



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, February 6, 2018

Approved February 20, 2018

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

PRESENT:

Mayor Rod Mann, conducting
Councilmember Brian Braithwaite
Councilmember Ed Dennis
Councilmember Tim Irwin
Councilmember Kurt Ostler
Councilmember Scott L. Smith

STAFF PRESENT:

Nathan Crane, City Administrator/Community Develop. Director
Erin Wells, Assistant City Administrator
Gary LeCheminant, Finance Director
Todd Trane, City Engineer
Justin Parduhn, Public Works O&M Director
Trevor Aston, Sewer Superintendent
Tim Merrill, City Attorney
Cindy Quick, City Recorder

OTHERS: Michael Martin, Cameron Lackey, Braden Mather, Brady Mather, Ian Johns, Curtis Johns, Nathan Smith, Nathan Nelson, Russ Larsen, Will Robertson, Dave Robertson, Brock Whitworth, Dave Whitworth, Jill Burbidge, Jerry Abbott, Devirl Barfuss, Brian Cook, Bennett Carroll, Jacob Richards, Tanner Conkie, Steele Mackey, Mitchell Johnson, John Armstrong, Miranda Mugleston, Ashley Abbott, Jackson Abbott, Zachary Brinton, Tim Ball, Natalie Ball, Russell Sutherland and Jeremy Roos

7:00 P.M. REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – *Mayor Rod Mann*

Invocation – Brady Mather a local scout leader

Pledge of Allegiance – Braden Mather a local scout

The meeting was called to order by Mayor Rod Mann as a regular session at **7:03 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 Brady Mather, a local scout leader and those assembled were led in the Pledge of Allegiance by Braden Mather, a local scout.

1. UNSCHEDULED PUBLIC APPEARANCES

Natalie Ball, a resident, reported that the City website was difficult to navigate when searching for meeting agendas, minutes, and audio. She was looking for the audio from the January 9, 2018 meeting and it was not available. Regarding appointments to the Planning Commission, Mrs. Ball was concerned that her area of the City was not properly represented. There had been a lot of development in her area recently and she wanted to be sure that someone had first-hand experience with the

traffic and over-crowding issues that exist. Mrs. Ball welcomed the new Council Members and emphasized the need to recuse themselves when there is a possibility of a conflict of interest.

Mayor Mann reported that the minutes and agenda parts of the website were undergoing some changes, and he asked the residents to have patience until they were fixed.

Brent Wallace read a statement made by President Thomas S. Monson and expressed a desire that all elected officials be as dedicated to their positions as he was dedicated to his position.

2. PRESENTATIONS

a. DEER HARVESTING PROGRAM UPDATE

Brian Cook provided an update regarding the Deer Harvesting Program. He gave a brief background and reported that Mayor Richie started discussions for the possibility of the program in 2009, but State laws had to be altered in order for it to be allowed. The pilot program began in Highland City in 2012, and it has grown from there. When Mr. Cook first began monitoring deer, he used road kill data and drove around the City looking for deer. Now, they could monitor deer from an aerial view. He presented statistics for deer harvested as compared to the road kill taken off the road by D.O.T for the past five years. He explained that those numbers had been steadily decreasing. Mr. Cook reported that Highland City was the pilot City so the program was administered without contracts or fees; however, bait and cameras were paid for by the City. Since the pilot program, the specialists have donated 754 hours of labor to the program and 156 animals had been removed.

Mr. Cook addressed what would happen moving forward. He had requested a C.O.R., but the City's expired in 2017. He recommended that they continue moving forward with the maintenance program if they want to maintain the low number of animals in the City. He reported that American Fork had started a program, and Lehi was considering one as well. Going forward, the costs for one station—including the station, ground blinds, elevated stand, feeder, and camera—would be \$1,500 for the year. They would be charging \$2,500 per station location to cover other items such as bait and replacement equipment.

