

REGULAR MEETING

**AGENDA
AND
STAFF MEMO**

HEBER CITY CORPORATION
75 North Main Street
Heber City, Utah
City Council Meeting
May 15, 2014

Regular Meeting
7:00 p.m.

TIME AND ORDER OF ITEMS ARE APPROXIMATE AND MAY BE CHANGED AS TIME PERMITS

Pledge of Allegiance: Council Member Robert Patterson
Prayer/Thought: By Invitation (Default Council Member Erik Rowland)

Minutes for Approval: April 17, 2014, Work and Regular Meetings
April 26, 2014, Special Budget Meeting
May 1, 2014, Work and Regular Meetings

OPEN PERIOD FOR PUBLIC COMMENT

APPOINTMENTS

Item 1 – Sonya Duke, Utah Valley University, Wildlife Conference Announcement and Invitation

ACTION ITEMS

Item 2 – Blaine Stewart, Heber Light and Power Company, Discuss Rate Redesign and Increase

Item 3 - Blake Allen, Approve Heber Homes 9 Subdivision located at 390 North 300 East

Item 4 – Todd Cates, Approve Red Ledges Phase 2C located at the Intersection of Haystack Mountain Drive and Chimney Rock Road.

Item 5 - Approve Ordinance 2014-11, an Ordinance Amending the General Plan Land Use Map on Block 80, along Center Street Between 100 West to 200 West

Item 6 - Approve Ordinance 2014-12, an Ordinance Amending the Zoning Map on Block 80, along Center Street Between 100 West to 200 West

Item 7 - Approve Ordinance 2014-13, an Ordinance Amending the Zoning Text Found in Chapter 18.50 of the R-C Residential Commercial Zone

Item 8 – Approve Ordinance 2014-14, an Ordinance Repealing Section 111 of the Heber City Commercial Districts: C-2 and C-4 Zones Design Standards and Guidelines

Item 9 – Declare Lots 3 and 4, Habitat for Humanity Lot Split Subdivision Located at 300 North 400 West as Surplus Property

DISCUSSION/ACTION ITEMS

CLOSED SESSION AS NECESSARY – PURPOSE TO BE ANNOUNCED IN MOTION

In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Michelle Kellogg at the Heber City Offices (435) 654-0757 at least eight hours prior to the meeting.

Posted on May 8, 2014, in the Heber City Municipal Building located at 75 North Main, Wasatch County Building, Wasatch County Community Development Building, Wasatch County Library, on the Heber City Website at www.ci.heber.ut.us, and on the Utah Public Notice Website at <http://pnm.utah.gov>. Notice provided to the Wasatch Wave on May 8, 2014.

Memo

To: Mayor and City Council
From: Mark K. Anderson
Date: 05/08/2014
Re: City Council Agenda Items

REGULAR MEETING

APPOINTMENTS

Item 1 – Sonya Duke, Utah Valley University, Wildlife Conference Announcement and Invitation: Sonya Duke is coming before the Council to invite them to attend the first annual Wasatch Wildlife Weekend Conference that will be held June 19th – 21st at the UVU Campus. Enclosed is an email from Sonya and copies of information about the specific education/activities associated with the event. It looks like it will be a great event for our valley.

ACTION ITEMS

Item 2 – Blaine Stewart, Heber Light and Power Company, Discuss Rate Redesign and Increase: Blaine Stewart, Heber Light and Power General Manager, is coming before the Council to present the results of the Cost of Service and Rate Design report that was recently completed. I have provided copies of the report with the proposed rates that can be found on Heber Light & Power's website. In speaking with Blaine, the presentation that will be made to the Council is being finalized and is not yet available for review prior to the meeting. I suspect that some of the information that will be presented can be found in the enclosed documents.

Item 3 - Blake Allen, Approve Heber Homes 9 Subdivision located at 390 North 300 East: Blake Allen is coming before the Council to seek approval for a lot split/two lot subdivision for property located at 390 North 300 East. A home currently exists on lot #2 of the proposed subdivision. (See enclosed plat map and staff report) The Planning Commission has reviewed the proposed subdivision and is recommending approval subject to the deed restriction for road, gutter and sidewalk improvements. Staff would recommend approval under the proposed conditions.

Item 4 – Todd Cates, Approve Red Ledges Phase 2C located at the Intersection of Haystack Mountain Drive and Chimney Rock Road: Todd Cates is coming before the Council to seek final plat approval for a 9 lot subdivision known as Phase 2C. The Planning Commission has reviewed the proposed subdivision and is recommending approval. (See enclosed staff report and plat map) Staff would also recommend approval. No separate subdivision agreement is needed for this plat.

Item 5 - Approve Ordinance 2014-11, an Ordinance Amending the General Plan Land Use Map on Block 80, along Center Street Between 100 West to 200:

Because Questar has ceased using their office on 167 West Center, a request has been made to the Planning Commission to amend the General Plan to enlarge the R-C (Residential Commercial Zone) on Center Street between 100 and 200 West.

