



**HIGHLAND CITY**  
**HIGHLAND CITY COUNCIL MINUTES**  
**Tuesday, August 18, 2020**  
**Approved 9/15/2020**

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: 857 7410 7218. Comments may also be emailed to [council@highlandCity.org](mailto:council@highlandCity.org) prior to the meeting.

**PRESIDING:** Mayor Pro Tem Kurt Ostler

**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, City Engineer Todd Trane, Planner & GIS Analyst Tara Tannahill, City Attorney Rob Patterson, City Recorder Stephannie Cottle, Finance Director Tyler Bahr, Fire Chief Reed Thompson, Police Chief Brian Gwilliam, Police Officer Jamey Brooks, Police Officer Ryan Albers

**OTHERS PRESENT:** Tom Ross, Ryan Beck, Ted Frandsen, Brian Braithwaite, Val Shupe, Troy Ferran, Andy Reed, Bjorn Nordstrom, Katie Nordstrom, H. B. Shuman, Larry Richards, Scott Blatter, Dave Ellis, Dave Hahn, Kristy Henshaw

**PRESENT ONLINE:**

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

Call to Order – Mayor Pro Tem Kurt Ostler

Invocation – Mayor Pro Tem Kurt Ostler

Pledge of Allegiance – Council Member Brittney P. Bills

The meeting was called to order by Mayor Pro Tem Kurt Ostler 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 Mayor Pro Tem Kurt Ostler and those in attendance were led in the Pledge of Allegiance by Council Member Brittney P. Bills.

## 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.)

Andy Reed, resident, was concerned about the Highland Glen trail system route changing. The proposed route would go right along his backyard and he was concerned about his privacy and having people look into his yard. His concern was that the City ordinance allowed for a six-foot fence, but he would like permission to put up an eight-foot fence along the proposed trail. Council Member Scott L. Smith stated that what Mr. Reed was looking for was a variance and that there was a process to apply for a variance that he could go through. Mayor Pro Tem Kurt Ostler explained the process of applying for a variance. Mr. Reed stated that his second concern was that the change was supposed to begin immediately and the route that was approved was changed to go through his backyard.

City Engineer Todd Trane stated that they were working on moving the trail further from the yards to help residents along the trail. However, ultimately it was a UDOT project, so the City was making recommendations to UDOT on the matter. Council Member Scott L. Smith explained that because of the pipelines that were in that area, the trails were being realigned on the south end of the Highland Glen Park.

Council Member Kim Rodela stated that she thought it was worth doing the variance if they were going to be putting in a trail that residents were unaware of, as this would give Council time to walk the trail and do research. Mr. Reed stated that his concern was that government moved slow and contractors moved quickly, and that the area would be bulldozed before there was time for a decision to be made on his behalf. He just wanted to be able to put up an eight-foot fence at his cost. Mayor Pro Tem Kurt Ostler recommended Mr. Reed meet with City Administrator/Community Development Director Nathan Crane to get the process started.

Kristy Henshaw stated that she was a former council member from another city and a local government policy analyst who worked with the Utah League of Cities and Towns (ULCT). She explained that she had done some research in the area of federalist vs. anti-federalist and the rights of cities. She wanted to provide the City with some options if they were ever to come up against things that they did not want to happen in the City, and what their legal rights were in addressing such matters. She discussed the Home Rule versus the Dillon Rule and stated that there was legal standing for the City to tell the State “no” to decisions made at the State legislative level.

## 2. PRESENTATIONS

### a. **Police Department Accreditation Presentation** - *Executive Director of the Utah Chiefs of Police Association, Val Schuple, and Lone Peak Police Chief Brian Gwilliam*

Val Schuple, Executive Director of the Utah Chiefs of Police Association, stated that he was pleased to be there to present the accreditation of the Highland Police Department. There were 110 police departments in Utah which had the opportunity to go through a set of 180 standards, which included everything that pertained to federal, state, and local ordinances. There were assessors to ensure they complied, and cities had three years to finalize the process once it was initiated. The Lone Peak Police Department had finished it in less than a year. It was an on-going process that needed to be recertified every five years. The Utah Local Government Trust paid for the accreditation so it would not cost the City anything. He stated that they had their assessors trained each year as well as a board that went through the accreditation standards to make sure that they were up to date.

