



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, May 19, 2020

Approved June 16, 2020

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

This meeting will be held as outlined by the State of Utah's guidelines for the Low Risk phase for the COVID-19 pandemic. Individuals, especially those in a high-risk category, are strongly encouraged to participate in the meeting virtually via YouTube live at <http://bit.ly/HC-youtube>. If individuals participating electronically would like to make a comment during the Unscheduled Public Appearances section of the agenda or during one of the Public Hearings, they may call 1-346-248-7799 and use the Meeting ID: 839 5020 4142. Comments may also be emailed to council@highlandCity.org prior to the meeting.

PRESIDING: Mayor Rod Mann

COUNCIL MEMBERS

PRESENT: Timothy A. Ball, Brittney P. Bills, Kurt Ostler, Kim Rodela, 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, City Attorney Rob Patterson, City Recorder Stephannie Cottle, Fire Chief Reed Thompson

OTHERS PRESENT: Dave Card, Tony Johns, Chelsea Ripping, Timo Hoggard, Garrett Seeley

PRESENT ONLINE: Wade Hadlock, Denisha Marshall, Brett Burns

7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – Mayor Rod Mann

Invocation – Council Member Timothy A. Ball

Pledge of Allegiance – Council Member Kim Rodela

The meeting was called to order by Mayor Rod Mann as a regular session at **7:02 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 Council Member Timothy A. Ball and those in attendance were led in the Pledge of Allegiance by Council Member Kim Rodela.

1. UNSCHEDULED PUBLIC APPEARANCES

Time has been set aside for the public to express their ideas, concerns, and comments.

Mayor Rod Mann thanked those who helped open up the playground the previous weekend. There were volunteers that had taken off tape including Councilmember Scott L. Smith, Council Member Brittney P. Bills, and Councilmember Kim Rodela, as well as Carl Hartman, Brian Braithwaite and Christian Chevrey. He also thanked event coordinator Corrinne Prestwick for organizing a parade for the Highland Glen Assisted Living

Center and the Utah State Developmental Center on Wednesday at 1:00 pm. The parade started at the high school, went north to Highland Glen and came back around the back side of the high school, waited for everyone to be done and then went down to the Developmental Center. Council Member Scott L. Smith commented that the parade had made the front page of the Deseret News. Mayor Rod Mann stated that he had spoken with the director of the Development Center, Frank Reese, after the parade and that Mr. Reese voiced what a positive impact the parade had had on the youth, staff, and permanent residents. They had also received positive feedback from the Highland Glen Assisted Living Center.

Council Member Scott L. Smith stated that he was on the governing board of the USDC and that they had talked about what the parade had meant to the residents of the USDC.

2. PRESENTATIONS

a. JOINT MUNICIPAL/PRIVATE OWNED RECREATION CENTER - *Tony Johns*

Dave Card, an Alpine resident, and Tony Johns, a Lehi resident, were present to give a presentation on the community fitness center to be built in Highland. Dave Card, Alpine resident, stated that this would be a joint venture with Alpine and Cedar Hills if said cities desired to participate. Mr. Card stated that they were dedicated to nutrition, health, and the youth of the community and that they had a vision for what they hoped to do differently from other fitness centers. He referred to the presentation on the screen and commented that the fitness center would be a beautiful landmark for the City. He stated that Tony John, Lehi resident, was the founder of the Community Fitness concept and that he himself had formerly been the CEO of the Fat Cats organization that had recently built a new center in Saratoga Springs as well as others in the Arizona area. He commented that because of this they were aware of what it would take to make a facility like the Highland fitness center successful.

Tony John, Lehi resident, stated that many felt there was a need to have a facility in Highland. He commented that he and his wife had five kids and liked to stay active, but it was difficult to find a facility that was family oriented and had strong youth programs.

Tony John, Lehi resident, spoke about the other partners in the project. He mentioned Dave Card, Alpine resident, and himself, as well as Blain Helle, who was the principal of a local soccer club and was very integral in the community, who was going to be their managing director of programs. He stated that the Advisory Board consisted of Dave Ulrich, Justin Su'A, Ty Bennett, and Dale Murphy.

Tony John, Lehi resident, discussed their concept and stated that they were focused on bringing families and the community together which was lacking in the City. He stated that through a municipality they would be 10-15 years out from bonding a facility of that nature. Additionally, they were working with the surrounding cities to expedite that through a public and private partnership. It would be a privately-run facility in conjunction with the City that would not be a huge burden to the residents or the City. He commented that the Provo rec center was a \$38 million bond with a \$5.5 to \$6 million annual operation budget; however, their strategy would be a little bit different. He stated that the new proposed facility would meet the needs of a regular fitness center as well as having indoor soccer fields, basketball courts, and indoor zipline and ropes courses. There would be a full kitchen and a nutritionist as well. He stated that one of the benefits would be that they, the Community Development partners, would carry the debt load and operate the private facility. They were hoping to put the facility in Highland and that Highland residents would have a discounted membership fee because of this. He stated that a benefit for the City was the accelerated placement of a rec center in the City and that a bigger benefit was that there was not a cost to the City of \$35 to \$40 million.

Tony John, Lehi resident, discussed what the facility would look like. He stated that they had looked at several different sites but one that they had looked into more extensively was with the Patterson Group on the Longhorn property located on the corner of 6800 and SR92 and was about nine acres. He referenced a slide that illustrated the footprint of the site. He stated that the facility sat on an initial proposed commercial area that they would take a section of and purchase independently through the Patterson Group and then work through the City if things

moved forward. Part of their model was that they facilitated specialty fitness programs like yoga, health and nutrition, Cross-fit, spin classes, and Zumba.

Council Member Scott L. Smith stated that a lot of people had asked him about a swimming pool and that he did not see one listed, to which Tony John replied that was correct. Mr. John stated that a swimming pool was not a part of their business model because of the huge expense, the liability, and the maintenance. He stated that another City in the County had expressed interest in aquatics and he had told them that with the Community Development Partners coming in and taking care of the physical activity facility, the City was free to bond for aquatics. Council Member Scott L. Smith commented that as a physician he would like to see more facilities where people could go for aquatic activities and expressed his disappointment in not seeing one in this plan. Tony John commented that some cities, for example Saratoga Springs, wanted to have complete control over the aquatic facilities and so were going to move forward with aquatics as a City. Council Member Scott L. Smith replied that Highland could not afford that and he was hoping to give them that opportunity through this project.

Tony John went on to talk about other amenities that would be offered. He commented on the digital element and stated that there would be a digital pass that would allow access to live and on-demand exercises and classes from home with an app. He stated that there were other elements of the app in development that would allow the City access to communication with residents through the app that would be co-developed with the City. He commented that in the current environment this would be a real plus. He went on to describe some of the adventure elements and referred to several slides. He showed a junior adventure course for young kids. Mayor Rod Mann asked if this would be similar to the Thanksgiving Point Discovery Center to which Tony John answered affirmatively. Mr. John stated that they would have state of the art facilities, spin classes, yoga classes, a café and nutrition bar that would have healthy options, and a fieldhouse. He explained that it would have a full soccer field that would be surrounded by a walking track, a ropes course, and a basketball court which served multiple purposes such as basketball, volleyball and pickleball. He showed some renderings of the facility and stated that there was a growing demand for youth and clubs, such as North Utah County Soccer, to have year-round access to facilities and part of their model was to provide that. Mayor Rod Mann asked how many teams could practice at one time. Tony John explained that the field could handle eight teams for skill development or a small scrimmage with four teams. He stated there was a high demand for some sort of year-round elite soccer program and that there were several facilities like this in Salt Lake County. However, there were none of that size in Utah County which limited the ability of top elite athletes to participate in those super leagues. He commented that they would break it down into skill groups and that there could be eight to ten groups on a corner of the field at a time.

Council Member Kurt Ostler asked how much square footage the facility would be. Tony John replied that the ropes course, basketball court, and soccer field would be around 110,000 square feet, the rec center would be 52,000 square feet and would be two tiers, so the footprint would be around 23,000 to 25,000 square feet. He stated that for the footprint they would be looking at six to seven acres but how it sat on the commercial property there would be room up front for secondary retail pads.

Mayor Rod Mann asked about their model for skill camps and asked if they leased facilities for camps, to which Tony John answered affirmatively. Mr. John stated that there would be some camps that they would run as a facility and there would be others that would be leased out.

Council Member Kurt Ostler asked for further clarification on the size of the facility and asked for a comparison to Smith's Marketplace. It was asked how tall the building would be to which Tony John replied that the fieldhouse was a steel building and at the absolutely apex it would be 42 feet. At the corners it would be 30 to 35 feet, and that the rec center was about the same. Council Member Kurt Ostler commented that he did not think that they had metal buildings in their code at that time and asked City Administrator/Community Development Director Nathan Crane if the metal building and the height would have to be amended into code. City Administrator/Community Development Director Nathan Crane replied that they would have to do a custom

zoning district. Tony John referred to a slide that showed the building and commented that it was a really beautiful building and they would work within the parameters of the City had. It was not going to be something that looked like an airport hangar. He said it would have up to code interior and exterior and they would make sure that it had the look and feel of Highland. He stated that their intent was to have the building match the architecture of the City but that there was significant savings with the type of construction of a metal building as opposed to a block or concrete building. Mayor Rod Mann asked if there would be a basement to which Tony John replied no.

