

**MINUTES**  
**HIGHLAND CITY COUNCIL MEETING**

**Tuesday, December 2, 2014**

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

**PRESENT:** Mayor Mark Thompson, Conducting  
Councilmember Brian Braithwaite  
Councilmember Rod Mann  
Councilmember Tim Irwin  
Councilmember Dennis LeBaron  
Councilmember Jessie Schoenfeld

**STAFF PRESENT:** Aaron Palmer, City Administrator  
JoD'Ann Bates, Executive Secretary/ Recorder  
Nathan Crane, Community Development Director  
Gary LeCheminant, Finance Director  
Kasey Wright, City Attorney  
Shannon Garlick, Secretary

**OTHERS:** James Burton, Luke Fox, Ty Dowdle, Nathan Free, Alex Aagard, Ron Kramer, Steven Kramer, Ed Barfuss, Mike Olson, Tom Harward, Drandon Backman, Darren Wooden, Mason Wooden, Tevin Stephens, Carl Robinson, Tiffany Robinson, Daniel Rodriguez, Dave Provost and Michelle DeKorver.

The meeting was called to order by Mayor Mark Thompson as a regular session at 7:00 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 Jessie Schoenfeld and those assembled were led in the Pledge of Allegiance by Nathan Free, a scout.

**APPEARANCES:**

Tom Harward, resident of the Pebble Lane Subdivision, stated when the subdivision was approved the City required a median to be placed all the way through so people couldn't cross to get in and out of the subdivision. He expressed the concern from the residents regarding the median, stating it is very unsafe and has caused several accidents. He mentioned some of the residents spoke to the City, who had the misconception that the State put the median in, but the median really belongs to the City. He presented a letter from Doug Bassett to the City on the State's position on the median and nothing has been done since the letter was written in 2013. He stated the State was willing to black top the parts of the road where needed if the City would remove the portion so people could turn in. He explained Doug Bassett is no longer over that

area, so the State may no longer be willing to do so, but hopefully will. He stated there is still \$28,000 from the bond held at the bank for improvements that were not completed when the property was subdivided and there is the possibility those funds may be used.

Daniel Rodriguez, resident of the Pebble Lane Subdivision, stated there are a lot of unsafe practices and many visitors have problems with that left turn. He stated they do not know who is responsible for the median, but asked the Council to look into it.

Tim Irwin questioned how they will proceed with this item.

Mayor Thompson stated they received the proof from the State and he has a meeting set up with Terry Newell, the current Director of Region Three.

Brandon Balkman, resident of the Beacon Hill Subdivision, stated there is a trail that goes around 2/3rds of the Beacon Hill's Park and the City was waiting for authorization from the Water District to complete the trail. He stated Josh Castleberry finally received the letter, but has not been authorized by the City to finish the trail. He mentioned they would need approximately 500 feet of asphalt.

Tim Irwin questioned what it takes to have the trail placed on the City schedule to be completed.

Brian Braithwaite replied the City has limited resource and has prioritized the funds and this has not been a high enough priority. He stated it was on Josh Castleberry's list to get authorization to put one on the land, but explained there is not currently money for it in the budget. He stated it has not been on their radar, because they could not place it there without permission.

Brandon Balkman asked what needs to be done to make it a higher priority.

Brian Braithwaite responded they do not know what it is competing with, so they would need staff to look at the list and bring a recommendation to the Council.

Ed Barfuss, Representative of the Open Space Committee, stated he is here to maintain a presence on the speeding issue on Country Club Drive. He suggested they put up a radar sign and collect data, wait a month and then collect data again to see if the sign continues to be effective. He stated stop signs were brought up as an option and has been rejected by most of the residents.

Jessie Schoenfeld stated Tim Irwin and she met with the manager of the Country Club and staff has already ordered two of the radar speed signs. She explained they asked the Country Club to pay for a portion of the cost and are waiting for a response from the Board of Directors. She stated they also discussed placing a couple 25 mph speed signs on the east side of Country Club.