Chief Tom Ross, Bountiful Chief of Police, commented that he had worked with Police Chief Brian Gwilliam for years and he was an outstanding leader. He stated that it was comforting for residents to know that their police departments had completed the accreditation process. He then read the accreditation statement for Highland.

Police Chief Brian Gwilliam stated that Lt. Brooks was the individual he had assigned to take on this process and he wanted to recognize his work. Mayor Pro Tem Kurt Ostler complimented Police Chief Brian Gwilliam on his response to the recent protests and on his ability to listen to the concerns of residents.

**b. Valley Visioning Presentation - Leota Coyne, Envision Utah**

Ryan Beck, Representing Envision Utah, BYU, and UVU, stated that they had been looking into growth of Utah County through the year 2050. They had been working on this for two years and had started phase 1 in 2018 which consisted of listening to the public, to stakeholders, and to the steering committee. They had conducted a workshop at Highland Elementary that several residents attended. They had done 12 of these workshops across the valley and had had 400 people attend round 1, along with 2800 people who had participated in an online survey. Survey results indicated a desire to prioritize the outcomes of managing water, improving jobs and education, transportation, air quality, housing, and agriculture. They had put together priority working groups of experts in the area that could help them with these topic areas. They also went out and conducted mapping exercises with the public that consisted of 72 maps that people were instructed to draw where they thought future populations, roads, and jobs would be. They had taken the information and compiled five different scenarios that they took to the public; in total, approximately 11,000 people weighed in on this issue. The following scenarios were then outlined:

Scenario A – Current Conditions: Future growth based on current growth; this was a sort of baseline scenario

Scenario B – Organized Centers: What they thought the market was shifting towards naturally

Scenario C – Westward Growth: Growth into Cedar Valley

Scenario D – Southern Growth: Growth south of Provo

Scenario E – Urban Infill: Spaces from the interior that could support growth

Mr. Beck referenced maps of the different scenarios from the presentation. He stated that there had been a lot of support for scenarios C, D, and E. He moved onto Phase 3 which was “Vision.” Under this section, they would have goals and strategies set up for achieving convenient transportation choices, support housing options, open space and recreation opportunities, local agriculture, manage water, well-educated population, and clean air.

Council Member Scott L. Smith stated he was born in Pleasant Grove and not many years ago northern Utah County had been rural. However, developers came in and bought up this land so he was not sure how this plan would support local agriculture. When asked what the options were, Mr. Beck stated that they had come up with 42 different strategies to support agriculture, but farmers had the right to sell their land. He said that other places in the County were struggling with this as well, and that property rights were a strong issue in this country.

Council Member Timothy A. Ball stated that with COVID-19 and civil unrest there had been a change in directional flows. People were moving from metropolitan areas to more rural areas and asked if this had been considered. Mr. Beck replied that yes, this vision was originally slated for April 15<sup>th</sup> but had halted it in response to the changing climate. They would be meeting with all the chambers of commerce that upcoming Friday to adopt a vision strategy. People had been teleworking so maybe roads would not require such high capacity, and other issues would be addressed as well.

Council Member Timothy A. Ball commented that when he heard terms like ‘housing choices’ it sounded to him more like ‘taxpayer assistance in providing affordable housing.’ Mr. Beck explained that in the present document they did not get into any affordable housing strategies. They would watch the market trends and respond accordingly.

Mr. Beck stated that this vision was to be taken as data points and that they had no jurisdiction. Overall, the goal was to maintain a high quality of life.

Council Member Brittney P. Bills asked what the methodology of the survey was. Mr. Beck replied that they used both random and selected samples. They had had 11,000 self-selected participants and they had paid Lighthouse to do a random sample. They found that almost everything was in alignment except for a couple of things with housing.

Mayor Pro Tem Kurt Ostler asked about the possibility of roads changing and commented on the problems with traffic already in Highland. He commented that he would be interested in finding out results specific to Highland.