Council Member Brian Braithwaite thanked Mr. Cook for his participation in the program and noted that he saw significantly fewer deer in the City. He asked for clarification on the \$2,500 charge per station, and Mr. Cook said the extra charge was to ensure that the specialists were not paying out of pocket for the program. Council Member Braithwaite explained that he asked the question to ensure this information was completely transparent to the residents.

Council Member Scott L. Smith expressed his appreciation for the program and shared his own experience in regards to deer in his yard.

b. SEWER LINING

Trever Aston, Sewer Superintendent, provided a brief history of his experience working for the City and described the existing sewer line issues. He showed photographs of the breaks in the sewer line at Pheasant Hollow Park and explained that the damage was significant. Since the discovery of these problems, he sent the project out to bid and received a fair bid from Pipeline Inc. Mr. Aston then presented a video depicting the process of lining the sewer mains. He also provided samples of the liner to the City Council Members. A second video depicted the sewer line before and after the lining was installed. Mr. Aston reported that the lining of the sewer pipes in Pheasant Hollow Park had cut pump times in half and saved 500,000 gallons of water in just one month. There was still work to be done on the sewer lines.

Council Member Scott L. Smith commented that he lived in Pheasant Hollow Park and all the neighbors were aware of the high-water table. He wondered if the pipeline was damaged when a siphon was installed near the Provo River. Mr. Aston responded that this was completely possible; however, he guesstimated that the lines had been malfunctioning since they were installed.

Mr. Aston noted that previous methods used to fix the sewer line were failing and he would like to get those lined with this new product. He presented another video showing the process of fixing leaks in a manhole. He said he would like to use this process on all sewer line repairs moving forward.

c. YOUTH COUNCIL REPORT

Miranda Mugleston, Youth City Council Mayor, reported that the Youth City Council had an opening social in January where they got to know each other and reviewed the roles of each member. They also attended the local Official's Day at the State Capitol and participated in mock trials, toured the building, and met with Representative Mike Kennedy. They heard presentations and had lunch with local leaders. The Youth Council had an upcoming service project where they would be making Valentine's Day cards for the Developmental Center.

Council Member Tim Irwin thanked Miss Mugleston for a job well done.

3. 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. ACTION: APPROVAL OF MEETING MINUTES

Regular Meeting January 9, 2018 and Goal Setting Session January 23, 2018

b. ACTION: RATIFYING PLANNING COMMISSION APPOINTMENTS

City Council would consider ratifying the appointment of Jerry Abbott, Sherry Carruth and Brady Brammer to the Highland City Planning Commission. The Council would take appropriate action.

Mayor Mann reviewed the items on the consent agenda and explained that Brady Brammer would be serving as an alternate member of the Planning Commission and Brittney Bills would serve as a full Commissioner. Jerry Abbott was present at the meeting and was introduced by Mayor Mann.

Council Member Brian Braithwaite asked what areas of the City the Planning Commission Members were from. Mayor Mann identified those locations.

Council Member Kurt Ostler expressed that Jerry Abbot was an excellent choice for a Planning Commissioner.

*Council Member Tim Irwin MOVED to approve Consent Items a. and b. as listed on the agenda.
Council Member Ed Dennis SECONDED the motion.*

The motion passed unanimously.

Mayor Mann requested that Item 5 be heard prior to Item 4.

5. ACTION: INFORMATION TECHNOLOGY (IT)SERVICES CONTRACT

City Council would consider an IT Services Contract with Rock Mountain Technology. The Council would take appropriate action.

Erin Wells, Assistant City Administrator, explained that the company the City had previously used for technical support was no longer in the IT business, so staff sent out an RFP for a new contract. They received six bids, and the Board appointed to review these proposals unanimously decided on Rock Mountain Technology. Not only did Rock Mountain Technology provide the lowest bid, but they were also in close proximity to the City, had good recommendations from clients, had a good service model, and had good experience with other municipalities. The cost would be \$2,800 per month, which provided up to 40 hours of IT work. Any work beyond the 40 hours would be charged separately. That cost did not include hardware and software. The contract would be for one year, and it would automatically renew unless Highland City chose to terminate the contract.

