



HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

Tuesday, August 20, 2019

Approved September 17, 2019

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

PRESIDING: Mayor Rod Mann

COUNCIL MEMBERS

PRESENT: Brian Braithwaite, Ed Dennis, Tim Irwin, Kurt Ostler, Scott L. Smith

CITY STAFF PRESENT: City Administrator / Community Development Director Nathan Crane, Assistant City Administrator Erin Wells, Finance Director Gary LeCheminant, City Engineer Todd Trane, Planner & GIS Analyst Tara Tannahill, City Attorney Tim Merrill, and City Recorder Cindy Quick

ABSENT: Ed Dennis

OTHERS: Brent Oakeson, Paul Jenkin, Wesley Warren, Chelsey Olsen, Tim Ball, Doug Cortney, Ken Knapton, Sherry Kramer, Justin Greening, Kim Rodela, Brittney Bills

7:00 PM REGULAR SESSION *(CITY COUNCIL CHAMBERS)*

Call to Order – Mayor Rod Mann

Invocation – Kent Millington

Pledge of Allegiance – Mayor Rod Mann

The meeting was called to order by Mayor Rod Mann 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 Kent Millington and those assembled were led in the Pledge of Allegiance by Mayor Rod Mann.

1. UNSCHEDULED PUBLIC APPEARANCES

There were none.

2. PRESENTATIONS *(35 minutes)*

a. TAP AWARD – *ULGT Brent Oakeson*

Brent Oakeson with the Utah League of Government Trust presented Highland City with the Tap Award Trust Accountability Award for 2019. The trust provided insurance products for the City and they partnered with the City to reduce losses. The City had been successful in this endeavor. Mr. Oakeson presented the City with this award.

b. EVENT UPDATE – *Civic Events Manager Julie Tapusoa*

This item was continued to September 3, 2019.

c. YOUTH COUNCIL REPORT – Youth Council Member

This report was continued to September 3, 2019

d. UTA TRANSIT – UTA Trustee Board Member Kent Millington

Kent Millington explained the legislature changed the structure of the UTA. There were now three full time Board of Trustee members responsible for the operation of the UTA. He was selected by the Governor to represent counties of Utah and Tooele. He and the other representatives wanted to report on their activities, successes and concerns.

Mr. Millington reported that they were successful instituting the Bus Rapid Transit. This ran from Orem to UVU and the BYU campus, and down to the Provo Frontrunner station. He explained it did not cost any additional money to ride this bus. This had helped the parking situations at both universities. Council Member Kurt Ostler asked if they planned on turning this bus route into a TRAX line. Mr. Millington said this was successful and they planned on expanding the routes. There was a need for additional public transportation, and there had been discussion about expanding the TRAX through Utah County. Mr. Millington explained they would consider expanding the TRAX lines once the prison property was available to develop. He noted they needed to expand the public transport, as they projected almost 2 million residents in Utah County in the next few years. There was subsequent discussion on the express routes and the TRAX expansion.

Mr. Millington noted the State had instituted a sales tax increase for transportation projects. Highland would receive the funds from this sales tax by next month. They would eventually have funds to expand the bus service. Council Member Tim Irwin suggested they consider making these services self-funding. Mr. Millington said they were discussing their options to fund these services.

3. CONSENT ITEMS (5 minutes)

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. ACTION: Approve Amended Resolution and Interlocal Agreement for the Community Development Block Grant (CDBG) Program

City Recorder Cindy Quick oriented the Council with requested amendments to the resolution and Interlocal agreement with Utah County to participate in the CDBG Program.

Council Member Scott L. Smith asked to pull the item for further discussion. He had clarifying questions regarding prohibiting excessive force. He said he did not understand what this had to do with the grants. Mr. Merrill said he would research how this related to the grants.

Council Member Brian Braithwaite said the wording of this agreement did not make him feel uncomfortable.

Council Member Brian Braithwaite MOVED to approve the amended resolution R-2019-08-A and the Interlocal agreement as listed on the consent agenda.

Council Member Kurt Ostler SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brian Braithwaite</i>	<i>Yes</i>
<i>Council Member Ed Dennis</i>	<i>absent</i>
<i>Council Member Tim Irwin</i>	<i>No</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>No</i>

Mayor Rod Mann

Yes

The motion passed 3:2.