### **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: Approval of Meeting Minutes** *Administrative*  
Regular City Council Meeting - July 7, 2020

**b. ACTION: Ferran Construction is requesting Preliminary Plat Approval for a 4-lot subdivision. The property is approximately 4.1 acres and is located at 4562 W 11000 N** *Administrative*

The City Council will consider a request by Ferran Construction for a Preliminary Plat approval for 4-lot subdivision located approximately at 4562 West 11000 North. The City Council will take appropriate action.

Council Member Scott L. Smith requested to pull 3b from the consent agenda for further discussion.

*Council Member Timothy A. Ball MOVED to approve consent item 3a on the agenda. 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.*

Council Member Scott L. Smith said that when this had originally gone through the Planning Commission the staff had asked to put 20 feet of open space dedicated public utility parcel on the west side of lot 4. The project was approved that way but there was subsequent discussion to move manholes to make it an easement on the property. He understood the argument, but his concern was that there were a lot of open space parcels in the City. They had never discussed what they would do to maintain the surface, so they did not become eyesores for the neighbors. He thought they should have a workshop about this and asked how this had evolved from a dedicated space to an agreement with the homeowners to become an easement.

Planner & GIS Analyst Tara Tannahill stated that they had worked with the engineer to move the manhole so that there would only be a sewer running through it. They had talked to the Sewer Superintendent and he had been comfortable with having a dedicated parcel for the sewer line because the manhole on the street would provide access. Council Member Scott L. Smith commented that with a 20-foot easement, people on that property would not be able to plant trees or put a structure up.

City Administrator/Community Development Director Nathan Crane stated that they were dealing with something different than a water line and that the difference was that there was a manhole in that tract of land. It was important for the City to own this property because they needed access to the manhole in order to clean it out regularly. When the plat had originally gone to the Planning Commission it had the manhole which was why it had been approved; however, it had since been redesigned to allow for access. Water lines were shallower and created different issues that the sewer did not. Council Member Scott L. Smith asked if residents would be able to build on the easement. City Administrator/Community Development Director Nathan Crane replied that as long as the building did not require a permit, they could put it up on the easement.

City Engineer Todd Trane stated that they had places in the City where they had utilities and easements. Additionally, they had places in the City where they had dedicated areas that they owned. Each situation brought its own challenges and they had recently come to the approach that if the City needed access regularly, they wanted to own the property. He stated that with water lines they needed more regular access and that sewer lines were different because they could be accessed through manholes. This was a different situation because the developer had petitioned with the City to not dedicate the area, so it was a case by case decision.

Council Member Brittney P. Bills stated that she agreed with Council Member Scott L. Smith in that they needed to have a workshop because the moratorium on open space was about to expire.

*Council Member Kim Rodela MOVED to approve consent item 3b and accept the findings and approve case PP-20-04, a request for approval of the Spruce Subdivision preliminary plat, subject to the following stipulations recommended by Planning Commission.*

- 1. The final plat shall be in substantial conformance with the preliminary plat received May 19, 2020*
- 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. No access to lot 4 shall be provided from SR92 / Timpanogos Highway. A one-foot NVAE easement shall be added to the south lot line and a note shall be placed on the plat*

*Council Member Scott L. Smith SECONDED the motion. The vote was recorded as follows:*

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

*The motion passed 5:0*

- 4. PUBLIC HEARING/ORDINANCE: A REQUEST BY BJORN AND KATIE NORDSTROM FOR APPROVAL OF AN AMENDMENT TO THE HORSESHOE BEND SUBDIVISION LOCATED APPROXIMATELY AT 6541 WEST AVERY AVE (PA-20-03) Administrative**  
The City Council will hold a public hearing to consider a request by Bjorn and Katie Nordstrom to amend the Horseshoe Bend Subdivision Plat to remove the trail easement on the rear property lines of lots 1 to 5. The City Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill stated that Horseshoe Bend was approved July 2, 2002 as 16 lot single-family home subdivision with a 20-foot trail easement along the Murdock trail, as well as other easements on the property. On June 23, 2020, the Nordstroms requested a variance to install a greenhouse. The variance had been approved contingent on Highland City approval of the easements. Staff had looked at the proposed easement and

decided that they no longer needed the easement because of the Murdock Canal. It would affect lots 1-5 on the Horseshoe Bend plat. All proper public notifications were made, and one response was submitted in favor of this.

