



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, June 16, 2020

Approved 8/4/2020

Highland City Council Chambers, 5400 West 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: 893 8127 3527. 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, City Engineer Todd Trane, Planner & GIS Analyst Tara Tannahill, City Attorney Rob Patterson, City Recorder Stephannie Cottle, Fire Chief Reed Thompson, Civic Events Coordinator Corrine Prestwich

OTHERS PRESENT: Brian Braithwaite

PRESENT ONLINE: Cole Peck, Roger Dixon, Colby Gibson

7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – Mayor Rod Mann

Invocation – Council Member Brittney P. Bills

Pledge of Allegiance – Council Member Kurt Ostler

The meeting was called to order by Mayor Rod Mann as a regular session at **7:03 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 Brittney P. Bills and those in attendance were led in the Pledge of Allegiance by Council Member Kurt Ostler.

1. UNSCHEDULED PUBLIC APPEARANCES

Time has been set aside for the public to express their ideas, concerns, and comments. (Please limit comments to three minutes per person. Please state your name and address.)

Cole Peck questioned the ordinance regarding Accessory Buildings. He noted that in one section, 25 to 35 feet was listed, with the addition of two feet to the side and rear yards. He explained that this only made sense in certain cases. He noted that he had more frontage on the front and back yards of his home. Mr. Peck then

explained the measurements of side and rear yards as he understood them to be outlined in the Ordinance, so as to clarify what he was trying to do with his property.

2. PRESENTATIONS

a. Citizen Survey – Erin Wells, Assistant City Administrator

Assistant City Administrator Erin Wells presented the results from the Citizen Survey that was recently conducted. She explained that they normally received around 1,000 responses; however, this year staff saw significant decrease with only 674 households responding to the survey. While the results were not as high, there was still a pretty high confidence level. Assistant City Administrator Erin Wells noted there was a shift in demographics in that 40% of respondents took the survey online, whereas usually respondents were 50/50 in regard to responding via mail versus online. The most dramatic difference was whether or not there were children present in the home: 52% responded no; whereas, 45% yes, and the age demographic was also higher this year.

Assistant City Administrator Erin Wells reported that the quality of life category ranked high. She also noted that the personnel rating was 80% or higher. The most significant jump was for elected officials; whose ranking rose by 7%. She stated that the library always ranked high. Each of the service categories were rated and every category saw positive movement, with the largest increase at 17% in communications. The new website was helping, especially from mobile devices. Assistant City Administrator Erin Wells noted that fire and EMS were at 95% and 96%, respectively. Garbage was also high at 90%. Other events had increased by 25% over the last five years. Assistant City Administrator Erin Wells stated that the lowest rating was road maintenance; however, this category had increased 20% over the last five years.

Parks: Respondents had expressed a desire for playgrounds, whereas the desire for pickleball courts went down. General playgrounds, walking trails, dog parks, and an all-abilities playground were all desired elements. Assistant City Administrator Erin Wells noted that 46-47% of respondents indicated that they would support funding increases for trails and parks.

Library: Respondents indicated that they most wanted to see more e-books, DVDs, adult fiction, and audio books added at the library. Council Member Scott L. Smith stated he was surprised that more audio books were desired. There was some discussion regarding the accessibility of audio books.

Communications: Respondents indicated that they would like to receive more communication from the City regarding Council decisions, elections, projects occurring around the City, and seasonal updates. Some were also interested in leisure services. Mayor Rod Mann requested that staff promote a map showing all the different projects that were currently happening throughout the City.

Parks Use: Respondents indicated that they were interested in organized play, but passive play was huge. 77% of respondents were using parks at least once a month for passive play and 27% indicated they used the City's parks for passive play at least once per week.

Trails: 44% of respondents indicated that they used the trails for exercise and enjoyment more than once per week, whereas 14% said they were using the trails to travel to and from school. Only 11% of respondents stated that they were not using the parks at all.

Open Space: Per the survey results, 22% of respondents noted that they lived in an open space subdivision, whereas 74% indicated that they did not live in an open space subdivision. Of those living in open space subdivisions, 29% of respondents expressed satisfaction with the City. Of those not living in open space subdivisions, 46% of respondents indicated that the City did a good job of maintaining open space natural areas.