Tony John addressed the online segment and stated that their app was something that the City could leverage in the next few weeks. They would not need to wait for the process of the rec center to be built. He wanted to partner with the City to provide the online at-home exercises and other amenities sooner than that. There would also be a free element that would provide access to classes as part of the subscription cost.

Council Member Kurt Ostler asked what commitment was being asked of the City through this project. Tony John replied that the world had changed in the last two months and so they were reassessing what the commitment would be. Initially, they had a request for the permit element because they were providing a pretty significant service and amenities for the City. Additionally, they would provide the City a certain number of days a week and a certain number of nights a year to hold community activities: farmers markets, movie nights, swap meets, etc. within the walls of the fieldhouse, but they were unsure of what that would look like. He stated that they had initially come in asking for a certain number of nights a year and the permits, but they would like to reassess this.

Mayor Rod Mann asked, relative to the app, where the help from the City would come in, to which Tony John replied that it would be similar to the rec center. Mr. John stated that it would be an endorsement from the City in which the City would be partnering with a private company to provide a free service. If residents wanted access to live classes or longer workouts there would be a subscription fee. He commented that it would really be the endorsement from the City and that a benefit they would like to provide to the City was a 10% first year subscription return to the City as a revenue stream. Mayor Rod Mann requested this in writing so they could have their attorney look at it and discuss it at their next meeting.

Council Member Kurt Ostler asked what the source of their financing was, to which Tony John replied that there were two private sources that had asked to remain anonymous as private entities. There would be debt and equity financing so they would be working with a local institution that had expressed interest to work with them. As they moved forward with the project, they would solidify these sources.

Council Member Kim Rodela commented that a community questionnaire had been done asking residents what they liked about where they lived and what they would like to see improved, and the number one response was the desire for a community fitness center. Additionally, there was nowhere for older kids to play inside so she thought this was a great concept. She stated that they didn't have a lot of money to contribute but that if they could make it work they should proceed.

Council Member Scott L. Smith commented that people had come to him asking for aquatics not an indoor soccer field. He again expressed his desire for aquatics and suggested they reconsider a pool. Dave Card replied that one of the reasons they were leaning heavily on a soccer field was not for soccer specifically but what it could add to the community as far as other events. He stated that they were not only interested in exercise but that they were also interested in building a sense of community and that there were a number of things that the soccer field could provide to the community. He commented that with the app being available in the next few weeks, they wanted to identify with the City a small improvement that needed to be done so that they could contribute the funds generated from the app towards something specific rather than offering a generic 10% return to the City. Mayor Rodd Mann stated that the Council would come up with something.

Council Member Kurt Ostler asked if there would be outdoor soccer fields as well to which Dave Card replied that no, everything would be inside.

3. CONSENT ITEMS (5 minutes)

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. ACTION: Approve and Authorize the Mayor to sign a contract with Holbrook Asphalt Company for Construction of the 2020 Road and Trail Preservation Project not to exceed \$361,557.24 Administrative

The City Council will consider a request to approve a bid with Holbrook Asphalt Company to proceed with the construction of the 2020 road and trail preservation projects, and authorize the Mayor or City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

b. ACTION: Approve and Authorize the Mayor to sign a contract with M&M Asphalt Services for the Crack Seal Work for the 2020 Trail Preservation Project not to exceed \$28,016 Administrative

The City Council will consider a request to approve a bid with M&M Asphalt Services to proceed with the crack seal work for the 2020 trail preservation project, and authorize the Mayor or City Administrator and City Clerk to execute the necessary contract documents for the project. The Council will take appropriate action.

c. ACTION: Approval to Replace the Heater Boiler at City Hall Administrative

The City Council will consider a request to replace the heater boiler at City Hall and authorize the Mayor or City Administrator and City Clerk to execute the necessary contract for the project. The Council will take appropriate action.

d. ORDINANCE: Amending Chapter 3.08 Purchases and Encumbrances Legislative

The City Council will consider a request by Highland City Staff to amend Chapter 3.08 Purchases and Encumbrances related to the process for City purchases and encumbrances. The Council will take appropriate action.

e. ACTION: Ratifying the Mayor's Appointment of Jessica Anderson, Natalie Reed, and Kim Rodela to the Library Board Administrative

The Council will consider the Mayor's request to ratify the appointment of Jessica Anderson, Natalie Reed, and Kim Rodela to the Library Board. The Council will take appropriate action.

Council Member Scott L. Smith asked that item 3a. be pulled off the consent agenda for further discussion.

Council Member Kurt Ostler MOVED to approve consent item 3b, c, d, e as listed on the agenda. 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.

3a. ACTION: Approve and Authorize the Mayor to sign a contract with Holbrook Asphalt Company for Construction of the 2020 Road and Trail Preservation Project not to exceed \$361,557.24

Council Member Scott L. Smith stated that he strongly supported maintenance on the trails and roads. He had a question on the map of where some trails had been delineated as transportation quarters and others for recreation and wondered how Staff determined the difference. City Engineer Todd Trane replied that all of the trails in Highland had been gone through and categorized based on how they functioned and on condition. He stated that every trail seen in the plan for a surface treatment regardless of their functional class was in good condition and the other ones were based on patching or completely redoing the trails. They were working on a plan for usage similar to roads where the decisions would be made for them, but because they had money to spend that year, they were hitting all the good trails regardless of their functional class. Mayor Rod Mann commented that this was similar to what they had done with the roads where it was more cost effective to keep the good roads good, which they had gotten criticized for because it seemed counterintuitive.

City Engineer Todd Trane stated that next year they would have a better plan. For the current year, the budget would exceed what they had, but since they were starting in June and July, they would use a little bit of the following years budget to compensate.

Council Member Scott L. Smith asked about the Wimbleton perimeter trail and commented that it was included in the plan even though Council had surplused the trail and had gone to a public ballot. It seemed to him that they should hold off on resurfacing that trail until they had the vote from the public ballot. City Engineer Todd Trane agreed and said that they had just included all of the good trails. He stated that they could pull those trails out easily if the Council felt it was appropriate. Council Member Scott L. Smith stated that he was not opposed to maintenance he just thought they should wait for the vote in case it went the other way and the trail got pulled out. City Engineer Todd Trane commented that it could take a year or two for the issue to get resolved and so for now they felt they should put all the trails in the plan now and have a discussion. He stated that by next year it would be easier to make decisions because they would have a plan to follow.

Mayor Rod Mann stated that he had the same concerns as Council Member Scott L. Smith. However, after he had had time to digest it, he acknowledged that they were getting good prices for roads and seal coating relative to the previous year. The pricing was good, and the trails would be around for at least a year or two, so taking advantage of pricing at that time was an efficient use of funds. If they excluded Wimbleton, it would save a little bit of money but not enough to do any significant road work. He stated that seal coating was typically \$0.15-\$0.20 per square foot so they would not be able to take the residual and do much with it that year. According to his calculations, this plan would cover 65% of the trails in Highland and of that 14% were Wimbleton.

City Engineer Todd Trane commented that part of the reason that they had included it was because it had been such a hot topic. There had been complaints that they weren't doing anything to the trails especially in that location for many years, and staff felt like it was something that was owed to the residents even if it was only for a few years. He stated that not all of the Wimbleton trails would be removed if the vote went through, only the perimeter trail which acted as an access to the ditch.

Council Member Scott L. Smith stated that he was confused by the presentation about the difference between transportation and recreation trails. City Engineer Todd Trane replied that this was because there was not any and that they were strictly categorized based on condition. All of the good trails in Highland were receiving surface treatment. He stated that the following year they would look at usage, category, and cost after they had a plan. City Administrator/Community Development Director Nathan Crane commented that they had included a

definition so that Council would know where the money could be used in case anyone ever asked. Mayor Rod Mann clarified that this was being funded with sales tax which could only be used on transportation corridors.

Council Member Brittney P. Bills commented that she had the same issue as Council Member Scott L. Smith. She believed that the process mattered and that where the previous Council had voted to dispose that trail, she had a real problem spending money to preserve it. However, she thought that since there were so many issues surrounding that trail right now—procedural issues, the ditch, and the trail itself—it seemed like it was going to take a long time to resolve. One thing that they had said they were going to do was show residents that they could maintain those trails. For that reason, she was okay with keeping them in the plan for the time being. She thought it was important to respect what the previous Council had done but also to respect the referendum process.

