



## HIGHLAND CITY

# HIGHLAND CITY COUNCIL MINUTES

Tuesday, March 10, 2020

Approved Minutes

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

**PRESIDING:** Mayor Rod Mann

### COUNCIL MEMBERS

**PRESENT:** Timothy A. Ball, Brittney P. Bills, Kurt Ostler, Kim Rodela (attending electronically), Scott L. Smith

**CITY STAFF PRESENT:** City Administrator / Community Development Director Nathan Crane, Assistant City Administrator Erin Wells, Finance Director Gary LeCheminant, City Engineer Todd Trane, Planner & GIS Analyst Tara Tannahill, Library Director Donna Cardon, Fire Chief Reed Thompson, and City Recorder Stephannie Cottle

**OTHERS:** Kim Hampton, Venice Hampton, Dana Erskine, Halla Walch, Michael Walch, Doug Cortney, Wesley Warren

### 7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – Mayor Rod Mann

Invocation – Sarah Ostler

Pledge of Allegiance – Council Member Timothy A. Ball

The meeting was called to order by Mayor Rod Mann as a regular session at **7:01 p.m.** 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 Youth City Council Member Sarah Ostler and those assembled were led in the Pledge of Allegiance by Timothy A. Ball.

## 1. UNSCHEDULED PUBLIC APPEARANCES

There were none.

## 2. PRESENTATIONS

### a. City Youth Council Presentation – City Youth Council Member

Halla Walch said the City Youth Council had met twice and those meetings had gone well. She said that on Tuesday March 17<sup>th</sup> they are planning a dinner with the City Council and the Youth Council's Government Committee. In addition, the Youth Council's leadership has an upcoming retreat at USU. In regards to upcoming events they have the Easter Egg Hunt and an Arbor Day Tree event.

Council Member Kurt Ostler requested more information regarding the dinner between the City Council and Youth Council. Sarah Ostler clarified that there would be light appetizers prior to the meeting so Council Members should not come completely full. She explained that there were only five members on the Government Council and they simply wanted to get to know the City Council and have the opportunity to ask questions. She said they would send the Council details in an email.

***b. Highland City 2019 In Review – Mayor Rod Mann***

Mayor Rod Mann provide a presentation about Highland City in 2019. He said that Highland City was in the news over 42 times through local newspapers and television stations, as well as papers outside the state (including U.S. News and World Report).

He listed the subjects of interest: (1) public safety (that Highland was the second safest city in Utah); (2) the Lone Peak High School scare and the active shooter drill; (3) the story about a burglar that turned out to be a turkey; (4) Highland passed the value of human life resolution that was picked up by the Associated Press; (5) the public safety fee and (6) residents John Dougal and Dr. Parker. Dr. Parker was featured for his installment in the American Fork Hospital Hall of Fame and had delivered 7,800 babies throughout his career.

Next, Mayor Rod Mann highlighted the efforts of staff to communicate with residents in 2019. He said they held 26 meetings in total, 12 of which were the Meet with the Mayor meetings. In addition, they held open houses around parks, traffic issues, the Boyer project, meet the candidate events, as well as a debate. He said the open houses were both well attended and effective, especially the Boyer Ridge View open house.

The City worked on eight miles of road and pushed off the 9600 North project to 2020. Lots of progress has been made as they enter into the third year of the seven-year plan. During the meetings that addressed traffic, they were able to use data provided by the Traffic Council that showed that both traffic counts and traffic speeds have increased. Charts provided by the Traffic Council help them show residents how traffic volumes and speeds on their streets compare to the major throughways in Highland, such as 9600 North.

In regards to City projects, the sewer line in Pheasant Hollow was finished with the intention of focusing on Hidden Oaks in 2020. The lift station at Victor View remains an ongoing project. A container was installed for quarterly pickup at the cemetery to store items after clean-up. The Mayor noted the new website design and highlighted design projects completed by Todd Trane, City Engineer, including Canal Boulevard, the salt storage building, the park maintenance building, the 9600 North sewer line, the water line at Knight Avenue, and the redesign and rebuild of Country French Detention Basin.

