of the traffic conditions in this area and do not believe the project that has been proposed is appropriate.

Jed Robinson thanked the Mayor and Council for their attention to this matter and noted he is also opposed to this project. Reclassification of the road is opposed by everyone who lives on the road. There is not a problem on the northern section of the road, and it seems this project is only being pursued because the City is chasing grant money. The only time there is a problem on the road is during the school commute, but that may change in the future as other schools are built. The area is a residential area and the residents that live there want it to be preserved. He stated that the residents have met with the Planning Commission and discussed this project at length and that body has recommended denial of the reclassification of the roadway.

Wesley Warren also thanked the Mayor, Council, and City staff for working on this matter. He stated he feels like the City has only received one option to consider with no diversity of expert opinions. He feels that UDOT and MAG have missed an opportunity to consider diverse options. He has been actively involved in active transportation matters and has been eager for opportunities to discuss other solutions to address congestion in

certain areas of the City. He does not believe that this is a safety issue, but a congestion issue and he would like to offer creative solutions for the City to consider.

Chelsea Chen stated she also agrees with the comments that have been made and suggested that the City use signage, signals, and road striping to address the problems that have been identified on the roadway; this would help to inform motorists of shifting travel patterns and ending lanes.

Mayor Ostler agreed with Ms. Chen and noted he has asked UDOT to consider using signalization and signage similar to what they have used on other State roads in this area.

Lois Christensen stated she lives on the east side of 4800 West very close to the intersection in question; at the Planning Commission meeting she was surprised to hear that the intersection realignment has already been approved. Since then, she has learned that her property will be taken for the project. She built her home in 1991 and part of her property was taken in 1997 for the intersection. This project will result in loss of more of her property and she is hopeful that will not happen. She agreed with the others that have spoken about the nature of the area and asked that the City preserve it and not approve projects that will change the feel of the area.

Shellie Bieseke stated this is her community and the people she cares about; this project will break up the community and separate the residents on east side from those on the west side. She suggested prohibiting truck traffic on the road and leave the area alone.

Mayor Ostler closed the public hearing at 8:37 p.m.

Mayor Ostler invited Ryan Hales of Hales Engineering to address the concerns that have been raised by the Council and the public.

Mr. Hales stated that transportation issues are often very emotional because they can impact private property owners; it is not easy for the Mayor and Council to make difficult decisions regarding transportation, and he sympathizes with the Council and the residents who have expressed concern tonight. He then discussed his professional background as a civil engineer and urban planner; he has worked on transportation projects across the western United States, and he feels that Highland is in a very good position in terms of transportation. Roadway classification can be confusing; it is necessary for the Council to consider the purpose and characteristics of each roadway. The Manual of Uniform Traffic Control Devices (MUTCD) provides guidance on speed limits based upon road conditions and he believes that 35 miles per hour is an appropriate speed for this area, even though the MUTCD would support a speed limit of up to 42 miles per hour. He stated there are opportunities for enforcing the 35 miles per hour speed limit, including several different traffic calming measures; however, he does not believe lanes narrower than 11 feet are appropriate on this type of road. He then noted that arterial roads are typically three to five lanes wide. The intersection in question was previously located in the County, but that is no longer the case and the City and UDOT have worked together to make the intersection better. He stated that if he were able to choose the best design for future capacity of the road, he would propose a continuous flow intersection (CFI), which includes displaced left turn movement and free right turn movements, all of which can occur at once. However, it would be very difficult to install a CFI at this location. A round-a-bout is also not a good option for the area, and he referenced a round-a-bout in Lehi at 500 West on Main Street as an example of a poor location for a round-a-bout. There is so much east/west traffic in that round-a-bout that it is difficult for traffic from the side streets to get into the intersection. He stated that four-way and two-way stops are also not viable options for the intersection. He has tried to identify a solution that will be best for the residents and traffic moving through the area. It is necessary for Highland to work with neighboring communities to move traffic efficiently and keep traffic out of local residential subdivisions. Whenever a community is considering a transportation project, there will always be 'good, better, best' options; he has suggested a project that will accommodate traffic volume projected by the year 2050, which is based upon different models. The most recent travel model has been used to inform this project recommendation. He referenced previous studies that have been completed on this area and noted all of those were reviewed in the process.

of completing this most recent study and report; there is not one simple solution to the problems that exist on 4800 West and the intersection in question.

Mayor Ostler asked Mr. Hales if he used data from previous studies or generated his own data as part of his study. Mr. Hales stated he has done both; he wants to be sure what previous studies have considered, but he has also considered the most current travel models and projections and considered how that compared to past models. Manual traffic counts were performed, and those counts were compared to previous traffic data in the previous studies. He presented a slide that illustrated traffic counts in the morning and evening peak hours at the intersections of 4800 West and 11200 North and SR92. The traffic counts are conducted on Tuesday, Wednesday, and Thursday for two hours each morning and two hours each evening as this has been determined to be the times of greatest traffic volume.

Mayor Ostler referenced the traffic counts at the intersection of 4800 West and 11200 North; he wondered how the volume can be so high when there are fewer residences in that area. Mr. Hales stated that there are often multiple cars per home and people are driving more than in the past. He reiterated that traffic counts were conducted during peak hours and this data was used to determine existing levels of service; failing grades that have been assigned to multiple approaches and movements at the intersections.

Council Member Cortney stated that average wait times have been used regarding the traffic delays, but the 95th percentile was used regarding queuing; he asked why different criteria was used for those two factors. Mr. Hales stated that he wants a 95 percent confidence level that he has considered queuing though considering the average time is appropriate in order to communicate the level of service.

Mayor Ostler stated that some have indicated that the traffic study communicates that the intersection is functioning adequately; he asked if that is a correct statement. Mr. Hales stated that overall, it looks like the intersections are functioning well, but there are some problems with specific movements: the left turn lane moving southbound in the morning; and the northbound and southbound left turn lanes and through movements in the evening. He stated that MAG has provided travel demand models based upon 2050 data. If there is just a five percent differential, the current intersections are adequate, but anything higher than that is problematic.

Mr. Hales then discussed legislative mandates relative to land use; higher density housing must be provided in all communities, and it is likely that the number of dwelling units will increase in Highland and all other local communities before the year 2050. This will ultimately impact traffic counts, as well as all other infrastructure in the community. The current traffic projections do not account for those dwelling unit increases. He then presented a slide with average daily traffic (ADT) counts for the Alpine Highway and 4800 West.

Council Member Smith asked if the traffic projections allow for the shift in traffic patterns from Alpine Highway to Canal Boulevard and North County Boulevard. Mr. Hales stated that the traffic models do consider Canal Boulevard as well as many other traffic improvements and planned connections throughout the entire County.

Council Member Campbell stated that a wider road will not increase the amount of north/south traffic, but it will influence route selection. He asked if increasing the width of Alpine Highway from three to five lanes would result in some traffic shifting from 4800 West to that road. He asked if it is an option to focus more on Alpine Highway than 4800 West. Mr. Hales used the next two slides of his PowerPoint presentation to answer the question; the models consider constrained and non-constrained routes. Travel times fluctuate from road to road depending on congestion and level of service and how direct the route is; people choose routes based upon these factors and they often choose the more desired path with the least resistance. Volumes are increasing on 4800 West to the point that it is necessary to consider better traffic flows and movement. Council Member Campbell asked if congestion creates more hazard, to which Mr. Hales answered yes. Council Member Campbell asked if congestion is a safety issue, to which Mr. Hales answered yes. Council Member Campbell stated that some residents have indicated the congestion is not problematic and that people can wait longer times if they choose to use the road in its current condition; he asked Mr. Hales to

address that feedback. Mr. Hales stated that the question has been asked if a southbound right-turn pocket is needed and the answer to that question is how much queuing the City is comfortable with; if the queue can back up 500 feet, a single lane is adequate, but if 400 feet is preferred, a right-turn pocket will be needed. The ideal solution would be to construct the right-turn pocket, but he understands there are many concerns that some property owners will lose some of their property. He understands the concerns surrounding those facts, but the Council must make decisions based upon factual data. Mr. Hales then discussed crash data for 4800 West and SR 92; UDOT data covers 2018 to 2022 and they found that the most common crash type was rear-end accidents. The most severe crash was a westbound left turning vehicle failing to yield to a cyclist. Limiting unexpected queuing could lead to fewer rear-end crashes. He then noted that in 2023, UDOT reported 17 crashes, which is an increase of the average of 13 per year from 2018-2022, and much higher than the expected number of crashes of 10.

Council Member Cortney asked why the expected number of crashes would be 10 if the average number of crashes per year was 13 for the previous five years. Mr. Hales stated that the projection was based upon the intersection type when compared to other similar intersections throughout the State of Utah and considering historic crash data. This led to discussion among the Council, Mr. Hales, and Police Chief Gwilliam regarding crash data and projections of future crash numbers

Mr. Hales then discussed future intersection mitigations for the area and he presented renderings to illustrate proposed road widenings and the addition of turn lanes; this led to continued high-level philosophical discussion of the current level of service of the intersection and why the Hales Engineering report indicated that the intersection is currently functioning at a reasonable level rather than failing.

Council Member Rodela inquired as to alternate routes that motorists can take if the intersection is not improved, and people desire to avoid the area due to congestion. Mr. Hales stated that cars that would otherwise be travelling south on 4800 West are cutting east/west on 11200 North and making a loop around the area, eventually getting back onto 4800 West.

Mayor Ostler stated that his biggest concern is safety; he has seen people get impatient due to traffic backups and they are traveling down the center turn lane to get to a point where they can make a turn or a U-turn. Mr. Hales stated that is a very unsafe maneuver and it may only be addressed with enforcement. Mayor Ostler asked Mr. Hales to highlight the safety issues in the intersection. Mr. Hales stated that lane alignment is critical, and the lanes currently do not properly align. Adding dual left turn lanes is also important, providing proper merge points at the right locations, and southbound traffic queuing and stacking.

Council Member Smith stated that it may be true that the population of the community will increase, but he expects that approximately one-third of residents will be working from home. He asked if the growth projections take that matter into account. He then noted that traffic to and from Lone Peak High School – which is one of the driving factors for this project – is expected to decrease over the years. It seems that the proposed project is counterintuitive when considering those two factors. There are two high schools in adjacent towns that are served entirely by neighborhood streets, but they are not encountering the same problems as at Lone Peak High School. It is sad that the City is being asked to spend millions of dollars to address that matter rather than find another solution. He noted that the City has asked that Lone Peak High School restrict the number of kids driving to school, but they have refused to consider that. Mr. Hales stated that many high schools provide large parking areas for their students, so it is difficult to restrict drivers when sufficient parking is available. Council Member Smith stated he is just concerned that the City is being asked to spend millions of dollars to solve a problem that belongs to the High School. This spurred continued discussion and debate of the cause of the safety and congestion issues on the road.

Council Member Rodela indicated she would like to address specific questions asked during the public hearing; one of those questions is whether this project is the City's attempt to chase grant money. Mr. Hales stated that MAG has several communities that apply to them for infrastructure funding; they prioritize projects based upon applications they receive,

and this is one of the projects that was prioritized fairly high due to safety issues. Mayor Ostler added that the City submitted an application for funding two years ago for this area. He discussed other projects in the County that have been ranked higher than the Highland City project.

Council Member Bills stated she knows that there are concerns about safety at this intersection, but she would be happy not talking about the project again until 2050. However, she knows that the City must make a decision on a funding application because the application period closes tomorrow. City Engineer/Public Works Director Spencer stated that for City Administration to proceed with a funding application, it must have legislative support. Including the project in the City's Transportation Master Plan would be proof of legislative support, but since it is not in the current Plan the Council has been presented with an application to reclassify the roadway. He discussed specific elements of the road that could be impacted based upon the reclassification, noting that there will be time to refine those elements as the project moves forward. The biggest question tonight is if the City Council wants to pursue something broader than what was presented to MAG in 2022. MAG may change the funding allocation based upon changes to the scope of the project.

Mayor Ostler stated that the City Council is essentially being asked to determine if the roadway should be reclassified, but lane alignment details do not need to be decided tonight. Mr. Spencer stated that is correct; the City will submit a conceptual plan, but MAG will not hold the City to minute details included in that concept.

Council Member Bills stated that her concern is that if the decision regarding the configuration of the roadway is vague, the project will be discussed again in the future. She asked if there is an option to not reclassify the roadway, but to address the intersection and the problems on the south side where less property will be taken for the project. Mr. Spencer agreed that if only part of the decision is made tonight, the final aspects of the decision will still need to be made in the future. Ultimately, MAG will need to know if the City Council supports the application that is presented for funding.

*Council Member Doug Cortney MOVED to extend the meeting to 11:00 pm.
Council Member Ron Campbell SECONDED the motion.
All voted in favor and the motion passed unanimously.*

City Administrator Wells stated it is her understanding staff needs direction from the Council regarding whether to provide dual northbound lanes north of SR 92. Mr. Spencer stated that is correct. This led to continued debate among the Mayor and Council regarding the proper classification of 4800 West.

Mayor Ostler recognized three residents with raised hands who have specific questions about the Hales Engineering study. Spencer Robinson stated that he reviewed the traffic counts for the intersection, noting there was a decrease in traffic from 2020 to 2024; however, the projection for 2050 is a 111 percent increase. He added that the 2050 number is still lower than the traffic counts at Country Corner and it does not make sense to him to try to implement additional controls at the subject intersection when Country Corner is presently the quickest route to Alpine. He concluded that he does not believe the road should be a five-lane arterial road.

Jay Curley stated that the average daily traffic numbers do not match the traffic study numbers from Hales Engineering and from UDOT and he inquired as to the reason for that discrepancy. He feels this is a matter of induced demand and if the City increases the size of the road, there will be more traffic and more left hand turns at the intersection. He suggested the City be strategic in how it is increasing road widths at certain points along the road. He noted that 63 percent of the rear-end crashes cited by Mr. Hales are occurring in east/west traffic patterns and the two northbound lanes on North County Boulevard will not solve that issue. He would like to understand why that statistic was provided if it will not be solved by the recommended project. He added that speeds will ultimately increase on the roadway when merge lanes are added and those living on the road will be impacted by that issue. He then asked if there has been a study to evaluate how increasing left turn lanes onto SR 92 will impact the lack of use on North County Boulevard; he believes more traffic will use that road and

intersection if the number of lanes is increased.

Jon Ort asked how many houses there are between Alpine Highway and North County Boulevard and noted that most of the traffic is not coming from those houses. If there are two left hand turn lanes on a five-lane road as is identified on the Transportation Master Plan, there will be more traffic turning left onto Alpine Highway and it will be possible to eliminate the merge lane on North County Boulevard. This means that 4800 West can remain a residential connector street. He discussed other potential traffic patterns and routes and suggested opportunities for using the Alpine Highway as it was intended to be used. He asked if there has been a study to determine how traffic on North County Boulevard could be reduced if a five-lane arterial were brought to Alpine Highway. It is better to make traffic go through a commercial district rather than a residential area and this would make it possible to narrow road widths and reduce speed limits on 4800 West.

Mr. Hales reapproached and addressed the comments; he noted that at Country Corner there is a lot of left-hand turn traffic and a high amount of traffic moving east and north into Alpine. Hales Engineering has the job of reviewing all relevant traffic studies for any transportation improvement being considered in a community they work for. They make sure that any project follows pertinent policies and standards set forth by UDOT and nationally. These standards have been considered when determining if left turn capacity needs to be increased at North County Boulevard and SR 92. The proposal follows the MUTCD and considers 2050 traffic projections, which indicate that dual left hand turn lanes will be needed in the future.

Council Member Campbell asked if it is also true that dual left hand turn lanes are needed at Country Corner. Mr. Hales stated that if that is determined to be the case, that improvement will not preclude the need for dual left hand turns at 4800 West and SR 92.

Mr. Hales then addressed Mr. Curley's questions; the traffic counts were collected at peak hours – 4:30 to 5:00 p.m. He clarified that the average daily traffic numbers are measured daily and the two numbers will never match. He then addressed the claim of induced demand and noted the answer is that if a road is built, traffic will come. However, there is demand for increased capacity on the road and he indicated this is latent demand rather than induced demand. He referenced Mr. Ort's question about traffic studies and evaluation of widening SR 74. Hales Engineering has utilized MAG's travel demand model and volume projections, which indicate there is not as much traffic on SR 74 as there is on North County Boulevard. He wondered if that trend can be reversed, but given that North County Boulevard is already built that will be very difficult. If SR 74 is built, some of the traffic will shift, but because of its direct connection Interstate 15 (I-15), many will utilize SR 92 to gain access to I-15.

Mayor Ostler stated that the biggest question seems to be why dual left hand turn lanes are needed and why decisions made now are based on projections 26 years into the future. Mr. Hales stated that the attempt is to balance roadway capacity with available funding, with the goal of completing projects in advance of when they are in dire need. He hopes that things change, and that traffic reduces, but he is trying to make recommendations based upon current data.

Council Member Cortney thanked Mr. Hales for all of his work on this matter and for making himself available for questions tonight. He stated the City has an intersection that seems to be somewhat more dangerous than a standard intersection with a similar profile. Additionally, there are 2050 capacity projections, but he believes the City should hold off on making changes for 15 years to evaluate whether those projections adjust and if capacity demands decrease. His inclination is to not move forward with the proposal, and he asked if Mr. Hales had any data or opinion that could convince him otherwise. Mr. Hales stated that solving safety problems relating to queuing is his goal; he cannot tell the Council how many crashes there will be at the intersection next year and he cannot tell the Council if MAG funding for the project will be available again. There are many unknowns that he is not able to predict, and this is a balancing act for the Council and staff.

Council Member Campbell stated that he has reviewed traffic models that are being used in other states and the model that Mr. Hales has used is truly the most up to date. Every other state uses projections extending to the year 2050.

Council Member Rodela asked if the funding source is federal or state. Mr. Spencer stated that MAG has state and federal funding, and they use their resources as they deem appropriate; he is not sure if the Highland project would be funded using federal or state funds. Council Member Rodela stated that this is a once in a generation funding opportunity from the federal government; the federal government is pushing money into states to build infrastructure and the state is matching that funding. Funding decisions are being made by MAG and all funding must be allocated in 2024 and used by 2026. This type of opportunity may not be available to Highland again.

Council Member Campbell stated that he received an email just before tonight's meeting; the sender indicated that he was in favor of the reclassification of the road and he asserted that if the Mayor and Council receive a recommendation from a professional, but chooses not to move forward as recommended, the Mayor and Council will be liable if someone is killed at the intersection. He asked Mr. Hales if he is truly recommending reclassification because he feels it is truly safer. Mr. Hales answered yes. Council Member Campbell stated if the Council votes against the reclassification and delays the project, MAG money may not be available in 2040 for the project. Council Member Smith stated that is unknown. Mayor Ostler stated he feels there are major safety issues at the intersection due to lane alignment and other issues. He asked the Council what additional information they need to make a decision tonight.

Mr. Spencer stated the City can proceed with the funding application without making final decisions on lane alignment; a change to the Transportation Master Plan relative to road classification is needed, but the design of the road can be refined as the project moves forward. Council Member Bills stated that she would be more comfortable making the change to the road classification if certain constraints can be placed on the road project. Mayor Ostler suggested a motion including those constraints for the Council to consider. Council Member Smith first asked for Council discussion. He acknowledged the difficulty of this decision and the impacts that these types of decisions can have on private property; he was a member of the Council when 4800 West was widened and converted to North County Boulevard. After that project was completed, the traffic doubled because 'if you build it, they will come'. He stated it is necessary for the Council to consider what it wants the City to be. There have been studies of the area, but those studies are basically educated guesses. Years ago, many would not have believed that so many people would be working remotely, but that has changed because of the recent pandemic. Many would never have guessed that student population at Lone Peak High School would decrease, but he thinks that it is disingenuous to think that the traffic at the High School is not the driving factor in this matter. The Council must consider what is most important: the quantity of traffic that can be moved through the City or the quality of life for residents. When Timpanogos Highway was widened, older neighborhoods in Highland were blighted. Everyone likes to use the road, but it came at the expense of blight in many areas. He has listened to many complaints about speed over the past several years from many neighborhoods and he does not feel the answer is to build wider roads that can accommodate higher speeds. He thinks the answer is to preserve the residential nature of the neighborhood. Alpine City chose a five-lane road entering Highland and that has caused Highland City to deal with this issue; however, he still supports the decisions that were made in 2022. If the City changes the classification today, the road will become a five-lane highway all the way to Alpine and it would be disingenuous to deny that. When Canal Boulevard was being built, which impacted his property, he heard time and again how that would help the high school traffic to bypass his home, but that has not come to fruition. He thinks that some things can be done to improve safety of the area in question, but at some point, it is more important to consider how this type of project will impact quality of life. He then discussed his broader concerns regarding high school traffic and utilization of grant funding for these types of projects.

Council Member Rodela stated that she does not believe that widening the road will induce more people to drive; she believes that the goal is to keep people on the higher volume streets to keep them out of residential

neighborhoods. This is a commuter road and maximizing its capacity will increase the safety of nearby residential streets.

Mayor Ostler asked Mr. Spencer to briefly summarize the differences between what the Council approved in 2022 and what is being proposed at this time. Mr. Spencer stated that in 2022, the Council approved alignment of the outermost left turn lane on the 4800 West section and the through lanes. Additionally, there was a dedicated right turn lane from SR 92 to 4800 West. No other changes to the intersection configuration were proposed in 2022. North of the intersection, there would be shoulders/bike lanes, with three lanes all the way to the round-a-bout. There was also a 10-foot trail on the east side of the road extending from the bridge that crosses American Fork River, all the way to the round-about in Alpine. This provides connectivity to the regional trail system. Mayor Ostler asked if the left turn trap lane was still on the 2022 plan, to which Mr. Spencer answered yes.

Council Member Campbell asked if the 2022 approved plan provided for southbound lane alignment. Mr. Spencer stated the 2022 plan did not include any changes south of SR 92. Council Member Campbell stated that means congestion would remain. Mayor Ostler agreed the 2022 plan did not address congestion. Mr. Spencer stated it did address the painted right turn lane in front of the cabin. Overall, the 2022 plan did not address the substantial congestion issues. Mayor Ostler stated that when he met with UDOT last Wednesday, he asked about congestion; he has also asked Mr. Hales about congestion. What he has heard is that congestion is a safety issue.

Council Member Campbell stated that two lanes going south seems to be significant; he asked if approval of the arterial classification, with limitations on the number of lanes to four rather than five, would be sufficient at this time. Mr. Spencer stated that he will accept any direction from the Council. He discussed the way MAG evaluates and ranks project applications and noted that applications that do not fully address perceived transportation problems may reduce the prioritization of the City's application. He concluded that if some problems are left unaddressed, the City's application will be less attractive.

Council Member Rodela stated that the City has already heard from UDOT and MAG regarding what improvements are needed in this area; however, the City was hesitant to heed that advice and chose to hire a consultant that was considered the 'best of the best' to perform a study and advise the Council on what is best for this area of the City. That consultant has provided the same recommendation as UDOT, and it is now up to the Council to decide knowing that they have truly tried to find a different solution.

Council Member Bills asked if one of the 12-foot dedicated right turn lanes were eliminated to provide two 11-foot wide through lanes that merge before Snowflake, would that reduce the amount of land the City would need to acquire for the project. Mr. Spencer answered yes. Council Member Bills asked if it is possible to include a provision in the project application to communicate that the City is interested in accommodating capacity, but not until it is determined that it is actually necessary to do so. Mr. Spencer stated that UDOT would actually build the lanes wide enough, but would include some type of obstruction that limits the number of roadways; this would preserve the space needed to expand the road to its full width, when necessary, based upon capacity. Council Member Bills stated she would like for the City to retain control over that decision rather than giving control to UDOT. Mr. Spencer stated that Mr. Hales could better speak to when UDOT would implement road or lane expansion. He noted that in the southbound direction, if the Council chooses to make a through right lane, it will require less property and reduce the impact on residents. Choosing to merge in the northbound direction at Snowflake will also reduce the impact on properties. Council Member Bills stated she does not want two left turn lanes unless necessary; at present, there is not a need for two eastbound left-turn lanes at this time. Council Member Smith agreed. Council Member Courtney stated that if the lane is built, but not used, the City will still achieve safety benefits.

Mr. Hales stated that if the lane is built, but the City does not want it used, it will be painted with chevron striping. The left-hand turn lane that would be used would be the inner-most turn lane and the other turn lane would not

be used until warranted. Council Member Bills asked who will decide when the use is warranted, to which Mr. Hales answered UDOT. Council Member Rodela asked if that needs to be included as a provision of the Council's decision. Mr. Hales answered no, it is already included.

Council discussion then centered on whether to include a right-hand turn lane and whether to end the merge lane before Snowflake; Mr. Hales spoke to the safest shortest merge distance, which is 1,190 feet. A faster merge is less safe and would not conform with safety recommendations of safety manuals.

Council Member Bills stated she is most focused on trying to minimize impact to homeowners. She would prefer four lanes, with two going south, but she wondered how that would change the impact to the homeowners. Mr. Spencer asked if she means two south and two north bound lanes, with a turn lane as well. Council Member Bills answered yes; one right turn lane would be eliminated to make two through lanes. Mr. Spencer stated that would reduce the impact to the Biesley property on the corner by 12 feet; the Stowe property would also be less impacted by the removal of the right turn lane by 12 feet. He stated final decision would determine the total impact to those properties. Council Member Bills suggested that an additional five feet could be saved if the lane widths were reduced from 12 to 11. Mr. Spencer stated that the current design includes 11-foot travel lanes. Council Member Bills stated that Mr. Hales' rendering included 12-foot lanes. Mr. Spencer stated he would need to clarify.

Council Member Smith stated that the discussion is for two northbound lanes north of SR 92 to 11200 North. He asked if it is possible to taper before 11200 North. Mayor Ostler asked if 600 feet is a safe merging distance. Mr. Spencer stated that he would suggest painting the lanes to identify a merge before Snowflake. This is less than the standard referred to by Mr. Hales. He would build the road with extra room for a trap lane, but paint for a merge prior to Snowflake. If all else fails, if someone cannot merge by Snowflake, they will have some space in the trap lane. Other mechanisms can be used to slow traffic and encourage safe merging. He noted that the City Council could make a conscious decision to recommend those changes, and this would reduce the impact on private properties by approximately 11 feet. It may take some extra care to accomplish the Council's desires and it may not meet all pertinent engineering standards, but it is an option.

Council Member Ron Campbell MOVED to extend the meeting to 11:10 pm.

Council Member Kim Rodela SECONDED the motion.

Council Member Doug Cortney AMENDED the motion to extend the meeting to 11:30 pm with a 2-minute break.

Council Member Scott L. Smith SECONDED the motion.

All voted in favor and the motion passed unanimously

Council Member Rodela asked if reducing the road width from five lanes to four will reduce the City's chance of being awarded funding. Mr. Spencer stated it is his 'gut feeling' that change would reduce the City's chances of receiving funding. This due to the fact that MAG has limited funding, but construction costs are increasing so less projects can be funded with that dollar amount. He believes the City will likely still receive funding, but will be 'closer to the cut'. However, he believes that putting forth the project as recommended by Mr. Hales will almost guarantee the City will receive funding.

Council Member Bills communicated the items she would like to include in a motion regarding the application; she prefers a four-lane collector street classification with two southbound lanes, one of which is also a right-turn lane, and for the City to maintain control of the decision regarding the number of left-turn lanes.

Council Member Brittney P. Bills MOVED that the City Council accept the findings and APPROVE an amendment to the Transportation Element of the General Plan and reclassify a portion of 4800 West between SR-92 and 11200 North from a 3-lane major collector to a 4-lane arterial, creating a new classification in the City's Transportation Element of the General Plan. Council also directs that the project scope be for a single northbound lane, a left turn lane, a thru lane, and a combined right-thru lane.

Council Member Scott L. Smith SECONDED the motion.

Council Member Rodela asked if the project is doable. Mr. Hales stated that it will be a temporary fix, but he believes the City will need to consider this intersection again in the future. Mayor Ostler asked how far into the future the project will need to be reconsidered, to which Mr. Hales answered by 2050. This led to brief discussion among the Council and staff regarding the potential future impacts to private properties along the roadway and the likelihood of the City receiving funding for the project. Council discussion of the motion led to some confusion about the directive being provided to staff, which led Mayor Ostler to seek clarification from Mr. Spencer and Mr. Hales. Mr. Hales stated that he would recommend classifying the road as an arterial, extending the lanes to 620 feet from the intersection, giving 500 feet for dual southbound lanes at the intersection that can queue backwards and provide needed merging distance. This will provide a ten to one merge ratio. There was still confusion and the Council asked Mr. Hales to restate his recommendation, while also using the aid of the conceptual plan of the project area and a map. Mr. Hales made the following statement:

“Snowflake is at 800 feet. My suggestion is south of Snowflake, 620 feet north of SR 92 is where to begin to taper heading southbound. That would be a 120-foot taper distance, which would be a 10:1 ratio and that would widen out from a single lane to two southbound lanes that would approach SR 92 in the southbound direction. That outside lane would be a shared through and a right turn lane shared through right, and then the eastbound direction, there would be a single left turn lane in the northbound direction. The City would work on lane alignment to have the same two lanes that presently exist. You have the same trap condition that you currently have but the single northbound lane would come up and go through the intersection and be your northbound lane that would go all the way to 11200 North. In the westbound direction, put in the right turn pocket to go northbound.”

Council Member Smith asked how many feet above the intersection with SR 92 the dedicated right turn lane would start. Mr. Spencer stated it is likely about 100 feet more than what Mr. Hales described.

Council Member Bills stated she feels that what Mr. Hales has described is the best the City can do to maximize safety, increase function, and reduce the impact on residences.

Council Member Cortney asked if the Council wants to maintain the trap lane on the south side of the intersection. He would prefer to switch the right turn lane to the trap lane because he feels that will be safer. Mr. Spencer stated the Council can give guidance on that matter, but ultimately this is a State road and UDOT can make the final decision.

Council Member Brittney P. Bills AMENDED the motion to be that City Council accept the findings and APPROVE an amendment to the Transportation Element of the General Plan and reclassify a portion of 4800 West between SR-92 and 11200 North from a 3-lane major collector to a 4-lane arterial, creating a new classification in the City's Transportation Element of the General Plan. Council also directs that the project scope be for a single northbound lane, a left turn lane, a thru lane, and a combined right-thru lane, and dedicated right-hand turn lane westbound on SR-92 turning onto 4800 West, with design and layout as generally explained by Ryan Hales.

Council Member Scott L. Smith SECONDED the motion.

Mr. Patterson stated that it is his understanding that the motion is for a four-lane arterial, with one northbound lane and design and layout generally as explained as by Mr. Hales above.

Council Member Kim Rodela requested that the record show that she apologizes to the Council in 2050.

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 passed 5:0

Council Member Doug Cortney MOVED to extend the meeting to midnight. Council Member Ron Campbell SECONDED the motion. All voted in favor, except Council Member Kim Rodela and Council Member Scott L. Smith. The motion passed 3:2.

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: 2024 Drainage Improvements** *General City Management*
Andy Spencer, City Engineer/Public Works Director

The City Council will consider awarding Baker Construction the 2024 Drainage Improvement Project.

Council Member Brittney P. Bills MOVED to approve item 4a, 2024 Drainage Improvements.

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 passed 5:0.

- b. ACTION: Appointment of Appeal Authority** *General City Management*

Jay Baughman, Assistant City Administrator/Community Development Director

The City Council will consider appointing Craig Call as the Highland City Appeal Authority.

Council Member Scott L. Smith MOVED that the City Council approve Craig Call's appointment as Appeal Authority for Highland City and authorize the execution of the proposed appointment agreement per the information in the packet.

Council Member Brittney P. Bills 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 passed 5:0.

5. DISCUSSION ITEMS

Items in this section are for discussion and direction to staff only. The City Council will not take any formal action.

a. **DISCUSSION: Alpine Highway Fence Repair Bid** *General City Management*

Andy Spencer, City Engineer/Public Works Director

Discuss the bids received on the Alpine Highway fence repair and provide staff direction on next steps.

This item will be discussed at the next Council meeting.

b. **DISCUSSION: Emergency Preparedness Committee** *General City Management*

Ron Campbell, Council Member

The City Council will consider a request from Council Member Ron Campbell to form an Emergency Preparedness Committee.

This item will be discussed at the next Council meeting.

6. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

a. **TSSD Water Reuse Agreement** *Andy Spencer, City Engineer/Public Works Director*

City Engineer/Public Works Director Spencer summarized the purpose and intent of the reuse agreement; American Fork will trade water with Highland City and there will be a cost identified in the agreement for the trade. The agreement must be approved before March 25 due to a pending water rights application. The Council was not opposed to the reuse agreement being included on the next City Council business meeting agenda.

b. **Chamber of Commerce Sponsorship Contract** *Jay Baughman, Assistant City Administrator/Community Development Director*

This item will be discussed at the next Council meeting.

c. **Legislative Updates** *Kurt Ostler, Mayor*

This item will be discussed at the next Council meeting.

7. CLOSED SESSION

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

There was no closed session.

ADJOURNMENT

Council Member Kim Rodela MOVED to adjourn the regular meeting and Council Member Brittney P. Bills SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 11:44 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on March 12, 2024. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle, CMC
City Recorder



HIGHLAND CITY COUNCIL MINUTES

Tuesday, March 19, 2024

[Waiting Formal Approval](#)

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

6:00 PM WORK SESSION

The meeting was called to order by Mayor Kurt Ostler as a work session at 6:04 pm. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting.

PRESIDING: Mayor Kurt Ostler

COUNCIL MEMBERS: Brittney P. Bills - present
Ron Campbell - present
Doug Cortney - present
Kim Rodela - absent
Scott L. Smith - present

CITY STAFF PRESENT: City Administrator Erin Wells, City Attorney Rob Patterson, City Recorder Stephannie Cottle, City Engineer/Public Works Director Andy Spencer, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Library Director Donna Cardon

OTHERS PRESENT: Jon Hart, Liz Rice, Wesley Warren

FY 2025 BUDGET

Finance Director Mortensen used the aid of a PowerPoint presentation to introduce the proposed budget for Fiscal Year (FY) 2025. The budget is a 59-page document with extensive detail and Administration will work to schedule individual meetings with each Council Member to address specific questions and concerns. He presented a spreadsheet which summarized all funds in the budget; the spreadsheet identifies the beginning fund balance, projected revenues, budget expenditures (excluding depreciation), net revenues (excluding depreciation), use of the prior year (PY) fund balance, and estimated ending fund balance.

Council Member Campbell asked if the budget includes money the City collects for the Timpanogos Special Service District (TSSD) and passes on to the District. Mr. Mortensen answered yes and noted that is a topic that he is willing to discuss in greater detail during individual meetings with Council Members.

Council Member Cortney asked why Administration has not started with a smaller previous year balance, or started at zero sum. Mr. Mortensen stated that he could have left out the PY balance and taken it out of the revenue column as well, but he wanted to show that the City will be using specific fund balance monies for specific things, and he will expound upon the use of General Fund balance in the coming slides.

Mayor Ostler noted the City cannot keep more than 35 percent of its total General Fund budget in the fund balance. Council Member Smith inquired as to the minimum fund balance the City can maintain, to which Mr. Mortensen

answered five percent of the total General Fund budget.

Mr. Mortensen then provided the following revenue summary:

- Property Tax
 - Forecasts flat. Will ultimately be updated with numbers provided by Utah County
- Sales Tax
 - Forecasts 3% increase from FY24 budget and flat from current FY24 projections
- Building Revenue
 - Now separate from General Fund in the Building and Development Fund
 - Forecasts a slight slowdown in building as shown by reduction in forecasts for impact and permit fees

Council Member Smith suggested that property tax revenue typically stays flat, except it can increase based upon growth. He noted that there has been and will continue to be growth in the City, yet the property tax revenue projection in the proposed budget is flat. He asked for an explanation of that decision. Mr. Mortensen stated that he projected no significant increase until the City receives final data from the County; once he understands the County's proposals regarding a certified tax rate and valuations, he cannot provide an accurate revenue projection.

Mr. Mortensen then discussed the use of General Fund balance as summarized below:

- Totals \$440,000
 - Trail connection to Hogs Hollow Draper trails - \$20,000
 - Half of the City's portion of Highland Blvd improvements for Lehi DR Horton development - \$420,000
- Leaves Approximately \$4.94 Million in Reserves
 - Estimated to be 38.8% of total revenues which is 3.8% above the state maximum reserve balance
- Leaves \$154,627 of Surplus (Net Revenue) in the General Fund Budget

Mr. Mortensen highlighted the following Council priorities that have been funded in the proposed budget:

- Priority 1 – Buffer for General Plan Update (24-52-25 Special Projects) for \$20,000
- Priority 2 – Traffic Calming Execution (10-60-XX* Traffic Calming and Pedestrian Safety) for \$75,000
 - Roughly equivalent to two speed tables and signs
- Priority 3 (tie) – Mountain Ridge Park Phase II (40-40-78 Mountain Ridge Park) for \$1,700,000
- Priority 3 (tie) – Updated Road Fee Study (56-40-XX* Professional Services) for \$125,000
 - See notes regarding potential changes
- Priority 5 (tie) – Fire Department Driveway (42-40-XX* Building Improvements) for \$100,000
- Priority 5 (tie) – Address Low Fire Wages (10-57-31 Lone Peak Public Safety District) for \$232,304
- Priority 7 (tie) – Public Safety Appreciation Dinner (10-41-61 Youth City Council) for \$1,000
- Priority 7 (tie) – Two New FT Parks Positions (10-70-11 Salaries & 10-70-13 Benefits) for \$180,186
 - FT 1 – Split duties between Mountain Ridge Park maintenance and city-wide sprinkler technician
 - FT 2 – Parks Facilities Lead whose main responsibilities will be to execute on park improvements throughout the City
- Priority 9 (tie) – Library Furniture Replacement (22-43-70 Capital Outlay) for \$25,000
- Priority 9 (tie) – Mitchell Hollow Trail Engineer and Right of Way (40-40-76 Trails) for \$175,000
- Priority 11 (tie) – Parks Infrastructure Replacement Fund
 - General parks improvements and maintenance (10-70-24 Playground Maintenance and Repair) for \$50,000
 - Parks capital needs such as large equipment and future Mountain Ridge amenities replacement (40-40-75 Parks Equipment Purchase and Savings) for \$70,000
- Priority 11 (tie) – Additional Security Cameras (in Sewer, PI, and Storm Drain Funds) for \$75,000 (\$25,000 per fund)
- Priority 11 (tie) – Increase in Communications Position Hours (10-53-14 Salaries) moving from 1,300 to

1,500 hours per year

- Other Previously Discussed Council Priorities
 - Draper Hogs Hollow Trail Connection (10-70-38 Trail Maintenance) for \$20,000
 - Highland Blvd Matching Funds (41-40-79 Road Project Matching) for \$450,000
 - This is an estimate for half of the cost of the City's portion of this project. For the remaining half, the City can:
 - Work with DR Horton to break the cost over two fiscal years
 - Apply for grant funds from the State
 - Use additional General Fund Fund Balance (This would reduce estimated fund balance to \$4.38 million which would be 34.7% of total revenues
 - Reduce the amount of spending on major road maintenance to cover the remainder
 - Cemetery Perpetual Care Fund Study (21-43-31 Engineering/Professional Services) for \$10,000
 - "xx" numbers mean that a new General Ledger account will be created in FY25.

Mayor Ostler asked if the City received any grant funding from Mountainland Association of Governments (MAG) to aid in the General Plan update. City Engineer/Public Works Director Spencer stated the City applied for, but was not awarded funding for that project. Council Member Campbell asked how that project will be funded, to which Mr. Mortensen answered through the General Fund. Council Member Cortney asked if consultants are paid in advance of the project. Mr. Mortensen answered no and indicated they are paid as the project moves forward, with final payment once the project is completed. Council Member Cortney asked if that means the final payment could be made in the FY26 budget, to which Mr. Mortensen answered yes.

There was brief discussion regarding the scope of various Council priority projects, and the timing of collection of formal cost estimates for certain projects.

Mr. Mortensen then identified Council priorities that have not been funded in the FY25 budget:

- Priority 11 (tie) – Emergency Manager/Storm Drain Utility Superintendent
- Priority 16 (tie) – City Hall Displays
- Priority 16 (tie) – Dog Park at Town Center
- Priority 18 (tie) – Finish Beacon Hills Park
- Priority 18 (tie) – Cemetery Memorial Day Event
- Priority 18 (tie) – PT Building Maintenance Employee
- Priority 21 (tie) – Cemetery Columbarium
- Priority 21 (tie) – Community Programs (adopt a trail, graffiti cleanup, tree replacement, etc.)
- Priority 21 (tie) – Additional "Yard-of-the-Month" Banner
- Priority 24 - Software

The following Council priority was not included for discussion purposes:

- Priority 11 (tie) – Alpine Highway Fence Repair (10-41-XX* Council Special Projects) for \$250,000
 - If funded, staff would recommend using General Fund Fund Balance

Mr. Mortensen provided the following personnel summary; Administration has reviewed the allocation of employee costs and the most significant changes include:

- Moving the Treasurer to the Treasurer Department
- Moving the Human Resources Generalist to the newly created Human Resources Department
- Moving the Code Compliance Officer to the Planning Department in the General Fund
- Creation of the full-time City Attorney/Planning and Zoning Administrator position
- New budget line items set up for part-time employees as part of the payroll and timesheet software rollout
- 5% market adjustment budgeted for employees
 - This would not be a flat 5% COLA increase, but a market adjustment looking at each position in our City

- Staff is currently engaged with a consultant in reviewing staff wages
- No merit increases are included in the budget. The estimated cost of a 3% merit increase would be \$116,000
- Separated permanent part-time from seasonal parks employees in parks 10-70-14 and 10-70-15 as well as cemetery 21-43-14 and 21-43-15
- Staff is working on some journal entries to correct some staff mischarges that have previously occurred in the current year
- Tier II Hybrid employees will be required to pay 0.7% of their defined benefit retirement contribution (formerly paid entirely by the City)
 - The cost of increasing either the wage or 401(k) contribution for these employees to compensate for this new URS requirement is estimated to be \$10,000 (currently not funded in the budget)

Mr. Mortensen provided a list of purchases and budget increases over \$10,000:

- Increase to Street-Striping Program (10-60-39 Street Striping) to cover one-third of the City per year for \$40,000
- Three Public Works Vehicles (split five ways amongst enterprise funds and streets departments) at \$33,000 per department
- Christmas Light Replacement (10-73-63 Community Enrichment) for \$19,000
 - Current lights warranty is expired
- One Small Parks Truck for 17-year-old Drivers and One Van for Sprinkler Technician (10-70-75 Capital Equipment Purchases) for \$75,000
- Replacement of One Small Truck for General Planning Use (24-52-XX Capital Outlay Equipment) for \$29,000
- Various Capital and Maintenance Projects (throughout enterprise funds as outlined in utility rate studies)
- Replacing Worn Out Flooring and Malfunctioning Heaters at the Public Works Building (42-40-XX Building Improvements) for \$30,000

Potential changes in the budget still to come include:

- Sewer Fees as a Result of the Recent TSSD Increase
 - Staff has projected expected increases to revenue and expenditures
 - An update to the rate study is underway
- Garbage Rates
 - Staff has projected increases in the garbage contract expenditures
 - Final analysis is pending the Waste Management renewal rate that typically comes in April
- IT Allocations Amongst Departments
 - Staff is working on the Internal Service IT expenses of each department to coincide with the new staff allocations. The net revenue and expenses for the Internal Service IT Fund is not expected to change
- HB 367 outlining how transportation utility fees should function did not pass in this year's legislative session. Staff is working with ULCT to understand the ramifications and next steps. If staff determines a study does not need to be completed at this time, staff will recommend using those funds for additional road projects.
- Health insurance increases have been budgeted for a 10% increase. This number typically is less. Staff is currently working with our new health insurance broker on obtaining renewal rates.
- The City's legislative consultant is funded out of 55-40-31 for \$100,000 for the year. As of this point this fiscal year, he has not secured a grant for the City. If the City does not receive a grant this fiscal year, his contract will not be renewed.

