



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, September 15, 2020

Approved October 6, 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: 839 0515 0725. 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, Fire Chief Reed Thompson

OTHERS PRESENT: Glade Holman, Bruce Tucker, Jennifer Tucker, James Holman, Lucie Holman, Dennis Packard, Kevin Pace, Becky Lewis, Jeremy Ackley, Robert Loosle, Lisa Loosle, Derek White, Lori White

PRESENT ONLINE:

7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – Mayor Rod Mann

Invocation – Ken Pace

Pledge of Allegiance – Police Chief Brian Gwilliam

The meeting was called to order by Mayor Rod Mann as a regular session at **7:05 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 Highland Resident Kevin Pace and those in attendance were led in the Pledge of Allegiance by Police Chief Brian Gwilliam.

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.)

Council Member Brittany P. Bills thanked City Engineer Todd Trane for completing the flood plain project in the ViewPoint area.

Mayor Rod Mann thanked City Planner Tara Tannahill for her service to Highland City. Tonight would be her last night working for the City as she had accepted a position outside the City.

Mayor Rod Mann requested that Item 10 be discussed after the Consent Agenda.

2. PRESENTATIONS

a. **Waste Management** - *Blake Leonelli (Due to windstorm, this item will be brought back at a future meeting)*

b. **2020 Fling Review** - *Corrine Prestwich, Civic Events Coordinator*

Civic Events Coordinator Corrine Prestwich provided a report on the recent Highland Fling. Due to COVID-19, some of the events of the Highland Fling had to be altered, but everything went smoothly and she received nothing but positive feedback. The disc golf tournament, which normally had less than 80 participants, had 198 players. She thanked Brandon Balkman for running that tournament. The Highland Games saw fewer participants this year, but the reverse parade far surpassed expectations. She reported that 326 cars came through the parade and donated to the food drive. They were able to donate eight pallet-sized cubes of food and supplies to Tabitha's Way. The garden tours were more successful than last year, with over 70 visitors to each home. The music for the fireworks show was broadcast over the radio, so residents were able to watch the show from many different locations in the City. The following numbers were reported:

- Sponsorships: 7,755
- Budget: \$16,000
- Registration and Vendor Fees: \$7,055
- Total Income: \$14,805
- Total Expenditures: \$23,266.93
- Net Expenses: \$8,461.93

It was noted that there was some savings because they didn't have to hire as many event helpers this year. Civic Events Coordinator Corrine Prestwich gave a few examples of how the Highland Fling positively impacted the residents and citizens who attended.

Council Member Kurt Ostler commented that the drive-in movie was well attended this year. His only suggestion was to make sure that the driveway was clearly marked next year.

Civic Events Coordinator Corrine Prestwich noted that there would be a Senior Citizens Appreciation Dinner on Thursday. They had received more than 100 RSVPs so far.

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 - August 18, 2020 and September 1, 2020

b. ACTION: James Loveland is requesting Preliminary Plat Approval for a 14-lot subdivision. The property is approximately 15.215 acres and is located at 11020 N 5500 W Administrative

The City Council will consider a request by James Loveland for a Preliminary Plat approval for property located approximately at 11020 N 5500 W. The City Council will take appropriate action.

Council Member Kurt Ostler asked to pull Item 3b from the Consent Agenda for further discussion.

Council Member Kurt Ostler 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 Kurt Ostler noted that the plan showed some open space off of Alpine Highway, and he asked who would be responsible for maintaining that property. City Engineer Todd Trane stated that the open space would remain natural. The property wasn't large enough for a buildable lot. This would be similar to other natural open space properties along the Highway. Council Member Kurt Ostler stated that the City wouldn't be able to maintain the property, because they already had a difficult time maintaining all of the existing open space. City Engineer Todd Trane assured the Council that the City would not maintain this property, because it would remain natural.

The Council discussed the possibility of this property becoming a buildable lot in the future.

