

**MINUTES
HIGHLAND CITY COUNCIL MEETING**

Tuesday, February 17, 2015

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

PRESENT: Mayor Mark S. Thompson, conducting
Councilmember Brian Braithwaite
Councilmember Dennis LeBaron
Councilmember Tim Irwin
Councilmember Jessie Schoenfeld
Councilmember Rod Mann

STAFF PRESENT: Aaron Palmer, City Administrator
Nathan Crane, Community Development Director
Gary LeCheminant, Finance Director
JoD'Ann Bates, City Recorder
Justin Parduhn, Public Works O&M Director
Brian Gwilliam, Chief of Police
Tim Merrill, City Attorney

OTHERS: Reece DeMille, Terry Jones, Brad Mackay, Roma Ockler, Miriam Greenland, Charles Greenland, Brooke Sweeney and Kent Slade.

The meeting was called to order by Mayor Mark S. Thompson 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 Tim Irwin and those assembled were led in the Pledge of Allegiance by Mayor Thompson.

APPEARANCES:

No Public Appearances

PRESENTATION: Charlie Greenland

Charlie Greenland stated both him and his wife were born and raised in Highland. His father came to Highland in 1906 and his family home is where Freedom Elementary now stands. He lived here for the first 25 years of his life and then moved away for about 40, is now back and has started to do some history. In his research he came across a map that was taken in May of 1958 and with the help of Abe Day they were able to reproduce it into a large 3' x3' print. He has a name key of approximately 95 people that had lived in the homes at the time. He indicated this is a work in progress and would like to present it to the Library and would like to request

that anyone with further information feel free to add, change, and update as they find the information. The maps can also be available in different sizes and can be purchased through him.

Tim Irwin suggested displaying the map at the Fling and the budget open house with the name information for those that would be interested in helping with the information or purchasing.

Mayor Thompson thanked Charles for his time and effort he put into the map and the information provided.

CONSENT ITEMS:

MOTION: Minutes for the February 3, 2015 Regular City Council Meeting

MOTION: Final Plat Approval – Dry Creek Highlands Phase 6
Pulled by Brian Braithwaite

MOTION: Acceptance of Right-of-Way – 6400 West from Quentin H. White
Pulled by Brian Braithwaite

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

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

MOTION: Final Plat Approval – Dry Creek Highlands Phase 6
Pulled by Brian Braithwaite

Brian Braithwaite suggested the wording be adjusted regarding the City Engineer, since we do not have a specific designated City Engineer, he just wants to make sure that the individual that is taking over those duties at this time is given the ability to do so. There are three section that will need to be corrected, sections 3, 4 & 5 and he suggested it read “as required by the City Engineer or designated alternative”.

MOTION: Tim Irwin moved the City Council accept the findings and approve the final plat subject to the stipulations indicated on the agenda and the wording change in Sections 3, 4 and 5 as proposed by Brian Braithwaite.

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

MOTION: Acceptance of Right-of-Way – 6400 West from Quentin H. White
Pulled by Brian Braithwaite

Brian Braithwaite indicated the road is currently built on a portion of this area, but there is no curb and gutter. He inquired how this will impact the additional land they would need for future development of the road.

Nathan Crane stated this would match the existing right-of-way that is there. They would gain any additional right-of-way if and when the property is developed. The survey information is to the edge of the asphalt.

MOTION: Tim Irwin moved the City Council accept the Right-of-Way at 6400 West from Quentin H. White.

Brian Braithwaite seconded the motion.
Unanimous vote.
Motion carried

PUBLIC HEARING - Budget Amendments, 2014-2015 Fiscal Year

Mayor Thompson opened the public hearing.
Hearing no comments mayor Thompson closed the public hearing.