Mr. Mortensen concluded his presentation by providing the budget calendar:

- Week of March 25 – Individual Council Meetings
- Tuesday, April 16 – Approval of Lone Peak Tentative Budget

- Tuesday, April 30 – Budget Work Session
- Tuesday, May 7 – Public Hearing and Adoption of Highland Tentative Budget
- Wednesday, May 8 – City Open House
- Wednesday, May 15 – Community Budget Presentation
- Tuesday, June 18 – Final Budget Adoption

Actions to be taken during the June 18 meeting include:

- Public Hearing for Fiscal Year 2024-2025 Enterprise Fund Transfers
- Public Hearing for Fiscal Year 2024-2025 City Officer Compensation Changes
- Adoption of Final Highland City Fiscal Year 2024-2025 Budget
- Adoption of Certified Tax Rate for Fiscal Year 2024-2025
- Adoption of Consolidated Fee Schedule for Fiscal Year 2024-2025
- Adoption of Final Budget Adjustments for Fiscal Year 2023-2024 Budget

Council Member Smith thanked Mr. Mortensen for the format of his presentation, which he found to be very informative and detailed. Mayor Ostler echoed Council Member Smith's gratitude; he stated that he has participated in several budget processes, and this seems most thorough and transparent. He appreciated that revenue and expenses are included in the same area of the budget so that people do not need to flip through the budget to find pertinent information. Council Member Smith added he appreciated that the fund balances are front and center in the presentation and the budget document. Mr. Mortensen emphasized that the fund balances provided tonight are still an estimate and they will be clarified and adjusted as the City moves through the budget process.

In closing, there was a brief discussion about restricted funding sources in the City's budget and the projects/purchases that are eligible for use of those funds.

The work session adjourned at 6:57 p.m.

7:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Brittney P. Bills

Pledge of Allegiance: Mayor Kurt Ostler

The meeting was called to order by Mayor Kurt Ostler as a regular session at 7:07 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 Brittney P. Bills and those in attendance were led in the Pledge of Allegiance by Mayor Kurt Ostler.

PRESIDING: Mayor Kurt Ostler

COUNCIL MEMBERS: Brittney P. Bills – present
 Ron Campbell - present
 Doug Cortney – present
 Kim Rodela - present (electronically)
 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 Andy Spencer, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Communications Specialist Brooklyn Wild, Civic

OTHERS PRESENT: Jon Hart, Liz Rice, Jenea Clark, Mark S. Thompson, Brenda Thurgood, Wayne Tanaka, Charles Greenland, Ron Armstrong, Claudia Sudweeks, Steve Hogan, Heather Heras, Jeanne Hodges, Wesley Warren, Amanda Meyer, Eric Adamson, Josh Walker, Layne Thompson, Ray Buhler, Debra Maughan, Brain Braithwaite

1. UNSCHEDULED PUBLIC APPEARANCES

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

Tina Clark requested stop signs be placed on the west end of the Junior High and the east end of the new park, to require a four-way stop. This will increase safety for children crossing in the area. Additionally, she would like a fourth crosswalk painted so that people can cross in all four areas of the intersection.

Mayor Ostler clarified Ms. Clark is referencing the intersection of 5600 West and 10400 North. Ms. Clark stated that is correct.

Steve Hogan referenced the agenda item related to the Alpine Highway Fence; he asked if public input will be accepted during discussion of that item.

Mayor Ostler stated he will allow public input from property owners impacted by that matter.

Mayor Ostler then moved to agenda item 3a.

3. CONSENT ITEMS

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. Appointment of New Chair for Highland Historical Society General City Management

Kurt Ostler, Mayor

The City Council will consider the Mayor's appointment of Claudia Sudweeks as the Chair of the Highland City Historical Society.

Mayor Ostler acknowledged the members of the Historical Society who are present this evening. He introduced Claudia Sudweeks, who will be the new Chairperson of the Society. He also recognized Charles Greenland, the outgoing Chairperson, and presented him with a gift and award recognizing the service he has provided to the City.

Council Member Brittney P. Bills MOVED that the City Council ratify the appointment of Claudia Sudweeks as Chair of the Highland City Historical Society.

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 passed 5:0.

2. PRESENTATIONS

a. Legislative Updates - Representative Brady Brammer

State Representative Brady Brammer provided a summary of actions taken during the 2024 Utah Legislative Session, focusing on those that he was a supporter of:

- Artificial Intelligence legislation prohibiting pornographic images;
- Adjustments to Chancery Court;
- Improvements to the school closure process;
- Expansion of religious freedoms for employers;
- Strengthening vaping laws;
- Creation of tax credit for teachers to fund supplies in their classrooms;
- \$800 million in funding for education this year;
- Limiting overreach from the Federal Government, though this legislation is likely to be overturned or weakened.

Mayor Ostler asked Representative Brammer to address adjustments to the Alpine School District and any changes to regulations on school bonds. Representative Brammer stated that he was the House sponsor for the bonding legislation; citizens recently rejected the Alpine School District bond by an overwhelming majority because the bond was \$595 million and was far in excess of any amount the District has asked for in the past. There were also problems with the generation of property tax revenue in the District and no group of residents felt fully represented. The Legislature deemed it appropriate to tighten the statute governing bond issuance to eliminate loopholes that some Districts have tried to pursue in the past. Alpine School District has already issued \$110 million in lease revenue bonds in the past three years and voters are unaware of those actions. The legislation will prevent this type of action in the future because it is important to require approval from taxpayers for bonds for public facilities.

Council Member Campbell thanked Representative Brammer for his efforts, specifically the position he has taken on the need to prevent government overreach. He addressed draft legislation that would have taken away the authority of the City to regulate zoning and land use matters and asked if there is potential for that type of legislation to come forward again next year. Representative Brammer stated he cannot stop Legislators from writing similar legislation in the future, but so long as he is a member of the Rules Committee, he will work hard to prevent legislation that takes away local control, especially when the State is not concerned with ensuring sufficient infrastructure to accompany a land use project that may be approved as a result of the legislation. He stated, however, that there are currently 190,000 homes entitled in the State of Utah, but developers are not building them due to limitations on the cost metrics. It is necessary to consider how to decrease the cost of the development for both the developer and the homeowner so that projects are still profitable. There is legislation addressing infrastructure districts that allows for temporary public bonding solely for the purpose of installing infrastructure during the entitlement process and the bond is paid back at the time a lot or home is purchased. He feels this is a clever method for paying development costs, which are less expensive the earlier it is completed.

Council Member Campbell asked if legislation impacting the Public Treasures Investment Fund (PTIF) was adopted and what final amount was called out in that bill. Representative Brammer stated it did pass, but he cannot recall the final amount listed in the legislation. He added that there was also legislation that impacts inspection regulations for modular walls that are built offsite and delivered to a home; streamlining this process could decrease the cost of building a home by 20 to 30 percent which will also help to address the market issues that are impacting development of housing.

Mayor Ostler also thanked Representative Brammer for his support of Highland City and surrounding communities. He reached out to Representative Brammer about several pieces of legislation that he was concerned about due to the potential impact to Highland City. He was especially concerned about the inspection legislation; if the City is unable to respond to a request for an inspection within three days, the applicant can select a private inspector from a pre-approved list. He noted that Highland City is closed for business on Friday, and he is concerned that some developers will exploit that fact and call for an inspection on Friday and move to hire a private inspection by the following Tuesday or Wednesday because the City did not receive the actual request until Monday and was not able to schedule an inspector. Representative Brammer stated the bill is very detailed, but there are some issues that are not clear – such as the three-day window and whether it includes weekends and holidays. He stated the bill will likely need tweaking and he invited the City to communicate suggestions to him for proposed adjustments next year. Council Member Campbell communicated he is very concerned about the City being required to pay for a private inspection and then also being liable for the outcome of the inspection. Representative Brammer stated that it is unfortunate that this type of legislation is typically the result of one ‘bad actor’. City Administrator Wells stated in this case, it is correct that this legislation was a result of one bad actor; the Utah League of Cities and Towns (ULCT) conducted a survey nearly all cities responded and indicated they were already performing inspections within three days of a request. It is frustrating when legislation is adopted due to one city not performing appropriately. Mayor Ostler agreed and added that the Homebuilder’s Association has communicated they have not encountered difficulties with scheduling an inspection in Highland City.

The Mayor and Council again thanked Representative Brammer for his representation of the community and for maintaining open communication channels with representatives of the City throughout the session. Representative Brammer welcomed contact from any City representative and also thanked them for what they do for the City of Highland.

4. ACTION ITEMS

Items in this section are to be acted upon by City Council.

a. RESOLUTION: Dandi Annexation - Accept Petition for Further Consideration *Land Use*
(Legislative)

Rob Patterson, City Attorney

The City Council will consider a request from Amanda Meyer, representing Christopher Anderson, to annex approximately 2.56 acres of property located at 6481 West 9600 North. The purpose of this resolution is for the Council to accept or reject the application for further consideration and to give direction to the applicant and staff on potential conditions of annexation. The Council will take appropriate action.

City Attorney Patterson explained the property owner of 6481 W. 9600 N. (parcel 12:058:0022) desires to annex into Highland City to be able to construct an accessory structure (barn) that is not permitted under Utah County regulations. The property owner has discussed the planned use of the property, essentially rental of the home with a barn for horses, and agreed to meet all applicable City regulations governing rental properties and accessory building setbacks. The property owner stated does not intend to subdivide/redevelop. Subdivision would be difficult with limited frontage and lot width. He noted no prior Council direction has been given specific to the proposed annexation, but with previous proposed annexations (e.g., Phyllis Smith) Council has required applicants to provide all standard development improvements (utility connections, right-of-way improvements and dedications) and fees (impact fees, hook-up and meter fees, etc.) with minor or no adjustments. He presented an aerial map to identify the subject property, which is one of three unincorporated islands in area along 9600 North (Peck property, Phyllis Smith); it is 2.56 acres with approximately 150’ frontage. The applicant is requesting R-1-20 zoning, which is consistent with other property along 9600 North. He then provided the following guidance regarding this type of application:

- Annexation is a legislative process – discretionary decision of the Council.

- Applicant files notice of intent with City and others.
- Applicant works with County to send notices of intent.
- Applicant files petition for annexation with map with City.
- Council decides whether to reject the annexation outright or accept the petition for further consideration
 - Accepting for further consideration is not approval and is not binding;
 - Triggers analysis of petition and notice/protest process; and
 - Gives Council chance to give direction on annexation agreement.
- Council will not make final decision on annexation or annexation agreement until after notice/protest period and a public hearing.
- If Council accepts petition for further consideration, staff asks that Council give direction on what improvements, fees, dedications, etc. will be required as condition of annexation so staff and applicant can work on an annexation agreement to be approved after notice/protest period.

Staff recommends the following conditions of annexation:

- Zoning designation of R-1-20;
- Dedication of three-acre feet per acre of water, for a total of eight-acre feet, 50 percent contained;
- New utility improvements:
 - PI lateral, meter, and connection and disconnect any culinary connection to sprinklers
 - Sewer connection and disconnect septic tank per County Health
- Ditch: pipe/bury/fill per American Fork Irrigation
- Dedicate ROW: front 20 feet of property for 9600 North
- Complete ROW improvements :
 - Asphalt, gutter, curb, sidewalk, park strip
- Impact Fees:
 - PI impact fee (0.51 x permeable square footage): ~\$51,765
 - Sewer Impact fee: \$2,773.00 City and \$4,981.00 TSSD

Mr. Patterson then noted that no public hearing is required as this point; the Council can hear from the applicant regarding intended use of property, reason for annexation, and any exceptions or waivers regarding annexation conditions. He reiterated this is a legislative decision and annexation is not a right. The Council can impose conditions on annexation and the Council's approval and direction today are not final; a final decision on annexation will not be made for at least 30-45 days contingent upon noticing of the annexation petition.

Council Member Smith stated it is his understanding the applicant is aware of and willing to pay the fees associated with annexation. Mr. Patterson stated it is his understanding that the applicant is willing to 'pay their fair share', but he deferred to the applicant to specifically answer Council Member Smith's question.

Amanda Meyer and Layne Thompson approached; they indicated they are familiar with the fees. They are a non-profit organization, and they are working to fundraise to cover the fees associated with the annexation.

Council Member Scott L. Smith MOVED that the City Council adopt the resolution and ACCEPT the Dandi annexation petition for further consideration, with direction that staff work with the applicant to prepare an annexation agreement that requires, as a condition to annexation, that all standard utility, road, and right of way improvements and dedications be provided, that the applicant pay all standard impact fees, and that the applicant provide 8 acre-feet of water according to City standards, as recommended by City staff.

Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

Council Member Brittney P. Bills Yes

<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 passed 5:0.

b. ACTION: Alpine Highway Fence Repair Bid General City Management

Andy Spencer, City Engineer/Public Works Director

The City Council will consider accepting the bid from Ultimate Aeration/Forever Landscaping to rehabilitate the Alpine Highway Fence

City Engineer/Public Works Director Spencer explained on October 17, 2023, the City Council discussed the different options for making improvements to the Alpine Highway fence. Ultimately, Council gave staff direction to solicit bids to repair the fence and bring them back to Council for further consideration. Another option Council had previously considered was a grant process for partial reimbursement to residents who replace the fence or repair the existing fence. Previously, both the residents and the City solicited bids for replacement of the fence. A low bid received by a resident was approximately \$450,000 for a concrete fence for all 31 units. At that price, only 10 of the 31 homeowners wanted to replace the fence. The City bid obtained for the fence repair is \$221,630; funding for this expense was not included in the FY24 budget and will need to be funded by General Fund Fund Balance and will be included as part of the final budget adjustments unless otherwise directed by the Council. If Council chooses to move forward with the bid, staff is recommending setting a budget of \$250,000 which is slightly more than the typical 10% contingency. The bid was repair per fence beam, cross beam, pillar, etc. As the contractor is working, staff believes additional needed repairs to fence sections or columns will be identified necessitating more than the usual contingency. Mr. Spencer provided photos of various sections of the fence to illustrate the extent of the disrepair; he noted that some additional options available to the Council are to revisit alternative fencing types or seek less expensive contractor options. Additionally, staff recommends the theme wall fence standards for Alpine Highway be adjusted to meet current expectations for the area.

Council Member Campbell stated he is concerned about the lack of consistency that will be achieved based on the options that have been presented tonight. Mr. Spencer acknowledged that concern and stated that is the reason staff has proposed to adjust the theme wall ordinance to provide more options to homeowners and clear expectations for future repair of the fence.

Council Member Smith stated the current fence has lasted approximately 20 to 25 years; he believes that if the fence is repaired/replaced in an appropriate fashion, it will last another 25 years.

Mayor Ostler provided an overview of the history of the fence and the confusion about ownership and maintenance responsibilities of the fence. Some officials have told residents that they own the fence, while other officials have communicated the City owns and is responsible for the fence.

Mr. Spencer stated that staff has developed an itemized list of damages to the fence slats and support columns, which is what the bid is based upon. He reiterated that some additional issues will be found as the contractor proceeds with his work and that will result in increases in the project estimate.

Council Member Campbell stated that he believes residents have been harmed by the communication errors and delayed repair of the fence; the City has arrived on a solution that will deliver a fence in a reasonable condition, and it will then be up to the homeowner to provide ongoing maintenance or repair of the fence. From that standpoint, it makes sense to allocate sufficient funding to repair the fence. Council Member Smith agreed. He noted that it is necessary to resurvey the area to facilitate any lot line adjustments to ensure that the new fence is located on private property. The ideal situation would be to install a concrete wall along the corridor, but that is

too expensive for the City and/or residents to cover. Mr. Spencer stated that he would guess the property line currently runs along the center of the fence columns and he is happy to pursue a survey of the properties and work on a lot line adjustment as suggested by Council Member Smith.

Mayor Ostler stated the question before the Council is to determine if repair/replacement of the fence should be the burden of all taxpayers of the community; he referenced other projects for which residents have asked for City financial assistance and they were denied. It will be necessary to provide adequate reasoning for why the City may potentially use taxpayer dollars for this project that only impacts a handful of private properties. He then invited input from Mr. Steve Hogan, a property owner impacted by this project.

Steve Hogan stated he moved to his home almost two years ago and soon after he reached out to Council Member Bills about the status of the fence on his property. He has had contact with most of the property owners along the corridor and feels confident that he can communicate their feelings and desires to the Council. He feels the summary from the staff and Council tonight captures their feelings appropriately. The residents understand this current City Council did not create this issue, but they inherited it. Now is a time of crazy inflation and that has created problems for the City and residents alike when considering repair or replacement of the fence. He stated that the current fence is insufficient, and he suggested that repair will only look nice for a year or two; the proposal that has been offered tonight is akin to 'kicking the can down the road'. Residents are asking for the City to wait up to five years to save the money to perform a proper replacement of the existing fence with a precast fence to ensure a product that will last for decades to come. He acknowledged there is no perfect solution, but this is what the residents would like the City to do.

Mayor Ostler stated that this is truly a question of whether it is the taxpayers' responsibility to build an entirely new fence; additionally, the Mayor and Council have no way of knowing who will be on the Council in five years and cannot commit future elected bodies. He stated that many other residents may feel there are other projects in the City that are more important than this fence.

Council Member Smith stated that he would also like to see a precast fence along the corridor, but he believes it is unreasonable to expect the City to save \$250,000 a year for the next five years to pay for the project. He agreed with Mayor Ostler's concerns about the Council's inability to commit future elected officials. He noted there are many projects in the City, such as the park in Beacon Hills, that residents would like to see completed and it would be difficult to place this project ahead of things like that.

Council Member Campbell asked if the brick pillars are stable. Mr. Spencer stated that some are heavily damaged, and they would be fixed as part of this project; those that are minorly damaged will have the veneer fixed. Additional testing of the structural integrity of the pillars can be conducted, but that will lead to increased costs. Council Member Campbell asked if the brick that has been used on the pillars is still available. Mr. Spencer stated he is unsure.

Mayor Ostler stated he is concerned about the potential for the estimated project cost to increase dramatically, perhaps from \$221,00 to \$400,000; if that ends up being the case, many will be upset, and they would not have voted to support the project if they would have known it would cost that much.

Mr. Hogan stated that he cannot provide a specific percentage of the pillars that are failing, but it is his assessment that it is 'totaled' given that a certain percentage is beyond repair. He believes all pillars must be inspected to determine if they are structurally sound.

Mayor Ostler asked Mr. Hogan if he is stating that the residents do not want the City to repair the current fence. Mr. Hogan stated he is not speaking for everyone, but the general sentiment is that residents are concerned that repairs will not be sufficient and will only look nice for a year or two. They would also like to know what regulations will be imposed on them if they would like to replace the section of the fence in their yard at some

point in the future. Mayor Ostler stated that is a policy decision for the Council to consider. City Attorney Patterson stated that according to the current policy, a resident would need to replace the fence with the same type of fence that currently exists, unless the Council approves a different design.

Council Member Campbell stated he is concerned about the unknown issues related to the fence; he needs to know how many pillars cannot be stabilized through the type of project that has been proposed.

Council Member Smith acknowledged the history of the fence that has created problems for the residents. He suggested the creation of a \$250,000 grant and allocating a certain amount of funding to each property owner along the corridor based upon the linear footage of the fence that is in their yard. He stated he cannot support a decision that creates an ongoing funding commitment for up to five years. Council Member Bills stated that when that type of grant program was discussed in the past, the residents indicated the amount of funding that would be made available to them was insufficient and that was not an acceptable solution to them.

The Mayor, Council, Mr. Hogan, and staff engaged in philosophical discussion and debate regarding the appropriate action for the Council to consider based upon the desires of residents impacted by the project; they also discussed competing projects in need of funding and how this project should be ranked among other unfunded projects. Council Member Smith stated he feels it will be possible to find a compromise and he suggested a grant program for the next two years that will provide funding to property owners based upon the length of fence on their property. The Council indicated a willingness to consider this proposal over the next several months during the budget development process.

Mr. Hogan stated that he believes residents would favorably accept a per-foot amount for replacement of the fence, and he suggested \$60 per foot.

The Council determined to deny the proposal to hire a contractor to repair the current fence and indicated they will further explore the creation of a grant program as suggested by Council Member Smith. They also expressed willingness to consider a budget amendment in the current budget year to allocate some funding this year to the project. City Attorney Patterson explained the process the Council would need to follow to consider a budget amendment. Council Member Smith stated that he would like to discuss those options and some additional design proposals for the project during the April 16 meeting.

Council Member Scott L. Smith MOVED that the City Council DENY the contract with Ultimate Aeration/Forever landscaping and continue the discussion of the Alpine Fence to the April 16th meeting. Instructing staff to 1) come back with design proposals to keep it a standard fence, and 2) have an ongoing discussion about how much money to allocate in FY24 budget to move forward with this project.

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

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

The motion passed 5:0.

c. ACTION: Chamber of Commerce Sponsorship Agreement *General City Management*
Jay Baughman, Assistant City Administrator/Community Development Director

The City Council will consider an agreement between Highland City and KJ Productions, the owners of which are the co-presidents and operators of the American Fork Chamber of Commerce, to help with promotion, fundraising, and sponsorship for the Highland Fling 2024.

Assistant City Administrator/Community Development Director Baughman explained in February, Community Events Coordinator Robin Wise and Assistant City Administrator Jay Baughman met with Kristina Wesemann and Josh Walker of the American Fork Chamber of Commerce to discuss the possibility of receiving the Chamber's aid with promotion, fundraising, and sponsorship for the Highland Fling 2024. Staff believes that partnering with professionals with extensive connections in the Utah County business community will be an asset to the success of fundraising for the Highland Fling. Last year, the City was able to raise \$13,350 in cash donations. The City also received roughly \$5,000 in in-kind donations. KJ Productions is proposing a revenue share structure where they will receive a percentage of the funds they raise on behalf of the City (outlined further in the Fiscal Impact section) from new sponsors that were not current or previous sponsors of the Highland Fling or contacted by Highland City. Their fundraising efforts will focus on companies and organizations with which the City does not already have existing relationships, thereby expanding the reach of our sponsorship opportunities. They will also assist with collecting the funds. Through this arrangement, Highland will seek to maintain its current level of sponsorship and leverage KJ Productions' contacts to bring in even more funding and sponsorship opportunities. Events that were once paid for out of pocket by the City have the possibility to be sponsored and paid for by the business community. The intent is that this arrangement will lessen the financial burden on the City and allow for an even more spectacular Highland Fling. The City retains discretion to decide the number, type, and priority of sponsors and advertisers, and KJ Productions will work with City staff to ensure that all sponsors meet the City's community standards and that sponsors receive the marketing and sponsorships they pay for. Mr. Baughman explained the cost of this service is based on the amount of funds that KJ Productions can raise. The agreement stipulates a revenue share from sponsorship and advertising sales from new sponsors that were not current or previous sponsors of the Highland Fling or contacted by Highland City, with the following tier structure:

- 10% commission on sales valued at \$0 to \$15,000 in sponsorship revenue, for a total potential commission of \$1,500;
- 15% commission on sales between \$15,000.01-\$30,000 in sponsorship revenue, for a total potential commission of \$3,750 (\$1,500 + \$2,250);
- 20% commission on sales between \$30,000.01-\$50,000 in sponsorship revenue, for a total potential commission of \$7,750 (\$1,500 + \$2,250 + \$4,000);
- 25% commission on sales between \$50,000.01-\$75,000 in sponsorship revenue, for a total potential commission of \$14,000 (\$1,500 + \$2,250 + \$4,000 + \$6,250);
- 30% commission on sales greater than \$75,000.01 in sponsorship revenue, for a commission of \$14,000 (\$1,500 + \$2,250 + \$4,000 + \$6,250) plus 30% of all sales above \$75,000.

Discussion among the Council and staff centered on the annual allocation the City dedicates to the Highland Fling celebration and the opportunity to decrease the annual allocation dramatically as a result of the proposed agreement. The Mayor and Council also carefully examined the proposed commission rates and revenue sharing structure in the proposed agreement.

Mayor Ostler provided the Council with the opportunity to ask the contractor any questions.

Council Member Bills stated that she would like to know if the contract would prohibit the contractor from working with or earning commission off of existing donors to the Fling. Mr. Baughman stated that is what staff has proposed. Council Member Bills asked if the contractor would earn commission on any in-kind services. Mr. Baughman stated that the City currently has \$5,000 committed in in-kind donations and the contract does not prevent the service provider from earning commission on in-kind donations. Council Member Bills asked for confirmation that the term of the agreement is one year, to which Mr. Baughman answered yes. Council Member Bills asked if the City could take advantage of any of the relationships the service provider builds during that time. Mr. Baughman answered yes. This led to discussion of the rights of the City if, and when, the agreement is

terminated, with City Patterson noting the agreement does not address that matter. Council Member Smith stated he would like to be open and transparent from the beginning and he would not want to harm a business that helps the City to secure funding to promote the success of its annual celebration.

Council Member Cortney stated that he is uncomfortable going all the way to a 30 percent commission level; he would be more inclined to cap commission rates at 25 percent. Mayor Ostler stated he does not want the Council to become too involved in negotiating that type of term in an agreement.

Josh Walker of KJ Productions stated that his company has created relationships over the years through the Chamber of Commerce; he has been raising funds for cities since 2012 with the goal of decreasing expenses for cities while increasing revenues. He stated that if the City is paying an expense and he can find a company to pay that expense, he would charge a commission.

Mayor Ostler stated that KJ Productions provides this service for Cedar Hills and American Fork cities; he asked how much money he has raised for those entities. Mr. Walker stated that he raises between \$25,000 and \$30,000 for Cedar Hills and up to \$150,000 for American Fork. Mayor Ostler stated those dollar amounts can be used to consider how much may be raised in Highland based upon population comparisons.

Council Member Campbell stated he is comfortable paying commissions for cash donations, but he is concerned about paying commission for in-kind donations, because that could result in the City being placed in a negative position. Mr. Walker stated that will not happen, but if the Council wants to put a term in the agreement specifying that the City must incur an expense in order for replacement of that expense to be eligible for commission or a trade, he is comfortable with that term.

Mr. Patterson asked the Council if they want to revert to the original contract language indicating that KJ Productions will be eligible for commissions on all sales with restrictions placed on KJ Productions for receiving commissions from sponsors that have already sponsored the Fling over the past two years. The Council supported that amendment to the agreement.

Council Member Doug Cortney MOVED that City Council authorize approval of the Contract with Highland City and KJ Productions, LLC for Highland Fling 2024, with commissions on all sales as originally requested by KJ Productions, and KJ Productions only restricted from receiving commissions from Fling sponsors who have been sponsors in the last 2 years.

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 passed 5:0.

d. ACTION: Reuse Authorization Contract with TSSD General City Management

Andy Spencer, City Engineer/Public Works Director

The City Council will consider a resolution authorizing the Mayor to sign a sewer effluent water Reuse Authorization Contract with Timpanogos Special Service District (TSSD).

City Attorney Patterson explained on March 12, 2024, the City Council briefly discussed the pending Reuse Authorization Contract with TSSD and the need for the proposed reuse agreement. Reuse projects are reuse of treated sewage for secondary water systems, in accordance with state regulations and laws. In 2023, State Law changed to prohibit reuse for entities discharging to Great Salt Lake without water replacement plans. TSSD and Highland City applied on September 27, 2023, (prior to new law cut-off date) for a sewer reuse project; in order to proceed with a reuse project, the City must have a contract with TSSD. The City can only reuse water rights authorized for depletion, which means water has been removed from the hydrologic cycle and used, rather than discharged back to streams/ground. The City applied for 5,009.01 acre-feet and the depletion amount is 1,846.35 acre-feet; a lesser amount would be available for reuse. The State Engineer has reviewed City/TSSD's reuse application and requires additional information. The City must respond or risk losing the application vesting date, thereby losing pre-November 2023 application status. Part of State Engineer's comments are to provide additional information regarding water rights, water depletion, and to provide the contract that will allow for and authorize the reuse project. He then discussed the terms of the proposed reuse authorization contract, which is intended to address the State Engineer's comments/concerns.

City Engineer/Public Works Director Spencer stated that this has been on the horizon as a potential water source for several years; it would be new to the system and this matter has been expedited due to the State law changes. He is grateful that TSSD took the lead in proposing this agreement.

Mayor Ostler invited input from the City's representative for TSSD, Brian Braithwaite. Mr. Braithwaite stated that this is a complicated matter, but the action before the Council tonight is simple. Approval of this agreement makes TSSD the City's agent to work with American Fork to negotiate reuse. The agreement does not finalize any other terms that the City will abide by. If the City does not approve the agreement, the opportunity for reuse will be lost. Eventually, terms of water exchange will be discussed and acted upon by both Highland and American Fork.

Council Member Smith thanked Mr. Braithwaite for the information provided, but noted the 'devil is in the details' and water reuse has become progressively more expensive. It may be determined that it will not be cost effective to proceed. Mr. Braithwaite agreed and noted he would not recommend the reuse if it were found to not be cost effective.

Council Member Scott L. Smith MOVED that City Council APPROVE the resolution adopting the Reuse Authorization Contract with TSSD and AUTHORIZE the Mayor to sign the documents including non-substantive corrections and changes to the documents approved by the City Attorney necessary to coordinate the agreement with multiple entities.

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 passed 5:0.

e. ACTION: 2024 Road Reconstruction Award Contracts General City
Management Andy Spencer, City Engineer/Public Works Director

The City Council will consider awarding the bid for the 2024 Road Preservation Project.

City Engineer/Public Works Director Spencer explained on Tuesday, October 17, 2023, the Council held a work session discussing road funding and plans for road maintenance moving forward. The council was presented a map illustrating the timing of road treatment throughout the city dating back to 2017. The map showed projects completed and the backlog of projects put on hold due to the Pleasant Grove court case. The administration asked for a budget adjustment in FY2024 of approximately \$500,000 to make up for the court-case delay. It was discussed in that meeting that the pavement preservation projects for the calendar year are best awarded in the spring. The challenge is these construction projects often span the fiscal year, thereby placing the work in two fiscal years. It was discussed in the work session to set a general objective to bid \$1,500,000 in pavement work each spring, and complete \$750,000 of work in each of the fiscal years that occupy the calendar year. On Tuesday, March 12, 2024, the Council approved a budget adjustment to use \$500,000 of Fund Balance in the Utility Transportation Fund to fund additional Road Fee Projects from account 56-40-70. The cost of this project is \$1,323,774.14 with a 10% contingency. Funding for this project will be from 56-40-70, Road Fee Projects, with \$921,974.37 coming out of FY2024 and \$4401,799.77 coming out of FY 2025 budget, as per what was discussed with the Council on October 17, 2023 and what remains unspent in the Utility Transportation Fund for this fiscal year. Staff recommends that the Council award the 2024 Road Preservation bid to Eckles paving for Asphalt Patching and Crack Sealing, Black Forest for Reconstruction and Overlay, and Holbrook Asphalt for High Density Mineral Bond (Seal Coat) and Bonded Matrix Overlay. Mr. Spencer then provided a map to illustrate the project area and types of projects to be completed on certain roads.

Council Member Smith noted that Quail Hollow is a City road, not a road maintained by an Homeowners Association (HOA). He has informed the residents in that neighborhood of the City's plans to complete a project there and they were very happy.

Council Member Doug Cortney MOVED that City Council to APPROVE awarding the 2024 Roads Project to the following contractors:

Asphalt Patching and Crack Sealing - Eckles Pavement in an amount up to \$196,882
Reconstruction and Overlay - Black Forest in an amount up to \$933,389
High Density Mineral Bond and Bonded Matrix Overlay - Holbrook Asphalt in an amount up to \$193,503
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 passed 5:0.

1. 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: Plat Amendment - Armstrong - Country Club Plat D, Lot 14 Land Use (Legislative)**
Rob Patterson, City Attorney
The City Council will consider a request from Ron Armstrong to amend the Plat for Alpine Country Club Plat D Lot 14.

City Attorney Patterson explained on November 7, 2023, the City Council held a public hearing and approved a request from Ron Armstrong to vacate a portion of City right of way and enter into a property exchange and sale agreement wherein the City would receive from Mr. Armstrong certain property used by the City for its right of way and would transfer to Mr. Armstrong certain property owned by the City that is not used by the City for right of way or utility purposes. The City would transfer 1,049.3 square feet of property to Mr. Armstrong, and the City would receive 594.4 square feet of property from Mr. Armstrong. The Council approved the property exchange as follows:

- 1. The difference between the property being exchanged (454.9 square feet) would be purchased by Mr. Armstrong at the 2023 orphan parcel rate (\$4.71 per square foot). This would yield \$2,142.58 in a payment from Mr. Armstrong to the City.
- 2. Because Mr. Armstrong paid for all surveying and deed and plat preparation costs, the City would not require additional fees from Mr. Armstrong to complete the plat amendment process to combine the transferred property with his lot.

Staff recommends that the City Council approve the amendment to the Alpine Country Club Plat "D" Lot 14 with one (1) stipulation that the plat not be recorded until after completion of the property sale transaction and the execution and recordation of all deeds and parcel boundary adjustment documents.

Council Member Scott L. Smith MOVED that City Council accept the findings and APPROVE the plat amendment to Alpine Country Club Plat "D" Lot 14 with the following stipulation from staff:

- 1. The plat not be recorded until after completion of the property sale transaction and the execution and recordation of all deeds and parcel boundary adjustment documents.*

Council Member Ron Campbell SECONDED the motion.

The vote was recorded as follows:

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

The motion passed 5:0.

b. ACTION: Magnolia Estates Reimbursement Agreement Land Use (Administrative)
Rob Patterson, City Attorney

The City Council will consider approval of a reimbursement agreement with the developers of the Magnolia Estates subdivision regarding the installation of a sewer main and related facilities into Manor Drive. The Council will take appropriate action.

City Attorney Patterson explained the Council approved the Preliminary Plat for Magnolia Estates on September 5, 2023 and Final Plat on January 16, 2024. The sewer reimbursement agreement to serve the northern homes on Manor Drive was a stipulation of that approval. Per prior staff recommendation and Council approval, Magnolia Estates developer agreed to extend sewer into Manor Drive subject to reimbursement. The bid estimate for sewer facilities in Manor Drive is \$33,568.00. The City will need to cover asphalt patching and potentially other work associated with restoring Manor Drive. Any changes or other costs will be brought to Council. Staff recommends approval of reimbursement contract.

Council Member Smith inquired as to the costs to be incurred by the three residents at the end of Magnolia Drive. City

Engineer/Public Works Director Spencer stated that staff has not spoken with those residents about forcing them to connect to the City’s sewer system, but that will eventually become necessary, and the cost will be approximately \$10,000 to \$15,000 per property. However, this is the least expensive opportunity for the City to provide sewer to the Magnolia Estates subdivision. He noted that the contractor has scheduled a pre-construction meeting for next week and staff will meet with the residents the following week to discuss the project and the future access to the sewer laterals.

Council Member Brittney P. Bills MOVED that City Council APPROVE the reimbursement agreement with Home 66, LLC and Nick and Kurtis Nelson, developers of the Magnolia Estates subdivision, regarding reimbursement of the costs to extend sewer facilities into Manor Drive in the amount of \$33,568.

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 passed 5:0.

2. DISCUSSION ITEMS

Items in this section are for discussion and direction to staff only. The City Council will not take any formal action.

- a. DISCUSSION: Parley Turnbow - Request to Amend Residential Frontage and Lot Size Requirements** *Land Use (Legislative)*
Rob Patterson, City Attorney

The City Council will consider a request by Parley Turnbow to receive feedback from the Council regarding the possibility of amending the City's residential zones to (1) reduce frontage requirements to 110 feet and (2) allow three-lot subdivisions of property of less than 4 acres to create one lot that is a minimum of 20,000 square feet. The Council will discuss and give appropriate direction.

City Attorney Patterson explained the Council has received at least one email from Mr. Turnbow regarding his proposed text amendments on February 26, 2024. The Council has not discussed the item in a public meeting. Mr. Turnbow is the owner of two lots along 11200 North, at 5257 West and 5221 West. The lots total approximately 3.09 acres and are zoned R-1-40. Mr. Turnbow approached staff and several discussions were held over the past several months regarding the possibility of him subdividing the larger of the two lots (~2.4 acres) into two additional lots. Staff informed Mr. Turnbow that to obtain a third lot on the property he would need to reconfigure/reconstruct the homes, acquire adjacent property, and/or construct a cul-de-sac, due to R-1-40 standards regarding lot frontage (130') and lot size (no lot smaller than 30,000 square feet). Mr. Turnbow is seeking direction from the City Council as to whether the Council would be amenable to modifying the applicable zoning regulations to permit a subdivision of his property in a manner he would prefer.

Council Member Campbell stated that he has discussed this issue with Mr. Turnbow at length and he wondered if the Council is willing to consider an adjustment that would provide Mr. Turnbow the flexibility to proceed with development of his property as desired. Council Member Smith stated there are some other larger parcels that could still be annexed or developed, and he is concerned about making an exception to the R-1-20 requirements for this property as that could set a precedent for future developments. This kind of change could lead to increased density

in other areas of the City. Mr. Patterson noted that a change to the frontage would be a City-wide change and would impact other properties in the future. However, the other adjustment requested would apply to a smaller number of properties in the City.

The Mayor and Council engaged in philosophical discussion and debate regarding whether an adjustment to the depth of a lot is appropriate and less impactful to the City. There was also discussion about whether the property may apply for a variance to the land use ordinance, with Mr. Patterson noting that a variance would not be an option for this property.

Discussion shifted to the appropriate frontage and whether reducing the frontage requirement would be problematic; the Council agreed it would not be a problem for the subject property, but it may be an issue for other properties in the City that are yet to be developed.

Mayor Ostler stated that he feels that the amendments that have been requested would essentially result in spot zoning and that is something that is very concerning to him. He wants to be consistent, and he noted that the property owner has development opportunities, but he is asking for this change to reduce the financial burden associated with those opportunities.

Council Member Cortney stated that he also feels the changes requested would complicate the City's development code; he is not concerned with the amendment related to the number of lots on a four-acre parcel, but he is concerned about the adjustment to the frontage requirements. Council Member Campbell disagreed; he noted the City is nearly built-out and the changes are not as problematic as other Council Members feel they are.

Mayor Ostler stated that it is his opinion that based upon the feedback from the Council, there is not sufficient support for the text amendments at this time. Mr. Patterson stated that Mr. Turnbow can still elect to file an application for a text amendment and pay the associated fee, but he expects that the feedback provided by the Council will help him to make that decision.

Council Member Doug Cortney MOVED to extend the meeting to 10:30 pm.

Council Member Ron Campbell SECONDED the motion.

Council Members Kim Rodela, Brittney P. Bills, and Scott L. Smith voted NO. Motion failed.

Mayor Ostler directed that he needed a motion to adjourn the meeting.

City Administrator Wells stated that the Farmer's Market issue must be discussed tonight for Administration to have clear direction from the Council.

Council Member Brittney P. Bills MOVED to hear the farmers market item.

Council Member Kim Rodela SECONDED the motion.

All voted in favor and the motion passed unanimously.

b. DISCUSSION: Emergency Preparedness Committee General City Management

Ron Campbell, Council Member

The City Council will consider a request from Council Member Ron Campbell to form an Emergency Preparedness Committee.

Council Member Campbell stated on January 16, 2024 the Council ratified the Mayor's appointment of Council

members to serve on various Highland City boards and committees; along with his appointment, the Mayor also requested that Council Member Campbell focus on emergency preparedness for Highland City. As a result, Council Member Campbell is requesting the creation of an ad-hoc Emergency Preparedness Committee for Highland City. He has provided draft bylaws, but they have not yet been fully reviewed by City staff and the City Attorney. He asked that the Council provide their feedback to himself and City staff in preparation for detailed discussion and possible action during the April 16 meeting.

3. **MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS**

The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

a. Potential Farmers Market *Rob Patterson, City Attorney*

City Attorney Patterson noted that a resident has approached the City about administering a farmer's market in the community, but they want to hold it on City property. City policies prohibit commercial activities in City property so in order for the person to proceed, the City must either partner with them to create a City-sponsored event, or amend the code to allow commercial activities at a City park.

Mayor Ostler invited input from the resident proposing the Farmer's Market.

Heather Heras stated she is willing to answer any questions the Council may have.

Council Member Campbell asked what types of activities and vendors Ms. Heras would allow at the Farmer's Market. Ms. Heras stated that for the first year, the event would be experimental and limited to control costs. She advertised the event on a Facebook page in the City and got a great deal of positive response; the goal would be to make it very easy for backyard gardeners to sell their produce. Craft booths would be allowed as well, but she would not allow reselling or MLM vendors. She would not run a booth herself.

Mayor Ostler asked Ms. Heras if she has past experience running this type of event. Ms. Heras stated she has a great deal of experience as a customer and she has worked for Food Truck Underground, which coordinates food trucks for city festivals and special events. Produce vendors will be most prevalent, but she will allow crafts and food trucks. She would like to use a City park and she is asking for partnership with the City. She has been reviewing the Utah Farmer's Market Network handbook and finds that the best way to lower cost is to partner with an organization that already has insurance. The other barrier is that there is limited electricity at City parks, and it is not a great scenario for food trucks to operate on generators.

The Mayor and Council engaged in high level discussion with Ms. Heras about any fees that would be charged to vendors and how those fees would be collected, and which entity would hold them. They contemplated allowing the Farmer's Market through a sponsorship or joint undertaking with Ms. Heras. Ms. Heras stated that she would create a non-profit organization and reimburse herself for her time and expenses; all other revenue would be funneled into making the event better each year. After continued discussion and debate among the Council, they concluded to pursue a Farmer's Market with Ms. Heras through a memorandum of understanding (MOU) that addresses the City's expectations and Ms. Heras's expectations, any liabilities associated with the event, and access to a City facility for the event. City Administrator Wells indicated staff will work to negotiate an MOU with Ms. Heras and bring it back to the Council for continued discussion and consideration.

b. Legislative Updates *Kurt Ostler, Mayor*

This item was not discussed at this meeting.

4. **CLOSED SESSION**

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

There was no closed session.

ADJOURNMENT

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

The meeting adjourned at 10:27 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on March 19, 2024. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle, CMC
City Recorder



CITY COUNCIL AGENDA REPORT

ITEM #3a

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney
SUBJECT: Public Hearing/Plat Amendment: Pearson - Peck Hollow Plat B Lot 2
TYPE: Land Use (Administrative)

PURPOSE:

The City Council will hold a public hearing to consider a request from Angie and Vess Pearson to amend lot 2 of the Peck Hollow Plat "B".

STAFF RECOMMENDATION:

Staff recommends that the City Council APPROVE the amendment to the Peck Hollow Plat B.

PRIOR COUNCIL DIRECTION:

No prior Council review.

BACKGROUND:

Angie and Vess Pearson are the owners of lot 2 of the Peck Hollow Plat B subdivision (6407 W 9600 North) that they have recently built a home on. The Pearson's are also the owners of the two adjoining parcels to the east of that lot (6387 West, 9600 North). The properties are zoned R-1-20, which allows for minimum lot sizes of 20,000 square feet with 115 feet of street frontage. The adjoining parcels are not part of any recorded subdivision. One parcel is improved with an existing home. The other parcel is not developed and is currently a non-conforming parcel of record, as it does not have sufficient frontage on 9600 North. That parcel is used primarily for private access.

The Pearsons desire to combine their Peck Hollow lot with the entirety of the unimproved parcel and a portion of the other parcel with a home on it. The end result of the proposed plat amendment would be to reduce the number of lots/parcels in the area from 3 to 2 and eliminate the nonconforming parcel of record. The parcel with a home on it would be reduced to 25,729.57 square feet (0.59 acres). The parcel would still conform to R-1-20 standards. Lot 2 would be increased from 1.6456 acres to 3.05 acres. The purpose of this amendment is to allow the Pearsons to increase their side yard area to complete their fencing, soccer field, and other landscaping goals.

A public hearing is required because a resident of American Fork objected to the amendment. A copy of their objection is included. Notice of the proposed plat amendment was mailed to property owners within 500' of the property on April 4, 2024.

ANALYSIS: Under HDC 5-7-103(4) and Utah Code 10-9a-609, the City Council can amend a plat if it finds:

1. Neither the public interest nor any person will be materially injured by the proposed amendment;

2. There is good cause for the amendment;
3. All easements for water and sewer facilities are preserved;
4. No public right of way is being vacated; and
5. The proposed amendment meets all requirements of the Development Code.

As explained in the proposed findings below, staff believes that each of these requirements has been satisfied.

