HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA
Tuesday, March 5, 2019
*Amended March 4, 2019

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

7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)
Call to Order – Mayor Rod Mann
Invocation – Mayor Rod Mann
Pledge of Allegiance – Council Member Scott L. Smith

1. UNSCHEDULED PUBLIC APPEARANCES
   Time has been set aside for the public to express their ideas, concerns, and comments. (Please limit comments to three minutes per person. Please state your name and address.)

2. PRESENTATIONS
   a. YOUTH COUNCIL UPDATE – Youth Council Mayor Lily Trampleasure

3. CONSENT ITEMS
   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: Approval of Library Board Bylaws *(see updated attachments in packet)*
      City Council will consider approving revisions to the Library Board Bylaws. The Council will take appropriate action.
   b. ACTION/ORDINANCE: Approval of Amendments to the Municipal Code 4.12.60 Library Board *(see updated attachments in packet)*
      City Council will consider an amendment to Municipal Code 4.12.60 Library Board. The Council will take appropriate action.
   c. ACTION/RESOLUTION: Appointment of Mayor Rod Mann to the North Utah County Aquifer Council *(see updated attachments in packet)*
      City Council will consider ratifying the appointment of Rod Mann to serve on the North Utah County Aquifer Council North Pointe Solid Waste Special Service District. The Council will take appropriate action.

4. ACTION: APPROVING LIBRARY BUDGET ADJUSTMENTS
   City Council will consider approving amendments to the Library Budget for Fiscal Year 18/19. The Council will take appropriate action.

5. ACTION: APPROVAL OF A TEMPORARY USE PERMIT FOR AN AQUA PARK
   City Council will consider a request by Elevate Aqua Park for a temporary use permit of 1.5 acres of an aqua park located at Highland Glen Park located at 4800 Knight Avenue, Highland, UT. The Council will take appropriate action.
6. **ACTION/ORDINANCE: AMENDING HIGHLAND CITY MUNICIPAL CODE SECTION 8.12.010 REGARDING THE DISPOSAL OF ANIMAL WASTE**
City Council will consider an amendment to the Highland City Municipal Code 8.12.010 regarding the disposal of animal waste. The Council will take appropriate action.

7. **ACTION: Approval of Mayor Pro-Tempore for 2019**
City Council will nominate and vote for a Mayor Pro-Tempore to preside over City Council meetings in the Mayor’s absence during 2019. The Council will take appropriate action.

8. **MAYOR/COUNCIL AND STAFF DISCUSSION AND COMMUNICATION ITEMS**
   a. **Legislative Policy Committee Update** – Mayor Rod Mann
   b. **Mountain Ridge Park Fundraising Update** – Council Member Brian Braithwaite
   c. **Lone Peak Public Safety District Update** – Council Member Tim Irwin

9. **FUTURE MEETINGS**
   a. **Future Meetings**
      • March 19, City Council Meeting, 7:00 pm, City Hall
      • March 26, Planning Commission Meeting, 7:00 pm, City Hall

**ADJOURNMENT**

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

**ELECTRONIC PARTICIPATION**
Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

**CERTIFICATE OF POSTING**
I Cindy Quick, the duly appointed City Recorder certify that the foregoing agenda was posted in three public places within Highland City limits. The agenda was also posted at the principal office of the public body, on the Utah State website (http://pmn.utah.gov) and on Highland City’s website (www.highlandcity.org).

Please note the order of agenda items are subject to change in order to accommodate the needs of the City Council, staff and the public.

*Amended - Posted and dated this 4th day of March, 2019

Cindy Quick, MMC
City Recorder
The City Council approve the revisions of the Library Board Bylaws.

In an effort to clarify the roles of the Library Board, City staff, and City Council, the Library Board has worked with City staff on revisions to the Library Board Bylaws. The Bylaws were submitted to the City Council on February 5, 2019. At that time, the Council recommended some revision to the Bylaws. The Library Board has considered the requests and created a revised version of the Bylaws for your approval.

The Library Board will vote on these revisions on Thursday, February 28, 2019. Should the Board make any changes during their meeting, staff will distribute those updates to Council.

FISCAL IMPACT:
No fiscal impact

PROPOSED MOTION:
I move that City Council APPROVE the revisions to the Library Board Bylaws.

ATTACHMENTS:
1. Library Board Bylaws
2. Library Board Operating Procedures
Bylaws of the Highland City Public Library Board
Revised February 28, 2019

A. Authorization
The Board is authorized by Utah Code 9-7-401 to 410 and Highland Municipal Code 4.12.010 and 4.12.060. The Board shall operate under the direction of the Highland City Council and consistent with the policies approved by Highland City Council. An Organization and Operating Procedures document works in conjunction with these bylaws.

B. Name
The official name shall be the Highland City Public Library Board (“the Board”).

C. Purpose
The purpose of the Board is three-fold.
1. Work to improve the quality of Library services by advising and supporting the Library Director and staff.
2. Represent the interests of Highland’s citizens pertaining to Library services.
3. Advise the City Council and the City Administration on matters pertaining to the operation of the Library.

