



HIGHLAND CITY
HIGHLAND CITY COUNCIL AGENDA
Tuesday, September 1, 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: 893 3815 6827. 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, Finance Director Tyler Bahr, Police Chief Brian Gwilliam, Parks Superintendent Josh Castleberry

OTHERS PRESENT: Seth & Julianne Barrus

PRESENT ONLINE:

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 **7:12 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 was set aside for the public to express their ideas, concerns, and comments. (Comments were limited to three minutes per person. Speakers were requested to state their name and address.)

There were no public appearances.

2. PRESENTATIONS

a. Review of Highland Fling - Community Events Coordinator Corrine Prestwich

This item was canceled.

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.

Mayor Rod Mann requested that Seth Barrus, the new appointment for the Planning Commission, introduce himself.

Seth Barrus, resident, said that he moved to Highland five years ago. He said that he has attended a lot of City Council meetings and attended a lot of other meetings and had seen a lot of interactions between leaders and the community. He said that he realized that there was a lot that he did not understand, but that he wanted a better sense of how of how a city was operated and that he wanted to be a contributor. He stated that he had a beautiful wife with whom he had six kids. His family lives in the southwest corner of the city.

Council Member Kim Rodela said that she was excited about Mr. Barrus' appointment on the Planning Commission. She said that she was impressed with the content he posted on Facebook and that it was apparent that he loved Highland.

a. ACTION: Approval of Meeting Minutes Administrative Regular City Council Meeting – August 4, 2020

b. ACTION: Ratifying the Mayor's Appointments of Seth Barrus to Serve on the Planning Commission Administrative The Council considered the Mayor's request to ratify the appointment of Seth Barrus to the Planning Commission. The Council took appropriate action.

c. RESOLUTION: Approval to Purchase (3) Three F-150 Vehicles for the City Fleet Administrative City Council considered the purchase of (3) three trucks to be incorporated in the City fleet. Trucks would be used by Public Works staff to perform daily ongoing tasks while maintaining appropriate COVID-19 distancing. The Council would take appropriate action. Resolutions are being used due to the dollar amount and use of CARE Act Funds.

Council Member Scott L. Smith asked to pull item 3c from the consent agenda for further discussion.

Council Member Kurt Ostler MOVED to approve consent item 3a and 3b 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</i>

The motion passed 5:0.

Mayor Rod Mann opened a discussion about item 3c, the F-150 purchases.

Council Member Scott L. Smith said that he was not opposed to purchasing of trucks for staff. He said that he understood that the funding would come out of the CARES Act, but that he felt as though the City needed to take advantage of the money that was provided. He said that as a fiscal conservative he said he had a hard time with the two parties in Washington who liked to borrow and rain funds on everyone because someone was going to have to pay the money back someday. At the same time, he recognized that it was important that Highland take advantage of the funds while they were available because he assumed that these vehicles would need to be purchased someday and Highland had a lean budget. He wanted to know: (1) with the purchase of the trucks how many Public Works vehicles Highland would have? (2) If the City would retire any vehicles? and (3) How would the long-term maintenance expenses effect the budget?

City Engineer Todd Trane said that Highland's Public Works staff were the first ones back to work in the office. He said that Public Works staff had tried to work from home as much as possible but that was not possible when managing a sewer and water system. When individuals had to come back, administration tried to keep employees in separate trucks as much as possible, but that was difficult to do. In fact, there was a period of time when the City asked some employees to use personal vehicles. The incentive to purchase the vehicles was to provide more trucks for the guys that are riding together. He said that he would have to pull up his inventory sheet to provide the exact number of vehicles in the fleet. The purchase, however, was not intended to replace, but to provide options to be in separate vehicles when they need to be.

Council Member Scott L. Smith asked where the vehicles would be parked or if these would be vehicles that staff would take home. City Engineer Todd Trane said the three vehicles would be at the shop. He said that only superintendents take their vehicles home. He said that staff would need to look at the fleet and determine where it made the most sense to have these newer vehicles. The vehicles probably would end up going to superintendent, but their vehicle would be handed down to other individuals where they would stay at the shop.

Council Member Kurt Ostler asked what the annual cost was to run a truck. City Engineer Todd Trane said that the older trucks they were trying to retire from the fleet have a much higher annual cost than the new ones. The cost per year really depends on the year and vehicle. Council Member Kurt Ostler stated that these new vehicles were not included in the budget. He wanted to know how much the gas for the vehicles would amount to each year. He asked if it would be \$18,000 a year. City Engineer Todd Trane, said no, it would not cost that much. He did not have the number but could calculate the per vehicle cost for gas and oil changes.

Parks Superintendent Josh Castleberry said that the total budget for all vehicles in the park's fleet was \$17,000 per year.

City Engineer Todd Trane said that the City was not spending a huge amount of money overall for gas. He said it was a good question. The CARES Act money, however, was something they needed to spend it anyway and it is a good opportunity to get better trucks.

Council Member Scott L. Smith asked if staff would eventually need to pay for trucks out of future budgets anyway. City Administrator Nathan Crane said that one thing the purchase of the trucks would do would be to allow staff to retire older trucks once COVID-19 is over. The City did have vehicles approaching 150,000 miles that were not particularly good.

Council Member Scott L. Smith MOVED that the City Council approve consent item 3c, the resolution approving the purchase of 3 Ford F-150 vehicles for the City fleet. 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.

4. PUBLIC HEARING/ORDINANCE: A REQUEST BY HIGHLAND CITY STAFF TO AMEND SECTION 5-8-105 IN THE DEVELOPMENT CODE RELATING TO STREETS. (TA-20-10) Legislative

The City Council considered a request by Highland City Staff to amend section 5-8-105 of the Highland City Development Code relating to Streets. The City Council took appropriate action.

Planner Tara Tannahill provided background on amendment. She explained that on August 4, 2020, the City Council approved an amendment to Section 12-08-050 of the municipal code relating to new roads serving property outside of Highland City limits. To current code that staff proposed to be amended was a sub section of that code. She continued that for Section 5-8-105, staff are proposing an additional number I. The new proposed code reads: *streets, dead end streets, or other access points shall not be permitted or required if the continuation of the street or access point would violate municipal city code 12-08-050, except as provided therein.*

She said that there was a Planning Commission meeting that was posted in the Daily Herald and on the state and city website. Staff had not received any written correspondence, nor was there any comments during the public hearing at the Planning Commission meeting. Staff recommend that the City Council conduct a public hearing, discuss the item, and make the decision to approve the text amendment.

Council Member Scott L. Smith stated that he felt that one of the phrases was vague and that although he thinks he understands the intent of the text amendment, if he was a member of the public he was uncertain if he would understand. He verified that the purpose of the text amendment was to ensure that other cities were not developing on Highlands borders and hooking into Highland's streets. Planner Tara Tannahill said that was the purpose of the amendment that was approved for the municipal code on August 4, 2020. This text amendment was for the development code and referenced that section so that the two codes coordinated.

Council Member Scott L. Smith said that he did not understand how the two actions fit together and that he felt the text amendment did not tell him much. City Administrator Nathan Crane explained that the purpose of the amendment was to direct people to look at another section because we restrict access into the city. He said that this was staff's attempt to make sure that important code was referenced so that restrictions were not overlooked.

Council Member Scott L. Smith said that staff were trying to provide a link. Essentially, someone would have to reference the Development Code to understand.

Mayor Rod Mann opened the public hearing at 7:26 pm.

There were no public comments.

Mayor Rod Mann closed the public hearing at 7:27 pm

Council Member Kim Rodela MOVED that the City Council accept the findings and approve the proposed amendment based on the following findings: the amendment is needed to update the Development Code. Council Member Kurt Ostler 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. ORDINANCE: A REQUEST BY HIGHLAND CITY STAFF TO AMEND SECTION 10.08 OF THE MUNICIPAL CODE RELATING TO TRAFFIC OBSTRUCTION (TA-20-17)

Legislative

The City Council considered a request by Highland City Staff to amend Section 10.08 of the Highland City Municipal Code relating to traffic obstruction. The City Council will take appropriate action.