PROPOSED FINDINGS:

1. Neither the public interest nor any person will be injured by the proposed plat amendment. All owners of property have agreed to the plat amendment.
2. There is good cause for the amendment, because all requirements of the Development Code related to plat amendments are satisfied, the proposed plat amendment and the property line adjustments shown therein conform to the requirements of the Development Code, the amendment will remove a non-conforming parcel of record, and the amendment will allow the applicant to develop their property as desired.
3. All easements have been preserved. Public utility easements previously located on the east side of lot 2 are being relocated as part of the amendment. The utility companies have agreed to this. The plat otherwise contains all required public utility easements.
4. No public right of way is being vacated as part of this amendment.
5. Lot 2 and the developed parcel each comply with the requirements of the Development Code. The amendment will remove an existing nonconforming parcel of record.

PROPOSED STIPULATIONS:

None.

FISCAL IMPACT:

There is no expected fiscal impact from the proposed plat amendment.

MOTION:

I move that City Council accept the findings and APPROVE the plat amendment to Peck Hollow Plat B Lot 2.

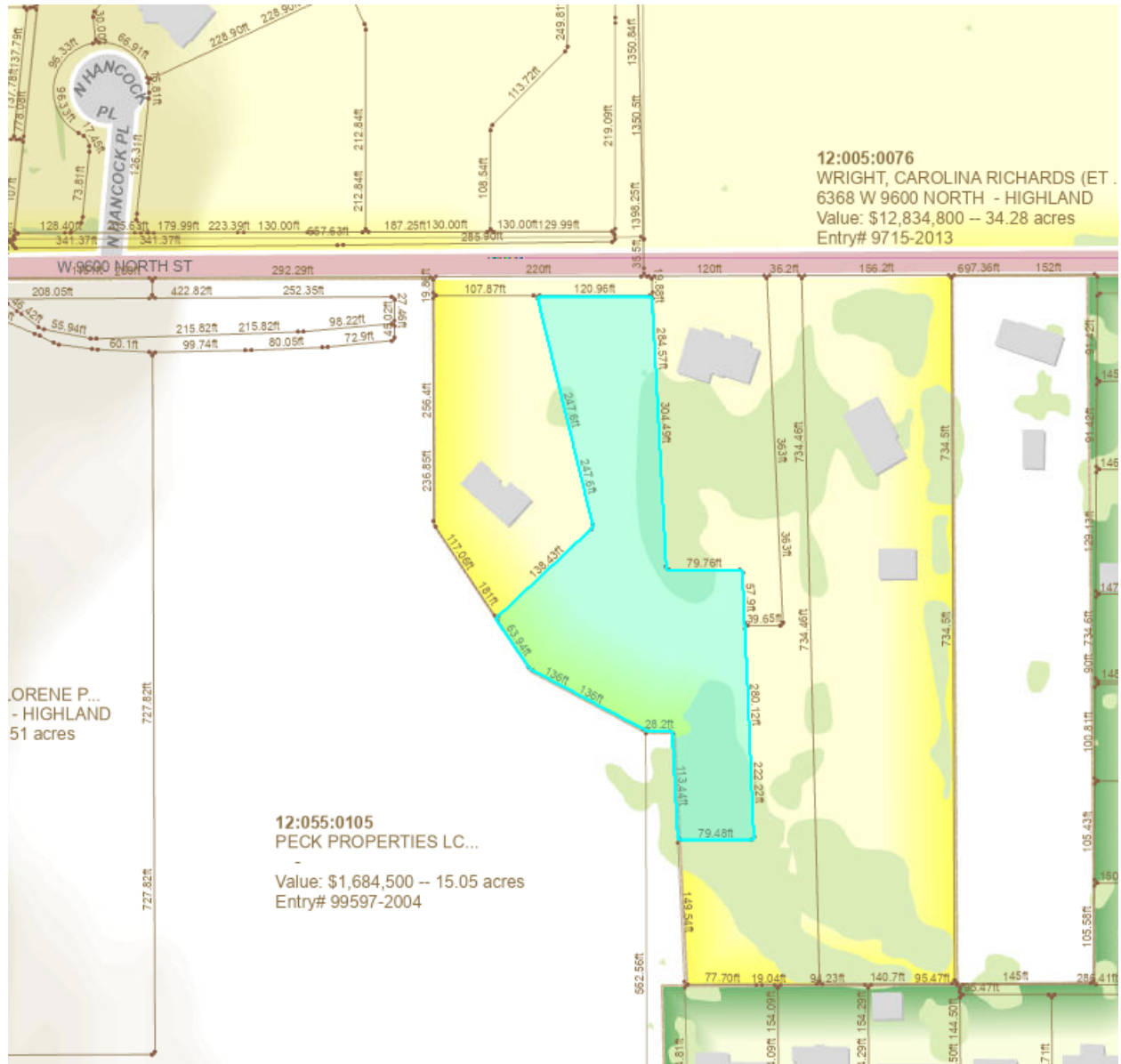
ATTACHMENTS:

1. Vicinity Map
2. Narrative
3. Original Plat
4. Proposed Amended Plat
5. Objection to Pearson PA

Vicinity Map

Address: 6407 West 9600 North

Parcel: 49:990:0002, 12:058:0118



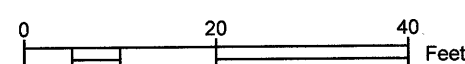


Pearson Plat Amendment

On behalf of Angie and Vess Pearson, Ezra Lee Design + Build is providing a brief narrative for the purpose of the requested plat amendment.

Vess and Angie are finishing up the process of building a new home. They have purchased the neighbor's lot and previously merged a section of that lot to the original lot owned by Vess and Angie and built an accessory building, pickleball courts and begun work on a soccer field. In order to comply with city rules for fencing and to fulfill a desire to extend the soccer field further than the previous plat amendment accomplished, we request the property lines be readjusted so they can finish the project.

Thank you,
EZD+B Project Team



THESE ARE CONDITIONS OF APPROVAL ATTACHED TO THIS SUBDIVISION WHICH ARE INDICATED ON THIS PLAN. THESE CONDITIONS HAVE ALSO BEEN RECORDED WITH THIS SUBDIVISION. POTENTIAL BUYERS ARE REQUESTED TO READ THESE CONDITIONS CAREFULLY AND OBTAIN A COPY OF THESE CONDITIONS AND RESTRICTIONS PRIOR TO PURCHASING OR CONTRACTING TO PURCHASE ANY LOTS OR INTERESTS HEREIN. ANY PURCHASER OR CONTRACTOR WHO PURCHASES OR CONTRACTS TO PURCHASE ANY LOTS OR INTERESTS HEREIN SHALL BE DEEMED TO HAVE ACCEPTED THE CONDITIONS AND RESTRICTIONS IMPOSED BY THE LEGISLATIVE BODY OF HIGHLAND CITY. A COPY OF THESE CONDITIONS MAY BE OBTAINED THROUGH THE UTAH COUNTY RECORDER'S OFFICE OR THE HIGHLAND CITY RECORDER'S OFFICE. IN ADDITION, HIGHLAND CITY HAS APPROVED BINDING ZONING LAWS THROUGHOUT THE CITY. IT IS THE DUTY OF EACH LOT OWNER TO OBTAIN DUE DILIGENCE IN OBTAINING ALL ACCURATE INFORMATION AND/OR REGULATIONS THAT MAY DIRECTLY OR INDIRECTLY AFFECT THE USE OF PROPERTY PRIOR TO PURCHASING OR CONTRACTING TO PURCHASE ANY PROPERTY ANYWHERE. THE CONDITIONS OF APPROVAL CONVEYED ON THIS PROPERTY BY THE LEGISLATIVE BODY OF HIGHLAND CITY ARE HEREBY REPEATED FOR THE BUYER'S INFORMATION AND ARE AS FOLLOWS:

1. 70% OF THE FRONT/WARD LANDSCAPING SHALL BE INSTALLED BY THE HOMEOWNER WITHIN ONE YEAR AFTER RECEIVING A CERTIFICATE OF OCCUPANCY.
2. LANDSCAPING AND CONSTRUCTION MATERIALS OF ANY TYPE ARE NOT PERMITTED UPON OR WITHIN THE STREET, CURB & GUTTER, PARK STRIP OR SIDEWALK (STREET RIGHT-OF-WAY) WITHIN THE SUBDIVISION.
3. FENCE THAT ABUTS OPEN SPACE OR HAS A TRAIL HAS ADDITIONAL RESTRICTIONS OF SIZE AND OPACITY. FENCES ALONG OPEN SPACE OR A TRAIL MUST COMPLY WITH HIGHLAND CITY ORDINANCE. A FENCE PERMIT IS REQUIRED FOR ALL TYPES OF FOUNDATION ABOVE CURB. IT IS THE RESPONSIBILITY OF THE BUYER TO CONTACT THE CITY PRIOR TO PURCHASING ANY LOT. THIS RESTRICTION APPLIES TO ALL LOTS IN THIS SUBDIVISION.
4. STORMWATER MANAGEMENT IN FAVOR OF PARCEL 12:058:0022, PARCEL 12:058:0043, AND PARCEL 12:058:0108

SET REBAR WITH CAP

SET REBAR WITH CAP

25.00'
STORM DRAIN
EASEMENT
SEE NOTE #5

750° 00' 00"E

SET REBAR WITH CAP

10.00
PUE/SETBACK

Lot 2 Amended
71722 sq. ft.
1.65 acres

30.00' —
SETBACK —

15.00'

10.0
BLUE (7

I, JASON G. JENKINS DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6119653 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OTHERS, I HAVE AD A SURVEY SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS IS TRUE AND CORRECT.

DATE 10.18.2022



DEVELOPER	GENERAL NOTES	BOUNDARY DESCRIPTION	ACCEPTANCE BY LEGISLATIVE BODY
EZRA LEE DESIGN BUILD 363 SOUTH MAIN STREET, SUITE 100 ALPINE, UT 84004 801-448-6876	1. TOTAL PROPERTY = 1.65 ACRES 2. PROPERTY ZONING = R-1-20 3. FLOOD ZONE, ZONE X-A AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN. COUNCILMAN PANEL NUMBER 4955170110 B MAP REVISED JULY 17, 2002. 4. ALL BASEMENTS WILL REQUIRE PERSONAL GRINDER PUMPS, IF APPLICABLE. ALSO, BEFORE CONSTRUCTION OF HOMES, THE HOME OWNER SHOULD VERIFY THE LATERAL DEPTH FOR GRAVITY SEWER.	BEGINNING AT A POINT WHICH IS EAST 8.83 FEET AND SOUTH 10.88 FEET FROM THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 02° 37' 00" EAST 284.57 FEET; ALL BASEMENTS WILL REQUIRE PERSONAL GRINDER PUMPS, IF APPLICABLE. ALSO, BEFORE CONSTRUCTION OF HOMES, THE HOME OWNER SHOULD VERIFY THE LATERAL DEPTH FOR GRAVITY SEWER. THENCE SOUTH 89° 33' 46" EAST 79.76 FEET; THENCE SOUTH 02° 34' 54" EAST 280.12 FEET; THENCE NORTH 89° 59' 18" WEST 79.18 FEET; THENCE NORTH 02° 37' 00" WEST 113.44 FEET; THENCE WEST 28.20 FEET; THENCE NORTH 61° 51' 48" WEST 136.00 FEET; THENCE NORTH 33° 33' 54" WEST 63.94 FEET; THENCE NORTH 47° 23' 53" EAST 138.43 FEET; THENCE NORTH 13° 43' 30" WEST 247.60 FEET; THENCE SOUTH 89° 54' 45" EAST 120.96 FEET TO THE POINT OF BEGINNING. CONTAINS 1.65 ACRES, MORE OR LESS.	THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS <u>7th</u> DAY OF <u>December</u> , 2022.  HIGHLAND CITY MAYOR  HIGHLAND CITY ENGINEER
SURVEYOR	SITE DATA TABLE		
JASON G. JENKINS, PLS, LLC PO BOX 411 MIDWAY, UT 84048 435-671-2595	PROPERTY ZONING: R-1-20 GROSS/NET PROPERTY AREA: 71,722 SF BUILDABLE AREA WITHIN SETBACKS: 41,508 SF LOT AREA: 71,722 SF RIGHT OF WAY AREA: 0 SF DETENTION AREA: 0 SF NUMBER OF LOTS: 1 LOT MIN. LOT AREA: 71,722 SF AVG. LOT AREA: 71,722 SF		NOTARY APPROVAL AS TO FORM APPROVED THIS <u>25TH</u> DAY OF <u>OCTOBER</u> , 2022.  HIGHLAND CITY ATTORNEY

VESSIE AUGUST PEARSON, IV

 **CHRISTA REID**
Notary Public, State of Utah
My Commission Expires on:
April 20, 2025
Comm. Number: 717844

RESIDING IN Utah COUNTY.

STATE OF Utah
MY COMMISSION EXPIRES: Apr. 20 2025

PLAT "B" LOT 2 AMENDED

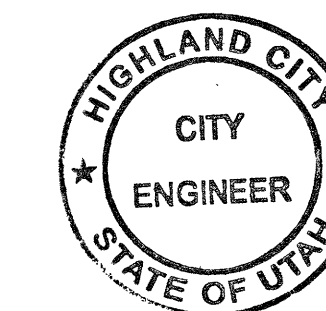
A COMBINATION OF PECK HOLLOW PLAT B, LOT 2
AND A PORTION OF PARCEL 12:058:0108

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

Highland City, Utah County, Utah

CITY ENGINEER SEAL

CITY RECORDER SEAL



UTAH COUNTY RECORDER

ENT 115483:2022 Mar 4 18561
ANDREA ALLEN
UTAH COUNTY RECORDER
2022 Nov 03 2:41 pm FEE 52.00 BY CH
RECORDED FOR HIGH AND CITY



0 30 60 Feet

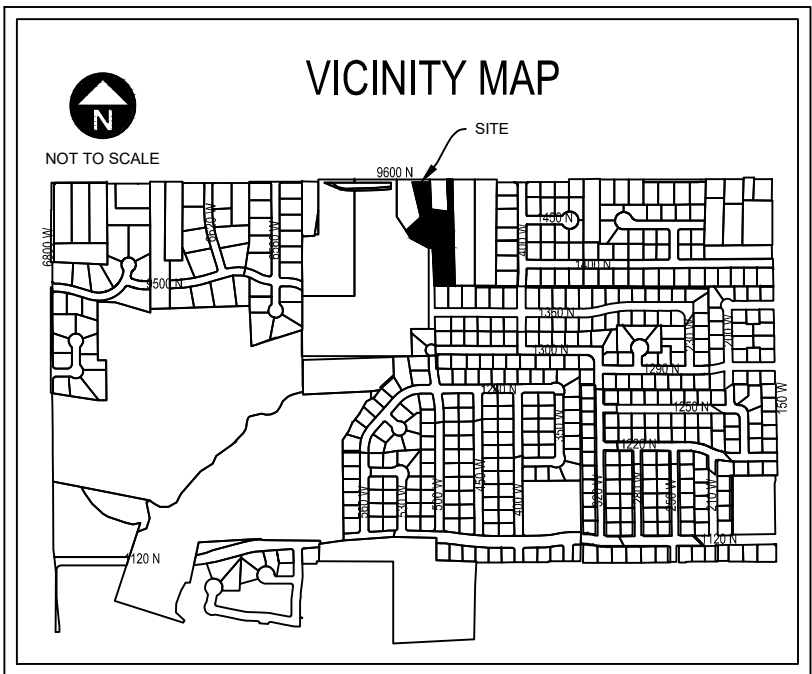
12:058:0043
LINDOW, JAMES R & LISA C (ET AL)

41:190:0091
HALLADAY, BRYAN & MELISSA

41:190:0092
HOBBS, JERIS & SUZANNA

12:058:0118
PEARSON, VESSIE AUGUST IV
25729.57 SQ FT
0.59 ACRES

Lot 2 Amended
132745 sq. ft.
3.05 acres



CONDITIONS OF APPROVAL

THERE ARE CONDITIONS OF APPROVAL ATTACHED TO THIS SUBDIVISION WHICH ARE INDICATED ON THIS PLAT. THESE CONDITIONS HAVE ALSO BEEN RECORDED WITH THIS SUBDIVISION. POTENTIAL BUYERS ARE REQUESTED TO READ THESE CONDITIONS CAREFULLY AND OBTAIN A COPY OF THESE CONDITIONS AND RESTRICTIONS PRIOR TO PURCHASING OR CONTRACTING TO PURCHASE ANY LOTS WITHIN THIS SUBDIVISION. THESE CONDITIONS ARE BINDING AND HAVE BEEN IMPOSED BY THE LEGISLATIVE BODY OF HIGHLAND CITY. A COPY OF THESE CONDITIONS MAY BE OBTAINED THROUGH THE UTAH COUNTY RECORDER'S OFFICE OR THE HIGHLAND CITY RECORDER'S OFFICE. IN ADDITION, HIGHLAND CITY HAS APPROVED BINDING ZONING LAWS THROUGH A LEGALLY BINDING DEVELOPMENT CODE. IT IS THE RESPONSIBILITY OF THE BUYER TO DO THEIR DUE DILIGENCE IN OBTAINING ALL ACCURATE INFORMATION AND/OR REGULATIONS THAT MAY DIRECTLY OR INDIRECTLY AFFECT THE USE OF PROPERTY PRIOR TO PURCHASING OR CONTRACTING TO PURCHASE ANY PROPERTY ANYWHERE. CONDITIONS OF APPROVAL CONVEYED ON THIS PROPERTY BY THE LEGISLATIVE BODY OF HIGHLAND CITY, WHICH ARE IN ADDITION TO THE DEVELOPMENT CODE, ARE AS FOLLOWS:

- 70% OF THE FRONT YARD LANDSCAPING SHALL BE INSTALLED BY THE HOMEOWNER WITHIN ONE YEAR AFTER RECEIVING A CERTIFICATE OF OCCUPANCY.
- LANDSCAPING AND CONSTRUCTION MATERIALS OF ANY TYPE ARE NOT PERMITTED UPON OR WITHIN THE STREET, CURB & GUTTER, PARK STRIP OR SIDEWALK (STREET RIGHT-OF-WAY) WITH THE EXCEPTION OF THE PARK STRIP WHICH REQUIRES 75% TO BE LANDSCAPED.
- A FENCE THAT ABUTS OPEN SPACE OR HAS A TRAIL HAS ADDITIONAL RESTRICTIONS OF SIZE AND OPACITY. FENCES ALONG OPEN SPACE OR A TRAIL MUST COMPLY WITH HIGHLAND CITY ORDINANCE. A FENCE PERMIT IS REQUIRED FOR ALL FENCES.
- HIGHLAND CITY ORDINANCES RESTRICT HEIGHT OF FOUNDATION ABOVE CURB. IT IS THE RESPONSIBILITY OF THE BUYER TO CONTACT THE CITY PRIOR TO PURCHASING ANY LOT. THIS RESTRICTION APPLIES TO ALL LOTS IN THIS SUBDIVISION.
- STORM DRAIN EASEMENT IN FAVOR OF PARCEL 12:058:0022, PARCEL 12:058:0043, AND PARCEL 12:058:0108

12:055:0105
PECK PROPERTIES LC

FOUND
NORTHEAST CORNER SECTION 10,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN.

NORTH QUARTER CORNER SECTION 10,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN.

SURVEYOR'S CERTIFICATE

I, JASON G. JENKINS DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6119653 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS IS TRUE AND CORRECT.



JASON G. JENKINS

DATE 2024-01-24

DEVELOPER	GENERAL NOTES	BOUNDARY DESCRIPTION	ACCEPTANCE BY LEGISLATIVE BODY
EZRA LEE DESIGN BUILD 363 SOUTH MAIN STREET, SUITE 100 ALPINE, UT 84004 801-448-8876	1. TOTAL PROPERTY = 3.01 ACRES 2. PROPERTY ZONING = R-1-20 3. FLOOD ZONE: ZONE X--AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN. COMMUNITY PANEL NUMBER 4955170110 B MAP REVISED JULY 17, 2002. 4. ALL BASEMENTS WILL REQUIRE PERSONAL GRINDER PUMPS, IF APPLICABLE. ALSO, BEFORE CONSTRUCTION OF HOMES, THE HOME OWNER SHOULD VERIFY THE LATERAL DEPTH FOR GRAVITY SEWER.	BEGINNING AT A POINT WHICH IS EAST 8.83 FEET AND SOUTH 19.88 FEET FROM THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 2°37'00" EAST 186.37 FEET; THENCE SOUTH 82°22' 47" EAST 121.84 FEET; THENCE NORTH 2°37'00" WEST 222.89 FEET; THENCE NORTH 89°48'00" EAST 36.20 FEET; THENCE SOUTH 1°24'33" EAST 734.46 FEET; THENCE SOUTH 89°53'00" WEST 140.70 FEET; THENCE NORTH 2°37'00" WEST 262.89 FEET; THENCE NORTH 90°00'00" WEST 29.46 FEET; THENCE NORTH 61°51'48" WEST 136.00 FEET; THENCE NORTH 33°33'54" WEST 63.94 FEET; THENCE NORTH 47°23'53" EAST 138.43 FEET; THENCE NORTH 13°43'30" WEST 247.60 FEET; THENCE SOUTH 89°54'45" EAST 120.96 FEET TO THE POINT OF BEGINNING. CONTAINS 3.05 ACRES, MORE OR LESS	THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS ____ DAY OF ____, 2024. _____ HIGHLAND CITY MAYOR _____ HIGHLAND CITY ENGINEER _____ ATTEST - CLERK/RECORDER _____ HIGHLAND CITY ATTORNEY
SURVEYOR	SITE DATA TABLE	NOTARY	APPROVAL AS TO FORM
JASON G. JENKINS, PLS, LLC PO BOX 411 MIDWAY, UT 84049 435-671-2595	PROPERTY ZONING: R-1-20 GROSS/NET PROPERTY AREA: 132,745 SF BUILDABLE AREA WITHIN SETBACKS: 89,713 SF LOT AREA: 132,745 SF RIGHT OF WAY AREA: 0 SF DETENTION AREA: 0 SF NUMBER OF LOTS: 1 LOT MIN. LOT AREA: 132,745 SF AVG. LOT AREA: 132,745 SF	NOTARY	APPROVED THIS ____ DAY OF ____, 2024. _____ HIGHLAND CITY ATTORNEY

OWNER'S DEDICATION

WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY. IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS ____ DAY OF ____, 2024.

VESSIE AUGUST PEARSON, IV

OWNER'S ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____

ON THE ____ DAY OF ____, 2024, _____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF _____, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, DULY ACKNOWLEDGED TO ME THAT HE DID SIGN IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

RESIDING IN _____ COUNTY.

STATE OF _____

MY COMMISSION EXPIRES: ____/____/20____

NOTARY PUBLIC

PECK HOLLOW

PLAT "B" LOT 2 SECOND AMENDMENT
A COMBINATION OF
PECK HOLLOW PLAT B, LOT 2 (49:990:0002)
AND A PORTION OF PARCEL 12:058:0118

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

Highland City, Utah County, Utah

CITY ENGINEER SEAL

CITY RECORDER SEAL

UTAH COUNTY RECORDER

Rob Patterson

From: WAYNE GEILMAN <drwgeilman@comcast.net>
Sent: Wednesday, April 10, 2024 11:09 AM
To: Planning
Subject: Plat amendment

Mr. Patterson,

I am writing to voice my opinion that this revision should be denied. I moved to my present house partly because of the open space that I can view from my back porch. I really don't think developers should purchase land knowing what restrictions are in place, then petition to change those rules. We don't need more development; we need to conserve open spaces.

Respectfully,

Wayne G. Geilman, PhD
488 W 1300 N
American Fork, Utah 84003
801-361-3991



CITY COUNCIL AGENDA REPORT

ITEM #3b

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney
SUBJECT: Plat Amendment: Young - Sunrise Farms Plat A - Lots 103 & 104
TYPE: Land Use (Administrative)

PURPOSE:

The City Council will consider a request from Mary Young to amend the plat for Sunrise Farms Plat A for Lots 103 and 104.

STAFF RECOMMENDATION:

Staff recommends that the City Council APPROVE the amendment to Sunrise Farms Plat A for lots 103 and 104 with one (1) stipulation.

PRIOR COUNCIL DIRECTION:

No prior Council review.

BACKGROUND:

Mary Young is the owner of lots 103 and 104 of the Sunrise Farms Plat A subdivision. She desires to combine those lots into a single, larger lot to be known as lot 201 of the Sunrise Farms Plat B. The purpose is to combine the lots for a single home to be constructed on the property. The property is zoned R-1-40. The end result of the proposed plat amendment would be to reduce the density in the subdivision by one.

The original subdivision was platted with 10 lots, two of which (not the lots being amended) are under 30,000 square feet. Lots 103 and 104 are each over 30,000 square feet. The combined lot will be 62,594 square feet (1.44 acres).

As of writing this report, no public hearing is required because the application and procedures satisfy all requirements of Highland City Development Code, all owners of the respective properties are signing the amended plat, and no objections have been filed. Notice of the proposed plat amendment was mailed to property owners within 500' of the property on April 4, 2024.

ANALYSIS:

Under HDC 5-7-103(4) and Utah Code 10-9a-609, the City Council can amend a plat if it finds:

1. Neither the public interest nor any person will be materially injured by the proposed amendment;
2. There is good cause for the amendment;

3. All easements for water and sewer facilities are preserved;
4. No public right of way is being vacated; and
5. The proposed amendment meets all requirements of the Development Code.

As explained in the proposed findings below, staff believes that each of these requirements has been satisfied.

PROPOSED FINDINGS:

1. Neither the public interest nor any person will be injured by the proposed plat amendment. All owners of property have agreed to the plat amendment.
2. There is good cause for the amendment, because all requirements of the Development Code related to plat amendments are satisfied, the proposed plat amendment and the property line adjustments shown therein conform to the requirements of the Development Code, and the amendment will allow the applicant to develop their property as desired.
3. There are no affected easements for water and sewer facilities. The plat contains all required public utility easements.
4. No public right of way is being vacated as part of this amendment.
5. The proposed amendment results in a lot that conforms to all requirements of the Development Code. While the subdivision could not have been platted in this manner under the R-1-40 standards, due to the number of lots under 30,000 square feet, this does not necessarily prohibit the Council from approving a subsequent plat amendment if the Council believes there is good cause for the amendment. Overall, the proposed plat amendment reduces density within the development.

PROPOSED STIPULATIONS:

1. The combined lot cannot have two sets of utility laterals. One set of utility laterals must be removed and capped at the main. The applicant will need to coordinate with the current developer of the subdivision regarding road cuts to access the utility laterals and must have the utility disconnection and capping inspected and approved by City staff.

FISCAL IMPACT:

There is no expected fiscal impact from the proposed plat amendment.

MOTION:

I move that City Council accept the findings and APPROVE the plat amendment to Sunrise Farms Plat A.

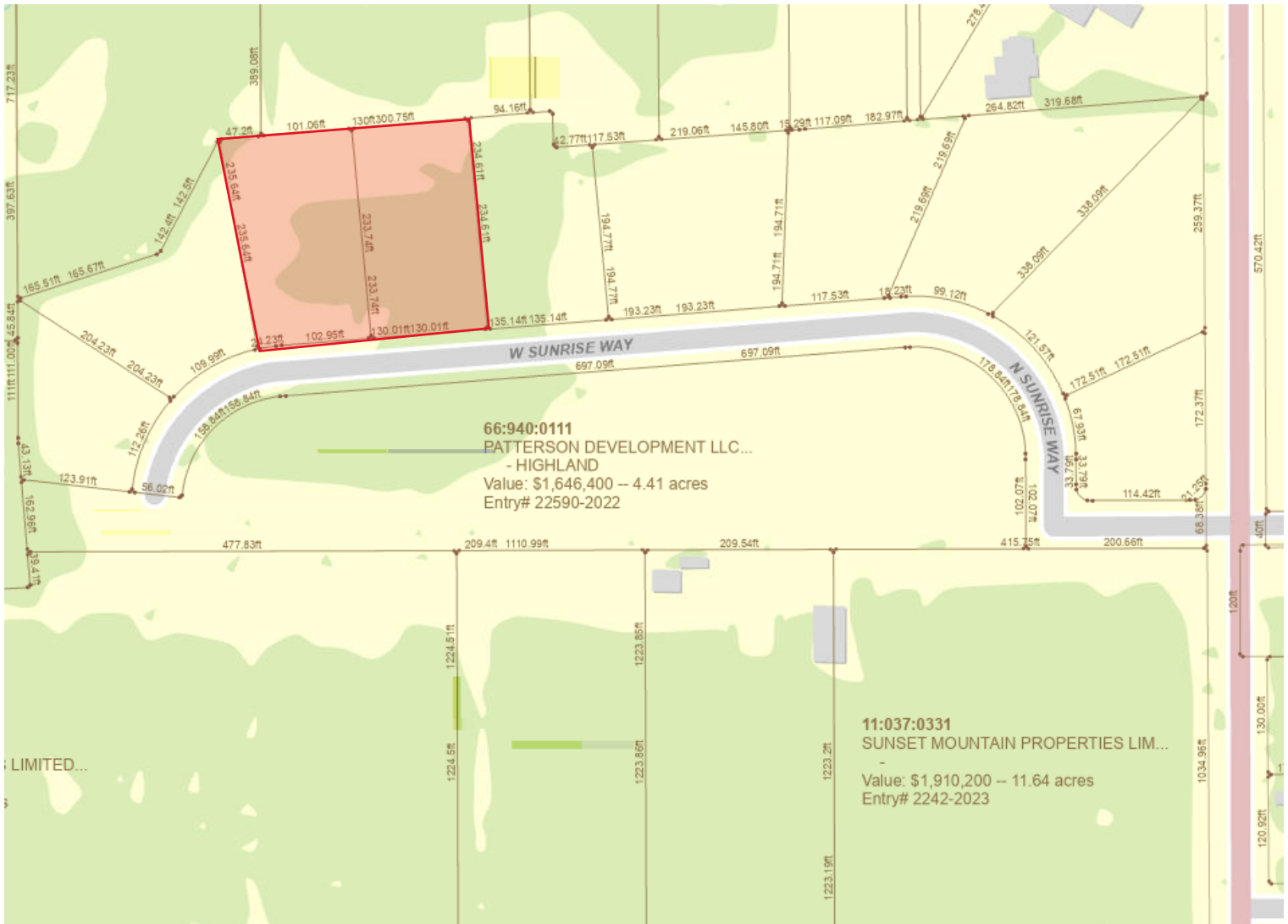
ATTACHMENTS:

1. Vicinity Map
2. Narrative
3. Original Plat
4. Proposed Amended Plat

Vicinity Map

Address: 6168 West and 6136 West Sunrise Way

Parcel: 66:940:0103 and 66:940:0104





11038 N Highland Blvd
Suite 400
Highland Ut. 84003
office (801) 492-1277
cell (801) 616-1677
ken@bergcivil.com

Project Narrative

01/26/24

To: Highland City

From: Ken Berg, P.E., Berg Civil Engineering

Subject: Sunrise Farms Plat "B"– Amended Plat Narrative

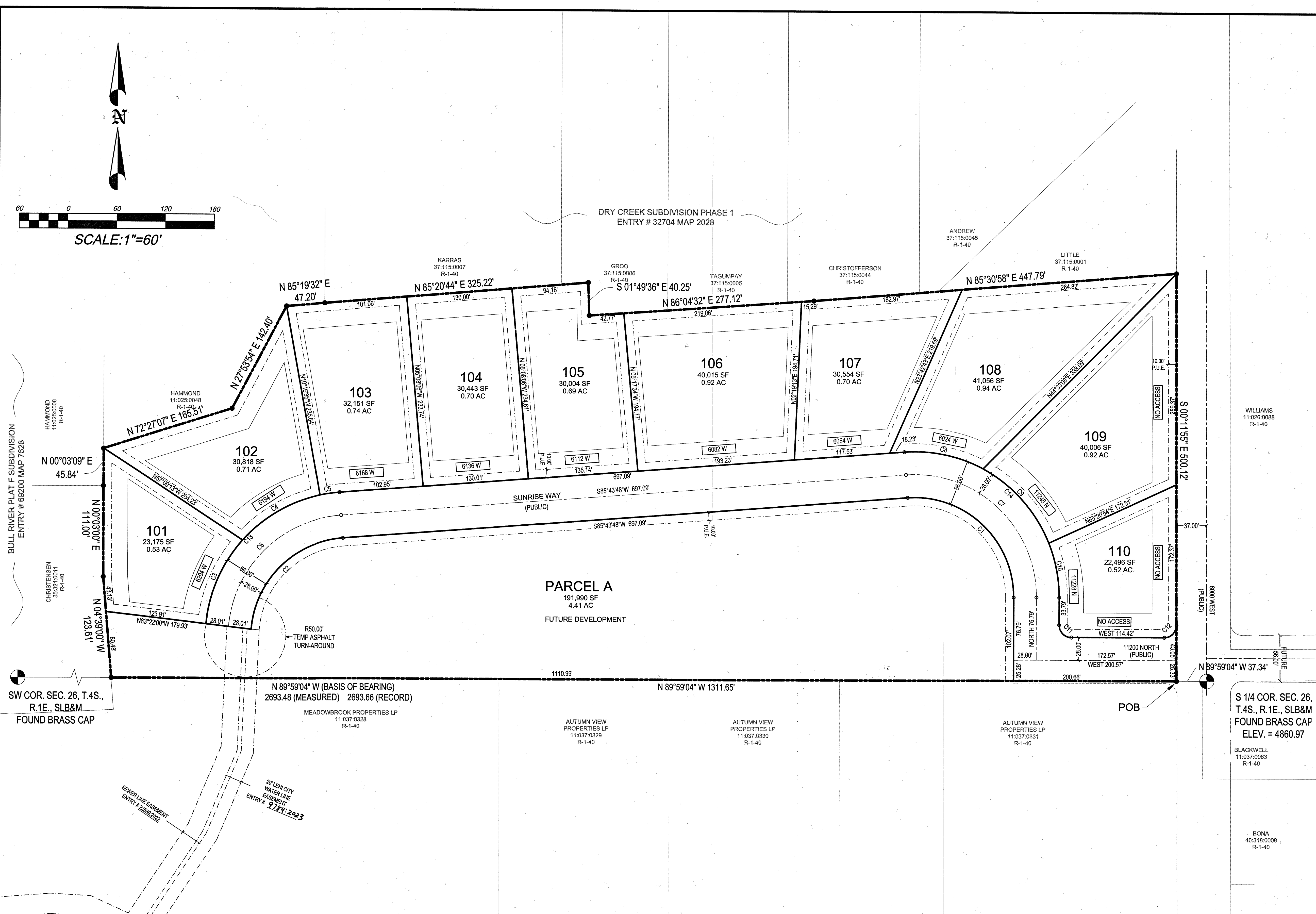
Proposed Use

The proposed Sunrise Farms Final Subdivision Plat "B" is to combine two lots into one within the existing Sunrise Farms development. All lots meet the requirements of the zone. The amendment will remove the common property line and the associated existing public utility easements so that a home can be constructed on the new lot.

Regards,

A handwritten signature in blue ink that reads "Ken R. Berg".

Ken R. Berg, PE



SURVEYOR'S CERTIFICATE
I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418780, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, OPEN SPACE AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

Oct. 20, 2022
DATE
SURVEYOR
(SEE SEAL BELOW)

BOUNDARY DESCRIPTION
BEGINNING AT A POINT WHICH IS N 89°59'04" W 37.34 FEET ALONG THE SECTION LINE FROM THE SOUTH QUARTER CORNER OF SECTION 26 TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN.

RUNNING THENCE N 89°59'04" W 1311.65 FEET; THENCE N 04°39'00" W 123.61 FEET; THENCE N 00°03'00" E 111.00 FEET; THENCE N 00°03'09" E 45.84 FEET; THENCE N 72°27'07" E 165.51 FEET; THENCE N 27°53'54" E 142.40 FEET; THENCE N 85°19'32" E 47.20 FEET; THENCE N 85°20'44" E 325.22 FEET; THENCE S 01°49'36" E 40.25 FEET; THENCE N 86°04'32" E 277.12 FEET; THENCE N 85°30'58" E 447.79 FEET; THENCE S 00°11'55" E 500.12 FEET TO THE POINT OF BEGINNING.

CONTAINING 590,938 SF OR 13.57 AC

OWNERS' DEDICATION
WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS 20 DAY OF October, A.D. 2022

BY: ISRAEL PATTERSON, MANAGER
PATTERSON DEVELOPMENT, LLC

BY: ANDREW PATTERSON, MANAGER
PATTERSON DEVELOPMENT, LLC

ACKNOWLEDGEMENT
STATE OF UTAH, S.S. COUNTY OF UTAH, ON the 20 DAY OF October, A.D. 2022, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY PUBLIC
NOTARY FULL NAME: Marie A. Caras, A NOTARY COMMISSIONED IN UTAH.
COMMISSION NUMBER: 709767, MY COMMISSION EXPIRES: 11/12/2024

ACCEPTANCE BY LEGISLATIVE BODY
THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 12 DAY OF August, A.D. 2022.

APPROVED BY MAYOR: [Signature]
APPROVED: [Signature] CITY ENGINEER (SEE SEAL BELOW) ATTEST: [Signature] CLERK-RECORDER

HIGHLAND CITY ATTORNEY
APPROVED AS TO FORM THIS 20 DAY OF March, 2022 [Signature] HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL
APPROVED THIS 22 DAY OF April, 2022 [Signature] PLANNING COMMISSION CHAIR
COMMUNITY DEVELOPMENT DIRECTOR

CONDITIONS OF APPROVAL
There are conditions of approval attached to this subdivision which are indicated on this plat. These conditions have also been recorded with this subdivision. Potential buyers are requested to read these conditions carefully and obtain a copy of these conditions and restrictions prior to purchasing or contracting to purchase any lots within this subdivision. These conditions are binding and have been imposed by the legislative body of Highland City. A copy of these conditions may be obtained through the Utah County Recorder's office or the Highland City Recorder's office. In addition, Highland City has approved binding zoning laws through a legally binding Development Code. It is the responsibility of the buyer to do their due diligence in obtaining all accurate information and/or regulations that may directly or indirectly affect the use of property prior to purchasing or contracting to purchase any property anywhere. Conditions of approval conveyed on this property by the legislative body of Highland City, which are in addition to the Development Code, are as follows:

- 70% of the front yard landscaping shall be installed by the homeowner within one year after receiving a certificate of occupancy.
- Landscaping and construction materials of any type are not permitted upon or within the street, curb & gutter, park strip or sidewalk (street right-of-way) with the exception of the park strip which requires 75% to be landscaped.
- A fence that abuts open space or has a trail has additional restrictions of size and opacity. Fences along open space or a trail must comply with Highland City Ordinance. A fence permit is required for all fences.
- Highland City Ordinances restrict height of foundation above curb. It is the responsibility of the buyer to contact the city prior to purchasing any lot. This restriction applies to all lots in this subdivision.
- Future development Parcel A was not included in drainage calculations. Runoff from this Parcel A may not be allowed to flow North to roadway.
- Any future development will require looping of the 10" water line within the project.
- Any future development on the south side of sunrise way will require a mill and overlay after the installation of laterals and service lines to future lots.

OWNER
MEADOWBROOK PROPERTIES, LP
11038 N. HIGHLAND BLVD
HIGHLAND, UT 84003
(801) 492-3400

ENGINEER
berg
CIVIL ENGINEERING
11038 N. Highland Blvd Suite 400
Highland, UT 84003
office (801) 492-1277
cell (801) 616-1677

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	122.00	200.73	94°16'12"	178.84	N 47°08'06" W
C2	122.00	172.97	81°13'57"	158.84	S 45°06'49" W
C3	178.00	114.21	36°45'48"	112.26	N 23°33'04" E
C4	178.00	111.82	35°59'36"	109.99	N 59°55'45" E
C5	178.00	24.25	07°48'15"	24.22	N 81°49'40" E
C6	122.00	172.97	81°13'57"	158.84	N 45°06'49" E
C7	122.00	200.73	94°16'12"	178.84	S 47°08'06" E
C8	178.00	100.45	32°19'59"	99.12	S 78°06'13" E
C9	178.00	124.07	39°56'16"	121.58	S 41°58'06" E
C10	178.00	68.35	21°59'58"	67.93	S 10°59'59" E
C11	15.00	23.56	90°00'00"	21.21	S 45°00'00" E
C12	15.00	23.61	90°11'55"	21.25	N 44°54'02" E
C13	178.00	250.28	80°33'37"	230.16	N 45°26'59" E
C14	178.00	292.87	94°16'12"	260.93	S 47°08'06" E

VICINITY SKETCH
SCALE: 1"=1000'

TYPICAL BUILDING SETBACKS

TABULATIONS

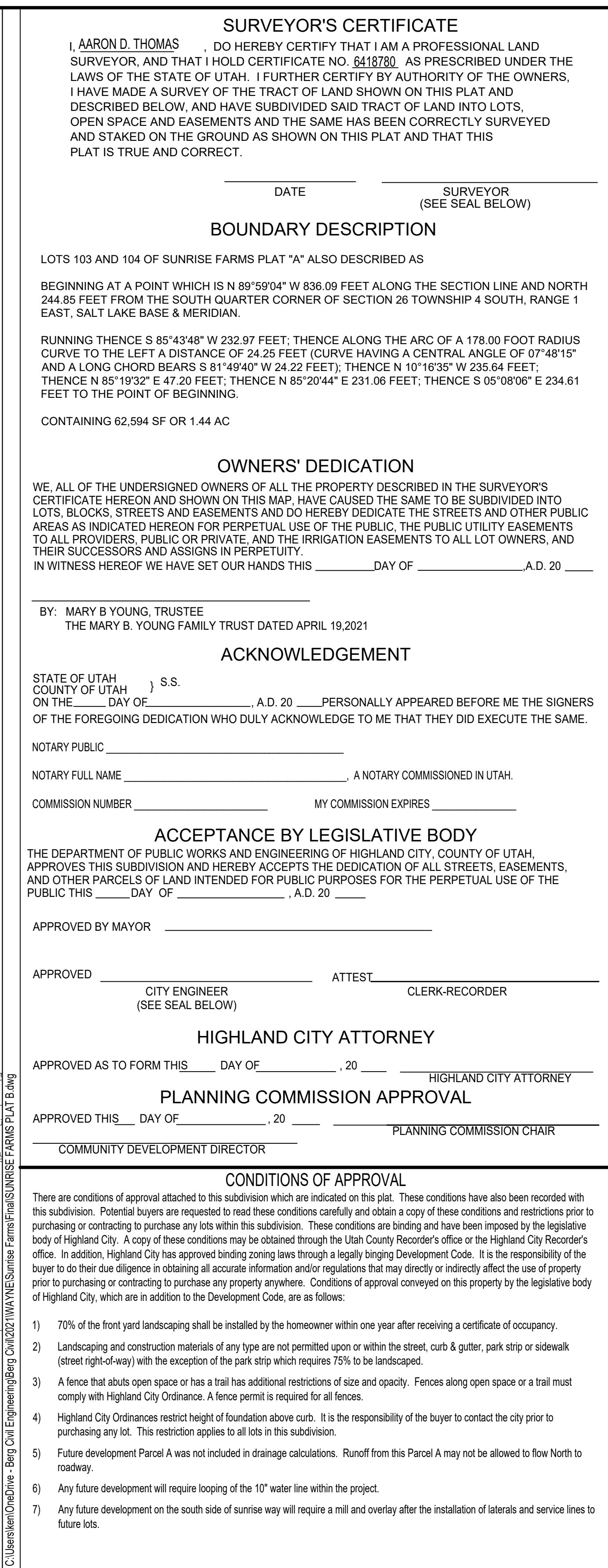
EXISTING ZONING	R-140,000
LAND USE	RESIDENTIAL LOW DENSITY
FLOOD ZONE DESIGNATION:	X
FIRM MAP PANEL #:	49049C0166F
EFFECTIVE DATE:	JUNE 19, 2020

SUNRISE FARMS
PLAT "A"
LOCATED IN THE SW 1/4 OF SECTION 26, T4S, R1E, SLB&M

SCALE: 1" = 60 FEET

18687

SEALS
SURVEYOR SEAL: AARON D. THOMAS, 10-20-22
CITY ENGINEER SEAL: HIGHLAND CITY, UTAH
CLERK-RECORDER SEAL: HIGHLAND CITY, UTAH



<u>TABULATIONS</u>	
EXISTING ZONING	R-1-40,000
LAND USE:	RESIDENTIAL LOW DENSITY
FLOOD ZONE DESIGNATION:	X
FIRM MAP PANEL #:	49049C0166F
EFFECTIVE DATE:	JUNE 19, 2020

SUNRISE FARMS
PLAT "B"
A LOT COMBINATION OF LOTS 103 & 104 OF SUNRISE FARMS PLAT "A"
LOCATED IN THE SW 1/4 OF SECTION 26, T4S, R1E, SLB&M
SCALE: 1" = 60 FEET

SURVEYOR'S SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL
-----------------	--------------------	---------------------



CITY COUNCIL AGENDA REPORT

ITEM #3c

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney
SUBJECT: Plat Amendment: Millhaven Homes - Foxwood Estates - Lots 17-19
TYPE: Land Use (Administrative)

PURPOSE:

The City Council will consider a request from Millhaven Homes to amend the plat for Foxwood Estates Plat A for lots 17, 18, and 19.