The City Council added a committee focused on trail maintenance, implemented a public safety fee, started a partnership with the Lone Peak Business Alliance, established a short-term rental ordinance, approved the Ridgeview development. City Council did not approve the aqua park and the 25 pickleball courts based on resident feedback.

In regards to the Council's voting statistic, 86% of the time the Council votes with a super majority – a 3-1, 4-1 or unanimous vote. 83% of the time the Council passes the action item. 12% of the time the action item is continued to a future meeting so that the Council can gain more information. The Council only denies action items about 3.5% of the time.

When Mayor Rod Mann looked at the City's social media presence he found that they reached 5,000 people through that channel. The City posted 268 posts, more than one per working day. When he looked at reach, clicks and reactions he found that posts about the arrival of Macey's to town had the most engagement, followed by the fact that Highland was the second safest city in Utah, and the Silent Santa event. Although

there were only nine people who attended that event it received a lot of positive comments from those who attended as well as other residents who thought it was a great idea.

Mayor Rod Mann, said that the City has their own YouTube channel. The top videos were Kim (885 views), Brittney (843 views) and Public Safety (445 views). He said that the most viewed City Council meetings were the July 18<sup>th</sup> meeting on human life, the August 6<sup>th</sup> meeting on the flex office, and the December 3<sup>rd</sup> meeting on large connectors. The Mayor said that in 2020 they should see higher views as the channels curator's two-minute Tuesdays were very entertaining and watched by a lot of people.

The City held 11+ events including the Fairytale Ball, Kids Night, Senior Appreciation Dinner, Volunteer Appreciation, Hometown Holiday Christmas Tree Lighting, Silent Santa, Storytime with the Mayor and his Wife, to name a few. He also stated that there was a very nice Veterans Day Ceremony.

Council Member Scott L. Smith thanked the Mayor for presenting.

### 3. CONSENT ITEMS

a. **ACTION: Approval of Meeting Minutes** *Administrative*  
Regular City Council Meeting January 21, 2020 and February 4, 2020

b. **ORDINANCE: Repealing Several Chapters of the Municipal Code Relating to Outdated Impact Fee Requirements** *Legislative*

The City Council will consider a request by Highland City Staff to repeal Chapter 3.10 Facilities Impact Fees, Chapter 3.12 Sewer Treatment Facilities Impact Fees, Chapter 3.16 Roadway Facilities Impact Fees, Chapter 3.20 Recreation and Trails Impact Fees, Chapter 3.24 Sewer Impact Fees, Chapter 3.28 Pressure Irrigation Impact Fees, Chapter 3.36 Northwest Annexation Area; Impact Fees of the Municipal Code. This action does not repeal the existing impact fees. The City Council will take appropriate action.

*Council Member Kurt Ostler MOVED to approve consent items 3a and 3b.*

*Council Member Scott L. Smith SECONDED the motion.*

*The vote was recorded as follows:*

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</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.*

### 4. ACTION: ZONING APPROVAL FOR A RESIDENTIAL CARE FACILITY FOR ELDERLY PERSONS *Administrative (15 minutes)*

The City Council considered a request by Dana Erskine for zoning approval for an 8 bed/8- person residential care facility for elderly persons located at 5159 West 11000 North. The City Council took appropriate action.

Tara Tannahill, Planner & GIS Analyst, explained that the request is for a residence for elderly persons. She said an elderly is considered to be anyone older than 60. She said that the property was in the Alpine Country Club subdivision that is currently zoned R140. Residential care facilities for elderly persons are within the permitted use in the development. She said that one requirement of the use is that there cannot be two facilities of the same use within three quarters of a mile of another similar facility. She said the closest facility to the proposed residence was .94 miles. With the request they are providing six parking stalls as part of the code requirement. They would house up to eight persons, but don't have those residents currently listed as they are still going through the state requirements. The homeowner and applicant currently occupies the residence and would be the live-in manager. A registered nurse would visit the facility three days a week, as well as four other CNAs. The visitation hours would be 7:00 am - 8:30 pm, Monday through Sunday.

Dana Erskine, applicant for the care facility was available for questions.

Mayor Rod Mann said that he had talked with one of the applicant's neighbors a couple of houses east of the property who said that the applicant was a very vivacious and vibrant person.