4. PUBLIC HEARING/ORDINANCE: ADJUSTING THE COMMON BOUNDARIES BETWEEN AMERICAN FORK AND HIGHLAND CITY (10 minutes)

City Engineer Todd Trane oriented the Council with the ordinance to adjust the common boundaries between American Fork and Highland City. A satellite map was shown to illustrate the area for the requested change. Mr. Patterson was purchasing the property behind the Chidester home. The entire property was in Highland and there was an existing ditch that remained in Highland's boundary. This adjustment would keep the Chidester home in Highland and the rest of the property would be subdivided into American Fork. He reviewed the plat and sent comments to the City engineer.

Council Member Kurt Ostler asked if the property was currently owned by Mr. Patterson, to which Mr. Trane responded in the affirmative. Council Member Kurt Ostler recused himself from further discussion and a vote on this item.

Council Member Scott L. Smith explained that American Fork could can provide utilities better than Highland. Mr. Trane confirmed that this was correct. Council Member Scott L. Smith asked if they would pay to widen the street, to which Mr. Trane responded in the negative.

Council Member Brian Braithwaite stated that there was County property in that area. This was not an annexation and it was noted there was a piece that was unincorporated.

Mayor Mann opened the public hearing at 7:40 PM and called for any citizens who would like to speak on the item to come to the podium and state their name for the record.

Citizen Comments:

There were no comments.

Mayor Mann closed the public hearing at 7:40 PM.

Council Member Brian Braithwaite MOVED to approve the ordinance adjusting the common boundaries between American Fork and Highland City.

Council Member Tim Irwin SECONDED the motion.

The vote was recorded as follows:

Council Member Brian Braithwaite Yes

Council Member Ed Dennis absent

Council Member Tim Irwin Yes

Council Member Kurt Ostler abstained

Council Member Scott L. Smith Yes

The motion passed 3:0.

5. ACTION: APPROVAL OF BID FOR THE RECONSTRUCTION OF THE CANTERBURY PARK CIRCLE NEIGHBORHOOD TENNIS COURT (30 minutes)

City Administrator Nathan Crane oriented the Council with a bid by Parkin Construction of \$129,685 and suggested that the Council authorize the Mayor to enter into the appropriate contract for the reconstruction

of the Canterbury Circle Neighborhood Park Tennis Court. He reminded the Council about the state procurement process. State law governs how cities manage procurement processes. The City was allowed \$189,000 for bids and anything over this amount required a public bid. The City would be required to accept lower bids.

Mr. Crane gave a brief background to the tennis court site. He noted the Council reviewed bids in June and the Staff had hired Blue Line Design. The company would provide a site survey and a geotechnical engineer. Mr. Crane noted this helped the City use its money wisely. The construction plans were subsequently displayed and reviewed. Mr. Crane explained that the fence would be replaced, as well as the slabs. The plans also included installing LED lighting and portable pickle ball nets. Mr. Crane then detailed the various amenity options available within the bids.

Mr. Crane said the Council could accept or reject the bid. The Council could also provide another direction for staff to follow. Council Member Kurt Ostler asked when this would happen. Mr. Crane stated that they anticipated it would be completed by next spring. It would cost more to finish sooner.

The Mayor opened the meeting to public comment.

Helene (no last name given), resident, asked why they planned on replacing the fence. Mr. Crane explained that the existing fence was old, and it was a better option to replace the fence. Mr. Crane added that the fence needed to be removed to make a better finish to the concrete.

Sherry Kramer, resident, said she preferred the fence be painted black. She commented that the bottom of the fence curled up allowing balls to leave the fenced area. She asked when the Mountain Ridge Park would begin construction, and Mayor Mann did not know the answer. She asked if there be timer be placed on the lights. She then requested that they wait to find out the traffic impact before installing removable nets in the pickle ball courts.

Dave Hall, resident, stated that the layout of the court was difficult to see, and noted that he had the same concerns as Ms. Kramer. He said he did not want this park to be too busy because they would not get a chance to enjoy the park. He suggested the nets not be provided to prevent a lot of traffic.

Justin Green, resident, commented that the court was not in terrible shape and he suggested the nets not be provided. He said the permanent equipment was always abused. Council Member Scott L. Smith asked how the portable nets functioned, to which Mr. Green described how they would be used.

Mayor Mann closed the public comment section.

Council Member Brian Braithwaite thanked the residents for allowing lights to remain. He was concerned with replacing the court when it still worked, and the maintenance and usefulness would be outweighed by the cost. He was not in favor of lights and the portable nets.