STAFF RECOMMENDATION:

Staff recommends that the City Council APPROVE the amendment to Foxwood Estates Plat A for lots 17, 18, and 19.

PRIOR COUNCIL DIRECTION:

No prior Council review.

BACKGROUND:

On April 11, 2024, the City's Development Administration Board approved the final plat for Foxwood Estates as a 20-lot subdivision. Millhaven has buyers that are interested in larger lots and would like to reconfigure and combine three lots (17, 18, and 19) into two lots. The property is zoned R-1-40. The end result of the proposed plat amendment would be to reduce the density in the subdivision by one.

The 20-lot subdivision includes 5 lots (not the lots being amended) that are under 30,000 square feet. Lots 17, 18, and 19 are each over 30,000 square feet. The proposed reconfigured and amended lots will be 57,799 square feet (1.33 acres) and 54,281 square feet (1.25 acres).

As of writing this report, no public hearing is required because the application and procedures satisfy all requirements of Highland City Development Code, all owners of the respective properties are signing the amended plat, and no objections have been filed. Notice of the proposed plat amendment was mailed to property owners within 500' of the property on April 4, 2024.

ANALYSIS:

Under HDC 5-7-103(4) and Utah Code 10-9a-609, the City Council can amend a plat if it finds:

1. Neither the public interest nor any person will be materially injured by the proposed amendment;
2. There is good cause for the amendment;
3. All easements for water and sewer facilities are preserved;

4. No public right of way is being vacated; and
5. The proposed amendment meets all requirements of the Development Code.

As explained in the proposed findings below, staff believes that each of these requirements has been satisfied.

PROPOSED FINDINGS:

1. Neither the public interest nor any person will be injured by the proposed plat amendment. All owners of property have agreed to the plat amendment.
2. There is good cause for the amendment, because all requirements of the Development Code related to plat amendments are satisfied, the proposed plat amendment and the property line adjustments shown therein conform to the requirements of the Development Code, and the amendment will allow the applicant and future owners of the lots to develop their property as desired.
3. There are no affected easements for water and sewer facilities. The plat contains all required public utility easements.
4. No public right of way is being vacated as part of this amendment.
5. The proposed amendment results in a lot that conforms to all requirements of the Development Code. While the subdivision could not have been platted in this manner under the R-1-40 standards, due to the number of lots under 30,000 square feet, this does not necessarily prohibit the Council from approving a subsequent plat amendment if the Council believes there is good cause for the amendment. Overall, the proposed plat amendment reduces density within the development. Approving the amendment at this time (after final plat approval but before the plat is recorded) allows the developer to install the correct type and number of utility lines for the lots.

PROPOSED STIPULATIONS:

None.

FISCAL IMPACT:

There is no expected fiscal impact from the proposed plat amendment. (mid-year/final) budget adjustments unless otherwise directed by the Council.

MOTION:

I move that City Council accept the findings and APPROVE the plat amendment to Foxwood Estates Plat A.

ATTACHMENTS:

1. Vicinity Map
2. Narrative
3. Original Plat (20 Lots)
4. Proposed Amended Plat (19 Lots)

FEBRUARY 2024

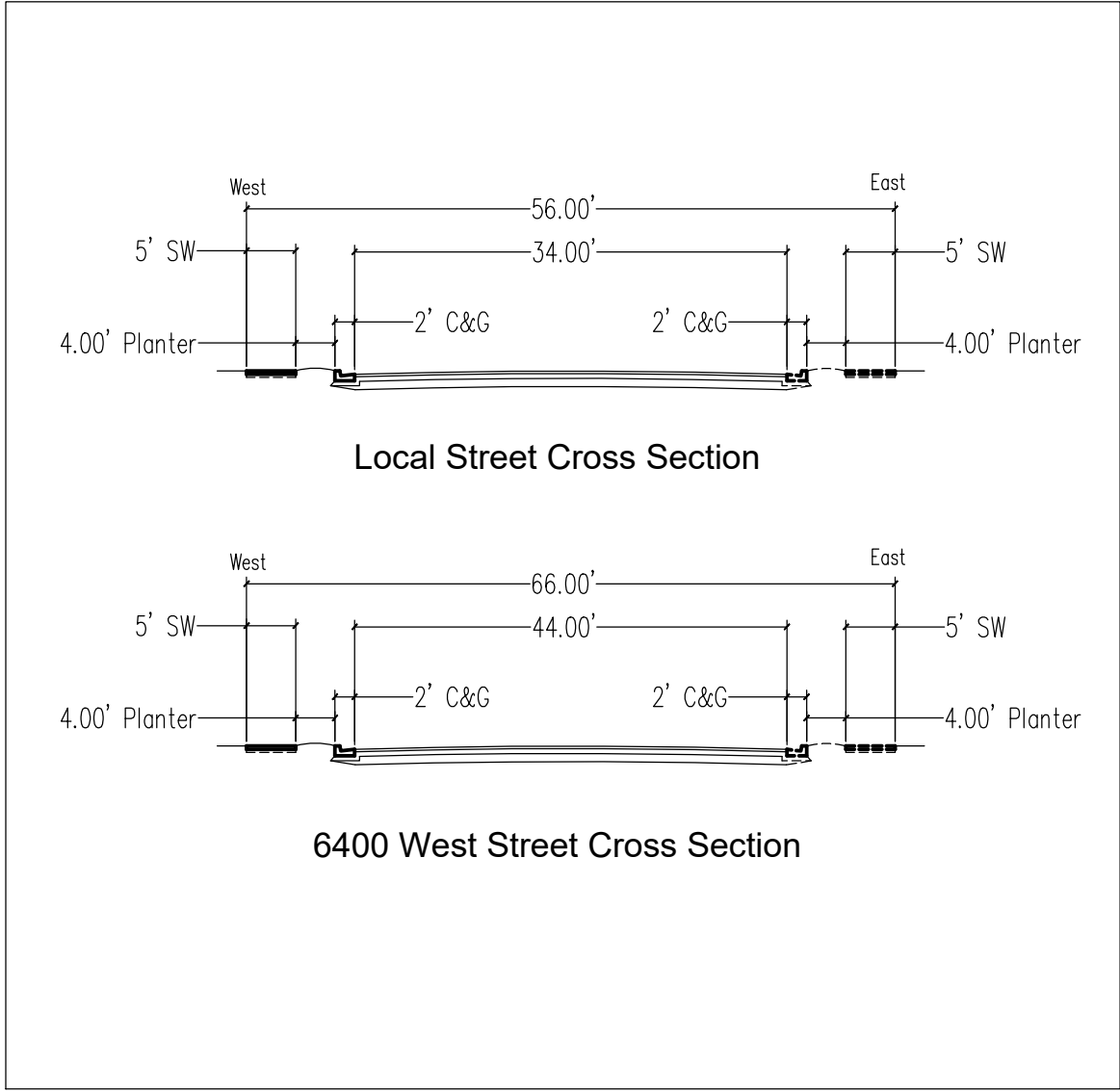
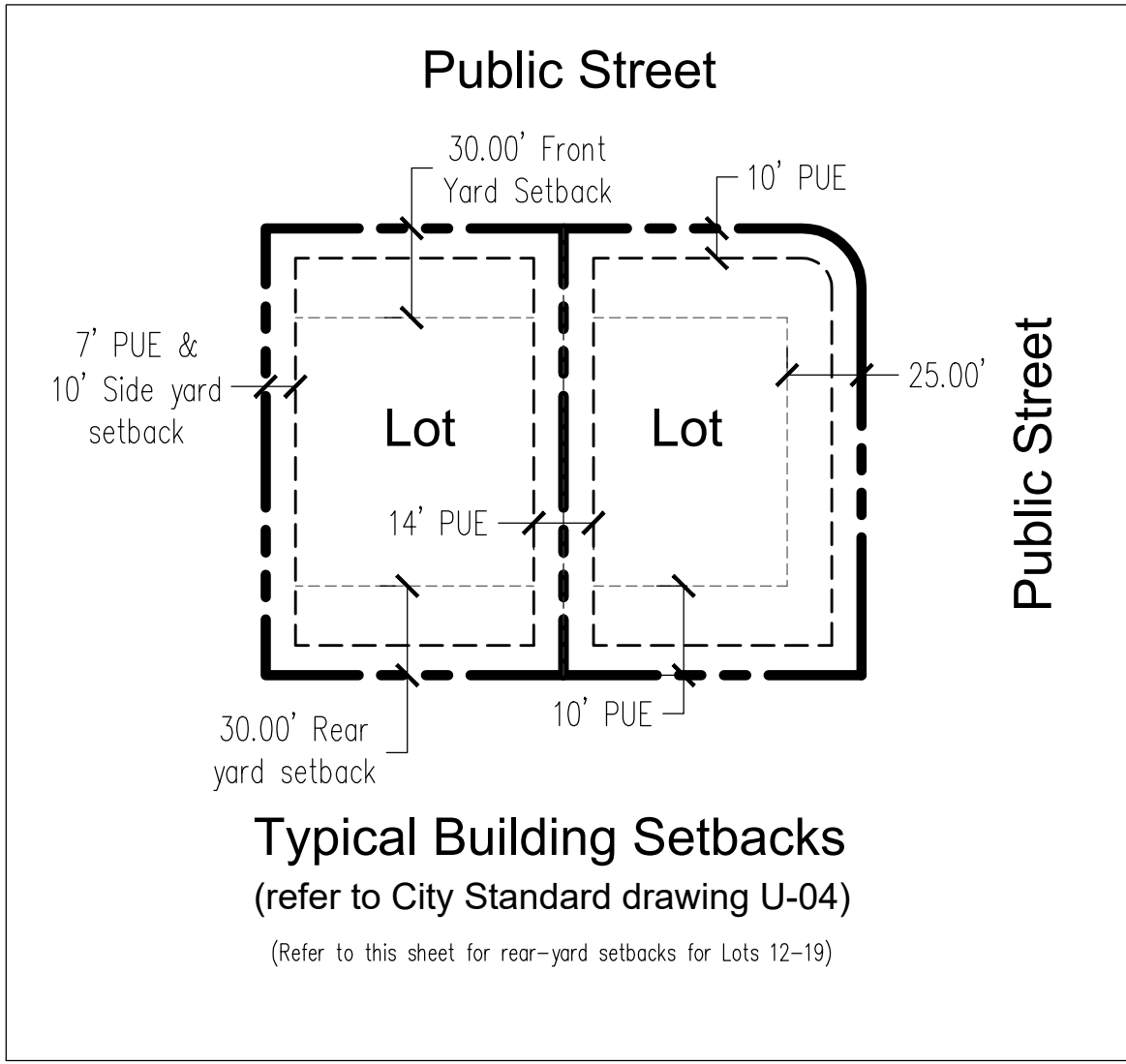


PROJECT NARRATIVE
FOXWOOD ESTATES – Plat Amendment
HIGHLAND, UTAH
April 2024

INTRODUCTION

Millhaven Homes has purchased the Workman property near 6400 West and 10630 North Streets in Highland, Utah. The existing property consists of two parcels, which combine to a total of 24.77 acres. The property is within the R-1-40 zone. The total allowable number of lots for this site is 26 lots. Due to public street layout and a large irrigation ravine, Millhaven is proposing fewer lots. The proposed development comprises 20 single family residential lots with the average lot size being 39,550 square feet (0.90 acres).

The purpose of the plat amendment is to combine Lots 17, 18, and 19 into two lots. These changes reduce the overall lot count to 19 lots. We could wait until after the 20-lot plat is recorded, but we would like to get water and sewer laterals to these lots in the correct locations now.



Note:

No development (homes/accessory structures/etc.) are permitted on slopes greater than 25%. No variance is permitted from this requirement.

Lots 3,4,7, and 8 shall have no vehicular access off 6400 West Street.

Parcels A, B, C, & D, are to be dedicated to Highland City as an Irrigation and/or access point.

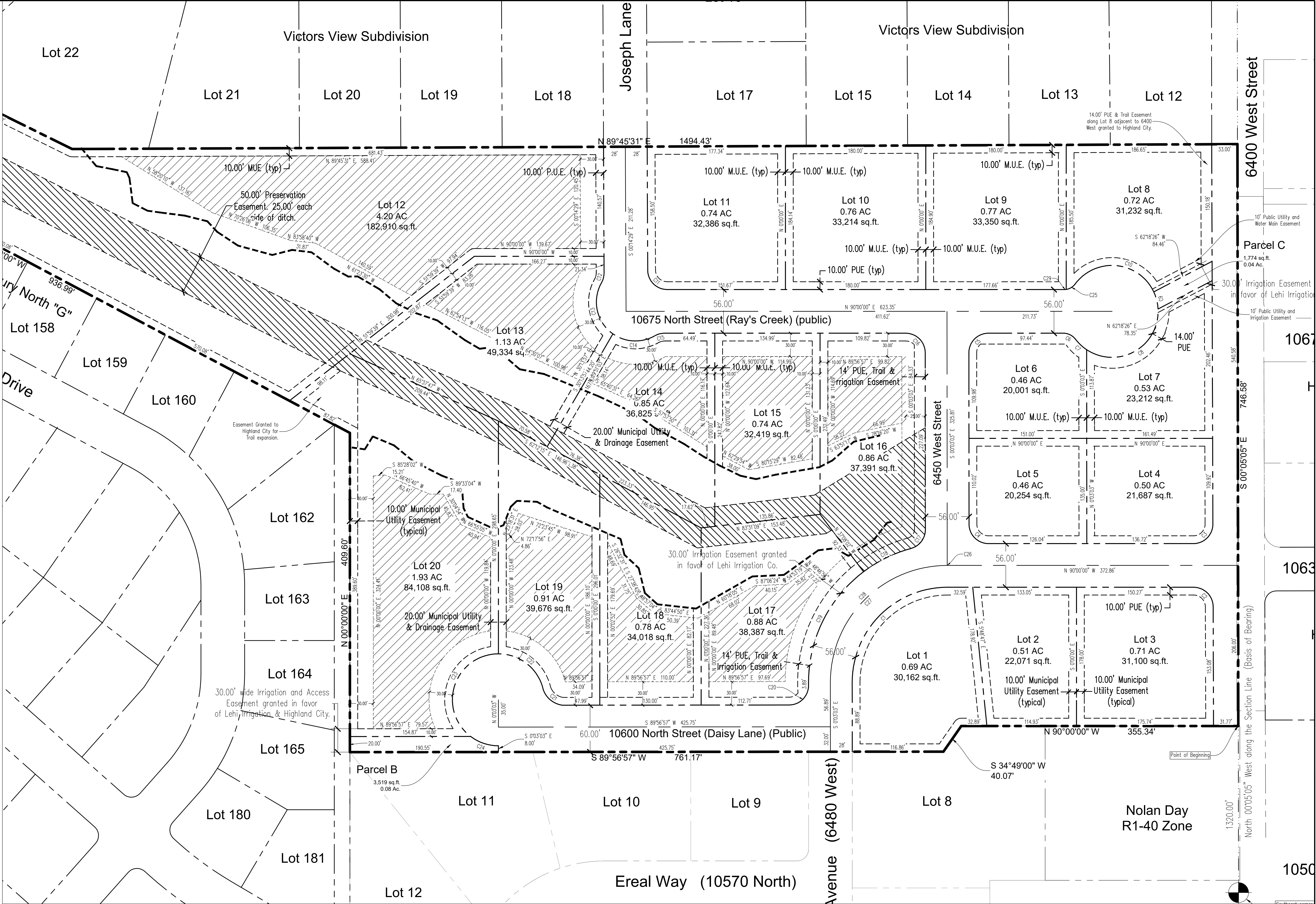
Sensitive Lands Note:

Highland city ordinances restrict development, grading, filling and construction on sensitive lands and slopes. No development (homes/accessory structures/pools/etc.) Are permitted on slopes greater than 25%, the slope set back area, or on areas are outside of designated buildable areas. No variance is permitted from this requirement. Slope areas being disturbed/exposed/alterd as part of development will require re-vegetation and quality topsoil retained and reused. After alteration and re-vegetation, lot owners are prohibited from defoliating vegetation and re-grading slopes.

A site-specific evaluation for lots 5, 6, 12 – 19 is required to be completed by the Geotechnical Engineer of record at the time of building footing excavation and footing preparation.

Each lot is to conform to recommendation and requirements of final Geotech report including requirements as to vegetation, range provisions, and limiting water on slopes (to be recorded with subdivision).

All fencing must meet City fencing height, opacity, and setback requirements. Fences along interior trail corridors, including trails between Lots 7 and 8, may be a maximum of 4' solid white with at least the top 2' at least 55% open.



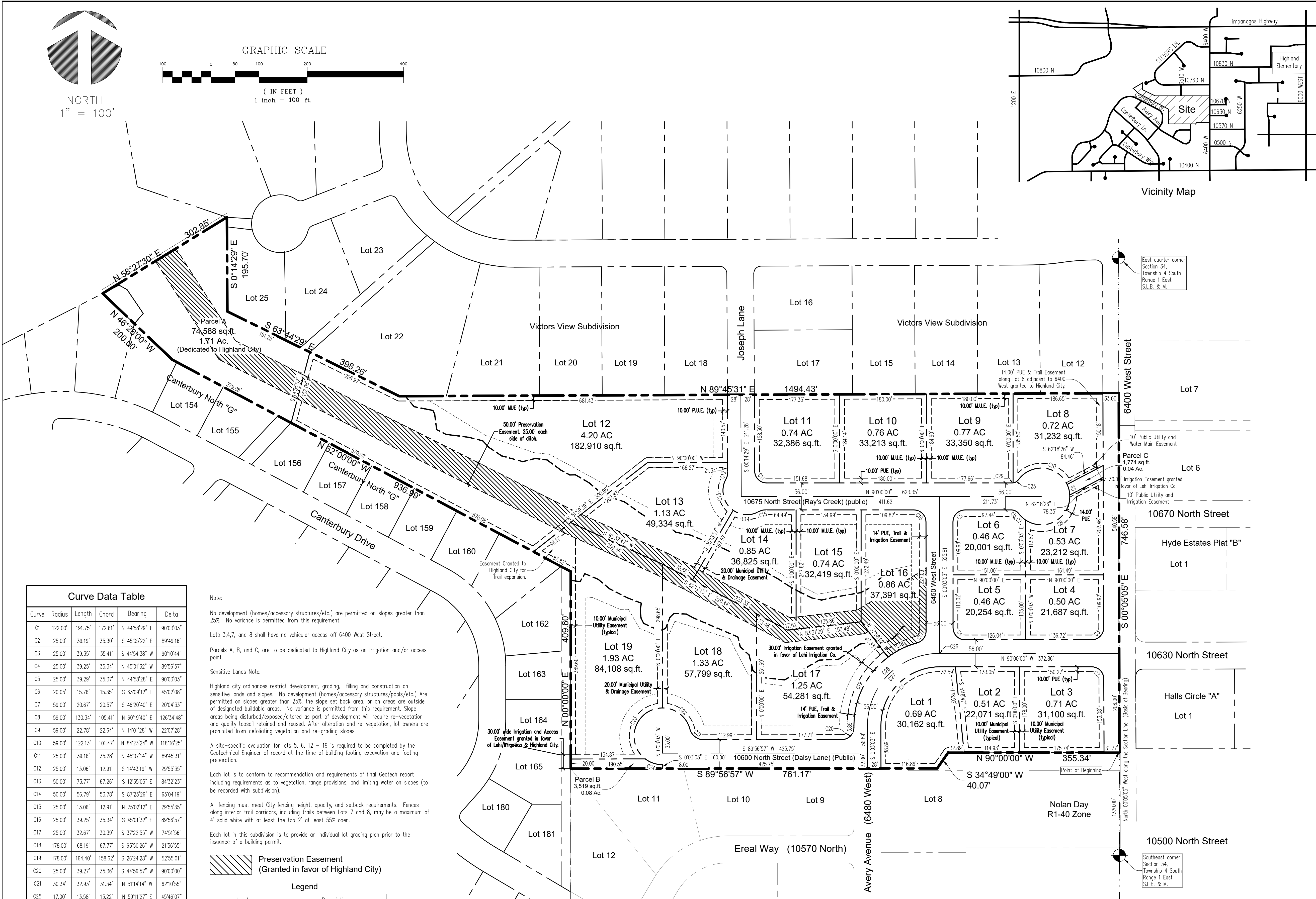
Note:

The purpose for Sheet 2 of 2 is to identify and describe the buildable area for the Lots adjacent to the existing ravine.

	Prepared by:
	Dudley and Associates, Inc. 353 East 1200 South Orem, Utah 84058 office 801-224-1252 fax 801-224-1264
	ENTRY No. _____
	STATE OF UTAH COUNTY OF _____
	RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ MAP _____	
Fee _____	
COUNTY RECORDER	

Sheet 2 of 2 Sheets

Foxwood Estates Subdivision

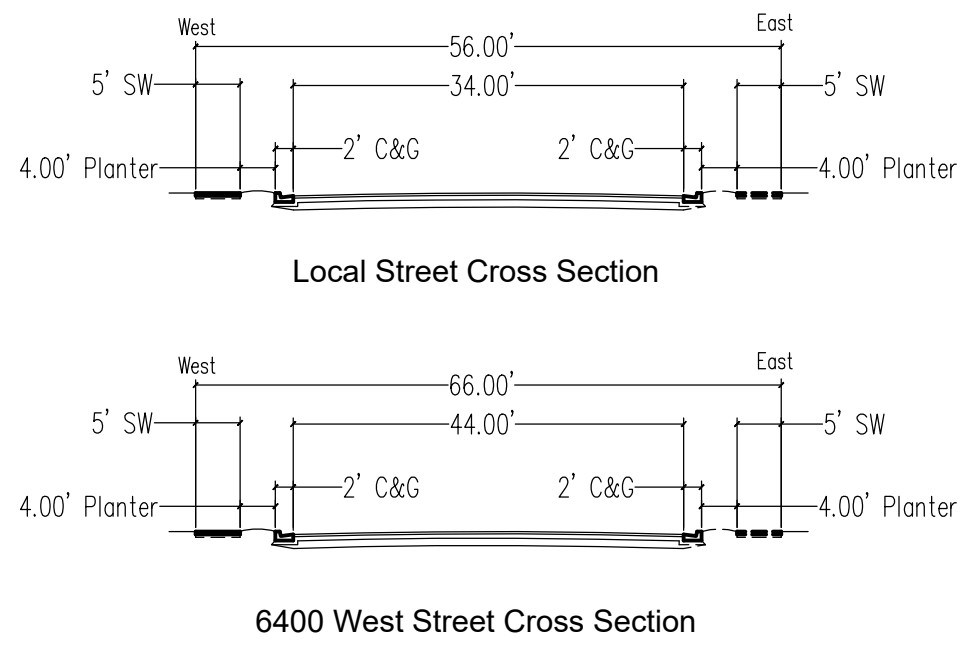
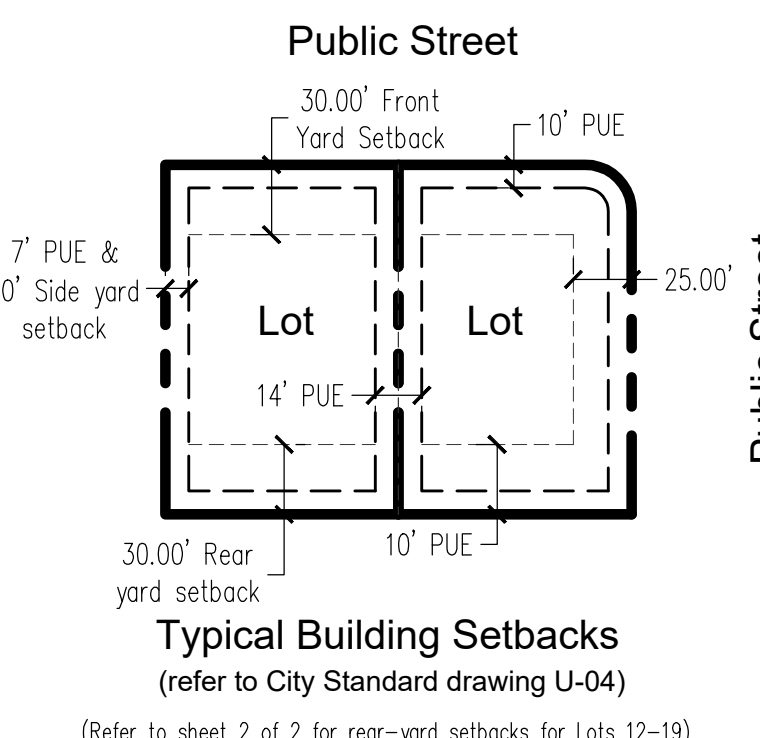


Curve Data Table					
Curve	Radius	Length	Chord	Bearing	Delta
C1	122.00'	191.75'	172.61'	N 44°58'29" E	90°03'03"
C2	25.00'	39.19'	35.30'	S 45°05'22" E	89°49'16"
C3	25.00'	39.35'	35.41'	S 44°54'38" W	90°10'44"
C4	25.00'	39.25'	35.34'	N 45°01'32" W	89°56'57"
C5	25.00'	39.29'	35.37'	N 44°58'28" E	90°03'03"
C6	20.05'	15.76'	15.35'	S 63°09'12" E	45°02'08"
C7	59.00'	20.67'	20.57'	S 46°20'40" E	20°04'33"
C8	59.00'	130.34'	105.41'	N 60°19'40" E	126°34'48"
C9	59.00'	22.78'	22.64'	N 14°01'28" W	22°07'28"
C10	59.00'	122.13'	101.47'	N 84°23'24" W	118°36'25"
C11	25.00'	39.16'	35.28'	N 45°01'32" E	89°45'31"
C12	25.00'	13.06'	12.91'	S 14°43'19" W	29°55'35"
C13	50.00'	73.77'	67.26'	S 12°35'05" E	84°32'23"
C14	50.00'	56.79'	53.78'	S 87°23'26" E	65°04'19"
C15	25.00'	13.06'	12.91'	N 75°02'12" E	29°55'35"
C16	25.00'	39.25'	35.34'	S 45°01'32" E	89°56'57"
C17	25.00'	32.67'	30.39'	S 37°22'55" W	74°31'56"
C18	178.00'	68.19'	67.77'	S 63°50'26" W	21°56'55"
C19	178.00'	164.40'	158.62'	S 26°24'28" W	52°55'01"
C20	25.00'	39.27'	35.36'	S 44°56'57" W	90°00'00"
C21	30.34'	32.93'	31.34'	N 51°14'14" W	62°10'55"
C25	17.00'	13.58'	13.22'	N 59°11'27" E	45°46'07"
C26	99.92'	0.13'	0.13'	S 89°58'05" W	0°04'35"
C27	150.00'	235.75'	212.23'	S 44°58'29" W	90°03'03"
C28	150.00'	235.62'	212.13'	S 44°56'57" W	89°59'59"
C29	17.00'	2.35'	2.35'	N 86°02'15" E	7°55'30"

Note:
No development (homes/accessory structures/etc.) are permitted on slopes greater than 25%. No variance is permitted from this requirement.
Lots 3,4,7, and 8 shall have no vehicular access off 6400 West Street.
Parcels A, B, and C, are to be dedicated to Highland City as an Irrigation and/or access point.
Sensitive Lands Note:
Highland city ordinances restrict development, grading, filling and construction on sensitive lands and slopes. No development (homes/accessory structures/pools/etc.) Are permitted on slopes greater than 25%, the slope set back area, or on areas are outside of designated buildable areas. No variance is permitted from this requirement. Slope areas being disturbed/exposed/eroded as part of development will require re-vegetation and quality topsoil retained and reused. After alteration and re-vegetation, lot owners are prohibited from defoliating vegetation and re-grading slopes.
A site-specific evaluation for lots 5, 6, 12 - 19 is required to be completed by the Geotechnical Engineer of record at the time of building footing excavation and footing preparation.
Each lot is to conform to recommendation and requirements of final Geotech report including requirements as to vegetation, range provisions, and limiting water on slopes (to be recorded with subdivision).
All fencing must meet City fencing height, opacity, and setback requirements. Fences along interior trail corridors, including trails between Lots 7 and 8, may be a maximum of 4' solid white with at least the top 2' at least 55% open.
Each lot in this subdivision is to provide an individual lot grading plan prior to the issuance of a building permit.

Preservation Easement
(Granted in favor of Highland City)

Linetype	Description
-----	Subdivision Boundary Line
-----	Lot ownership line
-----	Utility Easement line
-----	ROW centerline
-----	Building Area limit line.
-----	Top of Bank



Note:
See Sheet 2 of 2 for the details of the buildable area for the Lots adjacent to the existing ravine.

Sheet 1 of 2 Sheets

City Utilities Approval Culinary Water / Pressurized Irrigation / Sanitary Sewer / Storm Drain Public Works Director _____ Date _____	Highland City Attorney Approved this _____ day of _____, 20____, by the Highland City Attorney. City Attorney _____ Date _____	SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL
--	---	------------------------	---------------------------	----------------------------------	----------------------------

Surveyor's Certificate

I, **ROGER D. DUDLEY**, do hereby certify that I am a Professional Land Surveyor and that I hold a license, Certificate No. 147089, in accordance with the Professional Engineers and Land Surveyors Licensing Act found in Title 58, Chapter 22 of the Utah Code. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, have subdivided said tract of land into lots, streets, and easements, and have completed a survey of the property described on this plat in accordance with Utah Code Section 17-23-17, have verified all measurements, and have placed monuments as represented on the plat. I further certify that every existing right-of-way and easement grant of record for underground facilities, as defined in Utah Code Section 54-6a-2, and for other utility facilities, is accurately described on this plat, and that this plat is true and correct to the best of my knowledge.

Boundary Description

Commencing at a point being located North 00°05'05" West along the Section line 1320.00 feet from the Southeast corner of Section 34, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence West partially along Plat "A", Horseshoe Bend Subdivision 355.34 feet; thence along Plat "A", Horseshoe Bend Subdivision the following two (2) courses: South 34°49'00" West 40.07 feet, South 89°56'57" West 761.17 feet more or less to the boundary line of Plat "G", Canterbury North Subdivision; thence along said Canterbury North Subdivision the following three (3) courses: North 109.60 feet, North 62°00'00" West 936.99 feet, North 46°26'00" West 200.00 feet; thence North 58°27'30" East 302.85 feet to the Northeast corner of Lot 25, Victor's View Subdivision; thence along Victor's View Subdivision the following three (3) courses: South 00°14'29" East 195.70 feet, South 63°14'29" East 398.26 feet, North 89°45'31" East 1494.43 feet to the Section line; thence South 00°05'05" East along the Section line 746.58 feet to the point of beginning.

Area = 1,079,126 sq.ft. or 24.77 Acres

Basis of Bearing is North 00°05'05" West along the Section line from the Southeast corner to the East quarter corner of said Section 34.

Owner's Dedication

Know all men by these presents that we, all of the undersigned owners of all the property described in the Surveyor's Certificate hereon and shown on this map, have caused the same to be subdivided into Lots, Blocks, Streets, and Easements and do hereby dedicate the streets and other public areas as indicated hereon for perpetual use of the public.

In witness hereof we have hereunto set our hands this _____ day of _____, A.D. 20____.

Owner's Acknowledgement (LLC)

STATE OF UTAH } S.S.
COUNTY OF UTAH }

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who personally appeared before me, who being duly sworn or affirmed, did say that he/she is the _____ of _____ a Limited Liability Company, and that the within and foregoing instrument was signed in behalf of said Company, and in his/her capacity as _____ of _____ Limited Liability Company.

My Commission Number _____ Signed (a Notary Public Commissioned in Utah)

My Commission Expires _____ Print name of Notary

Acceptance by Legislative Body

The City of Highland, County of Utah, approves this subdivision and hereby accepts the dedication of all Streets, Easements, and other parcels of land intended for public purposes for the perpetual use of the public. Signed this _____ day of _____, A.D. 20____.

Approved: _____ Mayor _____ Attest: _____
City Engineer Clerk - Recorder

Conditions of Approval

There are conditions of approval attached to this subdivision which are indicated on this plat. These conditions have also been recorded with this subdivision. Potential buyers are requested to read these conditions carefully and obtain a copy of these conditions and restrictions prior to purchasing or contracting to purchase any lots within this subdivision. These conditions are binding and have been imposed by the legislative body of Highland city. A copy of these conditions may be obtained through the Utah County Recorder's office or the Highland City Records Office. In addition, Highland City has approved binding zoning laws through a legally binding development code. It is the responsibility of the buyer to do their due diligence in obtaining all accurate information and/or regulations that may directly or indirectly affect the use of property prior to purchasing or contracting to purchase any property anywhere. Some of the significant ordinances and conditions of approval conveyed on this property by the legislative body of Highland City are as follows:

- 70% of the front yard landscaping shall be installed by the homeowner within one year after receiving the certificate of occupancy.
- Landscaping and construction materials of any type are not permitted upon or within the street, curb and gutter, or sidewalk (street right of way) with the exception of the park strip which is required to be xeriscaped. Xeriscape shall consist of an attractive mix of plantings, rocks, and other landscaping materials. Forefront yards and park strips, at least 25% of any xeriscape must contain plants, trees, and shrubs.
- A fence that abuts open space or a trail has additional restrictions of size and opacity. Fences along open space or a trail must comply with highland city ordinances. All fences require a fence permit prior to installation. In addition, retaining walls are regulated by ordinance and require a retaining wall permit prior to construction.
- Highland city ordinances restrict the height of foundation above curb. It is the responsibility of the buyer to contact the city prior to purchasing any lot. This restriction applies to all lots in this subdivision.

County Recorder

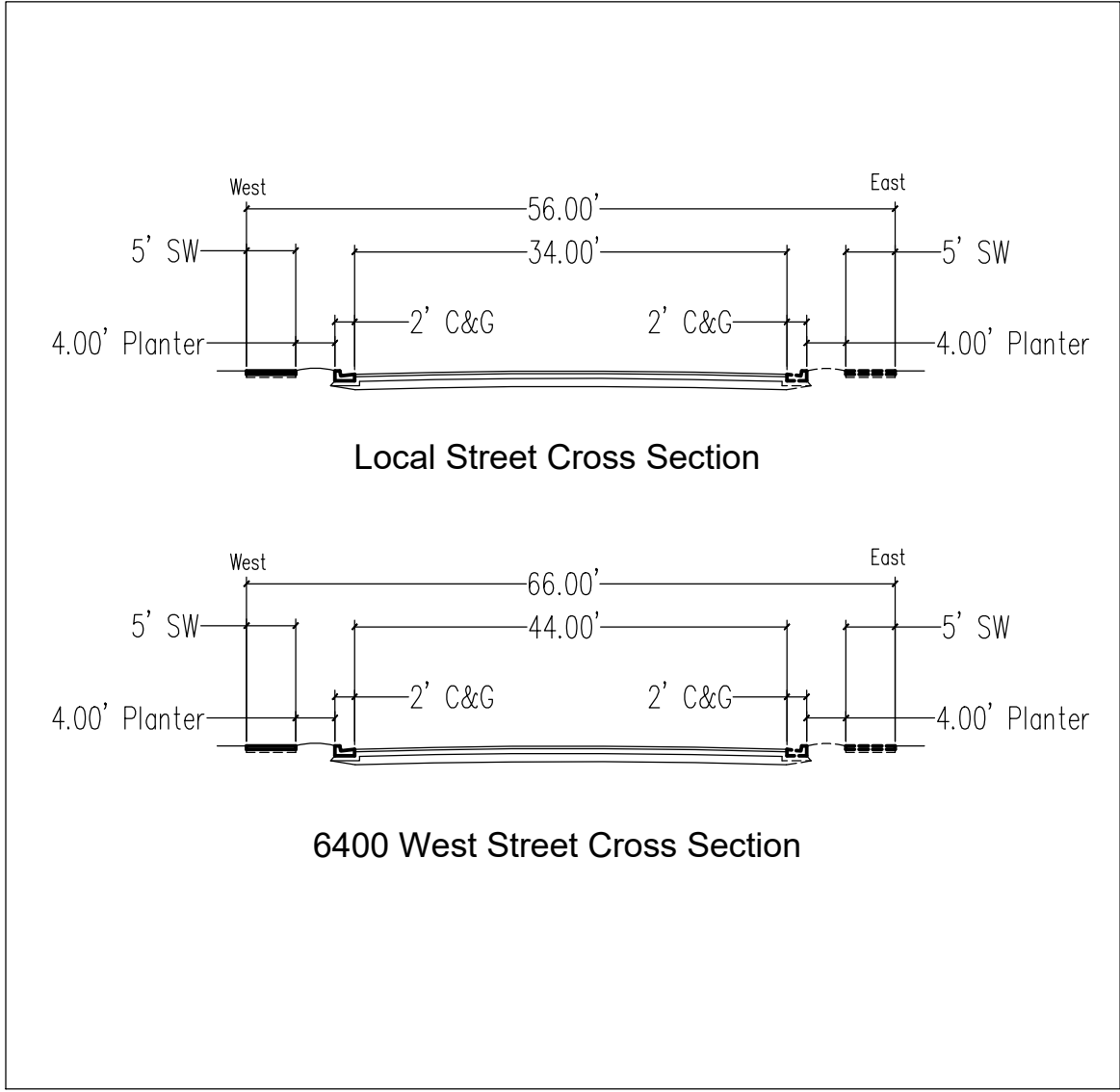
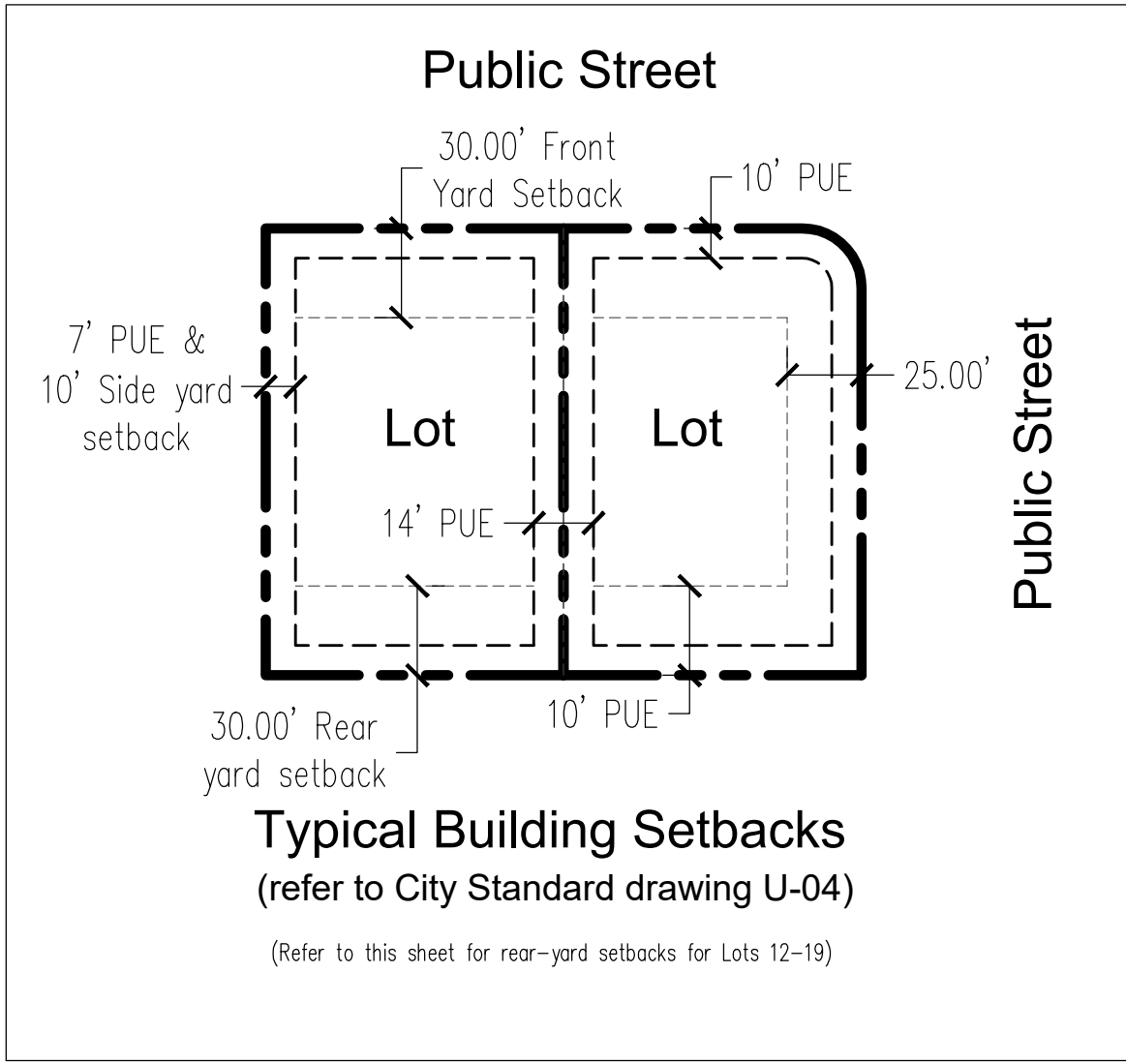
Plat " A "

Foxwood Estates

Subdivision

Highland City, _____ Utah County, Utah
Scale: 1" = 100 Feet

	Prepared by: Dudley and Associates, Inc. 353 East 1200 South Orem, Utah 84058 office 801-224-1252 fax 801-224-1264	Developer: Millhaven Homes 295 North State Lindon, Utah 84042 801-443-6540
--	--	---



Note:

No development (homes/accessory structures/etc.) are permitted on slopes greater than 25%. No variance is permitted from this requirement.

Lots 3,4,7, and 8 shall have no vehicular access off 6400 West Street.

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Each lot is to conform to recommendation and requirements of final Geotech report including requirements as to vegetation, range provisions, and limiting water on slopes (to be recorded with subdivision).

All fencing must meet City fencing height, opacity, and setback requirements. Fences along interior trail corridors, including trails between Lots 7 and 8, may be a maximum of 4' solid white with at least the top 2' at least 55% open.



Note:

The purpose for Sheet 2 of 2 is to identify and describe the buildable area for the Lots adjacent to the existing ravine.

Prepared by:

Dudley and Associates, Inc.
353 East 1200 South
Orem, Utah 84058
office 801-224-1252
fax 801-224-1264

Foxwood Estates Subdivision

ENTRY No. _____

STATE OF UTAH COUNTY OF _____

RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ MAP _____

Fee _____ COUNTY RECORDER _____



CITY COUNCIL AGENDA REPORT

ITEM #3d

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney
SUBJECT: Farmers Market Memorandum of Understanding
TYPE: General City Management

PURPOSE:

The City Council will consider a proposed memorandum of understanding authorizing Highland Farmers Market LLC (Heather Heras) to conduct a farmers' market in Heritage Park.

STAFF RECOMMENDATION:

Staff recommends that the City Council consider the proposed memorandum of understanding and determine whether the City wants to move forward with the proposed farmers market and whether there are additional or different conditions that the Council would like.

PRIOR COUNCIL DIRECTION:

On March 19, 2024, the Council considered as a discussion item a proposal from Heather Heras regarding the potential operation of a farmers' market within Highland. Because City policy prohibits commercial activity within City parks unless they are City-sponsored, the Council discussed whether to support the farmers' market and whether to make a code change or sponsor the farmers' market as a City. The Council gave staff direction to work with Heather to prepare potential terms for a City-sponsored farmers' market operated by Heather through an LLC.

BACKGROUND:

Staff has worked with Heather to understand the farmers' market needs and to explain the City's needs. After discussion, staff has prepared a draft MOU that would authorize the farmers' market as a city-sponsored event within Heritage Park, June through September, on Thursday evenings. Heather has prepared a site plan showing the proposed layout of vendors within the market. In general, the market must comply with all City ordinances and regulations (noise, light, hours), all garbage/waste must be properly disposed of, the market must comply with all state, fire, and county health requirements, and all vendors must be properly licensed/permitted by the state and must report sales tax. Heather's LLC is responsible for ensuring compliance with these matters.