Mayor Pro Tem Kurt Ostler asked if this was for removal of the easement from behind one lot or all of the lots. Planner & GIS Analyst Tara Tannahill replied that it was for removal of the trail easement behind lots 1-5.

Bjorn Nordstrom, applicant, stated that the trail easement was no longer necessary. He expressed appreciation to the other owners that were present to support them. He also appreciated the work of the City in identifying the easement.

Council Member Scott L. Smith recused himself from voting because Dr. Nordstrom was one of his partners.

**Mayor ProTem Kurt Ostler opened the public hearing at 7:53 pm.**

Brian Braithwaite, Chair of PTTC, stated that he fully supported this, with one exception. He explained that there was an easement between lots 1 and 2 that were part of the anticipated trail that would come from City Center to 6400 West. He wanted to make sure that the removal of this easement would not prohibit the public from using the trail.

Wade Hadlock, resident, stated that there was a PUE irrigation easement along lot 1 that went into the undeveloped lots to the north. This easement would be where they could connect the City center trail to the Murdock trail. He was concerned about the side easement and commented that a lot of work had been done on the trails. With the higher density on City Center, he stated that they needed to connect the City Center with the Murdock Trail. Therefore, he wanted to make sure the easement was protected.

**Mayor ProTem Kurt Ostler closed the public hearing at 7:57 pm.**

Council Member Kim Rodela asked if they needed to make an exception for the easement between lots 1 and 2. Planner & GIS Analyst Tara Tannahill replied that they were looking into the matter because they didn't see the easement between lots 1 and 2. City Engineer Todd Trane stated that as a City they had the authority to lift trail easements. However, they did not have the right to vacate anything that belonged to Lehi City.

Council Member Timothy A. Ball asked if they had the jurisdiction to remove the easement for the Nordstrom. City Administrator/Community Development Director Nathan Crane stated that there was an easement between 1 and 2 that was in the Canterbury Plat not the Horseshoe Bend plat. The trail would actually be on land that the City owned. A map of the affected properties was then reviewed and discussed.

*Council Member Kim Rodela MOVED to approve Horseshoe Bend Plat "A" amended and adopt the ordinance vacating the easement subject to the 3 stipulations recommended by staff as follows:*

- 1. The final plat shall be in substantial conformance with the final plat received July 22, 2020.*
- 2. Prior to recording, the final plat shall be revised as required by the City Engineer.*
- 3. The final plat shall be completed by a licensed engineer.*

*Based on the following findings:*

- 1. It complies with all zoning requirements as set forth by the Development Code.*
- 2. The easement is no longer needed because of the Murdoch Canal Trail.*

Mayor ProTem Kurt Ostler clarified that there was an additional easement that the trail would be on. City Attorney Rob Patterson stated that the ordinance specifically said that the City was not giving up additional easement for trail corridor and that they owned the property outright.

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    *RECUSED*

The motion passed 4:0.

**5. RESOLUTION: INTENT ON FUNDING AND LEGAL OBLIGATIONS FOR THE WATERSMART GRANT WITH THE BUREAU OF RECLAMATION** *Administrative*

The City Council will consider a resolution to apply for the WaterSMART Grant with the Bureau of Reclamation for installation of water meters for the City’s secondary irrigation system. The Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill presented the staff report and stated that in 2019 the State of Utah legislature required cities to track their secondary water usage. Since 2016, the City had required construction of a system to meter the water. When they reviewed the cost to meter the whole City for secondary water, the cost came out to around \$4.9 million. Meters were not included in the PI utility analysis. However, due to the grant and legislation the City was funding \$500,000 per year over the next three years. The WaterSmart grant was a 50% match of \$1.5 million from the Bureau of Reclamation. The updated grant had increased to \$2 million and staff was asking the City to consider matching this amount. The resolution of intent was part of the WaterSmart grant application process.

