HIGHLAND CITY COUNCIL MINUTES
Tuesday, February 5, 2019
Approved February 19, 2019

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

PRESIDING: Mayor Rod Mann

COUNCIL MEMBERS PRESENT: Brian Braithwaite, 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, Planner Tara Tannahill, Library Director Donna Cardon, City Attorney Tim Merrill, Police Chief Brian Gwilliam, Fire Chief Reed Thompson, and City Recorder Cindy Quick

EXCUSED: Council Member Ed Dennis, City Engineer Todd Trane

OTHERS: Tyler Loong, Roger Wright, Wayne Tanaka, Aerin Burns, Casey Christensen, Ellen Burns, Brady Mather, Paul Burnside, Brad Pack, Dan Reilley, Parker Rushton, Brandon Madsen, Lori N. Lisonbee, Natalie Thompson, Sherry Kramer, Dan Stratton, Devirl Barfuss, Audrey Wright, Vanessa Moody, Amrut Patel, Steven Hewett, Harrison Hewett, Monique Robbins, Steven Robbins, Tralaye Matthews, Brett Sanford, Tim Ball, Cory Wilkinson, Keam Taylor, Justin Taylor

7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)
Call to Order – Mayor Rod Mann
Invocation – Ellen Burns
Pledge of Allegiance – Harrison Hewett

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 Ellen Burns and those assembled were led in the Pledge of Allegiance by Harrison Hewett, a local scout.

1. UNSCHEDULED PUBLIC APPEARANCES
Brady Mather, a resident, voiced support for the park by the middle school and the pickleball courts. He thoroughly enjoyed pickleball and felt that the courts would add to the community and tax base revenue.

Paul Burnside, a resident, also voiced support for the pickleball courts. He was a pickleball player, and he explained how difficult it was to get playing time on the existing courts in the community. He also thought that an area for ultimate frisbee would be good for this park.

Aerin Burns, a resident, thanked the City Council for supporting the Highland City Arts Council, which had been a benefit to her as she grew up in the City. In Utah, it was difficult to be part of the arts unless you were a child
prodigy, but the Arts Council provided opportunities for everyone to participate. She noted that the Arts Council was financially self-renewing.

Tyler Long, a resident, said that he played pickleball in tournaments around the world. There weren’t many places to recreate in Highland, and this park and the courts were much needed. It would also attract people from outside the community into Highland City.

Sherry Kramer, a resident, said that she liked pickleball, but she did not agree with the design of the park. She suggested taking the unused tennis courts around the City and turning them into pickleball courts.

Lorie Lisonbee, a resident, started playing pickleball about a year ago and she thought it was wonderful. It was difficult to get a court at Art Dye Park and the Alpine park because of the popularity. The sport can be enjoyed by all ages, and she understood the facility would be self-sustaining.

Steven Hewett, a resident, recently moved to Highland from St. George, where pickleball was extremely popular. The City of St. George had to expand the pickleball courts that they built because they found that they were too small. Mr. Hewett had heard about the potential 27-court plan last fall and was very excited about it. It would promote healthy lifestyles for all generations, and the facility would be self-sustaining.

Amy Thackery, a resident of Alpine, said that she participated in many community activities, including being a coach for the ultimate frisbee league that many Highland residents participate in. She contributes to Highland City to making purchases in the City as well. Although Ms. Thackery was not an avid pickleball player, she appreciated the Council’s willingness to consider different things that bless the lives of others.

Dan Stratton, a Highland, thanked the Council for their support of the Arts Council. He was a fan of pickleball, but more importantly, he was a fan of community gathering places. This was something he and others would be willing to donate to.

Eric Gertler, a resident, was in favor of the pickleball courts. He spoke of his experiences as the Stake Pickleball Specialist at his church and said that it was a very popular sport.

Dan Reilley, a resident, also supported the park and the pickleball courts. His son-in-law was involved in pickleball in St. George and he lived near a large pickleball facility, and he had never experienced any traffic problems or other negative impacts.