D. Members
1. The Board shall recommend the number of members on the Board to the City Council.
2. Board Members and liaisons shall not be compensated but may be reimbursed for necessary and related expenses incurred on assignment by the Board.
3. Board Members and liaisons are not exempt from late fees, fines, or other Library user fees.
4. The Board may recommend by a two-thirds vote to the Highland City Council the removal of a Board Member for misconduct or neglect of duty.
5. All Board Members shall attend approved training or orientation annually.
6. Board Members of the Board are permitted to serve on the Highland City Library Foundation Board.
7. The term of each Board Member shall be for three (3) years. Board Members shall not serve more than two (2) full terms in succession.
6-8. Board Member’s names, contact information, and the year their serving term ends, shall be published on the Highland City website.

7-9. Liaisons
a. The Board may approve liaisons.
b. Although liaisons are not members of the Board, they
   i. receive meeting agendas,
   ii. may place report items on the Board’s agenda, and
   iii. may carry out assignments on behalf of the Board.

E. Officers
1. The elected officers of the Board shall include a Chair, Vice-Chair, and Secretary. 
   a. These officers shall be elected to one-year terms at the regular meeting in July. 
   a.b. In the event of an officer vacancy, the Board will elect a replacement officer at the 
       next Board’s next meeting, who shall serve the remainder of the current term. 
2. The Chair shall: 
   a. Preside at all the Board meetings. 
   b. Serve as the spokesperson, presenting the position of the majority of the Board in 
      all official communications. 
3. The Vice-Chair, in the absence of the Chair, shall assume all duties of the Chair. 
4. The Secretary shall: 
   a. Take notes at the meetings and send them to the City Recorder. 
5. The Library Director serves as the Board Executive Officer and shall: 
   a. Prepare the agenda for each meeting in coordination with the Chair. 
   b. Send electronic copies of the agenda and information packet to the Board 
      Members and liaisons at least 48 hours prior to any regular meeting of the Board. 
   c. Send the audio recording of each meeting to the City Recorder. 

F. Meetings. 
1. The Board shall typically meet monthly. 
2. An annual meeting calendar shall be approved and published on the City website and 
   in any other locations required by open meeting laws. 
3. Special Board meetings may be held at any time when called by the Chair or by any 
   three Board Members. 
4. Members of the Board may participate in Board meetings electronically via 
   telephone or other electronic means. 
5. All meetings shall be open to the public, and public notice shall be provided pursuant 
   to Utah State Code section 52-4-202. 
6. Only business properly noticed shall be actionable. 

G. Responsibilities 
1. In general, under the City Council direction, the Board shall maintain and care 
   for the Library and shall establish policies for the Library’s operations consistent with 
   the policies made by the City Council. 
   a. Policies become effective when approved by a majority of the Board at a meeting. 
2. Specific responsibilities of the Board include working in conjunction with the Library 
   Director to:
a. Provide oversight of the Library Fund.

b. Approve, amend, and repeal policies for governing the Library, consistent with the policies made by the City Council.

c. Review the annual report to the State Library Board.

d. Present an annual report to the City Council in the third quarter of the calendar year based on the annual certification and previous fiscal year’s annual report.

e. Ensure the Basic Certification Standards are met.

f. Review new or adjusted Library positions and submit a recommendation to the City Council for approval.

3. **Under direction from the City Council and in conjunction with City Administration,** the Board shall:

   a. Determine duties of the Library Director.
   
   b. Participate in the selection of the Library Director.
   
   c. Appoint a qualified person as Library Director.
   
   d. Provide input for the annual performance review of the Library Director based on the Director’s interactions with the Board.

H. **Committees**

1. The Board shall have the following standing committees: Library Fund, Policies, Reports, Outreach, and Long-range Strategic Planning.

2. The primary responsibilities of the committees consist in consulting with and supporting the Library Director, carrying out the assigned responsibilities of the committee, and informing the Board of progress and concerns in the relevant area of the committee.

3. The members of each committee shall be determined by the Board.

4. The term for each committee member shall be one year or until a replacement is appointed. Terms run from July 1 – June 30.

5. Each committee shall report to the Board at least annually.

6. Ad Hoc Committees may be created by the Chair, with the approval of the Board, at a regular meeting. Ad Hoc committees shall present reports or recommendations to the Board and shall serve until the completion of the work for which they were appointed.

I. **Parliamentary Procedure**

The most recently published Robert’s Rules of Order: Simplified and Applied shall govern the parliamentary procedure of the Board.

J. **Amendments**

Amendments to these Bylaws shall become effective after:

1) being adopted by a majority vote of the Board during a regular Board meeting, and

2) being approved and approved by the City Council.
Bylaws of the Highland City Public Library Board
Revised February 28, 2019

A. Authorization
The Board is authorized by Utah Code 9-7-401 to 410 and Highland Municipal Code 4.12.010 and 4.12.060. The Board shall operate under the direction of the Highland City Council and consistent with the policies approved by Highland City Council. An Organization and Operating Procedures document works in conjunction with these bylaws.