Assistant City Administrator Erin Wells explained that there was under-representation from the northeast quadrant, and over-representation from the southeast quadrant. Of the survey respondents, 50% said they wanted to live in Highland for the rest of their lives.

b. Highland Fling 2020 – Corrine Prestwich, Civic Events Coordinator

Civic Events Coordinator Corrine Prestwich explained that she met with the Association of Civic Event Coordinator, Health Department, and Utah League of Cities and Towns (ULCT) Task Force to discuss the maximization of public health during Highland Fling. She presented the following safety guidelines:

- Controlled entrance and access points
- Ability to track attendance
- Six feet between family groups, when seated
- Limit the number of people in confined areas to enable adequate distancing at all times
- No congregating points
- General Employee Guidelines would be enforced to protect employees, volunteers, first responders

Civic Events Coordinator Corrine Prestwich explained that this year Highland City would hold a three-day mini Highland Fling event to unite the community. In addition, the following events would be hosted virtually: Baby Celebration, Art Show (chalk art online), and the Harry Potter Party hosted by the library.

Many of the events would require pre-registration so that staff could control the times people could go in and out of the event. Civic Events Coordinator Corrine Prestwich stated that the Highland Games was able to maintain all of the necessary health guidelines, so they would be moving forward with the usual plan. The concert was booked, but staff was still unsure as to whether or not it would take place based on evolving health and safety guidelines.

Civic Events Coordinator Corrine Prestwich explained that staff was still planning on fireworks, but residents would be advised to watch them from home. Council Member Scott L. Smith asked how staff would prevent congregating from happening anyway. Civic Events Coordinator Corrine Prestwich explained that there would not be any events held in the park beforehand; therefore, there also would not be any port-o-potties or light towers set up, either. If the City chose to move fireworks to the park, then they would need to maintain social distancing. However, Civic Events Coordinator Corrine Prestwich explained that Utah County currently was not issuing any mass gathering permits. There was some discussion regarding the potential for moving the fireworks to alternative locations.

Civic Events Coordinator Corrine Prestwich said staff had kicked the can down the road on several items while waiting for the change to green. She explained that there were some things they could add to the Fling if the State's status changed to green, however, at this point that would add more expense to the event. There was some discussion about expenses and revenues generated through the Fling, and Council Member Kurt Ostler wanted to know what the actual cost for the Fling was. Civic Events Coordinator Corrine Prestwich said that these smaller events were not as expensive. The majority of expenditures were from Saturday events which had been cancelled, thereby saving the City \$20,000. Some sponsors had committed; however, many had been hesitant to do so until there was a plan in place. Civic Events Coordinator Corrine Prestwich stated that the entire Fling could be done for \$16,000. She also noted that the City offered advertising to sponsors at other events throughout the year because they were not doing the magazine.

Council Member Kurt Ostler wanted to know how the Council should interact with the City during the Fling. Civic Events Coordinator Corrine Prestwich suggested that one Council Member attend each activity. She noted that a Parade could not be done in yellow phase, and that it might be another drive-by at Highland Glen or possibly a classic car parade.

Council Member Kurt Ostler asked why they could not do an art show, to which Civic Events Coordinator Corrine Prestwich explained that the Arts Council made the decision not to hold one because its volunteers were in high risk group. For this reason, staff looked at alternative options. Council Member Kurt Ostler explained that this was the Art Council's biggest fundraiser, and there was further discussion on the matter.

Council Member Kim Rodela thanked staff for their work and remarked that everything looked great. She noted that they had looked at holding a virtual 5K and fun run, but the public indicated they would not participate. Council Member Kurt Ostler asked if other cities holding drive-by parade, and if there were other places to which they could expand the parade. Civic Events Coordinator Corrine Prestwich said South Jordan had Floats for Floats: People drove by the floats instead of the floats driving down the road.

Council Member Scott L. Smith asked about service projects, and there was discussion about the Council doing a food drive as part of the parade. It was noted that local LDS stakes had been asked for the past several weeks to donate to the food bank. Civic Events Coordinator Corrine Prestwich asked for suggestions from the Council on other low contact service projects that the City could help facilitate.

