

MINUTES OF HIGHLAND CITY COUNCIL MEETING

Tuesday, January 3, 2006

PRESENT: Mayor Jess Adamson (at the beginning of the meeting)
Mayor Jay W. Franson
Councilperson Brian Brunson
Councilperson Gwyn Franson (at the beginning of the meeting)
Councilperson Steve King
Councilperson Kathryn Schramm
Councilperson Claudia Stillman
Councilperson Glen Vawdrey

OTHERS PRESENT: Barry Edwards, City Administrator
Lonnie Crowell, Asst. Director of Planning & Zoning
Matthew F. Shipp, Director Public Works/City Engineer
Winifred Jensen, City Recorder

OTHERS PRESENT: Jan Dowling, Christie Dalley, Kip Botkin, Thomas Whitchurch, Carrol Pierce, Jordan Johnson, Lloyd R. Stone, Audra Griffith, Melissa Christiansen, Mike Long, Liz McFarlane, Lloyd Stone, Kevin Jewkes, Tracy Smith, Lynn Poulsen, Trina Brunson, Cody Brunson, Brady Brunson, Austin Brunson, Alysa Brunson, Mike Trigg,

The meeting was called to order at 7:00 p.m. The meeting was called as a regularly scheduled meeting, and notice of the time, place, and agenda had been provided the *Deseret News*, *Daily Herald*, *Salt Lake Tribune*, and *New Utah* on December 29, 2005. The prayer was offered by Glen Vawdrey, and those assembled were led in the Pledge of Allegiance by Lonnie Crowell.

1. Appearances

Jan Dowling thanked the City Council for their service, and indicated she came especially to thank Mayor Jess Adamson and Councilperson Gwyn Franson for their service to Highland City, and extended best wishes to incoming Councilperson Claudia Stillman and Mayor Jay W. Franson.

Mike Long also thanked the City Council for their service, and especially acknowledged Mayor Jess Adamson for his many years of service on the Planning Commission and City Council. He thanked Gwyn Franson for serving eight years on the City Council.

Tom Whitchurch addressed the City Council and indicated, as part of his assignment on the Alpine City Council, he had been assigned as the liaison to the Highland City Council, and if there is anything he needs to take back to the Alpine City Council that would be his role.

2. Swearing in of Mayor Jay W. Franson, Councilpersons Brian D. Brunson and Claudia Stillman

City Recorder, Winifred Jensen, administered the oath of office to Mayor Jay Franson and Councilpersons Brian D. Brunson and Claudia Stillman.

3. Reports

Mayor Jay Franson presented a certificate of appreciation to Mayor Jess Adamson for the seven years of service on the Planning Commission and eight years as Mayor. He also presented a certificate of appreciation to Gwyn Franson for eight years of service on the City Council. He noted both of these individuals were involved because of a love of community and a desire to give service. He further welcomed Claudia Stillman to the City Council and thanked Brian Brunson for the past four years he had served on the City Council and that he would continue this service.

Council members Steve King, Glen Vawdrey, Kathryn Schramm, and Brian Brunson all expressed appreciation for the service rendered by Mayor Jess Adamson and Gwyn Franson.

4. Summary Presentation on Open Meeting Law

Barry Edwards reviewed with the City Council the Open Meetings Law. (A copy of the presentation is attached to the minutes.)

5. Instruction of Council Meeting Procedure

Mayor Franson presented instruction to the City Council on how meetings will be conducted through following parliamentary procedure. Further, he asked the City Council if they wanted something on the agenda they were to contact him. He indicated he would make himself available Thursday afternoons at the City Hall, with the first part of the time set aside to work on agendas. He encouraged the City Council to get any items they want on the agenda two Thursdays prior to the Council Meeting. He reminded the City Council of their responsibility as a policy making body. Also typically public hearings will be held one week and action on the matter taken the following meeting in order to give the City Council time to talk to people and do homework on the issues. He encouraged the City Council to do their homework and be prepared.

Mayor Franson invited comment from the City Council. Kathryn Schramm requested to attend the League of Cities and Towns training for newly elected officials, and encouraged other Council members to attend. Mayor Franson requested she contact Wini Jensen in order to get registered.

Brian Brunson inquired how follow-up items would be addressed. Mayor Franson responded that it be looked at as a reporting item on a regular basis, as opposed to taking time in Council Meetings. He recommended the City Council follow up with staff on their responsibilities as the role of staff is to support the Council. Further, if there is something of a particular interest to let him know. As to the current follow-up list, Mayor Franson indicated

this will be reviewed January 5.

6. Presentation of Storm Sewer Capital Facilities Plan

Matt Shipp made a presentation on the Storm Sewer Capital Facilities Plan. (Background information is attached to the minutes.)

7. Public Hearing on Storm Sewer Capital Facilities Plan

Mayor Franson opened the public hearing.

Lloyd Stone inquired whether the detention pond and improvements had become necessary because of asphalt roads and concrete laid over the soil. He asked why a detention pond had not been needed previously and whether it has become necessary as a result of housing development in the area. He asked the City Council to make the developers of the developments responsible for the improvements, rather than residents at large. The City Engineer, Matt Shipp, responded that the need for a retention pond is a result of developments which is going in and the need to protect developments south of 11800 North. Also, without a detention pond dirt will collect from run off from the roads, rooftops, driveways, and open space. If there were no homes there wouldn't be a need to stop the water.

Mayor Franson closed the hearing.