Enclosed is a staff report and zoning map from Tony Kohler that should be used as a resource for the next three agenda items. The Planning Commission has held a public hearing and their recommendation is that the General Plan Future Land Use Map be amended to re-zone the remainder of Block 80 to the R-C Zone. Amendment of the General Plan is necessary before the re-zoning of the property can occur. Staff would recommend approval. (See enclosed Ordinance)

Item 6 - Approve Ordinance 2014-12, an Ordinance Amending the Zoning Map on Block 80, along Center Street Between 100 West to 200 West:

Assuming the Council approves the above agenda item, adoption of this Ordinance would re-zone the Questar parcel from R-3 Residential to R-C Residential Commercial. Once again, the Planning Commission has held a public hearing on this matter and is recommending that the re-zoning of the parcel located at 167 West Center be approved. Staff would also recommend approval. (See enclosed Ordinance)

Item 7 - Approve Ordinance 2014-13, an Ordinance Amending the Zoning Text Found in Chapter 18.50 of the R-C Residential Commercial Zone:

In reviewing the objectives and characteristics of the R-C Residential Commercial Zone, the Planning Commission determined there was a need to amend the Ordinance because the R-C Zone was being expanded to properties fronting on Center Street. Also, it was determined that the permitted uses in the R-C Zone should be expanded to specifically include real estate and development offices as permitted uses within the zone. The Planning Commission has reviewed the proposed amendments and is recommending approval. Staff would also recommend approval.

Item 8 – Approve Ordinance 2014-14, an Ordinance Repealing Section 111 of the Heber City Commercial Districts: C-2 and C-4 Zones Design Standards and Guidelines:

Recently the Planning Commission has reviewed two commercial development plans that are in excess of 15,000 sq. feet in the C-2 Zone that would require vacancy/dark store agreements. In review of the Code, the Planning Commission believes that 15,000 sq. feet is too small of a commercial building to require a dark store/vacancy agreement as the MURCZ Zone only requires a dark store/vacancy agreement for buildings in excess of 60,000 sq. feet. The Planning Commission has held a public hearing and is recommending that Section 111 of the C-2

and C-4 Design Criteria be repealed. (See enclosed staff report and Ordinance) Staff would also recommend approval.

Item 9 – Declare Lots 3 and 4, Habitat for Humanity Lot Split Subdivision, Located at 300 North 400 West, as Surplus Property: During the budget process, the City Council indicated that they were willing to consider declaring Lots 3 and 4 of the Habitat for Humanity Subdivision surplus property. These developed lots are part of the old public works property that have been held by the City for several years. The size and value of the lots are such that they do not meet the criteria of a significant parcel that would require the City to hold a public hearing before declaring the lots surplus.

The City has engaged Alan Giles to appraise the lots to determine the estimated value of the lots. I am hopeful that I will obtain the appraisal reports prior to May 15th. Based on the appraised value, I would recommend that the Council establish an acceptable price for the lots and market them “For Sale By Owner”. If the City receives an offer from someone willing to pay the listed price, that the City Manager be authorized to execute the sale of the property. If an offer below the asking price is received, the offer would have to be brought back to the Council for consideration. At this time, three parties have expressed interest in one or both of the lots.

MINUTES

1 **Heber City Corporation**
2 **City Council Meeting**
3 **April 17, 2014**

4
5 **5:35 p.m.**

6
7 **WORK MEETING**

8
9 The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on April 17, 2014, in
10 the City Council Chambers at 75 North Main Street, Heber City, Utah.

11
12
13 **Present:** Mayor Alan W. McDonald
14 Council Members Robert Patterson
15 Jeffery Bradshaw
16 Erik Rowland (arrived 5:50)
17 Heidi Franco
18 Kelleen Potter

19
20 **Also Present:** City Recorder Michelle Kellogg
21 City Engineer Bart Mumford
22 Planning Director Anthony Kohler
23 Chief of Police David Booth
24 City Attorney Mark Smedley

25
26 **Others Present:** Darryl R. Glissmeyer, Brian Jacobson, Dale Berreth, Paul Boyer, Dave Hansen,
27 Jeff Mabbutt, Harry Zane, Dallin Koecher, Mike Thurber, Robert Ford, Tracy Tayler, Stacie
28 Ferguson, Kieth Rawlings, LuWen Lee, Moana Rowland, Anissa Wardell, Diana Garfield, Maria
29 Harvey, Janice Haynes, Todd Cates, Laurie Wynn, Dave Kennamer, Jen McCarthy, Sheryl
30 Nelson, Danny Goode, Don Jacobson, Brian Lee, Dennis Jensen, and others whose names were
31 illegible.

32
33 Mayor McDonald opened the meeting and welcomed those in attendance.

34
35 **Item A – Review of Public Safety Building Elevations:** GSBS Architects presented their
36 drawings of the proposed interior and exterior designs for the public safety building. Council
37 Member Franco expressed disappointment that the exterior did not look like the pioneer
38 buildings found in the community, and was concerned that the columns had an alpine look.
39 Council Member Patterson agreed. Council Member Potter liked the design but admitted it

1 looked modern. Council Member Franco thought it looked like a Park City building. She also
2 stated she didn't want the building to look like a barn, and suggested solid pillars along the front.