ACTION ITEMS:

RESOLUTION – Mid Year Budget Adjustments – 2014-2015 Fiscal Year

BACKGROUND: Mid-year budget adjustments allow the city to better see their budget status half way through the budget year. With all of the recommended adjustments, the General Fund budget will be increasing from \$7.65 Million to \$7.93 Million, an increase of approximately \$280,000. The four enterprise funds are affected by a decrease of approximately \$23,400 in each fund because of the movement of the budgeted amount for the city engineer out of these funds and all \$94,000 being placed in the Engineering budget. Some of the largest adjustments are as follows:

- Transfer an additional \$197K from the General Fund Surplus to make the budget balance. This brings the total transfer from General Fund Surplus to \$422,327.
- Increase the Emergency Admin expense by \$98,199 for the dispatch building.
- Increase the special projects expense in the planning department by \$37,500 for a total of \$70,000. This is for Zions Bank impact fee analysis and study.
- Highland Fling expense is increasing from \$20,000 to \$46,715 and at the same time Fling revenue is increasing from \$10,000 to \$27,500. Therefore, the Fling cost the city about \$20,000 which was the budgeted amount of original expense.

- Community Center Bldg. Maintenance is increasing from \$25,000 to \$37,500 because the heater in the building needed to be fixed.
- There is a revenue increase in building plan review of \$25,800 but this is offset by a lowering of the estimate of the amount of court fines that will be collected from \$210,000 to \$180,000.
- A budget amount of \$150,000 of expense has been added to the Capital Building Fund for the construction of the new parks maintenance building.
- The State Auditor we must charge ourselves for the pressurized irrigation water we use to water our parks and grass. This amount is estimated to be \$57,100.

Brian Braithwaite stated that he feels it needs to be stated that they took out of their savings account \$197,000. indicating the budget is increasing. This is due to three major issues that they did not anticipate that being, new phones, a new dispatch building and a new maintenance building. Those three issues was significantly larger than the 197,000. He feels that shows there have been some good offsets that have taken place to help reduce the overall costs of those unexpected items.

Discussion ensued regarding the requirement of the State Auditor for the city to charge the city for pressurized irrigation used in parks and city grass.

Rod Mann clarified the sale of two homes owned by the city in the amount of about \$470,000 represented payment on a debt not payment to the city.

Gary LeCheminant stated Rod was correct that amount came out and was put back into the Capital Roads Fund.

MOTION: Tim Irwin moved the City Council approve a Resolution approving the Mid-Year Budget Adjustments for the 2014-2015 fiscal year.

Rod Mann seconded the motion.

Those voting aye: Rod Mann, Jessie Schoenfeld, Tim Irwin, Dennis LeBaron and Brian Braithwaite.

Motion carried.

MOTION: Approval of Contract Extension – Republic Services/Allied Waste

BACKGROUND: The City's current vendor for solid waste and recycling services is Republic Services/Allied Waste. Republic Services has approached the City in regards to extending its current agreement. The current contract expires on June 30, 2015. The City and Republic Services have had an excellent relationship. The City was approached by Republic for a five year contract extension. At the October 21, 2014 City Council meeting, Republic Services went over all services provided. After some discussion the City Council agreed that Republic should work with City staff on a contract extension and then bring that proposed agreement to the City Council. Republic is proposing a reduction of the first can from \$5.65 to 5.57 and no increase

for the second and recycle cans for fiscal year 2015-2016. There will be a one percent (1.0%) increase in fiscal years 2016-2017 and 2017-2018. Then there will be a two percent (2.0%) increase in fiscal years 2018-2019 and 2019-2020. The City Attorney has reviewed the proposed agreement.

Rod Mann indicated he prepared and sent out an analysis and Centerville is paying 21% more than Highland. He feels quality and level of service matters and feels that changing a vendor would cost the city time and money. He is leaning towards approving the contract, he also likes that there is no increase the first year and minimal the next two years.

Brian Braithwaite appreciated the chart Rod did as it helped him in looking at the costs of different vendors. As he looks at it the 20% cost is the cost of the can. He feels the question is does the city want to be in the can maintenance business. He feels the percentage is closer, he has had only good feedback regarding the current vendor and based on the information they have he feels their bid is competitive and they should stay where they are for now.

MOTION: Jessie Schoenfeld moved the City Council Approve the Contract Extension between Highland City and Republic Services.

Rod Mann seconded the motion.

Brian Braithwaite inquired of the vendor regarding wording that states the contractor reserves the right to reject any waste containing any hazardous/unacceptable waste. He inquired as to how often that happens and does the staff want to know when something like that does happens. He feels this may be a service concern.