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The purpose of the Board is three-fold.
1. Work to improve the quality of Library services by advising and supporting the Library Director and staff.
2. Represent the interests of Highland’s citizens pertaining to Library services.
3. Advise the City Council and the City Administration on matters pertaining to the operation of the Library.

D. Members
1. The Board shall recommend the number of members on the Board to the City Council.
2. Board Members and liaisons shall not be compensated but may be reimbursed for necessary and related expenses incurred on assignment by the Board.
3. Board Members and liaisons are not exempt from late fees, fines, or other Library user fees.
4. The Board may recommend by a two-thirds vote to the Highland City Council the removal of a Board Member for misconduct or neglect of duty.
5. All Board Members shall attend approved training or orientation annually.
6. Board Members are permitted to serve on the Highland City Library Foundation Board.
7. The term of each Board Member shall be for three (3) years. Board Members shall not serve more than two (2) full terms in succession.
8. Board Member’s names, contact information, and the year their serving term ends, shall be published on the Highland City website.
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   a. The Board may approve liaisons.
   b. Although liaisons are not members of the Board, they
      i. receive meeting agendas,
      ii. may place report items on the Board’s agenda, and
      iii. may carry out assignments on behalf of the Board.

E. Officers
1. The elected officers of the Board shall include a Chair, Vice-Chair, and Secretary.
   a. These officers shall be elected to one-year terms at the regular meeting in July.
   b. In the event of an officer vacancy, the Board will elect a replacement officer at the
      Board’s next meeting, who shall serve the remainder of the current term.
2. The Chair shall:
   a. Preside at all the Board meetings.
   b. Serve as the spokesperson, presenting the position of the majority of the Board in
      all official communications.
3. The Vice-Chair, in the absence of the Chair, shall assume all duties of the Chair.
4. The Secretary shall:
   a. Take notes at the meetings and send them to the City Recorder.
5. The Library Director serves as the Board Executive Officer and shall:
   a. Prepare the agenda for each meeting in coordination with the Chair.
   b. Send electronic copies of the agenda and information packet to the Board Members
      and liaisons at least 48 hours prior to any regular meeting of the Board.
   c. Send the audio recording of each meeting to the City Recorder.

F. Meetings.
1. The Board shall typically meet monthly.
2. An annual meeting calendar shall be approved and published on the City website and
   in any other locations required by open meeting laws.
3. Special Board meetings may be held at any time when called by the Chair or by any
   three Board Members.
4. Members of the Board may participate in Board meetings electronically via telephone
   or other electronic means.
5. All meetings shall be open to the public, and public notice shall be provided pursuant
   to Utah State Code section 52-4-202.
6. Only business properly noticed shall be actionable.

G. Responsibilities
1. The Board shall maintain and care for the Library and shall establish policies for the
   Library’s operations.
   a. Policies become effective when approved by a majority of the Board at a meeting.
2. Specific responsibilities of the Board include working in conjunction with the Library
   Director to:
   a. Provide oversight of the Library Fund.
   b. Approve, amend, and repeal policies for governing the Library.
   c. Review the annual report to the State Library Board.
   d. Present an annual report to the City Council in the third quarter of the calendar year
      based on the annual certification and previous fiscal year’s annual report.
   e. Ensure the Basic Certification Standards are met.
   f. Review new or adjusted Library positions and submit a recommendation to the City
      Council for approval.
   g. Establish an outreach program, and
   h. Develop and maintain a long-range strategic plan and submit the plan to the City
      Council for approval.
3. In conjunction with City Administration, the Board shall:
   a. Determine duties of the Library Director.
   b. Participate in the selection of the Library Director.
   c. Appoint a qualified person as Library Director.
   d. Provide input for the annual performance review of the Library Director based on
      the Director’s interactions with the Board.

H. Committees
1. The Board shall have the following standing committees: Library Fund, Policies,
   Reports, Outreach, and Long-range Strategic Planning.
2. The primary responsibilities of the committees consist in consulting with and
   supporting the Library Director, carrying out the assigned responsibilities of the
   committee, and informing the Board of progress and concerns in the relevant area of
   the committee.
3. The members of each committee shall be determined by the Board.
4. The term for each committee member shall be one year or until a replacement is
   appointed. Terms run from July 1 – June 30.
5. Each committee shall report to the Board at least annually.
6. Ad Hoc Committees may be created by the Chair, with the approval of the Board, at
   a regular meeting. Ad Hoc committees shall present reports or recommendations to the
   Board and shall serve until the completion of the work for which they were appointed.

I. Parliamentary Procedure
The most recently published Robert’s Rules of Order: Simplified and Applied shall
 govern the parliamentary procedure of the Board.

J. Amendments
Amendments to these Bylaws shall become effective after: being adopted by a majority
vote of the Board during a regular Board meeting and approved by the City Council.
I. Role of the Library Board
   a. The role of the Library Board ("the Board") is to:
      i. Establish a clear mission for the Library and a strategic plan allowing the Library to achieve that mission, with the advice and consent of the City Council.
      ii. Set such policies for the Library as are needed to carry out its mission.
      iii. Provide oversight to ensure that Library policies are implemented effectively.