Council Member Scott L. Smith said that this was a trend of the future as the population ages and that he knows that group homes have been very popular and supportive. He was concerned about parking issues. He asked if the six parking stalls also included the two spaces in the garage. He wanted to know how many residents they anticipated would still be driving and parking there and how they would accommodate staff and visitors.

The applicant said none of the residents would park there. She explained that as it stands now they have five parking spaces, two in the garage and three in the driveway. They wanted to add at least one more to meet Highland City's requirement of six spaces. Ms. Erskine explained when she had her landscape design completed, they discovered they could add two more parking spaces, making seven in total. She displayed the landscape plans and the area they intended to turn into concrete for the spaces, including a spot that is ADA accessible. Ms. Erskine said that based on her research on other facilities like this in the country, there are usually two staff members at a time at the house, or one or two visitors, such as a family member or outside provider. Typically, at most, only four spaces would be occupied. She addressed how she would change the landscape so the parking remained attractive and blended in with the feel of the rest of the neighborhood. The applicant also spoke with Fire Chief Reed Thompson regarding emergency personnel access.

Council Member Kurt Ostler wanted to know the dimensions of the landscape the applicant would need to remove to accommodate the parking. She stated that it was 18 feet. Council Member Ostler asked City Administrator Nathan Crane and Planner Tara Tannahill if 18 feet was enough to accommodate the parking. Dana Erskine, applicant, clarified that they had more than 18 feet available and that with the converted area they could fit two spaces that were 18 feet long and nine feet wide, the minimum requirement for a parking space. City Administrator Nathan Crane confirmed that this was the minimum requirement.

Council Member Kurt Ostler said that when he visited the applicant's neighbors, none of them were against it. Their only concern had to do with public safety and fire truck access.

Reed Thompson, Fire Chief, said that due to the small number of residents, a maximum of eight, he did not feel they would be there that often. He said there was some challenge with it being on the highway and limited room to park emergency vehicles. Because of this, if they did have to stop there, they would secure the road to provide safety.

Council Member Scott L. Smith said a lot of the homes in the area were no longer ideal residential homes. He felt this is a good use of one of the homes. He wanted to know why the applicant had to declare that the facility was not close to a nuclear power plant.

Dana Erskine explained that she had to use the template required by the state to get their approval first. Part of that template was to declare that they were not near a nuclear power plant. Ms. Erskine the reassured the Council that residents will not be driving. She also emphasized that there will not be noise or parties. She stated that it is her understanding of these types of facilities that if a resident can drive, they do not qualify to be in her facility.

Council Member Kurt Ostler asked if someone would be present 24 hours a day. The applicant said that she would be. Council Member Ostler said this brought into question some of Highland City's code. He said that under R1-40 zoning 3-4-102 Permitted Uses, Item #11 states that "(i) no more than four unrelated persons may occupy a residential facility, including elderly persons, that include a paid 24-hour occupant or staff or (ii) no more than eight unrelated residents may occupy a home or family type environment consisting of a common household."

Nathan Crane, City Administrator, clarified that the code was reviewed when staff received the application, staff interpreted that the application was permissible based on part two of that section of the code.

There was discussion between Council Member Kurt Ostler and Council Member Scott L. Smith regarding the code. Nathan Crane, City Administrator, said Federal and State requirements must be followed by City requirements. As such, it was interpreted that there could be eight residents. Council Member Ostler said that this application included eight residents plus a staff member, making nine residents total. In response Nathan Crane, City Administrator, said staff are clarifying this section of the code to be in alignment with state and federal law. Council Member Ostler wanted to know if the project met with state and federal law. Mr. Crane said the applicant would not get a license if it did not meet state and federal law.

Council Member Kurt Ostler further referenced item E of the code which states, "residential facilities for elderly persons shall be owned by one of the residents or by an immediate family member of one of the residents or be a facility which the title has been placed..." He said he wanted to better understand which law conflicted with Highland City code.

