

VOTER INFORMATION PAMPHLET

General Municipal Election

Tuesday, November 2, 2021



Voter Registration

Please be sure you are registered to vote by Friday, October 22. In order to become registered, you must:

- be a citizen of the United States
- have resided in Utah at least 30 days immediately before the next election
- be at least 18 years old on or before the next election

To register to vote, visit vote.utah.gov or call Utah County Elections Office at (801) 851-8128.

How To Vote

Vote By Mail. Ballots will be mailed to all registered voters beginning the week of October 12. Ballots can be placed in any Utah County drop box, including the one located north of City Hall, beginning Tuesday, October 12 through Tuesday, November 2 at 8:00 pm. Locations of other drop boxes can be found at www.utahcounty.vote. You may also use the postage-paid envelope with your ballot to mail your ballot. Ballots must be postmarked by Monday, November 1.

Early Voting. Early Voting will be held October 27 through October 29 and November 1 at the Utah County Administration Building, 100 E Center Street, Suite 3100, Provo, Utah from 8:00 am—5:00 pm.

In Person. You may vote in person on election day at various Voting Centers throughout the County from 7:00 am—8:00 pm. Locations can be found at www.utahcounty.vote.

Informational Meetings on Ballot Issues

The Highland Youth City Council will host a Candidate Debate on Thursday, October 7 at Highland City Hall. The event will include a meet and greet at 6:30 pm followed by a question-and-answer period at 7:00 pm. Residents may attend in person or remotely via the City's YouTube Channel. Please submit debate questions to events@highlandcity.org by Sunday, October 3.

Highland City will host a public meeting on Tuesday, October 12 at 7:00 pm at Highland City Hall on Parks Tax (Proposition 11. More information on page 7). Residents may attend in person or via the City's YouTube Channel.

Additional information can be found on Highland City's website at www.highlandcity.org or at vote.utah.gov.



Highland City
5400 W Civic Center Dr, Ste 1
Highland, UT 84003

Highland City Registered Voter
Please share with all registered voters at this residence

Mayoral Candidate

Kurt Ostler
(801) 971-2596
kurtostler@yahoo.com

My wife and I have been Highland residents for 28 years, we have raised our four children in this great city.

I have served the last 3 1/2 years as a member of the Highland City Council.

I have started and managed several companies, ranging from manufacturing to commercial real estate. I have learned how a careful, fiscally conservative budget can be balanced with a well-informed, visionary approach, leading to a successful and sustainable future. I will bring this experience while addressing current city issues and focusing on the debt Highland City has accumulated.

Our city is family-focused with a vision of open space and trails. I want to keep these values that have led our city to prosperity. For these values to be maintained, we need a Mayor and City Council dedicated to being careful, empathetic listeners. I have done this while serving as a member of the Highland City Council by responding to phone calls, emails and listening to residents. I have always defended our cities long term and short-term interests. I'm dedicated to keeping Highland City's open space feeling, having well-trained public safety, and promise to listen, gather information, and act carefully.

More info at www.kurtostler.com



City Council Candidates (Listed in ballot order)

Sarah D. Petersen
(801) 520-0728
sarahpetersen.highlandcity@gmail.com

Hello, I am Sarah Petersen. Throughout my life I have felt a deep desire to participate in the political engagements of our country. I have been active in my local communities in caucuses and as a State Delegate. In pondering how to best serve my community, I have decided to run for Highland City Council. I am committed to the city of Highland and its residents. I am a registered nurse with a master's degree in Administration, I have led administrative departments in large healthcare systems and currently work for a tech company as the Director of Care Operations. My experience has provided me the insight to thoughtful growth, maintaining the strengths of our community and providing a voice for the people. I am committed, experienced, and dedicated to listening to the residents. Throughout my career and while raising my seven children I have proven my ability to lead with compassion, integrity and intelligence. I am passionate about serving others and building on the legacy of strong families, neighborhoods, and communities here in Highland. I look forward to serving the residents of Highland. **Facebook@sarahpetersen for Highland City Council, Website:** www.votesarahpetersen.com.



Jerry Abbott
(928) 699-2841
jabbott@capstoneecos.com

My wife Frankie and I fell in love with Highland when we were looking for a small town to raise our four children twelve years ago, and have lived in the Bull River area ever since.

I am currently serving as Chairman of the Planning Commission where I have been for the past 3+ years. In this capacity I have utilized my decades of building, developing and negotiation experience to help ensure the integrity of Highland. I have extensive experience working with cities in finding ways to keep their small town feel. I want to protect our brand that has created a premium to our residence property values and way of life.