Reese DeMill of Republic Services stated it doesn't happen very often. He indicated that if the driver can identify the waste they will tag the can stating what this issue is and ask that the homeowner remove the item and they will come back and pick up the rest.

Aaron Palmer stated they can make that part of the reporting process. Once a can is tagged they notify the city as part of their monthly reports.

Reese DeMill agreed they would be able to make that accommodation.

Brian Braithwaite suggested that in Section 17.01 they insert language that the city receive a monthly reporting of cans that had been tagged with hazard materials.

AMENDED MOTION: Brian Braithwaite moved the City Council amend the motion to include language in section 17.01 of the contract to read; "Contract shall notify the city when such rejection has occurred".

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

Vote on Original Motion:

Those voting aye: Dennis LeBaron, Tim Irwin, Jessie Schoenfeld, Rod Mann and Brian Braithwaite.
Motion carried.

RESOLUTION: Recordation of New Easements – Country French Estates Plats A&B

BACKGROUND: Country French Estates Plat A and B were approved by the City Council in January 2005. As part of this approval a twenty foot trail and public utility easement was placed along the rear of lots 1- 11 of Plat A and lots 42-52 of Plat B. This trail was shown on the trail master plan that was adopted in 2009 as the Country French Trail. On September 18, 2012, the City Council approved a new Trails Master Plan. The Country French Trail was removed due to constructability issues. The property owners within the subdivision have submitted a petition to modify the easement by removing the trail access but keeping the public utility easement.

Rod Mann commented that Brian Braithwaite had an idea of re-routing the problem trail down towards the bottom and wondered if it was possible in this area.

Nathan Crane indicated the topography is too steep in order to get a trail along bottom.

Discussion continued regarding different options and if they were possible with the current terrain, easements and surrounding area.

Amy Davis a resident of Country French. She feels that the proposal by Brian Braithwaite would not affect or be possible on the Country French easement. It would have to go through Bull River property as far as she could tell. The only lot it would affect is the Mitchell property and doesn't feel it can be used as a connector.

Tim Merrill, City Attorney stated it needs to be clarified that they are not eliminating an easement and they are not vacating an easement. They are just removing the trail designation but maintaining the same easement for utilities.

Jeff Davis indicated they have been working on this trail for about 4 years and had made suggestions similar to Brian's for an alternative trail. The same issues that had been discussed a few weeks ago with the Dry Creek trail is the same in this area. They have discussed this with every commission and committee possible. He feels it's time to make a decision on this trail. He thinks it's going to be a very expensive to build a trail and obtrusive to have the city come in and put an easement on his land that he has purchased.

Brian Braithwaite stated he doesn't think anyone is proposing to continue the trail in Country French Estates. The concept is if this can help solve the trail issue in the Dry Creek area it may be worth making some adjustments if it helps the trails system overall.

MOTION: Rod Mann moved the City Council adopt a Resolution to approve the recordation of the new easements for the Country French Estates, Plats A & B.

Tim Irwin seconded the motion.

Those voting aye: Tim Irwin, Jessie Schoenfeld, Rod Mann, Brian Braithwaite and Dennis LeBaron

Motion carried.

MOTION: Approval of New Phone System

BACKGROUND: At the December 2, 2014 Highland City Council meeting, staff informed the City Council that the current Cisco phone system was no longer supported by Cisco and it was starting to fail. The City Council gave staff the approval to look at different phone systems and receive phone system quotes. City Staff review two phone systems, Cisco (current City system) and ShoreTel, and received quotes for each system. Staff looked at the functionality of each system along with ease of use. With no computer technician regularly on site, it was important to staff to have a system that simple to use, particularly in regards to system administration. The City wants to keep the use of the I.T. Consultant to a minimum in regards to the administration of the phone system. The current Cisco system is extremely cumbersome for staff to use and requires the I.T. Consultant to perform any changes to the system. After the review of both systems, staff has determined that the ShoreTel system is the most user-friendly and has all the necessary functionality. The initial costs of both systems are similar, however, the annual maintenance cost are approximately \$9,000 less with ShoreTel.

Brian Braithwaite clarified that he understands that costs are close to being even but the participation of the IT staff would be reduced. He is fully supportive if staff can in fact do most of the back side work.

JoD'Ann Bates, City Recorder responded after the demonstrations staff was impressed with Cisco's upgraded abilities and thought "we can do that". They felt it was still technical but could make it work. The next day ShoreTel came in and demonstrated their system and it is so much more user friendly. Messages for the main line can easily be changed, adding new or changing users are easily changed. Cache Valley and Derek who lives here in Highland, and the vendor for Cisco has been great to work with but having to pay an engineer and even an IT person to make minor changes is not feasible.

Tim Irwin indicated that having worked with very large companies where they had the resources to have technical people on staff full time and running a very small company where they had a system that was able to be changed by the users is a huge difference. He feels they need to lean in the direction of the fact that the city has a small staff that are not technically oriented when it comes to phone systems and if they have the ability to make these types of changes he thinks is important and he can support the change.

Dennis LeBaron inquired regarding references for the ShoreTel system.

Dave Provost stated he does not know off hand but indicated he could get that information for him. His concern is that currently they cannot make any changes or reboot the system. They are down to one server, and it's on its last leg. His opinion is they cannot afford to wait.

Brian Gwilliam Chief of Police, stated that as an end user of the current system, right now the system sometimes goes down and they have no idea it's down. People are calling and all it does is ring and ring. The police department cannot be down and this has been occurring more and more over the last month or so. He feels this is something that cannot wait.

Dave Provost stated that ShorTell can have the entire system installed by Monday morning.

MOTION: Tim Irwin moved the City Council approve the purchase of the ShoreTel Unified Communication System from Rocky Mountain Voice & Data.

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

MOTION: Amending Interlocal Agreement – Lone Peak PSD

BACKGROUND: At the September 18, 2014 Lone Peak PSD board meeting, the Board was presented with a change to the interlocal agreement regarding the notice a City must give if they desire to leave the District. The purpose of this proposed amendment to the Lone Peak PSD Amended Interlocal Agreement is to bring more stability to the Lone Peak PSD structure by lengthening the notice of intent to withdraw period from twelve (12) months to forty-eight (48) months. On October 7, 2014, the Highland City Council discussed this issue. The Council agreed not to change the agreement and asked that it be discussed further with the Lone Peak PSD Board. The PSD Board was made aware of Highland City Council direction at their December 4, 2014 meeting. At that meeting, it was determined that the City Administrators would go back to their respective City Councils and ask that they approve amending the interlocal agreement to allow a City to leave the District by giving twenty-four (24) months' notice to the District.

Aaron Palmer City Administrator, indicated the PSD Board was comfortable with change to 24 months' notice.

Rod Mann inquired to Chief Gwilliam if he feels it helps with some of the issues that were brought up regarding retaining and keeping employees.

Chief Gwilliam stated he feels that issue would affect the Fire and EMS departments more than it would affect the police department. If there was some stability then officers both fire and police can have time to look for other employment during that transition.

Brian Braithwaite inquired if the Chief is ok with the 24 months

Chief Gwilliam stated honestly he hasn't been thinking about it there is more he has to worry about. It does make sense and there are numerous positives to share services with other cities. There are cost savings to stay working together and it doesn't take long for cities to realize that they are better off together rather than alone.

MOTION: Tim Irwin moved

Rod Mann seconded the motion.

Those voting aye: Tim Irwin, Jessie Schoenfeld, Rod Mann and Brian Braithwaite.

Those voting nay: Dennis LeBaron.

Motion carried.

MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS

(These items are for information purposes only and do not require action or discussion by the City Council)

- Nathan Crane gave an update on the impact fees stating they will be ready to meet with council at the beginning of March regarding their findings.
- Brian asked for update on park maintenance building.

Mayor Thompson had a conversation with Jordan Valley regarding the property and they are discussing it, he will meet with them on February 26th.

Rod Mann inquired regarding the type of building they are looking constructing.

Discussion continued regarding the location, design, cost and timeframe of the proposed building.

ADJOURNMENT

MOTION: Rod Mann moved to adjourn.

Brian Braithwaite seconded the motion.

Unanimous vote. Motion carried.

Meeting adjourned at 9:57 p.m.




JoD Ann Bates, City Recorder

Date Approved: March 3, 2015

Highland City Council

