

# DRAFT

## MINUTES HIGHLAND CITY COUNCIL MEETING Tuesday, January 19, 2016

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 Ed Dennis  
Councilmember Rod Mann

**STAFF PRESENT:** Nathan Crane, City Administrator/Community Develop. Director  
Erin Wells, Assistant to the City Administrator  
JoD'Ann Bates, City Recorder

### CITY COUNCIL WORK SESSION

#### **Election De-Brief and Concerns**

The meeting was called to order by Mayor Mark S. Thompson as a work session at 6:03 p.m. City Recorder, JoD'Ann Bates updated the Council of the voting process and the issues that the City has encountered. With the number of precincts and registered voters in the City, and Ms. Bates's desire to eliminate schools as voting locations, she proposed three alternatives: to have one voting location in each of the ten precincts, have one voting location at City Hall, or vote by mail. One of Ms. Bates's greatest concerns was the decreasing number of willing poll workers and counters.

There was a discussion regarding the three options presented. The Councilmembers expressed a fear that a mail vote would attract citizens who were uninformed of the current issues, and uninvolved with the community. Councilmember Mann felt that consolidating the vote to only City Hall would not be appealing to those residents who live close to the City limits. He also argued that it was not the choice of the Council to limit those who vote because they are considered to be uninformed.

In the remaining time prior to the start of the regular meeting, the Council discussed the legality of placing political signs on public property. It was suggested that they involve the City Attorney at a later date to determine that no rights would be threatened by limiting the areas where those signs could be placed.

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3 **REGULARLY SCHEDULED CITY COUNCIL MEETING**  
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5  
6 **PRESENT:** Mayor Mark S. Thompson, conducting  
7 Councilmember Brian Braithwaite  
8 Councilmember Dennis LeBaron  
9 Councilmember Tim Irwin  
10 Councilmember Ed Dennis  
11 Councilmember Rod Mann  
12

13  
14 **STAFF PRESENT:** Nathan Crane, City Administrator/Community Develop. Director  
15 Erin Wells, Assistant to the City Administrator  
16 Gary LeCheminant, Finance Director  
17 JoD'Ann Bates, City Recorder  
18 Justin Parduhn, Public Works O&M Director  
19 Brian Gwilliam, Chief of Police  
20 Tim Merrill, City Attorney  
21

22 **OTHERS:** Devirl Barfuss, Ty Christensen, Brian Cook, Cole VanAusdal, Deena VanAusdal,  
23 Curtis VanAusdal, Tanner West, Becky West, Stewart West, Brooke Woolley, Jason Woolley,  
24 Jared Godwin, Mykel Godwin, Daxton Godwin, Shaunna Godwin, Laura Mabey, Betsy Mabey,  
25 Tate Malers, Marci Modersitzski, Marc Modersitzski, Jullyne Muggleston, Larry Becknell, Scott  
26 Sandstrom, Ty Owen, Allison Owen, MaKay Owen, Caitlin Thomos, Mason Fairbanks, Lindsey  
27 Worthen and Chris Dayton. .  
28

29 The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:04 p.m.  
30 The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior  
31 to the meeting. The prayer was offered by Tim Irwin and those assembled were led in the Pledge  
32 of Allegiance by McKay Owen, a scout.  
33

34 **APPEARANCES:**  
35

36 Scott Sandstrom addressed the Council on behalf of Preserve and Protect American Fork  
37 Canyon, and expressed their concern for the potential expansion of Snowbird. Not only did they  
38 worry about the possibility of water contamination, but the increase in traffic and the reduction  
39 of available recreation space for the local residents.  
40

41 **PRESENTATIONS:**  
42

43 **1. Oath of Office – Highland Youth Council**  
44

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1 Mayor Thompson read the names of the 2016 Youth Council and asked them to come to the  
2 front of the room. The 2016 Youth Council Members include: Aaron Burns, Aubrey Cannon,  
3 Blake Cannon, Brittany Jones, Brook Woolley, Brooklynn Harris, Cole VanAusdal, David  
4 Westwood, Emmerson Dayton, Jessica Spencer, Laura Mabey, Lindsey B. Draper, Marinda  
5 Mugleson, Mykel Godwin, Rebecca Cutler, Tanner West, and Kate Modersitzski, with advisors  
6 Sarah Cutler and Chris Dayton.

7

8 City Recorder, JoD'Ann Bates administered the Oath of office.

9

## 10 **2. Utah Valley Women**

11

12 There were no representatives from Utah Valley Women present. The item was continued to the  
13 next meeting

14

## 15 **3. Highland Urban Deer Program – Brian Cook**

16

17 Brian Cook updated the Council on the progress of the Urban Deer Program and stated that  
18 Highland City was currently in the maintenance phase of the program. The annual roadkill  
19 report average has decreased from 72 animals to six since the implementation of this plan.

