

**MINUTES
HIGHLAND CITY COUNCIL MEETING**

Tuesday, August 4, 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: Nathan Crane, Interim City Admin/Comm. Development Dir.
Gary LeCheminant, Finance Director
JoD'Ann Bates, City Recorder
Justin Parduhn, Public Works O&M Director
Tim Merrill, City Attorney
Josh Castleberry, Park Superintendent

EXCUSED: Brian Gwilliam, Chief of Police

OTHERS: George Ramjoue, Gil Wilburn, Kathy Hendricks, Cheryl Clyde, Jeff Clyde, Mike Privett, Brian Rustad, Michelle DeKorver, Mark Whitney, Garrett Sealy, Rob Gulbrandsen, Jeff Beer, Deanna Holland, Steve Holland, Stan Mead, Kathy Mead, Alice Andersen, Roy Andersen, Linda Olpin, Jay Olpin, Bruce Knorr, Tamara Knorr, Barbara Wilson, Karen Bennett, Staci Meacham, Stephanie Lewis, David Parra, Ashley Parra, Jim Olsen, Pat Pack, Bill Pack, Matthew Chamberlin, Brady Nowers, Charles Greenland, Dennis Likes, Kellie Johnson, Brett Johnson, Lygia Johnson, Carson Seegmiller, Bobby Seegmiller, Michael Asay, Wendy Asay, DeVirl Barfuss, Kathy Allred, Kyle Fielding, Robert Uzelac.

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:04 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 Brian Braithwaite and those assembled were led in the Pledge of Allegiance by Carson Seegmiller, a scout.

APPEARANCES:

Jeff Clyde expressed concerns with regards to the vision for the Town Center. He remarked that he wants to make sure that the Council acts upon what is right for the citizens and the City.

Kyle Fielding identified himself as a local attorney representing a resident who owns land surrounding the Town Center Zone. He requested that the Council keep residents involved with any changes done to the plans of the Town Center.

George Ramjoue, HOA President, agreed with Jeff Clyde that he would like the Council to reevaluate the Town Center General Plan. He stated that he wants answers as to why certain projects are not developing.

David Beck expressed concerns that the Town Center is getting overcrowded, and requested that amendments to the zone be made. He remarked that developers have been prioritized over the members of the community.

Robert Uzelac, an owner of a local tire store, would enjoy seeing more commercial buildings in the Town Center, and noted that this would improve the City's tax base.

PRESENTATION:

Highland Historical Committee – Charles Greenland

Charles Greenland stated that the mission statement of the Historical Committee is to “*Preserve and [share] the past of Highland City for a better present and future*”. The goal of the Committee is to make Highland a better place where people feel at home and grounded in their heritage. Charles Greenland wants to honor the past by having a written history in addition to having a weekly article in the paper. Furthermore, he would like to use the lower level of the Community Center for a Highland Historical Museum. Mr. Greenland requested \$800 from the City to help reach this goal.

CONSENT ITEMS:

MOTION: Approval of Meeting Minutes for City Council Regular Session – May 19, 2015

MOTION: Approval of Contract for City Administrator – Nathan Crane

**Pulled by Brian Braithwaite*

MOTION: Ratifying the Mayor’s Appointment to the Highland City Historical Committee – Ray Buhler

MOTION: Ratifying the Mayor’s Appointment to the Highland City Web and Social Media Committee – Dave Ventrano

ORDINANCE: Adopting a temporary Lane Use Regulations to Prohibit the Approval of New Residential Development for the next six months – Town Center Overlay

**Pulled by Mayor Thompson*

MOTION: Request from Questar Gas for an Extension of Existing Agreement for use of City Owned Property as a Staging Area – 4361 West 11000 North

MOTION: Tim Irwin moved the City Council approve the remaining Consent Items on the agenda.

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

ACTION ITEMS:

MOTION: Approval of Contract for City Administrator – Nathan Crane

**Pulled off the list of Consent Items by Brian Braithwaite.*

Background: City Council move to approve the Employee Contract for the City Administrator Position and Authorize the Mayor to sign the agreement.

Tim Merrill explained that Cobra terminates when a temporary member of staff becomes re-employed with the City. Cobra insurance is allowed for 18 months, and during the first six months the City will pay the premium.

MOTION: Brian Braithwaite moved the City Council approve the Employee Contract for City Administrator with Nathan Crane and authorize the Mayor to sign the agreement with the clarification for Cobra terminating upon obtaining of additional insurance within the time frame and correcting the word in Section 6C, from “shall be the premium” to “shall pay the premium”.