There are a few items of particular concern on which staff would appreciate Council's direction:

Insurance/Liability:

Heather has asked that the LLC and market be covered through the City's insurance, rather than the LLC obtaining its own insurance coverage, as this allows for lower vendor/booth fees to encourage greater participation. However, this increases the City's risk of liability. Staff reached out to the City's insurance carrier, who provided the following advice:

We strongly recommend the City only participate in city-sponsored events in which the City has full control and purview over the event. The theoretical situation you described could certainly come back on the City and sponsoring an event like this in conjunction with a resident or 3rd party group will certainly increase the City's exposure.

If the City were to sponsor or put on an event like this, we would recommend requiring certificates of insurance from all vendors, demonstrating they have liability insurance, along with adding the City as an additional insured to their policy for the day of the event.

If Heather's LLC were to obtain insurance, she has estimated that insurance would cost \$200-\$300 per week. She estimates that buying insurance would increase her costs from approximately \$2,700 to \$5,700 to operate the farmers' market.

Does the Council want to require insurance from Heather's LLC or allow it to be covered through the City's insurance?

Parking

Heather inquired as to whether the City would be open to allowing limited parking for vendors within the Mountain Ridge Park parking lot. City staff also thought the City Community Center parking lot could be an option for overflow parking.

Does the Council want to authorize use of other City parking lots for the farmers' market?

Food Trucks

Heather has proposed allowing food trucks to operate within the parking lot as part of the Market. The City traditionally does not allow food trucks within City parks. The MOU currently allows up to 2 trucks per day.

Does the Council want to allow food trucks within the park parking lot as part of the farmers' market?

Signage

Heather asked whether she could install temporary signs within the park, likely on the corner of 5300 West/10400 North to advertise the farmers' market. The MOU currently provides that temporary signs can be permitted, subject to City staff review and approval as to sign design and location.

Does the Council want to allow signs within the park to advertise the farmers' market?

FISCAL IMPACT:

There is no direct fiscal impact from authorizing the MOU.

MOTION:

I move that City Council approve, approve with modifications [council will need to specify the modifications], or reject the proposed Memorandum of Understanding with Highland Farmers Market LLC.

ATTACHMENTS:

1. Farmers Market MOU 24.04.10.2

MEMORANDUM OF UNDERSTANDING Highland Farmers Market

This Memorandum of Understanding (“Agreement”) is entered into by and between HIGHLAND CITY, a Utah municipality (“City”), and HIGHLAND FARMERS MARKET LLC, a Utah limited liability company (“Operator”).

RECITALS

- A. Operator desires to operate a farmers’ market (“Market”) at a public park in Highland City to allow for the vending and sale of crafts, locally grown or prepared foods, on-site prepared food, and other similar activities by third-party persons and entities (each a “Vendor”).
- B. City desires to allow Operator to operate the Market within Heritage Park (“Park”) subject to the terms and restrictions of this Agreement.

TERMS

NOW, THEREFORE, in consideration of the mutual covenants and promises contained hereafter, the parties hereto agree as follows:

1. **Purpose.** This Agreement is a grant of a limited license to Operator to use designated areas of the Park to operate and carry on the Market within the scope and limitations of this Agreement and all applicable City ordinances and regulations. Nothing in this Agreement grants a franchise or confers any property right to Operator or other person.
2. **City Authorization and Regulation.**
 - a. Authorization. The Market is authorized as a City-sponsored event in the Park so long as Operator and the Market comply with this Agreement.
 - b. Naming. The Market shall not be advertised as a City event and the City’s name shall not be used to advertise the Park. Operator may refer to and advertise the Market as the Highland Farmers’ Market or similar designation.
 - c. Permits and Fees. No special event permit shall be required from Operator or any Vendor to operate or participate in the Market as set forth in this Agreement. No fee shall be due from Operator to rent the Park or Park facilities.
 - d. City Regulations. The Market and all use of City property shall comply with all City ordinances and regulations, including the following:
 - i. Park hours of operation: All Vendor and Market property, equipment, and trash shall be removed prior to the closing of the Park;
 - ii. Noise and light ordinances;

- iii. Fire code and access requirements;
 - iv. Prohibition on alcohol sales and consumption;
 - v. Expressive activity regulations: Operator shall permit and regulate expressive activity within the Farmers Market to the same extent and in the same manner as City and may require only that persons engaged in expressive activity avoid blocking walkways, aisles, and exits in the same manner as any other person. Prior to restricting any expressive activity, Operator shall confer with City to ensure restrictions are content-neutral and conform to governing law.
3. **Park Usage.** Operator shall be entitled to use the Park for the Market as set forth below. At all times, Operator shall comply with all directions and rules issued by City law enforcement, fire marshal, or City officials, including the City parks superintendent. Operator shall be responsible to ensure all Vendors and customers of or visitors to the Market are informed of and comply with all such directions and rules.
- a. Schedule
 - i. The Market shall generally be held on a weekly basis, Thursday afternoon and evening, in accordance with Park hours of operation.
 - ii. The Market may be held between June 1 and September 30.
 - iii. The Market shall not be held during the Highland Fling or on July 4.
 - iv. Deviations from this schedule may be approved by City in its sole discretion upon Operator's request.
 - b. Use of Park.
 - i. The Market shall be operated in the general location and arrangement as shown on the site plan attached as Exhibit A ("Site Plan"). Booths, tables, chairs, and other furnishing shall be shifted from week to week to limit and avoid repeated wear in grass and landscaping.
 - ii. Operator and Vendors may reasonably use the Park pavilion and tables, Park parking lot, and other City Park structures and equipment as shown on the Site Plan, excluding the playground structure and volleyball court for Market purposes. This shall not restrict customers of or visitors to the Market from using such amenities.
 - iii. Operator understands that the Park is public and will remain open to the Public for other activities in other areas of the Park. Operator shall not attempt to limit the use of other areas of the Park by other persons.

- c. Pavilion. Operator shall rent and reserve the pavilion within the Park each week the Market operates.
- d. Electricity. Operator may access electricity for the Market from any City-owned building or structure within the Park. Generators are permitted. Operator shall coordinate electrical access with the City parks personnel. Operator shall be responsible for obtaining high-quality, commercial-grade extension cords and ensuring that all extension cords and power sources are removed from walking areas or are safely covered or shielded with suitable, high-visibility protectors/covers.
- e. Waste Disposal.
 - i. Operator shall be responsible to clean the Market site and ensure Vendors do not leave behind trash, waste, or equipment. Operator and Vendors may use all on-site Park garbage receptacles for disposal.
 - ii. Disposal of grease, oil, and other hazardous materials shall comply with all governing regulations, and no dumping is permitted within the Park or within any sewer or stormwater system. Operator shall immediately evict and report to the City any Vendor who engages in such activity.
- f. Signage. Operator shall be permitted to install a limited number of temporary signs within the Park advertising the Market. All signs and their proposed location within the Park shall be submitted by Operator to the City for review and approval, in City's discretion, prior to installation. No Vendor shall be permitted to install signs within the Park unless installed as part of the Vendor's booth area.
- g. Parking.
 - i. Operator and Vendors may use the Park parking lot and permitted street areas for parking purposes in accordance with City ordinances. Operator shall not permit Vendors to double park or block any exit or entrance to the Park or to obstruct any public right of way, provided that authorized food trucks and mobile businesses may double park within the Park parking lot if no person is prohibited from exiting or entering the lot.
 - ii. Mountain Ridge Park/Community Center parking lot?

4. **Inspections and Regulations.** Allows market

- a. Operator. Operator shall obtain a City business license so long as Operator operates the Market or otherwise engages in commercial activities.
- b. Vendors. Vendors who are not food trucks or mobile businesses are not required to obtain separate City business licenses, but Vendors may obtain business licenses if desired in accordance with City ordinances.

- c. **Food Trucks/Mobile Businesses.** Food Trucks and other mobile businesses may operate and participate in the Market as follows:
 - i. No more than two (2) such businesses shall be permitted at any time.
 - ii. Prior to operating at the Market, the business shall obtain and/or provide to the City a copy of a valid business license, health department permit, and evidence of passing a fire safety inspection.
 - iii. Food trucks and mobile businesses shall only be permitted within the parking lot area. Parking within the street or on the landscaped area of the Park is not permitted.
- d. **Other Government Entity Requirements.**
 - i. Operator shall be responsible to ensure that each Vendor is licensed, registered, or permitted, as required, under governing state and federal law and regulation, including but not limited to laws and regulations related to sales tax reporting and the Utah Home Consumption and Homemade Food Act. Operator shall ensure that Vendors comply with all such laws and regulations.
 - ii. Operator shall obtain and pass a fire inspection by the Lone Peak Fire Department of the Market.
 - iii. Operator shall comply with Utah State Tax Commission rules and regulations related to special event sales tax reporting and collection and shall collect the information required by the Utah State Tax Commission for the Market and for each Vendor who participates in the Market.
 - iv. In the event that the Market qualifies as a “temporary mass gathering” pursuant to Utah County and Utah State rules and regulations, Operator shall be responsible for obtaining and complying with all mass gathering permits and requirements.

5. Revenues and Accounting.

- a. Operator shall be responsible to account for all revenues and expenses of the Market and Operator. City shall not be responsible or liable for any of Operator’s costs related to the Market or Operator’s business.
- b. Operator shall be entitled to charge a reasonable fee to Vendors to allow Vendors to participate in the Market. Operator shall be entitled to receive reasonable compensation for Operator’s efforts in producing, managing, and operating the Market. Operator shall generally charge fees and receive compensation as set forth in Exhibit B, attached hereto.

- c. Operator shall provide to City monthly reports of revenues and expenditures related to the Market, including expenditures for Operator's operating costs.

6. Insurance. City shall carry insurance to cover the Market operation by Operator.

7. Agreement Term.

- a. This Agreement shall remain in effect until December 31, 2024.
- b. This Agreement may be renewed and extended for additional one-year terms with the parties' written approval.
- c. The termination of this Agreement shall not terminate Operator's obligations under Paragraph 8 or Operator's obligations to report to the Utah State Tax Commission.

8. Hold Harmless. Operator shall indemnify and hold harmless City from and against all claims, injuries, losses, and damages of any kind arising out of Operator's performance or non-performance of this Agreement and the operation of the Market. Operator shall be liable for any damage to any City property, structures, or equipment arising out of the Market.

9. Miscellaneous.

- a. This Agreement constitutes the entire understanding of the parties, and no representations, waivers, or approvals, oral or otherwise, express or implied, other than those specifically contained herein, have been made or given by the parties.
- b. This Agreement does not create a joint venture, partnership, or any other business relationship between City and Operator.
- c. This Agreement does not create any obligation or liability on behalf of City to any third party not named herein, including but not limited to any Vendor or customer of or visitor to the Market.

HIGHLAND FARMERS MARKET LLC

HIGHLAND CITY

Heather Heras, Member-Manager

Kurt Ostler, City Mayor

Date: _____

Date: _____

Attest:

City Recorder

EXHIBIT A - Market Site Plan

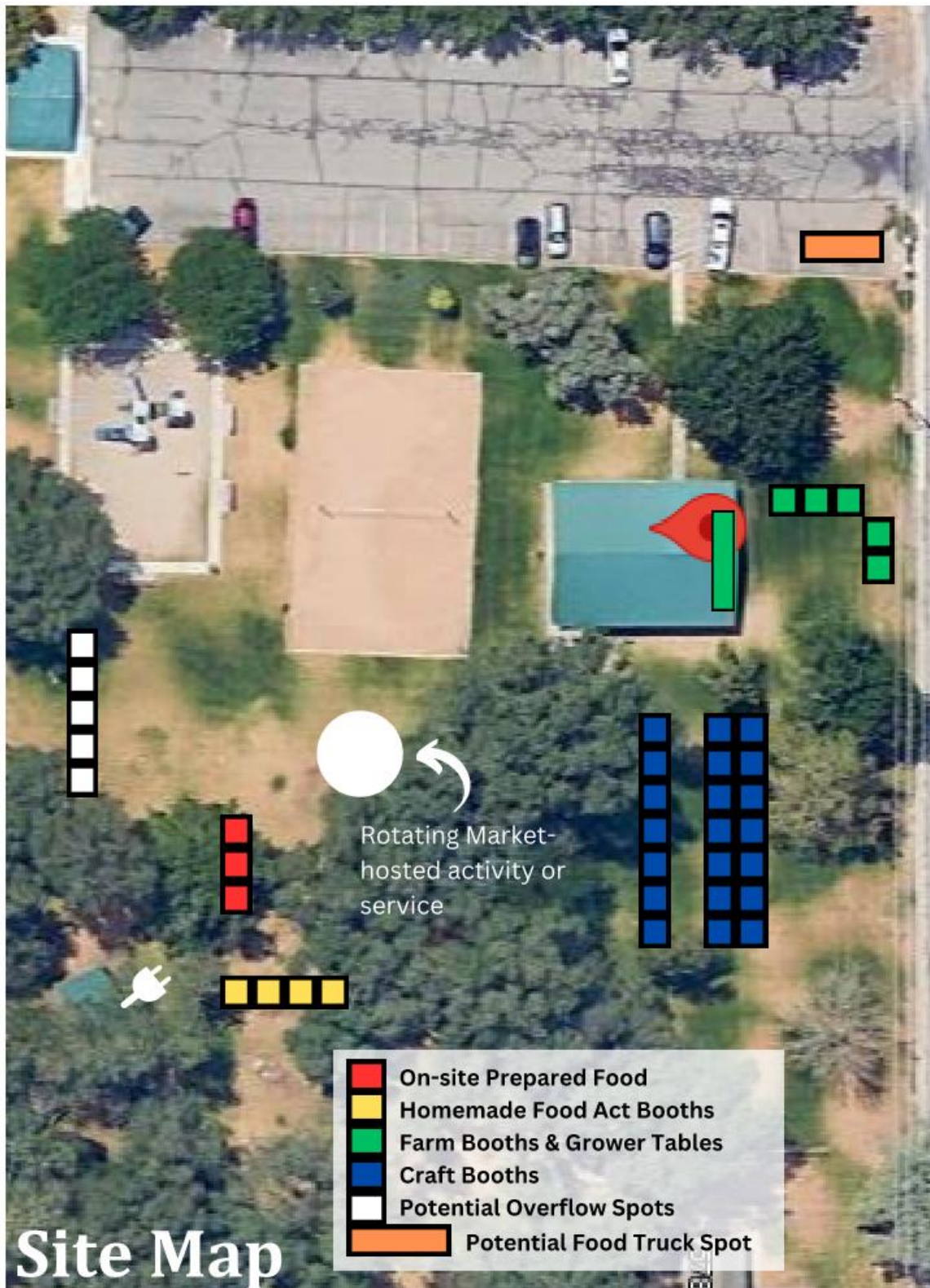


EXHIBIT B - Farmers' Market Projected Financials

Item	Costs	Revenues	Agency/Company	Date Due	Details
LLC Registration Fee	\$54.00		Dep. of Corporations	ASAP	renews annually for \$18
Highland Business Registration	\$90.00		Highland City	ASAP	renews annually for \$90
Outdoor Market Permit	\$75.00		UDAF	ASAP [1]	renews annually
Park Banners (2)	\$270.00		Canyon Copy	May	13 oz scrim vinyl, 3 ft x 6 ft, hems, grommets every 2 feet
Rebar or Sign Posts (x8)	\$40.00		Home Depot	May	1/2 in x 3 ft, possibly taller because of sloped ground
Zip Ties	\$5.00		Home Depot	May	
Flyers and Printed Materials	\$100.00		Canyon Copy	May	
Application Fees from Later Registration		\$400.00	Later Registering Vendors	May, Ongoing	Probably about 20 more vendors.
Corporate Sponsorships Goal		\$500.00			\$150 promised from a local doctor so far
Homemade Food Act Signs (2)	\$120.00		Canyon Copy	June 6th	
Rebar or Posts for Homemade Food Act Signs	\$20.00				
Power Cords, Cover, Hookups	\$300.00		Find Best Options Online	June 6th	
Foldable Trash Cans	\$20.00		Amazon	June 6th	
Trash Bags	\$20.00		Home Depot	June 6th	
Highland Business Renewal	\$90.00		Highland City	June 30th	
Grower Table Vendors (\$5 each, 6 spots, weekly)		\$120.00		June	
Farm Booths (\$10 each, 5 spots, weekly)		\$200.00		June	
Craft & Community Booths (\$30 each, ~20 spots, weekly)		\$2,400.00		June	
Off-site & On-site Prepared Food (\$30 each, ~7 spots, weekly)		\$840.00		June	
Marketing, Giveaways, Activities (\$100 or more weekly)	\$400.00			June	
Grower Table Vendors (\$5 each, 6 spots, weekly)		\$90.00		July	
Farm Booths (\$10 each, 5 spots, weekly)		\$150.00		July	
Craft & Community Booths (\$30 each, ~20 spots, weekly)		\$1,800.00		July	
Off-site & On-site Prepared Food (\$30 each, ~7 spots, weekly)		\$630.00		July	
Marketing, Giveaways, Activities (\$100 or more weekly)	\$300.00			July	
Grower Table Vendors (\$5 each, 6 spots, weekly)		\$120.00		August	
Farm Booths (\$10 each, 5 spots, weekly)		\$200.00		August	
Craft & Community Booths (\$30 each, ~20 spots, weekly)		\$2,400.00		August	
Off-site & On-site Prepared Food (\$30 each, ~7 spots, weekly)		\$840.00		August	
Marketing, Giveaways, Activities (\$100 or more weekly)	\$400.00			August	
Grower Table Vendors (\$5 each, 6 spots, weekly)		\$120.00		September	
Farm Booths (\$10 each, 5 spots, weekly)		\$200.00		September	
Craft & Community Booths (\$30 each, ~20 spots, weekly)		\$2,400.00		September	
Off-site & On-site Prepared Food (\$30 each, ~7 spots, weekly)		\$840.00		September	
Marketing, Giveaways, Activities (\$100 or more weekly)	\$400.00			September	
Totals:	\$2,704.00	\$14,250.00			
Possible Cost of Insurance (\$200 per week)	\$3,000.00				
Total Cost with Insurance	\$5,704.00				

Assuming full vendor capacity, reaching the sponsorship goal, and paying for the insurance, the LLC would net about \$8,546. With putting in 20 hours per week, April through September, this reimburses my labor at \$16.43 per hour. If the event can be on the city's insurance, the LLC would net about \$11,542, reimbursing my labor at \$22.20 per hour.



CITY COUNCIL AGENDA REPORT

ITEM #3e

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: David Mortensen, Finance Director
SUBJECT: Approval of Lone Peak Public Safety District Fiscal Year 2024-2025 Tentative Budget
TYPE: General City Management

PURPOSE:

The City Council will consider approval of the Lone Peak Public Safety District Fiscal Year 2024-2025 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 10, 2024.

STAFF RECOMMENDATION:

Staff recommends approval of the Lone Peak Public Safety District Fiscal Year 2024-2025 Tentative Budget.

PRIOR COUNCIL DIRECTION:

BACKGROUND:

In their April 10, 2024 Board Meeting, the Lone Peak Public Safety District Board heard a proposal from staff for a Fiscal Year 2024-2025 Tentative Budget that included assessments due from Highland City of \$249,175 for Administration, \$3,077,520 for Police, and \$2,399,003 for Fire/EMS. After some discussion, the Board moved and voted to reduce proposed wage increases, stating that they preferred a 6% overall wage increase for both the police and fire departments (market and merit percentage split to be determined by each department chief). The effect of this change, approved by the Board, resulted in a decrease of the Highland City assessment for Police of \$25,264 and a decrease for Fire/EMS of \$44,369 for a combined decrease of \$69,633. The assessment related to Administration did not change. The new proposed Highland City assessments for Police and Fire are \$3,052,256 and \$2,354,634 respectively.

As a part of the interlocal agreement governing Lone Peak, if the Lone Peak Budget increase exceeds a certain amount, it is required to also come to the respective cities for their approval. This Council approval is following that process.

FISCAL IMPACT:

\$3,052,256 in the General Fund, account **10-54-31** (Police - Lone Peak Public Safety Dist.).
\$249,175 in the General Fund account **10-57-11** (Administration Expense).
\$2,354,634 in the General Fund account **10-57-31** (Fire/EMS - Lone Peak Public Safety Dist.)

These numbers are less than what is in the Highland City draft budget that was presented to Council on March 19.

MOTION:

I move that City Council approve the Lone Peak Public Safety District Fiscal Year 2024-2025 Tentative Budget that was adopted by the Lone Peak Public Safety District Board on April 10, 2024.

ATTACHMENTS:

1. LPPSD FY25 Tentative Budget Version 4.0 4-10-24

Lone Peak Public Safety District

Fiscal Year 2024-2025 Tentative Budget

GENERAL FUND SUMMARY 2025

	ACTUALS		ACTUALS		ACTUALS		ADOPTED	PROPOSED
	FY2021		FY2022		FY2023		BUDGET	BUDGET
							FY2024	FY2025
BEGINNING FUND BALANCE:							\$ 2,063,037	\$ 2,063,037
REVENUES:								
Administration	\$	238,882	\$	258,098	\$	314,914	\$ 417,673	\$ 404,671
Police		3,725,082		3,574,781		4,320,833	4,417,652	4,674,652
Fire & EMS		4,042,496		3,988,143		4,445,262	3,887,526	4,169,072
Wildland Deployment		-		-		-	35,000	35,000
TOTAL REVENUE	\$	8,006,460	\$	7,821,023	\$	9,081,009	\$ 8,757,851	\$ 9,283,395
GENERAL FUND EXPENDITURES:								
Administration	\$	194,241	\$	249,197	\$	190,345	\$ 417,673	\$ 404,671
Police		3,641,494		3,624,879		3,822,532	4,417,652	4,674,652
Fire & EMS		3,644,514		3,914,259		4,064,578	3,922,527	4,169,072
Wildland Deployment		-		-		-	-	35,000
TOTAL EXPENDITURES	\$	7,480,249	\$	7,788,335	\$	8,077,456	\$ 8,757,852	\$ 9,283,395
OPERATING SURPLUS(DEFICIT)	\$	526,211	\$	32,688	\$	1,003,553	\$ 0	\$ 0

FUND 10 GENERAL FUND ADMINISTRATION									
ACCT	DESCRIPTION	ACTUALS FY2021	ACTUALS FY2022	ACTUALS FY2023	MID-YEAR ACTUALS DEC 2023	ADOPTED BUDGET FY2024	PROPOSED BUDGET FY2025	CHANGE FY2024 TO FY2025	NOTES
	REVENUES								
10-33-01	Alpine	79,358	84,361	93,759	67,302	134,601	125,496	(9,105)	
10-33-02	Highland	156,070	168,192	192,180	141,282	282,572	249,175	(33,397)	
10-33-15	Interest Earnings	65	144	28,731	49,707	500	30,000	29,500	
10-33-18	Miscellaneous Income	3,389	5,402	244	3,112	-	-	-	
10-33-30	Budgeted Surplus	-	-	-	-	-	-	-	
	TOTAL REVENUES	238,882	258,098	314,914	261,403	417,673	404,671	(13,002)	
	EXPENDITURES								
10-43-10	Wages - Permanent Employees	51,126	47,653	36,632	60,651	138,200	160,600	22,400	Includes a 5% market adj and 10% insurance increase
10-43-33	Public Information	97	476	41	41	500	500	-	
10-43-40	Postage - Misc Supplies	853	679	694	83	1,000	1,000	-	
10-43-50	FICA Refund	(16)	-	-	-	-	-	-	
10-43-61	Legal Fees	-	3,638	3,263	450	6,000	5,000	(1,000)	
10-43-62	Audit Fees	4,183	6,300	7,000	3,917	7,000	7,000	-	
10-43-79	Insurance	105	105	106	69	200	200	-	
10-43-80	Alpine Dispatch	43,587	51,868	42,795	14,260	80,487	76,530	(3,957)	
10-43-81	Highland Dispatch	87,812	105,495	89,775	31,189	176,036	149,959	(26,077)	
10-43-88	Board Expenses	173	39	33	11	250	250	-	
10-43-89	Employee Relations	-	-	2,875	-	-	-	-	
10-43-90	Miscellaneous Expense	6,322	32,946	7,132	1,059	8,000	3,632	(4,368)	
	TOTAL EXPENDITURES	194,241	249,197	190,345	111,730	417,673	404,671	(13,002)	
	Surplus (Deficit)	44,641	8,901	124,569	149,673	-	-		

FUND 10 GENERAL FUND POLICE									
ACCT	DESCRIPTION	ACTUALS FY2021	ACTUALS FY2022	ACTUALS FY2023	MID-YEAR ACTUALS DEC 2023	ADOPTED BUDGET FY2024	PROPOSED BUDGET FY2025	CHANGE FY2024 TO FY2025	NOTES
REVENUES									
10-35-01	Alpine	1,216,224	1,210,840	1,392,648	725,676	1,451,350	1,506,396	55,046	
10-35-02	Highland	2,228,780	2,264,784	2,689,059	1,428,654	2,857,303	3,052,256	194,953	
10-35-04	Alpine School District	70,340	74,540	93,400	3,900	72,000	80,000	8,000	
10-35-09	Court Revenue	19	200	111	37	-	-	-	
10-35-10	Police Report Charges	5,901	4,389	4,721	2,090	3,500	3,500	-	
10-35-11	Finger Printing	685	601	1,363	545	1,000	1,000	-	
10-35-12	Dog License Revenue	134	(189)	64	179	-	-	-	
10-35-13	Security Services	3,885	2,889	2,411	4,604	1,500	2,500	1,000	
10-35-17	Credit Card Cash Back	1,201	1,193	1,446	734	1,000	1,000	-	
10-35-18	Miscellaneous Income	63,603	8,091	8,525	3,361	6,000	6,000	-	
10-35-19	K-9 Donations	27	-	-	-	-	-	-	
10-35-20	Grants	12,939	6,206	74,213	40	8,000	8,000	-	Equipment grants (cameras, breathalizers, etc...)
10-35-25	Proceeds From Lease	99,488	-	-	-	-	-	-	
10-35-30	Budgeted Surplus	-	-	-	-	-	-	-	
10-35-40	Proceeds from Sale of Asset	21,858	1,238	52,874	-	16,000	14,000	(2,000)	Vehicle surplus
TOTAL REVENUES		3,725,082	3,574,781	4,320,833	2,169,819	4,417,652	4,674,652	257,000	
EXPENDITURES									
10-45-10	Wages - Permanent Employees	1,558,605	1,559,377	1,824,960	1,023,868	1,911,175	2,065,130	153,955	6% increase (market % and merit % TBD)
10-45-11	Holiday Pay	11,313	21,774	11,191	3,593	66,205	-	(66,205)	Removed and rolled into 10-45-10
10-45-12	Overtime	40,321	47,386	119,787	67,530	72,000	100,000	28,000	Increase to match percentage in 10-45-10
10-45-13	Wages - Crossing Guards	83,085	81,197	66,877	17,817	96,000	85,000	(11,000)	Fewer shifts with all day kindergarten
10-45-14	Wages - Part Time	22,718	9,080	(291)	3,200	36,850	30,500	(6,350)	
10-45-16	Call Pay - Police	16,893	19,626	27,665	14,133	25,000	27,500	2,500	Increase to match percentage in 10-45-10
10-45-18	Specialty Pay	3,873	-	-	-	6,000	6,000	-	K-9 Handler
10-45-20	Medical Benefits	432,421	391,045	443,765	248,215	518,095	579,907	61,812	Includes 10% increase pending renewal rates
10-45-21	Retirement	462,772	492,137	549,347	317,620	668,534	664,759	(3,775)	Tier 1 contribution rate decrease
10-45-22	FICA/Medicare	25,302	25,618	30,733	16,451	31,045	32,508	1,463	Tied to wage increases
10-45-23	401K	53,451	46,768	44,968	25,683	110,373	114,984	4,611	Increase to match percentage in 10-45-10

FUND 10 GENERAL FUND POLICE									
ACCT	DESCRIPTION	ACTUALS FY2021	ACTUALS FY2022	ACTUALS FY2023	MID-YEAR ACTUALS DEC 2023	ADOPTED BUDGET FY2024	PROPOSED BUDGET FY2025	CHANGE FY2024 TO FY2025	NOTES
10-45-25	Uniform Expense	42,913	43,528	47,833	19,024	43,090	43,090	-	
10-45-31	Dues, Subscriptions, Ref Matls	2,874	2,645	4,353	717	1,750	1,750	-	
10-45-33	Public Education	3,910	4,046	10,656	200	4,000	4,000	-	
10-45-34	NOVA & School Lunch	917	1,734	1,953	956	2,200	2,200	-	
10-45-35	Grant Expense	-	-	6,827	8,201	-	8,000	8,000	Equipment Grants (cameras, breathalizers, etc...)
10-45-38	Travel Expense	8,347	8,271	9,789	5,627	8,500	9,000	500	Cost to travel has increased
10-45-40	Postage, Printing, Misc Suppl	10,989	11,969	11,256	5,663	10,300	10,300	-	
10-45-50	K-9 Expenses	3,786	458	-	-	3,000	3,000	-	
10-45-52	Utilities Expense	26,834	45,385	40,769	11,379	39,100	44,186	5,086	Google, T-Mobile increases
10-45-57	Drug Screens	2,580	1,798	2,825	730	1,800	2,000	200	Price per screen has increased
10-45-58	Professional Services/Contract	106,772	137,556	131,575	67,991	106,787	114,819	8,032	Loss of mental mealth grant/contract increases
10-45-59	Building Maintenance	21,728	16,598	7,159	1,591	22,500	22,000	(500)	
10-45-61	Chief's Admin	10,146	8,603	8,756	6,023	8,000	8,000	-	
10-45-68	Training	15,493	19,137	20,445	6,117	18,550	18,550	-	
10-45-69	Rent	132,110	132,110	132,110	33,028	132,100	132,100	-	
10-45-71	Fuel	47,888	66,808	67,491	32,850	65,000	67,000	2,000	
10-45-73	Vehicle Supplies/Maintenance	71,148	27,404	28,884	23,034	37,000	40,900	3,900	Tires, cost of repair
10-45-74	Vehicle Lease	161,521	205,962	759	172,362	192,679	257,449	64,770	3 new vehicles / motor lease
10-45-76	Vehicle Replacement	-	23,760	-	-	-	-	-	
10-45-77	Equipment Replacement	56,293	89,711	66,549	35,103	62,975	62,975	-	
10-45-78	Capital	108,354	3,546	10,132	-	9,295	9,295	-	
10-45-79	Insurance	69,661	66,466	80,980	67,307	93,000	93,000	-	
10-45-80	Bankcard Fees	1,934	4,107	793	271	1,200	1,200	-	
10-45-89	Animal Control	3,845	2,265	1,857	1,061	4,000	4,000	-	
10-45-90	Police Supplies	20,696	7,002	9,780	12,585	9,550	9,550	-	
	TOTAL EXPENDITURES	3,641,494	3,624,879	3,822,532	2,249,929	4,417,652	4,674,652	257,000	
	Surplus (Deficit)	83,588	(50,098)	498,300	(80,110)	-	-		

FUND 10 GENERAL FUND FIRE & EMS									
ACCT	DESCRIPTION	ACTUALS FY2021	ACTUALS FY2022	ACTUALS FY2023	MID-YEAR ACTUALS DEC 2023	ADOPTED BUDGET FY2024	PROPOSED BUDGET FY2025	CHANGE FY2024 TO FY2025	NOTES
	REVENUES								
10-37-01	Alpine	1,097,275	1,117,509	1,193,680	620,376	1,261,436	1,310,638	49,202	
10-37-02	Highland	1,813,536	1,831,356	2,058,415	1,086,876	2,209,990	2,354,634	144,644	
10-37-05	Utah County	7,145	8,384	23,409	18,659	10,300	23,000	12,700	
10-37-11	Charges for Services	410,353	519,751	504,815	258,737	400,000	475,000	75,000	
10-37-15	Burn Permits	1,230	-	-	-	-	-	-	
10-37-17	Credit Card Cash Back	1,541	1,133	1,728	1,501	1,000	1,000	-	
10-37-18	Miscellaneous Income	124,873	18,387	153	-	-	-	-	
10-37-20	Grants	35,395	10,299	132,421	6,269	4,800	4,800	-	
10-37-25	Proceeds From Lease	3,703	-	-	-	-	-	-	
10-37-30	Budgeted Surplus	-	-	-	-	-	-	-	
10-37-40	Proceeds from Sale of Asset	-	21,900	34,000	-	-	-	-	
10-37-41	Aid Provided to Other Agencies	547,443	459,423	496,641	77	-	-	-	
	TOTAL REVENUES	4,042,496	3,988,143	4,445,262	1,992,495	3,887,526	4,169,072	281,546	
	EXPENDITURES								
10-47-10	Wages - Permanent Employees	1,289,959	1,035,445	1,552,642	820,068	1,646,036	1,765,584	119,548	6% increase (market % and merit % TBD)
10-47-11	Overtime Wages/Standby	127,865	156,988	144,046	100,495	135,947	142,155	6,208	Backfill for paramedic student
10-47-14	Part Time Employees	560,711	497,512	339,451	86,525	278,360	320,753	42,393	Backfill for para. student, events, & firework holidays
10-47-13	Holiday Pay	-	2,790	32,059	7,218	64,189	76,189	12,000	Increase due to wage increase
10-47-18	Special Payouts	(5)	-	-	-	-	-	-	
10-47-20	Medical Benefits	331,832	310,352	409,401	204,020	427,475	460,168	32,693	Includes 10% increase pending renewal rates
10-47-21	Retirement	258,469	281,681	343,444	182,094	471,350	458,308	(13,042)	Tier 1 contribution rate decrease
10-47-22	FICA/Medicare	28,480	27,445	33,081	14,822	30,840	33,567	2,727	Tied to wage increases
10-47-23	Wildland Deployment Wages	9,471	156,012	165,239	-	-	-	-	
10-47-25	Uniform Expense	18,905	28,087	19,866	11,913	21,566	21,566	-	
10-47-29	State Medicaid Fund	9,695	17,499	10,566	8,666	16,400	18,000	1,600	
10-47-31	Dues, Subscriptions, Ref Matls	1,012	1,756	1,088	1,501	3,132	3,132	-	
10-47-32	Equipment Repairs	2,610	68	-	-	5,500	5,500	-	

FUND 10 GENERAL FUND FIRE & EMS									
ACCT	DESCRIPTION	ACTUALS FY2021	ACTUALS FY2022	ACTUALS FY2023	MID-YEAR ACTUALS DEC 2023	ADOPTED BUDGET FY2024	PROPOSED BUDGET FY2025	CHANGE FY2024 TO FY2025	NOTES
10-47-33	Public Education	1,705	-	663	2,018	2,000	2,000	-	
10-47-34	Equipment Maintenance	8,968	2,730	8,223	7,661	11,054	13,000	1,946	
10-47-35	Station Supplies-Consumable	3,899	2,454	2,095	2,688	4,000	3,500	(500)	
10-47-37	Cell Phones & Devices	8,809	10,549	14,030	6,041	12,464	14,030	1,566	
10-47-39	IT Services & Computers	11,125	9,063	18,334	6,352	14,148	16,148	2,000	
10-47-40	Postage, Printing, Misc Suppl	3,855	3,876	4,020	1,788	5,000	4,500	(500)	
10-47-41	Employee Recognition	3,667	4,490	4,323	722	4,487	4,487	-	
10-47-42	Professional & Technical Serv	32,224	32,040	24,347	20,542	33,878	40,000	6,122	Loss of mental health grant/contract increases
10-47-43	Medical Equipment	31,622	2,874	7,869	-	6,500	6,500	-	
10-47-44	Protective Clothing	5,775	65,071	49,703	15,061	28,298	29,000	702	
10-47-45	Food & Beverage	2,472	5,254	5,305	2,692	3,845	5,000	1,155	
10-47-46	Grants	-	5,420	-	-	-	-	-	
10-47-49	Medical Supplies	37,507	39,471	30,479	15,961	35,420	35,420	-	
10-47-50	Capital Projects	42,345	432,172	136,720	16,537	60,000	60,000	-	
10-47-52	Utilities	26,636	28,089	31,720	11,392	27,413	32,000	4,587	
10-47-58	Exp Aid Provided Oth. Agencies	38,611	95,516	54,386	-	-	-	-	
10-47-59	Building Maintenance	17,342	17,269	15,055	3,804	17,388	16,000	(1,388)	
10-47-60	Radio Service	1,200	2,747	1,200	620	-	-	-	
10-47-63	Billing and Collection	22,392	26,263	27,966	13,029	24,650	27,000	2,350	
10-47-68	Training	23,890	32,478	17,317	7,636	25,370	45,000	19,630	Paramedic school, ALLPS training
10-47-69	Rent	126,860	126,860	126,860	31,715	126,860	126,860	-	
10-47-71	Fuel	21,754	53,768	37,893	10,307	35,420	38,000	2,580	
10-47-73	Vehicle Supplies/Maintenance	45,236	37,807	83,874	37,515	43,282	47,000	3,718	Increase due to aging fleet
10-47-74	Vehicle Lease	209,312	251,564	210,299	90,725	176,205	176,205	-	
10-47-78	Equipment	48,344	24,169	8,400	11,015	21,643	20,000	(1,643)	
10-47-79	Insurance	82,769	77,332	88,861	67,975	97,407	97,500	93	
10-47-90	Miscellaneous Expense	140,253	2,336	3,756	206	5,000	5,000	-	
10-47-91	Equipment Lease	6,937	6,961	-	-	-	-	-	
	TOTAL EXPENDITURES	3,644,514	3,914,259	4,064,578	1,821,324	3,922,527	4,169,072	246,545	
	Surplus (Deficit)	397,982	73,885	380,684	171,171	(35,001)	-		

FUND 10									
GENERAL FUND									
WILDLAND DEPLOYMENT									
ACCT	DESCRIPTION	ACTUALS FY2021	ACTUALS FY2022	ACTUALS FY2023	MID-YEAR ACTUALS DEC 2023	ADOPTED BUDGET FY2024	PROPOSED BUDGET FY2025	CHANGE FY2024 TO FY2025	NOTES
REVENUES									
10-38-41	Aid Provided to Other Agencies	-	-	-	5,254	35,000	35,000	-	\$395,709.74 received during Jan-Feb 2024
TOTAL REVENUES		-	-	-	5,254	35,000	35,000	-	
EXPENDITURES									
10-48-10	Wildland Deployment Wages	-	-	-	167,463	-	35,000	35,000	
10-48-14	Wildland Deployment PT Wages	-	-	-	-	-	-	-	
10-48-20	Medical Benefits to Wildland	-	-	-	8,232	-	-	-	
10-48-21	Retirement to Wildland	-	-	-	5,016	-	-	-	
10-48-22	FICA/Medicare to Wildland	-	-	-	2,196	-	-	-	
10-48-58	Exp Aid Provided Oth. Agencies	-	-	-	83,520	-	-	-	
TOTAL EXPENDITURES		-	-	-	266,427	-	35,000	35,000	
Surplus (Deficit)		-	-	-	(261,173)	35,000	-		

FUND 91									
DEPRECIATION EXPENSE									
ACCT	DESCRIPTION	ACTUALS FY2021	ACTUALS FY2022	ACTUALS FY2023	MID-YEAR ACTUALS DEC 2023	ADOPTED BUDGET FY2024	PROPOSED BUDGET FY2025	CHANGE FY2024 TO FY2025	NOTES
REVENUES									
91-30-10	Disposition Fixed Assets	21,237	-	-	-	-	-	-	
TOTAL REVENUES		21,237	-	-	-	-	-	-	
EXPENDITURES									
91-40-10	Police Depr. Expense	11,864	118,293	166,536	-	400,000	200,000	(200,000)	
91-40-20	Fire Depr. Expense	-	259,349	255,536	-	300,000	300,000	-	
TOTAL EXPENDITURES		11,864	377,642	422,072	-	700,000	500,000	(200,000)	

FY2025 LPPSD City Assessments

Annual	Fire	Police	Admin	Total
Alpine	\$ 1,310,638	\$ 1,506,396	\$ 125,496	\$ 2,942,530
Highland	\$ 2,354,634	\$ 3,052,256	\$ 249,175	\$ 5,656,065
TOTAL	\$ 3,665,272	\$ 4,558,652	\$ 374,671	\$ 8,598,595

FY2024 Assessments (Prior Year)

Annual	Fire	Police	Admin	Total
Alpine	\$ 1,261,436	\$ 1,451,350	\$ 134,601	\$ 2,826,702
Highland	\$ 2,209,990	\$ 2,857,303	\$ 282,572	\$ 5,313,625
TOTAL	\$ 3,471,426	\$ 4,308,652	\$ 417,173	\$ 8,140,327

Change Over Prior Year

Annual	Fire	Police	Admin	Total
Alpine	\$49,202 (3.9%)	\$55,046 (3.8%)	-\$9,105 (-6.8%)	\$115,828 (4.1%)
Highland	\$144,644 (6.5%)	\$194,953 (6.8%)	-\$33,397 (-11.8%)	\$342,440 (6.4%)
TOTAL	\$193,846 (5.6%)	\$250,000 (5.8%)	-\$42,502 (-10.2%)	\$458,268 (5.6%)

Changes from 3/19/24 Tentative Version to 4/10/24 Tentative Version

General Fund:

General Fund Revenues			Previous Amount	Change	New Amount
10-35-01	Police - Alpine Assessment	Decrease due to wage recalculations	1,533,077	(26,681)	1,506,396
10-35-02	Police - Highland Assessment	Decrease due to wage recalculations	3,106,318	(54,062)	3,052,256
10-37-01	Fire - Alpine Assessment	Decrease due to wage, staffing, and fleet changes	1,345,823	(35,185)	1,310,638
10-37-02	Fire - Highland Assessment	Decrease due to wage, staffing, and fleet changes	2,417,847	(63,213)	2,354,634
Total Revenues				(179,141)	
General Fund Expenditures			Previous Amount	Change	New Amount
10-45-10	Police - Wages - Permanent Employees	Decrease due to wage recalculations	2,121,704	(56,574)	2,065,130
10-45-20	Police - Medical Benefits	Decrease due to wage recalculation/ updated premiums	581,614	(1,707)	579,907
10-45-21	Police - Retirement	Decrease due to wage recalculations	683,573	(18,814)	664,759
10-45-22	Police - FICA/Medicare	Decrease due to wage recalculations	33,328	(820)	32,508
10-45-23	Police - 401(k)	Decrease due to wage recalculations	117,812	(2,828)	114,984
10-47-10	Fire - Wages - Permanent Employees	Decrease due to Board wage recommendation	1,813,229	(47,645)	1,765,584
10-47-14	Fire - Part Time Employees	Decrease due to additional staffing analysis	331,018	(10,265)	320,753
10-47-20	Fire - Medical Benefits	Decrease for updated insurance premiums	461,665	(1,497)	460,168
10-47-21	Fire - Retirement	Decrease due to Board wage recommendation	478,100	(19,792)	458,308
10-47-22	Fire - FICA/Medicare	Decrease due to Board wage recommendation	34,765	(1,198)	33,567
10-47-73	Fire - Vehicle Supplies/Maintenance	Decrease due to fleet replacement	65,000	(18,000)	47,000
Total Expenditures				(179,140)	
Total General Fund				(1)	

Changes from 3/19/24 Tentative Version to 4/10/24 Tentative Version

Depreciation Fund:

Depreciation Fund Revenues

Previous AmountChangeNew Amount

-

-

Total Revenues

-

Depreciation Fund Expenditures

Previous AmountChangeNew Amount

91-40-10 Police Depreciation Expense Increased based on prior year and new equipment

135,00065,000200,000

91-40-20 Fire Depreciation Expense Increased based on prior year and new equipment

298,0002,000300,000

Total Expenditures

67,000

Total General Fund

(67,000)



CITY COUNCIL AGENDA REPORT

ITEM #3f

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Andy Spencer, City Engineer/Public Works Director
SUBJECT: Mountain Ridge Park Phase 2 Contracts
TYPE: General City Management

PURPOSE:

The City Council will consider awarding contracts to award the primary construction items for Mountain Ridge Park Phase 2.