Council Member Kim Rodela stated that she agreed and had just gone and walked the trail that day and it had been sprayed. There had been some cleanup along the trail but was wondering at what point they stopped maintaining. She thought they should maintain it as best they could because as a City, they owed it to the residents.

Council Member Kurt Ostler asked about the Peck proposal connecting high pressurized irrigation and how as a Council they would move forward. He commented that the previous Council had not done a finding and asked if they would have to do a finding to move forward. He wanted clarification on the legal status of Peck and wanted direction on what they would have to do as a Council. City Administrator/Community Development Director Nathan Crane responded that they had not had any contact with the Peck's and so did not have an update. Council Member Kurt Ostler asked City Attorney Rob Patterson for further clarification. City Attorney Rob Patterson stated that he thought this was best raised as a future agenda item for discussion because it was not on that night's agenda.

Council Member Scott L. Smith MOVED to approve consent item 3a. Approve and Authorize the Mayor to sign a contract with Holbrook Asphalt Company for Construction of the 2020 Road and Trail Preservation Project not to exceed \$361,557.24. Council Member Kim Rodela 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. PUBLIC HEARING/ACTION: ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2020-2021 *Administrative*

The City Council will hold a public hearing to consider adoption of the 2020-2021 Fiscal Year Tentative and set a date of June 16, 2019 to hold a public hearing on the Final Budget. The Council will take appropriate action.

Finance Director Gary LeCheminant commented on the tentative budget for the fiscal year 2020-2021. He stated that not a lot had changed since their discussion on April 21, but he wanted to go through everything to make sure there was an understanding. He stated that these were budget assumptions based on a 0% salary increase and that medical premiums would go up 5%, and dental would go up 1.9%. He had no property tax information, but he hoped by the end of the month they would have an idea of what that revenue would be. To be conservative he had left the property tax collections flat from the year before. He stated that they had used the Utah League of

Cities and Towns (ULCT) economic study numbers for sales tax projections which showed that on the whole they would be less than 2.5% of what they had expected to collect that year. Council Member Scott L. Smith asked what that meant to them dollar-wise, to which Finance Director Gary LeCheminant replied that he had plugged in \$2,408,000. Mayor Rod Mann asked if that was the current years forecast for sales revenue, to which Finance Director Gary LeCheminant replied that the current years' projections had been \$2,470,000. Mayor Rod Mann asked if they were looking to come in at projection that year, to which Finance Director Gary LeCheminant replied it was hard to tell and that they were estimating that April, May, and June would be 25% less than the year before. The previous year they had collected \$632,000 in sales tax in April, May, and June and the sales tax numbers they had gotten that year in May which were actually for March were \$1,000 higher than the year before which made it difficult to tell whether COVID-19 had had an effect or not.

Council Member Scott L. Smith asked if the number referred to all sales tax revenue or if it was divided between direct and shared. Finance Director Gary LeCheminant replied that it was all sales tax: their portion and what they received from the State. Council Member Scott L. Smith commented that Highland businesses had never been busier, so he hoped the direct sales tax would at least break even. The decrease would be in the shared sales tax, to which Finance Director Gary LeCheminant replied that this was correct. He noted that the ULCT study was based on a 50/50 split but that the Highland ratio was 25/75.

Mayor Rod Mann stated that he attended a meeting where they had discussed sales tax revenue. The tourism businesses and car dealerships had been hit really hard but other businesses were killing it (grocery and online shopping). That year they would start to get the whole online sales tax come in, due to the Supreme Court ruling the year before. Therefore, they would be unsure if it were growth and just revenue they had not been receiving previously. He stated that the net sales tax was down 0.4% so that boded well going forward. He commented that March had been a good month but that in April the economy got hit pretty hard with people getting laid off. They would not get the April numbers until June so they would have to wait and see until the end of June after they had already passed the budget. He expected that there would be budget adjustments throughout the year: positive and/or negative. City Administrator/Community Development Director Nathan Crane stated that they would have to do regular updates on revenue as it came in and have those conversations throughout the year.

Council Member Kurt Ostler asked where they did not currently have revenue coming in to cover the projected budget. Finance Director Gary LeCheminant replied that the General Fund was showing that they were using \$100,000 less than the previous year's Fund balance. If COVID-19 had not happened, he would have estimated their sales tax at \$2.6 million and the \$2.4 million figure showed \$200,000 less being collected next year. Council Member Kurt Ostler asked where the \$100,000 figure was coming from, to which Finance Director Gary LeCheminant replied that it had come from the previous years' revenue and that they should be able to weather it. Finance Director Gary LeCheminant commented that their balance dipped low after they made their bond payment each year in September but it was funded in August. He stated that this year the bond payment would be \$1.3 million because it was combined with the PI bond and the park building bond.

Council Member Kurt Ostler asked what would happen to their cash balance in August/September that year if that was when it was the lowest each year. Finance Director Gary LeCheminant replied that it should still be positive but he had not calculated exactly what it would look like. He stated that overall if they needed anything, they had \$20 million in PTIF funds. City Administrator/Community Development Director Nathan Crane stated that one of their goals was to have three months of operating cash which would not be affected by this.

Council Member Scott L. Smith commented that he was sad Finance Director Gary LeCheminant was leaving and that he had done a marvelous job over the last 6.5 years. He then asked Finance Director Gary LeCheminant if he thought that they had received all the property tax he that they would get for that year except for delinquent taxes coming in. Finance Director Gary LeCheminant answered affirmatively.

Council Member Scott L. Smith stated that the certified tax rate went up and down and that they had the same basic property tax each year; the way that it grew was from growth in the City. He commented that he had a hard time believing that the property tax was going to be flat because there had been growth in the City. Finance Director Gary LeCheminant explained that he was being very conservative, and that the collection average for the past five years had been 95%. However, during the downturn of 2008-2009 it went down to 80-90%. If the people of Highland were hit hard and they only received a 90% collection average, it would amount to a \$200,000 difference and their cash flow would be down a bit. He stated that he did not want to plan to spend more money than they would receive. Mayor Rod Mann clarified that they would eventually get that money but for that year's budget their collection rate could go down to 80-90%. Finance Director Gary LeCheminant stated that since it was based on a five-year average it could also affect the rates for the following year. Mayor Rod Mann stated they had a work session on the 9th where they could dive into more details if they needed to.

Council Member Scott L. Smith stated that they were projecting less than fiscal years 17,18, and 19 for Class C road funds, but that the county option transit tax was supposed to stay at \$200,000. He wondered why one would stay at maximum but the other one would drop by \$100,000 and asked for an explanation. Finance Director Gary LeCheminant stated that the County option was related more to sales tax. Council Member Scott L. Smith clarified that this was linked to sales tax and not fuel tax. Mayor Rod Mann stated that lower gas prices were affecting how much they collected because part of the state sales tax was a function of the price of gas where it used to be per gallon. He stated that gas was not being consumed how it had been previously because people hadn't been driving as much. Finance Director Gary LeCheminant stated that they should receive B&C money the following week for March and April and it would be interesting to see what they got from that revenue.

Finance Director Gary LeCheminant stated that they had estimated sales tax revenue at \$2.35 million in the first budget which was up by about \$50,000 to \$2.4 million. With the public safety budget going down, they only needed to show they were going to use \$100,000 of reserves whereas before they were trying to figure out how to come up with \$240,000. He stated the amount in the General Fund Balance was \$3.3 million which looked high. However, he had not made any transfers out of the General Fund for the B & C road money into the capital roads fund or into the open space fund. Once he transferred that money, they would be down to \$2.3 million to \$2.4 million. Salaries had a 0% increase, medical was up \$16,000, and dental was up around \$800. He stated \$386,000 was what the City paid into the employee's retirement fund. He discussed property tax and stated that he had left it flat until they found out the tax rates at the end of the month and what kind of revenue they would receive. He stated that he had brought the budget down to \$2.4 million which was a -2.5% from the \$2,470,000 projected before COVID-19. Without Covid they would have collected at least \$150,000 more than \$2.47 million. He then discussed Impact Fees and stated that they had gone conservative and he had originally thought they would do 75 building permits but had dropped it to 40, which was a \$156,000 difference for parks. He stated that at that time the impact fees were higher than the previous year so maybe that year he could transfer more money out of the park impact fee and the public safety impact fees to pay the bond. This would mean taking less money out of the General Fund which would be good for them.

Council Member Kurt Ostler asked if park impact fees always went towards the bond. Finance Director Gary LeCheminant replied that they went to the bond. Council Member Kurt Ostler asked if they had forecasted the 600 homes coming over with the Boyer project and if there would be a time when they would be collecting more money from park impact fees than what they needed for the bond. Finance Director Gary LeCheminant replied explained that yes, this could happen, and that they could end up with extra money for the General Fund. Council Member Kurt Ostler asked that if they had a bad year and did not receive enough money to cover the bond payment if they would have to go out and find those funds. Finance Director Gary LeCheminant replied yes. He also explained that park impact fees went towards the bond and that the rest was paid for from the General Fund. Council Member Kurt Ostler asked when the fees were paid to which City Administrator/Community Development Director Nathan Crane replied that when a building permit was paid for the impact fees were included in the permit. Council Member Kurt Ostler asked if they knew how many lots had not been built in Highland to which Finance Director Gary LeCheminant replied that they could get that information. Council

Member Kurt Ostler asked if they had forecast if building on these lots would cover the bond, to which City Administrator/Community Development Director Nathan Crane replied no, they had not.