Council Member Ed Dennis asked for clarification regarding the Lone Peak Fire District (LPFD) being included in the contract. He wasn't sure that they could legally include another entity in the contract. Ms. Wells admitted that she had not considered that, and asked what the City Council would like to do.

Police Chief Brian Gwilliam explained that with previous contracts, the LPFD had paid for their own services separately, although they would be willing to combine with the City if the Council felt it was appropriate. Nathan Crane, City Administrator, explained that Police and Fire would have separate agreements with the same vendor as the City. They included the cost for Police and Fire in the presentation so that the Council could see the overall cost.

Jeremy Roos, with Rock Mountain Technology, said they could include LPFD in the existing agreement and the hours could be adjusted if needed. Fire departments typically did not require as much time and work as other departments. Mr. Roos asked if they would be covering all of the Fire District or just the Highland Station. Ms. Wells said those items needed clarification before moving forward.

Council Member Brian Braithwaite commented that several cities share the cost of the LPFD. It was possible to cover the Fire District through Highland City and have the other entities reimburse the cost. He didn't think that a separate contract would be entirely necessary, as long as there was clarity on how the cost was broken down. Mr. Roos said he was fine with either option.

Mayor Mann asked for clarification on how the service hours were tracked. Mr. Roos explained that his technicians would log all their hours.

Council Member Ed Dennis was concerned about whether it was legal or proper to include the LPFD in the contract. Attorney Tim Merrill said this was an administrative decision. Either the City could invoice the district, or they could have the District sign a separate contract.

Council Member Scott Smith asked what would happen if the City used significantly less hours than 40 each month. Mr. Roos said there was a clause in the contract that allowed them to make alterations within the first 90 days. If the City used more or less hours than 40, they could adjust the contract.

Attorney Tim Merrill asked about security measures that Rock Mountain Technology would be taking. He explained that many governmental agencies were being hacked, and it was their responsibility to protect the confidential information of residents. Mr. Roos explained that they would be utilizing a firewall program that was widely used. As soon as the software detected a threat, they would increase the firewall security on all their clients. He reported that there had been no breaches in Santaquin or American Fork. Mr. Roos spoke about the importance of having different levels of security and data backups.

Council Member Brian Braithwaite asked if Rock Mountain Technology would be managing the backup process, and Mr. Roos said that they could.

Council Member Ed Dennis asked for clarification regarding paragraph 11.1 of the contract. He wanted to expand the definition of "client" to include Fire and Police, if they wanted to go that route.

Ms. Wells explained that there was some confusion regarding what should be included. She proposed that they adopt the contract and allow Staff to work with Rock Mountain Technology to find the best mechanism to make sure Police and Fire were covered.

Attorney Tim Merrill said the City would not be able to add LPFD to the contract without approval from their Board. The City could include a Memorandum of Understanding to make the connection formal.

Council Member Ed Dennis was still concerned about the incompleteness of the contract.

Council Member Brian Braithwaite *MOVED* to approve the current contract for Information Technology services with Rock Mountain Technology and authorize Mayor Mann to sign the agreement and direct staff to work through the details on bringing in Lone Peak Public Safety District, both Police and Fire, as soon as possible.
Council Member Kurt Ostler *SECONDED* the motion.

The vote was recorded as follows:

Council Member Brian Braithwaite	Yes
Council Member Ed Dennis	No
Council Member Tim Irwin	Yes
Council Member Kurt Ostler	Yes
Council Member Scott L. Smith	No

The motion passed 3:2.

4. ACTION: CONTRACT FOR THE ROAD REHABILITATION PROJECT

City Council would consider a contract for the Road Rehabilitation Project. The Council would take appropriate action.

Todd Trane, City Engineer, provided a report regarding the Road Rehabilitation Project and presented a list showing the top priority preservation and rehabilitation projects. Staff went out and evaluated all the roads on the list to look at damages and drainage issues, and subsequently made a few adjustments to the year's projects. The most important project was 6000 West from 10550 North to SR-92, and the second priority project was on the same street from SR-92 to 11800 North. Mr. Trane presented photographs of the road sections and spoke about the work that needed to be done. The Mercer Hollow Road project would be moved to next year to ensure they didn't go over the road budget; furthermore, Mercer Hollow Road would soon be cut to provide connections for a new development. Mr. Trane spoke of a few other small projects that would be moved to next year. The lowest base bid they received for 6000 West was \$615,255.42. A complete cost breakdown was included in the packet.