II. Procedures for Naming Board Members
   a. Advertisements of Board vacancies include a brief summary of the position, a solicitation for volunteers, and information about how to volunteer.
      i. For expected vacancies (such as the end of a member's term of office), advertisement is made between 60 and 90 days before the vacancy begins.
      ii. For unexpected vacancies, advertisement is made as soon as practical once the vacancy occurs.
   b. Volunteer applications or nominees for open Board seats shall be discussed in a Board meeting and the Board shall make recommendations to the Mayor. The Mayor will consider the recommendations as she/he determines whom she/he will appoint to the Board, with the advice and consent of the City Council.

III. Procedures for Election of Board Officers. The elected officers of the Library Board are a Chair, a Vice Chair, and a Secretary.
   a. An elected officer may serve a third consecutive term if approved unanimously by the Board.
   b. The voting may be by voice, ballot, or show of hands. Whatever method is used, the Chair announces the individual votes (or a unanimous decision) for inclusion in the minutes.
   b-c. Only Board Members, except the Executive Officer, can be elected and serve as elected Board Officers.

IV. Board Meeting Procedures. (Standard #2, Basic Certification Standards, Open Meetings Laws)
   a. Organizing the meetings
      i. The regular meeting of the Board shall be on the fourth Thursday of each month at the Highland City Building at a time selected by the Board. Deviations may occur as a result of holidays or other events.
ii. The **Library Director**, who serves as the **Board Executive Officer** (**Library Director**) shall work with the City Recorder to ensure the **Library** Board is following all Open Meetings Law Requirements including proper posting of annual meeting schedules, agendas, minutes, audio recordings, etc.

iii. The **Executive Officer** (**Library Director**) shall assemble an agenda for each Board meeting and coordinate the agenda with the Chair.

iv. Any Board member wishing to have an item placed on the agenda must contact the **Executive Officer** (**Library Director**) at least 3 days prior to the meeting.

v. The agenda and information packet shall be distributed electronically to the Board by the **Executive Officer** (**Library Director**) 48 hours prior to the meeting.

vi. A Board member who is unable to attend a meeting shall notify the Chair as early as possible, so the Chair can determine if a quorum will be present for the meeting.

b. **Order of Business**

i. The following Order of Business shall be followed at meetings, except that items not needed at any given meeting may be omitted:

1. • Call to order • Public comments • Introductions • Consent Agenda • Reports • Action/Policy Items • Discussion Items • Future Agenda Items • Adjournment (Appendix C, Sample Board Bylaws from the State)

   c. **Conducting the Meetings**

i. Only business properly noticed shall be actionable. An item is “properly noticed” when included in the published agenda for the public to see. To be “actionable” an item must be placed in the “consent agenda” or in the “action/policy” portions of the agenda.

ii. A portion of the meeting may be designated for training to meet the State requirement for Board member training. (Standard #5, Basic Certification Standards)

d. The Board establishes a Consent Agenda to provide an efficient meeting process. Items that are not expected to require discussion or debate may, at the Chair’s option, be placed in the Consent Agenda portion of the meeting.

i. Any item will be pulled from the Consent Agenda at the request of one or more members. No vote is required to pull the item. The Chair shall decide where to place any such item on the agenda.

ii. Approval of the Consent Agenda by the Board constitutes approval of each item on the Consent Agenda at the time of approval.

e. **Minutes of the meeting will include:**

i. The full text of motions/resolutions adopted under the Consent Agenda portion of the meeting.

   i. The date, time, and place of the meeting.

   ii. The names of members present and absent.

   iii. A summary of comments made by members of the Board.

   iv. The full text of each vote taken by the Board.

   v. The name of any person providing a public comment and a brief summary of their comments.

   vi. Any other information that the Board request to enter in the minutes.
V. Polling the Board
From time to time it may be necessary between meetings to get the collective opinion of the Board on certain simple matters that are completely internal to the Board. This may be accomplished by asking the Chair to poll the Board. The Chair will request that the Secretary send the matter, by email, to the Board, collect the responses, and inform the Board of the decision. No decision reached in this manner has the ability to bind the City of Highland, the Highland City Public Library, or the Library Board.

VI. Standing Committees
The Board shall have the following Standing Committees: Library Fund, Policy, Reports, Personnel, Outreach, and Strategic Planning. The main purpose for the Standing Committees is to provide support to the Library Director and the Library Staff. It is the responsibility of the Library Director to provide guidance to the committees how they can provide this support. (Appendix C, Sample Board Bylaws from the State)

a. Committees may choose to meet in person, communicate via electronic means or make individual assignments to accomplish their business.

b. The Library Director may assign Library staff members to work with the Committees.

c. Committee members may also be provided by the Friends of the Library as needed and with the approval of the Board and the President of the Friends.

d. Each Committee shall have at least 2 Board members, one of whom shall be designated as the Chair.

e. With approval of the Board, Committees may draw temporary members from the community to work on specific topics. Approval for temporary members may be secured by polling the Board.

f. Standing Committees have no authority to bind the City of Highland, the Highland City Public Library, or the Library Board.

g. Standing Committees represent the Board in fact finding within their assigned scope.

h. Standing Committees shall make recommendations and provide regular updates to the Board.