**CONSENT:**

**MOTION: Approval of Meeting Minutes for City Council Regular Session – October 21, 2014.**

MOTION: Ratifying the Mayor's Appointments to the Highland City Economic Development Committee – Jennifer Frampton and Brent Reed.

MOTION: City Council Meetings – 2015 Meeting Schedule.

Tim Irwin questioned how many members are on the Highland City Economic Development Committee.

Jessie Schoenfeld responded there are nine members and these people asked to join. She explained they are considering placing them on a subcommittee who would help build a Chamber of Commerce.

Tim Irwin expressed his concern for when committees become too large.

Nathan Crane replied they are two home-based business owners in Highland that expressed interest to the City. He stated staff feels they can utilize them to help recruit other businesses and develop a Chamber of Commerce, whereas the other members are looking at long term economic development.

Tim Irwin suggested they also utilize the committee as the land by the Developmental Center gets developed for recruiting businesses on the retail-use property.

Mayor Thompson mentioned he has not seen any real difficulty managing the numbers at the current Economic Development Committee meetings and these individuals would be helpful to get the information out to other businesses.

**MOTION: Tim Irwin moved the City Council to approve the consent items on the agenda.**

**Brian Braithwaite seconded the motion.**

**Unanimous vote, motion carried.**

**ACTION ITEMS:**

ORDINANCE: Amending Section 13.48 of the Highland Municipal Code – Cemetery Headstones.

Jody Bates stated this issue was previously brought to the Council and they have removed the issues so staff can look at those further. She stated this is the time to act, because they are not currently placing any headstones because of the current cold weather which will give them time to notify the monument companies and mortuaries. She explained they are asking to make the headstones in the cemetery the same base size, so the sexton can dig future graves and so the parks and rec staff can efficiently mow the property.

Brian Braithwaite stated he is happy with the wording.

Tim Irwin expressed his concern that it appears they are restricting the size.

Jody Bates stated they are restricting the size and monument companies require at least four inches all the way around and then the monument. She stated the current Ordinance states seven inches, but not a single monument company does seven, four is usually the norm. She mentioned the plots are only four feet wide, so they are already limited. She explained she clarifies to people when they come in that if they bury two people in one grave, they still only get one headstone. She stated if they stick with this size, then they can go in on the double graves and dig the grave without moving the headstone.

**MOTION: Brian Braithwaite moved the City Council to approve the Ordinance amending Section 13.48.130 of the Highland Municipal Code relating to cemetery policies and regulations as written.**

**Dennis LeBaron seconded the motion.  
Unanimous vote, motion carried.**

**MAYOR/CITY COUNCIL & STAFF COMMUNICATION ITEMS:**

- Park Bond Re-Finance – Discussion

Gary LeCheminant stated they have the opportunity to refinance the public safety building bonds and can save some money doing so. He mentioned these are the bonds where the interest payments are due at the first of March and September and the principal payments are due at the first of September and this will not extend the length of the payments. He mentioned these bonds are callable on September 1, 2016. He stated the interest costs are approximately 4.19%, and the true interest costs are approximately 2.5%, so they are saving approximately 1.7% by refinancing. He stated the total debt service savings over the remaining 12 years are \$177,000-\$223,000 or \$14,000-\$18,000 a year. He explained they will pay a little more in principal, but the interest savings costs outweigh the increase in principal. He explained for the refinancing funding options, they can do a direct placement where Zion's bank already has a buyer, Bank of Utah, or they can do a market underwriting where they get an investment banker to go out and try to sell the bonds. He stated with the direct placement, they would only have two payments and would save \$182,000, because they are refinancing more of the principal or make three payments and save \$177,000. He stated the market underwriting saves \$223,000 but would take more time and expense and is not guaranteed.

Discussion ensued regarding the two options.

Gary LeCheminant stated the old bonds can all be called on September 1, 2016, but through refinancing with Bank of Utah they can call the bonds at any time in chronological order.

Rod Mann asked for an estimated time frame for market underwriting.