Lastly, Civic Events Coordinator Corrine Prestwich reported that this Friday the City would be having its first drive-in movie, *The Sandlot*. The gate would open at 8:30 pm and food trucks would spread out. The movie would start at about 9:30 pm. Attendees needed to pre-register. There will also be on-sight registration by Youth Council Members.

3. CONSENT ITEMS

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

a. ACTION: Approval of Meeting Minutes (Administrative)
Regular City Council Meeting – May 19, 2020

b. ORDINANCE: A request by Cole Peck to amend Section 3-4109 of the Development Code relating to size and square footage of Accessory Buildings (TA-20-12) (Legislative)

The City Council will consider a request by Cole Peck to amend Section 3-4109 of the Highland City Development Code relating to accessory buildings. The City Council will take appropriate action.

c. ACTION: Boyer Ridgeview Residential LLC is requesting Final Plat Approval for a 265-lot subdivision. The property is approximately 38 acres and is located at 9900 N North County Blvd. (Administrative)

The City Council will consider a request by Spencer Moffat representing the Boyer Ridgeview Residential LLC for final plat approval for a 265-lot subdivision located at approximately 9900 North and North County Blvd. The Council will take appropriate action.

d. RESOLUTION: Update to Firework Restrictions (Legislative)

City Council will consider approving the recommended additions to the firework restricted areas.

Council Member Scott L. Smith asked that item b. and d. be pulled off the consent agenda for further discussion. Council Member Scott L. Smith also stated that he was a member of the governing board of USDC and would therefore recuse himself from voting on item c.

Council Member Kurt Ostler MOVED to approve consent item 3a and 3c on the agenda. 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 (A only, Recused from C)</i>

The motion passed 5:0.

Item B:

Council Member Scott L. Smith said the Planning Commission determined that the setback for large buildings on two acres would be 60 feet for an accessory building in the rear, and 30 feet on side, as discussed in section 2b. Section 3b indicated that for anything between 25 to 35 feet in height, there would be another two feet for each extra foot, which amounted to another 20 feet for the full 10 feet. He asked if that was based on a 10-foot setback as mentioned in section 4c or was that on top of the minimum of 30 and 60 feet. If so, that would provide a setback of 50 on the side and 80 on the back, and he did not believe that was ever part of the discussion.

City Attorney Rob Patterson explained that what he understood from the minutes was that it would be on top of it, but if the Council did not want this, they could change the ordinance. City Administrator/Community Development Director Nathan Crane explained that staff mirrored the ordinance based on the draft motion. The Council's intent was to increase the setback for buildings higher than 25 feet. City Administrator/Community Development Director Nathan Crane clarified that the base was 30 feet because the building would be above 5%.

City Attorney Rob Patterson said there are two separate issues here. There was a size increase and there was a height increase. There were minimum standards indicating that properties under two acres were limited to 5% of the lot and 25-foot buildings. There were two separate ways one can change the regular setbacks, and that was the clarification to which the Council was weighing in. If size was increased, there was now a new minimum setback of 60 feet from the back, and 30 feet from each side. For height alone, it was two feet for each one foot. The question was whether they wanted those to stack on top of each other or not. Council Member Kurt Ostler explained he would like to do both.

Council Member Scott Smith felt that 50- and 80-foot setbacks were prohibitive. There was further discussion on setback calculations based upon what final language was approved in the ordinance. Council Member Brittany Bills said she wanted something that worked for everyone, not just Mr. Peck. Council Member Kurt Ostler read from the ordinance, and staff reviewed the discussion that took place by the Planning Commission. There was subsequent discussion on an appropriate motion to make on this item. The group then transitioned into discussing consent item D on the consent agenda.

Item D:

Council Member Scott Smith was concerned that they could not do fireworks in his neighborhood and they had been doing them there for 40 years. People needed the opportunity to celebrate freedom and liberty with fireworks

and we keep restricting areas during this time of unrest. He said he had lived next to Highland Glen Park for 31 years and there was yet to be any fire damage there as a result of fireworks.

Fire Chief Reed Thompson gave some background on the decisions that went into creating the revised map. Per the Utah Legislature, there were three concessions to address the fire code: 1) Anywhere that had dry brush or grass could be a restricted area; 2) Areas within 200 feet of waterways, trails, canyons, washes, ravines, or similar type areas; 3) Anything that fell within the wildland urban interface area. Fire Chief Reed Thompson said the map had not changed since 2018 within the exception of additional development in northwest area. There were areas that had been identified as clean-up areas that fell within these three criteria, which he subsequently identified. He understood the concerns and desire to celebrate freedom, but as the fire chief it was his priority to make sure everyone stayed safe.