Council Member Kurt Ostler asked about the location of the sewer connection for this subdivision. City Engineer Todd Trane explained that the original developer of this property showed utilities connecting into Alpine, but Highland wouldn't allow that. The newest plans submitted have all utilities within Highland, with no connections going through Andes Drive. All utilities will go out west and then up the highway. Council Member Kurt Ostler identified a note on document C.404 of the application, which showed a sewer manhole connecting into Alpine. City Engineer Todd Trane said that this note must have been missed. There would be no sewer connection in that location.

Council Member Kurt Ostler commented that Alpine had expressed concerns about roads connecting into their City. City Engineer Todd Trane said he had spoken to the Alpine City engineer, and they were currently doing a study with UDOT and MAG regarding such road connections. The property in this subdivision plat was a difficult piece, which was why it hadn't been developed until now. He noted the many easements going through the property.

Council Member Scott L. Smith thought that the Salt Lake Metropolitan Water District owned a portion of the subject property. He asked how that would affect the road going across this area. City Engineer Todd Trane explained that the Water District had seen the proposed plans and made their own comments. This is why the

plans had been revised so many times. Because they own some of the property here, the developer was required to enter into an agreement for the utility and road crossings. There were other locations like this in the City.

Council Member Scott L. Smith asked who would pay for the required piping, and City Engineer Todd Trane said that would be the responsibility of the developer.

Council Member Kurt Ostler MOVED that the City Council accept the findings and APPROVE case PP-20-02, a request for preliminary plat approval for Aberlour Subdivision located at 11020 N 5500 W, subject to the seven stipulations recommended by Planning Commission. 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.

City Administrator Nathan Crane noted that there were eight stipulations and requested that the motion be amended.

Council Member Kurt Ostler MOVED to amend the motion that the City Council accept the findings and APPROVE case PP-20-02 a request for preliminary plat approval for Aberlour Subdivision located at 11020 N 5500 W, subject to the eight following stipulations recommended by Planning Commission.

- 1. The final plat shall be in substantial conformance with the preliminary plat received July 9, 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. Final easement location and restrictions shall be approved by Lehi Irrigation, Salt Lake Metropolitan Water District, and Rocky Mountain Power before final plat approval. Any applicable restrictions shall be noted on the final plat.*
- 5. The applicant will need to work with Lehi Irrigation Company to determine if the ditch needs to be abandoned or piped. If the ditch is piped the easement shall be demonstrated on the final plat as determined by the City Engineer.*
- 6. A note shall be put on the final plat that says “Any building or roads next to or under the powerline must have prior approval from Rocky Mountain Power before start of construction”*
- 7. The road shall be reviewed and approved by Rocky Mountain Power and Salt Lake Metropolitan Water District before start of construction.*
- 8. The planning of the swell located west of lot 11 shall be approved by Salt Lake Metropolitan Water District and the City Engineer*

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>

Council Member Scott L. Smith Yes

The motion passed 5:0.

10. APPOINTMENT OF NEW LIBRARY BOARD MEMBER *Administrative*

City Council will consider approving the appointment of Becky Lewis to the Highland City Library Board.

Mayor Rod Mann asked Becky Lewis to come forward and introduce herself to the Council. Ms. Lewis was a retired Provo City Library employee and is thrilled to be back working with books. She hopes to get to know all of the Highland City Council and serve the community. Kim Rodela, who serves as a member of the Library Board stated that she is excited to work with Ms. Lewis. The library has a great board and Ms. Lewis will be an asset. Council Member Scott L. Smith asked if Ms. Lewis knew Donna Cardon from her days working at the Provo Library to which she replied yes. Ms. Lewis stated that she was open to any ideas for the library. She stated that the library is the absolute center of the community.

Council Member Kim Rodela MOVED that City Council approve Becky Lewis as a member of the Highland City Library Board to serve in seat nine through June 2021. 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.

4. PUBLIC HEARING/ORDINANCE: A REQUEST BY HIGHLAND CITY STAFF TO AMEND SEVERAL SECTIONS IN THE DEVELOPMENT CODE RELATING TO NONCONFORMING USES (TA-20-15) *Legislative*

The City Council will hold a public hearing and consider a request by Highland City Staff to amend several sections of the Highland City Development Code relating to Nonconforming Uses. The City Council will take appropriate action.