VII. Standing Committee Operating procedures

a. Library Fund Committee: (9-7-404)
   i. Supports the Library Director as requested on budget, fee, and fund issues.

b. Library Policies. (Utah State Code 9-7-404, 405)
   i. Supports the Library Director as requested on policy issues.
   ii. Investigates and recommends decisions about patron appeals of Library Director decisions such as fine assessments, request for reconsideration of library materials, or use of meeting room.

c. Library Reports. (Utah State Code 9-7-406)
   i. Supports the Library Director as requested on reports.
   ii. The Committee shall review the annual report prior to submission to the Board.

d. Library Outreach.
   i. Supports the Library Director as requested on outreach to the community, library patrons, and other communities such as Alpine and Cedar Hills.

e. Library Long-range Strategic Planning. (Standard #3, Basic Certification Standards)
i. In conjunction with the Library Director, the Committee shall review the Long-range Strategic Plan as to content and execution, and make recommendations for updates to the Board.

ii. Ensure that the efforts of the Library Foundation, Friends of the Library and any other relevant organizational support are coordinated with the Long-range Strategic Plan.
Appendix A

Reference Information

A. Board Membership, Officers, and Assignments

a. Library Board Members.

Seat 1. Ed Dennis 2020 (City Council) eddennis@highlandcity.org
Seat 2. Nancy Passaretti 2019 nancysitaly@yahoo.com
Seat 3. Lisa Bullington 2019 lisabullington1@gmail.com
Seat 4. Claude Jones 2021 claudie.jones@gmail.com
Seat 5. Michael Burns 2021 heymikeburns@gmail.com
Seat 6. Roger Dixon 2019 dixonrd@xmission.com
Seat 7. Jessica Anderson 2020 jessicaesq@gmail.com
Seat 8. Natalie Reed 2020 nreedx69@gmail.com
Seat 9. Doug Cortney 2021 djcortney@yahoo.com

a. Liaisons from other entities.

Friends of the Library Wayne Tanaka waynetanaka10@yahoo.com

b. Library Board Officers.

i. Chair - Roger Dixon
ii. Vice-chair - Claude Jones
iii. Secretary - Lisa Bullington
iv. Executive Officer - Donna Cardon DCardon@highlandcity.org

c. Library Board Liaison to the Friends of the Library.

Nancy Passaretti

d. Standing Committee assignments: (first person listed is the committee Chair)

i. Library Fund - Doug Cortney, Natalie Reed, Claude Jones
ii. Policies - Natalie Reed, Doug Cortney
iii. Reports - Jessica Anderson, Ed Dennis
iv. Personnel - Lisa Bullington, Mike Burns
v. Outreach - Claude Jones, Lisa Bullington, Wayne Tanaka, Nancy Passaretti
vi. Strategic Planning - Mike Burns, Roger Dixon
The City Council approve the revisions of the Municipal Code related to the Library Board. In an effort to clarify the roles of the Library Board, City staff, and City Council, the Library Board has worked with the City staff on revisions to the Municipal Code as it relates to the Library Board. The proposed revisions bring the proposed changes in the Library Board Bylaws and the Municipal Code into agreement and clarify terms of service of Library Board members.

The current version incorporates the changes suggested by City Council at the February 5 meeting. The Library Board will vote on the revisions on February 28, 2019. Should the Board make any changes during their meeting, staff will distribute those updates to Council.

FISCAL IMPACT:
No fiscal impact

PROPOSED MOTION:
I move that City Council approve the revisions to the Municipal Code as proposed.

ALTERNATIVE MOTION:

ATTACHMENTS:
ORDINANCE NO. O-2019-02

AN ORDINANCE AMENDING SECTION 4.12.60 OF THE HIGHLAND CITY MUNICIPAL CODE RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIBRARY BOARD.

WHEREAS, the Highland City Council has created a Library Board to oversee the operations of the Highland City Library; and

WHEREAS, the Highland City Library Board is recommending changes to its duties and responsibilities; and

NOW, THEREFORE BE IT ORDAINED by the Highland City Council as follows:

Section 1. That the Highland City Municipal Code Section 4.12.60 is hereby amended as follows:

4.12.60 Library Board

A. A library board is created, pursuant to Utah Code Annotated Sections 9-7-401 through 9-7-410, consisting from five to nine citizens, one of whom shall be a Council Member. The size of the board may fluctuate based on the needs of the library. The size of the board shall be determined by the City Council after receiving a recommendation from the library board.

B. The library board shall make recommendations concerning use of the library, the amount of fines and fees, and the operation and care of the library. The board may make rules and regulations concerning day to day use of the library and materials to be made available, which do not need specific council approval, but are consistent with the policies made by the council.