Natalie Thompson, a resident, was in favor of the park. She spoke of her experience as a young, single mother and said that pickleball was all-inclusive.

Cory Wilkinson, a resident, expressed his disappointment that the Council had gone around the citizens and pushed things through even when there was no money to do it. He was concerned that the numbers did not add up, and the majority of the residents did not want pickleball courts. There was no need to rush the park design.

Lorna Reed, a resident, felt that there was a lot of misinformation out there. The General Plan says that the City of Highland was responsible to preserve and protect the values for all. They did not seem to be coming together as a community on this issue, but she felt the majority of the residents wanted the pickleball courts. There is a great need for this park and the courts.

Vanessa Moody, a resident, said that it was important for this decision to be based on facts. She encouraged the City to conduct studies regarding noise, traffic, and other impacts to the residents. There were people in Highland
that would want pickleball courts, but more research needed to be done. She also felt that this didn’t make sense, financially.

Sherry Kramer, a resident, read a section from the General Plan, which says that is the responsibility of the citizens to preserve and protect the qualities that make the community special.

2. 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. MOTION: RATIFYING PLANNING COMMISSION APPOINTMENTS

City Council will consider ratifying the re-appointment of Christopher Kemp, and the appointment of Claude Jones, and Audrey Wright as an alternate to the Highland City Planning Commission. The Council will take appropriate action.

Council Member Kurt Ostler MOVED that the City Council ratify the Mayor’s recommendation of Chris Kemp, Claude Jones and Audrey Wright to serve on the Planning Commission.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Brian Braithwaite  Yes
Council Member Tim Irwin       Yes
Council Member Kurt Ostler      Yes
Council Member Scott L. Smith   Yes

The motion passed.

3. *CANCELLED* PUBLIC HEARING/ACTION: CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 5600 W 10400 N FOR A COMMUNITY PARK

This item will be rescheduled for a future date.

4. ACTION: TITERA FINAL PLAT APPROVAL

Planner Tara Tannahill presented a request from William and Dorothy Titera for final plat approval of a one-lot subdivision. The property was approximately 0.8 acres in size and located at 9913 North 6180 West. She presented the proposed site plan and explained that the applicants wanted to build a single-family residential home.

Mayor Mann noted that this was located east of the land that the City recently sold at Spring Creek Park.

Council Member Brian Braithwaite MOVED to approve the final plat for the one lot subdivision for the Titera property approximately .8 acres and located at 9913 N 6180 W subject to the three stipulations recommended by the Planning Commission.

1. The recorded plat conforms to the final plat date stamped November 20, 2018, except as modified by these stipulations.
2. All public improvements shall be installed as required by the City Engineer.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.
Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:
Council Member Brian Braithwaite Yes
Council Member Tim Irwin Yes
Council Member Kurt Ostler Yes
Council Member Scott L. Smith Yes

The motion passed.

5. ACTION: APPROVAL OF LIBRARY BOARD BYLAWS
Library Director Donna Cardon explained that the Library Board had worked for the past several months to rewrite the Library Board Bylaws to bring them in line with the City and State Codes and clarify the Library Board’s role. They also created an Operating Procedures Manual to use in the practical functions of the organization.

Council Member Scott L. Smith asked how many hours had been spent on these revisions, and Assistant City Administrator Erin Wells said that 128 hours had been spent at meetings. This didn’t count individual hours. Staff and the Library Board were pleased with the final product.

Council Member Brian Braithwaite commended the Library Board and staff for their work. He felt that a few items could be clarified to avoid confusion in the future. Section D should include specific term lengths or reference the City Code Section that defines term lengths. He also wanted it stated that the Board Member’s names and terms would be published on the Highland City website. In Section E, the terms “Executive Officer” and “Library Director” were used several times. He asked if those titles referred to different positions. If they were the same person, he requested that the language be clarified. He also asked that Section G, Item 2b be amended to include the term “with policies consistent with the City Council” to be consistent with Item 1 in that same section. Similar language should be included in Operations and Procedures.