STAFF RECOMMENDATION:

Staff recommends awarding contracts to Stratton & Bratt, S & L, and Eckles Paving.

PRIOR COUNCIL DIRECTION:

On December 5, 2023, the Council approved the use of \$1.3M in Parks Impact fee funds for Mountain Ridge Phase 2 in addition to the \$700,000 left over from Phase I construction. The Council also subsequently provided direction relative to priority items for the Phase 2 potential items that could be added to the park.

BACKGROUND:

With the approval of \$1.3M in Park Impact Fees, the available City funds for Mountain Ridge Park Phase 2 is approximately \$2M. A Highland City family has agreed to donate \$250,000 towards the baseball field. This donation increases the current budget to \$2,250,000. Since the time of the donor reviewing the baseball field and the Council providing guidance on priorities, the staff have been working to refine the designs to implement and get final bids.

- A bid for the balance of all planted areas (topsoil, sprinklers, grass, and trees, shrubs, rock) has been provided by Stratton & Bratt in the amount of \$1,197,625.62, based upon the topsoil import option #2 on their bid form.
- A bid for the asphalt trail has been provided by Eckles paving in the amount of \$56,295.50.
- A budgetary bid for the baseball field and the associated critical items has been provided by S & L in the amount of \$774,296.25. The final bids for some baseball related items were not available by the Council packet preparation deadline. However, the provided costs are very close to the final costs.
- The total of these three core items is \$2,028,217, with a 10% contingency, the total cost is \$2,231,039. There will also be some design and construction related expenses from the landscape architect and engineering teams that will likely be equivalent to the remaining available budget.

S & L is proposing to complete the work for a fixed Construction Management fee of \$73,400 and a 5% markup on subcontracts and direct in-house expenses. This will allow the City team to work with S & L to find the most efficient way of completing the baseball field and any other items that the City is able to find funds to construct. Even though the available funds are not dramatically in excess of the contingent budgets, knowing that some donations are still in process of coming in, staff is comfortable in recommending to the Council that construction proceed on the three large items described above. It is feared that if we do not proceed with construction, we will not be able to complete the improvements in calendar year 2024.

Items that do not yet have funding available are:

- Ninja Course
- Stage Foundation
- Shades and Bleachers for Baseball Area
- Futsol Fence
- Exterior Fencing of the Park
- Additional Security Cameras
- Conduits for Future Lighting
- Matineance Building
- Baseball Field Maintenance Building

The estimated costs for these items without contingency funding is \$1,200,000. Staff and Council can continue to have conversations regarding fundraising and using other city funds to add these amenities while initial work begins on the landscaping, trail, and baseball field.

FISCAL IMPACT:

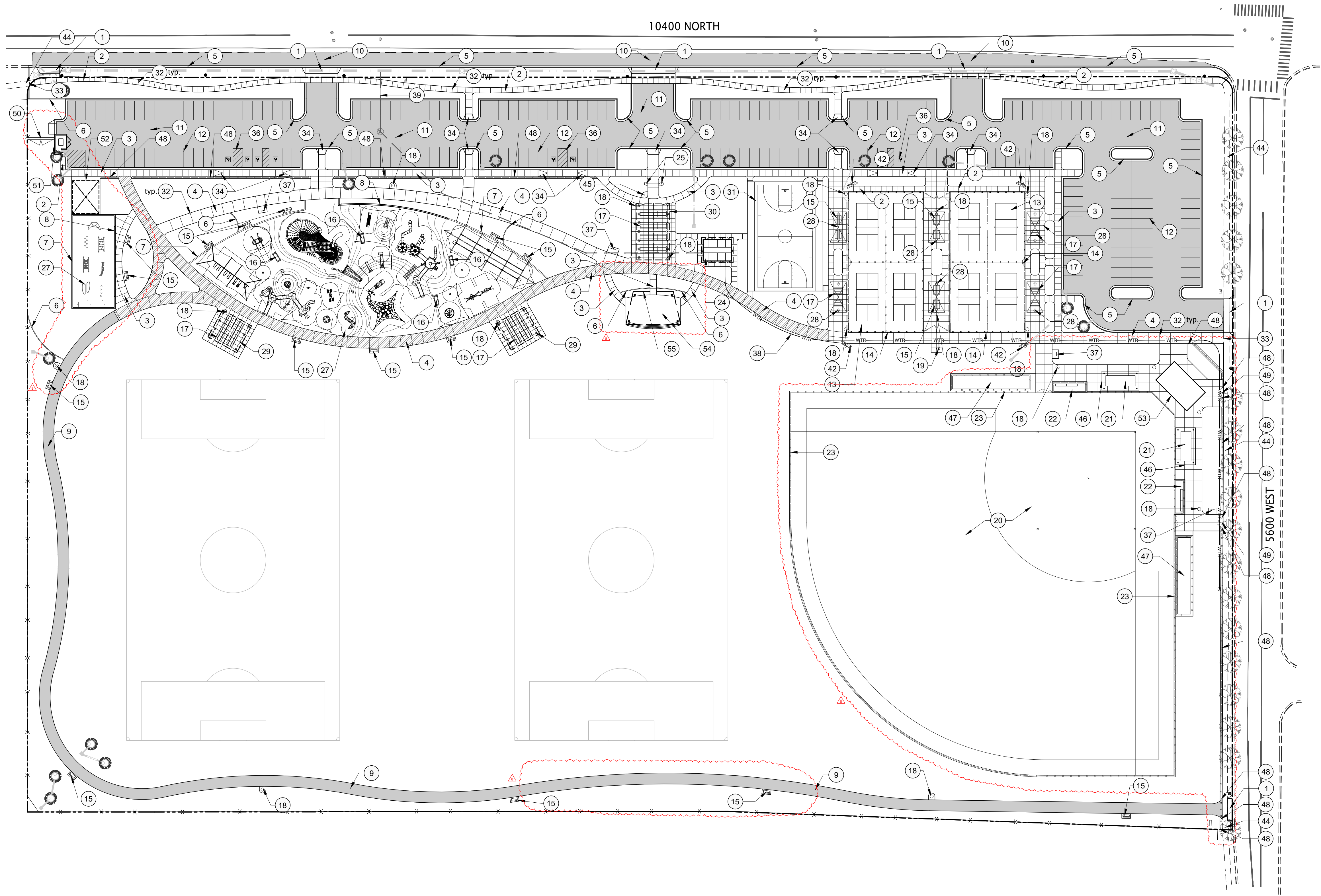
The cost of this phase of the Mountain Ridge Park project is \$2,231,039. Funding for this expense is included both in FY 2024 and FY2025 in GL 40-40-78, Mountain Ridge Park. There will need to be an end of year budget adjustment in FY2024 to reflect the final expenditures for the park that will be paid in FY 2024. Staff is closely tracking the available funds and expenditures to ensure that expenses do not exceed the available resources.

MOTION:

I move that City Council APPROVE contracts for Mountain Ridge Park, Phase 2 with Stratton & Bratt in an amount up to \$1,317,388.18, Eckles Paving in an amount up to \$61,925, and S & L, Inc. in an amount up to \$851,726 and AUTHORIZE the City Administrator to sign the contracts.

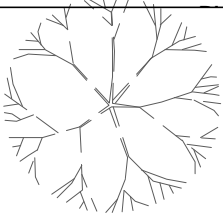
ATTACHMENTS:

1. Mountain Ridge Phase 2 - Site Plan
2. Stratton and Bratt - Mountain Ridge Park Phase 2 - Bid
3. Eckles Phase 2 - Highland City Trail - Mountain Ridge Park
4. S & L Mountain Ridge Park - Baseball Field - Prelim Estimate



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	DETAIL
1	CONCRETE DRIVE APPROACH WITH REMOVABLE BOLLARDS	SEE CIVIL
2	5" CONCRETE WALK	1/SP5.3
3	6" CONCRETE WALK	1/SP5.3
4	10" CONCRETE WALK	1/SP5.3
5	CURB AND GUTTER	SEE CIVIL
6	6" CONCRETE EDGER	2/SP5.3
7	PLAYGROUND EDGER	6/SP5.3
8	PLAYGROUND WALL	7/SP5.3
9	10" ASPHALT TRAIL	SEE CIVIL
10	ASPHALT ROAD	SEE CIVIL
11	ASPHALT PARKING	SEE CIVIL
12	PARKING LOT STRIPING	SEE CIVIL
13	PICKLEBALL COURT	1/SP5.1
14	PICKLEBALL FENCE	2, 4-6/SP5.1
15	PARK BENCH WITH BACK	3/SP5.3
16	BACKLESS PARK BENCH ON CONCRETE PAD	--
17	PICNIC TABLE	--
18	TRASH RECEPTACLE	4/SP5.3
19	DRINKING FOUNTAIN	5-6/SP5.4
20	BASEBALL FIELD	
21	BLEACHER	
22	DUGOUT WITH PLAYER BENCHES & ROOF	
23	BASEBALL FIELD FENCE WITH MOWSTRIP	
24	RESTROOM	SEE CXT PLANS
25	ENTRY MONUMENT	6-7/SP5.3
26	DONOR RECOGNITION WALL	
27	PLAYGROUND, EQUIP. & SURFACING BY OTHERS (N.I.C.)	5/SP5.3
28	SHADE STRUCTURE	3/SP5.4
29	PAVILION	2/SP5.4
30	LARGE PAVILION	1/SP5.4
31	BASKETBALL COURT	1/SP5.2
32	CONCRETE CONTROL JOINT	1/SP5.3
33	CONCRETE EXPANSION JOINT	1/SP5.3
34	ADA RAMP	SEE CIVIL
35	PEDESTRIAN CROSSING	SEE CIVIL
36	ADA STRIPING/SIGNAGE	SEE CIVIL
37	BIKE RACK	--
38	WATER LINE	SEE CIVIL
39	SEWER LINE	SEE CIVIL
40	STORM LINE	SEE CIVIL
41	IRRIGATION POC	SEE CIVIL, IRRIGATION
42	PICKLEBALL COURT LIGHT	SEE ELECTRICAL
43	OVERHEAD LIGHT	SEE ELECTRICAL
44	EXISTING CONCRETE WALK TO REMAIN	--
45	FLAGPOLE	
46	BLEACHER SHADE STRUCTURE	
47	BATTING CAGE	
48	ORNAMENTAL FENCE WITH 2' MOW STRIP	
49	ORNAMENTAL GATE	
50	CHAIN LINK MAINTENANCE GATE	
51	DUMPSTER ENCLOSURE	
52	MAINTENANCE BUILDING	
53	MAINTENANCE BUILDING WITH SCORE BOOTH	
54	STAGE	
55	STAGE CANOPY	

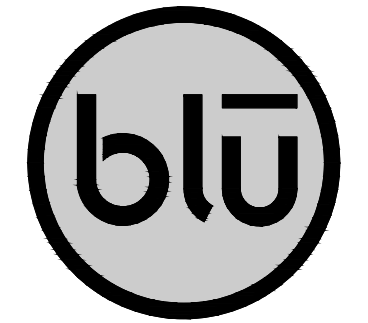


EXISTING TREE TO REMAIN AND BE PROTECTED

SCALE: 1" = 50'



CONFORMANCE SET



blu line designs
planning | landscape architecture | design
8719 S. Sandy Parkway
Sandy, UT 84070
p 801.913.7994

OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

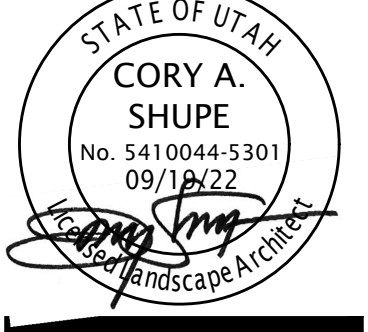
CONTACT:
ANDY SPENCER
PH: 801-772-4508



HIGHLAND CITY
MOUNTAIN RIDGE PARK
10400 N 5600 W
HIGHLAND, UT 84003

REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMIT
2	ISSUED FOR PERMIT
3	ISSUED FOR PERMIT
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7	ISSUED FOR PERMIT
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54	ISSUED FOR PERMIT
55	ISSUED FOR PERMIT

Stamp



Designed By: RBD
Drawn By: BP
Date: 09.19.22
Checked By: CAS
Project No: 18-224

Drawing Title
OVERALL
SITE PLAN

Drawing number

SP1.0



STRATTON & BRÄTT

To:	Highland City	Contact:	Andy Spencer
Address:	Highland City, UTAH	Phone:	
		Fax:	
Project Name:	Mountain Ridge Park Phase 2	Bid Number:	24-0107
Project Location:	Highland, UT	Bid Date:	4/3/2024

Stratton and Bratt is pleased to present to you our comprehensive landscape proposal, carefully tailored to meet your project's specific needs. As a trusted provider of high-quality landscape services, we have built a reputation for delivering excellence for a wide range of projects, from residential developments to commercial properties and public spaces. You can be confident that your project will benefit from our commitment to quality craftsmanship, attention to detail, and use of sustainable practices.

In the following pages of this proposal, you will find a detailed breakdown of our recommended approach. We are confident that our proposal will demonstrate our expertise and showcase the value we can bring to your project. Thank you for considering Stratton and Bratt for your project.

Item #	Item Description	Estimated Quantity	Unit	Total Price
General Conditions	General Conditions listed below per the project requirements: Items not listed have been excluded. No allowance has been made for protection or repair of any existing landscaping onsite or on adjacent property. Take-off quantities will be verified against the plans. This estimate is subject to change based on provided information. Assumes finished subgrade is to +/- 1/10th foot: Done By Others	0.00	UNIT	\$0.00
Irrigation	Irrigation System (Details) Materials And Installation Of Complete commercial grade, automated System Per Design Specs.(Excludes Baseball Diamond area)	1.00	UNIT	\$371,155.84
Trees 2" cal	Plants (Deciduous Trees 2" Cal) Delivery And Installation With Backfill Soil Mixture And Staked Per Design Specs.	54.00	EACH	\$30,245.40
Evergreen	Plants (Evergreen Trees 6-7") Delivery And Installation With Backfill Soil Mixture And Staked Per Design Specs.	15.00	EACH	\$11,297.70
Shrubs 5 gal	Plants (Shrubs 5 Gal) Delivery And Installation With Backfill Soil Mixture And Placed Per Design Specs.	180.00	EACH	\$11,539.80
Grasses	Plants (Grasses 1 Gal) Delivery And Installation With Backfill Soil Mixture And Placed Per Design Specs.	17.00	EACH	\$554.71
Perennials	Plants (Perennials 1 Gal) Delivery And Installation With Backfill Soil Mixture And Placed Per Design Specs.	74.00	EACH	\$1,616.16
Fabric	Weed Barrier Fabric, Installed Under All Rock Mulch Areas	27,850.00	SF	\$12,811.00
Rock Mulch	Rock Mulch (4" Depth) 1 -1.5" crushed Bonneville Blend rock mulch to match existing per design specs. Depth of 4"	345.00	CY	\$40,830.75
Finishing	Fine Leveling, Eliminating Larger Materials, Create Smooth, Level Ground Free Of Depressions Or Undulations.	293,579.00	SF	\$29,357.90
Sod/Turf	Sod (Turf, S&B Labor) Locally Grown Sod With Native Seed Mix. Kentucky bluegrass per design specs.	265,775.00	SF	\$263,117.25

Total Bid Price: \$772,526.51

Baseball Field

Topsoil Import And Place	1,082.00	UNIT	\$48,982.14
Irrigation System (Details) Materials And Installation Of Complete commercial grade, automated System Per Design Specs.	1.00	LS	\$78,545.64
Sod (Turf, S&B Labor)	87,640.00	SF	\$69,235.60

Total Price for above Baseball Field Items: \$196,763.38

Topsoil Import Opt 1

Topsoil Import And Place 6" In Sod (4,921 CY) And 12" In Planters (1,033) No Allowance For Compaction In The Quantities. This Is Per The Current Spec 5,950.00 UNIT \$267,809.50

Total Price for above Topsoil Import Opt 1 Items: \$267,809.50

Topsoil Import Opt 2

Topsoil Import And Place 6" (4,921 CY) In Sod Areas And Then Back Fill Around Plants (152 CY) No Allowance For Compaction In The Quantities 5,073.00 UNIT \$228,335.73

Total Price for above Topsoil Import Opt 2 Items: \$228,335.73

Topsoil Import Opt 3

Topsoil Import And Place 4" (3,281 CY) In Sod Areas And Back Fill Around Plants (152 CY) No Allowance For Compaction In The Quantities 3,433.00 UNIT \$154,519.33

Total Price for above Topsoil Import Opt 3 Items: \$154,519.33

Topsoil Place Only

Topsoil Place and install onsite topsoil. depths of 6" in turf areas and 12" in planters - No allowance for screening or stockpiling. 5,950.00 CY \$79,075.50

Total Price for above Topsoil Place Only Items: \$79,075.50

Notes:

- **Prices valid for 30 days** after which point an add for inflation may apply on labor and materials
- Due to the volatility in material prices, we assume that we will be able to submit a request for increased material costs at contract time and also within 30 days of the start date of construction.
- The estimate is subject to change and provided based on the information available at the time of preparation. If there are significant changes to the project requirements, scope of work, site conditions, or other factors, the estimate may need to be revised accordingly.
- Berms and subgrade by others at +/- 10th foot.
- Assumes all landscaping is on ground level and sufficient access
- Any repairs or modifications to existing irrigation systems or existing landscape areas will result in a change order. The change order will need to be agreed upon and signed before work continues.
- No allowance to replace existing trees or plants damaged during construction by others.
- Water meter, power to controller, irrigation water-supply stub and stop and waste valve by others
- No allowance for core drilling, asphalt/concrete cutting and patching (assumes adequate sleeving is installed or that Stratton and Bratt will have at least a one week notice to install sleeving before asphalt/concrete is installed)
- We have not included an allowance for existing landscape protection, tree protection, hardscape protection or damage caused by Others during construction.
- Items not included in the line item proposal are excluded.
- Stratton and Bratt will conduct a thorough site analysis to understand the existing conditions and any potential challenges and notify General Contractor.
- The specifications for materials, plants, and equipment to be used in the project will be detailed and ensure to meet the required quality standards.
- Any changes or modifications to the project scope, schedule, that impact cost will incur a change order and be documented in writing and approved by both the contractor and client.

ACCEPTED:

The above prices, specifications and conditions are satisfactory and hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Stratton And Bratt Landscapes

Authorized Signature: _____

Estimator: Matt Low

801-785-8011 quotes@strattonandbratt.com

COMPLETELY FILL IN ALL BLANK AREAS OF THIS CONTRACT BEFORE RETURNING FOR ACCEPTANCE



Sumsion Construction L.C.
DBA Eckles Paving
P.O. Box 68
Springville, Utah 84663
Kory's Cell Phone (801)420-3591
Phone 801-225-3715

Buyer/ Rep. Highland City - Andy Spencer
Billing Address _____
City, State, Zip _____
Phone Number (801)367-4387
E-MAIL aspencer@highlandcity.org

Bid Proposal Date: 1/29/2024
Project Address 10400 N 5600 W
City, State, Zip Highland, UT
Name Of Owner Mountain Ridge Park - Asphalt Trail
Job # KL24018

Bid Proposal

Sumsion Construction L.C., a Utah limited liability company d/b/a Eckles Paving (the "**Company**"), will furnish the materials and services described herein (collectively, the "**Services**") to the person indicated above ("**Buyer**") at the job site designated above in a commercially reasonable manner, subject to the terms and conditions set forth below and under the heading "**Terms and Conditions**." The Company will use commercially reasonable efforts to meet reasonable performance dates specified herein, if any; provided that any such dates shall be estimates only and the Company shall have no liability for failing to meet any such dates.

THE COMPANY MAY WITHDRAW THIS BID PROPOSAL, UNLESS WRITTEN ACCEPTANCE IS RECEIVED FROM BUYER WITHIN 15 DAYS OF THE BID PROPOSAL DATE SET FORTH ABOVE. TO ASSURE THAT THE SERVICES ARE SCHEDULED IN A TIMELY MANNER, PLEASE REMIT THIS SIGNED BID PROPOSAL AS SOON AS POSSIBLE.

<u>Description of Work</u>	<u>Quantity</u>	<u>Units</u>		<u>Unit Price</u>	<u>Estimated Totals</u>
Furnish / Place / Compact 6" thick roadbase (Commercial Spec). Finish Grade.	15215	SF	@	\$ 1.45	\$ 22,061.75
Furnish / Place / Compact 3" thick asphalt (3/8" PG58-28, 15% RAP - APWA)	15215	SF	@	\$ 2.25	\$ 34,233.75
TOTAL				\$	56,295.50

NOTE: Bid to have the ability to have dump trucks access the trail area. Eckles Paving not responsible for damage to concrete if the only way to access the trails with dump trucks and equipment is to go over the top of existing concrete.

In consideration for the Services, Buyer agrees to pay all amounts set forth above, subject to adjustment as described herein, plus any additional costs and charges that arise in the course of performing the Company's obligations hereunder; provided that the Company will use commercially reasonable efforts to give Buyer notice of such costs and charges (to the extent material) prior to the incurrence thereof.

In addition, Buyer agrees as follows: (a) to the extent any amount herein is specified as a per-unit or square foot price, Buyer acknowledges and agrees that such amount is an approximation only that that Buyer will be responsible to pay for the actual completed amount thereof (as determined by field measurement); (b) if subgrade/roadbase preparation work is done by third parties and actual depth of asphalt is greater than the depth specified above, Buyer will be billed for all overrun of roadbase/asphalt materials on a per-ton basis in accordance with the Company's going rates; (c) the contract price is based on the estimated price of materials as of the date hereof; Buyer acknowledges and agrees that such amount is an estimate only that that Buyer will be responsible to pay for the actual cost of such materials; (d) the contract price assumes that all concrete is without rebar, and if any rebar is found, then the contract price will be increased accordingly; (e) the Services expressly exclude all dewatering and hard rock digging; provided that, if encountered, the Company may agree to perform such services on a time and materials basis; (f) no cost for bonds, permits, licenses, fees, engineering, survey, traffic control, saw cutting, sterilant, striping, asphalt removal with petromat fabric, or prime coat are included in this Bid Proposal unless specifically indicated; and (g) unless explicitly set forth above, the contract price set forth herein contemplates a single mobilization; Buyer will incur a \$1000 fee for each additional mobilization.

All invoiced amounts are due and payable, without retention or setoff, on the date of the applicable invoice (regardless of whether the Services have been completed). Payment shall be made at the Company's principal office in Mapleton, Utah in cash or check – CREDIT AND DEBIT CARDS ARE NOT

completely payment shall be made at the Company's principal office in Mapleton, Utah, in cash or check. CHECKS MUST BE PAID TO THE ORDER OF THE COMPANY. Buyer is responsible for all sales, use and excise taxes, and any similar taxes, duties, and charges of any kind imposed by any governmental authority on amounts payable by Buyer hereunder. Any amounts that remain unpaid for more than fifteen (15) days shall be deemed past due and shall accrue interest at a rate of 1.5% per month (18% per annum) until paid in full. Buyer agrees to be fully responsible for all collection, attorneys' fees, lien fees, and court costs incurred by the Company in connection with the collection of any unpaid and past due amounts, including accrued interest, whether or not legal proceedings are instituted.

Respectfully submitted by _____ Authorized Representative

Kory Longenecker, Estimator

Acceptance of Bid Proposal

The undersigned hereby (1) authorizes the Company and its representatives to perform the Services and acquire the materials described herein, (2) acknowledges and agrees that the undersigned has read, understood and agrees (on behalf of itself and Buyer) to be bound by the Terms and Conditions set forth below, and acknowledges that such Terms and Conditions are a part of this Bid Proposal and are incorporated herein, and (3) unconditionally and individually guarantees the performance of Buyer's obligations hereunder, including payment and performance of all amounts due to the Company in connection herewith, without regard to the financial status or solvency of Buyer. This signed Bid Proposal must be delivered to the Company at its principal office in Mapleton, Utah.

Buyer/Agent

Print Name

Buyer/Agent

Signature

Date

Terms and Conditions

This Bid Proposal, which includes these Terms and Conditions, supersedes and replaces any and all prior or contemporaneous understandings, promises, negotiations, communications, representations, or warranties that may have been provided to Buyer, express or implied, written or oral; provided that the express terms set forth above shall prevail to the extent inconsistent with these Terms and Conditions. The Company's provision of the Services does not constitute acceptance of any of Buyer's terms and conditions set forth in a separate document and such terms and conditions do not serve to modify or amend the terms of this Bid Proposal.

BUYER OBLIGATIONS. Buyer will cooperate with the Company in all matters related to the Services and respond promptly to any Company request to provide direction, information, approvals, authorizations, or decisions that are reasonably necessary for the Company to provide the Services, and the Company shall have no liability with respect to any such direction, information, approvals, authorizations, or decisions made or provided by Buyer or its apparent representatives, regardless of any written or oral advice or representation made by the Company or its representatives with respect to the subject matter thereof. In addition to the foregoing, to the extent the Company's performance hereunder is prevented or delayed by any act or omission by Buyer or its representatives, the Company will not be liable for any costs, charges, or losses sustained or incurred by Buyer, directly or indirectly, in connection with such prevention or delay.

PROJECT PLANS/SPECIFICATIONS. To the extent the project for which the Services are rendered is described in any plans and/or specifications, Buyer represents and warrants that Buyer has provided all such plans and/or specifications to the Company. Buyer acknowledges that any change to such plans and/or specifications (or the provision of plans/specifications not otherwise contemplated hereby) may result in an adjustment to the contract price set forth herein and Buyer agrees to promptly execute all change orders prepared by the Company reflecting such changes and/or price adjustments as a condition of the Company's continued provision of the Services. Notwithstanding anything to the contrary, Buyer acknowledges and agrees that the Company is not an engineering firm and is not responsible for engineering-related liabilities and that Buyer is responsible to acquiring qualified third-party engineering services in connection with the Services.

OPTION TO SUBCONTRACT. Company may, without Buyer's consent, utilize agents or subcontractors in connection with the performance of the work.

CHANGES. Except as otherwise set forth herein, any modification to the Services as described herein that increase the contract price or other costs must be approved by the Company in writing (which approval will not be unreasonably withheld) and such increased price and/or costs shall be invoiced to Buyer. Any change that may result in the reduction of Services, and any corresponding reduction to the contract price, will be negotiated in good faith by the parties; provided that Buyer will be responsible to pay for all materials acquired by the Company in connection with the Services.

DELAYS. The Company shall not be responsible for any delays in the performance of the Services or damage to materials due to labor disputes, weather (additional charges will apply for cold weather paving after October 15th), shortages in material, equipment or labor, acts of God or any other cause beyond the Company's reasonable control. In the event of any such delay, and to the extent reasonably possible, the Company shall complete the Services at the next available opportunity. In the event the Company elects not to perform any further Services as a result of such delay, Buyer shall pay the Company for that portion of the Services rendered prior to the occurrence of such delay, and the Company shall otherwise be fully relieved of all of its duties and responsibilities hereunder without liability to Buyer. Without limiting the foregoing, (a) if the Company is unable to begin performance of the Services on the scheduled date due to the action or inaction of Buyer or its representatives, the entire contract amount set forth herein shall be immediately due and payable, and (b) delays otherwise caused by Buyer or its representatives, directly or indirectly, shall result in all amounts accrued hereunder as of the date thereof to be immediately due and payable.

UTILITIES. Buyer is solely responsible for locating, disconnecting, and capping off all utilities prior to the Company's provision of the Services. The Company is not responsible for damage to any utilities.

PREMISES. Buyer represents and warrants that Buyer either is the owner of the premises where the Services will be rendered or has written authorization from the owner thereof and authority approve this Bid Proposal. Buyer shall be responsible to direct the Company's representatives as to proper ingress and egress of such premises. To the extent that such direction is followed or no direction is given, the Company shall not be responsible for any damage to such premises or adjacent property, including damage to curbs, gutters and sidewalks. The Company will charge Buyer an additional \$75 per vehicle located on such premises that the Company is required to tow or relocate in order to perform the Services. **BUYER WILL BE SOLELY LIABLE FOR ANY DAMAGE TO SUCH VEHICLES OR SURROUNDING PROPERTY.**

TIME OF PERFORMANCE. Unless otherwise specified above, the Services shall be performed Monday through Friday, excluding holidays, during customary daytime hours.

PERMITS. The Company is not responsible to acquire any permits relating to the Services. Buyer is responsible for timely acquiring all such permits and all costs incurred by the Company in connection with Buyer's failure to properly obtain all such permits.

LIMITED WARRANTY. Limited warranty. Eckles Paving hereby warrants materials or workmanship for a period of one year, from the date of installation, subject to the warranty limitations and warranty conditions set out herein. Written notice of any defect in the materials and/or workmanship of the Company or nonconformity with the terms of this Bid Proposal must be given to the Company at its address set forth above not later than five (5) days after the completion of the Services. Failure to provide such written notice within such 5-day period shall constitute an unconditional waiver of any such defect or nonconformity. Buyer's sole remedy in connection with the foregoing limited warranty shall be limited to either the repair or replacement of the defect or nonconformity or, by agreement of the parties, a credit to Buyer's account with respect thereto; provided that (a) such limited warranty shall not apply if (i) the defect or nonconformity resulted, directly or indirectly, from the actions or inactions of Buyer or any third party, (ii) proper testing is not completed on subgrade/roadbase placed by a third party, (iii) asphalt placing is done before April 15 or after October 15 of each year (or asphalt maintenance is done before May 1 or after October 1), (iv) seal coat delamination results from previous underlayment or puddling, (v) related to drainage on any overlays or (vi) spalling is caused from salting concrete surface, (vii) new concrete is driven on in less than 7 days from placement; and (b) the Company shall be allotted a reasonable amount of time to evaluate and complete any such repair or replacement. The foregoing limited warranty shall also not apply to drainage if a minimum slope of 2% is not attainable based on existing site conditions. THE FOREGOING LIMITED WARRANTY REPRESENTS THE COMPLETE WARRANTY OFFERED BY THE COMPANY. EXCEPT AS SET FORTH ABOVE, THE COMPANY MAKES NO WARRANTY WHATSOEVER WITH RESPECT TO THE GOODS AND SERVICES OFFERED BY THE COMPANY, INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE, WHETHER EXPRESS OR IMPLIED BY LAW, COURSE OF DEALING, COURSE OF PERFORMANCE, USAGE OF TRADE, OR OTHERWISE.

CONCRETE WARRANTY. Limited warranty. Eckles Paving hereby warrants your concrete surface against any surface peeling or scaling that results from inferior materials or workmanship for a period of one year, from the date of installation, subject to the warranty limitations and warranty conditions set out herein. **Warranty Conditions.** The foregoing warranties are subject to the following conditions: 1. The concrete limited warranty excludes cracking. 2. This limited warranty does not cover any peeling or scaling that results from use of chemicals or deicers. 3. The concrete limited warranty excludes any variations of color in the finished surface. Extenders and additives that are incorporated into mixed concrete can cause some areas of the finished surface to be a darker shade than other areas. 4. The concrete limited warranty does not cover damage caused by impact or exposure or contact with any foreign substance or any other mistreatment of the surface. 5. The concrete limited warranty excludes cracking, raising, shifting or settling caused by sub surface ground conditions including underground root growth or any other subsurface issue. **Warranty Limitation.** The liability of Eckles Paving under this warranty will be limited to the repair or replacement of the defective area only. **PROPER CARE AND USE OF CONCRETE SURFACES:** It is important to care for the surface properly to ensure its longevity. The following should be observed: 1. Re-seal concrete every 2-3 years to prevent surface deterioration. Good quality sealer can be purchased at most home improvement supply stores. 2. Concrete should never be exposed to salt or other deicer chemicals. Use sand.

LIMITATION OF LIABILITY. WITHOUT LIMITING ANY OTHER PROVISION HEREOF, IN NO EVENT SHALL THE COMPANY BE LIABLE TO BUYER OR TO ANY THIRD PARTY FOR ANY LOSS OF USE, REVENUE OR PROFIT OR DIMINUTION IN VALUE, OR FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, EXEMPLARY, SPECIAL, OR PUNITIVE DAMAGES WHETHER ARISING OUT OF BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, REGARDLESS OF WHETHER SUCH DAMAGES WERE FORESEEABLE AND WHETHER OR NOT THE COMPANY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, AND NOTWITHSTANDING THE FAILURE OF ANY AGREED OR OTHER REMEDY OF ITS ESSENTIAL PURPOSE. SUBJECT TO APPLICABLE LAW, IN NO EVENT SHALL THE COMPANY'S AGGREGATE LIABILITY ARISING OUT OF OR RELATED TO THIS BID PROPOSAL, WHETHER ARISING OUT OF OR RELATED TO BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, EXCEED THE CONTRACT AMOUNT SET FORTH HEREIN.

SITE CONDITIONS. The Company assumes no risk, and shall not be liable for, undisclosed and unforeseen conditions on the premises where the Services are rendered, including hazardous waste, soft subgrade, and/or water table problems. In addition, the Company is not responsible in any way for any (a) subgrade/roadbase placed by Buyer or any third party or the effect that unsuitable subgrade/roadbase might have on newly placed asphalt, or (b) damage to existing sprinkler lines resulting from the Services (and, in any case, the Company will not be responsible for moving such sprinkler lines prior to or in connection with the Services unless otherwise agreed in writing).

ADA COMPLIANCE. The Company will not be responsible, and will not assume any liability, for compliance with the Americans with Disabilities Act, as amended, unless this Bid Proposal reflects, and Buyer provides, an engineered plan that provides for a compliant layout. Except as otherwise set forth above, striping and sloping will match existing striping and sloping.

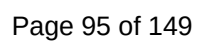
WATER. Buyer is responsible to provide an adequate water source at the premises. If a sufficient water source is not provided, Buyer shall be responsible for the cost of a fire hydrant meter and water used in connection therewith.

NONSOLICITATION. During the period commencing on the date hereof and ending one year following the completion of the Services, Buyer shall not, without the Company's prior written consent, directly or indirectly, (i) solicit or encourage any person to leave the employment or other service of the Company, or (ii) hire, on behalf of Buyer or any other person or entity, any person who has left the employment of the Company within the one year period following the completion of the Services. In the event of a breach of this provision, and recognizing that compensatory monetary damages resulting from such breach would be difficult to prove, Buyer will be liable to the Company for liquidated damages in an amount equal to such employee or service provider's compensation from the Company during the 12-month period ending on the termination of such employee's employment with or service provider's services to the Company.

PUBLICITY. The Company shall have the right to use Buyer's name and the Services in connection with any referral to potential customers or as examples of the Company's work product.

NO MODIFICATION. Except as explicitly set forth above, Buyer acknowledges and agree that (a) no agent, representative, employee or officer of the Company is authorized to waive or modify any of the terms of this Bid Proposal, and (b) no representation, promise, description of goods or services, or affirmation of fact made by an agent, representative, employee, or officer of the Company shall be effective to waive or modify any of the terms of this Bid Proposal.

GENERAL PROVISIONS. All matters arising out of or relating to this Bid Proposal and any goods or services relating hereto are governed by and construed in accordance with the internal laws of the State of Utah without giving effect to any conflict of law provision. Any legal suit, action, or proceeding arising out of or relating to this proposal or the Services shall be instituted in the state or federal courts located in Utah County, Utah and each party irrevocably submits to the exclusive jurisdiction of such courts. If any term or provision of this Bid Proposal is invalid, illegal, or unenforceable in any jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other term or provision of this Bid Proposal. Any failure on the part of a party to exercise any right or to enforce any of the terms of this Bid Proposal shall not affect such party's rights nor act as a waiver with respect to other future occurrences. This Bid Proposal is for the sole benefit of the parties hereto and their respective successors and permitted assigns and nothing herein, express or implied, is intended to or shall confer upon any other person or entity any legal or equitable right, benefit, or remedy of any nature whatsoever under or by reason of this Bid Proposal. In any action or proceeding to enforce rights under this Bid Proposal, the prevailing party will be entitled to recover costs and attorneys' fees. Buyer hereby irrevocably waives the right to trial by jury in any claim arising out of or relating to this bid proposal.



S&L Inc Budget

PROJECT: Mountain Ridge Field
 LOCATION: Highland Utah
 PREPARED FOR: Highland City- Andy Spencer
 DATE: April 10, 2024

WORK DESCRIPTION	Qty	UNIT	UNIT COST	TOTAL
Construction Management				
Project Manager	0.0	Mon	\$0.00	\$0.00
Superintendent	4.0	Mon	\$8,000.00	\$32,000.00
Office Support	4.0	Mon	\$500.00	\$2,000.00
Sanitation/Safety	4.0	Mon	\$500.00	\$2,000.00
Site tools & Supplies	4.0	Mon	\$100.00	\$400.00
Construction Surveying/Layout (inc. landscaping)	1	LS	\$18,500.00	\$18,500.00
QC Testing Allowance (by owner)	1	LS		\$0.00
Site Mobilization/Demob	1	LS	\$4,000.00	\$4,000.00
Concrete Washout	1	LS	\$3,500.00	\$3,500.00
SWPPP permitting & inspection	1	LS	\$3,500.00	\$3,500.00
Water & Dust Control	1	LS	\$6,500.00	\$6,500.00
Close out/Punchlist/Opening	1	LS	\$1,000.00	\$1,000.00
			Sub-total	\$73,400.00
Grading Phase budget				
Cut & Fill	12,000	CY	\$3.65	\$43,800.00
Rough Grade Site	445,000	SF	\$0.15	\$66,750.00
				\$0.00
			Sub-total	\$110,550.00
Hardscape Budget				
5" Concrete Walks w/prep	7,700	SF	\$13.00	\$100,100.00
				\$0.00
			Sub-total	\$100,100.00
Landscaping				
By Others				\$0.00
				\$0.00
			Sub-total	\$0.00
Field Improvements				
4" Infield Mix (locally sourced- Staker Mix)	28,000	SF	\$3.00	\$84,000.00
Bases w/install	1	LS	\$1,100.00	\$1,100.00
Portable Mound Allowance	1	LS	\$5,000.00	\$5,000.00
4" Crush Lava Cinders Warning Track (15')	15,825	SF	\$3.00	\$47,475.00
			Sub-total	\$137,575.00
Storm Drain				
French Drain Allowance (footage may vary)	1,200	LF	\$25.00	\$30,000.00
End of Drain Facility	1	EA	\$5,000.00	\$5,000.00
			Sub-total	\$35,000.00
Amenities				
Backstop Fencing	150	LF	\$325.00	\$48,750.00
Concrete Backstop Wall	150	LF	\$285.00	\$42,750.00
8' Outfield Fencing	1,100	LF	\$50.00	\$55,000.00
10' Dugout Fencing	170	LF	\$100.00	\$17,000.00
Man Gate	2	EA	\$1,500.00	\$3,000.00
Mower Gate	2	EA	\$3,000.00	\$6,000.00
6"x24" Mowstrip	1,600	LF	\$25.00	\$40,000.00
20' Foul Ball Pole w/wing	2	Ea	\$3,600.00	\$7,200.00
Footings for future pavillion over bleachers	8	Ea	\$2,200.00	\$17,600.00

Roof panels attached to dugout fencing	2	Ea	\$7,500.00	\$15,000.00
21' Inground Aluminum Dugout Benches	2	Ea	\$1,800.00	\$3,600.00
Trash Receptacles- BY OWNER	0	Ea	\$0.00	\$0.00
5/16" Rubber Belting at Backstop Attach 36" OC	150	LF	\$30.00	\$4,500.00
Batting Cage 4" Concrete	1,700	SF	\$12.00	\$20,400.00
			Sub-total	\$280,800.00

			SUB-TOTAL	\$737,425.00
			5% OVERHEAD	\$36,871.25
			SUB-TOTAL	\$774,296.25

Options				
Fence Cap	650	LF	\$7.00	\$4,550.00
Duraedge Infield Mix Add-Pending	28,000	SF	\$0.00	\$0.00
10x32 Dugout Pavilion w/Install (to be contracted by city)	2	Ea	\$58,000.00	\$116,000.00
Footings for Dugout Pavilion	12	Ea	\$2,000.00	\$24,000.00
5' Row Upgraded Bleachers	1	LS	\$30,000.00	\$30,000.00
Elite Dugout Benches	2	Ea	\$3,500.00	\$7,000.00
Stage Base Allowance (no details)	1	LS	\$50,000.00	\$50,000.00
18x34 Gable Pavilion w/Install (to be contracted by city)	2	Ea	\$58,000.00	\$116,000.00
5 Row Aluminum Bleachers 27' no guardrail	3	Ea	\$10,500.00	\$31,500.00
12x70 Batting Cages Allowance	2	Ea	\$16,000.00	\$32,000.00
Artificial Turf on Concrete Allowance	1,700	SF	\$5.00	\$8,500.00
4' Montage Plus Fencing	455	LF	\$150.00	\$68,250.00
			Sub-total	\$487,800.00

Optional Electrical Conduits				
4" Conduit Allowance	800	LF	\$20.00	\$16,000.00
4" & 2" Conduit Allowance	700	LF	\$26.00	\$18,200.00
2" Conduit Allowance	1,500	LF	\$15.00	\$22,500.00
Pull Box Allowance	8	EA	\$1,500.00	\$12,000.00
			Sub-total	\$68,700.00



CITY COUNCIL AGENDA REPORT

ITEM #3g

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Andy Spencer, City Engineer/Public Works Director
SUBJECT: Trails Maintenance Contract Awards
TYPE: General City Management

PURPOSE:

The City Council will consider awarding the bid for the 2024 Trail Maintenance Project.

STAFF RECOMMENDATION:

Staff recommends that the council award the 2024 Trail Maintenance Project bid to Advanced Paving and Construction.

PRIOR COUNCIL DIRECTION:

The council has included funds in the FY2024 budget for maintenance of the trail system in Highland.

BACKGROUND:

The Highland City Trail Maintenance bid was on April 2, 2024. The city received 5 bids from different companies that include multiple aspects of trail maintenance including crack seal, patching, and a seal coat. The additive bid includes new trail construction for the trail connecting the existing trail at Chamberry Way to the existing Beacon Hills, Plat E trail. The lowest bid was from Advanced Paving and Construction with a base bid of \$87,825.00 and an additive bid of \$39,850.00. The collective total of these bids is \$127,675.00.

FISCAL IMPACT:

The cost of this year's trail maintenance base bid is \$96,607 and an additive bid of \$43,835 including a 10% contingency. Funding for this expense is included in GL 10-70-38 Trail Maintenance account and GL 40-40-76 Trails Capital Improvement fund within the FY 2023/2024 fiscal year budget.

MOTION:

I move that City Council APPROVE awarding the 2024 Trail Maintenance Project to Advanced Paving and Construction for a base bid of up to \$96,607 and an additive bid of up to \$43,835 for a total amount of \$140,442 and AUTHORIZE the City Administrator to sign the contract documents.

