

MINUTES
HIGHLAND CITY COUNCIL MEETING
Tuesday, July 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
Gary LeCheminant, Finance Director
JoD'Ann Bates, City Recorder
Justin Parduhn, Public Works O&M Director
Tim Merrill, City Attorney

6:00 P.M. CLOSED EXECUTIVE SESSION – CITY COUNCIL CHAMBERS

The City Council will hold a closed executive session pursuant to Section 52-4-205(1) of the Utah State Code Annotated for the purpose of discussing:

- The purchase, exchange, or lease of real property;
- The sale of real property;
- Reasonably imminent litigation;
- The character, professional competence, or physical or mental health of an individual.

7:00 P.M. REGULAR SESSION – CITY COUNCIL CHAMBERS

OTHERS: Roy Curtin, Jennifer Moulder, John Thomas, Shannon Babb, Reed A. Probst, Julie Probst, Jonathan Probst, Nathan Whiting, Carla Yancey, Cindy Johnson, Reed R. Probst, Gary Boren, Taryn Jones, Christine Hayes, Glen Vawdrey, Pat Curtin, Jacob Ridges, Mary Jean Ridges, Heidi Clifford, Chris Clifford, Heather Daniel, Brent Reed, Shawna Larsen, Woody Larsen, Kathy Baum, Torri Bowcut, Pat Hollingshaus, Dyanne Law, Maddox Ray, Eli Wall, Dana Ray, Carol Rice, Scott Rick, Gerald Naumann, Larry Sutomayor, Rose Sutomayor, Kristen Chevrier, Karen Peirsen, Candace Bergquist, Zach Allred, Tirzah Allred, Debbie Kinjo, Jill Tew, Pam Muir, Erika Barnes, Matthew Barnes, Daniel Asay, Janeen Ashcraft, Mike Ashcraft, Lorelee Hopkins, Paul Forbes, Cheryl Tooley, Heidi Van Valkenburg, Bill Van Valkeburg, Amber Warren, Stephannie Thacker, Lowell Nelson, Anita Babb, Jan Dowling, Nicki Brammer, Kenney McEwan, Patti McEwan, Ronnie Crump, Alisha Crump, Terri Kent, Linda Sonuin,

Karen Wade, Alan Wade, Josh Castleberry, Mike Schoenfeld, Jessie Schoenfeld, Ty Christensen, Van Bond, Brooke Arnoldsen, Tyson Arnoldsen, Heidi Parker, Jeff Murdoch, Roy Bond, Steve Mower, Austin Sorenson, Brad Herzog, Hadley Hutchings, Chris Weiss, Tanya Colledge, Julie Muelleck, Terry Parson, Mike Parson, Blythe Shupe, LeVee Kawakami, Lynn Ritchie, Scott Smith, Colleen Eggett, Sher Britsch, Janae Wahnschaffe, and Chris Dalley,

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:00 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 Councilman Brian Braithwaite and those assembled were led in the Pledge of Allegiance by Maddox Ray, a scout.

APPEARANCES:

There were no public appearances.

PRESENTATION

Open Meeting Law – Tim Merrill, City Attorney

City Attorney, Tim Merrill, explained that the State requires the City Council to review the Open Meetings Law annually. He proceeded to read a summary of the language regarding quorums, notices, agendas and minutes. In regards to emails, Attorney Merrill stated that the City Council Members were free to email each other regarding agenda items outside of meeting times. He concluded by reading the language regarding ethics.

CONSENT ITEMS:

- 1. MOTION: Approval of an amendment to the Beacon Hills Development Agreement**
– The amendment will extend the agreement until August 2024.

Councilman Tim Irwin expressed a concern that this extension would essentially extend open space developments, with which the City Council has decided to do away. City Administrator, Nathan Crane, explained that the developer has met the obligations of the agreement but they have not sold all of the lots yet. He recommended approval of the amendment.

MOTION: Councilman Dennis LeBaron moved the City Council approve the consent item on the agenda.

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

ACTION ITEMS:

2. PUBLIC HEARING / MOTION: Surplus of City Owned Property – The Council will be discussing whether or not to surplus 1.6 acres of property is located at 5386 W 10700 N

BACKGROUND: The City has been approached by McKay Christensen, a Developer, who is proposing a project known as Apple Creek. The project is a 270 unit age restricted apartments. Mr. Christensen would like to purchase the property and incorporate it into that development. The parcel that Mr. Christensen is requesting to purchase is 1.6 acres and is located at 5386 West 10700. At the June 27, 2016 Council meeting the Council requested that staff schedule a public hearing to consider the disposal of the property. The disposal of property requires several steps. These include; declaring the property as surplus by resolution; the Council holds a public hearing; and publication of the public hearing in a newspaper and in the utility bill. If the Council chooses to dispose of the property, a resolution will be prepared for consideration at a future meeting.