City Administrator Nathan Crane asked if Council Member Brian Braithwaite wanted to send an email with his proposed changes to staff. Council Member Brian Braithwaite wanted to have the discussion with the Council to be sure that everything was clear. City Attorney Tim Merrill said that it would will be a good idea to provide the corrections to staff and the Library Board.

Council Member Scott L. Smith asked Roger Dixon if he had any concerns about the changes proposed by Council Member Brian Braithwaite.

Roger Dixon, Library Board Chair, said that he didn’t have any issues with the changes. Some of the concerns raised by Council Member Brian Braithwaite were discussed by the Board, and they decided that some language didn’t need to be in the bylaws if they already existed in the City and State Codes.

Council Member Brian Braithwaite was concerned that this document was the one that would be given to new board members, and they may not go to the City Code for more information. He wanted to be sure that the board members had the complete picture. He thought that clarifying the term length was critical.

Mayor Mann suggested creating a one-page handout of the City Code that could be given to new board members along with the bylaws.
Council Member Kurt Ostler was sensitive to the fact that the Library Board had spent a lot of time revising the bylaws. He asked if the Council wanted to go through all of the suggested changes and pass them tonight, or if they should provide their recommendations to the Library Board and approve the bylaws at a later date.

Roger Dixon would prefer that the Board have time to review the recommendations before final approval.

Mayor Mann suggested that the Council provide its feedback to staff and the Board, and that the bylaws come back for approval as a consent item.

Council Member Brian Braithwaite moved to continue the bylaws to a future meeting for Council Members Braithwaite and Ostler to provide their comments to staff who will provide those to the library board to make revisions.

Council Member Scott L. Smith seconded the motion.

The vote was recorded as follows:
Council Member Brian Braithwaite  Yes
Council Member Tim Irwin  Yes
Council Member Kurt Ostler  Yes
Council Member Scott L. Smith  Yes

The motion passed.

6. ACTION/ORDINANCE: APPROVAL OF AMENDMENTS TO MUNICIPAL CODE 4.12.60 LIBRARY BOARD

Library Director Donna Cardon presented the proposed amendments to Highland City Municipal Code 4.12.60 regarding the Library Board. The amendment would bring the City Code and Library Board Bylaws into uniformity.

Council Member Kurt Ostler recommended that Item E refer to policies made by the City Council, to be consistent with the rest of the document.

City Attorney Tim Merrill identified language in paragraph D that should read, “…the Mayor, with the advice and consent of the City Council.”

Council Member Brian Braithwaite asked if there was a legal difference between “policies” and “rules and regulations.” City Attorney Tim Merrill said that policies were legislative in nature, while rules and regulations were administrative. However, he could see how the terms could be used synonymously. In State Law, all of the Library Board documents were referred to as policies. Library Director Donna Cardon said that all of the documents she had were called policies.

Council Member Brian Braithwaite said that the wording in paragraph B was very confusing. Library Director Donna Cardon confirmed that it was their intent to stagger the terms so that they didn’t have three members leaving at the same time. Council Member Brian Braithwaite thought that the original wording was sufficient. The proposed language made it seem like terms could be lengthened. There was some discussion regarding this language.

Council Member Scott L. Smith moved to continue the revisions to Municipal Code 4.12.60 Library Board so that the Library Board can readdress some of the concerns expressed during the meeting by Council Member Braithwaite and the wording from Council Member Ostler.

Council Member Tim Irwin seconded the motion.
The vote was recorded as follows:
Council Member Brian Braithwaite Yes
Council Member Tim Irwin Yes
Council Member Kurt Ostler Yes
Council Member Scott L. Smith Yes

The motion passed.

7. ACTION: APPROVAL OF A CONTRACT FOR THE LINING OF SEWER PIPES
City Administrator Nathan Crane explained a project the City initiated in 2017 called cure-in-place pipe, in which a resin sleeve is fitted into existing pipes to seal any leaks. It was estimated that the life expectancy of the pipe is lengthened by about 50 years with this treatment. He presented a project overview map and identified the pipes that would be treated next. The residents would be noticed, and they would be affected for two to four hours. The City received two bids, and staff recommended awarding the bid to Insituform for $94,000. The money would come from the sewer fund.