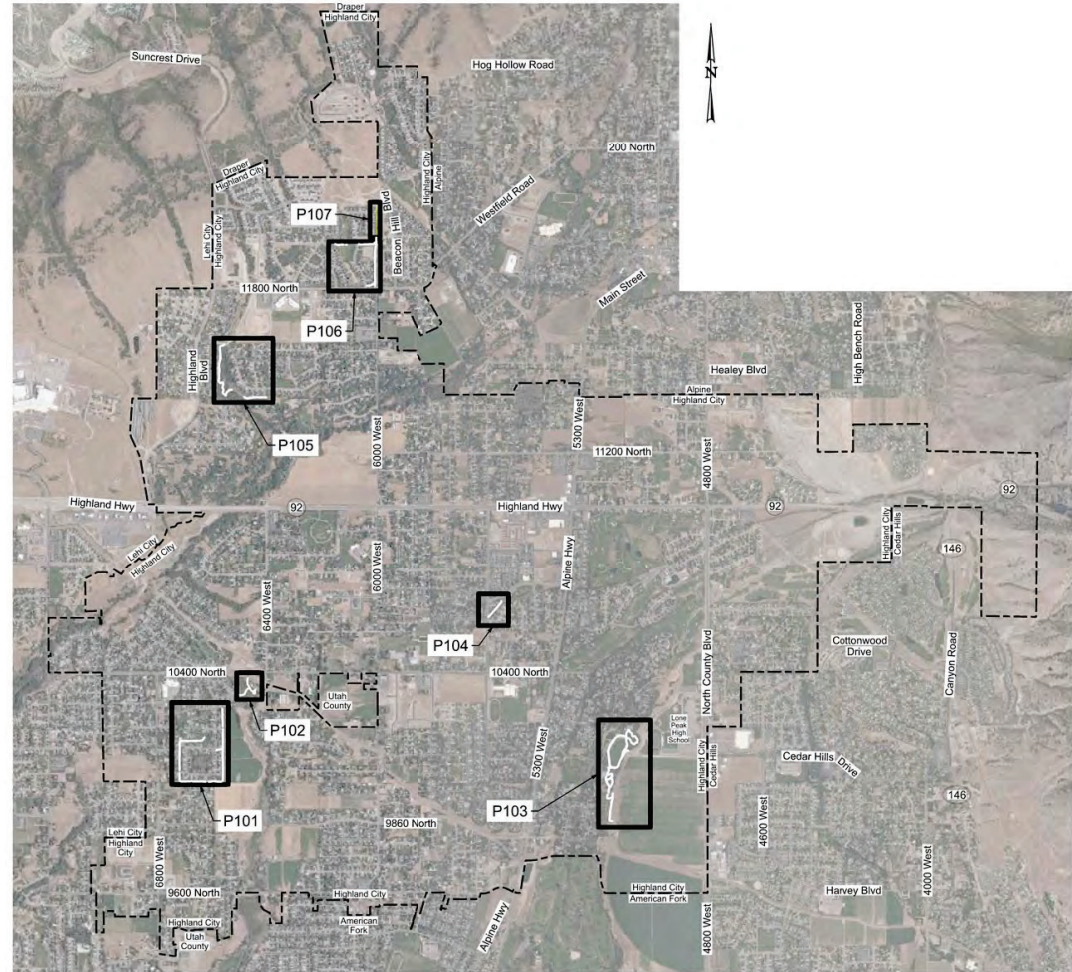
ATTACHMENTS:

1. 2024 Highland Trails Maintenance Project Plans
2. Bid Tabulation 2024 Highland Trail Project

2024 TRAILS MAINTENANCE PROJECT



INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
GENERAL SHEETS	
G100	TITLE AND INDEX OF SHEETS
PROJECT SHEETS	
DT101	DETAILS
P101	WIMBLETON
P102	MITCHELL HOLLOW
P103	HIGHLAND GLEN PARK
P104	HIGHLAND TOWN CENTER MEADOWS
P105	BULL RIVER TRAIL
P106	HIGHLAND HILLS TRAIL
P107	PROPOSED NEW TRAIL - ADDITIVE HIGHLAND VIEW DR. TO CYPRUS DR.



DESIGNED BY
DRAWN BY
CHECKED BY
DATE



1435 WEST 520 NORTH
PROVO, UTAH 84601
801 374-5771 PHOTO

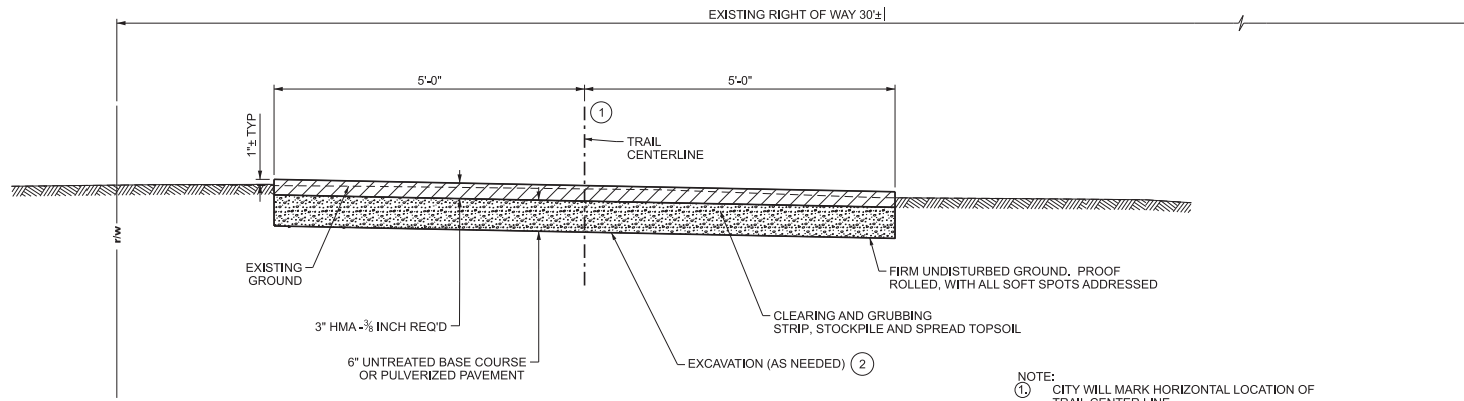
RB&G
ENGINEERING, INC.

2024 TRAILS MAINTENANCE PROJECT

TITLE AND INDEX OF SHEETS

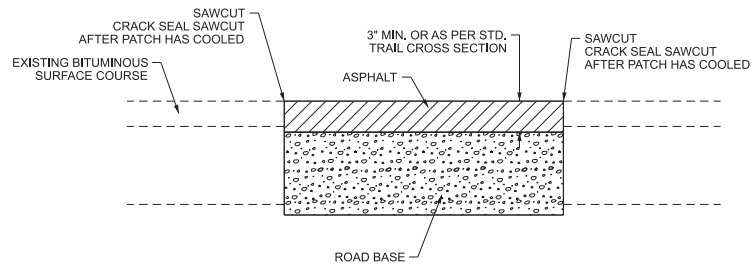
SEAL

DRAWING NO.
G100



TYPICAL TRAIL SECTION

HIGHLAND VIEW DR. TO CYPRUS DR.



ASPHALT TRAIL PATCHING

DESIGNED BY: J. J. JENSEN
DRAWN BY: J. J. JENSEN
PROJECT NO.: 2024-001
DATE: 01/15/2024



1435 WEST 620 NORTH
PROVO, UTAH 84601
801 374-5771 PHOTO

RB&G
ENGINEERING, INC.

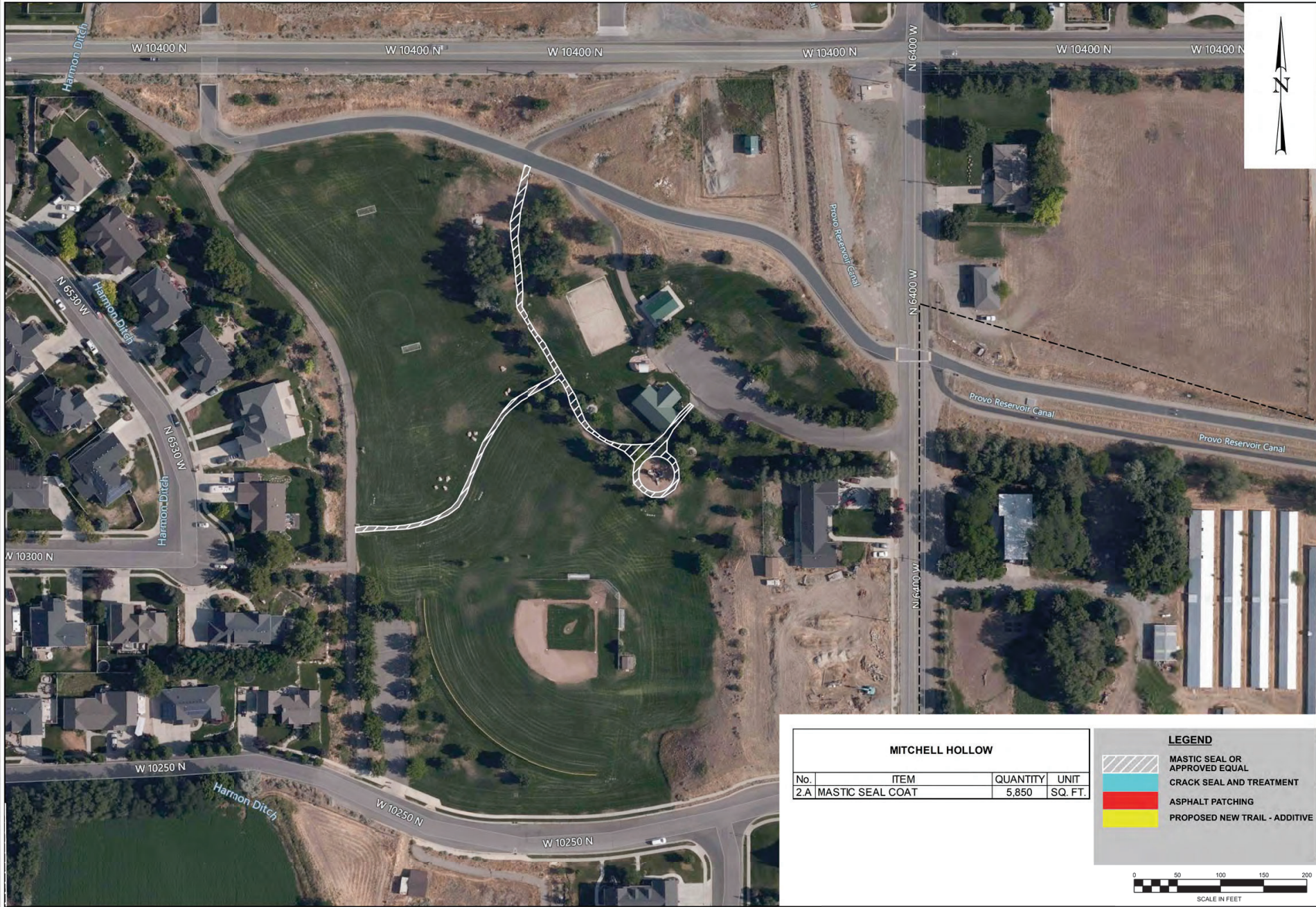
2024 TRAILS MAINTENANCE PROJECT

DETAILS

SEAL

DRAWING NO.
DT101

10-MAR-2024 10:00:00 - Highway Design Professional's Seal - P102.dwg



 HIGHLAND CITY	
1435 WEST 820 NORTH PROVO, UTAH 84601 801-374-5777 PHOTO	
2024 TRAILS MAINTENANCE PROJECT	
MITCHELL HOLLOW	
SEAL	
DRAWING NO. P102	

MITCHELL HOLLOW			
No.	ITEM	QUANTITY	UNIT
2.A	MASTIC SEAL COAT	5,850	SQ. FT.

LEGEND	
	MASTIC SEAL OR APPROVED EQUAL
	CRACK SEAL AND TREATMENT
	ASPHALT PATCHING
	PROPOSED NEW TRAIL - ADDITIVE



Highland City - 2024 Highland City Trail Project
Bid Tabulation
Printed: 4/1/2024

UNIT PRICE SCHEDULE - BASE BID						Eckles Paving		Advanced Paving and Construction		Bonnville Asphalt and Repair		Morgan Pavement		Kilgore	
Item #	Description	Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
	SCHEDULE A Base Bid								\$ 87,825.00		\$ 200,160.00		\$ 148,443.00		\$ 114,406.58
1	Wimbleton (crack seal, patching, mastic seal coat)	Lump Sum	1			\$43,891.00	\$ 43,891.00	\$21,525.00	\$ 21,525.00	\$59,394.00	\$ 59,394.00	\$40,000.00	\$ 46,000.00	\$ 20,897.31	\$26,121.64
2	Mitchell Hollow (Mastic Seal Coat)	Lump Sum	1			\$2,983.50	\$ 2,983.50	\$1,500.00	\$ 1,500.00	\$2,033.00	\$ 2,033.00	\$10,000.00	\$ 12,000.00	\$ 982.80	\$1,228.80
3	Highland Glen Park (crack seal, patching, mastic seal coat)	Lump Sum	1			\$63,854.00	\$ 63,854.00	\$35,300.00	\$ 35,300.00	\$78,716.00	\$ 78,716.00	\$30,000.00	\$ 32,000.00	\$ 36,779.90	\$45,974.88
4	Highland Town Center Meadows (crack seal, patching, mastic seal coat)	Lump Sum	1			\$11,053.00	\$ 11,053.00	\$7,700.00	\$ 7,700.00	\$17,610.00	\$ 17,610.00	\$15,000.00	\$ 16,000.00	\$ 9,726.80	\$12,158.50
5	Bull River Trail (Crack seal, patching, mastic seal coat)	Lump Sum	1			\$15,519.00	\$ 15,519.00	\$8,700.00	\$ 8,700.00	\$17,941.00	\$ 17,941.00	\$20,000.00	\$ 27,000.00	\$ 8,301.52	\$10,376.90
6	Highland Hills Trail (Patching, Mastic Seal Coat)	Lump Sum	1			\$12,469.00	\$ 12,469.00	\$9,900.00	\$ 9,900.00	\$20,016.00	\$20,016.00	\$10,000.00	\$10,443.00	\$ 11,228.93	\$14,036.16
7	Directed Additional Asphalt Patching	SQ. FT	500			\$6.00	\$ 3,000.00	\$6.40	\$ 3,200.00	\$8.90	\$4,450.00	\$4,500.00	\$5,000.00	\$ 3,608.00	\$4,510.00
	SCHEDULE A TOTAL						\$ 152,769.50		\$ 87,825.00		\$ 200,160.00		\$ 148,443.00		\$ 114,406.88
	SCHEDULE B Additive Bid														
8	Highland View Drive to Cyprus Drive (New Trail Construction)	Lump Sum	1			\$45,375.00	\$ 45,375.00	\$39,850.00	\$ 39,850.00	\$47,250.00	\$ 47,250.00	\$40,000.00	\$ 50,811.00	\$ 46,020.00	\$57,525.00
							\$ -		\$ -		\$ -		\$ -		
							\$ -		\$ -		\$ -		\$ -		
							\$ -		\$ -		\$ -		\$ -		
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	SCHEDULE B TOTAL						\$ 45,375.00		\$ 39,850.00		\$ 47,250.00		\$ 50,811.00		\$ 57,525.00
	TOTAL SCHEDULE A AND B						\$ 198,144.50	\$ -	\$ 127,675.00	\$ -	\$ 247,410.00	\$ -	\$ 199,254.00	\$ -	\$ 171,931.88



CITY COUNCIL AGENDA REPORT

ITEM #3h

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Andy Spencer, City Engineer/Public Works Director
SUBJECT: 2024 Street Preservation Contract Award
TYPE: General City Management

PURPOSE:

The City Council will consider awarding Morgan Pavement a contract for road seal coat.

STAFF RECOMMENDATION:

Staff recommends that the council approve a contract to Morgan Pavement for Crack Seal with Perimeters and ONYX Frictional Mastic Seal to various streets in Highland City.

PRIOR COUNCIL DIRECTION:

On March 19, 2024, the Council approved the largest portion of the 2024 street preservation contracts. The bid for the mastic seal portion of the project was not available for that Council meeting.

BACKGROUND:

Highland City received a bid for the 2024 Highland City Street Maintenance from Morgan Pavement. The bid for projects involves Crack Seal for \$4,560.00 and ONYX Frictional Mastic Sealant for \$56,200.00 for various streets in Highland City.

FISCAL IMPACT:

The cost of this Road Treatment Project is \$70,940.00 with a 10% contingency. Funding for this expense is included in GL 70-23-05 Development Seal Coat Budget within the FY 2023/2024 budget (38,186.50), and the remaining portion will be paid from GL 56-40-70 Roads Fee Project. This award will make the total programmed from City Roads Fee sources for Calendar Year 2024 to \$1,356,527.64

MOTION:

I move that City Council APPROVE the contract to Morgan Pavement for streets preservation in an amount up to \$70,940.00 and AUTHORIZE the City Administrator to sign the contract documents.

ATTACHMENTS:

1. Plans
2. Morgan Pavement Bid

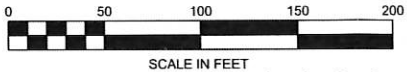
1-MAR-2024
DGN File: L:\2023\008_Highland Streets Preservation\CardSheet_Files\Spring 2024\022005-008_P114.dgn



GABLE COURT (11550 NORTH) MASTIC SEAL COAT SCHEDULE D - LUMP SUM WORK ITEMS			
No.	ITEM	QUANTITY	UNIT
D.1	MASTIC SEAL COAT	31,027	SQ. FT.

NOTE:
1. DO NOT COVER EXISTING VALVES OR
MANHOLES.

- LEGEND**
- ROADWAY RECONSTRUCT
 - BONDED MATRIX
 - HIGH DENSITY MINERAL BOND
 - OVERLAY W/GEOTEXTILE
 - ASPHALT PATCHING
 - MASTIC SEAL COAT



DESIGNED BY
J. MAHON

DRAWN BY
J. MAHON

CHECKED BY
S.A. HENDERSON

PROJECT NO.
202305-004

DATE
1-MAR-2024

HIGHLAND CITY

1435 WEST 820 NORTH
PROVO, UTAH 84601
801 374-5771 (PROV)

RB&G
ENGINEERING, INC.

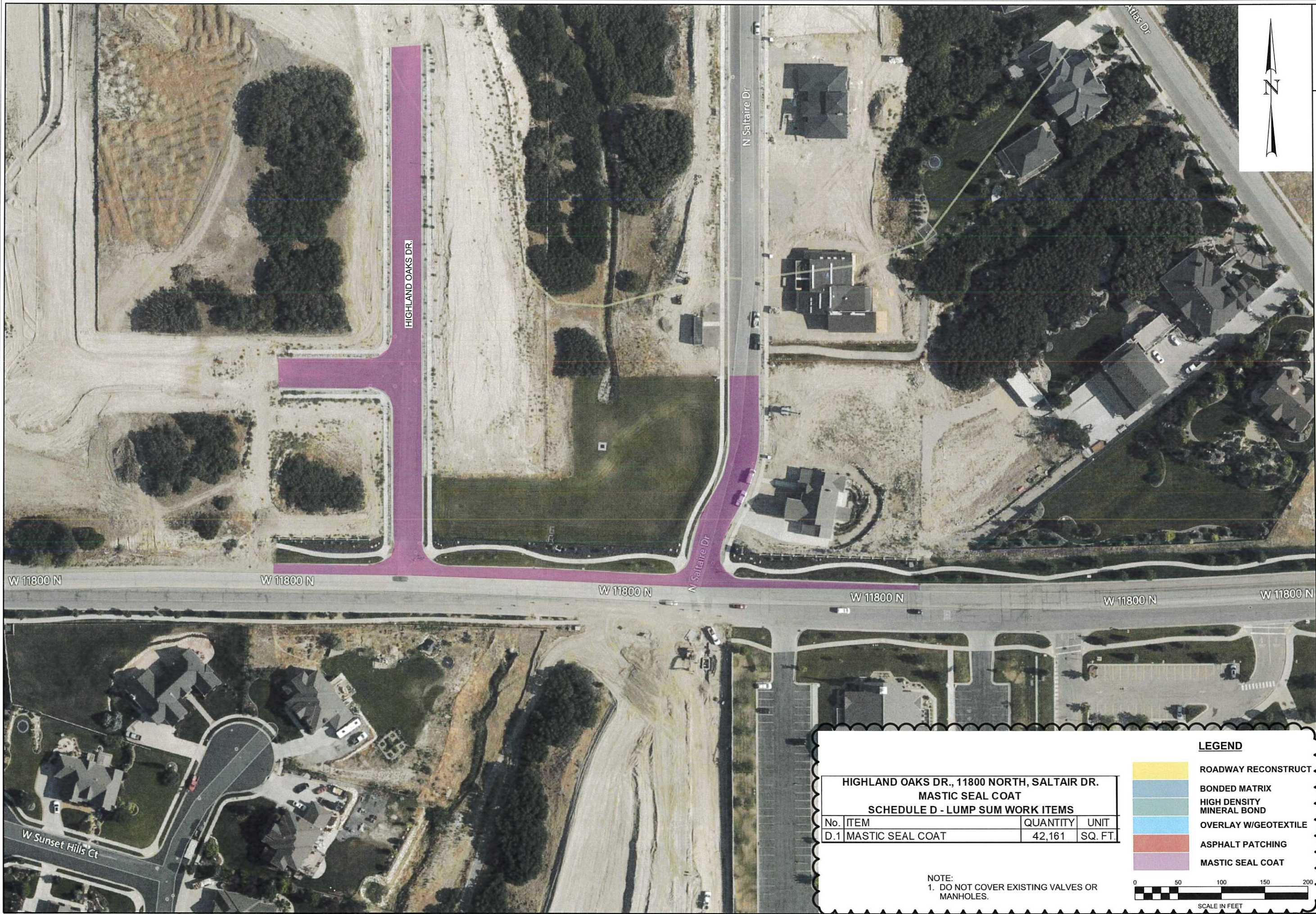
2024 ROAD PRESERVATION PROJECT

GABLE RIDGE COURT
(11550 NORTH)

PROFESSIONAL ENGINEER
J. MAHON
No. 62981
STATE OF UTAH
02/15/2024

DRAWING NO.
P114

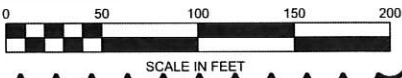
1 MAY 2024
DGN File: C:\2023\008_Highland Streets Preservation\City\Sheet_Files\Spring 2024\02205-008_P116.dgn



HIGHLAND OAKS DR., 11800 NORTH, SALT AIR DR. MASTIC SEAL COAT SCHEDULE D - LUMP SUM WORK ITEMS			
No.	ITEM	QUANTITY	UNIT
D.1	MASTIC SEAL COAT	42,161	SQ. FT.

NOTE:
1. DO NOT COVER EXISTING VALVES OR
MANHOLES.

LEGEND	
	ROADWAY RECONSTRUCT
	BONDED MATRIX
	HIGH DENSITY MINERAL BOND
	OVERLAY W/GEOTEXTILE
	ASPHALT PATCHING
	MASTIC SEAL COAT



DESIGNED BY
J. MASON

DRAWN BY
J. BERRY

CHECKED BY
S.A. HENDERSON

PROJECT NO.
202305004

DATE
1 MAR 2024

HIGHLAND CITY

1435 WEST 820 NORTH
PROVO, UTAH 84601
801 374-5771 PROVO

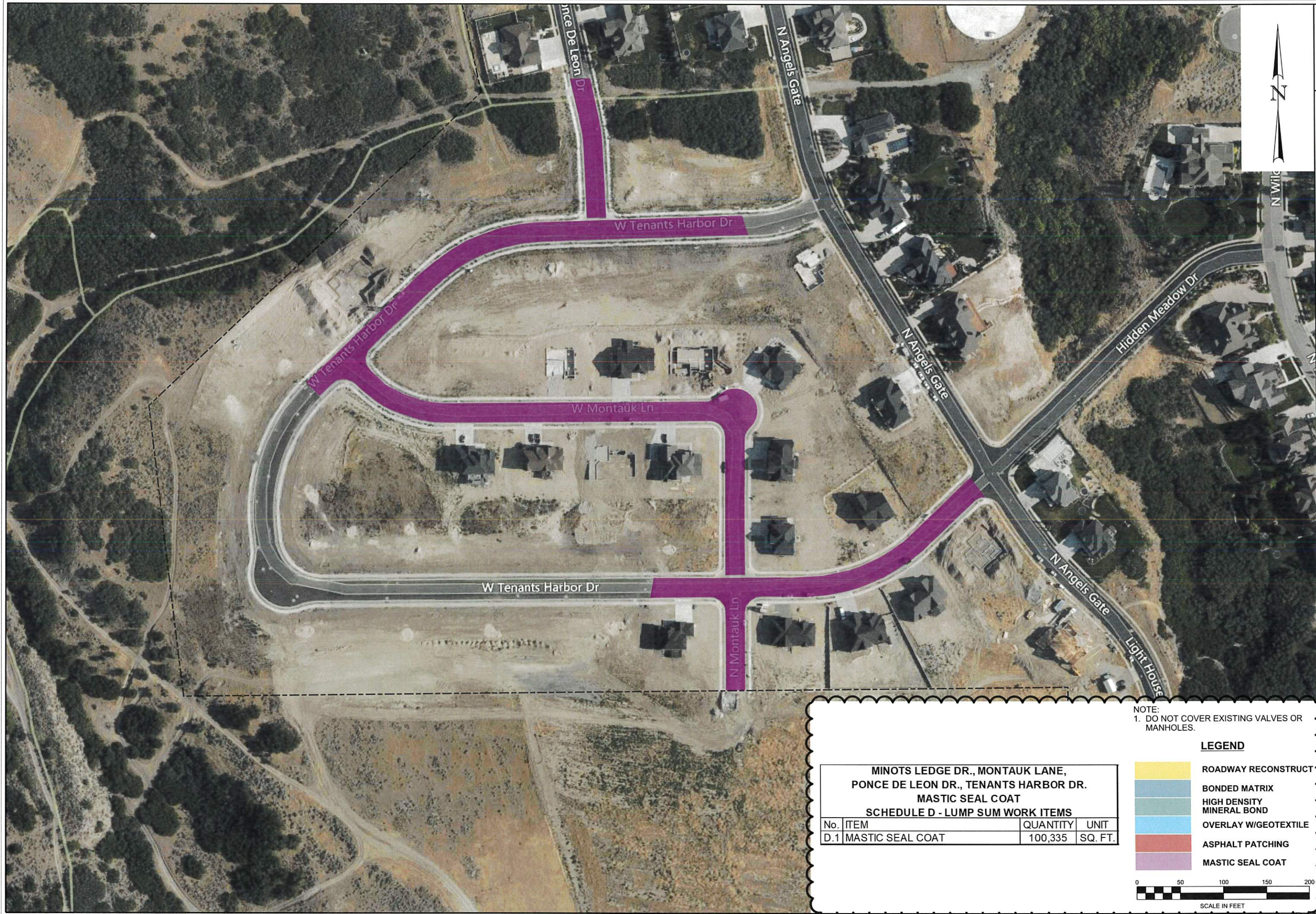
RB&G
ENGINEERING, INC.

2024 ROAD PRESERVATION PROJECT

HIGHLAND OAKS DR, 11800 NORTH,
SALT AIR DR.

DRAWING NO.
P116

1 MAR 2024
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1435 WEST 820 NORTH
PROVO, UTAH 84601
801 374-5771 PROVO

RB&G
ENGINEERING, INC.

2024 ROAD PRESERVATION PROJECT
**MINOTS LEDGE DR., MONTAUK LANE, PONCE
DE LEON DR., TENANTS HARBOR DR.**



DRAWING NO.
P117

MINOTS LEDGE DR., MONTAUK LANE,
PONCE DE LEON DR., TENANTS HARBOR DR.
MASTIC SEAL COAT

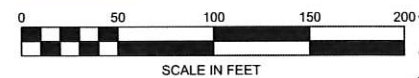
SCHEDULE D - LUMP SUM WORK ITEMS

No.	ITEM	QUANTITY	UNIT
D.1	MASTIC SEAL COAT	100,335	SQ. FT.

NOTE:
1. DO NOT COVER EXISTING VALVES OR
MANHOLES.

LEGEND

- ROADWAY RECONSTRUCT
- BONDED MATRIX
- HIGH DENSITY MINERAL BOND
- OVERLAY W/GEOTEXTILE
- ASPHALT PATCHING
- MASTIC SEAL COAT



Morgan Pavement
 Remit to: PO Box 190
 Clearfield, UT 84089
 625 S. Main Street
 Clearfield, UT 84015



Phone: (801) 544-5947
 Fax: (801) 416-8061
 MorganPavement.com

Mastic Asphalt Treatment-Excavation & Grading-Asphalt Paving-Patching-Sealcoat-Slurry-Crackseal-Striping-Consulting

To:	HIGHLAND CITY	Contact:	Ty Christensen
Address:	5400 W. CIVIC CENTER DR. HIGHLAND, UT 84003	Phone:	(801) 756-5751
Project Name:	2024 Highland City Street Maintenance	Fax:	
Project Location:	Various Streets In Highland, Highland, UT	Bid Number:	
		Bid Date:	3/19/2024

Line #	Item Description	Estimated Quantity	Unit	Total Price
2. Crack Seal (Subdivisions)				
	<u>Crack Seal W/Perimeters</u>	1.00	LS	\$4,560.00
	• Blow Cracks Free Of Dirt And Debris Using Compressed Air			
	• Fill Cracks With Hot Rubber Crack Sealant			
	• Includes Perimeter Seams Against Concrete Curbs And Gutters.			
Total Price for above 2. Crack Seal (Subdivisions) Items:				\$4,560.00
3. Mastic Seal				
	<u>ONYX Frictional Mastic Seal</u>	1.00	LS	\$56,200.00
	• Clean Entire Surface Free Of Dirt And Debris			
	• Apply 2 Coats Of ONYX Frictional Mastic Sealant			
Total Price for above 3. Mastic Seal Items:				\$56,200.00

Notes:

- **Pay Terms: 50% due at signing of contract and prior to scheduling, remaining 50 % due and payable on day of work completion.**
Initial _____
- Any deviation from these specifications and/or terms shall be by written mutual agreement. Payment for extra work and allowances for omission shall be fixed in advance in writing on demand by either party. No verbal agreement or understanding shall be binding
- Temperature is a factor in the ability to apply certain asphalt products and obtain adhesion. In order for warranty to apply, temperatures must fall within certain parameters for that specific scope of work. Please call to verify the temperature parameters of the proposed work.
- Please turn off all sprinklers and remove obstructions(i.e. dumpsters or cars) from work site prior to performance of work. Morgan Pavement will not be held liable for areas that are wet or blocked on the day that the crews arrive. If it is necessary to return to touch up areas so affected, there will be additional charges.
- Morgan Pavement assumes no risk or liability of undisclosed or unforeseen conditions of the project site, including but not limited to hazardous waste, unstable or saturated subgrade, underground utilities, water table issues.
- Exclusions unless noted on scope of work: Bonds, fees, permits, material or compaction testing, traffic control and/or barricades, prime coat, soil sterilant, subgrade stabilization, concrete, sawcutting, earthwork, engineering, survey, construction staking, third party billing fees
- Morgan Pavement will not guarantee drainage on grades with 1% or less slope or on overlays.
- Both Parties agree that Morgan Pavement is not liable for any damage of underground piping, wiring, conduit which are not visible to crews on the property that could not be located by utility locator service. (i.e. blue stakes)
- Price is valid for 30 days from date of proposal
- Due to the volatility of the oil industry, this bid may fluctuate with oil prices. Therefore this may adjust with any increase in oil/material prices.
- Morgan Pavement reserves the right to use a sub-contractor on any scope of work.

Payment Terms:

Payment is due at completion of project without any retention being withheld, Invoices are subject to 2% interest per month beginning 30 days following the due date. In the event it becomes necessary for Morgan Pavement to file suit to collect any money due, hereunder or for breach thereof, the owner agrees to pay in addition to the amount due, all costs of enforcement including reasonable attorney fees. In the event of dispute between Morgan Pavement and Buyer, the parties agree to arbitration through the American Arbitration Association.

Morgan Pavement
 Remit to: PO Box 190
 Clearfield, UT 84089
 625 S. Main Street
 Clearfield, UT 84015



Phone: (801) 544-5947
 Fax: (801) 416-8061
 MorganPavement.com

Mastic Asphalt Treatment-Excavation & Grading-Asphalt Paving-Patching-Sealcoat-Slurry-Crackseal-Striping-Consulting

To:	HIGHLAND CITY	Contact:	Ty Christensen
Address:	5400 W. CIVIC CENTER DR. HIGHLAND, UT 84003	Phone:	(801) 756-5751
		Fax:	
Project Name:	2024 Highland City Street Maintenance	Bid Number:	
Project Location:	Various Streets In Highland, Highland, UT	Bid Date:	3/19/2024

ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Morgan Pavement

Authorized Signature: _____

Estimator: Kasen Garrett
 (385) 368-6213 kgarrett@morganpavement.com



CITY COUNCIL AGENDA REPORT

ITEM #3i

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney
SUBJECT: Alpine Highland Justice Court Interlocal Agreement
TYPE: General City Management

PURPOSE:

The City Council will consider a proposed interlocal agreement with Alpine City to formalize the cities' current justice court operations.

STAFF RECOMMENDATION:

Staff recommends that the City Council ADOPT the resolution approving the Interlocal Cooperation Agreement for Justice Court Services with Alpine City.

PRIOR COUNCIL DIRECTION:

On December 5, 2023, the Council adopted a resolution requesting recertification of the Highland City Justice Court from the state. As part of that recertification process, the state reviewed the justice court's operations and asked for clarification regarding how the justice court was set up to serve both Highland and Alpine and what contracts established that arrangement. As staff reviewed the issue and history, it became clear that Highland has always operated and certified the justice court, with Alpine paying a portion of the justice court costs. However, there has not been a formal agreement establishing this. The state recertified the Highland City Justice Court on February 1, 2024, but they also imposed a deadline of May 1 for the cities to enter into an interlocal agreement regarding justice court operations.

BACKGROUND:

Highland City has operated a justice court since at least 1988. Alpine has traditionally used the Highland City justice court offices, judge, and staff for Alpine justice court purposes, though the exact date of when this began is unclear. Highland has for many years billed Alpine for a portion of the costs of justice court operations, including judge and staff salary and rent of the Highland justice center (Lone Peak Police Department building). Alpine City has generally paid 40% of justice court operation costs. Each city could separately contract for prosecution and defense services, though we have traditionally used the same attorneys. Fines and fees paid into the justice court are allocated to each city based on where the case originated. The cities have long partnered on the operation of a justice court, though without any formal documentation or contract for that partnership.

In order for the Cities' current arrangement to continue, the State Judicial Council has asked that the cities enter into an interlocal agreement establishing the shared justice court operations. Accordingly, Highland City prepared an interlocal agreement that formalizes the long-standing practices of the cities. The proposed agreement generally establishes the following terms:

1. The court is Highland City's court, the court remains located in Highland, and Highland remains

responsible for all costs and expenses to staff and equip the court. Highland remains responsible to certify the court and ensure the court meets state certification requirements.

2. Alpine and Highland agree to extend Highland's justice court's jurisdiction to include Alpine, allowing Alpine residents to use the court for small claims and allowing the court to hear and decide citations issued by the Lone Peak Police Department or other law enforcement officers in Alpine.
3. Highland appoints the judge of the court and sets the judge's salary, with the advice of Alpine.
4. Each city separately contracts for prosecution and defense services, though they can agree to contract with the same attorneys for convenience.
5. Alpine pays 40% of court costs and 40% of rent costs on a monthly basis.
6. The court continues to remit fines and fees to each city based on the origin of the case or citation.

Alpine City has already approved the attached agreement.

FISCAL IMPACT:

Approving the interlocal agreement will not have a fiscal impact on the City's budget, because it formalizes the existing cost-sharing arrangement between Highland and Alpine.

As a general matter, the cost of funding the Highland Justice Court and related expenses are included within the FY2024 budget. GL Account #10-35, -10 through -33; and #10-42, -11 through -75.

Budgeted costs are approximately \$265,000, and budgeted revenues are approximately \$146,500.

MOTION:

I move that City Council ADOPT the resolution approving the Interlocal Cooperation Agreement for Justice Court Services with Alpine City.

ATTACHMENTS:

1. Resolution - Justice Court ILA 2024
2. Justice Court ILA Highland Alpine 24.04.03.1

Highland City, Utah

RESOLUTION NO. 2024-_____

**A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT
FOR JUSTICE COURT SERVICES BETWEEN ALPINE CITY AND HIGHLAND
CITY**

WHEREAS, Highland City has previously created and currently operates a justice court in accordance with Title 78A, Chapter 7, *Utah Code Ann.*;

WHEREAS, Alpine City and Highland City have historically cooperated to provide justice court services to both cities through the Highland justice court, with Alpine City paying a portion of the costs of staffing, equipping, and maintaining the justice court;

WHEREAS, the Utah Judicial Council recertified the Highland City justice court on February 1, 2024, but requested that Highland City and Alpine City enter into a formal interlocal agreement to continue the cities' cooperative use of the justice court.

WHEREAS, the Highland City Council desires to enter into an Interlocal Agreement for Justice Court Services with Alpine City to continue to jointly provide justice court services to Highland City and Alpine City;

NOW THEREFORE, BE IT RESOLVED by the Highland City Council as follows:

1. The City Council approves of the Interlocal Cooperation Agreement for Justice Court Services between Alpine City and Highland City, which agreement is attached hereto as Exhibit A.
2. The City Council authorizes the Mayor and City Staff, as necessary, to execute and carry out the Interlocal Agreement according to the terms set forth therein.
3. This resolution shall take effect immediately upon adoption.

RESOLVED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this _____ day of _____, 2024.

Mayor

ATTESTED:

City Recorder

COUNCILMEMBER

YES

NO

Brittney P. Bills

Ron Campbell

Doug Cortney

Kim Rodela

Scott L. Smith

EXHIBIT A
Form of Interlocal Cooperation Agreement

INTERLOCAL COOPERATION AGREEMENT FOR JUSTICE COURT SERVICES

This Agreement made and entered into as of the effective date set forth herein by and between the HIGHLAND CITY, a municipal corporation organized under the laws of the State of Utah (“Highland”), and ALPINE CITY, a municipal corporation organized under the laws of the State of Utah (“Alpine”)

RECITALS

This Agreement is made and entered into by and between the parties based upon the following recitals:

- A. Title 78A, Chapter 7, *Utah Code Ann.*, (“the Act”) authorizes and enables each of the parties to establish and operate a justice court for public convenience within or for each party’s jurisdiction, subject to Judicial Council certification and the requirements and limitations of the Act.
- B. Pursuant to the Act, Highland has established and desires to continue to operate a justice court (the “Court”), which Court was recertified on February 1, 2024, for a four-year term that will expire on January 31, 2028.
- C. The parties have heretofore coordinated in providing justice court services to each party’s municipal jurisdiction through the Court, with Alpine sharing in the costs of staffing, equipping, and operating the Court, in order to serve each party’s jurisdiction and obtain economies of scale and serve the public convenience.
- D. The parties are authorized by the Utah Interlocal Cooperation Act as set forth in Title 11, Chapter 13, *Utah Code Ann.*, to enter into this Agreement.
- E. The parties desire to enter into an agreement to provide justice court services to both cities on the terms and conditions set forth in this interlocal cooperation agreement (“Agreement”).

NOW, THEREFORE, in consideration of the mutual covenants and promises contained hereafter, the parties hereto agree as follows:

1. Justice Court Services

Highland shall provide justice court services, including in both criminal and small claims matters, through the Court to Highland and Alpine pursuant to the Act and this Agreement (“Court Services”).

2. Territorial Jurisdiction

The jurisdiction of the Court shall extend into the territory within the corporate limits of Highland, Alpine, and such other territory as authorized by law.

3. Court Jurisdiction

The Court shall have the jurisdiction granted to it by the applicable laws and rules of the State of Utah and, in particular, those granted by Section 106 of the Act. The Court shall have the authority to enforce Highland’s and Alpine’s respective ordinances.

4. Justice Court Judge Authority

The justice judge of the Court (“Judge”) shall have such authority as is granted by the Act and other applicable state law, city ordinances, and rules.

5. Place of Holding Court

The Court, its courtroom, and related offices are currently located in the Highland City Justice Center, 5400 W. Civic Center Dr., Suite 4. The Court may be held elsewhere within the Court's territorial jurisdiction as may be appropriate and reasonable under the circumstances in accordance with the Act.

6. Certification

Highland shall ensure that the Court, at all times, meets the minimum requirements for the certification of a justice court as provided in the Act and applicable regulations of the Utah Judicial Council and Code of Judicial Administration. Highland shall be responsible to recertify the Court from term to term as necessary.

7. Justice Court Judge

- a. The Judge has been appointed and confirmed by Highland in accordance with the Act.
- b. In accordance with Section 203 of the Act, the Judge shall be subject to a retention election in which all registered voters within the territorial jurisdiction of the court may vote.
- c. The Judge must meet the requirements specified in Section 201 of the Act and all other requirements of the Act, Utah Judicial Council, and Code of Judicial Administration for justice court judge eligibility and must be certified by the Utah Judicial Council to hold office.
- d. The Highland City Council may appoint another justice court judge to serve as a temporary Judge in the absence or disqualification of the Court Judge.
- e. In the event of a vacancy in the position of Judge, Highland shall select and appoint a new, qualified justice court judge in accordance with the Act. Alpine may assist the Highland City Council in its selection and appointment of a new justice court judge by submitting its recommendations before a final appointment is made.
- f. Highland shall determine and pay the Judge a salary in accordance with Section 206 of the Act and the guidance of the Administrative Office of the Courts as a justice court judge employed by more than one entity.

8. Court Hours and Facilities

- a. All official court business shall be conducted in the courtroom or an office located in the Highland City Justice Center or at another location which is conducive and appropriate to the administration of justice.
- b. The hours of the Court shall be posted conspicuously at the Highland City offices and the Alpine City offices.
- c. The Court shall have regularly scheduled hours at which the judge of the Court shall be present and the hours that the Court shall be open shall be in compliance with any requirements imposed by the Act, Utah Judicial Council, and Code of Judicial Administration.

- d. Highland shall ensure that the Court is equipped and furnished with computers, recording devices and systems, furniture, security devices, and all other equipment necessary or required by the Act, Utah Judicial Council, and Code of Judicial Administration.

9. Copies of Ordinances and Materials

- a. Highland shall provide the Court with current copies of the Utah State Code, Utah Court Rules, the Justice Court Manual, and all ordinances of Highland, as well as other legal reference materials as may be determined necessary or required by the Act, Utah Judicial Council, and Code of Judicial Administration, including updates and supplements.
- b. Alpine shall provide the Court with copies of all current Alpine ordinances to be enforced through the Court.

10. Staff and Expenses

- a. Adequate, competent, and appropriate staff shall be provided to the Court by Highland to conduct the business of the Court.
- b. Court clerical personnel shall be deemed employees of or independent contractors contracted with Highland and therefore subject to the selection, supervision, discipline and personnel policies and procedures, as applicable, of Highland.
- c. Highland shall provide for adequate peace officers to provide security and attend the Court and shall provide a security plan that complies with the Act, Utah Judicial Council, and Code of Judicial Administration.
- d. Highland shall provide sufficient office space, supplies, and other equipment necessary to support Court clerical personnel.
- e. Highland shall be responsible to provide or fund all travel and training costs of the Court, Judge, and clerical personnel.

11. Prosecution and Indigent Defense

Each party shall be separately responsible to contract for or otherwise provide prosecution and indigent defense services for cases brought before the Court in the name of the respective party. The parties may coordinate such services with each other and may contract with the same person, firm, or entity to provide prosecution and indigent defense services, as the parties may agree.

12. Records

The records of the Court shall be maintained at the office of the Court but shall be made available, as required by law, to the parties and to the general public in accordance with the Government Records Access and Management Act as well as applicable court rules.

13. Budget and Cost Sharing

- a. The Highland City Council shall review, decide, and approve the budget for the Court.
- b. Highland shall pay all costs and expenses of the Court and in providing Court Services. In no event shall the capital or operational costs of the Court or of providing Court Services

be considered as a deduction from the revenues to be allocated to Alpine pursuant to Paragraph 14 below.

- c. Alpine shall pay to Highland, on a monthly basis, forty percent (40%) of Highland's costs and expenses of providing Court Services, including the Judge's and clerical staff's wages and benefits attributable to the Court, security staffing and services, training and travel costs for the Judge and clerical staff, equipping and furnishing the Court and clerical offices, providing office supplies, and rent of the Highland City justice center.
 - i. Rent of the Highland City justice center shall be established at an annual rate of \$10.20 per square foot, for 2,934 square feet, for a total annual rent of \$29,926.80 ("Rent"). Alpine shall be responsible for forty percent (40%) of Rent, for a total annual payment from Alpine of \$11,970.72, to be paid in twelve equal monthly installments.
- d. Highland shall submit monthly invoices to Alpine for Alpine's share of the costs and expenses of providing Court Services, as set forth herein. Payment shall be made within thirty (30) days of each invoice.

14. Distribution of Revenues

- a. Each party shall receive all revenues received by the Court attributable to cases and citations originating within each city's municipal boundaries, regardless of the party or entity that opened the case or issued the citation. Such revenues do not include any fines, forfeitures, court or other costs assessed against a party, bail, restitution, program fees or costs allocated to or required to be paid to divisions of the Utah state government, including the Utah State Treasurer under Utah Code 78A-7-120 and any surcharges received pursuant to Title 51, Chapter 9, Part 4, *Utah Code Ann.*
- b. Each party shall be separately responsible to file such reports with and to pay such amounts to the Utah state government and divisions thereof as may be required related to Court revenues received by a party.