C-B. The term of each board member shall be for three years, which terms are staggered, such that two or three appointments are available each year. Terms begin the first day of July. Board members shall not serve more than two full terms in succession.

C. Any vacancy occurring for a seat in which the term has not expired on the board shall be for the unexpired term of the departing board member.

D. The Mayor may remove any board members for misconduct or neglect of duty with the advice and consent of the City Council.

E. The library board shall maintain and care for library by making recommendations concerning the use of the library, the amount of fines and fees, and the operation and care of the library. The board may establish policies concerning day to day use and operation of the library and materials to be made available, which do not need specific City Council approval, but are
consistent with the policies made by the City Council.

F. The Library Director shall serve as the executive officer for the library board.

G. The library board and City Council shall meet once a year to discuss the operations and care of the Library.

H. The library board shall create and present Bylaws to City Council for approval. The Board may also create any Board operating procedures as needed that are consistent with the Bylaws, municipal code, and state code.

Severability

If any provision or clause of this chapter or its application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications which can be implemented without the invalid provision, clause, or application. To this end, the provisions of this chapter are declared to be severable.

Effective Date

This amendment to the ordinance shall become effective on the date passed by the City Council of Highland.

PASSED and APPROVED this 5th day of March, 2019.

HIGHLAND CITY, UTAH

____________________________
Rodney W. Mann
Highland City Mayor

ATTEST:

____________________________
Cindy Quick, MMC
City Recorder

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<th>COUNCILMEMBER</th>
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DATE: March 5, 2019
TO: Honorable Mayor and Members of the City Council
FROM: Rod Mann, Mayor
SUBJECT: ACTION/RESOLUTION: Ratifying the Appointment of Rod Mann to the North Utah County Aquifer Council

STAFF RECOMMENDATION:
Approve the appointment of Mayor Rod Mann to serve on the North Utah County Aquifer Council.

BACKGROUND:
Mayor Mann is recommending that the Highland City Council ratify his appointment to represent Highland City on the North Utah County Aquifer Council. The Mayor will replace former Mayor Mark Thompson on that council.

FISCAL IMPACT:
None

PROPOSED MOTION:
I move that City Council Approve the ratification of Rod Mann to serve on the North Utah County Aquifer Council.

ATTACHMENTS:
1. Resolution No. R-2019-04 (updated resolution attached)
RESOLUTION NO. R-2019-04

A RESOLUTION OF THE HIGHLAND CITY COUNCIL
APPOINTING RODNEY W. MANN TO SERVE ON THE NORTH UTAH COUNTY
AQUIFER COUNCIL

WHEREAS, certain northern Utah County cities, including Pleasant Grove City, American Fork City, Highland City, Alpine City, Lehi City and Saratoga Springs City (the “Cities”), as well as, Central Utah Water Conservancy District (the “District”) entered into an Interlocal Agreement to create the North Utah county Aquifer Council to study, encourage, review, coordinate, and assist in facilitating the ongoing planning, funding, and development of groundwater resources by its members, including possible recharge and recovery projects, in northern Utah County; and

WHEREAS, the District will be governed by a governing board and the Highland City Council desires to make a representative appointment to that Board; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HIGHLAND, UTAH, as follows:

1. That Rodney W. Mann, Highland City Mayor is hereby appointed as its representative to the North Utah County Aquifer Council, together with such alternate or alternates as shall be appointed.

2. That this resolution shall remain in effect until repealed by another resolution appointing a different representative to the North Utah County Aquifer Council.

3. The provisions of this resolution shall take effect immediately upon passage.

PASSED and APPROVED this 5th day of March, 2019.

HIGHLAND CITY, UTAH

____________________________
Rodney W. Mann
Highland City Mayor

ATTEST:

Cindy Quick, MMC
City Recorder

<table>
<thead>
<tr>
<th>COUNCILMEMBER</th>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
<td>Brian Braithwaite</td>
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BACKGROUND:
The Library’s FY 2018-2019 budget adjustments were not accepted when the rest of the city’s budget adjustments were accepted in January 2019 because there was a question about how the City would handle “cross charges” for the Library. At the February 19, 2019 City Council Meeting, Council directed staff to not change the way cross charges are handled for this fiscal year. In addition, Council indicated that the General Fund would pay for the cross charges this fiscal year. The Library is now seeking to have their FY 2018-2019 budget adjustments approved.

Most of the adjustments are fairly minor. Here are some explanations for larger adjustments:

- **Equipment**: The $3,000 extra will cover the addition of a reference desk and shelf ends for newly added and rearranged book shelves.
- **IT Software**: The approximately $3,000 extra will cover the cost to the library of the city’s webpage redesign
- **Programs**: The $3,500 increase will improve our summer reading program, allowing us to give out books instead of small toys for completion prizes.

The attached budget adjustment proposal has expenditures $12,000 less that projected revenue. The Library Director feels that the proposed budget revisions meet the immediate needs of the library and that there is not enough time to adequately enact a responsible use of the extra $12,000 in the time remaining in the fiscal year. As such, we are proposing two alternative uses of the money and are asking for Council to decide which alternative to pursue. First, the Library could transfer the funds to a capital account with the plan to use the extra funds in the next budget year to purchase capital items such as a self-check-out stand, laptop cart for programs, or other materials and...
equipment to improve library services. Second, the General Fund could reduce the amount they cover of the cross charges by the $12,000.

