

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, JANUARY 7, 2019**

Mayor Michaelis called the Regular Session to order at 7:00pm. Council members Schwarz, Frey, Bellm and Nicolaides were present. Others in attendance were City Manager Mark Latham, City Attorney Michael McGinley, Directors Conrad, Cook, Gillespie, Imming, Korte, Rosen and Slover; EMS Chief Wilson, Economic & Business Recruitment Coordinator Mallord Hubbard, Deputy City Clerk Hediger, City Clerk Bellm, Library Director Kim, 5 citizens and one member of the news media.

MINUTES

Mayor Michaelis made a motion to approve the minutes of the December 17, 2018 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

PROCLAMATION

Mayor Michaelis read a document dedicating the City of Highland to the success of Census 2020. Economic & Business Recruitment Coordinator Mallord Hubbard stated the proclamation stated it spot on. The committee that we will be putting together is that of different stakeholders within the community. The importance of the census is to get the most complete census. We will be doing our best to use the internet to fill out various responses as much as possible to limit those that have to go door to door and make it as compete as possible. Mayor Michaelis noted there are a number of communities that do not participate. How does it benefit us to participate? Mr. Hubbard explained there are tax incentives, in addition to help with attracting new businesses to the community. Finance Director Kelly Korte added there are per capita tax implications and as we continue to grow, we get closer to a home-rule community. Mr. Hubbard noted we are hoping to meet the 10,000 population with this census.

PUBLIC FORUM

Citizens' Requests and Comments:

No comments or requests brought forth.

Requests of Council:

No comments or requests made.

Staff Reports:

City Manager Latham reported on January 25, 2019 at 11:30am at Diamond Mineral Springs in Grantfork there will be a meeting with property owners of the Silver Lake watershed. We met a little more than a year ago and we talked about projects we would like to do to assist with the watershed conditions. We plan to talk about the success of the projects done and what we would like to proceed with to further improve conditions. Heartland Conservancy, who did a lot of the research and studies on the lake, and helped with the 319 Grant application process will at the meeting.

NEW BUSINESS

Bill #19-01/RESOLUTION Supporting Fair Housing – Councilwoman Bellm made a motion to approve Bill #19-01/Resolution #19-01-2587 supporting fair housing as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #19-02/RESOLUTION Making Separate Statement of Findings of Fact in Connection with Ordinance Granting Special Use Permit to Allow a Drive-Through Establishment to be Located at 2625 Plaza Drive – Councilman Schwarz made a motion to approve Bill #19-02/Resolution #19-01-2588 making separate statement of findings of fact in connection with ordinance granting Special Use Permit to allow a drive-through establishment to be located at 2625 Plaza Drive as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #19-03/ORDINANCE Granting a Special Use Permit to Jedna, LLC, on Behalf of Frey Properties of Highland, LLC, to Allow a Drive-Through Establishment to Be Located at 2625 Plaza Drive – Councilwoman Bellm made a motion to approve Bill #19-03/Ordinance #2910 granting a Special Use Permit to Jedna, LLC, on behalf of Frey Properties of Highland, LLC, to allow a drive-through establishment to be located at 2625 Plaza Drive as attached; seconded by Councilman Schwarz. Councilwoman Bellm inquired does this Special Use Permit include the staff recommendations from Planning & Zoning Commission. City Attorney Michael McGinley replied yes. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #19-04/ORDINANCE Repealing and Replacing Chapter 78-732, Schedule of FTTP Rates and Charges, Section (A), Services by Telecom Component of FTTP System – Councilman Schwarz made a motion to approve Bill #19-04/Ordinance #2911 repealing and replacing Chapter 78-732, Schedule of FTTP Rates and Charges, Section (A), Services by Telecom Component of FTTP System as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked what we are adding with this. Director Angela Imming acknowledged we are adding a couple of features. Councilman Schwarz asked are these mandated features. Director Imming explained the Telecommunications Voice Ordinance was very dated. Our new provided allowed us to roll more features into a base service with the new agreement. It adds new services such as voice conference bridge, call recording, and extension only services for voicemail services. These can be done at no additional charges. Business prices are staying the same with this, but we can charge for additional services to our residential users. We also added an additional product, which can help to recruit businesses. We are able to offer one large internet bundle with other services. Councilman Schwarz inquired the next item is a mandate by telecommunication services, but customers do not have to take. Director Imming replied yes. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #19-05/ORDINANCE Offering for Sale to HCS Telephone Subscribers at Least One Option That Provides a Minimum of 24 Hours of Standby Backup Power for Customer Premises Equipment –

