



# HIGHLAND CITY COUNCIL BRIEF

**Tuesday, February 7, 2023**

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](mailto:council@highlandcity.org)

## **6:00 PM WORK SESSION – UTAH BROADBAND**

*John Hagan and Lee Olsen presented a proposal for Utah Broadband providing fiber to Highland City. City Council will further consider this option prior to making a final decision.*

## **7:00 PM REGULAR SESSION**

Call to Order – Mayor Kurt Ostler

Invocation – Mayor Kurt Ostler

Pledge of Allegiance – Council Member Kim Rodela

### **1. UNSCHEDULED PUBLIC APPEARANCES**

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

*Robert Valentine voiced his concerns about the orchard in Wild Rose Park. He invited Mayor Kurt Ostler and City Administrator Erin Wells to join him on a tour of the property and listen to his suggestions.*

*Colby Gibson expressed his concern regarding Council's decision to revoke the Alpine Food Storage business license.*

*Ken Stratton, owner of Highland Gardens, requested that the City no longer hold their annual tree sale associated with Arbor Day as it is negatively effecting his business.*

*Gerald Naumann expressed his concerns regarding the proposed Parks Building. He suggested that Council use the Community Center building as it was a lower cost alternative.*

### **2. CONSENT ITEMS**

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

**a. Approval of Meeting Minutes** General City Management - Stephannie Cottle, City Recorder – **PASSED 5:0**

Regular City Council Meeting – January 3, 2023 and City Council Work Session – January 5, 2023

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

**3. ALPINE FOOD STORAGE BUSINESS LICENSE REVOCATION HEARING**  
Quasi-Judicial/Administrative - Rob Patterson, City Attorney- **PASSED 3:2 (Sarah D. Petersen and Kim Rodela voted no)**

The City Council will conduct a hearing on whether to revoke the business license for Alpine Food Storage, operated by the Wadsworth's. The Council will take appropriate action and make a decision to revoke or renew the license.

*Next step: Alpine Food Storage will present semi-monthly updates of their progress to move their business to a new location. If progress is not noted, Council reserved the right to bring this item back for further consideration.*

**4. PUBLIC HEARING/ORDINANCE: GENERAL PLAN AMENDMENT - MODERATE INCOME HOUSING ELEMENT** General Plan Update (Legislative) - Kellie Smith, Planner & GIS Analyst - **PASSED 4:1 (Scott L. Smith voted no)**

The City Council will hold a public hearing to consider a request by Highland City Staff to update the Moderate Income Housing Element of the General Plan to be compliant with Utah State Code. The City Council will take appropriate action.

*Next step: The Highland City General Plan Moderate Income Housing Element will be updated to reflect the three goals and timelines necessary to meet State requirements.*

**5. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT - RECORD DRAWINGS** Development Code Update (Legislative) - Kellie Smith, Planner & GIS Analyst - **PASSED 5:0**

The City Council will hold a public hearing to consider a proposal by Highland City Staff to amend Section 5-9-111 of the Development Code to clarify details regarding record drawings or as-builts for completed subdivisions. The City Council will take appropriate action.

*Next step: Section 5-9-111 of the Development Code will be updated to reflect changes with Record Drawings. Builders will be required to submit as-built plans with specific criteria as outlined in the Code.*

**6. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT - MODEL HOMES**  
Development Code Update (Legislative) - Kellie Smith, Planner & GIS Analyst

The City Council will hold a public hearing to consider a proposal by Highland City Staff to amend several sections of the Development Code relating to model homes in residential zones. The City Council will take appropriate action. - **PASSED 5:0**

*Next step: The Development Code will be updated to reflect changes regarding Model Homes, such as ADA requirements for sales offices, converting the sales office back to residential use, lighting, parking, traffic, signage, and hours of operation.*

**7. ACTION: PI METER CONSTRUCTION CONTRACT WITH HYDRO VAC EXCAVATION** General City Management - Andy Spencer, City Engineer/Public Works Director - **PASSED 5:0**

The City Council will consider approving a construction contract with Hydro Vac Excavation, LLC for the installation of PI meters. The Council will take appropriate action.