Gary LeCheminant responded they would need to find an underwriter and they would have to market the bonds, then go out to the market and get bids. He stated it would take longer than the 45 days it would take with the direct placement.

Aaron Palmer stated from his experience with an underwriter it would take at least 90-120 days.

Gary LeCheminant stated Zion's Bank suggested if they are interested, they can have the legal team put a notice in the newspaper that they City has an intent to refinance the bonds, which does not require them to refinance, but starts the process. He explained the notice has to be filed for 30 days and then they can go to Bank of Utah and get the refinancing. He stated if they put something in the newspaper and on the website that week and the City Council was interested in approving a resolution at the meeting on January 6<sup>th</sup>, the bonds could be refinanced by January 15<sup>th</sup> which would stay within Bank of Utah's 45 day window.

Brian Braithwaite stated the bond market is currently pretty good and having the bonds callable is valuable, but they don't have the funds for it to really work.

Gary LeCheminant mentioned the cost for direct placement is approximately \$40,000 and the cost for going to an underwriter is approximately \$75,000, which is not factored into the savings. He stated the savings are purely on the interest and principal over the twelve years of the life of the bond. He stated the net amount would be about \$140,000 for direct placement and \$150,000 for going to the market.

Dennis LeBaron questioned how much the bond rates fluctuate.

Gary LeCheminant responded the bond rates have not currently fluctuated very much, if they look at the ten year bond it would stay within the 4% rate.

Rod Mann stated he likes to have certainty, so 10k is not enough to wait three to six months.

Brian Braithwaite stated the rates are not really fluctuating, so it just depends on if the 10k loss is worth having the bonds callable. He warned the Council that although they are lowering the overall cost, there will be concerned residents that they are raising the bond. He stated the net will go down, but because the principal is going up, they would be increasing the debt.

Discussion continued regarding the bond.

Aaron Palmer stated they will get the process started, get the notices in the paper and on the State website, and bring the resolution to refinance the bonds to the Council on January 6<sup>th</sup>.

Rod Mann clarified if they put out the notices they lock in the rate for 45 days, so when they vote they will know the exact rates for the direct placement option.

Brian Braithwaite asked staff to bring back all of the costs and some clarity on the net savings.

Aaron Palmer replied Johnathan from Zion's Bank will be at the January 6<sup>th</sup> meeting to go over all of that information.

Gary LeCheminant responded he sent the Council a spreadsheet in an email a couple of weeks ago that listed every interest and principal payment in detail.

Mayor Thompson stated he is favor of the first option.

Dennis LeBaron asked if anything needs to be done before the January 6<sup>th</sup> meeting on the underwriting option.

Aaron Palmer replied he does not believe so, but will check with Zion's Bank.

- Park Maintenance Building – Discussion

Mayor Thompson stated currently the majority of the parks equipment is stored for the winter and the operations are run out of the HW building. He stated the Council voted to sell the land holding the HW building to Westfield Properties and the City has a year to find another site and build another building. He explained they looked at a number of other sites and they would like a more central location. He stated the Council has been provided the sites that were investigated and a bird's eye view of the size of the current City shop and the HW building and the proposal for a new building which also includes a lean-to off the building that was built specifically for safety equipment. He stated it would be a 3,600 square foot building, being replaced by a 5,000 square foot building and the current City shop is about 10,200 square feet. He stated what makes the most sense is to look at the West Park Road property that would be part of the Adventure and Learning Park. He explained it is centrally located, but has a 6F designation, because federal funds were used to build the park. He stated the State had to review the footprint of the building and their response was that they do not see it as being harmful to the land or water associated with the park and will not give any other approval other than it does not meet any objections. He stated they are willing to discuss any other sites the Council would like. He mentioned they intend to fence the property and the parking would be in addition to the parking lot that currently exists for the park.

Rod Mann questioned if they plan to do any improvements on the existing parking lot.

Mayor Thompson replied it could be done, but it was not requested.

Jessie Schoenfeld questioned if the entrance is from the road or the parking lot.

Mayor Thompson replied it would allow entrance from both.