City Planner Tara Tannahill explained that staff had been working with the City Attorney to amend multiple sections of the development code relating to non-conforming uses in order to be consistent with State Law and modern practices. The current code had all non-conforming uses lumped together, and the updated code would break the categories into non-conforming buildings, lots, and uses. She briefly explained each category and gave a few examples. The Planning Commission held a public hearing for this item on August 25, 2020, and no public comments were made. The Planning Commission unanimously recommended approval of the amendments. Staff had received no written correspondence regarding this proposal.

Council Member Scott L. Smith asked what precipitated the need for the update. City Administrator Nathan Crane explained that they were having some issues with standards requiring road improvements when homeowners chose to add onto their houses. Staff believed that putting an addition on a home did not have an

impact on the roadway; therefore, the resident should not be required to make those street improvements. While making those amendments, staff decided to update the code to meet State standards.

Mayor Rod Mann opened the public hearing at 7:35 pm. There were no public comments. Mayor Rod Mann closed the public hearing at 7:36 pm.

Council Member Scott L. Smith MOVED that the Highland City Council accept the findings and approve the proposed amendment to the Highland City Development Code Chapter 3 Article 2 Nonconforming uses, which encompasses Section 3-615, Section 10-102, and Section 11-102, to update the language to be consistent with State Code. 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. ACTION: MILLHAVEN DEVELOPMENT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR A 69 LOT SUBDIVISION. THE PROPERTY IS 64.46 ACRES AND IS LOCATED AT 10250 NORTH 6531 WEST *Administrative*

The City Council will consider a request by Jeremy Ackley representing Millhaven Development for Preliminary Plat approval for a 69-lot subdivision known as The Hollows located approximately at 10250 N 6531 W. The City Council will take appropriate action.

City Planner Tara Tannahill presented a background of the application and showed the location of the property. The current zoning of the property was R-1-40. In a previous application, the developer requested a rezone of the property. When the Planning Commission recommended denial of the rezone, the applicant chose to withdraw their application. The current proposal utilized the R-1-40 zoning, and the applicant was legally allowed to develop according to those standards. The Planning Commission held a public hearing regarding this proposal on August 25, 2020. There were 14 public comments made during the meeting, and nine written correspondences had been received by staff since that time. The Planning Commission unanimously recommended approval of the application with 11 stipulations. Subsequent to the Planning Commission meeting, the applicant provided an updated plat for the Council to consider. The new plat dropped one lot and shifted a few properties to preserve the wetlands. Those wetlands would be dedicated to the City as open space. The total area of the dedicated wetlands would be 5.78 acres. The roadway was also shifted slightly to provide for the wetlands and a trail. The proposed plat met all R-1-40 zoning standards for setbacks, frontage, and minimum lot size. Twenty-six lots are between 20,000 and 30,000 square feet, which goes against the development code allowance of 25%. However, staff felt that this was acceptable due to the dedication of the wetlands. In response to this new plat, staff recommended the removal of stipulations 5, 8, 9 and 11 from the Planning Commission.

City Engineer Todd Trane stated that the connection at 10250 North had been a concern brought up by many residents. The City had always been concerned about the lack of connections to the east and west. Because of the hollow and the wetlands, it was never proposed to have a road going east to west. Staff required the developer to include the connection to 10250 North, and a traffic study recommended that connection. Staff would like to have as many connections as possible to give residents more access points to and from the neighborhood. While

the connection was shown on the proposed plat, it had not been formally designed yet. That would be done prior to final plat approval. Staff would ensure that the intersection was designed according to City standards, and that it would be safe. He noted that the connection could not be pushed down the road because the developer didn't own that property. The concern from residents was primarily with safety. He thanked the developer for making changes to the plan with respect to staff comments and resident input.

Council Member Scott L. Smith commented that there was concern with the sightlines at the top of the hill because of the curvature of the road. He asked if there was a stipulation regarding trees along the roadway, which could inhibit vision even further. City Engineer said that staff would ensure that they had proper sight distance at this intersection. If necessary, they can put in a restriction for those lots prohibiting vegetation. That would be determined at final approval. Preliminary approval was simply the general layout of the subdivision.