Planner Tara Tannahill gave background for the text amendment. Staff proposed an amendment to section 10.08.100 in the municipal code. This section of the code reads: *It is unlawful for any person to engage in conduct that may impede or block traffic within any of the areas described below under the jurisdiction of or within the boundaries of Highland city, including all associated shoulder areas, on-ramps, off-ramps, and areas between the roadways of a divided highway:*

The applicable areas include the interstate system, freeway, highway, and state routes (SR). The update was based on Utah code section 41-6a-1009.

Council Member Timothy A. Ball said that the phrase “impeding traffic” sounded pretty subjective. He asked what the definition of impeding traffic was. City Administrator Nathan Crane said that he was going to turn the explanation of the text amendment over to City Attorney Rob Patterson.

Mayor Rod Mann interjected that he had residents complain about a couple who were looking for handouts at the intersection of SR-92 and Alpine Highway by the gas station. According to the resident who called the individuals were at the gas station every Saturday for eight hours and would walk out in the right turn lane and collect money. The resident was driving once and nearly got in an accident because he was not expecting someone to stop. The intent of the text amendment was to give law enforcement the ability to talk to pedestrians impeding traffic.

Council Member Brittney P. Bills asked if staff could address which streets the text amendment applied to because it did not apply to all streets.

City Attorney Rob Patterson first responded to Council Member Timothy Ball's question about what was meant by impeding traffic. He agreed that determining if someone was impeding traffic was subjective and up to the officer's discretion. He said that when writing code, they try to be as accurate as possible, but that there was always some interpretation. He furthered, however, that some behaviors were outlined in the text amendment. These included walking out into the street, interacting with a vehicle that is supposed to be moving. On the flip side, there were certain behaviors outlined that did not constitute impeding traffic which includes panhandling. He explained that someone holding a sign on the sidewalk was, in fact, exercising their first amendment rights. The City could not say that individuals could not stand on the street corner. However, they can say that an individual cannot walk out into certain streets and prevent traffic from flowing in a safe manner.

Council Member Kurt Ostler asked how some cities had prohibited panhandling. City Attorney Rob Patterson responded that some cities attempt to prohibit panhandling and then get sued for doing so. He said that this code section was actually litigated a few years ago by Salt Lake and got amended at the state level to make it less restrictive and clearer about what is a free speech right. Primarily, if someone is standing on the sidewalk with a sign, they are fine. They could also go out and interact with a vehicle that is legally parked. However, an individual could not approach a moving vehicle. He explained that the code was trying to regulate the conduct, not the speech.

Council Member Kurt Ostler said that the present environment created situations where there might be protestors walking out into streets and prohibiting traffic. He wanted to know if this section of code was relevant to a situation like that.

City Attorney Rob Patterson said the code would address individuals protesting. However, the City had an obligation to provide a process for individuals who want to use the streets to obtain a permit from the City allowing them to do so. This would not apply to highways that run through the City because Highland does not have jurisdiction over them. Nor would the City have to approve a proposal that obstructed a major thoroughfare. However, in areas like around City Hall where there were alternate access points to be able to navigate around those locations, the City would have obligation to allow protesters or people who want to march use the streets for a limited time.

Council Member Timothy A. Ball said that protestors could not block a street for 24 hours. City Attorney Rob Patterson agreed and said that he believed that would be considered an unreasonable obstruction. Council Member Timothy A. Ball cited the protests in Portland. He verified that on a road like SR-92 Highland would not have jurisdiction because it was a state route.

City Attorney Rob Patterson confirmed this. He said that they could have a follow up meeting with a proposed ordinance or policy that outlined how someone would access a permit to hold a protest. To that point, the ordinance would include that any road within the jurisdiction of the state would need state, not city, approval.

Council Member Timothy A. Ball asked about an attractive nuisance. City Attorney Rob Patterson said that was a little different. He said that even though signs impede traffic, the City could not say that an individual was holding a sign that was too flashy. Council Member Timothy A. Ball said that maybe it was not a sign, but a business. He said that he remembered a case in California where there was a business on the side of the highway that stopped traffic because they had dragsters. Because the business attracted so much attention it slowed traffic down. He said that some would say that was an attractive nuisance and some would say that should be limited by zoning. He said that he was just concerned about how the text amendment could be applied and its subjectivity. He also referenced a recent conversation among the Council about a business that had parking along the road. He said that could be construed as impeding traffic.

City Attorney Rob Patterson said that this amendment was just a portion of the overall traffic code. He said that there were additional details outlined elsewhere about where one can park. Issues relating to attractive nuisance would be addressed in regard to private property would be handled through zoning and land use. In response to Council Member Brittney P. Bill's questions about the roads this applied to, Mr. Patterson explained that state code outlined where this applies to interstates and SR's. In addition, roads that meets one of three categories were also applicable to the text amendment: (1) if the road was paved and had a speed limit of 35 mph or greater, (2) if the road had a median, or (3) if the road had tracks lines running through the middle of it.

Council Member Scott L. Smith said that as he was coming from work today, he saw people standing in front of the American Fork hospital with signs saying honk for healthcare workers. He said that some of those people were actually into the road some. He said that he did not feel as though they were obstructing traffic. He wondered if because they were in the road, they would have been in violation because of this text amendment.

City Attorney Rob Patterson said that if they were in the road and blocking the shoulder area, then yes, that would fall under the text amendment. He said that the penalty for violating the proposed code would be the lowest level penalty the City can issue, an infraction. If an officer received a call about this issue, they could always just issue a verbal warning. How the situation was handled was at the discretion of the officer. The penalty was the lowest possible to simply encourage people to stay off roads so that they could remain safe.

Council Member Kurt Ostler asked about a recent situation at Cottonwood Heights where they (likely protestors) got a permit to be in a park and started to go down city streets. Law enforcement then told them to get on the sidewalks. He wondered if this was the code that required protestors to stay on the sidewalks if they only had a permit to be in the park and not to utilize city streets.

City Attorney Rob Patterson said yes. This code would apply to that situation. However, the City still needed to establish a permitting process. If residents wanted to walk from one park to another, the City could map out where on the route a protest might hit significantly populated areas, but would not be obstructing a major thoroughfare, and there could be continuous alternative access for cars.

Council Member Kurt Ostler brought up the Highland Hawk Walk where kids walk from the elementary school. He said that this code communicated that the City wanted to know what an organization was doing to ensure that there was safe passage for the kids.

City Attorney Rob Patterson said exactly. Regardless of the type of speech exercised (an elementary school or protestors) the City wants to make sure that the rules are applied equally to those exercising their right to free speech and are safe.

Assistant City Administrator Erin Wells told Council Member Ostler that the situation he was talking about falls under the City's special event permits. Organizations go through a process with the City where they tell staff their route so that staff can work with the police and roads to make sure that they can do the event safely.

Council Member Scott L. Smith said that in the proposal it appeared that there were two motions: one to approve the amendment (10.08.100) and another to adopt the ordinance. He wanted to know if that could be done in one motion or if the Council needed to make two motions. City Attorney Rob Patterson said that it could be done in one motion.

Council Member Scott L. Smith MOVED that the City Council accept the findings and approve the proposed amendment, Section 10.08.100, concerning impeding and obstructing traffic and adopt the ordinance approving the amendment to Section 10.08 of the Highland City Municipal Code pertaining to vehicles obstructing traffic.

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.

5. ORDINANCE: AMENDING CHAPTER 8.12 GARBAGE COLLECTION AND DISPOSAL, AND TITLE 13 PUBLIC SERVICES *Legislative*

The City Council considered a request by Highland City Staff to amend Chapter 8.12 Garbage Collection and Disposal, and Title 13 Public Services to align with operational needs and serve residents in an equitable manner. The Council will take appropriate action.