Council Member Scott L. Smith was excited to fix some of Highland's roads. He wondered why the City wasn't using the B&C Road Funds when the fund was about \$8,000 ahead. Mr. Trane responded that he was hoping top priority projects would run under budget so he could bring other projects back in the year; however, it was a fine line. He explained that the B&C Road Funds were used in other areas besides road maintenance and rehabilitation. The funds were also used for salaries, sidewalks, signage, etc. He commented that they were not pulling those projects; just postponing them.

Council Member Brian Braithwaite commented that it would be helpful for the City Council to see how the B&C Road monies were used in other areas. Mr. Trane responded that he could get them a list of the budget broken down.

In response to a question from Council Member Kurt Ostler, Mr. Trane said the plan set for the road projects was done in-house to save the City money. His primary concern was that there were places in the City that had bad soils, and that may cause some unforeseen expenses. It was important to have some contingency in place.

Council Member Brian Braithwaite thanked Mr. Trane for his detailed work on these projects. He expressed a concern for future developments cutting into the newly rehabilitated roads. Mr. Trane said there had been rumors of a project in Lehi City along 6000 West, but when they approached the developer about it, they said that it would be five years down the road before they cut into 6000 West.

Councilman Ed Dennis also thanked Mr. Trane for his work. He asked if it were possible to coordinate funding for some of these roads with adjacent cities, such as Alpine. Mayor Mann said in the past they had shared costs for roads impacted by the county, but these were all Highland City roads. Regarding 4800 West, which was used by Alpine residents, Mr. Trane said they had applied for MAG funding and that was awarded to them. However, it would be a struggle to get other cities to help pay for Highland roads.

Council Member Kurt Ostler said it would be reasonable to try to seek MAG funding for some of these projects. Council Member Brian Braithwaite said they had received funding for city roads in the past, but it was a long process. Mr. Trane

added that even if they received MAG funding, those funds wouldn't be available for them to use for at least another five years. He said it would be money well spent to fix 6000 West now.

Council Member Tim Irwin MOVED to approve and authorize the Mayor to sign a contract with Geneva Rock Products for construction of the 2018 Road Rehabilitation Project for \$826,227.66.

Council Member Ed Dennis SECONDED the motion.

The vote was recorded as follows:

Council Member Brian Braithwaite Yes

Council Member Ed Dennis Yes

Council Member Tim Irwin Yes

Council Member Kurt Ostler Yes

Council Member Scott L. Smith Yes

The motion passed unanimously.

6. NOMINATION/VOTE

City Council would nominate and vote for a Mayor Pro-Tempore to preside over City Council meetings in the Mayor's absence during 2018. The Council would take appropriate action.

Council Member Scott L. Smith NOMINATED Council Member Ed Dennis to serve as Mayor Pro-Tempore for 2018. There was no second, therefore, the nomination failed.

Council Member Tim Irwin NOMINATED City Council Member Brian Braithwaite to serve as Mayor Pro-Tempore for 2018.

Council Member Kurt Ostler SECONDED the nomination.

The vote was recorded as follows:

Council Member Brian Braithwaite Yes

Council Member Ed Dennis Yes

Council Member Tim Irwin Yes

Council Member Kurt Ostler Yes

Council Member Scott L. Smith Yes

The motion passed unanimously.

7. ORDINANCE: REVISION TO MUNICIPAL CODE FOR MAYOR AND CITY ADMINISTRATOR DUTIES

City Council would consider a revision to the duties of the Mayor and City Administrator. The Council would take appropriate action.