I am running for council because I have seen first hand how other cities like Highland, in their final stages of development, can buckle under pressure by developers and government officials, leading to detrimental decisions that ruined their brand and way of life.

I will use my experience to preserve and strengthen Highlands values & character, improve roads, trails, open space, parks and governing codes. I will help ensure we do not trip at the goal line.

I'm Jerry Abbott and I ask for your vote.

www.JerryForHighland.com



City Council Candidates (Continued)

Scott L. Smith

(801) 360-1214

scottsmithdr@msn.com

My wife, Catherine, and I have lived in Highland for over 32 years, and **we are proud to call ourselves Highlanders!**

We raised our five children here, and I am a practicing family physician. While serving on the City Council, I have also served on several local Governing Boards.



Why am I running?

- 1) **I want to continue to champion Highland values:** a family-oriented community with zoning that promotes **lower-density housing, open-space, and a genuine rural feel.** A small, vibrant commercial district, well-maintained parks and trails, a public library, and well-run events are an important part of our community.
- 2) Highland has the reputation as a low-tax, efficiently run City. **I will continue to vote as a fiscal conservative!**
- 3) **I will fight to protect the boundaries of Highland from annexation by other cities.**
- 4) **In a world of political divisiveness, I have Learned the importance of civility and good humor. In this election, I will not participate in negative campaigning.**
- 5) I will continue to be an **independent voice** on the Council preventing "group think" while examining different viewpoints and ideas in order to create better legislation.
- 6) I have been a strong advocate for resolving **open-space neighborhood concerns.**

Colby Gibson

(801) 653-2668

ElectColbyGibson@gmail.com

At the age of 4, my family moved to Highland. I have lived in four different neighborhoods within the city for nearly 40 years. Highland is home. I've seen it grow from ~3,000 to ~20,000 today! Highland City is the only city Alicia, my wife of 25 years, and I have ever considered raising our 4 daughters and 1 son. I understand what has made Highland so appealing!

Primary governing powers should reside in the family. Multiple families make up Highland City – and the Highland government's primary role is to support Highland families! Counties support cities, States support Counties and at the very top (with the least governing power) is the Federal government. I am running for Highland City Council to protect our families from all government overreach.



Over the years I've attended countless Highland City Council meetings, starting with meetings as a young Cub Scout. I am passionate about what happens in our community, love our amazing State, and am grateful to live in the greatest country in the world! I'm a passionate debater and promise to come to each meeting well-researched with an understanding that nobody goes to government for greater efficiency but rather out of necessity.



Proposition #1 Wimbleton Subdivision Open Space Disposal and Removal of Neighborhood Option Trail

Background Information

On December 3, 2019, a majority of the Highland City Council voted in favor of the following law, “the City Council APPROVE the removal and sale of all neighborhood option trails in the Wimbleton Subdivision. Due to the size and diversity of the neighborhood option trail that the requirement to purchase all property within the subdivision be determined by the individual parcels identified in attachment 8 which were six parcels, each of those parcels need 100% participation before the rest are sold. In addition, we allow the owner of lot 15 to buy a very small portion of the sewer easement and the owner can also buy the property to the west of the sewer easement. The width of the land across the sewer easement will be determined by the city and still allow access.”

Attachment 8



On December 10, 2019, citizens of Highland City filed a referendum application challenging that law. The sponsors of the referendum collected more than the required number of signatures to refer the law to the voters for their approval during this election. Below is how the proposition will appear on voter's ballots, as well as a Legal and Fiscal Impact statement the City previously produced. On the following two pages are arguments FOR and AGAINST the law and rebuttals to those arguments.

Ballot Title

On December 3, 2019, the Highland City Council approved the removal and sale of 5.77 acres of public open space property and 5,592 lineal feet of paved public trails located in and around the Wimbleton Subdivision (10030 North to 10250 North and 6690 West to 6580 West) to the neighboring residents. The sale will take place only if it is approved by the voters.

Vote “FOR” to approve the sale.

Vote “AGAINST” to reject the sale.

Legal and Fiscal Impact

Repealing the Council action would have no impact on current taxes, existing public debt, vested rights, laws, or City liability.

If the Council action is upheld, the City will:

- Lose 5.77 acres of public open space property
- Lose 5,592 lineal feet of existing trail
- Gain one-time revenue from sale of property, potentially up to \$630,000
- Decrease maintenance costs, approximately \$11,700 annually
- Increase property tax revenues, up to \$2,100 annually
- Face increased demand on pressurized irrigation system, leading to additional upgrades and maintenance to system
- Selling existing stormwater detention basins, potentially resulting in mitigation costs and increased liability

Argument FOR Proposition #1

What is a Neighborhood Option Trail?