Finance Director Tyler Bahr explained that the item before the Council for consideration addressed utility billing, with particular attention to how the City handled delinquent accounts. He recognized Candice Linford and Lorena Hill as the backbone that make providing the service possible.

He said that utility billing included garbage, recycling, water, and sewer services. Highland provides services to just under 5,000 accounts. Last year in fiscal year 2020 (July of 2019 to July of 2020) there were 454 delinquent notices (just less than 10%) and a total of 91 accounts that were suspended due to non-payment. He said that residents were usually particularly good to work with. Most often the reasons for delinquency or a service being terminated is because someone forgot to pay the bill.

He further explained that the purpose of the update was to provide a consistent and equitable process for handling utility accounts. He said that where it was necessary to pursue delinquent accounts that staff wanted to appropriately allocate and recover costs of servicing accounts. Proposed changes entailed:

- (1) To continue to allow residents to temporarily suspend service (as a result of vacation or absence) but add the provision that the requesting resident would then be responsible for service termination or reconnection fees.
- (2) Remove a provision for the Timpanogos Special Service District (TSSD) to request suspension of an account. He explained that staff do pass on those fees to residents from the TSSD and if they do not pay them, they can have their services terminated. However, staff do not want these notices to come from an outside entity.
- (3) Add clarification on the services included in billing statements.
- (4) A statement that curing delinquency requires full payment of unpaid fees. Partial payments do not clear delinquency.
- (5) Delineating options in response to delinquency. These potential responses include termination of services, providing an assignment to a collection agency, bringing lawful action or a lien placed against the property in question.
- (6) Imposing a reconnection fee if services were terminated as a result of delinquency.
- (7) A new appeal processes.
- (8) Requiring credit risk accounts to pay a \$250 deposit. If an account had three months of missed payments, they would be considered an at-risk account and be required to put the \$250 deposit.

Council Member Kurt Ostler asked how far past due would a resident have to be if the City were to consider placing a lien or pursuing a collection agency. He wanted to make sure that residents had adequate notice and

had time to seek alternative assistance. Finance Director Tyler Bahr said that the ordinance would allow actions such as the lien to occur after 30 days of delinquency. However, he explained that statements are mailed out on the first of the month with payments due on the 20th with a five-day grace period. In addition to the first initial statement, the next month's statement would go out on the first of the following month that would include a delinquent notice. If payment was still not received, an additional delinquent notice is issued two to three weeks following the second month's statement. He said that the objective in bringing the action to the Council's attention and approval was that staff have found that in some cases balances that go on too long continue to accrue creating amounts that are insurmountable to reconcile with payment plans. Because of this, service termination would be the first action. Council Member Kurt Ostler clarified that service termination would mean that a resident's water and would be shut off. Mr. Bahr confirmed that was correct.

Mayor Rod Mann said that one the first issues he addressed when he was first appointed mayor was a chronic non-payment resident who had issue dating back to a previous mayor. The resident would miss payments and have services shut off, make a few payments, and have the services turned back on only to miss payments and have services cut off. This went on until he moved from Highland in 2017 when he left with a balance. The resident personally called the Mayor and explained his side of the story and requested that the balance be waived. It took two years of working with the resident to finally get the full balance paid off. He said that although uncommon, there were a few people who were just chronic, and that this ordinance could be a tool to catch issues early.

Finance Director Tyler Bahr said that the City does not have incentive to want to shut services off and that they do not make money on the late fees. He reiterated that beyond the initial billing, there were two more notices sent. He said that folks could opt in for email notices. In addition, staff want to make an appeal process available and were recommending changes to the code that would allow the City Administrator to hear those appeals to expedite the process.

Council Member Scott L. Smith asked for Mr. Bahr to explain delinquent. He said that sometimes he missed his bill and then he gets the new bill and pays the entire balance. He clarified that he would be considered delinquent because he missed the 20th deadline. He wanted to know if that happened three times in a year, even though the bill was payed off if he would be required to pay \$250. Mr. Bahr responded that yes, he would be required to put down a \$250 deposit.

Council Scott L. Smith said that he would probably be someone who would be considered delinquent and asked to pay the \$250 fee. He added that 9.2% of customers were delinquent. Finance Director Tyler Bahr said that those who had to pay the \$250 deposit were those who were repeat offenders. He said that the 454 delinquent notices, or the 9.2% of customers Council Member Ostler referred to, had a delinquent payment at any time. The \$250 deposit would not apply to all of those individuals. He said that he would have to go back and look to see the number of accounts last year that had three delinquencies and would have had to pay the deposit. Council Member Scott L. Smith clarified that if a resident was five days late they would be classified delinquent and that if they did that three times they would have to pay the deposit, even if their account was paid off and they were not a credit risk.

Council Member Kim Rodela asked what percentage of people Finance Director Tyler Bahr estimated would meet the credit risk standard. Finance Director Tyler Bahr said 2-3%. In comparison to other cities in area, most other cities either require an upfront deposit regardless, or a credit risk of \$250 or \$300. He said that was pretty typical of the area.

Council Member Kurt Ostler said that he had a renter yesterday who said they had to run down to a City to make a \$140 deposit to get garbage services. He said that he guessed that was a common practice that after a resident had established a history, the money would be returned to them. He asked if that would be true of the credit risk

deposit. Finance Director Tyler Bahr said that after 12 months of current payments, the deposit would be released to the resident.

There was discussion about the current policy of the give 5 days grace period. Council Members asked City Recorder Stephanie Cottle how many complaints she received about late fees when she assisted with utilities.

City Recorder Stephanie Cottle said that Highland was pretty generous with their late fees. She did not receive any complaints from people. She said that five days grace period was very generous. She said that she knew that other cities had policies that if a payment was due on the 20th, it was due on the 20th. She said that almost all payments were received from residents before the 20th.

Council Member Scott L. Smith said that he assumed that staff would notify the public of the new fees. He said that it seems like they would want to educate the public on this before the policy came into effect. Finance Director Tyler Bahr said yes, he felt that was appropriate. He also felt that it would be valuable to educate residents on various options such as email notices and encouraging automatic payments. He said that staff do not want the deposits or late fees.

Mayor Rod Mann asked that the Council to pretend the new policy went into effect tomorrow. He clarified that it would only be delinquencies going forward that would count towards a resident's three months of delinquent payments, qualifying them as a credit risk and requiring a deposit. Finance Director Tyler Bahr said that was correct.

Council Member Kim Rodela said that it would be effective to put a notice on the next utility bill. Council Member Scott L. Smith said he thought that was a great suggestion. The Council had questions about how individuals were notified when their services were going to be shut off. Finance Director Tyler Bahr said that prior to services being shut off, two notices were mailed to residents. Staff do not knock on a resident's door until the water is shut off.

Assistant City Administrator Erin Wells said that if a resident is not home, a notice is left on the door that the water had been shut off. Typically, employees do not want to engage with residents at that point because it might be a hostile environment. City Administrator Nathan Crane said that their system is pretty effective. Most residents do not actually get to that point. There were only 91 total accounts in FY2020 that were shut off.

Council Member Kurt Ostler asked how many residents come in and pay the day that their service was shut off. Assistant City Administrator Erin Wells said that when the first delinquent notices are shut off something like 70% of people pay their fees. She said that when it comes to shut off day there are only 10-15 people whose services are actually being cut.

Assistant City Administrator Erin Wells said that almost everyone comes in the day their services are shut off. It was rare that the services remained off overnight. She said that sometimes individuals cannot make it in to make their payments during business hours, but that staff provide a list to city employees who are on call and if the person calls the on-call person and shows that they made a payment, services will get turned back on. City Administrator Nathan Crane said that staff engage residents who have had services cut off to try and get payments so that people are not without services. They just need people to make payments. Assistant City Administrator Erin Wells said that staff always conducts shutoffs on a Tuesday that follows a Monday the utility office was open. This ensures that residents have had the opportunity to make a payment before losing services. Finance Director Tyler Bahr said that a resident would have to be two months behind before shutoffs.

