



HIGHLAND CITY

HIGHLAND CITY COUNCIL BRIEF

Tuesday, December 6, 2022

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

VIRTUAL PARTICIPATION



YouTube Live: <http://bit.ly/HC-youtube>



Email comments prior to meeting: council@highlandcity.org

6:00 PM WORK SESSION – CEMETERY CODE UPDATE

City Recorder Stephannie Cottle, City Sexton Trever Aston, and Parks Superintendent Josh Castleberry discussed proposed changes to the Municipal Code relating to the City Cemetery, including headstone height, headstone setting fees, and holidays the cemetery will be closed for burials. This item will be brought back to Council for their consideration in January.

7:00 PM REGULAR SESSION

Call to Order – Mayor Kurt Ostler

Invocation – Council Member Sarah D. Petersen

Pledge of Allegiance – Council Member Timothy A. Ball

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

David Stewart spoke about the \$1,000,000 grant which he helped Highland City acquire for the purpose of culinary projects.

Pam Redmond, John Redmond, Dain Hodson, Kyle Pettit, Dan Campbell, Abigail Loosele, Bill Kilgore, and Joel Larsen voiced their concerns about the traffic between 6000 W and 6800 W on Canal Blvd and Madison Ave. They presented recommendations to help with sound and traffic issues in this area.

2. PRESENTATIONS

a. Youth Council Report – Youth Council Representative

A member of the Highland City Youth Council will provide a report on their recent and upcoming activities.

A member of Youth Council was not present; however, Erin Wells, City Administrator reported that the Youth Council had a retreat where they planned upcoming activities.

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. **Approval of Meeting Minutes** *General City Management - Stephanie Cottle, City Recorder - PASSED 5:0*
Regular City Council Meeting – September 20, 2022, October 4, 2022, October 18, 2022
and City Council Work Session – November 29, 2022

Next step: The approved minutes will become part of the permanent record.

- b. **ORDINANCE: 2023 City Council Regular Meeting Schedule** *General City Management - Stephanie Cottle, City Recorder - PASSED 5:0*

The City Council will consider approving the City Council Regular Meeting Schedule for 2023. The Council will take appropriate action.

Next step: The approved meeting schedule will be posted on the Utah Public Notice website.

4. **PUBLIC HEARING/RESOLUTION: GARBAGE RATE UPDATES** *General City Management - Erin Wells, City Administrator - PASSED 5:0*

The City Council will hold a public hearing and consider whether to raise the rates for garbage cans. The Council will take appropriate action.

Next step: The garbage rates will be adjusted beginning January 1, 2023. Each garbage can will be increased .23/month. There is no change in recycling costs.

5. **PUBLIC HEARING/ORDINANCE: PROTECTION OF PUBLIC PROPERTY** *Municipal Code Amendment - Rob Patterson, City Attorney - PASSED 5:0*

The City Council will hold a public hearing and consider adopting an ordinance to prevent and punish damage to public property. The Council will take appropriate action.

Next step: The Municipal Code will be updated to reflect criminal or civil penalties for damage of public property.

6. **ACTION: AMENDMENT OF ENCROACHMENT POLICY** *General City Management - Rob Patterson, City Attorney - PASSED 5:0*

The City Council will consider an amendment and update to the City's existing Encroachment Policy in order to clarify that remediating an encroachment may involve actions other than just removing everything, and to allow grandfathering of improvements based on prior maintenance agreements. The Council will take appropriate action.

Next step: Staff will be allowed flexibility in dealing with removal of improvements and remediation on encroachment issues. Improvements which were made under previous maintenance agreements may be grandfathered in.

7. **ORDINANCE: TEXT AMENDMENT - DAYCARES, PRESCHOOLS, AND IN-HOME INSTRUCTION** *Development Code Update (Legislative) - Kellie Smith, Planner & GIS Analyst - PASSED 3:2*

The City Council will hold a public hearing to consider a request by Highland City Staff to amend several sections of the Development Code to add regulations for daycares, preschools, and in-home instruction. The City Council will take appropriate action.

Next step: The Development Code will be updated to reflect the approved changes. Daycares, preschools, and in-home instruction businesses will be allowed to have employees who do not live in the home, provided there is one off-street parking space per employee. Background checks will be required for preschool instructors. Traffic plans will be required for daycares, preschools, and in-home instruction.

8. **ACTION: DEVELOPMENT AGREEMENT AMENDMENT - HIGHLAND MARKETPLACE** *Land Use (Administrative) - Kellie Smith, Planner & GIS Analyst - PASSED 5:0*

The City Council will hold a public meeting to consider an amendment requested by MNG Highland Development, LLC to the development agreement for the property known as Highland Marketplace located at the intersection of S.R. 92 and S.R. 74. The Council will take appropriate action.