Council Member Scott L. Smith agreed with Council Member Braithwaite. He said this was a public park and the facilities were first come, first served. Council Member Brian Braithwaite explained that the parks with the most reservations had restrooms and parking. He then suggested the City post park rules, and Mayor Mann agreed.

Council Member Kurt Ostler said there was no rush for replacing the courts because they were in fair condition. He suggested they consider making the improvements next spring, noting that the City had the

responsibility to save money. Mr. Trane explained there was currently limited labor to help save the City money by doing things in-house. He said he was willing to itemize but this process would take time.

Council Member Brian Braithwaite MOVED to approve the bid with Parkin Construction with the exception of the alternatives as shown and the total amount not to exceed \$115,285 and authorize the Mayor to enter into the appropriate contract for the reconstruction of the Canterbury Circle Neighborhood Park Tennis Court.

Council Member Scott L. Smith SECONDED the motion.

Mr. Crane asked if the LED light upgrade was included in the motion, to which Council Member Brian Braithwaite responded in the negative. City Engineer Todd Trane said staff would research fixing the timer.

The vote was recorded as follows:

<i>Council Member Brian Braithwaite</i>	<i>Yes</i>
<i>Council Member Ed Dennis</i>	<i>absent</i>
<i>Council Member Tim Irwin</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 4:0.

6. ACTION: APPROVAL OF A BID FOR THE REPLACEMENT OF THE AIR CONDITIONING UNITS AT CITY HALL AND JUSTICE CENTER (20 minutes)

City Administrator Nathan Crane oriented the Council with the Robert's Mechanical bid of \$115,876 for the replacement of the air conditioning units at City Hall and the Justice Center. He provided further background regarding the units and explained that the buildings were built in 2008. The City had paid \$51,838 on heating and cooling repairs. Photos of the units were shown, and Mr. Crane explained why these units were failing prematurely. He also explained that the replacement of the units required a request for bids. The bid included two units for each building, equipment inside the building and adding ventilation to the enclosures.

Council Member Scott L. Smith asked how they would add ventilation. He noted his office building had the same air conditioning equipment and it worked for 25 years. Mr. Crane said they would put holes in the wall for ventilation. He remarked that replacing the units was a frustrating project.

Council Member Brian Braithwaite asked if there was a warranty, to Mr. Trane responded affirmatively and noted that it was for two years. Council Member Scott L. Smith said the warranty should have lasted for five years. Council Member Brian Braithwaite said it was unacceptable they could not be open for business due to these units being broken.

Council Member Kurt Ostler MOVED to approve the Roberts Mechanical bid for \$115,876 for the four air conditioning systems.

Council Member Tim Irwin SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brian Braithwaite</i>	<i>Yes</i>
<i>Council Member Ed Dennis</i>	<i>absent</i>
<i>Council Member Tim Irwin</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 4:0.

7. MAYOR/COUNCIL AND STAFF DISCUSSION AND COMMUNICATION ITEMS

City Administrator Nathan Crane said they could provide an update by the end of week for Spring Creek.

Mr. Trane explained they were currently finishing road projects throughout the City. He gave a brief report on the progress of each project.

Council Member Scott L. Smith stated that there were cyber-attacks happening throughout the City and he asked the City to be prepared. Mr. Merrill responded that the staff was addressing this issue. Erin Wells said they had updated their servers and were pleased with how they could back up information. Ms. Wells also explained that staff was working on the new City website. She noted half of the traffic on the site was on mobile devices, and that the new website would be compatible for these types of devices. She noted the City was moving to Everbridge software for emergency services.

Council Member Tim Irwin asked about the progress with the park priority program. Mr. Crane responded they were updating the inventory. He said they were also reviewing the safety issues and equipment.

Council Member Brian Braithwaite invited the Council to the water treatment facility on September 10th. He noted the State wanted to double its fees for sewer and there was no scientific evidence that there would be a service impact. Council Member Brian Braithwaite also congratulated the primary candidates for moving forward and thanked the individuals who removed signs.

8. FUTURE MEETINGS

a. Future Meetings

- August 27, Canvass Election Returns, 6:00 pm, City Hall, Electronic Meeting
- August 27, Planning Commission Meeting, 7:00 pm, City Hall
- September 3, City Council Meeting, 7:00 pm, City Hall
- September 10, City Council & Planning Commission Joint Meeting Moderate Income Housing Plan, 7:00 pm, City Hall

ADJOURNMENT

Mayor Rod Mann called for a motion to adjourn.