Council Member Scott L. Smith stated he was 100% supportive of this because they were overusing their PI. He asked for clarification on the funding and asked where they planned on coming up with the additional funding. City Administrator/Community Development Director Nathan Crane stated that in 2019, they had hired Zions Bank to look at utility rates and the impact fees to see if they were on schedule. They were in the process of updating these numbers. In 2019, they knew the Developmental Center was coming online and questioned whether or not they would be able to do that without impacting rates. They had found that they needed to make some changes to the capital plans because of the PI system and had to bring some projects forward like the pump station for Boyer and they had to move back the upper pond expansion and the filter station by Spruces. They knew the grant was \$1.5 million at the time but had discovered the week before that it had gone up to \$2 million. They had found that revenues were coming in where they should be and had planned a rate decrease in 2023. The specific cost would be determined when they did the rate study that fall.

Council Member Scott L. Smith asked about the time frame of the project to get houses metered. City Engineer Todd Trane stated that they were looking at how quickly they could get the project done. They had looked at the rate study conducted by Zions Bank, and determined they would contribute \$500,000 per year for the next three years. However, since the grant had been upped to \$2 million, they had to go back through and look at the other projects and see if they could do \$1 million per year. The reason they wanted to apply for the whole \$2 million was because they would save \$500,000 due to the matching grant.

Council Member Scott L. Smith asked if they would start charging for usage. City Engineer Todd Trane stated that if they were awarded the grant, they would have to start looking at how to bill residents.

Council Member Brittney P. Bills asked how long it took to install the meters. City Engineer Todd Trane replied that the cost would be to hire a contractor to come out and retrofit the homes. Staff would have to perform administrative tasks and that these were federal funds so there were a lot of strings attached with the process. He

stated that every home was different. Council Member Brittney P. Bills asked if the State would be requiring them to do it anyway, to which City Engineer Todd Trane replied yes, the State Legislature was considering a mandate. A deadline was approaching, so they wanted to get an application in for the SmartWater grant before other cities began applying.

Council Member Scott L. Smith asked what direct costs there would be to the residents. City Engineer Todd Trane replied that the grant would cover all of it including landscaping, restorations, etc. They would go in and take out the current connection and open it up, move the filter, put the meter in, and retrofit based on what they were working with. There would be no costs to the residents aside from the fees they were already paying.

Mayor Pro Tem Kurt Ostler asked what they would do about people who already had a meter. City Engineer Todd Trane replied that they anticipated that the fee structure would stay as was until they had everyone metered and then they would do a metered rate. City Administrator/Community Development Director Nathan Crane stated that there would be a couple different options and that there would be a lot of decisions that Council would have to make on how to institute fees. Mayor Pro Tem Kurt Ostler asked what projects were being pushed back to get this money. City Engineer Todd Trane stated that one of the major projects they had bumped back was the pond expansion. There had been a couple small projects that had been entirely eliminated because they had taken care of those issues internally by fixing valves and zoning issues. They were looking at ways to be proactive to save money in order to get the meters put in. Mayor Pro Tem Kurt Ostler asked if the pond was the only project being pushed back. City Administrator/Community Development Director Nathan Crane stated that when they had looked at utility rates the decision was made to pay cash up front which frontloaded the rates because they needed to save up front. One of the challenges was that usage had gone so high that they had to do something because the system could not handle it. City Engineer Todd Trane stated that the alternative was that they continue to use the way that they were and that they continue building out. However, the pipes could not handle the pressure so they would need to spend \$40 million to upsize the pipes to be able to handle the pressure. They needed to learn to start using the water they were supposed to with metering or bite the bullet and rebuild the entire system.

Council Member Brittney P. Bills asked about other cities that had metering and asked what kind of evidence there was to show a correlation between metering and usage. City Engineer Todd Trane stated that there had been a study done in Weber County, Spanish Fork, and Saratoga Springs. He would distribute this information to the Council.

Mayor Pro Tem Kurt Ostler asked how long it took to fill the holding pond. City Engineer Todd Trane replied that it was a continual process. He explained that through the night it lowered and that during the day it caught back up. It helped to get information out about lowering water usage, so people knew how to water practically. There was discussion about CFS usage and the locations from which they pulled water. City Engineer Todd Trane stated that they were doing everything to keep up with demand, but they were still overusing water. The grant was a great opportunity to get this cost covered and get everyone on meters.