The Library Board will vote on the budget adjustments on February 28, 2019. Should the Board make any changes during their meeting, staff will distribute those updates to Council.

**FISCAL IMPACT:**
In either scenario the Library Fund will balance, meaning expenditures will be less than or equal to revenue. If Council chooses the first alternative, $12,000 will be expensed to a capital account for future use. If the second alternative is selected, the Library will see a decrease of $12,000 in revenue from the General Fund so that the Library pays for that portion of its cross charges this year.

**ALTERNATIVE MOTION 1:**
I move that City Council approve the FY 2018-2019 Library Budget Adjustments which includes $12,000 that will be reserved for the Library’s use in the next fiscal year.

**ALTERNATIVE MOTION 2:**
I move that City Council approve the FY 2018-2019 Library Budget Adjustments and that the General Fund will reduce its subsidy of the Library cross charges by $12,000.

**ATTACHMENTS:**
1. Proposed Budget Adjustments
### Proposed Library Budget Adjustments
**FY 2018-2019**

#### Revenue

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<th>Account</th>
<th>Description</th>
<th>Original 2018-2019</th>
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<tr>
<td>22-31-10</td>
<td>Library Property Taxes</td>
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<td>22-31-11</td>
<td>Library Delinquent Prior Year's Taxes</td>
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<td>22-31-12</td>
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<td>22-32-10</td>
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<td>Non-Resident Cards</td>
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<td>22-32-13</td>
<td>Printing</td>
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<td>22-36-10</td>
<td>Interest Income</td>
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<td>22-36-12</td>
<td>Library Grant Revenue</td>
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<td>22-36-13</td>
<td>Library Surplus</td>
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#### Expenditures

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<td>Salaries/Wages</td>
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<td>22-43-70</td>
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<td><strong>Total</strong></td>
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**Difference from projected revenue** $12,000.00
The City Council should hold a public meeting and determine if the temporary Elevate Aqua Park is requesting approval for a temporary use permit for constructing an aqua park in the Highland Glen Park. The property is 1.50 acres. Temporary Use Permits are approved administratively, however, since the property is owned by the City, the Council will need to approve the request.

An aqua park is a large, inflatable, floating playground on a body of water. They can be created on large or small bodies of water.

Temporary uses are permitted in the city parks and are an administrative process.

SUMMARY OF THE REQUEST:
1. The applicant is requesting a temporary use permit to construct an aqua park in the Highland Glen Park. The property is 1.50 acres. The intent is to use the facility over the next few years.

2. 8% of the applicant’s gross profit will be given to Highland City as a fee for utilizing the park.

3. Staff is working to clarify the number of customers.

4. There will be up to ten (10) full-time and part-time employees employed on the site.

5. Business hours will be Monday-Wednesday 11:00 AM to 5:00 PM, Thursday-Saturday 10:00 AM to 7:00 PM, and closed Sunday from May 27, 2019 to September 2, 2019. With Pre-Season and Post Season two weeks before and after.

6. There will be a shipping container stand on the property that will be utilized for storage.

7. There will be one main entrance to the park and the remainder of the property will be
surrounded by a buoy line. There will be a secondary entrance for emergency use to the north side of the park.

8. Parking will be provided by the current parking in Highland Glen Park. Overflow parking will be provided on the south side of Cedar Hills Drive.

9. Seating and layout area will be to the south of the pond, near the shipping container stand.

10. No trespassing signs and no swimming after hours will be posted on the property.

**CITIZEN PARTICIPATION:**
Notification of a temporary use permit is not required.

**ANALYSIS:**
- The site is designated as R-1-40. Temporary use permits are permitted in city parks.
- All of the surrounding properties are zoned R-1-40. The park is surrounded by Pleasant Hollow Subdivision to the south, Mystic Cove Subdivision to the West, Hidden Oaks Subdivision to the North, and Lone Peak High School to the North-East.
- Staff contacted our Insurance Company. The following summarizes our communication: Inflatables are excluded from our insurance policy. If the Council chooses to allow the aqua park, then one of the conditions should be that the City is named as “Named Insured” not just an “Additional Insured”. In addition, we would need a hold harmless agreement that would make the applicant solely responsible for any liability claims. If there is an accident, most likely the City will be named in the suit since it is on our property. As a result, there still could be legal ramifications even if the above precautions were taken.
- Staff is concerned that the park will not be able to accommodate both the aqua park and the existing level of the use including but not limited to the following concerns:
  - The existing parking at the park is inadequate for the use the parking receives especially on weekends and holidays. In addition, the location of the overflow parking isn’t in close proximity to the facility.
  - The proposed aqua park will occupy approximately half of the pond and a large area of the improved park area. This will limit the amount of users on the pond and in the park.
  - The proposed park would eliminate use of two of the piers that are used for fishing and other activities.
  - During busy time the entire perimeter of the pond is used by fishermen.
  - The applicant is proposing to use the existing restrooms. Staff is concerned with the potential demand exceeding the capacity. Currently the restrooms are cleaned three times a week. This will need to be increased to daily cleaning with the proposed use.
  - Aqua park lines will impact the trail around the pond.
  - During the hot time of the year the water quality drops.
  - There are concerns about maintaining the landscaping and irrigation improvements around the proposed facilities.
The proposed profit sharing may not cover the additional maintenance costs in the park.