Council Member Scott Smith stated that the arguments presented could apply to every neighborhood in the City. Fire Chief Reed Thompson described several incidents that had occurred over the last two years. Staff and elected officials discussed enforcement and the possibility of allowing ground fireworks while still prohibiting aerial fireworks. There was subsequent discussion on the matter.

Council Member Kurt Ostler MOVED that the Council approve consent item 3d. 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>No</i>

The motion passed 4:1.

Staff and elected officials continued discussing an appropriate motion to make on Consent Item 3b. The final consensus was recorded the motion below as follows:

Council Member Scott L. Smith MOVED to approve consent item 3b with changes presented to the Council by the City Attorney concerning a height of 35' and setback formula on the sides of 2 to 1 if above 3000 square feet and maximum set back 20' plus the formula on the sides, with a maximum setback in the back of 60'. 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>No</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.

4. ORDINANCE/PUBLIC HEARING: ANNEXATION OF 473 SQ FT LOCATED AT 10147 N 6960 W (ANNEX-20-02) (Legislative)

The City Council will hold a public hearing to consider a request by Jason Matheny to annex approximately 473 square feet of property located approximately at 10147 North 6960 West. The City Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill presented the staff report as well as an aerial map of the subject property. She reviewed the actions which had previously been taken on this property. She explained that as part of approval, the subject property would have to be annexed into Highland and Lehi cities for future watering. On May 5, 2020, the Council approved the resolution stating Highland City's intent to annex 473 square feet of property. No public written comments were submitted to the City for this item.

Mayor Mann opened the public hearing at 9:20 pm and called for any citizens who would like to speak on the items to state their name for the record. There were no public comments. Mayor Mann closed the public hearing at 9:20 pm.

Council Member Scott L. Smith MOVED that the City Council accept the findings, approve the annexation, and adopt the ordinance. 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. ACTION: A REQUEST BY JASON MATHENY FOR APPROVAL OF AN AMENDMENT TO THE HIGHLAND RANCH SUBDIVISION LOCATED APPROXIMATELY AT 10147 N 6960 W (PA-20-02) (Administrative)

The City Council will consider a request by Jason Matheny to amend the Highlands Ranch Subdivision Plat to combine lot 24 and parcel to be annexed into the city into one single lot. The City Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill explained that this was a follow-up to the now approved annexation and ordinance. The applicant wanted to attach a detached garage to his main dwelling and needed necessary setbacks. She displayed an amended plat map for Highlands Ranch Plat B as part of the presentation.

Council Member Kurt Ostler MOVED that the City Council approve Highlands Ranch Plat 'B' Amended subject to the two stipulations recommended by staff as follows:

- 1. The final plat shall be in substantial conformance with the final plat received April 14, 2020 and dated March 4, 2020.*
- 2. Prior to recording, the final plat shall be revised as required by the City Engineer.*

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>

Council Member Kurt Ostler Yes
Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion passed 5:0.

6. PUBLIC HEARING/RESOLUTION: ADOPTING FINAL AMENDMENTS TO THE HIGHLAND CITY 2019-2020 FISCAL YEAR BUDGET (Legislative)

The City Council will hold a public hearing to consider the amendments to the FY 2019-2020 Budget. The Council will take appropriate action.

City Administrator/Community Development Director Nathan Crane explained that in January, the Council approved several budget amendments including increasing previous years revenue, using revenue for capital projects and some changes to library budget. Since that time, the Council had approved a number of expenditures including Spring Creek park for \$498,000, and it looked like there would be another \$8,600 bill because the original provider could not get sod until August and costs went up. City Administrator/Community Development Director Nathan Crane discussed boilers for City Hall and the Police Department. He explained there was a decrease in sales franchise and phone tax for a total of \$145,000, a decrease in reserves by \$119,000, and a decrease in general fund expenditures by \$156,000. There was an increase in license permits by \$129,000. Staff had done a great job managing the current FY budget in light of COVID. Since March, there had been no discretionary spending and the City had only focused on needs, thereby limiting the use of reserves. City Administrator/Community Development Director Nathan Crane clarified several items presented in the staff report, and Council Member Kurt Ostler remarked that Highland was weathering economic challenges much better than other municipalities.