Finance Director Gary LeCheminant stated that they would be having an impact fee study that year. If that fee went lower, they would be expecting less money and have to pay more from the General Fund. Council Member Kurt Ostler asked if it were a concern that they would be lowering their park impact fee. City Administrator/Community Development Director Nathan Crane replied that they might; however, he had not seen the numbers yet and that the firm that they had hired had a different approach than the previous firm. He explained that a lot of their parks had been built with developer funds, so they did not get credit for that as a City.

Council Member Scott L. Smith asked how much they would owe in bonds after they made their bond payment for that year. Finance Director Gary LeCheminant stated that he did not have the figure but could email him the next day. He stated there was a difference in impact fees between building and sewer so that also affected how much they collected.

Finance Director Gary LeCheminant referenced a slide about permit fees from the presentation and stated that in 2016 they had received a lot of money and had gone very conservative for 2021. However, if they thought that number was going to change, they could always adjust it.

Finance Director Gary LeCheminant discussed the City's enterprise funds. The sewer fund was going to be a net spend and they would spend \$2.2 million greater than the revenue; however, they had enough money to cover the negative that year. He commented that it was the same with pressurized irrigation in that there was a \$-1.9 million expense over revenue, but they had enough to cover that shortfall. He talked about the storm sewer balance and stated the culinary fund balance on the slide was wrong and that it was actually \$2.716 million; therefore, they had enough to cover that negative as well. The rates had been done four or five years previously to cover all the projects that had been scheduled so they had enough money to cover the deficit.

Council Member Kurt Ostler asked about capital accounts. Finance Director Gary LeCheminant stated that the capital park fund balance at the time was \$3.7 million which included the \$358,000 they had received from selling the land for the storage facility. It also included the \$400,000 they had received from Lehi for Dry Creek, and the \$1,536,000 from the Spring Creek sale from the previous August. Council Member Kurt Ostler asked if the bond payments came from that fund to which Mayor Rod Mann replied no, not the capital fund. Council Member Kurt Ostler asked how much they had for parks to which Finance Director Gary LeCheminant replied that the cash in the capital parks balance was \$3.8 million. Council Member Kurt Ostler clarified that the cash in the capital parks balance was \$3.8 million and that they could spend that on parks. It did not have to go towards bond payments to which Finance Director Gary LeCheminant replied this was correct. City Administrator/Community Development Director Nathan Crane restated that figure included the revenue from Spring Creek, which was a large portion: the \$400,000 from Lehi and the \$358,000 from Patterson. Council Member Kurt Ostler asked about the open space fund. Finance Director Gary LeCheminant replied that it was in open space which had collected \$427,000 and that he had put that money in the PTIF with interest. City Administrator/Community Development Director Nathan Crane stated that they still had to pay Spring Creek which was \$500,000 or \$600,000 so they would be down to \$3.1 million after that. Council Member Kurt Ostler clarified that after they paid for Spring Creek the capital parks fund would be down to \$3.1 million and that there was \$450,000 earmarked in an open space fund. He asked if there were other funds in capital accounts that they might not be aware of. Finance Director Gary LeCheminant stated that the capital roads fund got funded by transferring B&C money out of the General Fund.

City Administrator/Community Development Director Nathan Crane stated that coming out of the open space fund would be money to finish the courts and the Mercer Hollow Park. Council Member Kurt Ostler asked if he was saying that the fee to do the lining at Mercer Hollow Park would come out of the open space fund. Finance Director Gary LeCheminant replied that that was the decision made at the time. Council Member Kurt Ostler

asked if they had paid for the new tennis court at Canterbury Circle to which Finance Director Gary LeCheminant replied, no, not all of it. Council Member Kurt Ostler clarified that out of the \$450,000 they would have some things hitting against that balance to which Finance Director Gary LeCheminant replied yes.

Council Member Kim Rodela asked if the \$3 million in the park capital fund was being earmarked for the Mountain Ridge project. Finance Director Gary LeCheminant replied he was not sure what they would be doing with it and that it would be up to the City Council to decide how the money got spent. Mayor Rod Mann stated that Council had decided that 60% of it would go towards the Mountain Ridge park and it could be a discussion item for later that year.

Mayor Mann opened the public hearing at 8:24 pm and called for any citizens who would like to speak on the item to state their name for the record. There were no public comments. Mayor Mann closed the public hearing at 8:25 pm.

Council Member Scott L. Smith MOVED that the City Council adopt the resolution approving the Tentative Budget for FY 2020-2021. Council Member Kim Rodela 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.

5. PUBLIC HEARING/ACTION: SBGS RIDGELINE HOLDINGS IS REQUESTING APPROVAL OF A MAJOR AMENDMENT TO FAIRFIELD COVE PD DISTRICT. THE PROPERTY IS APPROXIMATELY 2.85 ACRES AND IS LOCATED AT 10272 NORTH 4800 WEST (Legislative)

The City Council will hold a public hearing to consider a request by Garrett Seely representing SBGS Ridgeline Holdings for a major amendment to an approved planned development (PD) district for Fairfield Cove. The Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill gave background on the project. She stated that on May 21, 2019, the Council had approved the PD District for Fairfield Cove park and that approval included six single-family lots with 9,500 square feet of commercial space. On December 3, 2019, the Council approved an amendment to the PD District in section 3-520 to allow a fee in lieu of a recreational area for the residential district. She stated that major amendments were that two PD districts needed Council approval. As part of the major amendment the applicant had requested to do the fee in lieu for the residential area. The area would be about 16,466 square feet that they would be required to provide and the proposed fee offered was \$51,680. She stated that \$14,000 of that fee calculation was for landscaping. It would change the lots from being a community open space which was what the PD District had previously been approved. She stated that the setbacks had changed for the commercial districts and the front would be 20 feet whereas the sides would be five feet, and the rear would be 10 feet. UDOT had stated that they would review the access on North County Boulevard at a later date after site plans had been submitted. Also, when site plans were submitted, they would do a theme wall along the commercial district and residential district as part of the site plan process.

Council Member Scott L. Smith commented that he did not understand the five-foot setback. He asked if that meant five from the property line to which Planner & GIS Analyst Tara Tannahill answered affirmatively.

Mayor Rod Mann asked if there had been discussion in a Planning Commission meeting about a 29-foot front setback. Planner & GIS Analyst Tara Tannahill replied that the 29 feet would be part of the landscaping which was part of the City ordinances. She stated there was a stipulation requiring them to do that as part of the preliminary plat and that would be discussed later. She noted that they had submitted landscaping plans as part of the preliminary plat.

Planner & GIS Analyst Tara Tannahill stated that staff had reviewed the proposed fee submitted by the applicant and found that it was consistent with section 3-520.5e of the development code. The side setback would be decreased from 25 feet to 5 feet and UDOT would be reviewing the access at a later date.

Mayor Rod Mann asked if the five-foot setback were to allow them to build separate buildings to which Planner & GIS Analyst Tara Tannahill replied that she could not recall the answer. She said she would defer this question to the applicant.

Council Member Kurt Ostler asked if she did not think that UDOT would grant commercial access to North County Boulevard. Planner & GIS Analyst Tara Tannahill replied that they were going to grant access but that they weren't sure where.

Planner & GIS Analyst Tara Tannahill stated that they had conducted a neighborhood meeting for citizen participation on March 27 that six residents had attended. There had been appropriate notification to the Planning Committee and City Council. They had received two different written correspondences from the same individual. They had also conducted a Planning Commission meeting on April 28 where they had received three residential comments and the minutes from that meeting had been included in the packet provided to Council for review. She commented that the commission had voted 5-1 to recommend approval with eight stipulations. Stipulation 5 had been addressed through the UDOT email correspondence, Stipulation 7 had been addressed through the submission of a commercial concept plan for consideration, and Stipulation 8 should have been revised to the fee of \$51,680. Staff recommended that the City Council approve the amendment subject to the six stipulations as recommended by the Planning Commission.

Garrett Seeley, representing applicant SBGS Ridgeline Estates, stated that the reason for the five-foot setback on the commercial district building was to have up to 9,500 square feet so they could put two buildings there. He stated that he was not terribly concerned if Council did not grant the setback request and that it would not bother him. Council Member Kurt Ostler stated that there was a trail there and it would make the trail narrower. He was opposed to this proposal. Garrett Seeley, SBGS Ridgeline Estates representative, stated he wanted the Council to see the footprint of the 9,500 square foot building. Council Member Scott L. Smith stated that he was uncomfortable with five feet but would be okay with the standard 10 feet or 15 feet. City Administrator/Community Development Director Nathan Crane stated that the setbacks for commercial properties varied by the district they were in.