Council Member Scott L. Smith asked about new homes with meters. City Engineer Todd Trane said that they monitored these and looked at high users. They tested the meters by installing them on their own home and they found that it really did help. If there were high users, they went and talked to them. Council Member Scott L. Smith asked if they could extrapolate data from these users to estimate usage as a City. City Engineer Todd Trane stated that the few people on meters at that time were great at conserving and the owners of the newer homes did not conserve as well. The small group that was metering looked at the data every month and had reached out to the high users to check out water use. He did not think the meters would change anything until they used them to bill users.

Larry Richards, resident, stated that he had a WaterSmart system that helped him with his water. In response to a comment made by Mr. Richards, Mayor Pro Tem Kurt Ostler clarified that when builders came in, they had to



bring in water shares. Mr. Richards stated that the people who had been originally asked to turn over their water shares were promised that the system would not be metered. He understood that things changed but that there should be a moral obligation to the initial City members. He stated that newer lots were smaller than the older lots but that a flat rate was fair. He hoped that the Council would consider the promises that were made and give the initial residents an opportunity to reap what they had put into the system.

Council Member Kim Rodela had received inquiries about those who had given up water rights to the City and were promised that they would not be metered. She asked City Engineer Todd Trane to give an explanation. City Engineer Todd Trane stated that the reason for the current proposal to meter was because they were being mandated by the State. Therefore, they were trying to get some extra money and take the burden off the residents. He stated there would be much discussion on how to bill for water in the future.

*Council Member Scott L. Smith MOVED to approve Resolution 2020-25 authorizing Highland City to submit a grant application for \$2,000,000.00 for potential funding of certain improvements to the City's secondary irrigation system through the U.S. Department of the Interior, Bureau of Reclamation's Watersmart Program and authorizing a matching \$2,000,000.00 from the PI fund to be discussed and re-voted on. Council Member Brittney P. Bills SECONDED the motion. The vote was recorded as follows:*

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

*The motion passed 5:0.*

**6. ACTION/ORDINANCE: A REQUEST BY HIGHLAND CITY STAFF TO AMEND SECTION 10.08 OF THE MUNICIPAL CODE RELATING TO PARKING VEHICLES FOR SALE ON PUBLIC STREETS (TA-20-14) Legislative**

The City Council will consider a request by Highland City Staff to amend Section 10.08 of the Highland City Municipal Code relating to parking of vehicles for sale on public streets. The City Council will take appropriate action.

Planner & GIS Analyst Tara Tannahill presented the staff report and stated that there had been an increased number of vehicles parked on the highway, which created a safety concern. After some review, staff determined there was no ordinance to enforce regulations over this issue. Other cities that did not allow this were Alpine, Lehi, PG, Orem, and Saratoga Springs. Planner & GIS Analyst Tara Tannahill then reviewed the proposed ordinance.

Council Member Scott L. Smith stated that he was supportive of this item and asked if this would prohibit someone who wanted to park their car in their driveway at their home. City Attorney Rob Patterson said no and subsequently defined the prohibited areas from the ordinance. He stated that a person could park it in their driveway just not any public road or right-of-way.

Council Member Kim Rodela stated that she agreed with this action.

*Council Member Scott L. Smith MOVED that the City Council accept the findings and adopt the ordinance approving the amendment to Section 10.08 of the Highland City Municipal Code pertaining to Parking of Vehicles for Sale on Streets and Highways. 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.*

Council Member Brittney P. Bills asked when this ordinance would go into effect. City Recorder Stephannie Cottle replied that some ordinances required a published notice in the paper before they could go into effect and this was such an ordinance.

**7. ACTION: LETTER OF SUPPORT - UTAH LAKE COMMISSION MUNICIPAL MEMBERS' PERSPECTIVE ON TOXIN GUIDANCE** *Administrative*

The City Council will consider a request by Brain Braithwaite, Highland City Timpanogos Special Service District Representative, to sign a letter of support regarding Utah Lake Commission Municipal Members' Perspective on Toxin Guidance. The Council will take appropriate action.