Council Member Kurt Ostler asked if the City had ever had a resident whose services had been shut off for five days or more because they do not have the funds to get them started again. Staff said that they were not aware of or could not recall a situation like that.

Council Member Kurt Ostler said that he asked because he wanted to know if they should set up a safety fund with the Highland Foundation. Given that they lived in a blessed community, he wanted there to be resources if someone was struggling that much. Finance Director Tyler Bahr said that if folks were having a hard time, staff would work out a payment plan with them. However, what is most common is that people have their water shut off because they forgot or did not check their mail.

There was a discussion about those on payment plans and if that would result in services being shut off.

City Administrator Nathan Crane said that it has been his experience that it was not Highland's fixed income families that struggled to make payments.

Council Member Scott L. Smith MOVED that the City Council approve the proposed changes to the Municipal Code concerning delinquent accounts and adopt the ordinance amending Chapter 8.12 and Title 13 to the Municipal Code relating to Garbage Collection and Public Services. 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.

7. PUBLIC HEARING/RESOLUTION: AMENDING FY2021 FEE SCHEDULE *Legislative*

The City Council held a public hearing and considered amending the FY2021 Fee Schedule. The Council will take appropriate action.

Finance Director Tyler Bahr explained that the fiscal year 2021 (July 2021 to July 2020) comprehensive fee schedule was approved in conjunction with the budget on June 16, 2020. He said that amendments to the fee schedule were necessary to accommodate changes that were just discussed regarding utility billing services discussed in the previous agenda item and some changes to prorate fees for use of community garden boxes.

In regard to utility billing, staff are looking to provide a consistent and equitable process. The three changes pertaining to utility billing include: (1) increasing the late fee from 1.5% to 3% (2) establishing a risk deposit account \$250 and (3) if accounts progress to needing lien imposing an additional \$100 fee.

In regard to the Community Garden Box rentals, staff received a request for use of a box for less than a full growing season. The current fee is \$40.00 for a full growing season. The amendment would outline pro-rated fees of \$30.00 after June 15 and \$20.00 after August 1.

Council Member Kurt Ostler asked if the grow box fee were only for residents of Toscana, or would they also be charging other residents who grew gardens on city property. He said to him it felt as though Toscana residents were being charged for something that other residents were not. Council Member Kim Rodela said that it depends. She asked if the City put in the garden boxes by Toscana or did the residents.

Assistant City Administrator Erin Wells said that the City allowed the Beautification Committee to put them in. The residents raised the money to put the boxes in. They came before the City Council a little over a year ago to

get approval for the boxes. She explained that the fee pays for the water they use over the course of the growing season.

Mayor Rod Mann opened the public hearing at 8:13 pm.

There were no public comments.

Mayor Rod Mann closed the public hearing at 8:14 pm

Council Member Scott L. Smith asked about the \$250 deposit. He verified that it was equivalent of one month of coverage. He said that his neighborhood was not on the pressurized irrigation because his neighborhood has their own. He said that he pays about \$150 a month. He wanted to know if there were people who paid a lot in pressurized irrigation, causing the average cost for services to be \$250.00. He wanted to know what other members of the Council paid per month for services. Mayor Rod Mann said that he pays about \$140 to \$150 per month and that a person's bill often depends on the number of garbage cans they have.

Council Member Scott L. Smith said that he actually received an extra can that he was not paying for and asked who he needed to talk to about that. Council Member Kim Rodela said she was not paying for two of her cans either for ten years. Council Member Kurt Ostler said that he paid about \$190. However, sometimes when he fills his pool with culinary water his bill jumps up. There was discussion by the Council about why one would fill their pool with culinary water as opposed to pressurized irrigation.

Council Member Kurt Ostler asked if there were more requests for use of the garden boxes than there were boxes available. Assistant City Administrator Erin Wells said that she had received conflicting reports about the garden boxes' demand. She said that at one point she was told that there was a waiting list and then at other times there were extra ones. That was where the pro-rated rates came from. Council Member Kurt Ostler asked if there were garden boxes in other areas of the City. Assistant City Administrator Erin Wells said not to her knowledge. She said this was a Beautification Committee initiated project. The former chair lived in Toscana.

Council Member Kim Rodela MOVED that the City Council adopt Resolution R-2020-27 amending Fiscal Year 2021 Fee Schedule relating to utility billing and community garden box rentals. 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. RESOLUTION: APPROVAL OF PURCHASE CONTRACTS WITH CXT PRECAST PRODUCTS INC., FOR THE PURCHASE OF FOUR PRECAST CONCRETE RESTROOM BUILDINGS FOR THE AMOUNT OF \$608,009 Administrative

The City Council considered a request to approve the purchase contracts for four precast concrete restroom buildings to replace the two restrooms in Highland Glen Park, one in Heritage Park, and construct a new one in Beacon Hills Park and authorize the Mayor or City Administrator and City Recorder to execute the necessary contract for the projects. The

Council will take appropriate action. Resolutions are being used due to the dollar amount and use of CARE Act Funds.

City Administrator Nathan Crane said that in that last few weeks he had learned more about lawn fungus and restrooms than he ever wanted to know. Before providing background on the project he thanked Parks Superintendent Josh Castleberry and Public Works Technician JoAnn Scott for their tremendous help on the project. He said that one of the details staff discovered was that when construction projects were completed with CARES Act money, they had to be completed by the end of December. In working with the contractor, they have learned that they are at the limit of their timeline to be able to get the projects done with the federal funding.

The project entails four precast concrete restrooms from a company called CXT. The company was identified through the state purchasing contract as a pre-qualified company. The idea behind the state purchasing contracts was that companies could get lower pricing because everyone buys from it and buys bulk. Other cities who have used this company include Draper, Alpine, American Fork, Layton, Zions National Park, just to mention a few. The floors, walls and roof are poured in a factory and then constructed at the site. The floors are five inches thick, walls four inches thick, with the concrete is guaranteed for 20 years. The restrooms are vandal resistant and have a chase room housing all of the utilities which are pre-wired and plumbed.

Staff proposed four concrete restrooms: one at Beacon Hills, two at Highland Glen Park, and one at Heritage Park.

Mr. Crane displayed and reviewed the CARES Act funding budget. He explained that the first group of items was money that the city spent. These were categorized as:

Spent	Amount
City Other	\$ 7,229.59
Schools	\$ 14,298.24
Police & Fire	\$ 23,000.00
Payroll	\$ 10,000.00
HVAC (Justice & City Hall)	\$ 13,685.00
TOTAL	\$ 68,212.83

The \$7K in the “city other category” when towards expenses like installing plexi-glass and purchasing cleaning supplies. Expenses if the “schools” category went towards the purchase of new drinking fountains, plexi-glass, and dividers. The “payroll” category was an estimate of additional expenses for staff.

The next portion of the budget were scheduled usages of CARES Act Funding. These included:

Scheduled	Amount
Restrooms	\$ 608,809.00
Trucks	\$ 115,349.00
HVAC Motors (Justice & City Hall)	\$ 8,000.00
TOTAL	\$ 732,158.00

The final portion of the budget were projects that were budgeted for the remaining funds:

Budgeted	Amount
Windows	\$ 100,000.00
Front Counter	\$ 100,000.00
Court Clerk	\$ 30,000.00

Library Sliding Door	\$ 15,000.00
Protective Personal Equipment (PPE)	\$ 20,000.00
Public Works Shower & Laundry	\$ 250,000.00

All of this amounted to \$1,050,370.83 of the \$1.3 million awarded to Highland through the CARES Act funding. The comment was made that \$250,000 was a lot of money for a shower and laundry

City Engineer Todd Trane explained that some utility work was needed if they were going to retrofit the new shower and laundry facility. He said that the \$250,000 was just a preliminary number. The project's actual cost would probably be less, but staff did not want to provide a false expectation. He said that he would be happy to give a tour to show the work required for the project. There was a wall that needed to be redone to update water connections to accommodate the washer and dryer.