There was a discussion regarding the traffic study that was conducted, and City Engineer Todd Trane clarified that the study examined the impact that the subdivision would have on the surrounding roadways. It was determined that the subdivision would not have a great impact on any of the local roads.

Council Member Kim Rodela asked if there was a concern where the road T's in front of the lot. City Engineer Todd Trane said that there were many situations like that throughout the City. Once the development goes in, the City never hears any complaints. He noted that the road would have to be graded here, so the headlights would be pointing downward as the cars drove toward the home.

Council Member Scott L. Smith commended the developer for wanting to preserve the wetlands. He was concerned about the section of property east of the wetlands, because the City wouldn't have the resources to maintain it. City Engineer Todd Trane said that this area would remain natural with native vegetation. Council Member Scott L. Smith was concerned about the location of the trail, which was proposed to run behind the existing homes. He asked if the trail could be moved to the west, and if the property could be graded to provide more privacy. City Engineer Todd Trane noted that they moved the trail to this location to be closer to the wetlands and have less impact on the residents.

Council Member Kim Rodela asked if there were any safety concerns with the trail. Police Chief Gwilliam said that more secluded trails create more problems. With other trails in the City, there had been instances of vandalism, but no reports of crimes against persons. The Police Department would get calls about people looking into homes along trails.

Council Member Scott L. Smith asked if the proposed roadway and connection allowed for fire access. Fire Chief Reed Thompson said that they felt comfortable with the proposal. It would be difficult to get emergency vehicles through if cars were parked on both sides of the road, but they face that in many parts of the City.

City Engineer Todd Trane noted that 10200 North was not built to current road standards and was quite narrow. He had met with the resident on the south side to see if they could negotiate a road widening. That roadway was not currently wide enough to park cars on both sides of the road.

Fire Chief Reed Thompson commented that the trail would provide as a fire break between the wetlands and the residential homes in the case of a wildfire.

There was a brief discussion regarding the recommended changes to the stipulations. Mayor Rod Mann invited the applicant to come forward and speak with the Council.

The applicant, Tyrell Grey, expressed gratitude for staff and the neighbors for providing their comments. He felt that they had come up with a good compromise.

Council Member Kurt Ostler said that there was a property owner at 10250 North that had a long, narrow property. He asked if there was any concern about landlocking the property with this development. Tyrell Grey commented that that was a strange piece of property. He had spoken to the property owner about this, but the only thing he could do would be to develop a lot facing 10250 North, and he hadn't expressed interest in that.

Mayor Rod Mann opened the floor for public comment at 8:09 pm.

Robert Loosle, a resident along the hollow, expressed appreciation to the developer for listening to their concerns. He had concerns about the state of existing trails in the City, which were unkempt and there was some vandalism on the trail and fences. He requested that the City consider making this an unpaved trail and try to keep the trail on the west side of the green space to allow for a safer connection. Mr. Lacely offered to help design the trail.

Dennis Packard, a resident of 10250 North, said that his two concerns were with the safety of the pathways and proposed connection at 10250 North. An independent engineer could do safety test for \$1,000, which would determine whether there was a safety hazard based on the speed of cars on that road. The citizens need safety assurances before something like this is approved. Mr. Packard commented that the City Code requires that a sign be placed on the subject property to advertise public hearings. The residents did not see such a sign on the property, although they did receive notice via mail.

Derek White, a resident, said that he sent an email to the Council earlier that day. He appreciated that the developer was dedicating the wetlands to the City, and the trail would be a nice addition. He was concerned about the trail going behind the existing homes and suggested that the trail be moved to the west side.

Kevin Pace, a resident, requested more information about the phasing of the development, and requested that the connection with Madison Ave and Canal Blvd be completed with Phase 1.

Clay Holman, a resident, said that he purchased his property with the expectation that the trail would be on the west side of the wetlands, because that was the location of the trail on the City's trail masterplan. Also, when the plat was presented to the Planning commission, it was on the west side. He hoped that they could move the trail back to its original location.

City Engineer Todd Trane said that the plat was altered because of the dedication of the wetlands. There was no way of putting the trail back on the west side because it would be on private property. The proposed location of the trail would create the least amount of impact.