Dennis LeBaron asked what the long term usage is of the rest of the land.

Mayor Thompson replied it was also not part of the request, but they can discuss it.

Discussion ensued regarding the site.

Brian Braithwaite questioned how much engineering will need to be done on the site.

Justin Parduhn responded it is fairly flat and would probably need very little engineering. He stated the asphalt millings are spread out, so they would just push them into a pile and there would be plenty of room to keep them on the site.

Brian Braithwaite questioned if they will use them for a parking base.

Justin stated there is a possibility of using them around the building and maybe for parking trailers, etc.

Brian Braithwaite stated the only other option that seems feasible is the site in Town Center. He stated all of the sites have some positive and negatives.

Rod Mann asked if the negative with the Town Center property is they would need to purchase land.

Brian Braithwaite stated they would probably have to buy it; they may be able to make some agreement with the land owner to use it or they may not let the City use the property.

Mayor Thompson stated he hasn't received an answer, but the Jordan Valley Water Conservancy District is going to address the issue.

Jessie Schoenfeld questioned regarding using the Community Center property. She stated they are spending several thousands of dollars fixing the building and suggested they just tear down the building and place the storage facility there and just rent out a room, kitchen area, and bathrooms on top. She mentioned it would probably impact fewer residents than placing it on West Park Road.

Justin Parduhn stated his only concern with sharing a building is the liability of having the public walk through where they are moving equipment in and out and trying to keep them separate so no one is hurt from the equipment. He mentioned they would need to have a separate entrance into the building.

Brian Braithwaite stated he believes the price to fix up the Community Center would be significantly less than tearing it down and building a joint building. He explained they would have to put a nicer building there than they would on the other site.

Jessie Schoenfeld stated they continue to have problems with the Community Center and there is still approximately \$60,000 that needs to go into the building to make it safe.

Brian Braithwaite stated they have not heard a real cost to fix the building and if the costs match up, it may be worth looking into, but does not currently seem feasible.

Dennis LeBaron stated the purposes of the two buildings are quite different, so they may not necessarily be congruent, but agrees it might be worth looking into if there would be a savings.

Nathan Crane mentioned the initial bid on the roof portion of the Community Center was \$24,000.

Dennis LeBaron asked if there are any other advantages of using the site on West Field Road over the site by the City Hall, other than not purchasing land.

Rod Mann questioned if there will be an issue with children going by in the mornings, while there is equipment coming and leaving.

Justin Parduhn replied there may potentially be a little more traffic when school is starting or getting out, but most of the kids walk on the other side of the road and there is not currently a sidewalk on that side of the road. He stated once the equipment is out, they are usually out all day long, so it wouldn't be a huge problem. He stated it is centrally located; both areas have the utilities, best West Park Road is a bigger area.

Mayor Thompson asked what the current size is of the Community Center parking lot.

Nathan Crane replied the parking lot is approximately 105 feet by 110 feet.

Mayor Thompson stated half of the parking lot would be the size of the building. He explained if they tear down the current building, the new building should be in the back towards the other properties.

Jessie Schoenfeld stated there is not currently enough parking, so if they reconfigure it, the employees could use the parking during the day and then in the evening there would be more parking for those that rent the upstairs.

Brian Braithwaite asked if there would be employee parking in the fenced area or just general parking outside of the fenced area.

Justin Parduhn responded they discussed parking outside of the fenced area, so everything inside the fence would just be City equipment. He stated at the Community Center they would create additional parking and the employees would park their personal vehicles in the lot, but after 5:30 p.m. the employees would leave which would allow more parking for those who rent the building.

Discussion ensued regarding the Community Center and the West Park Road sites.

Jessie Schoenfeld asked staff to research the cost of adding an additional story or area at the Community Center to see if it would be feasible.

Brian Braithwaite explained he would look at what kind of building it would be at the Community Center versus on West Park Road, so there would be a big difference in cost.