Council Member Kurt Ostler MOVED to approve the contract with Insituform for a price not to exceed $94,232 for the installation of 4.5 mm cured in place liner for 4,000 linear feet of 8” sewer main in the Pheasant Hollow and Hidden Oak Subdivision and Highland Glen Park.
Council Member Tim Irwin SECONDED the motion.

Council Member Scott L. Smith, who lived in the affected neighborhood, asked who did the lining last year in Pheasant Hollow. He also asked about the difference between the two bids received. City Administrator Nathan Crane said that Pipeline, Inc. did the lining last year. Staff was recommending Insituform because their bid was lower.

Council Member Scott L. Smith asked what would happen if something went wrong and the residents’ homes were flooded with sewage. City Administrator Nathan Crane explained that the City had insurance for that kind of situation.

Council Member Scott L. Smith requested that the contractor meet with the HOA and explain the process, so that the residents were informed. He asked if there were any reported problems with the company, and City Administrator Nathan Crane answered negatively. Council Member Scott L. Smith was concerned that they were choosing this company because they were cheaper, not because they were reputable. He wanted assurance that they were a good company.

Council Member Brian Braithwaite explained that the other bid was too high for the City to meet.

Council Member Tim Irwin MOVED the QUESTION

Council Member Kurt Ostler MOVED to approve the contract with Insituform for a price not to exceed $94,232 for the installation of 4.5 mm cured in place liner for 4,000 linear feet of 8” sewer main in the Pheasant Hollow and Hidden Oak Subdivision and Highland Glen Park.
Council Member Tim Irwin SECONDED the motion.

The vote was recorded as follows:
Council Member Brian Braithwaite Yes
Council Member Tim Irwin Yes
Council Member Kurt Ostler Yes
City Administrator Nathan Crane invited Council Member Scott L. Smith to meet with City Engineer Todd Trane for more details about the sewer lines and the process.

8. **MOTION: COUNCIL COMMITTEE ASSIGNMENTS FOR 2019**
Mayor Mann presented a list of current Council Member committee assignments and said that there were four vacancies: the Beautification Committee, the North Utah County Aquifer Council, the Tree Commission, and the Water Advisory Board. He asked for volunteers and suggested changes to the current assignments.

Mayor Mann was willing to serve on the North Utah County Aquifer Council, if no one else volunteered. There was a brief discussion about the Aquifer Council and its purpose.

Council Member Scott L. Smith voiced interested in being the liaison for the Highland Foundation.

Council Member Kurt Ostler noted that there were three committees dealing with parks and suggested that one person be the representative on all of those committees.

Council Member Brian Braithwaite suggested making more changes this year. Council Member Tim Irwin said that there would need to be some changes because of the Lone Peak Fire District. Mayor Mann said that they would discuss those changes in the middle of the year.

Council Member Brian Braithwaite volunteered to be the representative on the Beautification Committee.

Council Member Kurt Ostler volunteered to work with Lehi Irrigation.

Mayor Mann volunteered for the Tree Commission. It was noted that Council Member Ed Dennis wasn’t present, and he may want to participate in a committee.

There was a discussion regarding the Water Advisory Board in relation to Lehi Irrigation. Council Member Kurt Ostler thought that the same Council Member should participate in both boards. He volunteered for that position.

City Attorney Tim Merrill said that a motion was not necessary for these positions because they were administrative in nature.

Mayor Mann said that he would defer the vote on the Mayor Pro Tempore until the next meeting. It would be included as consent item.

Assistant City Administrator Erin Wells noted that the North Utah County Aquifer Council appointment should be done by resolution. Mayor Mann requested that the resolution be included as a consent item at their next meeting.

9. **MAYOR/COUNCIL AND STAFF DISCUSSION AND COMMUNICATION ITEMS**
Council Member Scott L. Smith said that he was on the North County Waste Management Board. The interlocal agreement with North County Waste Management expired at the end of 2018 and automatically renewed for two years. American Fork City Council Member Shelton had requested that the participating Councils consider a longer term for the interlocal agreement. Having a longer term would help North County Waste Management with its budgeting.