City Administrator Nathan Crane added that one of the challenges was that when the facilities were built there were not separate spaces for men and women. He said that as part of this project staff were trying to separate the single restroom into separate facilities.

Council Member Kurt Ostler asked if there was any way with some of the new restrooms to say that a pavilion was needed on the front side. City Administrator Nathan Crane requested that they wait to discuss the restrooms for a few minutes. He said that with the Public Works project staff had not hired anyone to draw plans or give any estimates, let alone put the project out for bid. It really was staff's rough estimate.

Council Member Scott L. Smith said that he had a patient come in who worked at Mountain Ridge Junior High who expressed thanks for the improvements made at the schools to accommodate COVID-19. Council Member Kurt Ostler said that he thought that it would be beneficial to putting a restroom at Mountain Ridge. Council Member Scott L. Smith asked if staff could put in garbage cans with CARES Act funding.

City Administrator Nathan Crane said that staff could look into that. He then transitioned into showing the restroom plans for each park. He displayed a proposed design of the restrooms at Beacon Hills Park and pointed out the chase room in between the men's and women's restroom.

Council Member Scott L. Smith mentioned an email he received that said that Mr. Crane had connected with Tim Irwin to get feedback from Beacon Hills residents. He wanted to know what sort of feedback had been received. City Administrator Nathan Crane said Tim Irwin posted concepts on the Beacon Hills Facebook page. One of the comments was that they could not have restrooms because "undesirable activities might happen in them," but that most residents were in favor.

Council Member Kurt Ostler said that it does seem as though there was support and that residents were also interested in a pavilion. He added that some residents seemed concerned that if the restrooms were installed that the park would see greater use.

City Administrator Nathan Crane said that the City does use porta-potties, but they get blown over. He continued that there were two restroom options: the Cortez, a two-stall facility, costing \$65,500 or the Denali at \$82,850 with a little more pitched roof. It was about a \$17,000 cost difference between the two facilities. He explained that really the only difference between the two was the pitch of the roof. The entire building is concrete. Rock is simulated. He said that Alpine and American Fork uses the Cortez design. Because the restrooms are single stalls, they could be assigned men's and women's or just leave them open for either.

Mayor Rod Mann asked if they had to have a concrete pad. City Administrator Nathan Crane said that the minimum pad was 6-inch compacted gravel for the building to sit on. Beyond that, apart from making sure the

buildings are ADA compliant, the City can choose how much concrete they want to pour. He noted that the buildings themselves were already ADA compliant.

Council Member Kim Rodela asked if the Cortez was the same restroom design on the Murdock Connector Trail by Highland Glen. City Administrator Nathan Crane said no and explained the restrooms by Highland Glen were made with blocks. He then showed plans for the restrooms proposed for Heritage Park and Highland Glen Park. The first option was the Montrose that had two stalls on each side. It cost \$161,905. There would be two toilets on women's side and a toilet and urinal on the men's side. Council Member Kim Rodela asked if there was only one option for a restroom this size. Mr. Crane said that was correct. He added that there were other options if they wanted a model with independent doors.

Council Member Kurt Ostler clarified that what Mr. Crane meant by independent doors was that there would be four bathrooms each in their own room. He said that he liked the idea because it would create more privacy. City Administrator Nathan Crane said that the independent door options were discussed by staff. However, they nearly doubled cost in maintenance with doors and locks.

Mayor Rod Mann verified that the current bathroom at Heritage Park would be removed and replaced with the new facility. City Administrator Nathan Crane said that was essentially the plan for all of the restrooms: do the demo to take out the old and the put new facilities in the same location as the previous restrooms.

Council Member Kurt Ostler said that three of the restrooms would be replacements with one new restroom being added at Beacon Heights. Mr. Crane said that was correct.

Council Member Brittney P. Bills asked what the cost was to take them out. City Administrator Nathan Crane said that he did not know. The idea was that staff would take out the restrooms to reduce costs. The funds to pay staff would come out of CARES Act money.

Council Member Scott L. Smith wanted to know what makes the bathrooms vandal proof. City Administrator Nathan Crane said that inside the restrooms they were recommending that all the toilets, sinks and counters be stainless steel. Because the walls were concrete if someone sprayed them, they could just be painted over.

Council Member Kurt Ostler said that Alpine had problems with their bathrooms in the previous year. He asked if they had similar bathrooms as these. City Administrator Nathan Crane said that was occurring in their porcelain bathrooms. He said that Alpine has really loved their concrete and stainless-steel restrooms.

City Administrator Nathan Crane said that there were a couple of options for the Highland Glen North restroom. The first was the Santiago (\$201,349) with four separate units with chase room down below. He said that the advantage of this restroom was that the current Highland Glenn restroom had been heated for ten years. The Santiago was a heated building. Highland staff had heard from Alpine that they tried to heat a Cortez style restroom with a space heater, and it cost them \$600/month. It was very inefficient because the buildings are not insulated. With this design that has eight single doors, six could be closed during the winter months leaving two open to be heated with ceiling heaters. The other option was the Taos (\$176,298) building, but the whole facility would need to be heated in the winter.

Council Member Scott L. Smith asked if/why they really needed to heat the facilities. He asked if people were out on the pond ice fishing. Parks Superintendent Josh Castleberry said that there were lots of runners and walkers and ice fishermen. He said that staff were worried that if the restrooms were closed there would be a backlash. It was, however, a decision the Council could make.

Council Member Scott L. Smith said that it was not that he wanted to close them. He talked about the county access on the Murdock Canal Trail and asked if it was heated. Several council members and staff said yes, they

were heated and open year-round. Council Member Scott clarified that if they were open, they had to be heated. Again, several staff said yes.

Parks Superintendent Josh Castleberry said that if they are not heated the pipes would freeze. He talked about how Highland Glen has its own microclimate and can at times be 10 degrees colder than the surrounding area. They have had even the heated facilities freeze in the past.

The Taos (\$176,298) would have three stalls in the women's, two stalls and a urinal in the men with the chase down the middle. Although the building itself was cheaper they would have to heat the whole unit, creating higher operating costs.

Council Member Kurt Ostler said that he liked the individual bathrooms for privacy. Mayor Rod Mann assured Council Member Ostler that he was not alone in that preference.

City Administrator Nathan Crane directed the Council to look at the contracts included in their packets. He explained that the top right-hand corner indicated the base price with freight. Below that were additional options such as them hooking up utilities, etc. He noted that staff had picked the two-tone color scheme with a different color roof, stainless steel fixtures, electric hand dryers, electronic faucets, exterior mounted drinking fountains, hose bib on outside, and anti-graffiti coating. This coating cost \$7,8000 a unit, but it was something sprayed on the building. There was another can that removes graffiti.

Parks Superintendent Josh Castleberry said that Highland Glen experienced the worst graffiti about twice a month. He said that with the north bathroom the graffiti tended to occur on the inside, whereas at the south bathroom it occurred on the outside. Currently, Highland Glen is all tile creating a couple of hours' worth of work to clean up. Heritage Park gets some graffiti. Because it was tied to the school it was usually junior high kids using sharpie markers. Staff had recently repainted it, which seemed to help.

Council Member Kurt Ostler said that the new restrooms would be easier to clean and maintain helping with the COVID situation. Parks Superintendent Josh Castleberry concurred and explained that because the restrooms were all concrete, they could be hosed, or power washed to clean. He also said that the hands-free cleaning option would make maintenance a lot easier.

Council Member Kim Rodela asked if there were options with the bathrooms to install motion detector lights or cameras. Parks Superintendent Josh Castleberry said that the City does not currently have cameras or motion detector lights on any of their bathrooms. Council Member Rodela suggested that was something that the City do. She said that she noticed that all Cedar Hills parks have those features on their bathrooms. Parks Superintendent Josh Castleberry said that staff were for them, it was just a matter of cost.