Council Member Kurt Ostler expressed his concern with the trail and asked where the property line was in relation to the trail. Garrett Seely, SBGS Ridgeline Estates representative, replied that it was about five feet off and that the trail went down the center of a 20-foot corridor that they owned. Therefore, the five-foot setback would put the building 10 feet from the trail. Mayor Rod Mann asked if they would put a wall on the north side. Mr. Seeley replied that they had not proposed one because they would like to landscape and put some sort of access there and that the fence they had proposed was on the east side between the residential district and the building.

Council Member Kurt Ostler again asked how far the building would be from the trail to which Mr. Seeley replied that the asphalt would start 10 feet from the trail. Council Member Kim Rodela agreed with Council Member

Kurt Ostler that the more space between the trail and the building the better. Mayor Rod Mann asked how far from the trail was wide enough to which Council Member Kim Rodela replied 15 feet. Council Member Kurt Ostler asked Mr. Seeley if a 10-foot setback would work with the proposed 9,500 square foot footprint to which Mr. Seeley replied yes. Council Member Kurt Ostler asked if a 15-foot setback would work to which Mr. Seeley replied that his only concern would be that they would lose parking and would have to start pushing onto the Hoggard property for access.

Council Member Scott L. Smith stated that they needed to find a balance because he loved the trails. However, they needed commercial property to generate sales tax to pay for the trails. He thought they could find a compromise because he would like to see them develop some commercial property there.

Mayor Mann opened the public hearing at 8:39 pm and called for any citizens who would like to speak on the item to state their name for the record.

Wade Hadlock stated that he was the person who had sent the two emails and that he would like to see the City Council approve it so the developer could get going. He stated that the developer had worked with a couple of the neighbors' requests before this had been brought it to the Council. Mr. Hadlock stated that one thing that had been discussed but had not made it into any documents was the issue of the residential area being part of the open space or not. He stated that it could be done but he had proposed it because the lots were quite small. Most neighborhoods in Highland with lots that small had an HOA or open space. He suggested the idea of a stipulation that the developer request to have the six lots added to the open space district before selling the lots. This stipulation would not necessitate another public hearing and would not stop them from starting the development. He would like to see those six homes added to the open space district. He also would like to see the open space fees on these lots addressed.

Denisha Marshall, resident in the Wild Rose neighborhood, stated that her thoughts had been expressed but she would like to point out that the developer had been very communicable to the residents there and she would like to see the amendment approved.

Brett Burns, resident, stated that Garrett had been great to work with and had considered things they had proposed. The neighbors were excited for this development. He agreed with Mr. Hadlock's proposal of adding the lots to the open space district.

Mayor Rod Mann stated that with respect to whether or not the homes became part of the open space fee or part of a final plat approval decision, he thought it would be good to discuss the issue at a future meeting.

Mayor Mann closed the public hearing at 8:44 pm.

Council Member Scott L. Smith stated that he would also like to see these six homes as a part of the open space neighborhood. He commented that he lived in a PUD property in Pheasant Hollow and a neighborhood was built to the north that was not voted into the HOA. It had been a source of contention and resentment because they did not feel like they needed to contribute to the park or anything else. He thought the six new houses should be a part of the Wild Rose open space neighborhood and pay the open space fee.

Council Member Brittney P. Bills stated that she also thought it made sense but would like to know before they had that discussion if there were any legal issues surrounding it in light of the Pleasant Grove decision about road fees. Council Member Scott L. Smith asked if she thought that if the Pleasant Grove lost their appeal for the road fees. Council Member Brittney P. Bills replied that she had had a discussion with City Administrator/Community Development Director Nathan Crane where he said that they would need to be able to justify a specific benefit to that community. City Administrator/Community Development Director Nathan Crane stated that this was correct.

Further, he explained that there was a fee charged for that area that needed to be a nexus between the fee and the service. Without any open space being maintained in that subdivision the nexus would be difficult to justify.

Council Member Kurt Ostler clarified that there were two different developments and asked if there could be a request made for them to annex into Wild Rose. City Administrator/Community Development Director Nathan Crane stated that they had been waiting to see what the Pleasant Grove decision was; furthermore, he was going to let City Attorney Rob Patterson jump in and talk about it. Mayor Rod Mann asked that if the developer had developed the little park with the top lot, would there have been HOA fees associated with maintaining that amenity. City Administrator/Community Development Director Nathan Crane answered affirmatively.

Note: Due to technical difficulties, there was brief section of the meeting that did not make it into the audio recording.

City Attorney Rob Patterson stated that the tricky issue was that it was hard to fee as opposed to tax because there needed to be a service related to a fee. The nexus between the fee and the service was the ongoing benefit provided to the original landowner and the ongoing residents. He stated this was a unique situation because there was not a specific open space but that there was open space nearby that was being funded through this. He stated that they would want to look at and have a discussion on the matter.

Council Member Scott L. Smith stated that that they were appealing Pleasant Grove's road fee and asked if City Attorney Rob Patterson was saying that if that appeal was lost it would affect all fees if they could not prove a direct service. City Attorney Rob Patterson replied that it would impact them in the sense that there would be another piece of precedent that directly applied. He stated that the Pleasant Grove decision wouldn't necessarily impact them directly but it would be a court decision that would be looked at during future planning and discussion. He commented that this was something that needed to be discussed but final decisions shouldn't be made until after the Pleasant Grove findings had been made.

Council Member Kurt Ostler clarified that the motion under discussion was about the \$51,680 and asked for clarification on the open space required for approval. Garrett Sealey, SBGS Ridgeline Estates representative, stated that 16,280 square feet was the 20% open space requirement and that the \$14,000 figure was for the sod and the sprinkler area. Council Member Kurt Ostler stated that they were charging \$1.25 for seed and that there had been no bids; he wondered if that figure had been for bids from other parks. City Administrator/Community Development Director Nathan Crane stated that they had done a comparison and the difference was that the developer could get it cheaper through their contacts than the City could. City Engineer Todd Trane had reviewed the bid and felt like it was appropriate for that size of area.

Council Member Kurt Ostler asked how the staff had come up with \$18,104 as the property value. City Administrator/Community Development Director Nathan Crane replied that they had asked the developer to provide it. They did not use a residential finished lot value because it would not be a finished residential lot so they had used land value based on input and felt like it was reasonable. Council Member Kurt Ostler stated that he did not feel that it was reasonable. Council Member Scott L. Smith added that they had sold 4.3 acres plus a 1.5-acre easement and they had gotten \$1.2 million but he could not say what that was per square foot. Council Member Kurt Ostler was concerned that they were putting the value of less than \$1 per square foot on ground because that was lower than they had ever sold any open space for and lower than any appraisal they had come back in on.

Planner & GIS Analyst Tara Tannahill stated that they had looked at Spring Creek for comparing their previous proposal and that was \$4.16 per square foot for landscaping and a playground which was a 2.32 acre park; at \$4.16 the fee would have be \$68,498. There was further discussion about the cost per square foot. Council Member Kurt Ostler stated that they had an appraisal from December 2018 at \$3 and so he thought it should be at \$3. Garrett Seeley, SBGS Ridgeline Estates representative, stated that he would not pay \$15 to improve land

because he could do it for much less. Council Member Kurt Ostler asked what the dollar amount was that the Staff had come up with, to which Planner & GIS Analyst Tara Tannahill restated that at Spring Creek it had been \$4.16. Mr. Seeley stated that he would be better off going back a zero-lot line. He stated that he could not speak for the rest of the City but that since that land was tucked away and was never going to be used it was much less valuable. Mr. Seeley asked Council Member Kurt Ostler what the final figure he had come up with was, to which Council Member Kurt Ostler stated that 16,466 square feet at \$3.00 a square foot came to \$49,398. In addition, they would have to add \$1,728 for the curb, \$2,465 for the sidewalk at the tot lot, and \$11,633 for rubber chip installation which would be \$82,974 total. City Administrator/Community Development Director Nathan Crane stated that when they determined the value it was based on the property that was already developed in the subdivision. Council Member Scott L. Smith stated that they had sold open space property before for \$1.40 and that \$80,000 would be a deal breaker; they needed to find a compromise.

Garrett Sealey, SBGS Ridgeline Estate representative stated that he had come in at \$41,000 and that after working with staff they had come up to the \$51,000 mark. He stated that he had used \$2.45 per square foot of improved ground because he had read through the minutes of the December City Council meeting and that was the figure they had discussed. He had understood the concern, but \$80,000 was way too much money.