Mayor Mann presented the proposed amendment and explained that the Mayor operates as Chief Executive Officer of the City, while the City Administrator's duty was to take care of the day-to-day operations of the City offices. The City Council could also assign duties to the City Administrator during their meetings. The proposed change would eliminate any possible confusion that could potentially be in the minds of employees with respect to there being "two bosses". The language would clearly identify the City Administrator as the person responsible for delegating tasks, and the person to whom staff members should report.

Council Members Brian Braithwaite and Tim Irwin expressed their support for the change. Council Member Scott L. Smith asked if department heads were exempt from this revision. Mr. Crane answered affirmatively and said department heads would report to the City Council. The Mayor and City Council would also maintain their ability to make decisions regarding the appointment of City executives.

Council Member Brian Braithwaite *MOVED* to approve the revision to the Municipal Code clarifying the responsibilities of the City Administrator and Mayor as outlined by Ordinance No. O-2018-02.

Council Member Tim Irwin *SECONDED* the motion.

The vote was recorded as follows:

Mayor Rod Mann	Yes
Council Member Brian Braithwaite	Yes
Council Member Ed Dennis	Yes
Council Member Tim Irwin	Yes
Council Member Kurt Ostler	Yes
Council Member Scott L. Smith	Yes

The motion passed unanimously.

8. ACTION: APPROVAL OF A NEW FULL-TIME EMPLOYEE FOR PLANNING AND GIS

City Council would consider a new full-time employee for Planning/GIS Analysis. The Council will take appropriate action.

Nathan Crane, City Administrator, explained how planning duties had been handled in the past and said they had been utilizing interns for GIS (Geographic Information Systems) analysis. With technology improving and the inability to keep interns for long periods of time, it was unwise to continue the practice. He presented a brief description of the Planning/GIS Analysis position and listed out the duties and responsibilities, including planning, GIS, code enforcement, and special projects. Mr. Crane presented a breakdown of the time the employee would spend in each area and showed how much money the City would be saving in consulting costs if a full-time employee were hired. The total cost for the full-time position would be \$63,790, which included salary and benefits. Mr. Crane reported that the cost for the current fiscal year would be cost neutral because the planning budget could accommodate the new hire.

In response to a question from Council Member Kurt Ostler, Mr. Crane reported that the position would be a journeyman position, and the decision of whom the individual would report to, was still being considered. The employee would not run his own department. This individual would also eventually participate in Planning Commission or City Council meetings.

Council Member Brian Braithwaite thanked Mr. Crane for his thorough analysis of the position and the information that was shared with the City Council.

Council Member Tim Irwin *MOVED* to approve the request to for a Planner/GIS Analyst.

Council Member Scott L. Smith *SECONDED* the motion.

The vote was recorded as follows:

Council Member Brian Braithwaite	Yes
Council Member Ed Dennis	Yes
Council Member Tim Irwin	Yes
Council Member Kurt Ostler	Yes
Council Member Scott L. Smith	Yes

The motion passed unanimously.

9. MAYOR/COUNCIL ANDSTAFF DISCUSSION AND COMMUNICATION ITEMS(20 min.)

- **Utility Brief Update** – Todd Trane

Todd Trane, City Engineer, briefly reviewed the upcoming utility projects, including sewer, culinary, and pressurized irrigation capital projects. He identified those that had been completed in the past year, and those that would take place over the next ten years.

Regarding the Canal Boulevard Project, Mr. Trane clarified that it was the connection between SR-74 and North County Boulevard. The funds for the project were in the enterprise fund, but the project was on hold until information regarding the surrounding developers was clarified.

- **Utah League of Cities and Towns/Legislative Policy Committee Update – *Brian Braithwaite***

Council Member Brian Braithwaite reported of new bills that would be presented soon, and some of them were important for the City Council and Highland residents to monitor and with which to become involved. Senate Bill 83 would impact Highland from the process of boundary adjustments and how that process would take place for the Developmental Center. Council Member Braithwaite felt that the most recent changes to the bill were appropriate, but it was important to monitor any subsequent changes.