20

### 21 **CONSENT ITEMS:**

22

23 **4. MOTION: Modification of a Contract for Transcription Services of City Council**  
24 **Meeting Minutes – C. Price Transcription LLC**

25

26 **5. MOTION: Selection of Consultant to Prepare a Road Reconstruction Capital Plan -**  
27 ***Pulled by Brian Braithwaite***

28

29 **6. RESOLUTION: Potential Expansion of the Snowbird Ski Resort Project – American**  
30 **Fork Canyon**

31 ***Pulled by Brian Braithwaite***

32

33 **MOTION: Dennis LeBaron moved the City Council approve Consent Item #4 on the**  
34 **agenda.**

35

36 **Tim Irwin seconded the motion.**

37 **Unanimous vote, motion carried.**

38

### 39 **PULLED CONSENT ITEMS:**

40

41 **(#5) MOTION: Selection of Consultant to Prepare a Road Reconstruction Capital Plan -**

42 ***Pulled by Brian Braithwaite***

43

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1 Brian Braithwaite expressed a concern that the reconstruction plan discussed previously did not  
2 include all of the roads the City would like to examine. Nathan Crane responded that if they  
3 wanted to include all roads with a PCI value between 55 and 61.9, it would create an additional  
4 cost of \$19,805. The Council felt that this initial expense would save money for the City in the  
5 future.

6  
7 **MOTION: Dennis LeBaron moved the City Council approve the Selection of the**  
8 **Consultants in the amount of \$109,065 to prepare the Road Reconstruction Plan.**

9  
10 **Tim Irwin seconded the motion.**  
11 **Unanimous vote, motion carried.**

12  
13 **(#6) RESOLUTION: Potential Expansion of the Snowbird Ski Resort Project – American**  
14 **Fork Canyon**  
15 ***Pulled by Brian Braithwaite***

16  
17 Brian Braithwaite suggested that the resolution be reworded to better convey their serious  
18 concerns about the expansion, and ask them to clearly define the requirements from the  
19 contractor. Snowbird owns the land in question, and they do have rights as the property owner,  
20 but they should use those rights within the boundaries of controlling problems that could occur.  
21 There was a discussion regarding possible language that could be added to the resolution.

22  
23 **MOTION: Brian Braithwaite moved the City Council approve the Resolution regarding**  
24 **the potential expansion of the Snowbird Ski Resort with the approved discussed changes.**

25  
26 **Ed Dennis seconded the motion.**  
27 **Unanimous vote, motion carried.**

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29 **ACTION ITEMS:**

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31 **7. City Council To Represent Highland City – Utah Valley Dispatch Board**

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33 *Background: Highland City is a member of the Utah Valley Dispatch Special Service District*  
34 *which was created in 2008 by Utah County and member cities to provide emergency dispatch*  
35 *services in a more efficient manner. Each member agency has representation on the Board with*  
36 *the County having three board members. The Board has determined the most appropriate*  
37 *method to charge for dispatch services, an executive director has been hired and they have*  
38 *established administrative operating procedures that provides for and an economically practical*  
39 *way to continue dispatch services. With the change of City Administrators it is recommended*  
40 *that a City Council Member be appointed to the district in continuing to ensure the interests of*  
41 *Highland are represented.*

42  
43 Mayor Thompson stated that a Councilmember needed to be appointed to the Utah Valley  
44 Dispatch Board. In the past, Highland City has been represented but not by a voting member of

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1 the Council. The Board would meet once per month in Lehi City in the morning. It was  
2 confirmed that their time on the Board would run with their term in office.

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4 **MOTION: Tim Irwin moved the City Council approve a Resolution appointing Ed Dennis**  
5 **as the City Representative to the Utah Valley Dispatch Special Service District.**

6  
7 **Brian Braithwaite seconded the motion.**

8 **Unanimous vote, motion carried.**

9  
10 **8. Authorize Staff to bid HA5 Surface Treatment Road Maintenance Projects in the**  
11 **amount not to exceed \$211,623.58 - Type III Slurry Seal Treatment not to exceed**  
12 **\$12,885 and \$41,976.43 for Crack Sealing – 2016 Spring Surface Treatments**