Timo Hoggard, owner of the property adjacent to the south of the development, asked for clarification on where the open space they were discussing was located. Mayor Rod Mann clarified that the developer had offered the City \$52,000 in lieu of open space and that amount was what was currently under discussion. He stated that residents from Wild Rose had made comments about being in favor of the motion and had been grateful for the developer. Timo Hoggard commented that he would also have to vote in favor of the motion. Council Member Kurt Ostler asked if Mr. Hoggard would like to have any residential property built on his property be a part of the Wild Rose development, to which he replied that that was what he would assume would happen. Council Member Scott L. Smith stated that if they required a fee from these properties any of Mr. Hoggard's future properties would be held to the same precedent.

Mayor Rod Mann summarized the discussions that had taken place up to that point. There was further discussion on an appropriate motion to make on this item.

Council Member Scott L. Smith MOVED that the City Council accept the findings and approve case PD-20-01 a request for a major amendment to Fairfield Cove PD District located at 10272 North 4800 West subject to the first six stipulations recommended by Planning Commission with stipulation five, seven, and eight being as recommended by staff at the same time making change to from \$51,683 up to \$55,000 paid in lieu of open space development in the park and change set back in the commercial from five feet to 10 feet from the property line. There was no SECOND.

1. Development shall comply with the Wildrose Project Plan and Narrative date stamped April 17, 2020 except as modified by these stipulations:
2. All public improvements shall be installed as required by the City Engineer.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.
4. The parkway detail along North County Boulevard shall be a minimum of 29 feet and shall be demonstrated prior to approval of Preliminary Plat.
5. Access approval from UDOT shall be required prior to approval of the preliminary plat.
6. The development shall include commercial and no more than six (6) homes.
7. A concept plan for the commercial district shall be provided prior to City Council review.
8. Prior to council review the fee in lieu of providing open space for the residential district shall be agreed upon by the applicant and the City Administrator and City Engineer.

Stipulation 5: UDOT had responded that they would review the access when the site plan was completed and through the pre-application and review process with UDOT. The site plan would be approved later when a site plan was submitted for the commercial district. As such, stipulation 5 was no longer needed.

Stipulation 6: A fee of \$51,680.00 would be paid in lieu of providing recreational area in the residential district. The Council would need to determine the best use of these funds. This issue was being discussed as a separate agenda item.

Stipulation 7: The applicant had provided a concept plan for the commercial district to review. As such, stipulation 7 was no longer needed.

Stipulation 8: The applicant provided an estimate as required for the fee in lieu of providing the recreation area. The cost was estimated at \$51,680. Staff reviewed the estimate and found that it was reasonable. As such, staff was proposing a modification to be made to this stipulation.

Council Member Kurt Ostler asked if before he made a motion, would Mr. Seeley be okay with \$65,000. Mr. Seeley replied that that was too much money and stated that he would go to \$60,000. Mayor Rod Mann stated that \$60,000 would be in the middle of \$40,000 and \$80,000. Council Member Brittney P. Bills stated that the developer had not only negotiated on the density but had also taken out the drive thru. Every resident had said Mr. Seeley had been really great to work with which was a point in his favor, so she would be comfortable with the 60,000 because of those two factors.

Council Member Scott L. Smith MOVED that the City Council accept the findings and approve case PD-20-01 a request for a major amendment to Fairfield Cove PD District located at 10272 North 4800 West subject to the first six stipulations recommended by Planning Commission with stipulation five, seven, and eight as recommended by staff. At the same time making change to from 55,000 up to \$60,000 paid in lieu of open space development in the park and change setbacks in the commercial from 5 ft to 10 ft from the property line. Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>No</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 4:1.

Council Member Kurt Ostler stated that he wanted to go on record and say that all of the residents had said that Mr. Seeley had worked with them and he wanted to say thank you. He stated that the residents were all in favor and they had said he was very fair, so Council Member Kurt Ostler had wanted to be fair with him.

6. ACTION: SBGS RIDGELINE HOLDINGS, LLC IS REQUESTING PRELIMINARY PLAT APPROVAL FOR A 7-LOT SUBDIVISION. THE PROPERTY IS APPROXIMATELY 2.85 ACRES AND IS LOCATED AT 10272 N 4800 W Administrative

The City Council will hold a public meeting to consider a request by Garrett Seeley representing SBGS Ridgeline Holdings for preliminary plat approval for a seven-lot subdivision to be known as Wildrose Plat B located at approximately 10272 North 4800 West. The Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill explained that this was the same property location that they had just discussed and stated that on May 21, 2019, the City had approved a PD District with six single-family homes and one commercial lot and on May 19, 2020, City Council had voted to approve the amendments to the commercial district to be more single family traditional lots with a fee. For phase 1 of the preliminary of the plat it would include the six residential lots in the rear of the property with setbacks that would conform to the proposed PD District that was approved. The minimum lot size would be 8,444 square feet which met requirements for the PD District, and access would be from 4730 West with a recreational area that had just been approved. She stated that Phase 2 would be for lot #7 which was the commercial district along North County Boulevard, and that the site plan would be reviewed at a later date. Access would be from North County Boulevard and UDOT would review the access when the site plan was turned in as part of the pre-application process. One of the stipulations for the PD District amendment from the Planning Commission was to include a 29-foot parkway detail which the applicant had submitted for Council to consider that conformed to the stipulation. The DRC meeting was held on March 30, 2020. One resident attended, appropriate notices for Planning Commission had been done, and no written correspondence had been received on the preliminary plat. The Planning Commission held a public hearing on April 28, 2020, and no residents communicated on the preliminary plat. The Commission voted unanimously for approval subject to six stipulations (outlined below).

Council Member Scott L. Smith MOVED that the City Council accept the findings and approve case PP-20-03, a request for approval of the Wildrose Plat 'B' preliminary plat, subject to the six (6) stipulations recommended by Planning Commission.

Stipulations:

- 1. The recorded plat conforms to the preliminary plat date stamped April 15, 2020 and received April 21, 2020 except as modified by these stipulations.*
- 2. All public improvements shall be installed as required by the City Engineer.*
- 3. The civil construction plans shall meet all requirements as determined by the City Engineer.*
- 4. All signage shall require a separate permit and comply with the development code.*
- 5. The applicant shall provide a letter from UDOT demonstrating the access requirements for the site along North County Boulevard prior to council review.*
- 6. Improvements with the commercial lot shall be provided during the site plan.*
- 7. Unless improvements are made to lot 7 or access for utilities or roadway access is needed onto north county boulevard.*

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>No</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 4:1.

7. ACTION: PARK IMPROVEMENTS REQUESTED FOR WILDROSE PARK *Administrative*

The City Council will conduct a public meeting and review a request for park improvements in the Wildrose Park. The Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill stated that the Wildrose subdivision had proposed a fee of \$60,000 that had just been approved to utilize in the City adjacent to their subdivision. She showed the location of the park on a map and stated that the residents had proposed that Council consider utilizing the fee to repair the trail, add a new trail, remove some apple trees, add a pavilion with two picnic tables, and add some shade trees throughout. The fee in lieu collected for Wildrose PD District was \$60,000. G. Brown Design had given an estimate of \$64855.23 as the cost for improvements, and the cost of construction plans and bid documents had been estimated at \$4,000 bringing the total to \$68,855.23. The Council needed to decide if it was in the best interest of all of Highland to make these improvements as requested by residents of the Wildrose subdivision. She stated that for the fiscal impact the estimated cost would be about \$68,855 and the fee that had just been collected was \$60,000, so it would be in excess of the fees collected. Staff recommended the Council direct the Parks, Trails, and Trees Commission to work with the residents of Wildrose to provide a recommendation to Council.

Mayor Rod Mann asked if there was any urgency tied to this to which City Administrator/Community Development Director Nathan Crane replied no, because they would not collect the money for another couple of months at least and once it was collected they had as much time as they wanted to take. Garrett Seeley, SBGS Ridgeline Estates representative, stated that he did not want to leave residents hanging because he promised that he would fight for this and keep it going. He said he knew that he could do the improvements for the \$60,000 and he asked the Council to keep that in mind.

Council Member Scott L. Smith recommended that Garrett Seeley meet with the PTTC as well.

Council Member Scott L. Smith MOVED that the City Council direct the Parks, Trails and Trees Commission to:

- 1. Review the proposal by the Wildrose residents and meet with them and discuss it.*
- 2. Make a recommendation to staff on park improvements in the Wildrose park.*
- 3. Developer should be involved as well.*

Council Member Kim Rodela 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.

Council Member Kurt Ostler asked if they wanted to give any guidance to the PTTC or just wait for their recommendation to come back to Council. Council Member Brittney P. Bills stated that she would just want to make sure that they included all of the residents and consult experts about the trees and worry about the orchards.

Mayor Rod Mann spoke about orchards and stated that the trees had been there for a long time. He said that in the current proposal it recommended taking half of the trees out and that old trees were a lot of work and it might not make sense to keep any of them.