Council Member Tim Irwin MOVED to adjourn the meeting and Council Member Brian Braithwaite SECONDED the motion. All voted yes and the motion passed unanimously.

The meeting adjourned at 8:50 PM.

I, Cindy Quick, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on August 20, 2019. This document constitutes the official minutes for the Highland City Council Meeting.



Cindy Quick, MMC
City Recorder

Welcome to the Highland City Council Meeting

August 20, 2019



7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Scott L. Smith
Pledge of Allegiance – Mayor Rod Mann



UNSCHEDULED PUBLIC APPEARANCES

Time set aside for the public to express their ideas and comments on non agenda items. Please limit comments to three (3) minutes and state your name and address.



PRESENTATIONS (25 MINUTES)

- Item 2a. – Tap Award – *ULGT Brent Oakeson*
- Item 2b. – Event Update – *Julie Tapusea* (continued to September 3rd)
- Item 2c. – Youth Council Report (continued to September 3rd)
- Item 2d. – UTA Transit – *UTA Trustee Board Member Kent Millington*



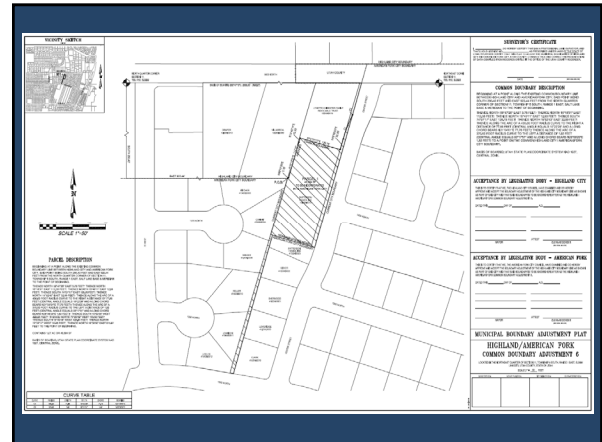
CONSENT ITEMS (5 MINUTES)

- Item 3a. – Approval of Amended Resolution and Interlocal Agreement for the Community Development Block Grant (CDBG) Program



ADJUSTING THE COMMON BOUNDARIES BETWEEN AMERICAN FORK AND HIGHLAND CITY (10 MINUTES)

Item 4 – Public Hearing/Ordinance
Presented by – Todd Trane, PE, City Engineer



APPROVAL OF BID FOR THE RECONSTRUCTION OF THE CANTERBURY PARK CIRCLE NEIGHBORHOOD TENNIS COURT (30 MINUTES)

Item 5 - Action
Presented by - Nathan Crane, AICP, City Administrator /
Community Development Director

State Procurement Process

- Fair and Equitable Process
- Under \$189,000 request three bids
- Over \$189,000 public bid

Background

- June 2019 City Council approved request to reconstruct existing asphalt tennis court



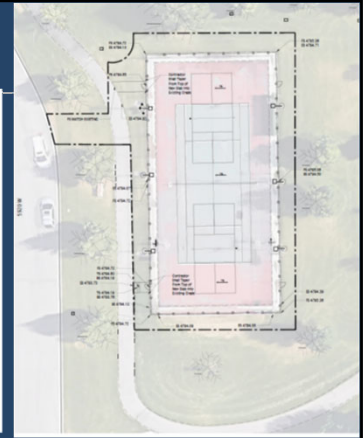
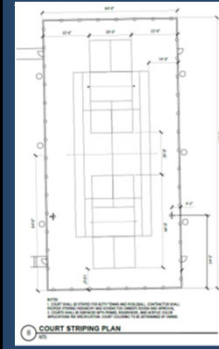
June 2019 Bids

- Sherry Kramer provide "Budget Bids"
 - Set a budget range
- 60' X 120' slab
- Parkin Construction: \$98,700
 - 5" post tension slab, 2 basketball hoops, 6 LED lights, removal of asphalt
- Tennis and Track: \$122,700
 - post tension slab, basketball hoops, 6 LED lights

Process

- Hired Blu Line Design
- Site Survey
- Geo Technical Engineer
- Structural Engineer
- Construction Plans
- Contacted Three Qualified Contractors for Bids
 - Parkin Construction, Tennis and Track Company, and Courts Unlimited
 - Staff understanding most of the work on Wasatch Front

Plan



Bids

- 64' X 128' slab
- Site Restoration
- Two alternatives
 - LED Lighting
 - “Portable” Pickle ball nets

Company	Base Bid	LED Light Upgrade	Portable Pickle ball Nets	Total Cost
Parkin Construction	\$115,285	\$10,800	\$3,600	\$129,685
J. Lyne Roberts and Sons*	\$216,742	N/A	\$3,490	\$220,214
Courts Unlimited	Did not provide a bid.			