City Attorney Rob Patterson addressed the issue of noticing. There was some concern raised about notice not being posted for the Design Review Committee meeting for this application. The developer confirmed that they had posted a sign, but that sign has since been taken down. The Design Review Committee meeting was preliminary, and not technically a public meeting. If notice wasn't given, it's unfortunate but too late to challenge at this point. Since that time, the residents have been given several opportunities to make comments.

Council Member Scott L. Smith commented that when development occurs in the City, the Council needed to listen to the residents that would be directly impacted, while at the same time respecting property rights. That's where compromise happens. This developer had compromised by freeing up the wetlands, and he believed they could make some kind of compromise on the trail. He was not fond of having trails behind homes, but the compromise here would be to put the trail on the east side of the wetlands to provide a buffer. Regarding the connection at 10250 North, he said that Council would need to see some strong engineering to be sure that their concerns were addressed. He was glad that the development was in keeping with the R-1-40 zoning, which was consistent with they like to see in Highland City.

There were no further public comments. Mayor Rod Mann brought the discussion back to the Council and staff.

City Engineer Todd Trane addressed some of the concerns raised about the connection to 10250 North. Moving the connection further toward the Chase property would put the road on the steepest part of the road. In the proposed location, the road would intersect at the crest of the hill, which would actually be the safest location. He welcomed Mr. Packard to come to his office and discuss the intersection in more detail. Regarding the suggested traffic safety study, he explained that this was essentially a speed study. He assured the Council that staff would design the intersection to be as safe as possible.

Council Member Kurt Ostler asked if the trail would be eligible for funding from MAG. City Administrator Nathan Crane said that it would be eligible, but it would take four to six years to obtain funding. Council Member Kurt Ostler stated that he would prefer to have the trail along the wetlands on the west side. There was some further discussion about the trail location and trail safety.

Council Member Kim Rodela MOVED that the City Council accept the findings and approve case PP-20-05 a request for preliminary plat approval for The Hollow Subdivision located at 10250 N 6531 W subject to the nine following stipulations recommended by Planning Commission and staff.

1. *The final plat shall be in substantial conformance with the preliminary plat received September 10, 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 shall be provided from Madison Avenue / Canal Boulevard (10000 N). A one-foot NVAE easement shall be added to both sides of the road and a note shall be placed on the plat*
5. *The final plat for lots 58, and 48-55 shall include a conservation easement and shall not be recorded until the wetland delineation has been approved by the US Army Corp of Engineers.*
6. *Lots containing a conservation easement shall have a two railed fence along the western edge of the conservation easement.*
7. *The open space property on the east side of the site shall be dedicated to Highland City.*
8. *The irrigation ditch shall be abandoned as determined by the Lehi Irrigation Company.*
9. *The Developer may include the wetlands as part of calculating lot sizes for lots 47-54 for purposes of plat approval, subject to developer entering into a development agreement with the City that provides that the wetlands and adjacent buffer property be dedicated to the City at or before final plat recordation and lots 47-54 will not include any delineated wetlands.*

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. ~~RESOLUTION: DECLARING THE INTENT TO ANNEX 36.95 ACRES LOCATED APPROXIMATELY NORTH OF 6204 W SUTHERLAND DRIVE (ANNEX-20-03)~~ Legislative

The City Council will hold a public meeting to consider a request by Gordon Crofts of GCII

LLC, to annex approximately 36.95 acres of property located approximately North of 6204 W Sutherland Drive. The City Council will take appropriate action. **Applicant has withdrawn this item.**

City Administrator Nathan Crane briefly explained why the applicant had withdrawn the item.

7. ORDINANCE: A REQUEST BY MAYOR ROD MANN TO AMEND SEVERAL SECTIONS OF THE DEVELOPMENT CODE TO PROHIBIT TEMPORARY SIGNS ON PUBLIC PROPERTY (TA-20-06) *Legislative*

The City Council will consider a request by Mayor Rod Mann to amend to amend several sections of the Highland City Development Code to prohibit temporary signs on public property. The City Council will take appropriate action.