After careful analysis of the City trail system in 2012-13, the City Council and Staff designated a handful of Open-Space Subdivision trails as Neighborhood Option Trails. This decision was made for the following reasons:

- If better or safer routes currently exist that connect to the Murdock Trail System, City Center, schools, or another Open-Space neighborhood, then a rigorous supermajority petition process could eliminate an unmaintained, under-used trail **on land not available for development**.
- It was determined that the City could not appropriately maintain the safety and appearance of these optional trails **without a major tax or fee increase**.

Was this resolution legal? **YES!**

The City Council discussed and considered the requirements of the State Code in making its decision. There were no conflicts of interest by any member of the City Council. The City Council's decision was legal and met the requirements of Utah state law.

Why has a persistent effort been made to eliminate this Neighborhood Option Trail? The trail is:

- Bordered by an unsafe, open irrigation ditch, referred to as a "Death Trap" by a former Mayor.
- An unmaintained, deteriorating asphalt trail bordered by thistles and "goat head" thorns that lowers property values for the whole subdivision.
- In a quiet residential subdivision that already has sidewalks on both sides of all the streets and has two remaining trail systems that are associated with parks.
- **Not consider a safe route to school by Freedom Elementary.**

Does this establish a precedent to sell other City trails – **NO!**

The City ordinance requires a supermajority of the subdivision in order to eliminate a Neighborhood Option Trail in an Open-Space Subdivision. **Non-optional City trails and parks cannot be sold or eliminated by this process.**

Will the money from the sale of the Wimbledon Subdivision Neighborhood Option Trail be used to **improve other City trails and parks – YES!**

If all the property in the resolution is sold, **potentially over \$600,000 can be available to improve other destination trails and parks in Highland.**

Is there enough money currently to maintain all the City trails without a significant tax increase? **NO!**

With the recent increase in secondary water rates, road maintenance and public safety fees, and the newly passed County sales and property tax increases, Highland households are already paying over \$500 more per year. The potential \$600,000 generated by vacating this one optional trail, along with the \$65,000 budgeted per year for Open-Space subdivision trail maintenance from the Utah County sales tax increase, could reduce the need for future taxes and fees.

Is the price Fair Market Value? **YES!**

The City Council approved the selling price based on undevelopable, landlocked property, not developable land recently sold to Lehi City for their new aquatic park or the Spring Creek Park property sold for a new residential development to help fund the Mountain Ridge Park.

Overturing the City Council action is a vote for a future city-wide tax or fee for parks and trails.

Submitted by the 2019 Highland City Council

Rebuttal To Argument FOR Proposition #1

Wimbledon's trails and open space are used by the public for travel and recreation – children use the trail to walk to school and parks. Much has changed since the 2019 council decision to sell 5.8 acres of open space and remove 1.1 miles of trail.

2020

- The city began receiving a portion of a new county transportation tax. The council allocated 50% of these funds to trails adding \$100,000 per year to the trail maintenance budget.
- Over 60% of the trails in Highland were seal coated, including more than 50% of the Wimbledon trails.

2021

- A 5-year plan to maintain and rehabilitate the trails was approved. It is funded by current revenues. **No new taxes are needed!**
- A puncture weed abatement program along city trails was started.
- The Neighborhood Option Trail designation was removed. This was a bad policy that allowed a few residents to petition the Council to buy the trails.
- The ditch is in the process of being abandoned and won't be a safety issue.

The approved plan divides the trail into 6 sections. If a homeowner adjacent in any section elects not to purchase, then this section of trail cannot be sold, thus creating a fragmented trail system and reducing the expected revenue.

**Please vote "Against" the 2019 Council decision.
Overturn the sale and preserve Highland's trails and open space!**
<http://savehighlandtrails.com>

Endorsed by: Mayor Rod Mann and current council members
Kurt Ostler, Timothy Ball, Kim Rodela and Brittney Bills.

Submitted by Kathleen Roberts

Argument AGAINST Proposition #1

In the 2019 Highland resident survey, city trails ranked THE HIGHEST among amenities residents love about Highland. On 12/3/19 the outgoing city council narrowly approved a measure allowing the sale of trails within Wimbleton subdivision to adjacent landowners at FAR below market value. One councilman who voted “yes” lives directly on the trail and personally stands to gain significantly from the purchase but would not recuse himself. This controversial decision puts many Highland city trails in jeopardy by setting a precedent for trail disposal. **These existing, paved trails are used year-round by residents & their children traveling to school or sports activities.** This warrants a public vote on an issue impacting our entire city and its original vision for an open, connected Highland.