City Attorney Rob Patterson stated that regarding the open space district the new residents were likely going to be using the park which would be good to include in the report to tie the two together and discuss the benefits to the new homeowners.

Council Member Brittney P. Bills stated that she would also like to make sure that they worked with staff to figure out what trails had already been included in their trail proposal so they were efficient with the way they used their trail money.

Council Member Kurt Ostler MOVED to AMEND the motion to include that staff discuss with legal counsel and have the PTTC:

- 1. Review the proposal by the Wildrose residents and meet with them and discuss it.*
- 2. Make a recommendation to staff on park improvements in the Wildrose park.*
- 3. Developer should be involved as well.*
- 4. Look at the orchard area.*
- 5. Report how the proposed money would, or would not, benefit the 6 new homes if it went to the Wildrose open space.*
- 6. Make sure all Wildrose residents are invited to participate in the PTTC meetings when the Wildrose park is discussed.*

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.

8. ACTION: APPROVAL OF AN AGREEMENT WITH PAT ROBINSON FOR A SEWER EASEMENT TO FACILITATE THE CONSTRUCTION OF THE 9600 NORTH SEWER PROJECT *Administrative*

The Council will consider an agreement with Pat Robinson to facilitate the construction of the 9600 North Sewer Project. The Council will take appropriate action.

City Engineer Todd Trane stated that this had come up because they had looked at the sewer project for 9600 North. They were upsizing the project to accommodate the Boyer property. He referred to a map that showed where the lift station lifted the sewer up to the intersection of Canal Boulevard and SR74. They had originally designed to go in and upsize the whole sewer that went through residential yards and neighborhoods, but they had looked at other options and decided that if they extended the main down SR74 then they could keep all of the sewer upgrade in 9600 North. He stated that he had met with the Robinsons many times to go over this and that they agreed with what was in front of Council at that time. They had done a final revision the Thursday before that was saving them money but the City had been asked to match the road improvements that had been done in American Fork along that section in Highland which meant that it would not follow the standard going north from Canal Boulevard. The Robinsons wanted an eight-foot park strip with a five-foot walk. This would save the City a lot of money in the sewer fund and they also felt that moving forward it would be much easier to maintain and keep maintenance out of people's yards. It would also keep it local and keep the sewer line from extending into the Boyer property. City Engineer Todd Trane showed the easement proposed with the City Attorney which was a 20-foot easement and said they could construct the sewer line in the current SR74 right-of-way; however, they just didn't have the room for equipment so they needed the 20-foot easement. He stated that the 20-foot easement would remain so they could get in for maintenance and if there was ever development on that area the sewer easement would remain. Currently the area was only field and gutter and the sewer would go under the fence.

The agreement stated that the City would remove their fence and put it back up on the 20-foot easement line during construction. Once the sewer line was put in the fence would be put back in the original location.

Council Member Scott L. Smith asked if they were in charge of maintenance in the little area between Highland and American Fork to which City Engineer Todd Trane replied yes, they maintained it. Council Member Scott L. Smith stated that there were decorative lamps along that street that had been put in with the irrigation pond. These lamps had not been functional for ten years because the copper wire had been stolen out of them. He asked if there was a way the lamps could get fixed or removed. City Engineer Todd Trane replied that he would talk to staff and figure out what the problem was with. He noted there was money in the street fund.

Council Member Kurt Ostler MOVED that the City Council approve and authorize the City Administrator to execute the agreement with Pat Robinson. Council Member Scott L. Smith 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.

9. PUBLIC HEARING/ORDINANCE: A REQUEST BY HIGHLAND CITY STAFF TO AMEND SECTION 3-4902 AND 3-4903 OF THE DEVELOPMENT CODES RELATING TO P.O. ZONE LAND USE (TA-20-07) (Legislative)

The City Council will hold a public hearing to consider a request to amend section 3-4902 and 3-4903 of the Highland City Development Code. The City Council will take appropriate action.

Council Member Kurt Ostler asked if there were other PO zones in Highland or if this were the only area that it would affect. City Administrator/Community Development Director Nathan Crane replied that there were two areas. There was discussion on the location of the two PO zones. Planner & GIS Analyst Tara Tannahill stated that the PO district being discussed had been approved in 2003 and that on December 3, 2019, Council had approved an office warehouse as part of this zone. She stated that the office warehouse use had been reviewed by the City Attorney and determined to be compatible with the zone. With land use it was better to have a list of permitted, not permitted, and conditional land uses, and not to leave it open-ended which was what they would be going over in the proposed amendments. She stated that in section 3-4902 under conditional uses for the PO zone they would remove number 8, which would leave it more open ended and just leave it as 7, office warehouse. With the other prior uses under 3-4903, not permitted uses, they would remove option 1, revise option 2, and make it option 1. The Planning Commission had done the appropriate meeting notification procedure, and they had not received any correspondence on the proposed amendment. A public hearing with the Planning Commission was held on April 28, 2020, that no residents had attended. The Planning Commission voted unanimously for recommendation of approval.

Council Member Scott L. Smith stated that on December 3rd they had approved the office warehouse which the code seemed to allow for but now they were going back and putting it in the code so it seemed that this was a cleanup issue. Planner & GIS Analyst Tara Tannahill stated that it was really about removing number 8 and they would add the office warehouse for further clarification because number 8 had left it more open-ended. This action would help mitigate future applicants.

Council Member Scott L. Smith clarified that office warehouses would then be approved if they were rezoned into PO zones, and he asked why they would want to permit these. Mayor Rod Mann stated that they had already permitted them and that there was a potential for something that they had not yet thought of. He said that it had been a source of contention because it had been ambiguous. The attorneys had told them that an office warehouse was allowed but residents did not think it was so it had caused some friction; therefore, they didn't want any future confusion about what may or may not be allowed. Council Member Scott L. Smith stated that he was worried that this would allow office warehouses in other areas to which Council Member Kurt Ostler responded that it would.

City Attorney Rob Patterson stated that they could take out office warehouses as an approved use. This would leave the existing ones as a legal nonconforming use that could continue to be used under the nonconforming use statute. Furthermore, removing number 8 would resolve the conditional use issue. City Administrator/Community Development Director Nathan Crane stated that they didn't want to pick a fight with the property owner over this issue and he believed that they had six months to get going before the site plan expired; once the plan expired they could take it out. Council Member Kurt Ostler asked for clarification on where the PO zones currently were located. City Administrator/Community Development Director Nathan Crane identified those areas on an aerial map of the subject properties. There was discussion about the map and the PO zone locations.

City Administrator/Community Development Director Nathan Crane recommended that since there was a pending case, he would leave it in.

City Attorney Rob Patterson stated that there were only two PO zones and there was room for one more office warehouse on one of them and that he did not have an opinion one way or the other. He understood what City Administrator/Community Development Director Nathan Crane was saying but if there was any concern about another office warehouse going in there then they should pull it out now or they would potentially be confronted by another resident. It would not modify what had already been approved; it would be changing future development.

Council Member Kurt Ostler asked about others coming in to try to put in office warehouse. Planner & GIS Analyst Tara Tannahill stated that they would have to go through a rezoning process which was a legislative process. She also reminded Council that this was a public hearing item.

Mayor Mann opened the public hearing at 10:03 PM and called for any citizens who would like to speak on the item to state their name for the record. There were none. Mayor Mann closed the public hearing at 10:03 pm.

Council Member Kurt Ostler stated that he wanted to know if there were residential areas around the PO zone where warehouses could be located. There was further deliberation on an appropriate motion to make on this item.

Council Member Kurt Ostler MOVED that the City Council accept the findings as proposed and eliminates office warehouse and adopts the ordinance approving the amendment pertaining to Section 3-4902 & 3-4903. 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>

The motion passed 5:0.

10. PUBLIC HEARING/ORDINANCE: A REQUEST BY HIGHLAND CITY STAFF TO AMEND MULTIPLE SECTIONS IN THE DEVELOPMENT CODE RELATING TO LARGE ANIMAL SHELTERS (TA-20-10) (Legislative)

The City Council will consider a request by Highland City Staff to amend multiple sections of the Highland City Development Code relating to Large Animal Shelters. The City Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill presented the staff report and stated that on December 7, 2004, the Council had approved large animal shelters in the development code. The building official had requested that the large animal shelter ordinance be revised because the code did not require a building permit or have height restrictions and also allowed for any one side to be 50% open. The first amendment followed the ordinance for accessory buildings as far as sizing when a building permit was obtained aside from pole barns. They had kept the same setbacks in the current ordinance but had put in a 25-foot height requirement which followed the accessory building requirements. The open design would be 50% on the longest side.

Mayor Rod Mann stated that as it was written the intent was clear; however, a person could circumvent the intent by following the letter of the law.

Council Member Kurt Ostler asked if this applied to structures that were 200 feet or larger. City Administrator/Community Development Director Nathan Crane replied that it only applied to large animal structures and not accessory buildings.