- The proposed use was reviewed by the Fire and Police Chiefs. The following are concerns raised during their review:
  - Monitoring of the equipment after hours.
  - Need for a lifeguard and dedicated first aid station.
  - The ability to maintain emergency access within the park and around the facility.

**RECOMMENDATION:**
The Council will need to discuss the merits of the application and determine if the location is appropriate for the use.

**FISCAL IMPACT:**
This action will not have a financial impact on this fiscal year’s budget expenditures.

**ATTACHMENTS:**
1. Proposal
Utah County Parcel Map

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey.
UTAH AQUA PARK
Highland Glen Park, Utah

Key:
1. Shipping Container Stand
2. Main Entrance to Aqua Park
3. Buoy Line denoting Aqua Park Limits
4. Inflatable Aqua park
5. Seating/Layout Area

Proposed Overflow Parking
Pedestrian Access from Parking

Proposed No Trespassing Signs Options

NO TRESPASSING AFTER BUSINESS HOURS

Utah Aqua Park
Highland Glen Park, Utah
Conceptual Rendering - Small Park

Stantec
UTAH AQUA PARK
Highland Glen Park, Utah
Conceptual Rendering - Full Size Park
Secondary Dedicated Parking Area
The City Council approve the revisions of the Municipal Code related to the disposal of animal waste.

In an effort to clarify what items may be disposed of through the solid waste disposal service, I have worked on revisions to the Municipal Code as it relates to disposal of animal waste. The proposed revisions bring the changes will clarify that disposing of animal waste produced by pets such as dogs, cats, birds, or similar animals in a residential garbage receptacle is appropriate and lawful.

No fiscal impact

I move that City Council APPROVE the revisions to Municipal Code 8.12.010 as proposed.

I move that City Council APPROVE the revisions to Municipal Code 8.12.010 as amended.

ORDINANCE NO. O-2019-02

AN ORDINANCE AMENDING SECTION 8.12.010 OF THE HIGHLAND MUNICIPAL CODE REGARDING DISPOSAL OF ANIMAL WASTE

WHEREAS, Title 10 Chapter 3 and §10-8-84 of the Utah Code authorizes the City Council to pass ordinances which are reasonably and appropriately related to the providing for the public health, safety, morals, convenience, order, prosperity, and general welfare of the City and its residents; and

WHEREAS, the City Council desires to clarify what items may be disposed of through the solid waste disposal service;

NOW THEREFORE, BE IT ORDAINED by the Highland City Council as follows:

I. SECTION ONE

That the Highland City Municipal Code, Section 8.12.010, Disposal of Certain Items Prohibited is hereby amended to the following:

8.12.010 Disposal of Certain Items Prohibited

It is unlawful for any person to dispose of the following items through the solid waste disposal service: sod, dirt, building material, motor oil, hot ashes, hazardous waste, animal waste not including that produced by pets such as dogs, cats, birds, or similar animals, and excessive tree trimming and shrubs.

A violation of this Section is punishable as an Infraction.

II. SEVERABILITY

If any provision or clause of this chapter or its application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications which can be implemented without the invalid provision, clause, or application. To this end, the provisions of this chapter are declared to be severable.

III. EFFECTIVE DATE

This amendment to the ordinance shall become effective on the date passed by the City Council of Highland.

PASSED AND ADOPTED by the Highland City Council this 5th day of March, 2019.

HIGHLAND CITY, UTAH

________________________________
Rodney W. Mann
Mayor

ATTEST:
<table>
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<tr>
<th>COUNCILMEMBER</th>
<th>YES</th>
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<tbody>
<tr>
<td>Brian Braithwaite</td>
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STAFF RECOMMENDATION:
City Council nominates and votes for a Mayor Pro-Tempore to preside over City Council meetings in the Mayor’s absence during 2019.

BACKGROUND:
In all municipalities, the Mayor shall be the chair of the Council and preside at all Council meetings. In the absence of the Mayor or because of his or her inability or refusal to act, the Council may elect a member of the Council to preside at a Council meeting as Mayor Pro Tempore.

Council Member Brian Braithwaite had been serving as Mayor Pro Tempore during 2018. Traditionally, the City Council selects a Mayor Pro Tempore at the beginning of each year.

This action is done pursuant to Utah Code, Annotated 10-3b-302(2).

FISCAL IMPACT:
None

PROPOSED MOTION:
I nominate City Council Member ______________________ as Mayor Pro-Tempore for 2019.

ATTACHMENTS:
None