3
4 Council Member Rowland arrived at 5:50 p.m.

5
6 Council Member Bradshaw thought the design looked like craftsman homes and he didn't like
7 columns. Council Members Patterson and Bradshaw liked the idea of a flatter look, such as a
8 squared solid building. Council Member Bradshaw suggested putting up a façade to hide the
9 pitched roof.

10
11 Dan Barreth explained the differences in building today versus in the pioneer era. Council
12 Member Potter liked the windows and how the building was broken up with the varying levels of
13 the roof. Council Member Patterson thought there wasn't enough of the two-story look. Council
14 Member Rowland indicated he liked the building and liked the barn look.

15
16 The Planning Commission was asked their opinion. Glissmeyer and others felt the barn look
17 reflected the agricultural community. Rawlings was glad to see elements of a two-story building.
18 One suggestion was given to add hitching rings on the columns. Kohler agreed it was a modern
19 looking building.

20
21 **Item B - Annual Training Meeting for the City Council and All City Boards on The Code**
22 **of Conduct and Ethics for Public Officials, The Conflict of Interest Policy and The Rules of**
23 **Order and Procedure:** Mayor McDonald turned the time to Mark Smedley, City Attorney, for
24 training. Smedley reviewed the Code of Conduct and Ethics. Some highlights of the training
25 included that policies should be debated without fear of reprisal. Council and board members
26 should also avoid actions that were inconsistent with the best interests of the City. It was
27 requested that all members sign and return the agreement to uphold this policy. It was also noted
28 that even if the members did not sign the form, they would still be obligated to uphold the
29 conduct outlined therein.

30
31 The Conflict of Interest for Public Officials policy was discussed as well. Smedley stressed the
32 members needed to listen to the weak voices of the community as well as the strong voices on
33 the issues that would arise. Also, they should be aware of issues that needed a recusal or a
34 disclosure by a Council and/or board member. Council Member Franco asked that a deadline be
35 given to turn in the conflict of interest forms, and wanted Mayor McDonald to share each
36 member's conflicts with the rest of the Council. Smedley cautioned how tight cities should bind
37 themselves over and above the requirements of State law.

38
39 Kellogg explained the different Conflict of Interest forms with the group and the due dates
40 attached to each.

1 At this time, the Council paused the Work Meeting discussion to move into the Regular Meeting.
2 After the Regular Meeting, the Work Meeting discussion continued:

3
4 Mayor McDonald asked the Council when they could meet for another budget meeting. It was
5 decided to meet Saturday, April 26th, at 9:00 a.m.

6
7 **Item C - Discuss Resolution 2014-04, A Resolution Amending The Heber City Personnel**
8 **Policy: Section 1.3, Personnel Committee; Section 6.1, Educational Assistance; Section 11.3,**
9 **Procedures; Section 13.13, Vacation; Section 13.14, Sick Leave; Section 13.25, Retirement;**
10 **Section 13.30, Time Off For Election (Voting);** Section 1.3, Personnel Committee; Council

11 Member Potter explained the background for Section 1.3 and noted inserting additional
12 employees as representatives on the committee concerned the Personnel Committee members.
13 For this reason the committee opted to have employees present any suggestions to the committee
14 members at the committee meetings.

15
16 Section 6.1, Educational Assistance: Council Member Franco explained this was clarifying the
17 process of educational assistance. Council Member Rowland suggested that any personal data
18 such as grades and transcripts should be kept confidential. Chief Booth asked that “a department
19 head would have the right to waive the post-probationary period” be added to the language.
20 Some in the audience didn’t understand the need for this assistance. Council Member Bradshaw
21 stated the City would invest to enhance the training of its employees.

22
23 Tracy Taylor felt that this benefit could be abused. Taxpayers shouldn’t have to pay for
24 somebody else’s education. Laurie Wynn asked if this was just for specific classes to enhance the
25 employee’s knowledge because that was common. Council Member Rowland stated it was
26 sometimes more cost effective to pay for training than to hire an individual that was more
27 qualified because a higher salary would be required. Council Member Potter proposed discussing
28 what the City would like to have as a result of this assistance with the committee; such as
29 employee retention, etc. Darryl Glissmeyer suggested the employee should write an essay on
30 how the education will make him/her a better employee, and noted a one year employment
31 commitment after receiving the education was too short.

32
33 Council Member Rowland wanted to ask Anderson, who was absent, how many times this
34 section has been used. Mayor McDonald suggested not allowing employees to attend class
35 during their normal work schedule. Chief Booth asserted if he required the employee to take a
36 class, he wanted to enable the employee to fit the class into the work schedule. If the employee
37 requested the class, they would need to attend the class during non-work hours. Mayor
38 McDonald suggested having the department heads review this policy.