Mayor Mann opened the public hearing 9:30 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 9:31 pm.

Council Member Kurt Ostler MOVED that the City Council adopt Resolution 2020-18 Amending the Fiscal Year 2019-2020 Budget. Council Member Timothy A. Ball 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.

7. PUBLIC HEARING/RESOLUTION: APPROVAL OF AN INTERFUND TRANSFER FROM THE PRESSURIZED IRRIGATION FUND TO THE GENERAL FUND FOR BUDGET FISCAL YEAR 2020-2021 (Legislative)

The City Council will hold a public hearing to consider the adoption of a resolution allowing a transfer of \$108,000 from the Pressurized Irrigation Fund to the General Fund for Fiscal Year 2020-2021. The Council will take appropriate action.

City Administrator/Community Development Director Nathan Crane explained that this item allowed the PI fund to pay for the cost of Highland City watering parks. This would cost \$2.03 per month for each customer. There was \$108,000 in the general fund that would need to cover this cost.

Mayor Mann opened the public hearing 9:34 pm and called for any citizens who would like to speak on the item to state their name for the record.

Brian Braithwaite asked that the Council approve this item.

Mayor Mann closed the public hearing at 9:34 pm.

Council Member Kim Rodela MOVED that the City Council adopt the Resolution authorizing the transfer of \$108,000 from the Pressurized Irrigation Fund to the General Fund for the fiscal year 2020-2021 budget. 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. PUBLIC HEARING/RESOLUTION: ADOPTING FY21 FEE SCHEDULE *(Legislative)*

City Council will hold a public hearing and consider adopting the FY21 Fee Schedule. The Council will take appropriate action.

Assistant City Administrator Erin Wells spoke of the three changes being proposed in the FY21 fee schedule which would be effective as of July 1:

1. Cemetery burial plot fees increased by 3%
2. Removal of the annual non-resident fee for Associate NUCLC library system.
3. Addition of miscellaneous garbage fees: Waste Management wanted Highland City to charge these fees, rather than having them do them.

Mayor Mann asked about replacement cans, to which Assistant City Administrator Erin Wells explained that if there was normal wear and tear or if their machinery broke the can, there was no cost to replace the can. However, if the can just got stinky but was still functional, the user had to pay for a new can. There were written warnings prior to implementing overage fees.

Council Member Kurt Ostler asked about an activation fee, to which Assistant City Administrator Erin Wells explained the reactivation and redelivery fees. Council Member Scott Smith asked how these fees were charged. Assistant City Administrator Erin Wells explained that rarely were they charged, and there was further discussion on the matter.

Council Member Kim Rodela said she approved of the fees she just wanted to make sure Highland was comparable to other cities.

Mayor Mann opened the public hearing 9:46 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 9:46 pm.

Council Member Scott L. Smith MOVED that the City Council Approve Resolution R-2020-20 Fiscal Year 2021 Fee Schedule. 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.

**9. RESOLUTION: ADOPTING THE CERTIFIED TAX RATE FOR FISCAL YEAR 2020-2021
(Legislative)**

The City Council may adopt the Certified Tax Rate for the FY 2020-2021 budget. The proposed rate does not include a tax increase. The Council will take appropriate action.

City Administrator/Community Development Director Nathan Crane explained that each year the County adjusted the Certified Tax Rate based on properties. The only way it increased was with new growth or the Council raised property tax. The numbers presented were the tax rate that the County had identified for this year to generate.

Council Member Scott Smith asked what would happen if the City chose not to adopt the Certified Tax Rate and just chose to keep the old one. Assistant City Administrator Erin Wells explained that essentially the City would be raising the rates more than what was proposed, because they would be getting more revenue; therefore, they would have to do a truth in taxation process. Council Member Scott Smith explained that it was better to implement small tax increases more frequently than to implement large tax increases less frequently.

Mayor Mann explained that the citizens survey had questions about taxes and fees. Relative to the County as a whole, the Highland City tax rate was the second lowest after Lindon. Eagle Mountain was 105% higher than Highland. Relative to utility rates, even with Highland's public safety fee, they were still below average compared to their neighbors.