Mayor Rod Mann explained that he had received many residential complaints about political signs. He reached out to staff and asked what it cost for staff to move and remove signs, and they said that the average cost was \$9,000 per year. Many of the neighboring cities don't allow signs on public property. If the City allows signs on public property, they cannot discriminate against content. It seemed simpler to disallow signs altogether. He noted that residents would still be allowed to post signs in the park strips in front of their homes.

Council Member Scott L. Smith asked if property owners could put signage on the sides of their property, because the ordinance references the front of the property. City Attorney Rob Patterson said that "front" means the areas fronting onto a public street.

There was a question about property along State roads, and City Attorney Rob Patterson said that the City only had jurisdiction over City property. Nothing would be allowed in medians.

Council Member Timothy A. Ball asked if the content of a sign could be restricted according to decency, similar to the radio. City Attorney Rob Patterson said that the FCC had special regulations, but the City cannot limit free speech.

Council Member Kim Rodela felt that it was appropriate to approve this amendment. Many other cities have this restriction.

Council Member Scott L. Smith said that he supported free speech. He felt like there could be a compromise in this situation. He could see the importance of signage for new candidates. Making oneself known in the community when running for office can be difficult. Passing this amendment could put an undue hardship on people who want to run. However, he understood that excessive signage on public property was a problem for staff. He suggested designating just a few pieces of public property for signage during political campaigns.

Council Member Brittney P. Bills thought it would be wise to be consistent with other cities. People shouldn't be elected because they're "sign kings".

Council Member Kim Rodela said that according to a Dan Jones poll, campaign signs were only 2% effective. Based on her experience in running for office, she agreed with that finding. There was a discussion regarding the experience of the newest Council Members' with signage in the City. The Council agreed that they didn't like the clutter of having so many signs on public property.

City Attorney Rob Patterson said that there were concerns with limiting political signs to certain locations and times. It would be difficult to regulate while being fair to each candidate. If the Council did choose to designate

a time and place for signs, there would have to be findings to support that decision. Mayor Rod Mann added that the City would still have to move signs to maintain those areas.

Council Member Brittney P. Bills commented that political campaigns have changed with the accessibility of the internet. Individuals can research candidates with relative ease. Council Member Scott L. Smith said there was still the issue of getting one's name out there. There was continued discussion regarding the importance or unimportance of signage during a campaign.

Council Member Timothy A. Ball said that this amendment would limit any signage on public property, including signs for things such as window washing or advertising a school play. Those signs are part of the community. He was inclined to vote against the amendment. He would rather lean on the side of promoting free speech.

The Council discussed maintaining sign and potential signage areas. It was suggested that they choose locations that didn't have sprinklers, and didn't have to be mowed, and limiting the number of signs each candidate can post. Regarding time limits, some cities have designated a time by which a sign has to be taken down. However, setting a specific number of days a sign can be out would be difficult to monitor.

Kevin Pace, a resident, said that he liked seeing campaign signs because they created name recognition. Unless an individual has a personal interest in politics, they don't usually take the time to research every candidate. He thought they should be allowed on public property.

Mayor Rod Mann reminded the Council that if they allow signs on public property, that meant all signs.

Council Member Kim Rodela MOVED that the City Council approve case TA-20-06 a request for a text amendment for Section 3-712 temporary signs based on the following findings: the amendment is needed to update the development code. Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>No</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>No</i>

The motion passed 3:2.

The Council took a brief recess at 9:48 pm. The meeting reconvened at 9:56 pm.

8. RESOLUTION: APPROVAL TO PURCHASE WINDOW REPLACEMENTS TO ADDRESS VENTILATION NEEDS ASSOCIATED WITH PANDEMIC MITIGATION *Administrative*

The City Council will consider the purchase of window replacements and repair services to address ventilation needs associated with pandemic mitigation at three City facilities: City Hall, Justice Center, and Public Works. The Council will take appropriate action.

Tyler Bahr explained that they had been presented the opportunity to utilize COVID funds to replace the windows in various City facilities, which would increase ventilation. The proposed facilities were City Hall, the Justice Center, and Public Works. The objective was to incorporate windows which could be opened. Staff engaged

three firms, and two provided estimates. The estimate from Jones Paint and Glass was over \$21,000, and the estimate from Glass Doctor was over \$34,000. Staff recommended that the City Council move forward with the bid from Jones Paint and Glass.