1 Section 13.13, Vacation and Section 13.14, Sick Leave: It was noted that language was inserted
2 to these provisions to clarify the benefits for a non-exempt (hourly) employee versus an exempt
3 (salary) employee.
4

5 Section 13.25, Retirement: This section was expanded to explain the Utah Retirement Systems
6 (URS) Tier I and Tier II programs. The verbiage that part-time mayors on the Tier II program
7 would not be eligible for retirement was required per the URS audit in December 2013.
8

9 Section 13.30, Time Off for Election (Voting): This section was added to the policy to be in
10 compliance with State law.
11

12 Section 11.3, Procedures: Council Member Franco explained the current grievance and stated the
13 proposal was to include an additional step in the grievance process before an employee would go
14 to the Council. Chief Booth proposed that the Personnel Committee should be made up of
15 department heads because employees sometimes brought self-serving requests before the
16 committee that were not in the best interest of the City.
17

18 Section 6.2, Conferences, Seminars and Conventions: Council Member Franco explained the
19 hours of the meetings that would be counted as paid hours. Council Member Rowland wanted to
20 look at a precedent for travel and conferences.
21

22 Section 11.1, Policy Statement: After some discussion, the majority of the Council didn't want
23 employees to be able to grieve education assistance.
24

25 With no further business, the meeting was adjourned.
26
27
28
29

Michelle Kellogg, City Recorder

1 **Heber City Corporation**
2 **City Council Meeting**
3 **April 17, 2014**
4 **7:07 p.m.**

5
6 **REGULAR MEETING**
7

8 The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on April 17, 2014,
9 in the City Council Chambers at 75 North Main Street, Heber City, Utah.

10
11 **Present:** Mayor Alan W. McDonald
12 Council Members Robert Patterson
13 Jeffery Bradshaw
14 Erik Rowland
15 Heidi Franco
16 Kelleen Potter
17

18 **Also Present:** City Recorder Michelle Kellogg
19 City Engineer Bart Mumford
20 Planning Director Anthony Kohler
21 Chief of Police David Booth
22 City Attorney Mark Smedley
23

24 **Others Present:** Darryl R. Glissmeyer, Paul Boyer, Dave Hansen, Jeff Mabbutt, Robert Ford,
25 Tracy Tayler, Stacie Ferguson, LuWen Lee, Moana Rowland, Anissa Wardell, Diana Garfield,
26 Marcie Harvey, Janice Haynes, Todd Cates, Laurie Wynn, Dave Kennamer, Jen McCarthy,
27 Sheryl Nelson, Danny Goode, Don Jacobson, Brian Lee, Dennis Jensen, and others whose names
28 were illegible.
29

30 Mayor McDonald opened the meeting and welcomed those in attendance.
31

32 **Pledge of Allegiance:** Council Member Erik Rowland

33 **Prayer:** Council Member Heidi Franco
34

35 **Minutes:** March 31, 2014 Special Budget Meeting
36 April 3, 2014 Work and Regular Meetings
37

38 Council Member Patterson moved to approve the above listed minutes. Council Member Franco
39 seconded the motion. Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco, and
40 Potter.
41

42 ***OPEN PERIOD FOR PUBLIC COMMENTS***
43

44 Mayor McDonald asked if there were any in the audience that had comments for the Council that
45 would not be addressed on the agenda.

1 Paul Boyer stated he owned Hangar 19, and he along with other hangar owners loved the airport
2 and wanted it to succeed. He wanted to make the Council aware of the long term plan for the
3 airport. He felt the City Council needed to set rules on how airport infrastructure would be dealt
4 with in the future. Boyer indicated Heber currently had no strategic plan or marketing plan for
5 the airport. He passed out a binder of materials for the Council to study regarding the St. George
6 airport and its strategic plan and marketing plan.

7 8 *APPOINTMENTS*

9
10 **Item 1 - Wasatch Chevy's Car Club Presentation:** Diana Garfield stated she was the president
11 and Marcie Harvey was the vice president of the club this year. They thanked the Council and
12 indicated they had brought the car show to Heber for the last 22 years, on the last Saturday in
13 June of each year. They really enjoyed coming to Heber and had received a good turn out from
14 the community. Garfield invited Mayor McDonald to come to the car show and pick a "Mayor's
15 Choice" car.

16 17 *ACTION ITEMS*

18
19 **Item 2 - Request by Red Ledges for Subdivision Final Approval and Associated**
20 **Development Agreement for Phase 2G Located in the Red Ledges Project on Club Cabins**
21 **Court:** Council Member Franco asked if there was progress regarding the open space dedication.
22 Todd Cates stated he was waiting on feedback from the County. Steve Farrell set a meeting with
23 other members of the County to discuss this issue.

24
25 Council Member Patterson moved to approve Red Ledges Phase 2G Subdivision and the
26 associated Development Agreement. Council Member Bradshaw seconded the motion.

27
28 Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco, and Potter.

29
30 **Item 4 - Approve Amendments to the Airport Advisory Board Bylaws:** Mayor McDonald
31 indicated the City Attorney had reviewed the proposed bylaws. The makeup of the Board was
32 determined to be eight members as specified in the amendment. Mayor McDonald asserted that
33 this was an advisory board and should not have the Council members as recommended. Council
34 Member Patterson favored the Council members being on the Board. Council Member Potter
35 requested broad representation from the community. Council Member Franco suggested bringing
36 in the FBO and others to form the Technical Assistance Committee to the Airport Advisory
37 Board. Council Member Rowland stated there was discussion on putting together this committee
38 through the newspaper, and the hangar owners were invited to send applications to Karen Tozier
39 if they were interested in serving.