Justin Parduhn mentioned if there is an upstairs floor they will also need to look at the costs to meet the ADA requirements, which may require an elevator. He stated they can run it by the engineer, get some input from him, and bring it back to the Council.

Discussion continued regarding the Community Center.

Jessie Schoenfeld asked how much money the City received from the sale of the water building.

Nathan Crane replied they are using the funds from the sale to offset what the City owes the developer for development and infrastructure improves in the Town Center. He mentioned they have \$370,000, but need to allocate it out.

Mayor Thompson and Tim Irwin stated they do not have any desire to mix recreational use with the shop.

Jessie Schoenfeld asked if there would be room to place the equipment building next to the Community Center.

Nathan Crane mentioned the property is about 9,000-10,000 feet short of an acre.

Mayor Thompson responded they could squeeze another building there, but it would be very tight and would give very little flexibility if they would like to keep the parking.

The Council decided they would like to keep the West Park Road, Town Center, and Community Center sites on the table.

- Vote by Mail – Discussion and Direction

Jody Bates stated she is currently working with the Collen Mulvey, who is the City Recorder for Cedar Hills and on the Board for the Utah Municipal Clerks Association. She explained the Association is working on getting all of the information together for all of the clerks statewide. She stated in 2012, Duchesne County did the first exclusively vote by mail election and in November of 2014, 10 of the 29 counties in Utah did exclusively vote by mail. She stated in the Lieutenant Governor's report they state it starts out as a novelty; at first there is a high return rate of approximately 68-73% and then it decreases, but it has not decreased lower than the turnout of traditional voting. She mentioned County and State elections are very different than a City election. She stated Highland City's rates were 40% in 2005 which went up to 52% in 2007 and went down to 35% in 2009 and went down again to 21% in 2011 and went down even more to a 15% turnout in 2013. She explained they didn't really track absentee ballots in 2005 and 2007, but in 2011 there were 134 returned and last year they sent out 758 absentee ballots and had 564 returned, which was an amazing return. She stated there were 2,391 ballots cast for the last general election and 23% of those were done through absentee ballot. She explained the absentee ballot process from when she sends out the ballots till when they are returned; stating she verifies

every signature and if it matches, she sheds the signature and the ballot becomes anonymous and remains completely sealed till Counting Day.

Rod Mann stated any time they are verifying the ballot it should be down by at least two people.

Jody Bates replied it takes quite a bit of time and there is not the staff to do that, especially when trying to maintain staff costs. She stated it is easy to tell whether or not the signature matches.

Rod Mann responded it is a matter of principal and people make mistakes.

Jody Bates explained out of 564 absentee ballots, there were only six that were not counted because the signatures did not match. She stated they have to sign their own ballot and two did not count because they did not sign the affidavit and one was postmarked after the date.

Brian Braithwaite questioned what happens to the ballots when the signatures do not match.

Jody Bates replied if it is turned in before the Thursday prior to the election, she can try to contact them and let them know they can come down to the City Hall and sign it again or show identification. She explained the other option is to spoil the ballot, mark the reason, and then send them another ballot. She stated each ballot has a number on it and she has to account for each number, but the ballot remains sealed and they are stored with the rest of the ballots for the two year time period.

Brian Braithwaite clarified she holds onto the signature in case someone wants to dispute it.

Jody Bates mentioned the absentee ballots are sent out 28 days before the election. She stated the same rules and regulations would apply for exclusively vote by mail just on a larger scale. She stated although there are not technically voting locations, if someone comes into the City offices because they lost their ballot or wants to vote in person, they can surrender their ballot and vote provisionally. She mentioned they have the canvas two weeks after, so the provisional ballots can be counted and verified. She stated vote by mail fraud is very low and from 2000-2011 there was 51 cases of alleged election fraud in Utah on traditional voting and 0 cases of alleged vote by mail fraud. She mentioned last year she budgeted approximately \$15,000 and they went over by almost \$800. She stated between the general and primary election and the amount of votes that were cast it was approximately \$4.14 per vote, and initially vote by mail is a little more, but they are working on getting printing companies that will work with them. She stated last month the County paid \$1.25 per absentee vote and they are hoping to get the cost down to \$1.10 per registered voter. She mentioned it does not include the cost of her time and mentioned they paid almost \$7,000 for election judges and if they do vote by mail, the only election judges are counting judges.