13  
14 *Background: These projects will be completed spring/summer of 2016. Staff has identified*  
15 *\$224,508.58 worth of surface treatment projects. This will allow for approximately 6.22 miles of*  
16 *road to be cracked sealed and treated with HA5 and .31 miles of Type III Slurry Seal. The*  
17 *projects were identified by using the Road Maintenance Plan prepared by JUB and staff*  
18 *inspection/knowledge of the roads. Emphasis was placed on newer streets where surface*  
19 *treatments are the best form of maintenance. Streets that need major patching or repair were*  
20 *not included. This will complete years two and three in the Road Maintenance Plan as well as a*  
21 *small portion of year four. All streets will be treated with HA5 except for a small .31 mile*  
22 *section coming off the hill out of the Viewpointe subdivision that will have a Type III Slurry*  
23 *which has some heavier aggregate in it to help with traction on the steep slope.*

24  
25 Ed Dennis asked if the engineering study would be addressing the future maintenance. It was  
26 confirmed that Highland would still be using J-U-B Engineering's five-year road maintenance  
27 plan.

28  
29 **MOTION: Brian Braithwaite moved the City Council authorize staff to bid HA5 Surface**  
30 **Treatment Road Maintenance Projects in the amount not to exceed \$211,624. - Type III**  
31 **Slurry Seal Treatment not to exceed \$12,885 and \$41,977 for Crack Sealing.**

32  
33 **Dennis LeBaron seconded the motion.**

34 **Unanimous vote, motion carried.**

35  
36 **9. Authorization to Proceed with Construction of Sewer and Road Improvements –**  
37 **10400 North**

38  
39 The bid presented to the City was separated into two portions, the first being the upgrade of the  
40 sewer line which would cost \$464,107. This would be funded through the Sewer Impact Fees,  
41 and needs to be done in order to accommodate upcoming development in the area around 10400  
42 North. The second portion of the bid involves sections of roadwork that needs to be done, and

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1 this would be done with any funds left over after the sewer upgrade. There was a discussion  
2 regarding the potential roads to be improved.

3  
4 **MOTION: Rod Mann moved the City Council to approve the authorization to proceed**  
5 **with Construction of Sewer and Road Improvements along 10400 North for amount not to**  
6 **exceed \$618,817.50 and direct staff to proceed with the planning to use Geneva Rock for**  
7 **6000 West from 10400 North south to the canal with the expectation that staff will come**  
8 **back with a cost for approval.**

9  
10 **Ed Dennis seconded the motion.**  
11 **Unanimous vote, motion carried.**

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13 **10. Revising Section 10.5 of the Personnel Policy and Procedures Manual – Severance for**  
14 **At Will Employees**

15  
16 Nathan Crane stated that staff had concerns with the current language in the Personnel Policy  
17 and Procedures Manual regarding severance pay. The first item they wanted to address was the  
18 length of time the severance would be provided, which is currently six months. Staff proposes to  
19 change that to 12 weeks. The second concern is that the current provision requires severance  
20 under anything except gross negligence by an employee, so the proposal defines what that mean.  
21 There is also proposed language identifying when severance would apply, and what City  
22 positions it would apply to.

23  
24 The Council discussed the possibility of created a tiered system, such as equating the number of  
25 additional severance weeks to the number of years served. Nathan Crane confirmed that the  
26 current policy requires someone to be employed for one year before severance pay is applicable.  
27 It was also requested that several City positions, including Administrator’s Assistant, be clearly  
28 defined in the policy.

29  
30 **MOTION: Tim Irwin moved the City Council Approve the Revision of Section 10.5 of the**  
31 **Personnel Policy and Procedures Manual for At Will Employees as revised.**

32  
33 **Dennis LeBaron seconded the motion.**  
34 **Unanimous vote, motion carried.**

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

37 *(These items are for information purposes only and do not require action or discussion by the City Council)*  
38

39 **11. Revenue from Open Space Purchase and Questar Lease – Gary LeCheminant,**  
40 **Finance Director**

41  
42 Gary LeCheminant stated that there had been discussion about putting the funds acquired from  
43 the open space purchase to be put back into the open space fund. The Council preferred that  
44 these funds be used for capital expenditures in those open space areas rather than maintenance or

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1 repair, and they discussed how to put restrictions on the funds to assure that this happened. Staff  
2 would take the information from this discussion and return to the City Council with a proposal.

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4 **ADJOURNMENT**

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

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8 **Brian Braithwaite seconded the motion.**

9 **Unanimous vote. Motion carried.**

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11 **Meeting adjourned at 9:13 p.m.**

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JoD'Ann Bates, City Recorder

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16 Date Approved: February 2, 2016

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19 Attachments:

- 20     • Staff Power Point  
21     • Urban Deer Program Presentation