Nathan Crane, City Administrator, said our ordinance is in conflict with federal and state law. He asked the Council to look at the staff recommendations, item #2 which established a maximum of eight individuals. He further explained that Rob Patterson, Attorney, had sent an email to respond to the issue of the #5 stipulation. He recommended not strictly enforcing this and that the Council focus on more neutral issues such as parking and access. Mr. Crane said that when the application came in and he and Attorney Rob Patterson worked through the different stipulations and they did find inconsistencies. They discovered that Highland's code was not consistent with state and federal code.

Council Member Kurt Ostler expressed concerns that Highland's code wasn't matching State code. Nathan Crane, City Administrator said the Council needed to trust the City's Attorney, Rob Patterson.

Nathan Crane explained that the limit to eight people per household has to do with the number of residents, but that in terms of federal and State law, facilities are granted licenses based on the ratio of residents to staff present. He said that State code allows for up to sixteen residents for this type of R1 zoning, but because Highland's code restricts residents to eight, that was the maximum occupancy staff set on the application.

Council Member Brittney P. Bills asked if the facility would allow for memory care. The applicant said that memory care is considered by the state as type two care and therefore was not allowed by the State of Utah to be offered in a residential home.

Council Member Kurt Ostler asked if there were concerns that residents might leave the facility and be hurt on SR92. The applicant said that right now the home is not completely fenced, but would be prior to accepting residents. In addition, the applicant is in the process of purchasing technology that would provide each resident with a wearable monitor to be able to locate the residents at all times, and will also notify staff anytime doors or gates were opened. She furthered that each of the monitors have GPS systems included in them that would allow staff to locate residents should they wander off.

Council Member Kurt Ostler said this addressed what the City calls safety and surveillance operations. He stated that when the Council made their motion they would like to include this system as a stipulation for the facility. The applicant explained that it was a requirement of the State to have that type of system, not only to alert to falls, but so that there is an intercom system to alert residents of fires and emergencies. She mentioned that the staff work station would be in the front of the kitchen allowing staff to quickly access the front door and front gate.

Council Member Kurt Ostler asked if Fire Chief Reed Thompson would be reviewing the safety of the facility as a part of their annual review. Reed Thompson, Fire Chief, said they would conduct a standard business inspection as if it was a commercial occupancy. The State's inspection was separate from that.

Council Member Scott L. Smith stated that he really appreciated Council Member Ostler's concerns, but also wanted to emphasize that he felt these types of homes were very positive and provided examples of patients who did well in these types of facilities. That said, he shares concerns with the busy highway.

Dana Erskine, applicants, spoke about the benefits of small group living as opposed to larger assisted living facilities with 70 or 80 residents who are often overwhelmed. In this type of environment residents feel like they are at home that allow them to create stronger friendships and relationships. Ms. Erskine stated that the emphasis in the home was not illness and disability, but wellness and ability with strong encouragement for residents to stay in the community. She talked about the volunteering and programing opportunities that the home would prioritize to bring people outside of the residence to participate. In addition, Ms. Erskine said that every other week she is offering a free lunch for resident's family members to encourage her residents to be visited.

Council Member Kurt Ostler asked about how residents pay for this type of facility. Ms. Erskine said that there would be seven or eight different avenues for payment, including Medicare, pension, investments, the VA, etc.

*Council Member **Scott L. Smith** MOVED that City Council accept the findings and approve the request for zoning approval on an 8 bed/8 resident group home for the elderly subject to the following stipulations recommended by staff, as well as the safety and surveillance stipulations as have been discussed.*

- 1. The use shall comply with site plan and project narrative date stamped February 18, 2020 except as modified by these stipulations.*
- 2. The number of residents shall be determined through the state licensing process, but shall not exceed eight.*
- 3. The facility shall only provide care for the elderly.*
- 4. No exterior changes will be made that would alter the residential character of the property.*
- 5. Exterior signage that would identify this site as a group home shall not be permitted.*

6. *The existing garage shall not be converted from vehicle parking to living area.*
7. *All Fire Code and Building Code requirements shall be met.*
8. *The applicant shall provide the City with a copy of a valid license from the Utah Department of Health prior to receiving a certificate of occupancy for a group home.*

Council Member **Kurt Ostler** *SECONDED* the motion.