Councilwoman Bellm made a motion to approve Bill #19-05/Ordinance #2912 offering for sale to HCS Telephone Subscribers at least one option that provides a minimum of 24 hours of standby backup power for customer premises equipment as attached; seconded by Councilman Schwarz. Councilwoman Bellm noted this is FCC mandated. Director Angela Imming reported the FCC came out with a requirement in 2014, requiring 24-hour battery backup equipment be available for customers by February 2019. The battery backup that we currently provided was for 21 hours; the new units are for 24 hours. We do have to notify customers that this is provided and of the requirement, along with how to schedule service for these to be installed. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #19-06/ RESOLUTION Approving Agreement for City of Highland d/b/a Highland Communication Services to Extend Contractual Member Agreement Between Vivicast Media, LLC and MLB Network to Carry MLB Network for 45 Cents Per Subscriber – Councilman Schwarz made a motion to approve Bill #19-06/ Resolution #19-01-2589 approving agreement for City of Highland d/b/a Highland Communication Services to extend contractual member agreement between Vivicast Media, LLC and MLB Network to carry MLB Network for forty-five cents per subscriber as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked what we were currently paying. Director Imming replied this is the same price as it currently is. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #19-07/RESOLUTION Approving Binding Letter of Acknowledgement to Game Show Network Letter Agreement for City of Highland d/b/a Highland Communication Services, Between Vivicast Media, LLC and Game Show Network – Councilwoman Bellm made a motion to approve Bill #19-07/Resolution #19-01-2590 approving Binding Letter of Acknowledgement to Game Show Network letter agreement for City of Highland d/b/a Highland Communication Services, between Vivicast Media, LLC and Game Show Network as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #19-08/RESOLUTION Approving NBCU Network Agreement for City of Highland d/b/a Highland Communication Services, with Respect to Agreement Between NBC-Universal Media, LLC and 4COM, Inc. - Councilman Schwarz made a motion to approve Bill #19-08/Resolution #19-01-2591 approving NBCU Network Agreement for City of Highland d/b/a Highland Communication Services, with respect to agreement between NBC-Universal Media, LLC and 4COM, Inc. as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Approve Notice of Municipal Letting, Bid #PW-01-19, Purchase of Sewer Camera – Councilwoman Bellm made a motion to approve Notice of Municipal Letting, Bid #PW-01-19 purchase of sewer camera as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Award Bid #R-PR-09-18, for Removal and Replacement of Weinheimer HVAC – Councilman Schwarz made a motion to award Bid #R-PR-09-18, for removal and replacement of Weinheimer HVAC to Kalmer HVAC Services, LLC, in the amount of \$99,775.00 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Award Bid #E-12-18 for Purchase of LED Street Light Fixtures – Councilwoman Bellm made a motion to award Bid #E-12-18 for purchase of LED Street Light Fixtures to Graybar Electric, in the amount of \$48,375.00 as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

REPORTS

Approve Warrants #1116 & #1117 – Councilman Schwarz made a motion to approve Warrants #1116 & #1117 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, voted aye, none nay. Councilman Nicolaides abstained. Motion carried.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Schwarz. All council members voted aye, none nay. Motion carried and meeting adjourned at 7:25pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk