

**MINUTES**  
**HIGHLAND CITY COUNCIL MEETING**  
**Tuesday, May 19, 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:** Rick Hellstrom, Brady Nowers, James Bullington, Carter Bullington, Clark Avondet, Ken Gibson, Sam Robbins, Micah Shinsato, Adam Buetler, Jake Newman, Parker Simmons, Michelle DeKorver, Robert DeKorver, Scott Smith, Blythe Shupe, Ed Barfuss, David Boren, Corey Boren.

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:01 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 Corey Boren, a scout.

**APPEARANCES:**

None.

**CONSENT ITEMS:**

MOTION: Approval for Meeting Minutes for City Council Work Session – April 14, 2015  
MOTION: Approval for Meeting Minutes for City Council Regular Session – April 21, 2015  
MOTION: Creation of an ADHOC Committee – History Committee  
MOTION: Ratifying the Mayor's Appointments to the Highland City History Committee – Charles Greenland, Quentin White and David Larsen.

**Tim Irwin moved City Council approve the Consent Items as listed.**

**Jessie Schoenfeld seconded the motion.**

**Unanimous vote, motion carried.**

**PUBLIC HEARING**

Tentative Budget – Fiscal Year 2015-2016

Gary LeCheminant, Finance Director, stated that a Work Session in which the Fiscal Year 2015-2016 Tentative Budget was discussed took place in April. The General Fund went from having a balanced budget consisting of revenue and expenses of \$7.72 million, to \$8.05 million on both accounts. Building permit revenue has increased by \$13,000, and Class C road funds are estimated to increase from \$530,000 to \$560,000. All of the Class C road funds have been moved into the capital road fund. Building maintenance has been lowered from \$51,000 to \$35,000, and vehicle maintenance was lowered from \$30,000 to \$15,000. Gary continued to speak about fees and services, noting that architectural review went from zero to \$4,500, preliminary view from \$3,000 to \$19,500, and final reviews went from \$62,500 to \$59,000. Wimbledon Park and Heritage Park maintenance expenses have not changed at this point. Trail maintenance has been increased from \$20,000 to \$80,000, considering that part of the park will be removed and rebuilt. Tree pruning is labor for seasonal employees, and therefore he transferred \$15,000 to the account which funds seasonal employees.

Staff and Council discussed whether or not to modify maintenance expenses for Wimbledon Park, specifically relating to either the repair or replacement of existing playground equipment.

Mayor Thompson opened the public hearing.

Scott Smith commented that the Highland City Foundation was approached about raising funds for the Wimbledon Park playground. Consequently, he recently mailed 62 fundraising letters, with the anticipation of sending more. He is supportive of replacing, rather than repairing the equipment, and noted that there is a County grant that may also be available. The Highland City Foundation is happy to raise up to \$10,000 to help with this objective. Scott also explained that he would like to discuss ideas and compromises with staff when it comes to funding and maintaining the library.

Mayor Thompson closed the public hearing.

**ACTION ITEMS:**

**MOTION: Questar Gas Easement Request**

*BACKGROUND: Questar Gas Company is in the process of replacing an existing ten-inch high pressure natural gas line in Salt Lake and Utah Counties. The replacement pipeline will be a twelve-inch line that will be run parallel to the existing line. Upon completion, the existing line will be abandoned. Part of the pipeline runs through property owned by Highland City in the northeast corner of the city in the vicinity of the upper pressurized irrigation pond. The existing*

*pipeline is within an existing sixteen-foot easement. Questar Gas Company would like to expand the easement from sixteen feet to thirty feet. The expansion does not impact any existing Highland City utilities.*

Rod Mann asked why there is a need for a 30-foot easement, when there is only a combination of 24 inches in height.

Staff explained that the easement is needed for the security of future infrastructure. Sufficient space is needed for additional access in order to move equipment in and out of the area for pipe installation.

Rick Hellstrom (Questar) and Brady Nowers (Property Agent) explained that the trench depth is typically five to six feet. Federal statute requires at least three feet, or enough to cover the pipe line. There is a pipe zone that is shaped with salt materials so that there isn't any damage done to the coating. Trench width is dependent upon soil conditions. To avoid creating too wide of a trench in roadways, shoring boxes are used, whereas in open country, trenches tend to be V-shaped. Rick explained that the original easement in this area dates back to 1947, and it was 16 feet on the whole pipe line. One requirement associated with the existing easement is that nobody can build within at least ten feet. In the event that the area is ever developed, the pipe line needs to be protected.

Tim Irwin inquired as to what the City really needs in terms of the easement. The Council is responsible for protecting the citizens from improper encroachment, as well as any potential problems that may occur with the pipeline. Tim also inquired as to what restrictions would exist on a 30 foot easement.

Rick Hellstrom explained that shrubs would be allowed, but trees and buildings would be prohibited. Essentially nothing can be placed on the easement that would affect the pipe. Questar would maintain the pipe line on the property.

Other safety hazards were then discussed.

Rick Hellstrom commented that staff would review the document, and explained that it specifically outlines that the easement is for the installation, protection and maintenance of a natural gas pipe line. However, additional detail can be added noting that the line is underground.

Dennis LeBaron asked if the pipe is at least 70 years old, inasmuch as the original easement was created in 1947.

Rick Hellstrom responded affirmatively, and explained that Questar is proactively and systematically replacing old lines before they become problematic. Rick Hellstrom continued to explain that Questar will oversee the pipeline on the property, not the landscape itself. The property still belongs to the City, and therefore they can do whatever they want with the land within the limitations set forth in the easement. Anytime Questar needs to dig underground to access the pipe, they will restore existing conditions above ground accordingly.

**MOTION: Tim Irwin moved the City Council continue this item, allowing staff to work with Questar Gas on a contract and bring it back within 30 days.**

**Brian Braithwaite seconded the motion.**

**Unanimous vote, motion carried.**

RESOLUTION: Approval of Fiscal Year 2015-2016 – Tentative Budget

*BACKGROUND: A working budget was presented to City Council on March 20, 2015 and a City Council budget work session was held April 14, 2015. Under state law the jurisdiction is to present to the council a “Tentative Budget” to be adopted in May. City Council is required to hold a public hearing on the proposed Tentative Budget and adoption of this Tentative Budget is simply a part of the process, concluding with the Council adopting the Final Budget, which is scheduled on June 16, 2015. City Council members may continue to make proposals to alter the tentative budget. The proposed Tentative Budget is a balanced budget.*

Rod Mann stated that in light of a possible County grant and fundraising efforts from the Highland City Foundation for new playground equipment, the funds that are currently allocated towards that project should alternatively go towards road funds. He commented that when members of the community identify something that they want, they are able to find a way to raise the money. Rod was hesitant to move around any funds related to maintenance, particularly for tree pruning. He noted that this and any other maintenance need is a safety measure for the community. He then spoke about ways in which to financially continue operating the library, should its budget be reduced. Rod felt that the library should be independently run by the Library Board, rather than by the City Council.

Blythe Shupe, Highland City Library Board Chair, stated that a Library Board meeting will take place next week. She suggested that discussions related to the library’s becoming independently operated could take place during that meeting, as well as any possible actions. The Council agreed that this would be a good use of meeting time. She noted that there can be no more than two Council Members, otherwise the meeting will need to be postponed to allow for public noticing. Blythe explained that during the meeting, the Library Board would like to review each line item and provide justifications for each expense. Any decisions pertaining to budget cuts can then be made.

Jessie Schoenfeld pointed out that funds for the pageant had been removed, and felt strongly that they should be restored. The pageant serves a valuable purpose in the Highland community.

Rod Mann disagreed, and explained that these types of activities are best served by private donations and fundraising.

Jessie Schoenfeld stated that other clubs are funded by the City and Alpine School District. Furthermore, pageant participants use their talents to represent Highland City as well as provide valuable community service.

Tim Irwin agreed with Rod, that if the City opts not to contribute to the pageant, members of the community will step up and fund the event by way of private donations.

The Council discussed the role of government in donating to charitable causes.

Mayor Thompson added concluding remarks to the overall budget discussion which has taken place.

Brian Braithwaite commented that the pageant participants are heavily involved in the community, and while the City's contribution to the event is small, it is not insignificant. Brian expressed his support for the organization, and noted that the City also contributes to Boy Scout projects in both time and supplies. Brian also explained that staff needs to conduct an overall assessment of which projects need to be done, and a timeline created. At this point, the City doesn't have sufficient funding to meet current needs, namely for roads. He echoed a previous comment by Mayor Thompson by stating that in order to meet these needs, the Council needs to be bold in making certain budget decisions. Brian made reference to a plan which Lehi has implemented in order to address their city's road needs, and suggested that Highland adopt a similar strategy.

The Council brainstormed various bold steps that could be taken in order to secure the funding necessary for Highland City's roads.

Scott Smith agreed that a specific plan needs to be put in place for addressing the City's road needs. He spoke about the importance of communicating accurate, simplified, transparent financial facts with the citizenry.

Brian Braithwaite stated that he is advocating for taking care of the City's good roads, but not at the risk of causing other areas in the City to fail.

Mayor Thompson explained that the City builds trust in its citizens by doing more than what is expected. Once trust from the citizens is gained, they are more inclined to support their government and the projects that need to be dealt with around the City.

**MOTION: Dennis LeBaron moved that the City Council approve a Resolution accepting the Tentative Budget for Fiscal Year 2015-2016, changing the amount of funds for the Wimbledon Park from \$65,000 to \$40,000, with the \$25,000 difference being applied to the roads.**

**Tim Irwin seconded the motion.**

**AMENDED MOTION: Jessie Schoenfeld moved that the City Council amend the motion to include placing \$1,500 from the Wimbledon Park and placed into accounts 107253 and 107256.**

**Brian Braithwaite seconded the amendment.**

**Those voting Aye: Jessie Schoenfeld, Brian Braithwaite**

**Those voting Nay: Rod Mann, Tim Irwin, Dennis LeBaron**

**Motion failed.**

**ORIGINAL MOTION:**

**Those voting Aye: Tim Irwin, Dennis LeBaron, Rod Mann, Brian Braithwaite.**

**Those voting Nay: Jessie Schoenfeld.**

**Motion passed.**

**MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS**

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

Brian Braithwaite requested an update on the park maintenance building.

Nathan Crane answered that staff has been working with a consultant and will have a draft plan ready for review by the Planning Commission in an upcoming meeting. Nathan met with adjacent residents today, who expressed concerns with lighting, noise, storage of mulch, blocked views, height of the building, etc. The Commission will review the item next week, and the Council will review it the subsequent week. Location of the building was discussed, as well as placement of a well.

Jessie Schoenfeld inquired as to whether or not there are any concerns with the location of the park maintenance building in relation to another public building.

Rod Mann agreed that this will likely be problematic, but that much of the discussion will take place in the Planning Commission meeting prior to its coming forward to the Council.

Mayor Thompson commented that regardless of the outcome, the City will find a space for storing equipment until a more suitable location for the park maintenance building is identified.

Rod Mann mentioned a flyer that was distributed at the library open house, which contained a link to a community poll on questions relevant to the library. He was concerned with the verbiage used for the rating scale, and was disappointed that the Council didn't have the opportunity to review the poll prior to publication. Furthermore, he inquired as to the methods by which the poll will be distributed, and explained that the results will be one-sided if it is only distributed to library patrons as opposed to a random sample.

Michelle DeKorver stated that she discussed the poll with Mayor Thompson, and noted that Blythe Shupe was under the impression that she was specifically supposed to present the poll to the Mayor for review. Michelle visited with Mayor Thompson, who determined that the poll was sufficient for publication.

Ken Gibson added that Blythe will be disseminating the data collected from the poll, which she has not done at this point. Furthermore, she will be soliciting the help of the Youth Council to distribute the poll to a more random sample of citizens. A suggestion was made to have this item added to the agenda for next week's Library Board meeting.

Rod Mann stated that he has had several citizens inquire as to why sprinklers are running when it is raining outside. He requested that this inquiry be addressed by way of the City's website.

Tim Irwin responded that because of the amount of rain in the area, the City's reservoirs are now full. Therefore, the City has two choices: 1. The water can either be used for parks and parkways, or 2. The water can run into Utah Lake. Since there have been several trees that have been replanted in many of the City's parks, they are in need of extra water.

Mayor Thompson agreed that a reasonable explanation needs to be communicated to the public.

Justin Parduhn, Public Works O&M Director, explained that approximately 240 irrigation clocks are run around the City. Of those clocks, 140 of them need to be manually shut off, which takes a couple of days. The other 100 valves are independently operated by a battery, which may or may not still be turned on. However, as of now the 140 clocks are turned off due to the rain. Justin clarified that residents are not being penalized at this point for having their sprinklers turned on during the day.

Rod Mann commented that everyone should be held accountable for their water usage, and that conservation efforts should be exercised.

Justin Parduhn also updated those in attendance on the grass situation up in Highland Hills and Dry Creek that was sprayed with the wrong spray last year. The City will have the grass hydro-seeded, and the company providing this service has recommended best results will occur if more of the dead grass is removed. This has been a difficult task due to the rain; however the Public Works Department is hoping to accomplish the task this week, weather permitting. Portions of the lawn will then be sectioned off to allow the hydro seed to grow.

### **ADJOURN CITY COUNCIL MEETING**

**MOTION: Rod Mann moved to adjourn.**

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

**Meeting adjourned at 9:44 p.m.**

  
JoAnn Bates, City Recorder

Date Approved: August 4, 2015