Council Member Scott L. Smith also served on the Animal Shelter Board, and a group had approached the shelter and offered to pay for the immunization and sterilization of feral cats, so that they could be returned to the wild rather than euthanized. More information would be coming forward in the future.

Council Member Kurt Ostler reported on Dry Creek Lake and said that it didn’t look like there would be any costs coming to Highland City. Lehi City was still working on getting the engineering done, but the pipe coming from the dam was an issue.

Council Member Brian Braithwaite reported on a meeting with the Pheasant Hollow HOA regarding the road going through. UDOT would also be holding an open house for the residents to give their input.

10. FUTURE MEETINGS
   a. Future Meetings
      • February 5, City Council Meeting, 7:00 pm, City Hall
      • February 12, City Council and Planning Commission Joint Work Session, 7:00 pm, City Hall
      • February 19, City Council Meeting, 7:00 pm, City Hall
      • February 26, Planning Commission, 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 Kurt Ostler SECONDED the motion. All voted yes and the motion passed unanimously._

_The meeting adjourned at 8:42 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 February 5, 2019. This document constitutes the official minutes for the Highland City Council Meeting.

_Cindy Quick, CMC
City Recorder_
Welcome to the Highland City Council Meeting
February 5, 2019

7:00 PM REGULAR SESSION
Call to Order – Mayor Rod Mann
Invocation – Council Member Tim Irwin
Pledge of Allegiance – Council Member Ed Dennis

UNSC SCHEDULED 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.

CONSENT ITEMS
- Item 2a. – Ratifying Planning Commission Appointments

CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED AT
5600 W 10400 N FOR A
COMMUNITY PARK
Presented by – Tara Tannahill, Planner and GIS Analyst

TITERA FINAL PLAT APPROVAL
Item 4 – Action
Presented by – Tara Tannahill, Planner and GIS Analyst
Citizen Participation

- Development Review Committee (DRC)
  - Three (3) residents attended
  - No written correspondence has been received.
- Radius Notification

Consideration

1) The recorded plat conforms to the final plat date stamped November 20, 2018 except as modified by these stipulations.
2) All public improvements shall be installed as required by the City Engineer.
3) The civil construction plans shall meet all requirements as determined by the City Engineer.

Item 5 – Action
Presented by – Donna Cardon, Library Director

APPROVAL OF LIBRARY BOARD BYLAWS

Item 6 – Action/Ordinance
Presented by – Donna Cardon, Library Director

APPROVAL OF AMENDMENTS TO MUNICIPAL CODE 4.12.60 LIBRARY BOARD
Item 7 – Action
Presented by – Todd Trane, PE - City Engineer

APPROVAL OF A CONTRACT FOR THE LINING OF SEWER PIPES

Overview
- Groundwater infiltration issues in Pheasant Hollow – Hidden Oaks area
- Cured in Place Pipe
  - A resin saturated felt tube is fed through the pipe. Steam is then used to cure the resin
  - Reduces infiltration
  - Life expectancy of the pipe is increased by an estimated 50 years.

Ground Water Reduction

Typical Process
- Resident notification of the entire project
- Work between manholes
  - 3-4 homes
  - Notify homes impacted
- Once pipe is lined wholes are cut for the laterals
  - Limited service for 3-4 hours
  - Restrict high water activities

Project Overview – Part 1

Project Overview – Part 2
Bids

- Pipeline Inc. – $147,104
- Insituform – $94,232
- GL Code 52-40-74

COUNCIL COMMITTEE ASSIGNMENTS FOR 2019

Item 8 - Action
Presented by – Rodney W. Mann, Mayor

FUTURE MEETINGS

- Item 10a. – Future Meetings
  - February 5 – City Council Meeting, 7:00 pm
  - February 12 – City Council & Planning Commission Joint Work Session, 7:00 pm
  - February 19, City Council Meeting, 7:00 pm
  - February 26, Planning Commission Meeting, 7:00 pm