Rod Mann questioned if they are required to do early voting, because getting rid of it would help cut costs.

Jody Bates replied they are not required to do early voting for vote by mail, because they get the ballot 28 days in advance. She stated if they are doing a traditional vote, they are required by the Highland City Council

State to provide early voting.

Tim Merrill stated in 20-A3-605 Subsection 3 is reads, “A municipality that administers an election entirely by absentee ballot is not required to conduct early voting for the election.”, so if they do exclusively vote by mail they are not required, but if they do traditional voting they are.

Brian Braithwaite questioned how many people vote during early voting.

Jody Bates stated she has those numbers and can get them to the Council. She stated with the expected \$1.10 per registered voter with vote by mail, along with the counting judges, it comes to about \$16,900. She stated her main purpose as an election official is to get people to vote and doing vote by mail increases their access to vote. She explained it is not her responsibility to inform voters, but rather to give them every opportunity to vote. She stated the candidates are in charge of their campaign and informing residents what they are running for, but the City is neutral. She mentioned there are currently 7,488 registered voters in Highland. She stated the other issue is the poll workers are aging and they are required to have 26 poll workers for the general election and only 17 of them ended up being from Highland for the last election.

Tim Irwin asked how long they have to have early voting.

Jody Bates stated they are required to provide early voting for two solid weeks.

Brian Braithwaite asked what happens for those that are not registered voters.

Jody Bates responded they are allowed to get registered up to 14 days prior to election. She stated same day registration is still under a trial period, but most clerks are against it, because Election Day is stressful enough as it is.

Dennis LeBaron clarified that the 15% of voters at the last election included the absentee ballots.

Tim Irwin mentioned the percentage may be a little low, because the County cleaned up the numbers from 9,000 voters to about 7,500 after the election.

Rod Mann stated he looked into the changes in registered voters in Utah between traditional voting and exclusively vote by mail and there was an 8-25% reduction of registered voters, even though most of the counties had population increases. He explained that means the counties made an effort to clean up the rolls to support vote by mail, so even though the turnout is higher, it is not as much as they would typically think. He mentioned Cache County actually had a decline when they switched to vote by mail. He stated Colorado State did exclusively vote by mail and had a .7% increase and Oregon has been doing vote by mail since 2000 had a 6-7% decline from this last election versus four years ago.

Jody Bates clarified the statistics from the Lieutenant Governor show they are still not below where they were when they did traditional voting, but regardless those don't really compare because they are State and County elections and Municipals are very different.

Tim Irwin questioned why they want to encourage more people to vote, when they do not know what they are really voting for. He stated the voters all currently have access today and he does not see how this provides any more access.

Jody Bates stated it is up to the candidates to get out and campaign and inform voters. She stated they do not have to vote just because it was mailed to them, but it gives them that opportunity.

Brian Braithwaite stated forcing someone to have to drive to the junior high does not make them a better voter. He stated there is no statistical evidence that shows voting by mail means they will mark a bunch of names and send it back without being informed.

Tim Irwin stated that is true, but people can currently request an absentee ballot and vote by mail today.

Rod Mann stated voter turnout has been declining in Utah for 50 years, so access to the polls are not the problem.

Brian Braithwaite replied he agrees, vote by mail is not a fix-all, but society has changed drastically over the last thirty years. He explained no one purchased anything via the internet or used credit cards and now most of people are used to doing things via the internet or mail. He stated he believes it will not pull voting rates down; it may help them maintain rates because it simplifies the process, but it does not solve the root of the problem. He mentioned the problem for Utah is there is already one candidate that has been decided by the Caucus, which will continue to drive the numbers down.

Tim Irwin stated he believes they should give people a choice, if they want to vote by mail or vote at the polls they should be able to do that.