Council Member Brittney Bills asked why these rates are not indexed to inflation. She stated that it was interesting to go through the budget process, as it had felt reactionary based on Coronavirus. We did not have time to discuss options like what would have happened in previous year. She said it would be a good idea to look at the general fund study and set long term goals.

When asked about the 3% inflation by Council Member Kim Rodela, Assistant City Manager Erin Wells said that truth in taxation still applied in that scenario. Communities that did this often did not get push back, and Assistant City Manager Erin Wells stated she could get notes on the matter. Mayor Mann stated that truth in taxation was just a public hearing. However, the City had to wait to find out what the County rate was so that the residents could be fully informed. The Council agreed to revisit this issue in the fall.

Council Member Scott L. Smith MOVED that the City Council adopt the Certified Tax Rate for Highland City for FY2021 as 0.001216. 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.

10. PUBLIC HEARING/RESOLUTION: ADOPTION OF THE FINAL HIGHLAND CITY BUDGET FOR FISCAL YEAR 2020-2021 (Legislative)

That City Council will hold a public hearing to consider approval of the Fiscal Year 2020-2021 Highland City budget.

Mayor Mann requested that the record show that Brian Brathwaite just walked into the room.

City Administrator/Community Development Director Nathan Crane noted one change to the budget, which was an increase in \$20,000 in open space seasonal wages. As requested, staff looked at funding a staff engineer which would replace the operations and maintenance manager. Total compensation would be \$81,000 and would be split between enterprise funds, with additional money coming out of the general fund. It was noted this amount included the total compensation package.

Council Member Kurt Ostler asked what the staff engineer what do. City Administrator/Community Development Director Nathan Crane stated that this person would review plans for development, create drawings for road plans, and for infrastructure projects. By having a staff engineer this would allow City Engineer Todd Trane to spend more time in public works. Council Member Kurt Ostler asked if they had looked into contracting some of these projects out.

City Engineer Todd Trane stated that they would still need consultants to help design bigger infrastructure projects. Right now, staff was overtaxed and projects that needed to be done were not getting done. He noted that the work he was currently doing used to be done by three people.

City Administrator/Community Development Director Nathan Crane presented a list of capital projects being planned for next year. This list would be revisited after the impact fee and utility studies. City Administrator/Community Development Director Nathan Crane stated that the 2% merit increase would not be awarded until Council approval. The City currently was in the negative by \$45,000 and without the 2% raise they would be close to neutral.

Council Member Scott Smith stated that in the past the City had been very conservative in revenue projections and he wondered if this was still the case. City Administrator/Community Development Director Nathan Crane said that the State was projecting a 6% decrease in sales tax, amounting to \$131,000 less than what was anticipated for Highland. Additionally, Highland had a reduction of \$68,000 in other tax revenue. Staff would know more in a few days when they received the sales tax numbers for June, but that represented a four to five percent reduction and the State ran at about 3%.

Mayor Mann opened the public hearing at 10:17 pm and called for any citizens who would like to speak on the item to state their name for the record.

Colby Gibson asked through YouTube Live: “What does the \$20,000 increase in open space seasonal wages go towards? I’d love to hear what projects are being worked first. Do we have a City plan map for what is going to be done and when?”

Mayor Mann explained that when the Council went through the work session, they looked at the previous year budget and saw that it was \$20,000 short. Therefore, the Council was just trying to be realistic. This did not put any extra money in the system, it was just covering costs. Open space projects included seal coats, crack seal, and extra weed abatement along trails. By fall, they hoped to have a five-year plan for trails, similar to what already existed for roads.

Mayor Mann closed the public hearing closed at 10:21 pm.

Council Member Scott Smith noted that the fire department dropped its budget by \$50,000 and he asked what was cut. Fire Chief Reed Thompson explained that changes were made with personnel and medical benefits.

Council Member Kurt Ostler MOVED that the City Council ADOPT the resolution approving the Final Budget for Fiscal Year 2020-2021 subject to the following changes:

1. *The 2% merit increase will not be allocated until the Council provides authorization.*
2. *The inclusion of a Staff Engineer.*

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.