Planner & GIS Analyst Tara Tannahill stated that currently the code did not have a height restriction which was noted when they had reviewed an application. For citizen participation they had done the appropriate notices for Planning Commission and City Council. The City had not received any written correspondence on the amendment, and the Planning Commission had voted unanimously to approve this at the April 28 Planning Commission meeting. No residents had made any comments.

Council Member Kurt Ostler stated that he assumed this was brought up because of the new structure going up on 10400 North. He asked if the heights of the new building be discussed with Council. Planner & GIS Analyst Tara Tannahill stated that she was going from memory but that the structure would be 28 feet and maybe 8,000 square feet, and they were going to do 50% on the smallest side. The applicants had met the setbacks but there was no height restriction in the code so there was nothing that they could really do about it.

Council Member Kim Rodela stated that the owners had told her that it was going to be an arena. She said she often walked the trail near the building, noting that it blocked the whole view and she had no idea how it got permitted in the first place. Planner & GIS Analyst Tara Tannahill stated that it was reported to them as a large animal shelter. Council Member Scott L. Smith commented that this tightened up the ordinance which was something that they had needed to do especially as the City continued to grow.

Mayor Mann opened the public hearing at 10:15 pm and called for any citizens who would like to speak on the item to state their name for the record. There were none. Mayor Mann closed the public hearing at 10:15 pm

Council Member Scott L. Smith MOVED that the City Council accept the findings and adopt the ordinance approving the amendment pertaining to multiple sections in the development code for large animal

shelters. Council Member Kim Rodela *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.

11. PUBLIC HEARING/ORDINANCE: A REQUEST BY HIGHLAND CITY STAFF TO AMEND SECTION 10-102 IN THE DEVELOPMENT CODE RELATING TO DEFINITION OF MAIN DWELLING UNIT. (TA-20-11) (Legislative)

The City Council will consider a request by Highland City Staff to amend Section 10-102 of the Highland City Development Code relating to Definition of Main Dwelling. The City Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill presented the staff report and stated that on July 15, 2008, the City Council had adopted the ordinance for the definition of a main dwelling unit. She stated that the building official had also requested that they review this and revise it because the definition did not clarify that underground walking paths could not be used to connect two structures; additionally, there was no width requirement for breezeways. Staff was proposing a minimum width of six feet, and that clarification be added that no underground walking paths were permitted.

Council Member Scott L. Smith asked if they had any underground walking paths. Planner & GIS Analyst Tara Tannahill replied she was not sure, but they had an applicant come in and ask why they could not have one. City Administrator/Community Development Director Nathan Crane added that they had large underground storage areas that could potentially be used to try to justify walking paths.

Council Member Kurt Ostler asked if this was being used to justify breezeways connecting buildings. Planner & GIS Analyst Tara Tannahill answered affirmatively and explained that breezeways still had to be ten feet or less. She noted that with regard to citizen participation, they had done the appropriate notification for Planning Commission and City Council. No written correspondences had been received. The Planning Commission had a meeting on April 28, 2020, where they voted unanimously to recommend approval. No residents had any comments.

Mayor Mann opened the public hearing 10:18 pm and called for any citizens who would like to speak on the item to state their name for the record. There were none. Mayor Mann closed the public hearing at 10:18 pm.

Council Member Timothy A. Ball asked what the rationale behind not supporting an underground breezeway was. Planner & GIS Analyst Tara Tannahill responded that if someone had a 20-foot breezeway it would look like there were two different units on the property, and the point of the breezeway was to connect the two to make it look like one main structure.

Council Member Kurt Ostler MOVED that the City Council accept the findings and adopt the ordinance approving the amendment pertaining to Section 10-102. Council Member Kim Rodela 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.

12. ACTION: APPROVAL OF AN AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR THE SIGNAL LOCATIONS AND ACCESS MANAGEMENT OF STATE ROUTE 74 (ALPINE HIGHWAY) Administrative

The Council will consider a request by UDOT to execute a cooperative agreement that defines traffic signal locations and access management of SR-74. The Council will take appropriate action.

City Engineer Todd Trane stated that this was a formality and that American Fork had asked UDOT for an intersection to be approved on SR74. Highland had never revised their agreement with SR74 in relation to the Canal Boulevard being done, and UDOT felt like it would be appropriate to include that in the American Fork plan to take care of it. He stated that it was basically an intersection agreement and an ongoing access agreement along SR74. There had always been an agreement in place, but it was being revised to add the intersection in American Fork and Canal Boulevard.

Council Member Scott L. Smith asked if UDOT would synchronize the lights once the intersections were completed. City Engineer Todd Trane stated that currently UDOT did not have fiber optics up SR74, but Highland was installing some conduits along Canal Boulevard. He stated that he wasn't sure of the extent of fiber optics in American Fork and that UDOT had tried in the past to put in optics along SR74, but it had not gone well so they stopped short of 10400 North. The new intersection in American Fork that was really pushing this agreement was the one at 700 North. Council Member Scott L. Smith asked if American Fork was ever going to finish 700 North and connect it across to Alpine. City Engineer Todd Trane stated that they had received funding through the MAG process two years prior, but he was not sure when it was going to go through. There was additional discussion on future installations of fiber around the area.

Council Member Scott L. Smith MOVED that the City Council approve and authorize the City Administrator to execute the agreement with UDOT. Council Member Kim Rodela 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.

13. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS
a. Future Meetings

- May 26, Planning Commission Meeting, 7:00 pm, City Hall
- June 2, City Council Meeting, 7:00 pm, City Hall
- June 9, City Council Budget Work Session, 7:00 pm, City Hall
- June 16, City Council Meeting, 7:00 pm, City Hall
- June 23, Planning Commission Meeting, 7:00 pm, City Hall

Council Member Kurt Ostler asked if all residents had received a notice. City Administrator/Community Development Director Nathan Crane replied that they had only sent out two notices to Wimbledon and that if they were going to start looking into encroachment and dumping on City property, staff needed direction from Council.

Council Member Kurt Ostler asked for clarification about what they thought was encroachment and why the notification letters were sent out. Planner & GIS Analyst Tara Tannahill replied that she had received a code enforcement request from that area which was a resident complaint regarding branches and trees. There was no open space maintenance agreement and cut trees and bushes were against code anyway. Council Member Kurt Ostler asked that if the resident had a maintenance agreement, could they put mulch down. Planner & GIS Analyst Tara Tannahill replied that that it could not be a permanent structure. Mayor Rod Mann interjected that currently maintenance agreements were not allowed. City Administrator/Community Development Director Nathan Crane stated that the only reason maintenance agreements were allowed was if there was a physical reason with the property that it could not be sold as a sewer line or water line. This was adopted when the Council adopted the process to sell because it did not make sense to go in and sell open space.

Planner & GIS Analyst Tara Tannahill stated that the other resident had a pile of dirt on the opposite side of the ditch and the intent of the resident was not to zone the ditch now, but rather when it was abandoned they were going to fill it in. Council Member Kurt Ostler asked if dirt was brought in to fill the ditch, to which Planner & GIS Analyst Tara Tannahill replied she had received conflicting reports on the matter.

Council Member Scott L. Smith stated that he thought they should enforce it on all of the trails not just Wimbledon.

Council Member Kurt Ostler commented that the Canterbury Circle tennis court/basketball court/pickleball court was open and that one concern he had was that the pickleball court lines were light blue and that the tennis court lines were dark blue which made it hard to distinguish between the two.

City Administrator/Community Development Director Nathan Crane stated that Spring Creek was moving along and that the pavilion should be done the following week. They were still trying to do substantial completion by the end of the month, but he did not think they were going to make that deadline. By June 12th they were hoping to have the playground in and everything done.

Mayor Rod Mann stated staff was working with the parks committee to organize opening ceremonies for the tennis court and Spring Creek.

Council Member Kurt Ostler commented that there was no signage at the courts. City Administrator/Community Development Director Nathan Crane stated that they were working on signage and that they had put up temporary cardboard signage the day before. Staff was currently working on permanent signage.

Note: The audio cut out at this point in the meeting.

14. CLOSED SESSION

The Highland City Council may temporarily recess the City Council meeting to convene in a closed session to discuss pending or reasonable imminent litigation, as provided by Utah Code Annotated §52-4-205.

At 10:37 PM Council Member Kurt Ostler MOVED that the City Council recess to convene in a closed session to discuss pending or reasonably imminent litigation as provided by Utah Code Annotated § 52-4-205. Council Member Kim Rodela 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 unanimously.

ADJOURNMENT

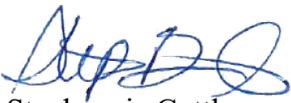
Council Member Scott L. Smith MOVED to adjourn the CLOSED SESSION and Council Member Kurt Ostler SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 11:25 pm.

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

The meeting adjourned at 11:25 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 May 19, 2020. This document constitutes the official minutes for the Highland City Council Meeting.


Stephannie Cottle
City Recorder