8. Presentation of Storm Sewer Impact Fee for NW Area of Highland

The City Administrator, Barry Edwards, reported on the storm sewer impact fee by noting it will take in 175 acres and applies to 1.09 units to the acre. By dividing 190 units by the cost of the detention facilities (\$293,000), the fee would be \$1,542. The fee will be assessed at building permit. He indicated a resident who isn't creating an impact does not pay for the facility. By building this facility, it will benefit the City by only maintaining one detention basin, rather than a series of detention basins.

9. Public Hearing for Storm Sewer Impact Fee for NW Area of Highland

Mayor Franson opened the public hearing.

Lloyd Stone inquired who paid for the land in which the retention basin would be built. Barry Edwards responded that the property was donated by development and it is paid for by people impacting the area.

Mayor Franson closed the hearing.

10. Consent Calendar

A. Indemnification to Hold Harmless Mayor Jess Adamson and Councilpersons Jan Dowling, Gwyn Franson, Gary Phillippi, Ronald Jewett, Michael Long, and Brian Brunson, and City Administrator Barry Edwards from the Ongoing Court Case

Brian Brunson stated he had a conflict of interest and he would not participate in the item.

Mayor Franson called for any objections to the Consent Calendar. He noted hearing none the consent calendar was approved. Mayor Franson recognized a misunderstanding of the Consent Calendar by Kathryn Schramm and he re-opened the item for discussion.

Kathryn Schramm raised a question as to what was meant by the responsibility of the City to indemnify the individuals noted. Barry Edwards explained if there were a judgment issued in favor of the plaintiff and there was no turpitude or illegal act on behalf of the defendants, then the City would be responsible for the defense and payment of the judgment.

Mayor Franson again inquired of the Council whether there were any objections to the Consent Calendar. Brian Brunson abstained. The Consent Calendar was approved.

11. Adoption of Resolution No. 2006-1 “A Resolution of the Governing Body of the City of Highland Adopting a Capital Facilities Plan for Highland City Storm Sewer Improvements”

Motion: Brian Brunson moved to adopt Resolution No. 2006-1, ““A Resolution of the Governing Body of the City of Highland Adopting a Capital Facilities Plan for Highland City Storm Sewer Improvements”. Motion was seconded by Glen Vawdrey. Mayor Franson opened the meeting for discussion by the City Council. Motion passed by unanimous vote.

12. Adoption of Ordinance No. 2006-1 “An Ordinance Enacting an Impact Fee for Highland City Storm Sewer Improvements”

Motion: Brian Brunson moved to adopt Ord. 2006-1 “An Ordinance Enacting an Impact Fee for Highland City Storm Sewer Improvements”. Motion was seconded by Steve King. Mayor Franson opened the meeting for discussion by the City Council. Motion passed by unanimous vote.

13. Other Business

A. Council Retreat

Mayor Franson proposed holding a City Council Retreat in order to talk in generalities about objectives and long term goals over a period of six months to a year. He indicated he would like to make this an annual event. It was suggested a retreat be scheduled for February

25, 2006. This matter will be placed back on the January 17, 2006 agenda under "Other Business" to give Steve King the opportunity to verify his availability. Barry Edwards explained the meeting would be noticed as a public meeting and it would be facilitated. Mayor Franson noted no decisions would be made at that meeting.

B. Citizen Committees

Mayor Franson requested Steve King and Glen Vawdrey be an ad hoc committee of the City Council to look at the citizen committees, come back to the City Council with a report on those committees as to a summary of whether they are functioning, whether they know their responsibility, and who are serving on the committees. Steve King was given the responsibility to take the lead.

Mayor Franson requested Barry Edwards and Wini Jensen prepare information on the existing members serving on the Planning Commission, their terms of office, and when they were appointed. Matt Shipp was requested to provide the information on the Water Advisory Committee.

Glen Vawdrey inquired whether Highland City should have a Council liaison with Alpine similar to Alpine City's appointment of Tom Whitchurch to Highland City. Mayor Franson noted there is a relationship on the Public Safety District, but it may be appropriate for someone to be a liaison. Mr. Whitchurch indicated he would be attending the Highland City Council meetings regularly for the next few months. Mayor Franson agreed to have the City Council agendas emailed to Mr. Whitchurch.

C. Pictures - New Council

It was determined to schedule January 17, 2006, at 6:30 p.m., for a picture of the new City Council.

D. Other

Mayor Franson explained it would be his desire to provide a preliminary agenda to the City Council one and one-half weeks before the next meeting, and a formal agenda four to five days before the meeting. He indicated the key for successful meetings is to rely on staff and have the City Council prepared to make decisions.

14. Minutes of December 6, 2005

Motion: Brian Brunson moved to table minutes of December 6, until the next City Council meeting pending comments being prepared for any discussion. Motion was seconded by Glen Vawdrey, and it passed by unanimous vote.

Mayor Franson suggested Brian Brunson and Kathryn Schramm get comments on

amendments to the minutes to Wini Jensen in order to simplify the process.

Motion: Kathryn Schramm moved to handle the minutes at the beginning of the meeting and discuss them at that time. Motion was seconded by Claudia Stillman, and it passed by the following voting in favor: Claudia Stillman, Brian Brunson, Kathryn Schramm, and Glen Vawdrey. Steve King voted against the motion.

15. Adjournment

Motion: Steve King moved to adjourn. Motion was seconded by Kathryn Schramm, and it passed by unanimous vote:

Meeting adjourned at 9:25 p.m.