Council Member Kurt Ostler wanted to be sure that the new windows didn't cause a security risk. Tyler Bahr said that the windows would not open enough for a person to get through. City Administrator Nathan Crane said that Police Chief Gwilliam and Lieutenant Brooks looked at the windows and found them satisfactory. Tyler Bahr added that the windows will have multiple locking mechanisms when they are closed.

Council Member Kurt Ostler MOVED that City Council adopt the Resolution approving window replacement and repair at three City facilities and accepting the bid from Jones Paint & Glass. 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.

9. RESOLUTION: APPROVAL TO AWARD A CONTRACT WITH ROD LEWIS CONSTRUCTION FOR \$46,376 FOR THE CITY HALL FRONT COUNTER AND COURT CLERK REMODEL *Administrative*

City Council will consider a request to approve a bid with Rod Lewis Construction for \$46,376 for the City Hall Front Counter and Court Clerk Remodel. The Council will take appropriate action.

City Administrator Nathan Crane explained staff was proposing a remodel of the Court Clerk desk and front counter. He provided a rendering of the potential front counter remodel and noted the changes. They were proposing to replace the Plexiglass with tempered glass, and to install a door on the right to keep people from accessing the employee areas. In Conference Room A, they were planning on installing a computer and television, as well as provide barriers and signage to encourage social distancing. There were safety concerns with the current court clerk area. They were proposing to install tempered glass with an opening to exchange payments with customers. Staff had been working with Rod Lewis, LLC to design the remodel. It was challenging to find another contractor for this work. The proposed remodel would be \$46,376.

Mayor Rod Mann asked if the court clerk had received threats, and Administrator Nathan Crane confirmed that there had been.

Council Member Scott L. Smith thanked staff for their work on this. He understood the need for protection during the pandemic, but he wasn't sure this level of protection was needed when the pandemic was over. He was concerned that the proposed changes would turn the City Offices into a fortress. He wanted citizens to feel comfortable coming into the City Offices. City Administrator Nathan Crane confirmed that he had concerns beyond COVID-19. Individuals walk back behind the counter and into offices without permission all the time, and they have had threatening people come to the front counter. The proposal may seem impersonal, but there are safety needs to address.

Council Member Brittney P. Bills asked if the tempered glass could be changed to cover half of the opening. It was also suggested that they install a sliding glass door instead of just one small opening for exchanges.

Council Member Kurt Ostler thought that this design was very uninviting. Council Member Scott L. Smith added that it gave the impression that staff was afraid of the public.

City Recorder Stephannie Cottle said that she would appreciate the extra security at the front counter. She felt that the rendering that was presented to Council made it appear more closed off than what it really would be once constructed.

City Planner Tara Tannahill said that she works in Code Enforcement, and there have been some threatening situations in that department. Even the temporary Plexiglass has helped her to feel safer.

Assistant City Administrator Erin Wells stated that she did not like the fortress look of the design.

The Council agreed that the proposed doors were necessary. There was continued discussion on how to increase security while maintaining an open and inviting feel at the front desk. Council Member Kurt Ostler asked if they could make the glass removable.

Fire Chief Reed Thompson said that the proposal does create some challenges aesthetically, but the world in which they live is becoming unrestful. Their intention was not to create a feeling of “us versus them”, but to keep their employees safe. City Administrator Nathan Crane said that when he moved here from Arizona, he was surprised by the lack of security.

Council Member Scott L. Smith said that the pandemic has instilled a sense of fear. He was optimistic that they would overcome this, and he hoped that people would stop being afraid of each other. He was uncomfortable with the office becoming a fortress.

City Administrator Nathan Crane showed a video of South Jordan City Hall and noted that their tempered glass had an opening in the middle horizontally. He asked if the City Council was open to something like that. There was some discussion, and Council Member Kim Rodela asked if staff had time to research more options. City Administrator Nathan Crane said that they needed to be under contract by October, and the project finished by December to use CARES Act funding.