40
41 Mayor McDonald asked the Council members to review their schedules and board assignments
42 to see if they were able to serve on this Board. Council Member Franco asserted the Technical
43 Assistance Committee should be well represented because of the issues, but the Board itself
44 should be an objective body and should not have self interest in the decisions being made.
45 Residency requirements were discussed. It was noted that valuable input could be given from
46 many that lived outside the County. Mayor McDonald didn't think the Council should limit the

1 input to those within the County for the Technical Assistance Committee. Council Member
2 Rowland suggested allowing the Board to make the decision of membership requirements for the
3 committee.

4
5 Council Member Franco moved to add language to number six of Resolution 2014-05 that would
6 state “members of the Technical Assistance Committee would not be allowed to be paid
7 consultants to the Airport Advisory Board during their time as members of the committee”. The
8 motion died for lack of a second.

9
10 Mayor McDonald asked if the Council liked Council Member Potter’s suggestion of replacing
11 Council and FBO presence on the Board with citizens from within the County. Council Member
12 Rowland did not favor that suggestion. He liked the current Resolution and would add language
13 to number seven to say “resident” meant having a primary residence within Heber City/Wasatch
14 County. Council Member Bradshaw liked the amendment contained in the Resolution and the
15 creation of the Technical Assistance Committee. He felt the air industry was specialized and
16 needed specialized knowledge.

17
18 Due to some confusion, Council Member Franco again moved to add language to number six of
19 Resolution 2014-05 that would state “members of the Technical Assistance Committee would
20 not be allowed to be paid consultants to the Airport Advisory Board during their time as
21 members of the committee”. Council Member Rowland seconded the motion.

22
23 Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco, and Potter.

24
25 Council Member Potter was concerned with the appearance of a conflict of interest in having the
26 FBO on the Board, even as a nonvoting member. Council Member Patterson stated the FBO had
27 vast technical experience that could benefit the Board. Council Member Rowland indicated that
28 because the bylaws required the Airport Advisory Board to give the FBO knowledge of any
29 proposed changes, it was helpful having the FBO at the Board meetings. Mayor McDonald stated
30 if the FBO was stricken from Board, he could still come sit in and also give reports as part of the
31 education process.

32
33 Council Member Potter moved to delete item four regarding FBO representation on the Airport
34 Advisory Board. Council Member Franco seconded the motion.

35
36 Voting Aye: Council Members Bradshaw, Rowland, Franco, and Potter. Voting Nay: Council
37 Member Patterson. Motion passed.

38
39 Council Member Bradshaw moved to adopt Resolution 2014-05, excluding number four.
40 Council Member Rowland suggested Council Member Bradshaw amend the motion to include
41 “resident” meant having a primary residence within Heber City/Wasatch County. Council
42 Member Bradshaw amended the motion as noted. Council Member Patterson made the second.

43
44 Council Member Franco requested that number eight be amended to include “within each 12
45 month period starting after the month of their appointment”. Council Member Bradshaw would
46 not amend the motion to include that additional language. There was discussion over attendance.

1 Smedley also noted that the Airport Advisory Board Conflict of Interest policy was different than
2 the general Conflict of Interest policy for the City. He suggested that the Board look at its policy
3 and either combine it with the general policy or choose one over the other for the members to
4 sign.

5
6 Council Member Franco asked Council Member Rowland how the Board currently tracked
7 attendance. Council Member Rowland stated some members were approached over the lack of
8 attendance or meeting times were changed to accommodate schedules.

9
10 Council Member Potter had concern with seven(c) with regard to the word “appointment”. She
11 requested language of what the Board would do if the Council didn’t consent to the Mayor’s
12 appointment. She asked how the Board would function in the interim. Smedley suggested that
13 “appointment” could be substituted for “election”. Council Member Bradshaw amended the
14 language to include that “when a Board member’s term is up, he/she can still sit on the Board
15 until another appointment was approved by the Council”.

16
17 Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco, and Potter.

18
19 With regard to attendance, Tracy Taylor stated it would be easier to keep track year by year
20 instead of waiting until the member’s term ended to know if attendance was at 60%. Mayor
21 McDonald restated that the chair would monitor attendance and work with member’s schedules.
22 Council Member Potter asked Smedley if attendance language was in other boards’ bylaws.
23 Smedley asserted he could look into that, but suggested language that the Board members attend
24 60% per year subject to the discretion of the chair.

25
26 **Item 3 - Brian Lee, Approval of the Activa Plaza Condominium Second Plat Amendment:**

27 Kohler reviewed the City deeded extra property along 600 South to Activa Plaza. This plat
28 incorporated that property into Parcel Four. Council Member Franco asked what would be
29 housed in the building. Kohler stated professional office space with a dance studio in the
30 basement. Council Member Franco asked about the lighting requirements. Brian Lee indicated
31 there was no additional lighting other than porch lighting.