Senate Bill 136 was a large bill involving transportation and how cities received tax money from the State. There would also be some changes to the Transportation Board. Council Member Braithwaite suggested that the City Council Members examine the proposed bill and understand its implications to Highland City. He noted that impact fees for electric cars would raise \$150 a year to compensate for the owners not having to pay a gasoline tax. Hybrid vehicle fees would also increase.

House Bill 259 involved moderate income housing, and was something that could really affect Highland City. They had recently submitted their report to the State and had a plan in place. Even if the State didn't feel that their plan was sufficient, at least they had submitted a plan. Council Member Ed Dennis commented that there had also been some discussion about assessing a penalty to cities that didn't comply with State laws for moderate income housing. Council Member Braithwaite added that the State was looking to assess cities that didn't support indigent care. Highland City had a few halfway houses which may count toward that law.

He reported that House Bill 175 would create an Oversight Committee, which he felt was unnecessary. There was also a House and Senate Joint Resolution for the approval of the sale of land for the Murdock Connector Road. He encouraged the City Council and residents to involve themselves in these decisions and make their voices heard.

- **Utah Valley Dispatch Special Service District Update – *Ed Dennis***

Council Member Ed Dennis reported that he was unable to attend the Utah Valley Dispatch Special Service District January meeting, however, the Board had discussed an interlocal agreement with Juab County and Nephi City, which was scheduled to go live as part of the Service District. Police Chief Brian Gwilliam would be giving a report at the upcoming meeting, and the Board would begin working on the budget for the year.

Police Chief Brian Gwilliam added that there had been some issues bringing Juab County and Nephi City on board and bringing Century Link on to dispatch calls, however, those issues were all technical in nature.

Mayor Mann asked if the cost would be spread out among the new entities. Chief Gwilliam said Highland City would see the same costs as before.

- **Lone Peak Public Safety Board Update – *Tim Irwin***

Council Member Tim Irwin reported that most of the Lone Peak Safety Board members were new this year, and he had been appointed as Chair. He would be sending agendas to all the City Council Members prior to the meetings so that they could voice any concerns beforehand. He felt it was important and valuable for him to hear from the City Council

Members that did not serve on the Board. He then spoke about the new Fire Chief, Reed Thompson, and talked about the changes he would be implementing. He also reported that Cedar Hills had submitted a request to disassociate themselves from the District; however, the matter was still undecided.

Council Member Scott L. Smith commented that American Fork had been trying to put a fire station in USDC land and asked why Cedar Hills would stay with the District if they could get good coverage from the American Fork station. Council Member Tim Irwin was not sure of the answer. Previously, Cedar Hills was getting a great deal on police that may not continue. They may find that staying with the District was just as costly as going with another department. Based on some comments recently made by Mayor Rees of Cedar Hills, they were not as predisposed to leave the District as they had previously been. After subsequent discussion regarding Cedar Hills's timeline, it was stated that their city gave a two-year notice and would need to submit a final answer by July 2019.

- **Other Comments**

Operation and Maintenance Director Justin Parduhn informed the Council that he had received a text message from Brian Cook with the Deer Harvesting Program with additional information. Mr. Cook wanted to make the Council aware that all the deer harvested in Highland were donated to residents in need and to the local food banks.

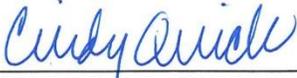
Mayor Mann presented a business plan for the George Washington Museum of American History, which would potentially be 15 to 20 acres of farmland and a museum. He said the project would cost roughly \$53 million. Mayor Mann met with the owners and they said they were considering land in Highland as the preferred location. The facility would be nationally recognized and could draw positive attention to Highland City. The City Council discussed the potential Highland properties that could house the facility. It was confirmed that the facility would not be funded by the City and would be self-sustaining.

ADJOURNMENT

Council Member Tim Irwin MOVED to adjourn the meeting and Council Member Ed Dennis SECONDED the motion. All voted yes, and the motion passed unanimously.

The meeting adjourned at 9:58 PM.

I, Cindy Quick, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on February 6, 2018. This document constitutes the official minutes for the Highland City Council Meeting.



Cindy Quick, CMC
City Recorder