Concerns:

- **Legality** Wimbleton contains 6% of city open-space trails and are **Highland City owned property**. The city **MUST** follow State Code in order to remove a trail.
 - **Utah State Code: 10-9a-609.5** -Vacating a public street or city trail. 4a) **good cause** exists for the vacation 4b) neither the **public interest** nor any person will be **materially injured** by the vacation. **We believe the December 3rd vote was in direct conflict with both state requirements for the disposal of trails. This leaves the city open to costly litigation. The following unresolved items call into question the legality of the city council's vote:**
- Maintaining **critical emergency access** to sewer lines and drainage ponds located on land to be sold.
- Who pays estimated \$50,000-\$60,000 for 2 recommended sump pumps or relocation of 4-inch water pipe spanning north border of property
- Material injury to other open space community property owners. Research shows land in open space communities appraises 20%+ higher than non-open-space communities.
- Denial of public access to trails currently used for exercise, enjoyment, sports leagues, and commute.
- **Safety** These trails provide safer travel for children who use the trails daily to get to school and athletic events scheduled through the city at Wimbleton Park. Sidewalk travel carries increased risk as cars back in and out and as kids cross the street.
- **Fair Market Value** The approved price of \$2.45/sq. ft. is far below market value. No fair, legal appraisal was conducted to ensure Highland city and its residents get the appropriate compensation. (comparatively, Highland City recently sold “Open Space” land to Lehi for \$6.29/sq. ft.).
- **Maintenance** The city recently approved over \$100,000 (a 380% increase) for improved trail maintenance. Trail maintenance is the obvious and desired solution. Considering this increased budget, the permanent disposal of open space assets is not only unnecessary but an **irreversible** mistake.
- **“New Tax” Myth** Proponents of trail disposal claim a future tax must be implemented to fund park/trail maintenance. No such plan exists or has been discussed by city council.

Extensive data & information can be viewed @ savehighlandtrails.com

Clear evidence supports keeping Highland's trails intact and open to residents – not sold to private citizens.

Submitted by Referendum Sponsors

Rebuttal To Argument AGAINST Proposition #1

Selling this trail generates large funds to improve other parks and trails, resolves years of subdivision concerns, and will prevent a tax increase to rebuild trails.

Why?

- 1) Residents with beautiful yards have had to deal with a trail that is **breaking apart, surrounded by weeds (Goathead thorns)**, has sections that are **unsafe** for residents, and includes a **dangerous ditch**.
- 2) This trail is **redundant** and **underused**; it doesn't connect directly to other trails. There are sidewalks that run parallel.
- 3) This trail needs to be repaired (not just sealcoated) **which will cost thousands of dollars!**
- 4) East of the Wimbleton Subdivision, **the City is currently developing a “destination trail” from the Murdoch Canal Trail through Mitchell Hollow to the County Equestrian Park.** Funds from the sale of this trail could be used to complete this new trail benefiting more residents.
- 5) **Freedom Elementary does not consider this trail a safe route to school.**

Does this set a Precedent?

NO. This only applies to the perimeter trail in the Wimbleton Subdivision.

Can the proceeds be used for other trails and parks?

YES. Over **\$600,000 would be available** which is **five times the amount of yearly funds available for trails from the County gas sales tax.**

Was this Resolution Legal?

YES. The City's Council decision was legal and met the requirements of Utah State Law (then and as amended).

Is the Price Fair Market Value?

YES. The City Council approved the selling price based on comparable values for undevelopable landlocked property.

Submitted by Council Member Scott L. Smith, former Council Member Ed Dennis, Colby Gibson, Bruce Braithwaite, and Mark Hafen

Proposition #11 Highland City Sales and Use Tax for Parks

"Shall Highland City, Utah, be authorized to impose a 0.1% sales and use tax to help fund recreational facilities in Highland?"

Vote "FOR" to approve the tax.

Vote "AGAINST" to reject the tax.

THE ARGUMENTS FOR OR AGAINST A BALLOT PROPOSITION ARE THE OPINIONS OF THE AUTHORS.

Argument FOR Proposition #11 Highland City Sales and Use Tax for Parks

Overview

Parks provide a number of benefits for a city. They provide a location for individuals and families to be active outdoors; are a gathering spot for groups and the community as a whole; and make a place feel like home.

Our annual resident survey has shown that Highland residents agree with this sentiment. In 2020, 77% of respondents reported using our parks at least one time per month. Because our parks are well used and residents care about them, one thing the City consistently hears is they need better maintenance and upgrades. While the City has done what it can to properly fund our parks, City dollars are split among several important priorities including police and fire, road maintenance, snow plowing, etc. To try to address resident's concerns, the City Council unanimously voted to include a Parks tax on the ballot to let residents decide if they want to do more to fund our City's parks.