32
33 Council Member Rowland moved to approve Activa Plaza Condominium Second Plat
34 Amendment. Council Member Patterson made the second.

35
36 Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco, and Potter.

37
38 Mayor McDonald asked the Council to think about recommendations for members of the Airport
39 Advisory Board.

40
41 Council Member Franco moved to amend Resolution 2014-05 to add language to number eight
42 “subject to the discretion of the Airport Advisory Board chairman or the Mayor”. Council
43 Member Potter made the second.

44
45 Voting Aye: Council Members Franco and Potter. Voting Nay: Council Members Patterson,
46 Bradshaw and Rowland. Motion failed.

1 With no further business, the meeting was adjourned.

2

3

4

5

Michelle Kellogg, City Recorder

DRAFT

1 **Heber City Corporation**
2 **City Council Meeting**

3
4 **May 1, 2014**

5
6 **5:05 p.m.**

7
8 **WORK MEETING**

9
10 The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on May 1, 2014, in
11 the City Council Chambers at 75 North Main Street, Heber City, Utah.

12
13
14 **Present:**

Mayor

Alan McDonald

Council Members

Robert Patterson

Jeffery Bradshaw

Heidi Franco

Kelleen Potter

15
16
17
18
19
20 **Excused:**

Erik Rowland

21
22 **Also Present:**

City Manager

Mark K. Anderson

City Engineer

Bart Mumford

Chief of Police

Dave Booth

Deputy Recorder

Amanda Anderson

23
24
25
26
27
28 **Others Present:** Dale Stewart, Randy Birch, Paul Boyer, Suzanne Hansen, Ramona Pace,
29 Danny Fugal, Krystal Fugal, Jenny Dorsey, Nann Worel, Nate Cox, Janalee Carter, Caden
30 Cowlen, Sandra Lud, Marielle Pariseau, Zoey Vos, Connor Hines, Whitney Kraatz, Morgan Van
31 Astine, Amber Hutchinson, Kim Griffin, Mel McQuarrie, Francis Harrison, Paul Berg, James
32 Doolin, Tesla Humpherys, Brooke Brown, Alex Luster, Dale Barreth, Brian Jacobson and others
33 whose names were illegible.

34
35 Mayor McDonald opened the meeting and welcomed those in attendance.

36
37 **GSBS Architects, Presentation of Updated Elevations for the Public Safety Building:** The
38 architects presented four poster-sized boards with photographic representations of their updated
39 design to the Council. Council Member Franco stated she was pleased with the lower half of the
40 building design, but had reservations with regard to the roof and dormers looking too modern.

1 Council Member Patterson asked about fence placement and there was discussion with regard to
2 window height and type. The Mayor asked the Council how they felt about the lower part of the
3 building and the Council Members agreed they were pleased with the lower half design of the
4 building. Council Member Franco asked if there were other options for the entrance which she
5 felt was too boxy-looking. Council Member Patterson stated he liked the entrance as it was. The
6 architects stated they could adjust the design to accommodate the feedback from the Council and
7 stated that cost would determine some of the decisions. Mayor McDonald asked how the
8 Council felt about the roof. The architects explained the reasoning behind the placement of the
9 dormers and Council Member Franco stated the previous window design was her preference over
10 what was presented currently. The architects asked the Council to think about what they would
11 like to see in the commons area and to provide them with feedback at a later date. Dale Barreth
12 reminded the Council these were schematic designs and the next step was design development
13 which would reflect more accurately the details of the building design. Council Member Potter
14 stated she liked the steeper roof of the building design. Mark Anderson asked about the ceiling
15 heights in the building and stated the community room height should be higher for audio visual
16 reasons and asked the architects if they felt the design presented would fit within the allotted
17 budget. The architects felt positive the design would fit within the budget. Council Member
18 Franco thanked the architects for their work to make the design more historical and stated she
19 was pleased with their efforts. Mayor McDonald asked if the Council felt comfortable moving
20 forward with what they had been presented with this evening, which they did and the architects
21 stated they felt confident moving forward as well.

22
23 The Council took a break at 5:50 p.m. Upon returning to the work meeting the following
24 discussion took place.

25
26 **Bart Mumford, Brief on Valley Hills Water:** Mumford stated due to work on the Broadhead
27 water tank, the City had switched the Valley Hills water service to another water tank system,
28 which resulted in the Valley Hills area being provided with chlorinated water. Mumford felt a
29 public meeting was in order at the next Council meeting to provide the Valley Hills residents the
30 correct information and wanted the Council to be apprised of the situation. He showed the
31 Council the current water system, where the tanks and springs were located throughout the City
32 and he noted which tanks and springs provided water to which area. Due to pressure issues,
33 water supply, etc. the most appropriate solution was to run a pipeline to connect the Lindsay
34 Water Tank to the Valley Hills area, which would boost the water pressure and provide the
35 proper fire flow storage for the surrounding area. Mumford stated that a public meeting would
36 diffuse the situation and educate the residents and public with the facts. Mumford stated his best
37 interest was the City as a whole and asked for the support of the Council.