There was continued discussion. The Council agreed that the doors were acceptable, but they generally disliked the desk looking like a fortress. City Administrator Nathan Crane reminded the Council that there were security concerns beyond COVID-19.

Police Chief Brian Gwilliam said that the society as a whole was moving toward protecting themselves. They were seeing similar changes in schools. Mass shootings were almost a common occurrence before the pandemic. The City could choose to ignore it, or they could prepare for the worst.

Council Member Kurt Ostler MOVED that the City Council ADOPT the Resolution approving bid with Rod Lewis Construction, LLC in the amount of \$46,376 for the front counter and court clerk remodel with the following change. The City goes out under the 46,376 bid with the city looking at the picture from South Jordan which has an open area in the middle of it to allow for a more open feel on that bid moving forward. There was no SECOND.

Mayor Rod Mann asked for clarification on the motion. Council Member Kurt Ostler said that he would like the front counter redesigned to reflect the discussion, such as opening up the middle area. Council Member Timothy

A. Ball said that he would like to see something that maximized openness, provided protection from COVID-19, and made the staff feel safe.

Council Member Scott L. Smith MOVED to approve the court clerk door and CONTINUE the City Office front remodel, asking staff to come back with another option consistent with the discussion.

Council Member Brittney P. Bills showed a picture of a building in Cottonwood Heights and asked if this design would be more agreeable. Council Member Kim Rodela said that having more glass and less frame would seem more inviting.

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.

11. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

a. Future Meetings

- 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

b. Council Meeting Broadcast

Assistant City Administrator Erin Wells explained that there were three options for broadcasting City Council meeting. The first was to have the City purchase equipment and live stream the meetings from the City Council Chambers. Currently, the meetings are streamed onto YouTube, but the visual was only what was seen on the screen. It was difficult to know who was speaking, because the chambers weren't shown. For this option, there would be a one-time cost of \$2,300 from the CARE Act fund for equipment, and an ongoing cost of \$1,750 for an additional staff member to work the equipment. Assistant City Administrator Erin Wells said that it would be too much for her to navigate all aspects of the meeting on her own. Prior to the pandemic, Jon Hart had been using his equipment to stream the meetings, then the meetings transitioned to ZOOM. She confirmed that the meetings were still being live streamed onto YouTube, but the visual was limited to the PowerPoint on the computer screen.

The second option was to hire Jon Hart to stream the meetings. Assistant City Administrator Erin Wells wasn't sure that this was an option, since she hadn't approached him yet. If he was agreeable, the ongoing cost would be \$4,800 annually. He would be able to stream all City Council meetings, provide two bonus films per year, and film/photograph the Highland Fling.

Council Members Kim Rodela and Scott L. Smith were in favor of this option, if it was available.

Assistant City Administrator Erin Wells said that the third option was to keep the status quo and continue with ZOOM meetings streaming to YouTube.

After some discussion, the Council agreed to have staff reach out to Jon Hart. If he was unwilling or unavailable, they would pursue the first option.

d. Public Works Expansion (item moved up to accommodate staff)

City Engineer Todd Trane presented photographs of the Public Works shop and explained how equipment was being stored. Previously, the equipment was stored in two homes, but that option no longer exists. Staff had done some preliminary designs for a Parks Maintenance Building, which was estimated to be \$1.3 million. The City doesn't have that kind of money right now. Staff was proposing improvements to the existing Public Works building by constructing a lean-to to accommodate the equipment. Staff hoped this would be a temporary solution. Site improvements and the building would be approximately \$80,000 to \$100,000. The Council supported moving forward with this plan.

c. CARES ACT Funding Update

City Administrator Nathan Crane reviewed the first report to the County, which showed all of the spending between March and June. The Council thanked staff for their work on this.

Prior to adjournment, the Council discussed some traffic concerns on 6400 West, and the potential cause of the increased congestion. They suggested adjusting the speed limit.

ADJOURNMENT

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

The meeting adjourned at 11:26 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 September 15, 2020. This document constitutes the official minutes for the Highland City Council Meeting.



Stephannie Cottle
City Recorder