Council Member Kurt Ostler asked about timed locks. Parks Superintendent Josh Castleberry explained that the time locks the City has now are set to open at 5:00 a.m. and to close at 11:30 p.m. He said that the locks they have only work if the door closes. A person cannot get locked in because they can always open the door from the inside. Council Member Kurt Ostler said that he noticed these were not checked to be included in the contracts.

Parks Superintendent Josh Castleberry said that staff choose to install their own to save some money. He said that no one that he knows has used the electronic locks from the company. Because the locks they had already installed themselves were working, staff figured they could install locks once the bathrooms were constructed.

Council Member Scott L. Smith said that they were talking about ways to prevent vandalism. He asked if there were signs posted indicating fines if caught vandalizing a building. City Administrator Nathan Crane said that there was once a sign in City Hall, but they have not posted any signs in parks. He said that would be pretty easy

to do. Council Member Scott L. Smith said that he hoped that there were some other preventative measures the City could take.

Mayor Rod Mann asked if Alpine had the anti-graffiti or if there was someone who had it. City Administrator Nathan Crane said no. He had only discussed the bathrooms with two other cities and neither had the anti-graffiti coating.

Mayor Rod Mann verified that staff were not replacing the bathroom at the splash pad. City Administrator Nathan Crane said no.

Council Member Brittney P. Bills requested to go back and look at the slide with the total CARES Act fund allocations. She said that as they were trying to decide how much to spend on bathrooms that she wanted to look and make sure that there was nothing else that was not covered. She said that there was still a little bit of money left over. One of the possible items staff had discussed were chairs for City Hall that could be easily wiped off. She asked if those were included in what was budgeted to be spent. City Administrator Nathan Crane said that they were not included, but that was something that staff could look into. Council Member Brittney P. Bills also talked about how other cities had created programs to support small businesses that might be struggling. She said that she had heard that Draper started a program where if you purchased a \$20 gift card for particular small businesses, you would get a \$20 Draper bucks gift card.

Mayor Rod Mann said Draper was in Salt Lake County. Utah County had set aside \$20 million dollars for a grant program to assist small businesses. It was his understanding that they had received only a fraction of applications for the grants. The mayor sent an email to each business in Highland directing them to the opportunity. He said that the deadline for applying for a grant had been extended and that in an email report of the number of applications from each city, the second report indicated an increase in Highland applications. He thought that there were seven Highland requests.

Council Member Brittney P. Bills wondered if it was because businesses did not need the help or because they felt intimidated by the process. She noted that Cedar City donated a lot of money to businesses and noted that gift cards were a way to drum up businesses.

Council Member Kim Rodela said that she liked the idea of thinking about businesses. She said that she always asks her sister what Cedar has done with their money. Her sister said that they had donated quite a bit of their CARES Act money to a business grant program along with Iron County. She said that it was her impression that Highland businesses did not take as much of a hit as those in other cities, but that a gift card drive that could attract attention to businesses sounded like a good idea.

Council Member Scott L. Smith said that he liked it, too. He said that he brought up garbage cans earlier. He referenced the metal garbage cans that were “indestructible” on the Murdock Canal trail. He wanted to know if they could be added to the parks. He said that they were a couple of years ago and were at least \$1,000 each.

Parks Superintendent Josh Castleberry said that he was not opposed to it. He said that he would need more people. He said that the thing about Highland Glen is that a fish in a garbage can up there lasts about a day before people are disgusted. He said that it was hard for staff to make it to the park every day to change the garbage cans.

Council Member Scott L. Smith said that it seemed as though litter and garbage at Highland Glenn was pretty common because the park was so heavily used.

Parks Superintendent Josh Castleberry said that the park was heavily used. He said that folks might not remember, but there was a time when Highland Glen had garbage cans. He said that almost once a week he would have to swim out in the pond to get the garbage can out of the pond. He said that even if they got the metal cans that were

anchored to the ground, they still needed to have a plan for how they could be emptied. More garbage cans required more staff to take care of them.

Council Member Brittney P. Bills asked Nathan Crane, City Administrator, what information he needed exactly to move forward. City Administrator Nathan Crane said that he wanted to know if the Council wanted Cortez or Denali at Beacon Hills. Council Member Kurt Ostler stated his preference for Cortez and Council Member Scott L. Smith stated his preference for Denali. The Council put the matter to an informal vote with three council members choosing Cortez and two choosing Denali.

City Administrator Nathan Crane asked if the Council wanted the Santiago or the Taos at Highland Glen Park north. Council Member Kurt Ostler said that he like the Santiago with the eight private stalls. He said that they needed to be sensitive to some diverse demographics in Highland and that private rooms would be better. Council Member Scott L. Smith said that he agreed with Council Member Ostler. Although he generally likes cheaper things, he thought that individual stalls would be better.

The last question City Administrator Nathan Crane had was if the Council wanted the anti-graffiti spray. For all of the bathrooms it would cost an additional \$31,000. Council Member Brittney P. Bills said no and to let the scouts re-paint it if needed.

Council Member Kurt Ostler said he would like to find a city who has it and could offer a real good reason to have it. Parks Superintendent Josh Castleberry said that it was pretty expensive. He said they could buy a lot of paint for \$31K.

Council Member Scott L. Smith asked if the anti-graffiti spray would save staff time. Parks Superintendent Josh Castleberry said that he thought that it would be easier to wash the graffiti off. The problem with paint was that if the facility were not primed before painted than the graffiti would show through. He said that it just required more staff time when the City was already short on staff.

Council Member Brittney P. Bills asserted that Google says that some anti-graffiti sprays were permanent, and some had to be reapplied. Mayor Rod Mann suggested that the Council let Parks Superintendent Josh Castleberry look into the product and if it shows good reviews then he could give it the yes, if not he could give it the no. The Council agreed. Council Member Kurt Ostler said that he was leaning towards anti-graffiti if it really worked.

Council Member Scott L. Smith asked about allocating money towards staff versus spending the money on the anti-graffiti. He wondered if they saved money by not getting the coating if that would allow them to hire another staff member. City Administrator Nathan Crane said that when they call the representative from the bathroom company, they will more information and will decide based on additional research.

Council Member Kurt Ostler asked if there was any way to get a restroom at Mountain Ridge Park near the junior high. City Administrator Nathan Crane said that one of the nice features of the bathrooms was that they could be easily lifted from one location and moved to another. He talked about how Alpine has needed bigger bathrooms and had been able to move the existing bathrooms to less trafficked areas. Council Member Kurt Ostler said that if the City had \$250,000 left to spend, why could not they look at the restroom at Mountain Ridge Park. He said that a bathroom would help with the soccer field.

After subsequent discussion, it was determined that the group liked the idea of buying a bathroom now with the CARES money and storing it until the park was complete.

City Administrator Nathan Crane asked City Engineer about a Cortez at Lone Peak. There were questions why they would put the bathroom at Lone Peak as opposed to Mountain Ridge Park. City Engineer Todd Trane explained that the benefit to the bathrooms proposed was that they City already had connections and infrastructure

in place to support the bathrooms. If they purchased another, they would have to create the infrastructure to support another bathroom.

Council Member Kurt Ostler he asked if the City needed a back-up sitting somewhere in case something happened. He was just trying to use these funds. City Engineer Todd Trane said there was not a need for a back-up as the facilities were well built. However, if purchasing another bathroom was the direction the Council wanted to go, he did not see a reason not to, there just was not a location to place the facility right now.

Parks Superintendent Josh Castleberry said that there were not any hook ups at the soccer fields. He said that because of the topography of the park you would either need to raise the sewer or elevate the parks to get enough of a grade.

City Engineer Todd Trane said that in that case staff might have to work with the Alpine School District and place the restrooms as close as they could to the seminary building and connect with that sewer system. He said that staff have just never approached the Alpine School District about it. If the Council wanted to put the bathroom at Mountain Ridge Park, staff would just have them buy the structure and then make sure that as the plans to continue to develop the park were finalized that there was a location with supporting infrastructure to place the bathroom building later.