*Next step: The contract will be signed and staff will begin working with Hydro Vac Excavation to prepare for the PI Meter installation project.*

**8. EXPEDITED ITEMS**

**a. ACTION: Approval of Sensus AMI Agreement** General City Management - Andy Spencer, City Engineer/Public Works Director - **PASSED 5:0**

The City Council will consider authorization of an agreement for software that facilitates daily communication from the pressurized irrigation meter to the citizen or business owner. Council will take appropriate action.

*Next step: Staff will work with Sensus AMI to install the necessary software and towers to allow the PI Meter radio system to function.*

**b. RESOLUTION/ORDINANCE: Council Procedures, Personnel Policy, and City Officers Update** General City Management/Municipal Code Update (Legislative) - Rob Patterson, City Attorney - **PASSED 6:0; PASSED 5:0; PASSED 5:0**

The City Council will discuss draft updates to the Council's rules of procedure, the City's personnel policies, and sections of the Highland Municipal Code related to council meeting procedures and the appointment and removal of city officers. The Council will take appropriate action.

*Next step: The Municipal Code will be updated regarding the authority of Mayor, Council, and the City Administrator in removing city officers. The newly adopted Council Rules of Procedure will be used as a resource for guiding future Council meetings. A new city official position was created for the Finance Director.*

**c. RESOLUTION: Appointment of City Officials** General City Management (Legislative) - Rob Patterson, City Attorney - **PASSED 5:0**

The City Council will consider consenting to and ratifying the appointment of all city officers. The Council will take appropriate action.

*Next step: City officials and department heads were defined. City officials are now officially appointed and will continue in their duties.*

## 9. DISCUSSION ITEMS

**a. Parks Division Operation Building** General City Management - Andy Spencer, City Engineer/Public Works Director

The City Council will discuss the proposed City Parks Division operations building (parks building) and the recent decision to place the parks building at the Community Center site. The Council will take no action as this will be a discussion item only.

*Andy Spencer, City Engineer/Public Works Director provided two options of the Parks Building located on the same parcel as the Community Center. Council directed staff to proceed with one option with the request to match the architecture of the Community Center. This item will be brought back to Council for further consideration.*

## 10. 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. Meyers' Sewer Agreement** - Andy Spencer, City Engineer/Public Works Director

*Andy Spencer, City Engineer/Public Works Director explained that the city traded property 3-4 years ago. The Meyers' would like to connect to the sewer. This will be brought back to Council for further consideration.*

**b. TSSD Rates** - Erin Wells, City Administrator

*Brian Braithwaite, TSSD Representative, explained that TSSD Impact Fees have increased based on a previously agreed upon formula. This fee took effect on February 1, 2023.*

**c. Library Software** – *Erin Wells, City Administrator*

*Erin Wells, City Administrator, explained that the library will be updating their software system. The system will pay for itself over the next four years, but it will require a budget adjustment this year.*

**d. Bonding for Public Improvements** – *Rob Patterson, City Attorney*

*Rob Patterson, City Attorney, explained that there will be a proposed update to the Development Code relating to bonding, such as how long those bonds must be in place. This item will be brought back to Council for further consideration.*

**e. Personnel Policy – Affordable Care Act** – *Rob Patterson, City Attorney*

*Rob Patterson, City Attorney, reported that he is working on a change to the Personnel Policy relating to the Affordable Care Act and how many hours an employee has to work to receive health coverage. This item will be brought back to Council for further consideration.*

**f. December Financial Report** – *Tyler Bahr, Finance Director*

*Tyler Bahr, Finance Director, handed out the December financial report to Council for their review.*

**g. Legislative Updates** – *Kurt Ostler, Mayor*

*Kurt Ostler, Mayor reviewed with Council several bills which are being considered at the Legislature including road width, preliminary plats, ADU's, affordable housing, gravel pits, fees for the homeless, and public safety.*

**g. Future Meetings**

- February 8, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- February 21, City Council Work Session & Meeting, 6:00 pm, City Hall
- February 28, Planning Commission Meeting, 7:00 pm, City Hall
- March 7, City Council Meeting, 7:00 pm, City Hall

## **11. 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**