38
39 **Item A – Discuss Business License Study:** Mark Anderson explained the business license
40 spreadsheet provided to the Council. Council Member Potter asked if any of the time lengths on

1 the spreadsheet could be shortened, i.e. automated systems and Suzanne Hansen stated that
2 depended upon what type of license she was involved with, because the length of time to process
3 them varied. Council Member Franco asked if revenue was taken into consideration and Mark
4 Anderson stated sales tax revenue was considered, i.e. a bank used Police services for alarm
5 issues and paid little to no sales tax to the City as opposed to WalMart or Smiths. He stated
6 businesses could be categorized by type and cost could be decided upon those factors as well.
7 Anderson stated he had received fees from some other cities and the proposed fees were similar
8 to the fees charged by other cities. Suzanne Hansen stated the numbers presented tonight did not
9 include the increase due to alcohol being involved with the establishment. Mayor McDonald
10 asked if the Council was comfortable with what was presented tonight. Anderson stated no
11 changes would be implemented until the fall and the discussion tonight was a starting point.
12 Mayor McDonald asked the Council to review the fees and mark those, log questions, etc. to
13 discuss further at a later date.

14

15 **Item B – City Council Board and Attendance Report:** This item was not discussed.

16

17 With no further business the meeting was adjourned.

18

19

20

21

Amanda Anderson
Deputy Recorder

1 **Heber City Corporation**
2 **City Council Meeting**

3
4 **May 1, 2014**

5
6 **7:00 p.m.**

7
8 **REGULAR MEETING**

9
10
11 The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on May 1, 2014, in
12 the City Council Chambers at 75 North Main Street, Heber City, Utah.

13
14 **Present:** Mayor Alan McDonald
15 Council Members Robert Patterson
16 Jeffery Bradshaw
17 Heidi Franco
18 Kelleen Potter

19
20 **Excused:** Council Member Erik Rowland

21
22 **Also Present:** City Manager Mark K. Anderson
23 City Engineer Bart Mumford
24 Chief of Police David Booth
25 Deputy Recorder Amanda Anderson

26
27
28 **Others Present:** Dale Stewart, Randy Birch, Paul Boyer, Suzanne Hansen, Ramona Pace,
29 Danny Fugal, Krystal Fugal, Jenny Dorsey, Nann Worel, Nate Cox, Janalee Carter, Caden
30 Cowlen, Sandra Lud, Marielle Pariseau, Zoey Vos, Connor Hines, Whitney Kraatz, Morgan Van
31 Astine, Amber Hutchinson, Kim Griffin, Mel McQuarrie, Francis Harrison, Paul Berg, James
32 Doolin, Tesla Humpherys, Brooke Brown, Alex Luster, and others whose names were illegible.

33
34
35 **Pledge of Allegiance:** Council Member Kelleen Potter

36 **Prayer/Thought:** Council Member Jeff Bradshaw

37
38 **Minutes for Approval:** None.

1
2
3 ***APPOINTMENTS***

4 **Item 1 – Nathan Cox, People’s Health Clinic, Report on How the City’s 2013 Donation Was**

5 **Used:** (PowerPoint presentation provided, please see extra materials) Nathan Cox explained the
6 history of the clinic, where their patients came from geographically and so forth. He updated the
7 Council on the costs of the clinic, i.e. patient donations as opposed to the actual cost of care. He
8 stated federal funding was not an option, due to the clinic’s proximity to Salt Lake City. Cox
9 stated Heber City donated \$5,000 the previous year and asked for a larger donation this year.
10 Council Member Potter asked if Wasatch County contributed to the clinic and Cox stated that
11 Wasatch County did not contribute. After discussion with the Council, Mayor McDonald stated
12 there were funds budgeted and they would let them know how much would be donated at a later
13 date.

14 ***OPEN PERIOD FOR PUBLIC COMMENT***

15
16 Mayor McDonald asked those who wished to address the Council on items not on the agenda to
17 come forward. No comments were given.
18

19 ***ACTION ITEMS***

20
21 **Item 2 – Stacie Ferguson, MCM Engineering, Approval of Subdivision Plat Amendment A**
22 **of The Cove at Valley Hills, amending Lot 38, 41, and 42, located between 1772 North**

23 **Valley Hills Boulevard and Callaway Drive:** Ms. Ferguson was not in attendance, so Mayor
24 McDonald asked Mel McQuarrie to explain the plat amendment to the Council, which Mr.
25 McQuarrie did. Council Member Franco voiced the Planning Commission’s concerns with
26 debris on the sidewalk and Mr. McQuarrie explained the sidewalk under discussion was 80%
27 cleared and the rest should be completed soon by another party.
28

29 Council Member Potter made a motion to approve Subdivision Plat Amendment A of The Cove
30 at Valley Hills, amending Lot 38, 41, and 42, located between 1772 North Valley Hills
31 Boulevard and Callaway Drive. Council Member Bradshaw made the second.
32

33 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
34 Council Member Rowland was excused.
35

36 **Item 3 – Adoption of Ordinance 2014-10 – An Ordinance Abandoning the 20 Foot Wide**
37 **Sewer Line Easement Dedicated to Heber City Upon Lot 15 and 17 of the Valley Station**

38 **Subdivision:** Mayor McDonald explained the situation with the sewer line to the Council and
39 asked for a motion.
40

1 Council Member Bradshaw moved to adopt Ordinance 2014-10 – an Ordinance abandoning the
2 20 foot wide sewer line easement dedicated to Heber City upon Lot 15 and 17 of the Valley
3 Station subdivision. Council Member Patterson seconded the motion.