City Administrator Nathan Crane said that he was concerned about that course of action because it was hard to justify using those funds when they were not mitigating anything.

Mayor Rod Mann said that they have two months before the money needs to be earmarked for spending before it has to be returned to the county. He said that it was possible for the City to replicate the county program to support small businesses, but he felt that they should take advantage of the county grant program first. There was discussion about how and what businesses were affected and who might have been eligible for funds.

Council Member Scott L. Smith asked about how to make the motion given the unresolved question of the anti-graffiti coating. The mayor said that he could just add the phrase “contingent upon...”

Council Member Kim Rodela said that she would rather spend the \$31K on cameras and lights to be preventive instead of being reactive.

Council Member Scott L. Smith MOVED to adopt the resolution approving the contracts with CXT Precast Products Inc., for the purchase of four precast concrete restroom buildings for approximately \$608,009, with instruction for city staff to investigate the price on anti-graffiti coating and look at motion sensors and lights and other ways to help prevent vandalism, and bring back to council for further approval. Also, allow an additional \$32,000, for anti-graffiti, if it is favorable. Council Member Kurt Ostler 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. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

a. Future Meetings

- September 8, City Council Work Session, 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
- October 6, City Council Meeting, 7:00 pm, City Hall
- October 13, City Council Work Session, 7:00 pm, City Hall
- October 20, City Council Meeting, 7:00 pm, City Hall
- October 27, Planning Commission Meeting, 7:00 pm, City Hall

Assistant City Administrator Erin Wells discussed the topics for the September 8th meeting. She said that staff wanted to have a brief discussion with the Council about how long they were willing to spend in discussion because there were three main topics to cover: impact fee rates, Mountain Ridge Park, and the General Fund study and status. She said that each of those items could almost be their own work sessions. She said that they could allocate an hour to each item making a minimum of a three-hour meeting or did they want to try and divide them up into multiple work sessions.

After some discussion by the Council they agreed that the meeting was not to exceed three hours or 10:00 p.m.

In regard to the September 15th meeting, the mayor noted that was the meeting where the Rhinehart property would come up and have some attention. It was also Planner Tara Tannahill’s last day. The Mayor thanked Tara for her positive contributions to the City and staff. Her growth was recognized.

The October 13th work session was going to be dedicated to discussions on open space.

Council Member Scott L. Smith asked about who paid for the animal shelter fees. He passed the bill on.

10. 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 9:27 pm Council Member Kurt Ostler MOVED that the City Council recess to convene in a closed session for strategy sessions to discuss pending or reasonably imminent litigation and the character, professional competence, or physical or mental health of an individual, as provided by Utah Code Annotated § 52-4-205. Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

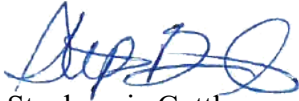
- Council Member Timothy A. Ball Yes*
- Council Member Brittney P. Bills Yes*
- Council Member Kurt Ostler Yes*
- Council Member Kim Rodela Yes*
- Council Member Scott L. Smith Yes*

The motion passed unanimously.

ADJOURNMENT

Council Member Kurt Ostler MOVED to adjourn the regular meeting and Council Member Scott L. Smith SECONDED the motion. All voted in favor and the motion passed unanimously. The meeting adjourned at 10:31 p.m.

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 September 1, 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).

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 27th day of August 2020

Stephannie Cottle, City Recorder

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


Welcome to the Highland
City Council Meeting

September 1, 2020




7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Brittney P. Bills
Pledge of Allegiance – Council Member Kurt Ostler



UNSCHEDULED PUBLIC APPEARANCES

Time set aside for the public to express their ideas and comments on non agenda items. Please limit comments to three (3) minutes and state your name and address.



PRESENTATIONS (5 MINUTES)

2a. Review of Highland Fling – Corrine Prestwich, Community Events Coordinator

CONSENT ITEMS (5 minutes)

- Item 3a. – Approval of Meeting Minutes – Regular City Council Meeting – August 4, 2020 *Administrative*
- Item 3b. – Ratifying the Mayor’s Appointments of Seth Barrus to Serve on the Planning Commission *Administrative*
- Item 3c. – Approval to Purchase (3) Three F-150 Vehicles for the City Fleet *Administrative*



A REQUEST BY HIGHLAND CITY STAFF TO AMEND SECTION 5-8-105 IN THE DEVELOPMENT CODE RELATING TO STREETS (TA-20-10) LEGISLATIVE

Item 4 – Public Hearing/Ordinance
Presented by – Tara Tannahill, Planner and GIS Analyst

Background

- August 4, 2020 City Council approved an amendment to 12-08-050 of the Municipal code relating to new roads serving property outside Highland City corporate limits.

Text Amendment

- Section 5-8-105 Streets
 - i) Streets, dead-end streets, stub streets, or other access points shall not be permitted or required if the continuation of the street or access point would violate Municipal Code 12.08.050, except as provided therein.

Citizen Participation

- Planning Commission meeting
 - Posted in daily herald
 - Posted on state and city website
 - No written correspondence received

Recommendation and Proposed Motion

Staff recommends that the Planning Commission conduct a public hearing, discuss the issues, and make a recommendation to the City Council.

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed amendment based on the following findings: (The Commission will need to draft appropriate findings.)



A REQUEST BY HIGHLAND CITY STAFF TO AMEND SECTION 10.08 OF THE MUNICIPAL CODE RELATING TO TRAFFIC OBSTRUCTION (TA-20-17) *LEGISLATIVE*


Item 5 – Ordinance
Presented by – Tara Tannahill, Planner and GIS Analyst

Text Amendment

- Section 10.08.100 Impeding or blocking traffic; violation; penalty
 - It is unlawful for any person to engage in conduct that may impede or block traffic within any of the areas described below under the jurisdiction of or within the boundaries of Highland city, including all associated shoulder areas, on-ramps, off-ramps, and areas between the roadways of a divided highway:
 - Interstate System, Freeway, State Highway, State Route (SR)
- Update is based on Utah Code section 41-6a-1009

Recommendation and Proposed Motion

- I move that the City Council accept the findings and **APPROVE** the proposed amendment.
- I move 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 vehicles obstructing traffic.



AMENDING CHAPTER 8.12 GARBAGE COLLECTION AND DISPOSAL, AND TITLE 13 PUBLIC SERVICES *LEGISLATIVE*

Item 6 - Ordinance
Presented by - Tyler Bahr, CSM
Finance Director

Background

- Utility billing includes garbage, recycling, water, and sewer
- Services provided to 4,864 accounts
- Delinquency:
 - 454 delinquent notices (9.3% of active accounts)
 - 91 accounts suspended/terminated (1.9%)

Purpose of Update

- Provide a **consistent** and **equitable process** for handling utility billing accounts, aligned with operational needs
- Appropriately allocate and recover the cost of servicing delinquent accounts

Summary of Changes

- **Suspend service:** Allow residents to temporarily discontinue service - resident responsible for termination/reinstatement fees
- **TSSD:** Remove provision allowing for termination of services at the request of Timpanogos Special Services District (TSSD)
- **Services billed:** Clarify services included in billing statements

Summary of Changes (cont.)

- **Curing delinquency:** Partial payments do not prevent accounts from being considered delinquent
- **Options for addressing delinquency:**
 - Service termination
 - Bringing an action at law
 - Assignment to a collection agency
 - Lien against real property (lien fee applies)


Summary of Changes (cont.)

- **Reconnection fee:** Required if service terminated due to delinquency
- **Appeal process:** Made available in cases of proposed termination
- **Credit risk accounts:** 3 months of delinquent payments within 12 months
- **Refund deposit:** After 12 months timely payments
- **Redundant language:** removed

Recommendation and Proposed Motion

Staff recommends that the City Council **APPROVE** the proposed changes to the Municipal Code.