*The vote was recorded as follows:*

Council Member Timothy A. Ball	Yes
Council Member Brittney P. Bills	Yes
Council Member Kurt Ostler	Yes
Council Member Kim Rodela	Yes
Council Member Scott L. Smith	Yes

*The motion passed 5:0.*

**5. ACTION: AWARDING OF THE SPRING CREEK PARK CONSTRUCTION BID**  
*Administrative (15 minutes)*

City Council considered a request to approve the bid from S&L, Inc. for the construction of Spring Creek Park in the amount of \$390,000.00, as well as to authorize staff to purchase the playground equipment, pavilion, and other site fixtures for an amount not to exceed \$95,000.00. The City Council took appropriate action.

Erin Wells, Assistant City Administrator, said the Spring Creek Park had been a park under discussion for a while. She explained that in 2019 staff came to the Council with an amended master plan to try and reduce some costs, but also to provide amenities requested by the neighborhood including, a pavilion large enough for four picnic tables, something closer to the edge of the street, and a large grass area. To do this staff reduced the size of the playset and removed the perimeter fence. She explained that they receive five bids ranging from \$390,000 to \$540,000 with S&L Inc. providing the lowest bid. Ms. Wells stated staff had worked with them before and felt good about working with them in the future. Ms. Wells then provided images of the design of the park.

Nathan Crane, City Administrator, reiterated that the lowest bid was from S&L Inc. with construction costs totaling \$390,000. Staff removed equipment purchases totalling \$95,000 because the City could save some costs by purchasing items through a state contract. He stated that they also have a donation from the Highland Foundation of \$15,000 for the pavilion. He reminded the Council that the original budget was targeted at \$375,000 that leaves staff with a 95,000 shortfall that would be made up through the sale of the Spring Creek Park property.

Council Member Kurt Ostler stated that he noticed that a trail was included in the park design. He asked staff to speak to past discussion about the trail and what decision was made about it. Nathan Crane, City Administrator, responded that when the park was originally designed in November of 2018, the design included a trail around the park. To save costs, and meet the \$375,000 budget as was directed by the Council, the trail was removed. Then, based on resident input, it was added back into the park design at the direction of the council.

Council Member Scott L. Smith said that he was a proponent of the trail as it gives something that older individuals can do and would add to the park. He verified that it would be an asphalt trail.

Nathan Crane, City Administrator, confirmed the trail material and that they would utilize sod. He stated that hydroseeding would save about \$20,000, but because of the time to germinate and establish and the difficulty in keeping patrons of the area for the grass to establish they felt that sod was the best choice.

Mayor Rod Mann Trail said that another good thing about the trail was that it provided access to parents with strollers.

Council Member Kurt Ostler summarized that the issues under discussion were the hydroseeding at a \$20,000 savings versus grass, and if the \$48,000 cost of the trail was worth adjusting the bid, or if they should move forward despite residents' input. He also felt that they should thank the Highland Foundation for coming up with money for this project.

Council Member Scott L. Smith said he would pass the thanks on to the rest of the board.

Council Member Kim Rodela said staff did a great job on getting bids and she recognizes that staff always tries to get the best deal they possibly can.

Council Member Scott L. Smith had a few remaining questions. First, he asked about the difference between sodding versus hydroseeding. He said it was his understanding that while hydroseeding was nice it was hard to do in summer when it was hot as it requires a lot of water. In addition, they would need to be fenced off to keep kids off the new grass. That would be its own cost. Nathan Crane, City Administrator, confirmed there would be costs which they tried to estimate and include in the net savings. However, he said that there would be unaccounted costs for watering, monitoring, and re-seeding. Given how busy staff tend to be during the summer, he felt they shouldn't be pulled away from their duties to watch grass seed.

Council Member Kurt Ostler asked about the project's timeline.

Nathan Crane, City Administrator, stated they estimate substantial completion by June 1, contingent upon manufacture of pavilion.