15. Reports

In accordance with Section 215 of the Act, the Judge shall file monthly reports with the Office of the Utah State Court Administrator, with copies to Highland and Alpine. The report shall include, at the least, the number of cases, the dispositions entered, and other information required by the Act and Judicial Council. Annually, the Judge shall appear before the city council of each city, if requested, to make a personal report of the Court and its activities as they pertain to the city and to respond to any inquiries of the city council. The parties will invite, with reasonable notice, the city council of the other party to attend and participate in the meeting at which the report of the Judge is to be given.

16. Effective Date

This Agreement shall become effective as of May 1, 2024.

17. Termination

- a. This Agreement shall continue in effect until terminated by:

- i. The mutual consent of the parties; or
 - ii. The submission by either party, with or without cause, of a written notice at least one (1) year prior to the end of the other party's fiscal year or such longer time as may be required by the Act or Judicial Council to dissolve the Court and designate or create a replacement court, as necessary.
- b. The termination shall take effect at the end of the noticed party's fiscal year.
 - c. In no event shall the term of the Agreement exceed fifty (50) years.

18. Interlocal Cooperation Act Requirements

- a. This Agreement does not create an interlocal entity nor contemplates any organizational changes to any party.
- b. Each party shall be separately responsible for budgeting and accounting for costs, expenses, and revenues attributable to the party under this Agreement according to the party's budgetary processes.
- c. The parties do not intend to acquire or dispose of real or personal property pursuant to this Agreement, except such personal property as may be required by Paragraphs 8, 9, and 10 of this Agreement. Upon termination of this Agreement, Highland shall own, be responsible for, and may dispose of all such personal property according to Highland's ordinances and policies.
- d. Highland shall be the administrator of this Agreement.
- e. This Agreement is conditioned upon adoption by resolution of the legislative body of each party in accordance with Section 11-13-202.5, *Utah Code Ann.*
- f. This Agreement shall be conditioned upon the written approval of the authorized attorney of each party approving this Agreement as to its form and compatibility with State law in accordance with Section 11-13-202.5, *Utah Code Ann.*

19. Authorization

The individuals executing this Agreement on behalf of the parties confirm that they are the duly authorized representatives of the parties and are lawfully enabled and authorized to execute this Agreement on behalf of the parties.

20. Counterparts

This Agreement may be executed in counterparts, whether physical or electronic.

--SIGNATURE PAGES TO FOLLOW--

HIGHLAND CITY

Title: _____

Attest:

City Recorder

Approved as to Form and Compatibility with State Law

Highland City Attorney

ALPINE CITY

Title: _____

Attest:

City Recorder

Approved as to Form and Compatibility with State Law

Alpine City Attorney



CITY COUNCIL AGENDA REPORT

ITEM #3j

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Ron Campbell, Council Member
SUBJECT: Emergency Preparedness Committee
TYPE: General City Management

PURPOSE:

The City Council will consider a request from Council Member Ron Campbell to form an Emergency Preparedness Committee.

STAFF RECOMMENDATION:

Staff recommends the City Council consider Councilmember Campbell's recommendation for an Emergency Preparedness Committee.

PRIOR COUNCIL DIRECTION:

On January 16, 2024, the Council ratified the Mayor's appointment of Council members to serve on various Highland City boards and committees. Along with his appointments, Mayor Ostler requested Council Member Ron Campbell to focus on Emergency Preparedness for Highland City.

On March 19, 2024, the Council briefly discussed this new ad hoc committee and provided direction to staff to bring this item back for further discussion and consideration.

BACKGROUND:

Council Member Ron Campbell is requesting the creation of an ad hoc Emergency Preparedness Committee for Highland City. The attached bylaws are a draft that has not been fully reviewed by the City Attorney or City staff. It is being presented to the Council for preliminary review.

FISCAL IMPACT:

Currently unknown. Some fiscal impact will be incurred for a resident awareness program and to facilitate the CERT program.

MOTION:

Motion to Approve

I move that City Council approve the creation of the ad hoc Emergency Preparedness Committee for Highland City.

ATTACHMENTS:

1. Emergency Preparedness and Response Committee Bylaws

2. Resolution to Form Emergency Preparednes Committee

Highland City Emergency Preparedness and Response Ad Hoc Committee Bylaws

Purpose:

1. To create and/or update an emergency preparedness and response plan for Highland City.
2. To enhance Highland resident awareness of and the need for emergency preparedness.

Committee:

The Emergency Preparedness and Response Committee shall consist of seven (7) resident volunteers appointed by the Mayor with the advice and consent of the City Council. One member of the City Council along with one member of the Lone Peak Fire Department shall be appointed as non-voting liaisons to the committee.

The Committee must have a designated Chairperson and Secretary.

The Committee must comply with all Open Meeting Laws as set forth in UCA 54-4

Direction:

Oversee the creation and/or update of the Highland City Emergency Preparedness and Response Plan.

Recommend, develop, support, implement programs and activities to enhance resident awareness of and need for emergency preparedness.

Oversee the creation of resident training opportunities for Community Emergency Response Team (CERT) training and other like training opportunities associated with Emergency Preparedness and Response.

**A RESOLUTION DESIGNATING AN EMERGENCY PREPAREDNESS AND
RESPONSE AD HOC COMMITTEE TO CREATE AND/OR UPDATE THE
HIGHLAND CITY EMERGENCY PREPAREDNESS AND RESPONSE PLAN AND
ENHANCE RESIDENT AWARENESS OF AND NEED FOR EMERGENCY
PREPAREDNESS**

WHEREAS, Pursuant to Highland City Municipal Code Chapter 4, 12, the City Council may authorize the creation of a committee to assist the Council in carrying out the work of the city in an efficient and cost effective manner.

WHEREAS, the Highland City Council desires to ensure sufficient plans are in place for emergencies and the residents are aware of and the need for emergency preparedness,

NOW, THEREFORE be it resolved by the City Council of Highland City designates that an Emergency Preparedness Ad Hoc Committee be formed pursuant to the by-laws as set forth in "ATTACHMENT A."

ADOPTED by the City Council of Highland City, Utah on this _____ day of _____, 2024.

HIGHLAND CITY, UTAH

Kurt Ostler
Mayor

ATTEST

Stephannie Cottle
City Recorder

COUNCIL MEMBER	YES	NO
Brittney P. Bills	☐	☐
Ron Campbell	☐	☐
Doug Cortney	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐



CITY COUNCIL AGENDA REPORT

ITEM #4a

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney
SUBJECT: General Plan Contract Award
TYPE: General City Management

PURPOSE:

The City Council will consider approving a contract with Landmark Design Team to engage their services in the update of the Highland City General Plan.

STAFF RECOMMENDATION:

Staff recommends approving a contract with Landmark Design Team.

PRIOR COUNCIL DIRECTION:

On December 5, 2023, City staff requested volunteers from the City Council to be part of the committee that would evaluate the responses from firms seeking to partner with the City on its General Plan update. City Council members Doug Cortney and Ron Campbell volunteered to be on the evaluation committee, which also includes Planning Commission members Chris Howden, Audrey Moore, and Debra Maughan and staff members Erin Wells, Andy Spencer, and Jay Baughman.

BACKGROUND:

In late 2023, City staff issued a request for proposals (RFP) from qualified firms seeking to partner with the City on its General Plan update taking place in 2024. Of the three firms that sent responses, two of them were selected by the evaluation committee to interview with them to get a better feel for each firm's approach to the update process. Through these meetings, as well as recommendations from these firm's former clients, the committee selected Landmark Design Team. The committee was impressed by their approach to engaging with the Highland community, their expertise in transportation planning, and the examples they provided of the finished product.

The proposed agreement runs from April 2024 to April 2025 with the option to extend the time frame as needed. Compensation is \$127,855, which is close to the amount that was budgeted for the project and less than the amount asked by the other firm that was interviewed. The Evaluation Committee is requesting the optional SocialPinpoint Online Engagement tool offered by Landmark Design Team, which will allow Highland citizens to provide input on the General Plan through an interactive online map. Other provisions of the agreement set forth authorized representatives of each party, the nature of the City's relationship to Landmark Design Team, indemnification, termination and amendments.

The overall plan, process, and schedule for the update of the general plan is outlined in Landmark's proposal, attached to the contract. It includes the creation of a Plan Advisory Committee formed of City

staff and officials, public stakeholders, and potentially representatives from other impacted entities (UDOT or utilities). Landmark proposes at least three public meetings to gather information and feedback on the plan with additional advertising, public outreach, and methods of gathering data from the public throughout the initial phase of the process. The schedule also proposes additional meetings with the Plan Advisory Committee and City leadership. They tentatively propose to have a draft plan prepared in January for city and public review, followed by revisions leading to a final plan.

FISCAL IMPACT:

The cost of this project is \$127,855. Funding for this expense is included in GL 24-52-25, Special Projects, within the FY2024 budget. An additional \$20,000 is included in an additional budget request for FY2025 to cover the shortfall as well as provide funds for additional communication efforts the Council may want to undertake with this process. This project will span both the FY2024 and FY2025 fiscal years, with part of the funds being spent in the current year.

MOTION:

I move that approve the contract with Landmark Design Team.

ATTACHMENTS:

1. 2024-06 Landmark Design Inc Agreement Highland City

AGREEMENT

THIS AGREEMENT, made and entered into the _____ day of _____, 2024, by and between LANDMARK DESIGN, INC., a Utah Corporation, hereinafter referred to as "Consultant" and Highland City, hereinafter referred to as "Client."

WITNESSETH

WHEREAS the Client desires to engage Consultant to provide professional and technical services to complete the **Update of the Highland General Plan** for Highland City, and

WHEREAS, the Consultant has the resources expertise and the desire to perform such services for and on behalf of the Client.

NOW, THEREFORE, in consideration of the mutual covenants herein set forth and for other good and valuable consideration, the parties agree as follows:

1. Agreement: The Client agrees to engage the Consultant as an independent contractor, and the consultant agrees to provide its professional and technical services as hereinafter provided.

2. Scope of Services: The Client and the Consultant agree that the Scope of Service shall consist of Tasks shown on Exhibit "A" attached hereto and incorporated herein. All work must be performed and completed to the satisfaction of the Consultant and the Client.

3. Commencement of Work: Work shall begin on the date of this agreement and will be completed within a period of 12 months beginning in April 2024 and completed by April 2025 or earlier, unless extended by mutual agreement of the Client and the Consultant.

4. Compensation: As total compensation and expenses, the Consultant shall be paid for services under this Agreement a sum of \$127,855 as shown in the Proposed Fees, to be paid monthly for work completed to date. Client agrees to make payment within 30 days of receipt of invoice.

5. Amendments: This Agreement can only be modified or amended in writing. Any change in this Agreement, including any increase or decrease in the amount of Consultant's compensation, shall be mutually agreed upon by the Client and the Consultant and shall be set forth only in written amendments to this Agreement.

6. Independent Contractor Relationship: The legal relationship of the Client to the Consultant with respect to the services required under this Agreement shall be that of an independent contractor and not that of an agent or employee.

7. Representations and Notices: The following are designated as representatives of parties to this Agreement:

(a) The Consultant designates Sam Taylor, President of Landmark Design, Inc., as its representative in all matters under this agreement and all notices given to Consultant shall be by regular U.S. mail to:

Landmark Design Inc.
850 South 400, #104
Salt Lake City, Utah 84101
Attention: Sam Taylor

(b) The Client designates as its representative in all matters under this Agreement and all notices given to Consultant shall be by regular U.S. mail to the above designated representative at:

Highland City
5400 W Civic Center Drive
Suite 1
Highland, UT 84003
Attention: Jay Baughman

8. Indemnification: The Consultant agrees and covenants to hold harmless and indemnify the Client from claims, losses, injury, expenses and attorneys' fees proximately caused by any negligent conduct or omissions that constitute a form of tortious behavior on the part of the Consultant, its officers, employees, or agents in the execution of the work performed in accordance with this Agreement, or which constitutes a breach of this Agreement.

9. Successors: The Consultant agrees that the provisions of this Agreement shall be binding on heirs, permitted assigns and successors, subcontractors, and agents.

10. Termination: Either party to this Contract has the right to terminate the agreement on 15 days' notice. In the event such termination occurs, regardless of who initiates the termination, Consultant shall be paid for the work completed to date of termination. In such event, all unfinished work shall, at the option of the Consultant, become its property.

11. Entire Agreement: This Agreement including Exhibit "A," contains the complete agreement and understanding of the parties hereto and supersedes any previous understandings, commitments, proposals, or agreements whether oral or written, and may only be modified or amended in writing or executed by authorized individuals of Consultant and Client.

12. Jurisdiction: This agreement shall be governed by the laws of the State of Utah.

IN WITNESS THEREFORE, the Consultant and the Client have hereunto executed this Agreement the day and year first above written.

LANDMARK DESIGN, INC.

By _____
Sam Taylor, President

HIGHLAND CITY

By _____

Attest: _____

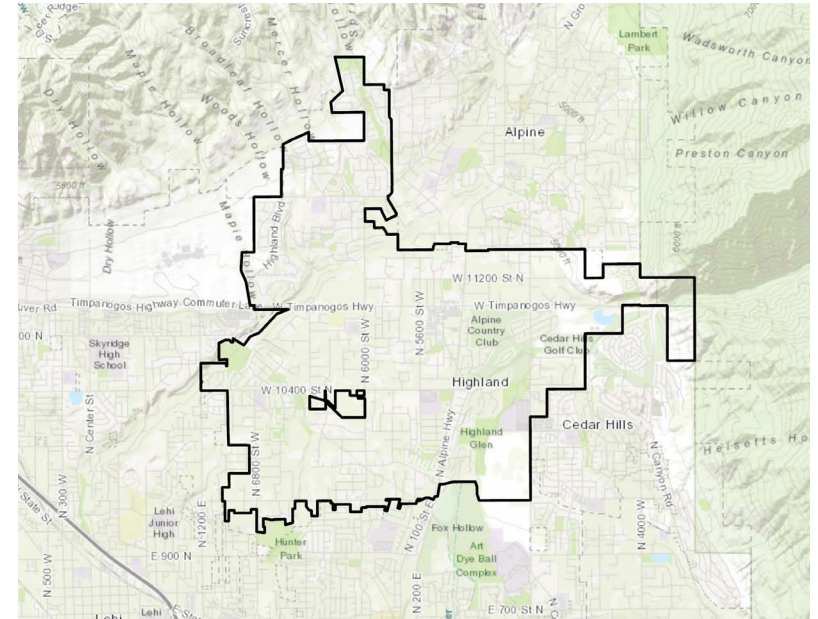
3 PROJECT UNDERSTANDING + APPROACH

Nestled at the foot of American Fork Canyon, **Highland is a cherished community** that many people call home. With its adjacency to the Wasatch Mountains and a unique setting between work centers in Provo and Lehi, the City provides a high quality of life to its residents and is an enviable place to live. Growth and development pose both opportunities and challenges for maintaining and enhancing the characteristics that people love about this place, necessitating a proactive planning approach.

Now is the time to make good choices. With the last vestiges of remaining open land soon to be developed, a new general plan is essential to retain the essence of what the City is today while establishing a clear path forward to improve the quality of life as the City approaches buildout. A robust community engagement process lies at the heart of this process, which strives to reach all corners of the community and ensure that many perspectives are reflected in the new plan. Public input will help develop a clear vision that strengthens and protects existing neighborhoods while identifying new opportunities to establish and reinforce special districts and nodes for visitors and residents alike.

Understanding specific opportunities for this nearly built-out community is essential to encourage existing businesses to stay and thrive and to encourage new ones to locate here, invest, and succeed. Highland is smaller, more built-out, and more mature than many of its neighbors. It is a place where new growth is most likely to occur through targeted infill/redevelopment at key destinations and community nodes. Such changes begin with understanding where to focus economic development efforts, and how to align those actions with a **clear land use vision** and a **well-connected transportation network** that moves automobiles, pedestrians, and cyclists through the area safely and efficiently while expanding choices and removing barriers. This process is also an opportunity to **explore new ideas** to meet changing needs, which will be supported through carefully targeted infill and redevelopment areas, new housing options, and targeted investments that make Highland a more attractive and desirable City while maintaining its unique “sense of place.”

The Landmark Design Team understands how to achieve these goals. We will utilize our experience and knowledge to ensure the updated general plan is complete and thorough, incorporating the identified elements/chapters outlined in the RFP with the flexibility to address unanticipated issues and ideas that emerge during the visioning process. Our approach begins with establishing a clear vision for the future and then translating it into a complete, long-reaching, and comprehensive general plan. Since the City is nearly built-out, we assume that many opportunities for achieving community goals and addressing issues will lie in details through “tweaks” and modifications rather than wholesale changes. However, this remains to be verified once a unified vision emerges.



SUMMARY OF ANTICIPATED TASKS

The Landmark Design Team will utilize a variation of the classic planning paradigm to develop the plan, as follows:

1) Review Existing Plans + Related Documentation/Project Kickoff

This task is designed to get the Landmark Design Team “up to speed” with past planning processes and existing conditions. We will review existing and past plans, including the Active Transportation Plan and other relevant plans and studies. We also anticipate a field trip with staff and others at this stage to collect information about existing conditions..

2) Research + Analysis

The Landmark Design Team will analyze issues and data, blending the information obtained during the Plan Advisory Committee meetings with our analysis of existing conditions, plans, and documents.

3) Develop Plan Alternatives + Elements

Once existing conditions have been documented and analyzed, the planning team will develop the critical elements for review by the Plan Advisory Committee and the public. These will include a range of alternative plan ideas and options.

4) Draft Plan

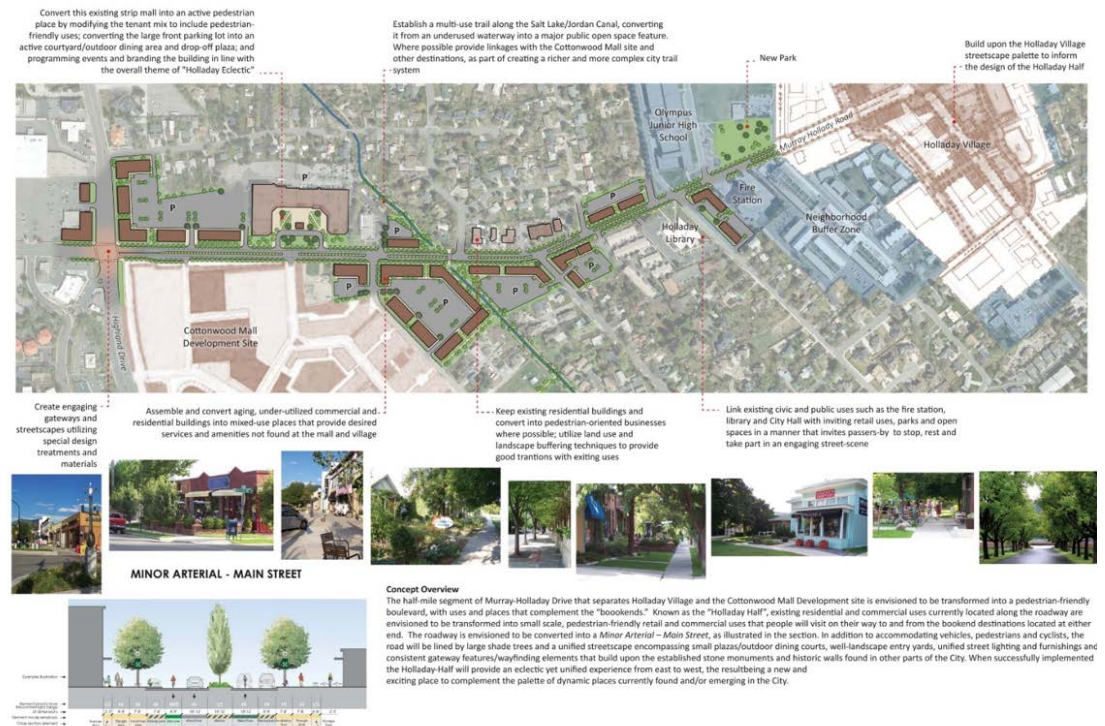
The Draft Plan will detail the plan elements to address land use; transportation; housing; water use and preservation; economic development; environment; parks, recreation, trails; and other topics that may emerge. The Draft Plan will then be presented for review and refinement.

5) Draft Final Plan

Once the Open House meeting has been held and comments received and analyzed, a Draft Final Plan will be developed summarizing the vision, planning implications, and future growth directions of the City.

6) Approval + Adoption Process

The Landmark Design Team will present the Draft Final Highland General Plan to the Planning Commission and City Council as part of the approval process. Once approved, final changes will be made and the adopted plan delivered.



Example of a detailed “Hot Spot” analysis, and how we merge land use, placemaking, transportation, and economic development considerations into solution-based implementation ideas.

(Prepared by Landmark Design as part of the Holladay General Plan Update).



COMMUNITY ENGAGEMENT + OUTREACH

In order for the future community to match its long-term vision, we will utilize a robust public participation and outreach process as the basis for defining how the City wants to grow. We believe it is essential to maintain a dialogue with the public, ensuring that all corners of the community have an opportunity to weigh in as the plan is developed, updated, and adopted. The following is a public outreach process we propose for meeting that goal.

COMMUNITY ENGAGEMENT APPROACH

A. Plan Advisory Committee

We propose the creation of a Plan Advisory Committee to help inform the planning team and give direction to the planning process. This group may include representatives of City staff, decision-makers, stakeholders, and the public. Representatives from UDOT, UTA, and utility providers may also be included as required. They will actively work with our team, meeting three times at key junctures and providing overall guidance during the planning process.

B. Project Website

We will maintain a project website as a hub for online public involvement. Linking through the City's website and social media platforms, the public will be able to track the plan's progress, access draft documents and review concepts, and submit comments.

C. Public Meetings + Workshops

We will engage with the general public through three public meetings targeted to receive direct feedback on ideas and concepts for the plan. The first, a Public Scoping Meeting, will help identify community needs, desires, and issues, which will have bearing on the development of guiding principles for the plan. The second, an Alternative Futures Public Workshop, will present key alternative concepts and ideas based on the input received from the public through and our existing conditions analysis. Public feedback collected at this workshop will aid in the selection of a Preferred Alternative as a basis for the Draft Plan. The third meeting will present the document at a Draft Plan Open House near the end of the process to ensure the planning direction is well-understood and embraced before being submitted for adoption.

D. Stakeholder Interviews

Stakeholder Interviews will be used to ensure the voices of key stakeholders or interest groups are heard. This might include focus meetings with community leaders, business interests, neighborhood groups, youth, and other stakeholders. We anticipate City staff will participate in these meetings to ensure local knowledge is understood and interpreted correctly.

E. City Leadership Briefings

Our experience has found engagement of city leadership at key stages of the planning process to be invaluable in obtaining support for plan adoption. We propose to meet with members of the Planning Commission and City Council in a joint session mid-stage to review concepts and the direction of the plan, providing a summary of findings and soliciting feedback as appropriate. During the adoption process, we will also brief the Planning Commission and City Council on the Draft Plan prior to public hearings and approvals.

F. SocialPinpoint Online Engagement (Optional)

We have had great success engaging the public through SocialPinpoint™, an interactive geospatial comment tool, and propose utilizing this platform in the early stages of the project for public scoping to identify needs, desires, and issues. Linked via the project website, this platform gives the public an additional opportunity to meaningfully engage with the planning process. Comments provided through this platform will then be categorically analyzed, with a summary report provided to City staff and the Plan Advisory Committee.



WELCOME!

The beautiful city of South Ogden began as a small farming community known for its open fields, rounded hills, and springs of sparkling clear water. Since its 1956 incorporation, the City has grown to a population of over 17,500 residents and remains a beautiful place to work and live.

The updated General Plan will establish a vision for the city which balances current and future needs and desires while recognizing the significant work and effort that has been expended in the development of form-based codes, new parks and recreation amenities, and on-going housing and development projects.



COMMUNITY VALUES + VISION

Since Highland is more mature and built-out than many of its neighbors, growth is likely to occur through limited greenfield development and targeted infill/redevelopment in focused areas. It is also a place where stabilization of existing neighborhoods and places is on par with growth. In order for the future community to implement its long-term vision, it is essential to utilize a robust public participation and outreach process to help clarify how the City wants to evolve.

VERIFICATION OF EXISTING CONDITIONS + CONCEPT DEVELOPMENT

We will document and analyze existing conditions in the earliest stages of the process, focusing on the elements identified in the RFP along with additional assessments for your consideration, as follows:

Land Use – engaging and easy-to-understand future land use map / visioning for commercial districts and key corridors / zoning change recommendations / coordination with transportation and other elements

Transportation – street and pathway connectivity improvements / intersection control / active transportation routes / public transit options / streetscape plan / improved access and connectivity across Timpanogos Highway and other “barriers”

Housing – State statute requirements and Moderate-Income Housing options / investigation of new and diverse housing types / neighborhood preservation enhancement strategies as part of housing assessment/ infill / impact of recently mandated accessory dwelling unit legislation and other possible changes in the future

Water Use + Preservation – State statute requirements / effects of development on water demand and infrastructure / water conservation policies and strategies / principles of sustainable landscaping

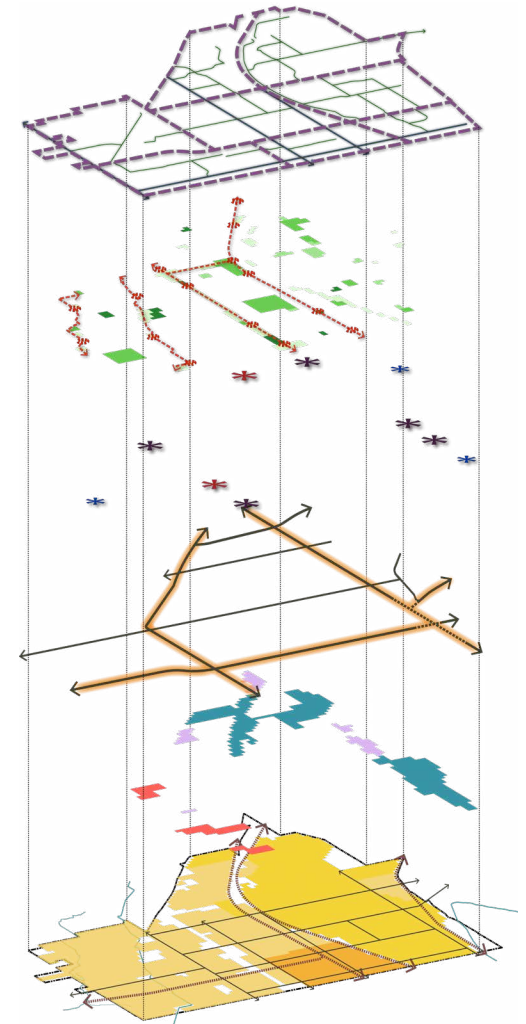
Economic Development – strategies to enhance sense of place and viability for business in key locations / strategies to increase the tax base while maintaining the existing scale and “sense of place” / market analysis and sales leakage study to identify strengths and weaknesses for attracting businesses / strategies for encouraging desired business types and nodes/ local retention strategies

Parks, Open Space + Trails – existing and future needs assessments / LOS and distribution analysis /enhancement options for existing parks / integrated park, open space and trail system plan / acquisition, implementation and cost assessments and strategies

Environment + Sustainability – natural systems assessment and implications / “green” systems and initiatives / water conservation and quality / urban forest and green structure / clean air and noise reduction strategies

Public Services + Facilities – public services assessment / schools and community centers / public safety

The existing conditions analysis is crucial for clarifying the baseline conditions and informing the Alternative Concepts that reflect specific opportunities and conditions. A Preferred Alternative will eventually emerge, at which stage we will dive deeper to create a clear and cohesive blueprint for the future.



Example of “deconstructing” a city, then reassembling it to match the future vision.



DEVELOPMENT OF THE PLAN ELEMENTS

We will apply the new vision, our technical analyses, and the Preferred Alternative to establish the direction of the plan. We anticipate working closely with City staff and the public throughout this process to ensure the ideas and details are fully embraced and reflect the community Highland wants to be. We will give special attention to land use and transportation, focusing on their intersection with the other elements of the plan as follows:

Land Use Plan

Landmark Design will reaffirm the general plan vision from the public input and development of guiding principles for the plan, utilizing these to examine land use in detail throughout the City. We will focus on opportunities for remaining infill areas and redevelopment opportunities along key corridors to establish distinctive nodes and districts for economic development, affordable housing, and other placemaking to occur. This analysis will both inform and respond to proposed transportation improvements to ensure synergy with the rest of the City. In addition, we will examine opportunities for the integration of affordable housing models that are compatible with existing neighborhoods, the impacts of proposed development on water use, and opportunities for the preservation of open space and its integration into the park system. The result will be a detailed future land use plan for the City that strikes a balance between effective placemaking and traffic management to guide Highland's future development in a meaningful way.

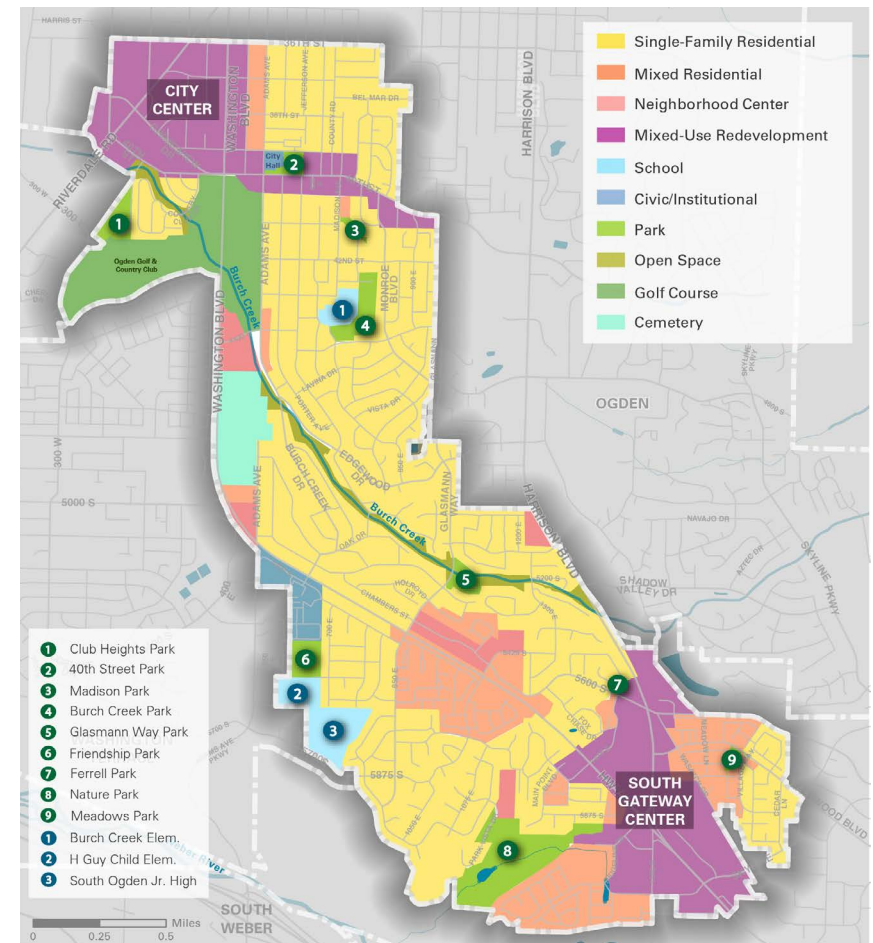
Transportation Master Plan

Hales Engineering will collect traffic counts at approximately eight (8) intersections during peak hours and on four (4) roadway segments for 24 hours. These counts will all be converted to an average daily traffic (ADT) equivalent for most of the City's collector and arterial roadways to understand existing traffic conditions. These counts will be used to calibrate the latest Mountainland Association of Governments (MAG) travel demand model (TDM) for both existing and future conditions. The level of service of all collector and arterial roadways will be estimated based on these counts.

With existing conditions summarized and public input received, we will complete a future conditions analysis to identify traffic volumes and roadway levels of service for future conditions in 2032 and 2050. These horizon years match MAG's planning years. Identifying transportation needs and projects in a 2032 condition will also be ideal for the City to create an impact fee facilities plan (IFFP), which requires a horizon year between 6 and 10 years. We will not re-run the MAG TDM but will rather use their existing results and calibrate them based on the observed existing traffic volumes. We will then identify future transportation conditions for intersection control, functional classification, active transportation, public transit, and projects.

DRAFT PLAN + FINAL GENERAL PLAN

The completed General Plan will be a concise and graphic document that is readily accessible and understood by the public. Each element will conclude with a list of strategies aimed at implementation of the vision, with specific measures identified for future action. The plan will also include brief user-specific guidelines aimed at City leadership, citizens, and developers to help understand how to best utilize the plan. We will deliver the plan in pdf format to the City along with all GIS mapping files for future use.



Example of future land use plan, highlighting key districts and public open space.



4 PROPOSED SCHEDULE

As illustrated in our proposed schedule, the Landmark Design Team proposes a 10-month planning process for preparing the plan. Assuming we receive a notice-to-proceed in April 2024, the draft plan will be ready for adoption beginning in February 2025. We anticipate two months for adoption to be complete. While this schedule is based on our experience with similar projects, we are happy to discuss adjustments and refinements to meet your needs. We assume a presentation to the Planning Commission and City Council as part of the adoption.

TASKS	2024									2025		
	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
Planning Process	1	2	3	4	5	6	7	8	9	10	11	12
Community Engagement & Outreach												
A. Plan Advisory Committee	★				★				★			
B. Project Website												
C. Public Meetings			* 1			* 2				* 3		
D. Focus Interviews												
E. City Leadership Briefings					◆					◆		
F. Social Pinpoint Online Engagement (Optional)												
1 Review Existing Plans & Documentation												
2 Research & Analysis												
3 Core Plan & Plan Elements												
4 Draft Plan										■		
5 Draft Final Plan												
6 Approval & Adoption/Final Plan Delivered												

- ★ Kick-off/Advisory Committee Meeting
- * Public Meeting/Workshop
 - 1. Public Forum (Scoping)
 - 2. Alternative Futures Public Workshop
 - 3. Draft Plan Open House
- ◆ City Leadership Briefing
- Draft Plan Review



5 PROPOSED FEE

As illustrated below, the Landmark Design Team proposes a **fee of \$122,875** to prepare the updated **Highland General Plan** as described in our proposal. *If the optional service of online community engagement with SocialPinpoint is included, the total fee will be \$127,855.* We acknowledge that we can effectively complete the project within this budget. Please note that firm and staff hours and fees are estimated by task according to established rates. All expenses for mileage, travel, workshop preparation and similar project needs are included.

Firm	LANDMARK DESIGN			LRB	HALES ENG	Hours by Task	Fees by Task
Staff	Sam	Madison	Staff	Staff	Staff		
HOURLY RATE	\$175	\$135	\$105	\$150	\$180		
TASKS							
Coordination with City Staff	10	10	8	12	10	50	\$7,240
1. Community Engagement & Outreach							
A. Advisory Committee Meetings (3)	6	12	0	12	6	36	\$5,370
B. Project Website	0	4	16	0	0	20	\$2,220
C. Public Meetings (3)	9	18	36	0	8	71	\$8,985
D. Stakeholder Interviews (2)	2	4	0	0	8	14	\$2,090
E. Leadership Briefings (3)	4	6	0	6	2	18	\$2,710
2. Review Existing Plans & Documentation	1	8	8	2	8	27	\$3,595
3. Research & Analysis	1	8	8	12	40	69	\$9,895
4. Develop Alternatives & Elements	1	8	8	8	40	65	\$9,295
5. Draft General Plan							
A. Introduction and Demographics	1	4	12	5	0	22	\$2,725
B. Land Use Element	8	32	40	0	0	80	\$9,920
C. Moderate Income Housing Element	1	0	1	20	0	22	\$3,280
D. Environment/Sustainability Element	2	4	8	0	0	14	\$1,730
E. Transportation Master Plan Element	0	0	2	0	100	102	\$15,210
F. Public Services Element	1	4	8	0	0	13	\$1,555
G. Economic Development Element	1	1	1	32	0	35	\$5,215
H. Parks, Recreation & Trails Element	2	8	24	0	0	34	\$3,950
I. Water Use and Preservation Element	2	8	24	0	0	34	\$3,950
J. Implementation Strategies/Code Amendment Recommendations	4	4	2	0	4	14	\$2,050
K. Citizen/Developer Guides	2	4	8	0	0	14	\$1,730
6. Draft Final General Plan	8	12	8	12	16	56	\$8,060
7. Approval Process/Final General Plan	4	8	4	8	8	32	\$4,600
TOTAL HOURS BY STAFF	70	167	226	129	250	842	
TOTAL FEE BY STAFF	\$12,250	\$22,545	\$23,730	\$19,350	\$45,000		\$122,875
SUBTOTAL BY FIRM		\$58,525		\$19,350	\$45,000		
TOTAL FOR BASE SERVICES				\$122,875			
SocialPinpoint Online Engagement (OPTIONAL)	0	12	32	0	0	44	\$4,980
TOTAL WITH OPTIONAL SERVICE				\$127,855			





CITY COUNCIL AGENDA REPORT

ITEM #5a

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Andy Spencer, City Engineer/Public Works Director
SUBJECT: Culinary Meter Reading Technology
TYPE: General City Management

PURPOSE:

The City Council will consider purchasing the proper amount of MXU radios for the Culinary Drinking water system to replace the older "R" radios that do not have the capability to communicate with the Sensus AMI tower system with new "M" radios that have the capability to communicate with the recently installed Sensus AMI tower system.

STAFF RECOMMENDATION:

Staff recommends the purchase of 3500 MXU "M" radios to be installed in our Culinary Water System.

PRIOR COUNCIL DIRECTION:

The Council has not previously discussed this item.

BACKGROUND:

Highland City made the decision to convert our entire Culinary water meter system to the Sensus Metering system around 2007-2009. At that time, the MXU "R" radios were installed to provide the ability to read the water meters via a drive by radio read system. This requires an employee to spend a day driving a truck around Highland with the meter reading equipment to get within radio range to read the meters. Prior to this improvement, the water staff would spend 3-4 weeks individually reading the meters which only happened yearly. The original "R" radios that were installed had an anticipated battery life span of 20 years (approximately 2027-2029). With new technological advances, Sensus has created an "M" radio which has the ability to communicate via a tower system directly to City Hall. With the current PI meter project, we have now installed the 2 radio towers needed to read all the PI and Culinary meters in the City as long as they have the proper "M" radio in the meter pit to transmit the signal and information to the towers and directly to City Hall. This will also provide residents with the opportunity to create a user profile and see their real-time water usage. If we continue with the MXU "R" radios for culinary, residents will only be able to see their PI readings in real-time, an employee would still need to spend a day driving around the City one day per month, and we would still need to address the impending battery failure of the MXU "R" radios. There are approximately 3,500 radios that need to be updated to an "M" radio. The exact number of radios will be available in the very near future as the tower system begins to read those meters that will respond.

Staff is asking for preliminary direction whether Council would like to move forward with the conversion to the "M" radios because, due to the supply backup of these parts, the City will not receive these radios until after July 2025. If Council gives direction to move forward, a formal action will come

to Council shortly.

FISCAL IMPACT:

The estimated costs of these radios is approximately \$650,000 for the parts only, not including the labor to install them. This purchase will impact the FY2026 budget. As these radios are not contemplated in the current utility rate studies, it is anticipated that an adjustment in utility rates would be needed to complete this project. If Council approves moving forward with the new radios, staff will undertake a water rate study analysis once the sewer rate study is complete.

MOTION:

Not applicable. Item for discussion only.

ATTACHMENTS:

1. S105965114-0001



MOUNTAINLAND

SUPPLY COMPANY

MLOR MOUNTAINLAND SUPPLY COMPANY
1505 West 130 South
Orem, UT 84058
801-224-6050
Fax 801-224-6058



Quotation

EXPIRATION DATE	QUOTE NUMBER
03/14/2024	S105965114
REMIT TO: MLSC MOUNTAINLAND SUPPLY COMPANY PO Box 127 OREM, UT 84059-0127	PAGE NO.
	1 of 1

QUOTE TO:

HIGHLAND CITY
5400 W CIVIC CENTER DR, STE 1
HIGHLAND, UT 84003

SHIP TO:

MISC HIGHLAND CITY SHOP
NO FRIDAY DELIVERIES
BIG SHOP AT MOUTH OF
AMERICAN FORK CANYON
HIGHLAND, UT 84003

CUSTOMER NUMBER	CUSTOMER PO NUMBER	JOB NAME / RELEASE NUMBER	SALESPERSON		
10748	Culinary MXU's		COLLIN RASMUSSEN		
WRITER		SHIP VIA	TERMS	SHIP DATE	FREIGHT ALLOWED
TYSON ALLSOP				02/13/2024	No
ORDER QTY	DESCRIPTION			UNIT PRICE	EXT PRICE
3500ea	SHIPPING INSTRUCTIONS *NO FRIDAY DELIVERIES*			180.446/ea	631560.00
	SENSUS 520M SINGLE PORT SMPT RADIO PIT-SET WITH TRPL TOUCHCOUPLER INTERVAL DATA				
Bid Total does not include tax or freight. All prices herein supercede all prior quotes and are subject to change without prior notice. No guarantee is made as to the accuracy of the quantities listed.				Bid Total	631560.00

Due to the impact of COVID-19 supply chain interruptions, trucking shortages, and resulting price increases, this pricing is based on material in stock at time of quotation. Please verify all quantities and part numbers prior to placing your order.



CITY COUNCIL AGENDA REPORT

ITEM #5b

DATE: April 16, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney, Andy Spencer, City Engineer/Public Works Director
SUBJECT: Alpine Highway Fence Replacement Program
TYPE: General City Management

PURPOSE:

The City Council will give staff direction on their goals for the Alpine Highway Fence replacement program.

STAFF RECOMMENDATION:

PRIOR COUNCIL DIRECTION:

On March 19, 2024, the City Council discussed the bid the City had received to repair the existing fence into serviceable condition, which cost was approximately \$250,000. After discussion, a majority of the Council indicated that they did not want to proceed with the City repairing the fence and would prefer to consider some type of grant/reimbursement program instead.

BACKGROUND:

Staff's understanding is that the Council generally would like to consider a grant/reimbursement program that assists homeowners along Alpine Highway to replace the existing brick/wood fence. It is staff's understanding that this program would be solely for the portion of the fence facing Alpine Highway and not any other fence on those properties, and that the residents would be required to purchase and install the fence and provide proof of payment and fence completion in order to obtain City funds.

In order for staff to establish the Alpine Highway Fence replacement program, staff needs further direction from the City Council on six issues. These issues are not presented in any particular order, but each would need to be addressed to move forward with a replacement program.

1. How much money total does the Council want to dedicate to the program?
2. How many years will the program continue?
3. Is the money made available all at once from the City and used until it is gone, or are lesser sums made available each year?

For example, if the City offered \$150,000 as total fence reimbursement funding, is that money to be made available immediately and remains until used while the program lasts, or would the Council prefer to budget \$50,000 per year for three years?

4. How much money will the City offer on a per-linear-foot basis for fence replacement?

Staff estimate the total length of fencing at 4,650 linear feet. Applying that number to different total potential funding amounts results in the following calculations (approximately \$10.75 per linear foot for each \$50,000 provided in funding):

- \$100,000 = \$21.50 per linear foot
- \$150,000 = \$32.25 per linear foot
- \$200,000 = \$43 per linear foot
- \$250,000 = \$53.75 per linear foot
- \$300,000 = \$64.50 per linear foot

5. How many people need to join together in order to obtain funding?

For example, can a single resident opt to change their fence along Alpine Highway (more patchwork appearance), or do they need two of their adjacent neighbors to also change their fence at the same time? What about neighbors that are the hold-outs or last ones to complete the fence?

6. What designs will the Council allow, and does the Council want to continue allowing the current brick/wood style fence to be maintained?

If the Council does not approve an alternate design, then the only fence type permitted would be the current brick/wood. The Council could approve either a general material (pre-cast concrete or CMU blocks) or a specific design that must be followed in order for a resident to obtain grant funding. Attached are some fence design options to consider.

FISCAL IMPACT:

MOTION:

ATTACHMENTS:

1. Alpine Hwy Fence Material Options

Option 1- Existing Wood Fence and Brick Columns (require repairs/maintenance)



Option 2- Replace existing Wood Fence with CMU Fence



Option 3- Pre-Cast Concrete Fence (Style?)

A



B



C



D