11. RESOLUTION: APPROVAL OF AN INTERLOCAL AGREEMENT WITH UTAH COUNTY REGARDING THE USE OF CARES ACT FUNDS (Administrative)

Utah County is requesting approval of an Interlocal Agreement regarding the use of CARES Act Funds.

City Administrator/Community Development Director Nathan Crane explained that the County had received federal money as part of the CARES Act Funds for COVID-19 relief. The cities negotiated with counties and came up with the plan of having 40% allocated to cities and 20% to an economic improvement plan to be administered by the County for all businesses. Highland City would be receiving \$1.3 million. The County was willing to allocate that money right now upon signing the agreement. Any funds used for non-related COVID expenses would have to be paid back to the County. Any unused funds or funds not earmarked for use by October 31 will have to be sent back at the first part of November. Staff was looking at different items for which the money could be used. This was off the books, so it did not accrue to the City’s reserve. The County was going to put together an economic plan for small businesses and the plan would be developed and implemented by a committee comprised of seven people from all over the County.

The Council asked for examples for which the funds could be used. City Administrator/Community Development Director Nathan Crane noted that it be used for PPE expenses, cleaning expenses, sneeze guards, improved

software to better interact with residents, and costs associated with employees who we had to have stay home because of potential infection. Mayor Mann asked if the funds could pay for COVID tests for all employees. Council Member Scott Smith noted that commercial labs could conduct the antibody tests now. Council Member Kurt Ostler asked if the funds could be used towards the City's broadcasting system as they were using it a lot more for virtual meetings. City Administrator/Community Development Director Nathan Crane answered yes, the funds could be used towards Zoom and YouTube. He concluded that the County had a resource they could consult to determine what uses were allowed. Every expense would be tracked.

Council Member Kurt Ostler MOVED that the City Council approve resolution 2020-23 pertaining to the interlocal agreement for the use of CARES Act funds, as written. 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.

12. ACTION: SET A BUDGET FOR THE REVISION TO WILDROSE PARK (Administrative)
The City Council will set a budget for the revision to Wildrose Park as requested by the Parks, Trails, and Tree Commission. The Council will take appropriate action.

City Administrator/Community Development Director Nathan Crane explained that Wildrose residents were requesting improvements to their park including: a pavilion, trails, and removing trees. The proposed money would come from the Fairfield Cove development fee in lieu a \$60,000 payment. GB Brown put together estimated costs, and it was noted that the bid amount was \$69,000. The Council needed to decide if all of the entirety of the \$60,000 would be put towards Wildrose Park.

Brian Braithwaite stated that the Parks, Trails, and Trees Committee needed to have scope of project and dollar amount to present to the residents. The Committee would always come back to Council before acting. Council Member Scott Smith stated that he assumed the \$60,000 would go towards Wildrose, but there were a lot of other needs throughout the City. He suggested splitting the funds to go towards two different projects, as they had received requests for Beacon Hill Parks and Highland Hills. He stated that Wildrose Park was not heavily used by citizens in Highland. Brian Braithwaite stated that the Committee had not done an assessment yet, they were just in the beginning phases. Wildrose Park would never be a heavily used park unless the Council approved parking to go in that area. Mayor Mann stated that the City will use at least 50%, but not more than 65% of the \$60,000. There was some discussion regarding other projects needed throughout the City, and the Council agreed to allocated \$30,000 towards Wildrose Park.

Council Member Brittney P. Bills MOVED that the City Council set a budget of \$30,000 to be spent on Wildrose Park. 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>

Council Member Kim Rodela Yes

Council Member Scott L. Smith Yes

The motion passed 5:0.

Fire Chief Reed Thompson stated there were challenges in Highland Glen Park on the east side. Staff was looking at opportunities for signage so they could get emergency vehicles down in that area. The west side also got jammed up badly, too. He then discussed a recent incident to highlight the issue.

13. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

a. Future Meetings

- June 23, Planning Commission Meeting, 7:00 pm, City Hall
- July 7, City Council Meeting 7:00 pm, City Hall
- July 21, City Council Meeting, 7:00 pm, City Hall
- July 28, Planning Commission Meeting, 7:00 pm, City Hall

ADJOURNMENT

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 10:50 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 June 16, 2020. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle
City Recorder