*Council Member **Scott L. Smith** MOVED that City Council accept the bid from S&L, Inc. for the completion of Spring Creek Park in the amount of \$390,000 and authorize staff to purchase the playground equipment, pavilion, and other site fixtures for an amount not to exceed \$95,000 and authorize the Mayor or City Administrator to execute the necessary documents for the project. Council Member **Timothy A. Ball** SECONDED the motion.*

*The vote was recorded as follows:*

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</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.*

**6. ACTION/RESOLUTION: MORATORIUM ON AGRICULTURAL CONNECTIONS TO PRESSURIZED IRRIGATION SYSTEM** *Administrative (10 minutes)*

The City Council considered a request for a moratorium on request for connections to the Highland City's Pressurized Irrigation System for agricultural users under Section 13.30.082 of the Highland City Municipal Code. The Council took appropriate action.

City Administrator Nathan Crane explained that Council Member Scott L. Smith had requested this moratorium on the pressurized irrigation system. He reminded the Council that they had already approved two connections. This moratorium would not affect those already granted, but would prohibit any additional requests.

Council Member Scott L. Smith stated that Todd Trane, City Engineer, made a compelling argument that Highland's pressurized irrigation system was not set up to support incoming agricultural properties. He felt that they could gradually improve the pressurized irrigation system to accommodate properties that will eventually be developed and come into Highland City.

Council Member Kurt Ostler asked if they needed to have a time constraint on the moratorium.

Nathan Crane, City Administrator, said that because it was not a land use item they did not need a time constraint. It was only on land use items that they had a six-month restriction.

*Council Member **Kurt Ostler** MOVED that City Council puts a moratorium upon connections for agricultural users outside the City's boundaries to the City's pressurized irrigation system and authorize City Council to pass resolution R-2020-08 pertaining to resolution of Highland City establishing a moratorium for new requests for agricultural connection under 13.30.082 Agricultural Connections of Highland City Municipal Code. Council Member **Scott L. Smith** SECONDED the motion.*

*The vote was recorded as follows:*

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</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.*

## **7. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS**

### **a. Victor View Lift Station Update**

Todd Trane, City Engineer, said that staff tried to narrow down the problem areas at the Victor View Lift Station. He explained that there are sewer lines that come down from Stevens Lane from the North and South to a manhole, then goes through Caitlin Circle to the lift station. He said staff have placed devices to determine where the location of the problem. Originally staff believed the problem was on the north leg, but have since discovered that the pipe was backing up in the cul-de-sac and from the south leg. In response the sewer team has rebuilt the pumps and continues to monitor the situation. He said that despite trying to find the source, the problem will not go away with simple solutions.

Mr. Trane felt that the best long-term solution was that the sewer needed to be diverted from its current path to Canterbury. He explained that the reason why this was not done before was that Canterbury did not exist in 1994 when the subdivision was constructed. This was estimated to cost \$300,000. He stated that the City already has most of the utility easements, but would need to purchase an easement from the Robert's

residence. He said that in the long term all of the lift stations will require maintenance and eventually need to be re-built. Staff does not feel that the Victor View station has reached its full life yet; however, it would be money well spent to eliminate the problem so that staff does not need to continue the short-term maintenance and monitoring. The costs to abandon the lift station would be \$300,000. Currently the City is spending \$50,000 on maintenance, man hours and parts. Thus, based on current costs, in five to six years the \$300,000 would be covered.

A Council Member asked if the \$50,000 were typical for all lift stations or specific to Victor View. Todd Trane, City Engineer, said they were very specific to Victor View. He said that the other lift stations do have ongoing maintenance, but that they only have about \$10,000 in budget for all five lift stations. He said that when they can rebuild lift stations, it is money well spent that ends up being savings in the City's operations over the long run. In addition, he said that the City can't currently function with this level of oversight and maintenance. He said that it has caused too much wear and tear on staff to monitor this station. Staff designed a device to put into the manhole to try and catch some of the sewage. Staff are now designing something to put on the baffle wall to use the wet well as a catch. He said it is only a temporary solution to buy staff two or three weeks before it needs to be cleaned out, but it is an in-house solution. If the Council approved the \$300,000 expenditure, it would be four to five months before a new sewer line could be in place.

Council Member Scott L. Smith said that it was probably a good solution, but that it did not stop people from throwing inappropriate things into the sewer. He also stated concern about the sharp corner proposed in the new sewer pathway. He wanted to know what would keep debris from gathering there.