The Parks Tax would be 0.1% sales and use tax which equates to \$0.01 for every \$10 spent. This type of tax is commonly referred to as a RAP, PARC, or ZAP tax. For Highland, these funds would be exclusively used in our parks. American Fork, Cedar Hills, and Salt Lake County already have a similar tax in place. Every time a Highland resident shops in one of those areas, they are paying the tax to the benefit of another city's parks. Because it's a sales tax, anyone who shops in Highland, resident or not, would pay the tax and contribute to better parks here.

While the City does have other revenue sources such as property and general sales tax, a Parks Tax would provide an estimated \$150,000 of annual dedicated funding. It would also provide an additional source of revenue which increases the City's overall fiscal health. The tax would sunset in 10 years, at which time the Council and voters would again decide whether to continue the tax.

Potential Uses

Highland City has 164 acres of landscaped parkland and parkway detail. Having that much area means there are countless items needing maintenance or replacement such as playgrounds, benches, tables, pavilions, bike-racks, sports-courts, parking lots, etc. In addition, some parks are not fully complete or are missing amenities. Based on a recent inventory of our parks, over \$6 million is needed for repairs, replacements, and planned amenities. \$1.3 million of which is needed to correct safety issues, ADA accessibility, non-functioning equipment, etc. Council has dedicated some funds begin addressing those needs, but there is still a sizable gap.

The City Council will approve the specific items the Parks Tax revenue would be used for each year. And like other decisions, Council would factor resident input into their decision.

Summary

Approving the Parks Tax for Highland City would help fund needed maintenance and capital projects in our City's beloved parks. A vote for Highland's Parks tax is a vote to preserve and improve our wonderful park facilities for years to come.

Submitted by Mayor Rod Mann and 2021 Highland City Council

Argument AGAINST Proposition #11 Highland City Sales and Use Tax for Parks

No arguments against Proposition #11 Sales and Use Tax for Parks were submitted.

Public Meeting

Highland City will host a public meeting on Tuesday, October 12, 2021 at 7:00 pm at Highland City Hall on the topic of the Sales and Use Tax for Parks. Residents may attend in person or via the City's YouTube Channel.

MORE INFORMATION ON REVERSE SIDE



VOTER INFORMATION PAMPHLET

General Municipal Election
Tuesday, November 2, 2021



Parks Tax Frequently Asked Questions

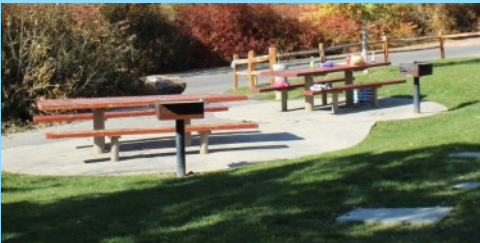


What is the Parks Tax?

The Parks Tax would be a 0.1% sales tax which is one-tenth (1/10) of 1%. This means \$0.01 for every \$10 spent. The tax would be included on sales and use purchases in Highland City limits. It is not a property tax.

What could the Parks Tax funds be used for?

State code and the City Council limited the Parks Tax use to only recreational facilities such as parks and their amenities such as playgrounds, benches, tables, pavilions, bike-racks, sports-courts, parking lots, etc. State law prohibits the use of the Parks Tax for any other purpose, including general administrative expenses.



How much funding is expected from the Parks Tax and how long will it be available?

Based on previous sales tax numbers, staff is estimating between \$135,000 and \$164,000 of funding would come from the Parks Tax. By state law, the Parks Tax would automatically sunset in 10 years unless it was again voted on by the Highland City Council and approved by Highland voters.

Who pays the Parks Tax?

Anyone who makes a qualified purchase in Highland City would pay the tax, regardless of where they live.



Is this a common tax?

This type of tax can go by different names including RAP, PARC, ZAP, etc. depending on how that community uses its funds. Many neighboring communities have this type of tax already including Cedar Hills and Salt Lake County. Lehi City has it on their ballot this year and American Fork will be voting on whether to renew theirs this year. If the tax exists in a different City you shop in, you're already paying it for another City.

For more information go to vote4prop11.com.

This is a non-city owned website with additional information and resources regarding the Parks Tax.



Remember to Vote!

Ballots must be postmarked by Monday, November 1 or turned into any Utah County drop box by Tuesday, November 2 at 8:00 pm. More information at vote.utah.gov or www.utahcounty.vote.

For More Information on Ballot Items

Visit www.highlandcity.org or contact City Recorder Stephannie Cottle at 801-772-4505 or scottle@highlandcity.org.