

MINUTES
HIGHLAND CITY COUNCIL MEETING

Tuesday, October 6, 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, City Administrator / Community Dev. Director
Erin Wells, City Administrator Assistant
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: Carter Finsand, Ronnie Guymon, Joseph Oscarson, Adam Gerucht, Teresa Burgon, Adam McMullin, Richard McMullin, Tim Heyrend, Seth Barrusm Ethan Smtih, Wesley Stevenson, Michael Frandsen, Trevor Sprensen, Kevin Tams, Karen Hunt, Doug Nielsen, and Michelle DeKorver.

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:05 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 Mayor Thompson and those assembled were led in the Pledge of Allegiance by Ronnie Guymon, a scout.

APPEARANCES:

No comments made

PRESENTATIONS:

Elections – JoD'Ann Bates, City Recorder

JoD' Bates indicated staff had been asked by the City Administrator to address and report to the Council on various duties performed by staff. Due to the oncoming election he felt it was a good

time to review and discuss the election process. JoD' stated that the election process is defined by State Code in section 20A from the dates to the forms used. The Utah Municipal Clerks Association works closely with the Utah League of Cities and Towns to compile a checklist for all recorders and clerks to help them through the process making sure we are up to date with any legislative changes. This list is then reviewed and approved by the Lt. Governor's office. JoD' continued to state that he process starts in February of an election year and there are small duties throughout the months with the largest being around the primary month of August and the general in November. JoD' provided the Council with a calendar of some of the duties that are performed during October and November and commented that this is just a small sample but there is more that goes on than what can fit on a calendar. JoD' also provided the council with information regarding days, times and locations of early voting and general election voting. She continued to discuss information received by the county stating the number of registered voters in which she determines the amount of ballots to have printed, the amount of voting locations and poll workers needed. JoD' indicated that out of 9,186 registered voters she has had 881 that has requested absentee ballots. JoD' continued to explain the difference between and absentee voter, an early vote and a provisional vote and the process with each one.

Brian Braithwaite indicated the Vote by Mail is currently a hot item and he feels that it would be beneficial to learn from those cities that are doing their election in that way this year. He also suggested next May when the city has their open house JoD' could have a table that would have some examples of the envelopes and show residents how the process is done and answer any questions they have.

General discussion continued regarding the election process and information.

Highland Library – Kent Slade, Library Director

Mayor Thompson indicated this presentation is postponed to a later date.

CONSENT ITEMS:

MOTION: Minutes for the September 1, 2015 Regular City Council Meeting
Pulled by Brian Braithwaite

MOTION: Approval of Election Poll Workers

MOTION: Tim Irwin moved the City Council approve the Approval of the Election Poll Workers.

Dennis LeBaron seconded the motion.

Unanimous vote, motion carried.

MOTION: Minutes for the September 1, 2015 Regular City Council Meeting

Pulled by Brian Braithwaite

Brian Braithwaite indicated there are a couple of things that took place during the meeting that did not get in the minutes that he feels are important and wanted the opinion of the rest of the council. It states different things that Council member Schoenfeld talked about regarding the fling and there was a presentation where there were certificates presented to various fling volunteers, but the names were not included in the minutes. He feels having those names in the minutes are extremely important. Later in another presentation Chief Freeman recognized some staff members for assistance they gave in an emergency. The names, what they did and the actual recognition was not mentioned and feels this should also be added. He feels there should be some direction given back to staff to ensure things like this are included in the meeting minutes. He also indicated a change that needed to be made regarding financial numbers indicated on line 13.

Rod Mann indicated in the background of the items it is usually mentioned in detail and feels this also needs to be part of the minutes.

JoD'Ann Bates stated her apology for not reviewing the minutes very well. Typically they do include the background for each item and will correct the minutes for September 1st meeting.

Tim Merrill stated there needed to be a correction on line 35-37 regarding the court presentation. He indicated that the state can classify an offense as anything but cities may only classify prohibited conduct as an infraction or Class C or B misdemeanor.

MOTION: Brian Braithwaite moved the City Council continue the Meeting Minutes for September 1, 2015 to the next agenda.

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

ACTION ITEMS:

RESOLUTION AND PUBLIC HEARING – Open Space Purchase for the Canterbury North Subdivision

BACKGROUND:

Plat F of the Canterbury North Subdivision was recorded in 2002. The property was given to the City to use as a trail corridor.

The property owners within the subdivision are requesting the disposal of approximately 0.064 acres of open space property on the northeast boundary of the subdivision (Attachment A). The parcel was originally planned for a trail. The trail was identified as a neighborhood option trail.

Chapter 2.44 Disposal of Public Property of the Municipal Code regulates the disposal of property. The first step in the process is for the City Council to declare the property surplus by resolution (attached). The second step is for the Council to hold a public hearing.

Chapter 12.30 Removal of a Neighborhood Option Trail provides the process for the removal of the trail and trail corridors.

MOTION: Tim Irwin moved to approve the Open Space Purchase process for the Canterbury North Subdivision.

Rod Mann seconded the motion.

Brian Braithwaite stated the reason for the corridor was to help residents get down into the park. If they go further west there is a road that could act like a trail and give the access that want. If you come off the trail and head down the asphalt you end up in the middle of nowhere. If they are going to make the change he feels they need to have the trail state where it going to go. There needs to be something there that indicates the location of the trail. Would like to see signage to help locate and utilize that trails. Feels it needs to be part of the motion and funds coming from this be directed back in to the trails.

Tim Irwin indicated he feels it is appropriate to add those stipulations to the motion.

Dennis LeBaron inquired who was responsible for the removal of the asphalt.

Nathan Crane indicated that it would be the responsibility of the future owner.

AMENDED MOTION: Brian Braithwaite moved to amend the motion to include any proceeds from the sale go to the parks and trails budget and staff create signage to direct the users of the trail in the appropriate direction.

Motion seconded by Rod Mann.

Mayor Thompson opened the public hearing.

Kevin Tams would love to see the proceeds go to the open space park in that location specifically instead of general park maintenance. The playground is not usable at this time and would like to see that updated.

Karen Hunt feels it is a great idea that those residents can purchase extra property. She lives next to a trail that goes nowhere and has taken care of it for 10 years and looks forward the outcome hoping they can look at the path next to her home in the future.

Hearing no further comments, Mayor Thompson closed the public hearing.

Vote on the Amended motion.

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

Motion carried.

Vote on Original Motion.

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

RESOLUTION: Highland / Alpine City Justice Court Re-Certification

BACKGROUND:

The Justice Court needs to be recertified in February 2016. The recertification materials need to be submitted to the AOC no later than October 30, 2015. To apply for recertification the City must submit a written opinion from the City Attorney as well as a resolution passed by the City Council. The State Legislature has provided that any Justice Court that continues to meet the minimum requirements for its class is entitled to be recertified.

Judge Doug Nielsen stated that every 4 years the Justice Court is recertified by the city in which it is located and the Administrative Court accepts that re-certification. To re-certify the City Council has to adopt a resolution. The City Attorney has to draft an opinion that it is appropriate and the court has to certify an affidavit that they are meeting the minimum qualifications for the court to continue to exist. He has prepared his affidavit and forwarded to the Mayor and to Mr. Merrill. Mr. Merrill has prepared his opinion and he is before the council to ask for approval of the resolution

Brian Braithwaite indicated the papers state it has to reside in the city boundaries, and inquired if Aline City also goes through this process.

Judge Nielsen stated there is an interlocal agreement in place that allows Alpine Court to be recertified under Highland. He has actually gone through the process with Alpine City Mayor and the Alpine City Council.

**MOTION: Tim Irwin moved to approve the Resolution Requesting the Re-certification of the Highland/Alpine Justice Court.
Dennis LeBaron seconded the motion.**

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

RESOLUTION: Intergovernmental Agreement with Utah County for a Mass Notification System

BACKGROUND:

Utah County has entered into an agreement for countywide mass notification services through Everbridge mass notification services. Everbridge is a software program that enables wireless notification of individuals through FEMA's Integrated Alert and Warning

System. Alerts are sent to cell phones via text messages. Recipients are required to opt in to the system. The system can be used for emergency alerts or other notifications.

The County is proposing a five year interlocal agreement. The agreement does allow the agreement to be extended after the five year period. Any changes to the agreement will require approval by the City Council. The fiscal impact of the agreement is discussed below. If the Council chooses to approve the agreement, staff will be discussing how to implement the program. Erin Wells, Assistant to the City Administrator will be responsible for the project.

Tim Irwin inquire if staff has put together a plan to get information out to residents and encourage them to buy in on the system.

Nathan Crane indicated staff wanted to know if council was interested in moving forward with the system first. There are more details we need to work through but didn't want to get ahead of ourselves.

Dennis LeBaron inquired if there were any planned mock drills that they could have with the system.

Brian Braithwaite indicated it was his understanding that the city would have the ability to do their own drills once the system was up and going.

Tim Irwin stated he feels staff needs to work with the emergency preparedness individual from the Lone Peak Public Safety District.

Brian Braithwaite indicated he feels they need to add another whereas to the resolution to indicate the current system is no longer technically supportive and functioning.

MOTION: Tim Irwin moved the City Council approve the Intergovernmental Agreement with Utah County for a Mass Notification System to include an additional whereas stating Highland City has found their current system to be obsolete and no longer technically supported.

Brian Braithwaite seconded the motion.

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

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)

- Brian Braithwaite requested an item be added to the communication box to have Brian Cook return in January with report on outcome of urban Deer Control Program.

City Council reviewed the communication box at the end of the agenda.

- Tim Irwin inquired as to the intersection of 11800 and the study.

Nathan Crane stated that there were some anomalies that happened and they had to adjust the count. They are working on that and should have a report to staff in the next couple of weeks.

Discussion ensued regarding a possible work session to review the information regarding 11800 north and the general road improvement plan.

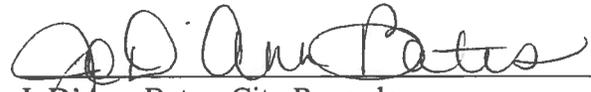
- Nathan Crane stated they have scheduled December 3rd for an appreciation dinner at 6:30 pm. and more information is to come.
- Nathan Crane stated the projector had been changed and they are looking at possible lighting changes to continue to help with the viewing of the PowerPoints.

ADJOURNMENT

MOTION: Tim Irwin moved to adjourn.

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

Meeting adjourned at 8:09 p.m.


JoD'Ann Bates, City Recorder

Date Approved: October 20, 2015