Next step: Staff will work with MNG Highland Development, LLS, SBP Holdings Reverse, LLC, Successor to Thomas Fox Properties, LLC through the engineering and design process.

9. ACTION/RESOLUTION: INTERLOCAL COOPERATION AGREEMENT WITH UTOPIA *General City Management - Andy Spencer, City Engineer/Public Works Director - **CONTINUED 4:1***

The City Council will consider an Interlocal Cooperation Agreement with UTOPIA for the installation of fiber optic cable and other associated facilities within Highland City streets and other rights-of-way. The Council will take appropriate action.

Next step: Staff will prepare additional information and bring this item back to Council in January, 2023 for further consideration.

10. ACTION: PLAT AMENDMENT - BEACON HILL THE HIGHLANDS PLAT G-4 Land Use (Administrative) - Kellie Smith, Planner & GIS Analyst - **PASSED 5:0**

The City Council will consider a request by Merlin Huff with Perry Development, representing Christopher and Lauren Jepsen for approval to adjust the lot line between lots 543 and 544 in the Beacon Hill the Highlands Plat G-4 Subdivision. Council will take appropriate action.

Next step: Staff will work with Perry Development through the engineering and design process.

11. ORDINANCE: ELECTRONIC MEETING ORDINANCE AMENDMENTS *Municipal Code Update (Legislative) - Rob Patterson, City Attorney - **PASSED 5:0***

The City Council will hold a public meeting to consider amending municipal code section 2.12.095 regarding electronic meetings to comply with H.B. 22 and other amendments to the Utah Open and Public Meetings Act. The Council will take appropriate action.

Next step: The Municipal Code will be amended to comply with HB 22 allowing electronic meetings for all public bodies, as well as other amendments relating to holding an electronic meeting.

12. EXPEDITED ITEMS

a. Library Strategic Plan *General City Management - Donna Cardon, Library Director - **PASSED 5:0***

The City Council will consider approving the Library's Long Range Strategic Plan.

Next step: Library staff will move forward with their long-range strategic plan, including goals in acquiring additional materials, providing expanded programming, training for staff, and upgrades in the library space.

b. ACTION: Agreement - Pressurized Irrigation Meter Grant with the State of Utah *General City Management - Andy Spencer, City Engineer/Public Works Director - **PASSED 5:0***

The City Council will consider an agreement accepting grant funding from the Utah State Department of Natural Resources, Board of Water Resources, in the amount of \$5M for the installation of pressurized irrigation meters and the associated installation program expenses. The Council will take appropriate action.

Next step: Staff will work with the Utah State Department of Natural Resources, Board of Water Resources to complete the necessary agreement to receive grant money in the amount of \$5,000,000 for PI meters.

13. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

- a. **Phyllis Smith Annexation Proposal** – Kellie Smith, Planner & GIS Analyst
Planner & GIS Analyst Kellie Smith presented an annexation proposal with a request from Phyllis Smith to be allowed to annex without putting in all the improvements. Council directed the applicant to move forward with the annexation application, which will be brought back to Council for further consideration.
- b. **Moderate Income Housing** – Kellie Smith, Planner & GIS Analyst
Planner & GIS Analyst Kellie Smith reported to the Council that certain benchmarks with our Moderate Income Housing plan must be associated with a timeline. Those benchmarks and associated timelines are being drafted and will be brought back to Council for further consideration.
- c. **Financial Report** – Tyler Bahr, Finance Director
Finance Director Tyler Bahr passed out Financial Statements.
- d. **Update On Wimbledon Sales** – Kellie Smith, Planner & GIS Analyst
This item will be discussed at the next City Council meeting.
- e. **Sign Code Updates** – Kellie Smith, Planner & GIS Analyst
This item will be discussed at the next City Council meeting.
- f. **Council Rules and Procedures** – Rob Patterson, City Attorney
City Attorney Rob Patterson explained that a revision of Council Rules and Procedures is being drafted, including identifying appointed officials, removal of officers, and the agenda process. This item will be brought back to Council for further consideration.
- g. **Ridgeview**
City Engineer/Public Works Director Andy Spencer spoke about the traffic concerns in the Costa Vida area. Additional signage will be installed to help with traffic flow.
- h. **Future Meetings**
 - December 6, Lone Peak Public Safety District Work Session, 7:30 am, City Hall
 - December 14, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
 - January 3, City Council Meeting, 6:00 pm, City Hall
 - January 5, City Council Budget Work Session, 6:00 pm, City Hall
 - January 11, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
 - January 17, City Council Meeting, 7:00 pm, City Hall

14. CLOSED SESSION

The City Council may recess to convene in a closed session to discuss items, as provided by Utah Code Annotated §52-4-205.

ADJOURNMENT