Todd Trane, City Engineer, said that clogs would be an ongoing problem if people are flushing things they shouldn't. The industry throughout the country struggles with these issues. Flushable wipes just are not flushable and the problem will also need to be overcome through public education; however, the solution is to remove the lift station. TSSD has much heavier equipment to handle items like flushable wipes.

Council Member Scott L. Smith expressed concern about just shifting the problem to Canterbury.

Council Member Kurt Ostler was concerned about the angles of the line and if the pump truck would be able to have access.

Todd Trane, City Engineer, said that it would have to be maintained from the manholes on each side. He stated that there are already hundreds of 90-degree turns in the City.

Council Member Kurt Ostler wanted to know what communication has been done to the residents.

Todd Trane, City Engineer, said that flyers had been distributed on every door three times, that he personally walked the subdivision twice. In addition, they have advertised on social media. He said that it helps for two to three days and then it happens again. Part of the problem is that sewer is meant to go downhill, but topographically that wasn't possible for this subdivision. Since then they have required subdivisions to provide individual pumps.

Council Member Scott L. Smith questioned about how the City would fund this: i.e. from the Sewer Fund, Enterprise Fund of the General Fund.

Todd Trane, City Engineer, said that they currently did not have money in the Sewer Master Plan for the project so they are asking for the guidance of the City Council. He explained that they have several projects slated in the Sewer Master Plan, some of which they have to do in relation to the Boyer Project, but staff

would support holding off on those as this was their number on priority right now. Despite this, it is still a \$300,000 project that wasn't accounted for in the Sewer Master Plan. Staff are currently working on a utility rate study for sewer and are happy to incorporate this in to the rate if the Council felt that the City as a whole should pay for the \$300,000.

Council Member Kurt Ostler said that because this was a topic that he had a personal interest in he declared a conflict of interest and excused himself from the conversation.

Council Member Brittney P. Bills expressed appreciation to staff for their work. She said that she went out on a sewer tour last week and learned a lot. She said that they needed to consider the amount of time that staff were spending on this problem is time that staff cannot be engaged in other maintenance. She said she would walk the neighborhood to help spread the word.

Council Member Kim Rodela said that they needed to decide if removing the lift station fell to the responsibility of the City or to the residents. She said the Council needs to decide who is going to shoulder the costs.

Mayor Rod Mann suggested they make some projections and look at what the cost would be to maintain the Victor View lift station over 10 years and the cost to rebuild it and then use that as a factor to determine which costs residents should bear. He said that the neighborhood who is contributing to the problem should bear some of the burden.

Council Member Scott L. Smith agreed with the Mayor.

Todd Trane, City Engineer, said that there was general maintenance on the other lift stations but they are spending 50 times more time at Victor View than before. He said that he and City Administrator Nathan Crane had discussed conducting a mandatory neighborhood meeting because current outreach has been insufficient. Staff is moving forward right now with temporary fix to some buy time. He said ultimately, they either need to rebuild lift station or bypass it.

Council Member Timothy A. Ball said that he didn't want to set a precedent that a particular region or area is responsible for bearing the cost/burden. Should a project arise in another part of the City that residents would say is not in their region and would be unwilling to contribute to funding those projects. He was concerned this would set a precedent that would lead to the regionalization of costs, as opposed to thinking of the City as a whole.

Council Member Scott L. Smith said that they need to change behavior which required compromise.

Council Member Kurt Ostler said that there needed to be more accountability to ensure that residents received educational materials. He said that they needed a letter from the City that was hand delivered and staff mark that each home received it.

Todd Trane, City Engineer, said that it was challenging to get to everyone, but the last time the hand delivered fliers to those who answered their door. He asked what the Council recommended for future communication: continue to knock on doors, a mandatory meeting, etc.

Mayor Rod Mann said that a mandatory meeting would be appropriate. Council Member Kurt Ostler said that elderly people in area that won't be able to make it to a meeting

Todd Trane, City Engineer, responded that he agreed that no matter how diligent they are about education some of these materials are still going to end up in the sewer. It seems the other lift stations handle the small number of items better, but this station does not and that is why, in addition to education, they also need a technical solution either by rebuilding the station or bypassing it.