**Second by Jessie Schoenfeld.
Unanimous vote, motion carried.**

ORDINANCE: Adopting a temporary Lane Use Regulations to Prohibit the Approval of New Residential Development for the next six months – Town Center Overlay

**Pulled off the list of Consent Items by Mayor Thompson.*

Background: Utah Municipal Code Section 10-9a-504 allows the City Council to enact a temporary land use regulation if the Council finds a compelling, countervailing public interest or the area is unregulated. The temporary land use regulation may prohibit any new development approvals. The maximum amount of time a temporary land use regulation can be in effect is six months. Temporary land use regulations do not apply to projects that have been submitted and are under review. Depending on the extent of the revisions and the desired public involvement process, staff will need assistance from a contract employee or consultant to complete the amendment within the six month time frame. The City Council should conduct a public meeting and determine if the proposed temporary land use regulation prohibiting new residential development in the Town Center Overlay Zoning District is in the best interest of the community. The Council should also authorize staff to select a contract employee or consultant to assist with the amendment.

Brian Braithwaite stressed that the City Council needs to keep the residents informed of changes pertaining to the Town Center, and Tim Irwin agreed.

Rod Mann clarified that no current projects will be affected by this motion.

MOTION: Tim Irwin moved the City Council approve an Ordinance adopting a Temporary Lane Use Regulation to prohibit the approval of new residential development for the next six months in the Town Center, and giving direction to the City staff to ensure the appropriate private land owners in the Town Center, surrounding residents and all residents of the City be given an opportunity to weigh in on and give input to the outcome of the Town Center and aid the Council in making a good decision.

Seconded by Dennis LeBaron.

Those voting "Aye": Rod Mann, Jessie Schoenfeld, Tim Irwin, Dennis LeBaron, Brian Braithwaite.

Motion carried.

MOTION: Request to Expand the Parking Lot for Lone Peak High School by Acquiring City Owned Land – Alpine School District

Background: The Alpine School District (ASD) has approached City staff with a request to acquire additional land. The land will be used for additional parking for Lone Peak High School. ASD is requesting the property to the west of the baseball and football fields and to the west of the seminary building. The exact total acreage is unknown but will range between six to seven acres. The ASD has provided design alternatives for the area west of the seminary building. This was first discussed by the Council on March 17, 2015.

Mayor Thompson stated that this action will be of significant benefit to the high school. However, he feels that they are currently not in a position to make a decision.

Brian Braithwaite commented that he doesn't feel anything is getting accomplished, and feels that the property exchange creates a problem rather than solving one. He is not interested in doing the trade unless a different amendment is made on the land.

MOTION: Tim Irwin moved the City Council continue this item until September 2015.

Brian Braithwaite seconded the motion.

Unanimous vote.

Motion carried.

MOTION: Selection of a Consultant for preparation of Construction Plans – Dry Creek Phase 3 Trail

Background: Over the past several months the City Council has been discussing the status of the Dry Creek Bench Trail. On May 5, 2015, the Council directed staff to return with a phase plan for engineering work, removal and replacement of asphalt for Phase II and III or the expansion of the easements. At the July 21, 2015 staff presented a proposal to authorize the construction of the trail. Several concerns were expressed regarding the cost of construction and design. In response to these concerns staff solicited proposals from three engineering firms.

Nathan Crane explained that the City has received additional bids and were able to gain a lower rate for the engineering of the trail. Staff recommends awarding the bid to Hansen Allen Luce as the consultant to prepare construction plans for the Dry Creek Phase III Trail.

MOTION: Tim Irwin moved the City Council approve Hansen Allen Luce as the consultant to prepare construction plans for the Dry Creek Phase III Trail.

Dennis LeBaron seconded the motion.

Unanimous vote.

Motion carried.

MOTION: Approval of a Mountain BMX Bike Track in the Highland Glen Park – Bobby Seegmiller

Background: Bobby Seegmiller will construct a Mountain and BMX bike track at Highland Glenn Park as part of an Eagle Scout project. Mr. Seegmiller is requesting Highland City's participation through monetary, labor, and material donations. The park would be maintained by the City and volunteers.

Carson Seegmiller stated that he would like to build a jump track, and asked if the City would be able to transport water and dirt to the site. He then turned the time over to his father, Bobby Seegmiller, to answer additional questions.

Bobby Seegmiller explained that project donors have also come forward who have expressed an interest having a BMX Mountain Bike Track in Highland City.

Tim Irwin stated that the task of an Eagle Scout is for the young man to learn and develop skills, and he that feels a fundraiser would be the best way of accomplishing this project. There was then discussion regarding water issues, and Bobby Seegmiller noted that the American Fork City Council has indicated that they would also be willing to help get water to the property as well.

Brian Braithwaite was concerned the amount of funds needed for this project, and would like to see some success from the park before putting City funds into the track. Nathan Crane had additional concerns with potential noise problems.

Bobby Seegmiller assured the Council that Carson has knocked on doors in the neighborhood, and so far all of the residents have voiced their support of the possibility of a bike trail. In

Nathan Crane used the map to show that the property is owned by the City.

MOTION: Tim Irwin moved the City Council approve the BMX Mountain Bike Track in the Highland Glen Park subject to the stipulations of the discussion.

Seconded by Brian Braithwaite

Unanimous Vote.

Motion carried.

RESOLUTION: Amendments to the Personnel Policy and Procedures Manual for Highland City Employees – Adopting a Catastrophic Leave Policy

***Background:** The City Treasurer has experienced a catastrophic medical event and will be out of the office until at least October 1, 2015. Upon learning of the event, City employees inquired regarding the possibility of donating leave as a way to assist with the financial burden related to medical expenses and loss of income due to the exhaustion of all leave. Staff has contacted thirteen other cities regarding their catastrophic leave policies. A catastrophic leave policy allows employees to assist coworkers with life changing events. The majority of cities have a similar policy. The key issue appears to be what type of leave should be donated. If vacation or compensatory time is used for the donation, the donated hour is converted to dollars and use to compensate the recipient. If sick leave is used the policy, the donated hour is not converted to dollars. The hour is then used to compensate the recipient. The Council should determine what type of leave can be donated and adopt the resolution.*

Nathan Crane summarized the policy, which indicates that donated leave must apply to a medical condition. Furthermore, the policy states that time donated is purely voluntary on both sides. The person requesting the leave will have to use all of their acquired leave prior to using donated leave. Employees who choose to donate must have 160 hours of leave remaining after their donation. Staff's recommendation would be to allow employees to donate annual leave which would include vacation and comp time.

Brain Braithwaite asked for clarification on the hours deducted versus dollar amounts.

Nathan Crane explained that the payment for the donated hours is converted by what the donator makes before giving to the recipient. Furthermore, he explained that the City also offers a short term 30 day disability leave that kicks in the day of the event.

Rod Mann suggested that additional hours be included in order to cover a full work month of 168 hours as opposed to 160 hours.

MOTION: Rod Mann moved the City Council adopt a Resolution Amending the Personnel Policy and Procedures Manual for Highland City Employees to include a Catastrophic Leave Policy based on the changes as stated by staff and to include annual and compensatory time with a change of making the minimum total leave requirement be 168 hours.

Seconded by Tim Irwin.

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

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)

Park Maintenance Building – Justin Parduhn, Public Works O&M Director

Justin Parduhn, presented a PowerPoint Presentation with information regarding possible winter storage of the park equipment and comparable information for that storage. *Note: The PowerPoint Presentation is attached to the minutes for public review.*

Rod Mann mentioned several items. He first explained that when the website migration took place, not all items were properly transferred. He is of the opinion that someone could easily transfer the rest of the data, and that the website should be up and running by the end of September. Next, Rod recognized the City's Fire and Police personnel who helped to move and save items from the building. Rod then briefly discussed the annexation notification procedures. With regards to meeting minutes, Rod relayed that an upset resident requested that meeting minutes be made available for public review within 30 days. There was discussion regarding the time frame in which minutes are approved. Lastly, Rod asked staff how violations to home business licenses are handled.

Nathan Crane answered that anonymous complaints can be directed to staff, who will then investigate the situation and take action, if needed.

Brian recognized the Fling Committee, and voiced his appreciation for their efforts. He then thanked Jessie Schoenfeld personally for doing such a wonderful job.

ADJOURNMENT INTO A CLOSED EXECUTIVE SESSION

MOTION: Rod Mann moved to adjourn into a closed Executive Session.

**Tim Irwin seconded the motion.
Unanimous vote. Motion carried.**

ADJOURNMENT

MOTION: Tim Irwin moved to adjourn.

**Rod Mann seconded the motion.
Unanimous vote. Motion carried.**

Meeting adjourned at 9:57 p.m.




JoD'Ann Bates, City Recorder

Date Approved: August 18, 2015