Brain Braithwaite, Highland City Timpanogos Special Service District Representative, stated that algae blooms occurred at Utah Lake every year. The Department of Water Quality had defined what was dangerous based on a count of a certain number of algal bloom spores found in the water, but the CDC had not found a correlation between those blooms and toxins. He wanted to make sure the data was based on good science. Therefore, what the letter was really saying was that they wanted support of the toxin tests not the algal level. He stated that they could not judge the whole lake based on a sample from one spot.

Mayor ProTem commented that there was an issue at Highland Glen Park and asked if they had only tested one area there. Mr. Braithwaite replied that that was a different situation because they were testing for bacteria at Highland Glen Park, not an algal bloom. City Engineer Todd Trane commented that they had had E-Coli at Highland Glen Park, which was in every body of water naturally. However, their tests had come back that exceeded the natural levels and once the levels were maintained they would remove the signs. Mr. Braithwaite stated that the algal blooms occurred in the mountains where there was no water being disbursed. He said this was a natural occurrence, which was part of the problem because it was being declared hazardous when there was no science to back the claim.

*Council Member Brittney P. Bills MOVED to accept the Letter of Support from the Utah Lake Commission Municipal Members' Perspective on Toxin Guidance. 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.*

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

**a. Future Meetings**

- August 25, Planning Commission Meeting, 7:00 pm, City Hall
- September 1, City Council Meeting, 7:00 pm, City Hall

- September 15, City Council Meeting, 7:00 pm, City Hall
- September 22, Planning Commission Meeting, 7:00 pm, City Hall

City Administrator/Community Development Director Nathan Crane provided an update on COVID-19 CARE Act Funds. They were working with the school district to provide six touchless water bottle fountains as well as one for the City building, two for the community center, two for the Police Department, and three for the Fire Department. They had worked with schools and purchased room dividers for Ridgeline's sick room which currently allowed for two students, but with dividers this number would be increased. They had reached out to dealerships about the trucks that would be coming and would be discussed on the next Council agenda. They were working on the shower, as well as the washer and dryer units for Public Works. They had also been working on bids for UV scrubbers, HVAC, and windows. They had a preliminary design for the front counter and for the court clerk. They were looking at using the same contractor that had done the police station remodel but a challenge they were having was getting responses for contractors because they were all swamped. They had gotten numbers from the library and had received numbers for a six-month and one-year supply of gloves and wipes. They were looking into stainless steel restrooms for the parks. They had looked into furniture that would be easier to wipe down. He stated that they had purchased a Conex Shed that would go near the community center. He noted that they were trying to separate staff at the library, so they were using a storage room for staff offices at the time. They were getting some disinfectant systems for the City buildings and were looking at some IT upgrades.

Mayor ProTem Kurt Ostler commented on future meetings:

- September 8, City Council Work Session, 7:00
- October 13, City Council Work Sessions

Council Member Scott L. Smith commented that he had found himself looking for things that could be possible fire hazard concerns. He stated that he used the trails every day and he had been going north along the Highland Glen Park trail. That day he went up along the high school and it was the first day that school had opened at Lone Peak. He noticed that kids were parked up and down Lone Peak Avenue on both sides, and that there were around 100 spots in the parking lot that were left open. It seemed to him that since the fire hydrants were on the west side then it made sense to red mark the west side of the road. That day there was a car parked in front of a fire hydrant that he thought should be ticketed. He encouraged leaving Knight Avenue open because there was no way to access the hydrant with cars parked there. Fire Chief Reed Thompson stated that they did an educational process every year and that as the school year went along it got worse because more students received their license throughout the year. He stated they issued a lot of citations in that area and they would continue to educate citizens throughout the year. City Engineer Todd Trane stated that the hydrants were new so there would be a learning curve as students had probably not noticed them yet.

## **ADJOURNMENT**

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

*The meeting adjourned at 9:12 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 August 18, 2020. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle  
City Recorder

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

**ELECTRONIC PARTICIPATION**

Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

**CERTIFICATE OF POSTING**

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

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

Posted and dated this 13th day of August 2020

Stephannie Cottle, City Recorder

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