Dennis LeBaron stated they can still vote at the City offices.

Discussion continued regarding voting.

Mike Olsen, resident of Highland, stated he has three objections to the mandatory vote by mail. He explained the first one is that if they are not willing to put forth the effort of driving to a school then they should not be voting. He mentioned they need informed voters, not more voters. He stated number two is the cornerstone of voting which is the secret ballot. He explained they lose the chain of custody of the ballot through vote by mail, because even if they verify the signatures, they do not know if the person voted under duress. He stated when a person votes at a voting booth, no one knows who they voted for except themselves. He stated third he believes vote by mail is a fad put forth by politicians who have a vested interest in having the votes diluted. He stated he would like to know who is behind the push for vote by mail.

Brian Braithwaite questioned how Mike Olsen believes that by voting by mail would make a person a less informed voter.

Mike Olsen replied when a person gets their ballot in the mail, they will mark a couple names and turn it in and are not informed. He stated driving to the junior high shows a level of being informed.

Brian Braithwaite stated it is not his belief that driving to the junior high doesn't show they have interest, but it is not proof that they are more informed. He stated they may get more voters, but that does not mean they will get more less-informed voters. He stated if they don't care about the election, they won't vote regardless of if the mail comes to their house or if they have to drive somewhere. He stated he agrees there may be potential for abuse of the privacy through, because their wife can be breathing down their neck as they vote at home, but at the ballot they can say they voted for whomever, but they are the only ones who really know.

Discussion ensued regarding the voting issue.

Ed Barfuss stated the Utah County Clerks stated statistically half of people that vote by mail do it within the first 72 hours that they get their ballot or on the last day they can submit it. He explained the problem with those voting within the first 72 hours is that if the ballots are sent out 40 days in advance it is 10 days before the candidates can even place a campaign sign and two weeks before they receive the literature in the mail. He stated this allows people to vote before they have the opportunity to really become informed.

Brian Braithwaite stated the Council could change the rules to allow the signs to be placed and the information to be mailed earlier.

Rod Mann stated they should change it anyway because there are absentee ballots currently going out.

Ed Barfuss stated his objection to extending the time to put out signs, means extending the time the City has to maintain the signs and the intense time period of the campaign for candidates.

Rod Mann stated as they push the opportunity to vote further and further back, it increases the cost of campaigns and would reduce the number of people willing to run for office. He stated he did some research and there are problems with the voter registration database and the one he worked with for the selection cycle had 35% incorrect information due to a database merge. He explained that means a lot of ballots would be mailed to people who don't exist or have moved, which means there are more ballots out there without chain of custody.

Jody Bates stated the post office will not forward them if they have a bad address; they are returned to the City Recorder and they are noted in the information given back to the county.

Brian Braithwaite stated it may happen during the first year, but it would be cleaned up very quickly. He asked how they can solve the privacy issue.

Jody Bates stated they could still come in, surrender their ballot, and vote provisionally, but stated there will always be things they cannot control and the City cannot control what people do in their own homes.

Those in Favor of Vote by Mail: Jessie Schoenfeld, Dennis LeBaron

Those Not in Favor of Vote by Mail: Rod Mann, Tim Irwin, Brian Braithwaite

- New Phone System – Discussion and Direction

Aaron Palmer stated the City has a phone system that is about seven years old and is no longer supported by Cisco, so they can either upgrade or get a new phone system. He stated the price is about the same at \$38,000-40,000. He explained they can either do a major budget adjustment and do it now or can limp along and budget for it in July. He stated the issue with that is they risk the possibility of the system going down for a significant amount of time and could have a significant cost associated with it.

Dennis LeBaron questioned why the phone system costs so much.

Aaron Palmer responded the current phone system is probably closer to \$60,000, because Cisco is top of the line, but requires special Cisco certification. He stated the phone system is part of the IT infrastructure and runs the server and is an extension of the computer network. He stated they looked at both upgrading the Cisco system and switching to a ShoreTel system and from staff's perspective ShoreTel is much more user friendly.