I move that the City Council ADOPT ORDINANCE NO 2020-** amending Chapter 8.12 and Title 13 of the Municipal Code relating to Garbage Collection and Disposal, and Public Services.



AMENDING FY2021 FEE SCHEDULE

LEGISLATIVE

Item 7 - Public Hearing/Resolution
Presented by - Tyler Bahr, CSM
Finance Director

Background

- FY2021 Comprehensive Fee Schedule was approved and adopted by City Council on June 16, 2020, in conjunction with adoption of the FY2021 Budget
- Amendments to the Fee Schedule are necessary to accommodate changes to the Municipal Code regarding utility billing services, as well as prorating fees for use of community garden boxes

Purpose and Summary of Proposed Changes

- **Utility billing:** Provide a *consistent* and *equitable process* for handling utility billing accounts, aligned with operational needs
 - Increase utility billing late fee from 1.5% to 3%
 - Risk account deposit fee: \$250
 - Lien fee: \$100


Purpose and Summary of Proposed Changes (continued)

- **Community Garden Box Rental:**
 - Current fee is \$40.00 for the full growing season
- Proposed prorating:
 - \$30.00 after June 15
 - \$20.00 after August 1

Recommendation and Proposed Motion

The City Council should hold a public hearing and approve the proposed amendments to the FY2021 Comprehensive Fee Schedule.

I move that the City Council ADOPT RESOLUTION NO 2020-** amending the Fiscal Year 2021 Fee Schedule relating to utility billing and community garden box rental.



APPROVAL OF PURCHASE CONTRACTS WITH CXT PRECAST PRODUCTS INC., FOR THE PURCHASE OF FOUR PRECAST CONCRETE RESTROOM BUILDINGS FOR THE AMOUNT OF \$608,009 ADMINISTRATIVE

Item 8 – Resolution
Presented by – Nathan Crane, AICP
City Administrator/Community Development Director

Background

- Staff Appreciation
- Four Precast Concrete Restrooms
- Beacon Hills
- Highland Glen Park
- Heritage Park

CARES ACT BUDGET

Spent	Amount	
City Other	\$ 7,229.59	
Schools	\$ 14,298.24	
Police and Fire	\$ 23,000.00	
Payroll	\$ 10,000.00	Estimate
HVAC Justice and City Hall	\$ 13,665.00	
Total	\$ 68,212.83	
Scheduled	Amount	
Restrooms	\$ 608,809.00	
Trucks	\$ 115,349.00	
HVAC Motors Justice and City Hall	\$ 8,000.00	
Total	\$ 732,158.00	
Budget	Amount	
Windows	\$ 100,000.00	9/1 and 9/8
Front Counter	\$ 100,000.00	Estimate
Court Clerk	\$ 30,000.00	Estimate
Library Sliding Door	\$ 15,000.00	Estimate
PIPE	\$ 20,000.00	Estimate
PW Shower/Laundry	\$ 250,000.00	Estimate
Total	\$ 1,059,370.83	

Beacon Hills – Original Concept



Architectural drawings for Beacon Hills Restroom. The drawings include: 1. FLOOR PLAN (3/16" = 1'-0"), showing a layout with MEN'S, WOMEN'S, and UTILITY CHASE areas. 2. FRONT ELEVATION (3/16" = 1'-0"), showing a gabled roof structure. 3. PERSPECTIVE view of the building. The drawings are labeled PS-112 and BEACON HILLS PARK, HIGHLAND, UT. A scale of 90 S is indicated at the bottom.

Beacon Hills – Two Options



Two alternative design options for Beacon Hills Restroom. Option 1, labeled 'Cortez', has a cost of \$65,585. Option 2, labeled 'Denali', has a cost of \$82,850. A central floor plan diagram is also shown between the two options.

Heritage Park and Highland Glen Park South




Standard Interior Layout

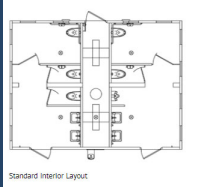
Montrose: \$161,905

Highland Glen Park North - Two Options




Sanitago: \$201,349

Highland Glen Park North - Two Options

Standard Interior Layout

Taos: \$176,298

Unit Options

Base Price	Alpine	Chase
Unit	Unit	Unit
Base	\$ 110,183.00	\$ 133,183.00
Standard Cost Options		
Final Connection to Utilities	\$ 4,740.00	\$ 4,740.00
Optional Wall System	\$ 375.00	\$ 375.00
Optional Roof System	\$ 205.00	\$ 205.00
Turn Down Color Scheme	\$ 205.00	\$ 205.00
Electronic Hand Flushing Valves	\$ 9,585.00	\$ 9,585.00
Electric Hand Dryers (each)	Qty: 4 \$ 625.00	\$ 2,500.00
Electronic Flush Valves	\$ 4,300.00	\$ 4,300.00
Electronic Laundry Displays	\$ 2,440.00	\$ 2,440.00
Electronic Mounted ADA Drinking Fountain w/Carb Steril	\$ 3,000.00	\$ 3,000.00
12 gallon Electric Water Heater	\$ 790.00	\$ 790.00
Handlight in Restroom (each)	Qty: 4 \$ 400.00	\$ 1,600.00
Warmth Grade Handlight in Restroom (each)	Qty: 4 \$ 1,525.00	\$ 6,100.00
Warmth Package for Extra Restroom Restroom	\$ 4,510.00	\$ 4,510.00
The Floor in Restroom	\$ 8,000.00	\$ 8,000.00
Flangeless Entry and Chase Doors and Frames	\$ 4,275.00	\$ 4,275.00
Restroom Booth - Anti-Graffiti Coating	\$ 2,375.00	\$ 2,375.00
Turned Electric Lock System (does not include Water Blast)	\$ 3,800.00	\$ 3,800.00
Electronic Protection of Hose Box with Box	\$ 410.00	\$ 410.00
Paper Towel Dispenser	Qty: 1 \$ 180.00	\$ 180.00
Taller Soap Cover Dispenser (each)	Qty: 1 \$ 80.00	\$ 80.00
Custom Niche (Optional (each)	Qty: 1 \$ 55.00	\$ 55.00
Baby Changing Station (each)	Qty: 1 \$ 400.00	\$ 400.00
LED Handheld (each)	Qty: 1 \$ 190.00	\$ 190.00
Flange Touch up Kit - Single Color	\$ 60.00	\$ 60.00
Flange Touch up Kit - Three Color	\$ 65.00	\$ 65.00
Unpainted Floor	\$ 3,000.00	\$ 3,000.00
Total Cost of Selected Items from Accessories Price List	\$ 43,110.00	\$ 43,110.00
Custom Options	\$	\$
Total Cost per Unit Priced as Unit Size	\$ 176,298.00	\$ 176,298.00

- ### Updated Information
- Heaters - Alpine
 - Space Heaters in Chase Room - Cortez Units - \$600 a month
 - PW thinks we can do it cheaper with more efficient heaters
 - Close the restroom
 - Anti Graffiti
 - Alpine and AF
 - Easy to Paint
 - \$31,500

- ### Other Cost Savings
- Beacon Hills
 - Deanli to Cortez reduction of \$17,265
 - Highland Glen
 - Taos to Santiago reduction of \$25,051
 - Total
 - Cortez, Taos, Anti Graffiti: \$73,816



**MAYOR/COUNCIL AND STAFF
COMMUNICATION ITEMS**

Item 8a. – Future Meetings

- September 8, City Council Work Session, 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
- October 6, City Council Meeting, 7:00 pm, City Hall
- October 13, City Council Work Session, 7:00 pm, City Hall
- October 20, City Council Meeting, 7:00 pm, City Hall
- October 27, Planning Commission Meeting, 7:00 pm, City Hall



CLOSED SESSION

The Highland City Council has recessed the regular 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

The regular City Council meeting will be adjourned immediately following the ending of the closed session.