Nathan Crane presented the background information regarding this item and stated that the City was approached by the developer of the proposed Apple Creek development regarding possible purchase of City property. The subject property has been designated for government or civic uses, which would include a community center or library.

Councilman Rod Mann suggested that the library board be given the opportunity to make speak regarding this issue.

Janae Wascheffe, the Library Director, gave a presentation that is included as an attachment to these minutes. This presentation included statistics regarding an increase in attendance, the growth of the library, and future goals and programs the Library Board wishes to implement in the upcoming year.

In response to a question from the Council, Director Wascheffe stated that she would like to at least double the size of the library, and there may not be space to do that at the current location.

Councilman Brian Braithwaite wanted to know more information regarding the specific goals of the Library Board, their progress so far, and a proposed timeline. He did not feel that he had received sufficient information in that regard. He also commented that the subject property was designated for civic use, but not specifically for a library. There are other options for this property under the current designation, and Councilman Brian Braithwaite wanted to further explore those options.

Blythe Shupe, the Library Board Chair, clarified that the Library Board has been working toward their goals for many years, but that progress was delayed when they had to find a new Library Director. Director Wascheffe has only been in her position for five months, but a lot of progress has been made in that time. Chair Shupe explained that it has always been the goal of the Board to expand the library, and they have envisioned using the subject property as the site of a large community center as well as a library. The Board has no intention of asking the City for funding; rather, they would seek for donations and participate in fundraising efforts.

Councilman Ed Dennis was not sure that the City Council was prepared to make an informed decision on the request, and suggested that more information be gathered regarding other civic and government needs of the City.

Mayor Thompson opened the public hearing.

A letter from former Mayor Jess Adamson was read into the record. (attached).

Glen Vawdrey, a long-time resident of Highland, stated that he has served on both the Planning Commission and City Council in the past and gave a brief history of the creation of the Library Board. When the Board was formed, the subject property was not designated specifically for library use, but it was considered. Mr. Vawdrey agreed with the comments made in Mayor Adamson's letter, feeling that the surplus of the property would be shortsighted.

Scott Smith, a former City Council Member, stated that he has been a member of the Library Board for over six years. Mr. Smith stated that the Library Board and the Arts Council have always considered the subject property as the best location for a community center that would serve both programs. The response from the residents regarding the library has been wonderful, and they do want a full-service library in the future. Mr. Smith reiterated that any improvements to the library or new construction would be funded through donations and fundraising rather than City funds.

Amber Warren, a mother and small business owner, explained that she grew up in Salt Lake City where there is an incredible library system. The Highland Library is wonderful, but very small, and many times the residents are forced to pay extra money to use the library facilities in the surrounding cities to find what they need. Mrs. Warren suggested that the City lift the Sunday Ordinance to attract more businesses to the area, which would increase the City's revenue to fund projects like this one.

Colleen Eggett, the American Fork City Library Director, confirmed that Highland residents currently have to pay a \$40 fee to use their facilities because the Highland Library is not robust enough. She felt that there was a great opportunity for the growth of this library.

Jan Dowling, a resident and former City Council Member, commented that every time the subject of the library is discussed, it seems that the library has to defend itself to the City Council Members. He believed that the opposite should be true. Mr. Dowling was opposed to the surplus of City property, particularly when the property is located in the City Center.

Sheri Britsch, the Pleasant Grove City Library Director, spoke of her experience with the expansion of the Springville Library. She stated that the residents will support an expansion if there is a clear vision for the library and if there is space available.

Heidi Clifford, a resident, explained that she grew up going to the library every week in her hometown, and she stressed the importance of having those facilities available for her children.

Kristin Chevrier explained that her children were home-schooled and they were able to find the resources they needed without help from the City. Mrs. Chevrier did not have a strong opinion about the surplus of City property, but she did not want a library or other community building to be funded by tax money.

Nathan Whiting, a long-time resident of Highland, talked about the importance of making educational materials available for residents. He also requested that the City Council share their vision for the City in regards to the library.

Lowell Nelson explained that a lot of the materials in a library can now be found on the internet, and there may not be a strong need for a library anymore. He agreed that tax money should not be used to fund a library expansion.

Mary Jean Ridges felt strongly that children need access to books to be properly literate. The internet has valuable information, but can also be a time-waster. A library would provide resources that are of real value.

Mike Ashcraft, a 15 year resident of Highland, stated that he has always wanted the library to expand, but the real discussion on the table was about the subject parcel. Mr. Ashcraft felt that the amount of money gained in a sale of this property would not be worth the loss of the land. Highland City is still growing and having room to expand the City Center was important.

Shauna Larsen, the Highland Arts Council Chairman, stated that the Arts Council and the Library Board have been working together toward a partnership. Their vision is to have a large cultural arts facility in the City, but there needs to be a parcel to build that on. She was not in favor of the surplus.

Stephannie Thacker explained that she has been doing everything possible to help get a library in Highland City. Right now, residents are leaving the City to use other library facilities, which means that they are spending their money in other cities while they are out. Mrs. Thacker stressed the importance of keeping business in Highland City.

Lynn Ritchie, former Mayor of Highland, stated that he was opposed to the surplus because he could see no logical reason for it. The property should be used for capital improvements for the City, whether that's a library or some other facility.

Pat Hollingshaus agreed that there were more options to be explored in regards to the subject property. She requested that the City Council stop supporting high-density housing within Highland City.

Christine Hayes, a children's author and mother of three, explained that authors rely on libraries to host events for book launches or talks with children in the community. The Highland library is small, but there is room to expand to allow for more events of that nature. Mrs. Hayes commented that schools are losing funding for arts, and people will turn to the community for this type of education.

Chris Clifford asked the City Council for more information regarding undeveloped City property and potential developments that would generate revenue. Mr. Crane explained that the developer approached the City about this specific parcel and the City was now going through the lawful process for the application.

An email from Bryon Tarbet was read into the record. (attached).

Mayor Thompson explained that the developer has proposed a high-density housing development, which is allowed in the zone. Tonight, the City Council would make a motion regarding the surplus of City property, not the development itself.

Hearing no further comments, Mayor Thompson closed the public hearing and brought the discussion back to the City Council.

Councilman Ed Dennis proposed that the item be tabled with the caveat that the Library Board present a long-term strategy for their plans, and City staff gather information regarding other development options for the subject property.

Councilman Rod Mann was not comfortable making a decision on this property based on a potential use. He suggested that the proposal be denied and the City retains the property until another proposal was made. There was some discussion regarding these suggestions.

MOTION: Councilman Dennis LeBaron moved the City Council deny the surplus of 1.6 acres of property located at 5386 West 10700 North.

Councilman Ed Dennis seconded the motion.

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

Those voting nay: none

Motion carried.

3. PUBLIC HEARING / RESOLUTION / MOTION: Surplus and Disposal of City Owned Property – The Council will consider an offer by the Alpine School District to purchase 4.9 acres of property located between Knight Avenue and Lone Peak High School.

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 to purchase the property to the west of the baseball and football fields and to the west of the seminary building. The property is 4.19 acres in size. The ASD has provided design alternatives for the area west of the seminary building. This was first discussed in 2015. An appraisal was completed in April 2016. The appraised value is \$300,000. ASD is proposing to purchase the property for the appraised value. The purchase agreement allows the City and its residents to use the parking during off-school hours. It also includes appropriate

easements. The ASD Board is considering this item at their July 19, 2016 meeting. If approved by both parties, closing will occur in August.

Nathan Crane presented the background information regarding this item and presented an aerial map of the property. He explained that the subject property would be developed and used for additional parking for the school, park, and trail system.

Mayor Thompson opened the public hearing.

Scott Smith was concerned that the amount of money being offered was lower than it should be and asked if more than one appraisal had been done. Mayor Thompson explained that the parking lot would be developed by the school board, but it would be used for the public park and trail system, so that may have contributed to a lower appraisal amount. Councilman Brian Braithwaite added that there was a ditch on the subject property that would require some additional infrastructure costs to the school board. Mr. Crane confirmed that only one appraisal had been done.

Hearing no further comments, Mayor Thompson closed the public hearing and brought the discussion back to the City Council.

Councilman Brian Braithwaite wanted the agreement to clearly reflect that the school district cannot do anything with the property beyond parking. There was also a brief discussion on the funds received from the sale.

MOTION: Councilman Brian Braithwaite moved the City Council approve a Resolution for the disposal of surplus real property and approve the purchase agreement with Alpine School District for the property on the west side of Lone Peak High School contingent upon Alpine School District and Highland City memorializing the use of the land for parking purposes only and the funds received to be placed in the parks capital project fund.

Councilman Rod Mann seconded the motion.

Those voting aye: Rod Mann, Ed Dennis, Tim Irwin, Dennis LeBaron, Brian Braithwaite.

Those voting nay: None

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)

- **City Work Week** – Mayor Mark Thompson

Mayor Thompson presented background information regarding the four-day work week that the City offices currently follow. The State proposed this in preparation for the Olympic Games coming to Salt Lake City as a way to reduce traffic. Highland City has been practicing the four-day work week for over 15 years, and a few issues have been raised. Mayor Thompson

explained that school is still in session on Fridays, and he was concerned that the City may not be prepared to deal with an emergency if something were to happen on a Friday. He also explained that there have been no significant cost savings in being closed on Friday. Mayor Thompson asked that the City Council discuss the benefits of staying with the four-day work week as opposed to changing back to a five-day work week.

Councilman Ed Dennis did not feel that an emergency situation on a Friday was a legitimate argument, as the City is able to respond to emergencies at any time of the day or night. Mayor Thompson explained that the emergency plan for school emergencies calls for staff support from all utilities, and the City is not currently providing that on Fridays. Councilman Ed Dennis was still not convinced that this was an issue. He then pointed out that the City employees schedule their lives around the four-day work week, and it would cause some upheaval to change that now. Councilman Ed Dennis expressed his appreciation for the shorter work week, because that has forced the offices to be open until six. There are many residents who would not have access to the City offices if they closed at five.

Councilman Rod Mann suggested that staff research ways to have the City offices open on Friday without having to be fully staffed. He commented that residents do call or try to come into the City offices on Fridays, and the City should be offering good customer service all the time. He then reported that he spoke with several City employees about the potential change, and he did not receive any positive comments about having a five-day work week. However, there are needs that are not being addressed. He suggested that the City continue to find ways to improve their customer service, even if that does not include opening on Friday.

In regards to phone calls, Councilman Ed Dennis argued that the majority of the phone calls coming in on Friday are related to garbage collection, which is not a City issue. Those calls would be directed elsewhere. He stated that they also receive calls for the court, which would be directed elsewhere. Councilman Rod Mann commented that they only had information regarding the types of calls received on Friday, and asked that more information be gathered about the calls received the rest of the week. He also asked for the pros and cons of opening on Friday.

Councilman Tim Irwin was also concerned about providing good customer service to the residents of Highland. He asked if the City was currently serving the residents appropriately. The other issue he was that there are times when a holiday falls on a Monday, which created a three-day work week. Councilman Tim Irwin commented that opening the office on Friday may not be appropriate for the City at this time, but there are other things that can be improved upon.

Councilman Ed Dennis did not believe that staff had any concerns about the four-day work week, and he did not want to send staff back to research a non-issue. He also commented that the last survey the City conducted did not show a negative response to the four-day work week from the residents.

Councilman Rod Mann argued that the language of the survey was not specific enough to come to that conclusion. He then presented some statistical information he had gathered regarding customer service.

Councilman Tim Irwin commented that while the City gives excellent customer service now, there is always room for improvement. In speaking with some of the City employees, he did not hear very many benefits in changing to a five-day work week. However, the City should find a solution to the three-day work week issue.

Councilman Dennis LeBaron did not see a compelling need to make the change to a five-day work week, but he agreed that there was still room for the City to improve their customer service.

Councilman Brian Braithwaite addressed Mayor Thompson's original concerns and stated that it would not be beneficial to change to a five-day work week if there was no cost difference. In regards to emergencies, he agreed that this was an issue that needed to be examined. It's important to be able to provide adequate emergency services to the residents. Councilman Braithwaite did not feel that he had been given enough information to know if there really was an issue with being closed on Friday.

Councilman Ed Dennis argued that he had not heard anyone say what the actual issue is in this case. Staff had not given them any negative feedback about the four-day work week, and the residents have given glowing reports about emergency services. Councilman Rod Mann disagreed and stated that the concern was with the front office being open rather than emergency services. He again stated that the solution may not be to open on Friday, but there are still areas for improvement. The Council Members again discussed the issues that have been previously stated.

Assistant to the Administrator, Erin Wells, explained that staff has already identified areas where improvements can be made. They are currently working to adapt the phone tree system, which would offer direct connections to the library or courts, and it would have a message giving contact information for waste management. Ms. Wells confirmed that a three-day work week has caused frustration and staff is working toward a solution in that regard. She also stated that the website needs to be more functional.

Councilman Ed Dennis thanked Ms. Wells for her report, and suggested that the City Council give staff the time to resolve some of these issues before changing the length of the work week.

The City Council Members discussed the need for a motion on this item, and whether they should give staff specific direction regarding the issue.

MOTION: Councilman Ed Dennis moved the City Council table the issue of moving from a 4 to a 5 day work week.

Hearing no second, motion died.

ADJOURNMENT

MOTION: Councilman Rod Mann moved to adjourn.

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

Meeting adjourned at 10:22 p.m.

JoD'Ann Bates, City Recorder

Date Approved: August 16, 2016