Dave Provost, IT Technician, stated the overall cost and maintenance is significantly higher for Cisco. He stated the City is too small to justify that large of a complicated system. He mentioned the Fire Department, Library, City, and Police Department are all on the same phone system. He stated his biggest worry is with the police station, because once the system went down and there were three days where there were no external calls and he had to call a Cisco certified tech in Cache Valley. He explained during that time nothing went to dispatch and the officers had to start using their cellphones.

Rod Mann questioned if the Library, Fire, and Police Department budgets would cover part of the cost then.

Aaron Palmer stated the City actually does not charge the Fire and Police Departments for phones, but they could look at adding it to their rent. He mentioned the Fire Department is actually looking at taking over their own phones.

Dave Provost stated they will have to do it either now or later, but if they go down, it could take weeks to get the system up and running again.

Aaron Palmer mentioned it would cost the City a lot of money, not only in time, but they would probably have to buy hardware they wouldn't normally purchase if switching to the ShoreTel system.

Tim Irwin stated this is an issue that was brought up by John Park a couple of years ago.

Dennis LeBaron questioned what systems other cities are using.

Dave Provost replied the most common systems are Avaya, Cisco, ShoreTel, and Lucent. He stated ShoreTel came ahead in simplicity.

Aaron Palmer stated staff would be able to maintain it and then Dave Provost would only have to be responsible for the back end. He stated they could try to work something out where they implement in May and pay in July, but it's up to the Council if it's worth the risk.

Tim Irwin stated he does not believe it's worth the risk if it already went out for three days a couple months ago.

Brian Braithwaite questioned what they have been doing with this system over the last five years.

Dave Provost responded he maintains the basic stuff, but if the system goes down or there are major problems, they have to call it in and it costs significantly more. He stated for the last five years there hasn't really been a problem, but every day it becomes a bigger risk. He explained the difference with ShoreTel is it does not include the patches, but the patch upgrades take 2-3 hours max, whereas Cisco patches upgrades is part of the \$12,000. He stated one of the biggest complaints from the City is usability and ShoreTel is a lot easier for the end user. He stated for the last five years they have just been maintaining what they have and only changing when they have to change.

Discussion continued regarding the two systems.

Mayor Thompson asked what system the Fire Department is going to be using on their own.

Dave Provost replied they are planning on getting Comcast and phones from Walmart.

Brian Braithwaite stated he has been using Cisco for about eight years and has never had a problem setting it up. He stated he is good with computers, but doesn't understand how one system is way easier than the other.

Dave Provost stated something that would take six steps on Cisco could be done in one step on ShoreTel. He explained when he does something on the back end with Cisco for a simple phone or global toolbar or too add uniformity; it is a lot of work. He stated he can set up the ShoreTel quickly or show Jody Bates how to do it on her own. He stated tech wise ShoreTel is menu driven and Cisco is server driven.

Jody Bates stated she was there when they got the Cisco system and someone came in and taught them how to use it and it was very complicated and went way over their heads.

Discussion continued regarding the phone system.

Mayor Thompson asked staff to write something up and give it to the Council, because they are not ready to give direction at that time.

Tim Irwin stated every year the City gives the employees a ham that is paid for out of the General Fund. He suggested the Councilmembers split the cost to show their appreciation for the staff and all they do.

**ADJOURN TO A CLOSED EXECUTIVE SESSION**

- Pending reasonably imminent litigation Pursuant to Section 52-4-205(1)(c) of the Utah State Code Annotated

**MOTION: Rod Mann moved to adjourn to an Executive Session.**

**Brian Braithwaite seconded the motion.  
Unanimous vote, motion carried.**

**RECONVENE CITY COUNCIL MEETING**

**ADJOURNMENT**

**MOTION: Tim Irwin moved to adjourn.**

**Jessie Schoenfeld seconded the motion.  
Unanimous vote, motion carried.**

Meeting adjourned at 11:55 p.m.

  
JoD'Ann Bates, City Recorder

Date Approved: January 6, 2015