*Tennis and Track Company is the subcontractor.

“Portable” Nets



June Bid vs Current Bid

June Bid 60' X 120' Slab		Construction Plan Bid 64' X 128' Slab	
Item	Amount	Item	Amount
Demo		Demo	\$9,035
Import 2" Road base		Concrete Walk	\$1,500
5" Post Tension Slab		Concrete Stairs	\$3,400
360' of 10' Fence		5" Post Tension Slab	\$51,200
3 coats acrylic surface		Court Surface and Striping	\$8,400
Total	\$63,000	Tennis Net and Posts	\$750
		Basketball Standards	\$4,800
Optional		Tennis Court Fencing (380')	\$20,900
Basketball Hoops (2)	\$4,700	Access Gates (4)	\$2,000
6 LED Light poles	\$17,000	Landscape Repair	\$10,800
Remove Asphalt	\$14,000	Misc and Mobilization	\$2,500
Total:	\$35,700	Total:	\$115,285
Grand Total:	\$98,700		
		Alternates	
Exclusions:		LED Lighting	\$10,800
Landscape Repairs		Portable Pickle ball Nets	\$3,600
Netting		Total	\$14,400

Other Treatment Options

- “Outdoor Track”: \$85,250
- Other surface treatments
 - Asphalt
 - Acrylic Surface
- Repair existing surface

Council Options

- Council Policy Decision
- what and How to use the limited resources for the whole community.
 - Accept the bid
 - Reject the bid
 - Provide other direction
- Bids
 - Accept a complete Bid
 - Accept a bid and eliminate alternatives
 - Reject all bids and provide staff with direction
 - Modification of the plan beyond the alternatives will require re-bidding of the project



APPROVAL OF A BID FOR THE REPLACEMENT OF THE AIR CONDITIONING UNITS AT CITY HALL AND JUSTICE CENTER (20 MINUTES)

Item 6 – Action

Presented by – Nathan Crane, AICP, City Administrator / Community Development Director

Background

- City Hall and Justice Center were built in 2008
- Since 2017 paid \$51,838 on heating and cooling repairs to commercial companies at City Hall and Justice Center
 - Does not include staff time
- Boiler System for Heating
- Standard Air Conditioning System
 - Two units outside for each building
 - Two evaporator coils inside each building

Existing Units



Existing Condition

- Premature Failure of the outside AC units
 - Inadequate ventilation around the units
 - Components are being “cooked”
- Late July one of the units at the Justice Center failed
- The following week the remaining working unit also failed
- Issues with the units at City Hall
- Life expectancy of these units is a year or less

R22 Refrigerant

- R22 Phased Out by EPA
 - January 1, 2020 – Complete ban on the production and import of R22. It isn't even available for servicing existing equipment
- R22 Systems are not compatible with new refrigerant R-410A due to operating at different pressures.
- If any units fail we will have to replace with new units.
- Conversion of old units is possible however you have to replace the compressors, condensers, and evaporators.
 - Risks outweigh benefits especially in light of damage to existing units

Proposal

- Critical Failure of Justice Center Unit
 - Replace both units
- Limited life on City Hall Units
- R22 ban limits repair options
- Better to plan replacement than have the units go out unexpectedly
 - 2-4 weeks for replacement
 - Library closure
- Cost Savings doing both buildings together

Bids

- Requested bids:
 - Roberts Mechanical: \$115,876
 - MVTC: \$124,876
 - Gunther's: Did not respond
- What's included:
 - Two units for each building
 - Replace equipment inside building
 - Add ventilation to enclosures



MAYOR/COUNCIL AND STAFF DISCUSSION COMMUNICATION ITEMS



FUTURE MEETINGS

- Item 8a. – Future Meetings
 - August 27, Canvass Election Returns, 6:00 pm (Electronic Meeting)
 - August 27, Planning Commission Meeting, 7:00 pm
 - September 3, City Council Meeting, 7:00 pm
 - September 10, City Council & Planning Commission Joint Meeting Moderate Income Housing Plan, 7:00 pm