Council Member Kurt Ostler said that he was concerned about the design of this lift station which was shallower than the design of other stations in the area.

Todd Trane, City Engineer, said that it is similar in design to other lift stations. However, the wet well depth was shallower than the others. He said it is the City's oldest lift station. Even though the pumps are brand new, it's probably just a poor design. He asked if today staff has the support from the City Council to move forward with creating a plan to eliminate the lift station.

Council Members Scott L. Smith, Kim Rodela and Brittney P. Bills gave support to eliminate the lift station. Council Member Kim Rodela said in the meantime she would like to hold a mandatory meeting and keep track of who was in attendance and who was absent and then have staff speak to the individuals who were not present. Council Member Britney P. Bills suggested that they have the meeting in the neighborhood location. Council Member Kurt Ostler said that he would be happy to host it as his home.

## **b. UTOPIA Update**

Mayor Rod Mann wanted to voice in the public meeting that after conversations with the Council there was just not support to back a 27-year bond to support the installation of Utopia Fiber internet. He said that he did meet with other providers such as AF Connect, an internet provider out of American Fork, that already have a fiber line and could provide options for the City to allow new subdivisions to contract with them. In addition, he connected with the President and CEO of Utah Broadband, a microwave-based internet service provider that uses a fiber backbone, with the UTOPIA Fiber folks.

Council Member Kurt Ostler said that after they talked with AF Connect they found out that there was fiber coming out of American Fork, down 6000 West that comes up 10400 and comes down 5600 down to SR92. He said that this means that there is already fiber in that area of Highland.

Mayor Rod Mann said if the neighborhoods in those areas were interested in committing to the fiber service it could be run down poles to be made to residents in those areas.

Council Member Kim Rodela said that Canterbury South does not have Comcast, except for one street where a resident works for Comcast.

Council Member Kurt Ostler said that when they spoke with AF Connect, one of the biggest costs was that they had to dig in the ground to install the fiber lines. He said that there were already power poles going along 10400 that would make the cost much cheaper to run down poles than dig in the ground.

Mayor Rod Mann provided another update that on Thursday, March 12 at 7:00 p.m. at Lone Peak High School there would be an Emotional Self-Reliance Seminar. He said that would be in two parts, the first offered by Dr. Brent Pugh on the impact of screen time on us and the second by Dr. Lynn Scoresby about what you can do as a parent to raise emotionally resilient children. He asked about the format of the following Council Meeting.

Nathan Crane, City Administrator, said that it would be a combination of a Work Session and Action Meeting. He said there was an item about bond adoption as well as the garbage contract.

### **c. Mountain Ridge Construction Plans**

Nathan Crane, City Administrator, said that they had originally planned to discuss the Mountain Ridge Construction Plans with the Council, but due to attention to the Public Safety Budget, staff was not ready.

### **d. Additional Items**

Council Member Scott L. Smith stated that there had been a lot in the media about COVID-19. He said that they are in a preparation phase, but wanted people to know that the CDC had pushed out test kits and that Highland was able to test for the virus in their labs, despite trying to be selective about who was tested. He recommended that the most effective thing was to invest in Clorox wipes, and to keep surfaces clean and try not to touch one's face. Quarantine measures will probably be necessary as well as possible social distancing. He talked about how kids tend to be carriers, but don't tend to die from COVID-19. He suggested people continue with their routines, but to be careful, not panicked.

### **e. Future Meetings**

- March 11, 6800 West Open House, 6:00 pm, City Hall
- March 17, City Council Meeting, 7:00 pm, City Hall
- March 24, Planning Commission Meeting, 7:00 pm, City Hall
- March 31, City Council Meeting, 7:00 pm, City Hall

## **ADJOURNMENT**

Mayor Rod Mann called for a motion to adjourn.

*Council Member Scott L. Smith MOVED to adjourn the regular meeting and Council Member Timothy A. Ball SECONDED the motion. All voted in favor and the motion passed unanimously.*

*The meeting adjourned at 8:48 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 10, 2020. This document constitutes the official minutes for the Highland City Council Meeting.*

Stephannie Cottle  
City Recorder