4
5 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
6 Council Member Rowland was excused.

7
8 **Item 4 – Mike Stewart, Oakwood Homes of Utah requests Subdivision Final Approval for**
9 **The Cottages at Valley Station Phases 2 and 3 located between 600 West and 300 West and**
10 **1000 South and 1300 South and Associated Subdivision Agreements:** James Doolin, Vice

11 President of Land for Oakwood Homes explained the different phases and design of the
12 subdivision. Council Member Potter asked how much ongoing maintenance for the park would
13 cost the City. Anderson stated he had not put the exact cost together, but explained the aspects
14 involved (fertilization, mowing, etc.) Doolin showed the Council a PowerPoint presentation
15 which included the playground equipment, plans for the subdivision, future plans for the area,
16 etc. Bart Mumford, City Engineer, stated he could see the situation from both sides, (developer
17 vs. City). Anderson stated his primary concern was the park’s location at 1300 South and
18 Industrial Parkway and was concerned with unsupervised children crossing the surrounding
19 roads. Council Member Franco stated swapping Parcel A with Parcel B would create a win-win
20 situation. She stated as a mother she would not use this park. Mumford stated the location of the
21 park was driven by staff more than anything, because if the bypass were to go through this
22 subdivision the park left that area open for future use for the bypass. Mayor McDonald asked for
23 a motion to include the park being public or private.

24
25 Council Member Franco made a motion to approve the Subdivision Final Approval for The
26 Cottages at Valley Station Phases 2 and 3 located between 600 West and 300 West and 1000
27 South and 1300 South and the associated Subdivision Agreements to include the park being
28 private and the trail being deeded to City. Council Member Potter seconded the motion.

29
30 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
31 Council Member Rowland was excused.

32
33 **Item 5 – Wasatch School District requests Small Subdivision Approval for Lot 1 of the Old**
34 **Wasatch High School Redevelopment, located on the southeast corner of Main Street and**
35 **600 South and Associated Subdivision Agreement:** Council Member Bradshaw moved to

36 approve the Small Subdivision Approval for Lot 1 of the Old Wasatch High School
37 Redevelopment, located on the southeast corner of Main Street and 600 South and the associated
38 Subdivision Agreement. Council Member Potter made the second.

1 Voting Aye: Council Members Bradshaw, Franco and Potter. Voting Nay: Council Member
2 Patterson. Council Member Rowland was excused.

3
4 **Item 6 – Approve Ordinance 2014-08, an Ordinance Amending Chapter 10.16 of the Heber**
5 **City Municipal Code, Vehicles and Traffic:** Council Member Franco had various questions
6 and concerns and after discussion felt that leaving the Ordinance as it was would be best and
7 would allow the judge to be the judge.

8
9 Anderson suggested options for possible verbiage;

10
11 10.16.015 Notice of Parking Violation: ...

12 B. 1. Any penalty that is paid within fourteen (14) days from the date of issuance *or*
13 *hearing date* of the Notice of Violation shall be reduced by one hundred dollars (\$100);

14 2. Any penalty that is paid between fourteen (14) and thirty (30) days from the
15 date of issuance of the Notice of Violation, or hearing date shall be reduced by fifty dollars
16 (\$50).

17
18 C. ...Nonappearance of an owner or operator *at their scheduled hearing* will result in a
19 default judgment.

20
21 After further discussion with regard to the amendments to the Ordinance, Council Member
22 Franco moved to approve Ordinance 2014-08, an Ordinance amending Chapter 10.16 of the
23 Heber City Municipal Code, Vehicles and Traffic including the changes discussed. Council
24 Member Patterson seconded the motion.

25
26 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
27 Council Member Rowland was excused.

28
29 **Item 7 – Approve Ordinance 2014-09, an Ordinance Adopting Section 5.05.175 of the**
30 **Heber City Municipal Code, Enforcement and Penalties:** Council Member Bradshaw moved
31 to adopt Ordinance 2014-09, an Ordinance adopting Section 5.05.175 of the Heber City
32 Municipal Code, Enforcement and Penalties. Council Member Franco made the second.

33
34 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
35 Council Member Rowland was excused.

36
37 **Item 8 – Approve Resolution 2014-04, A Resolution Amending The Heber City Personnel**
38 **Policy: Section 1.3, Personnel Committee; Section 13.13, Vacation; Section 13.14, Sick**
39 **Leave; Section 13.25, Retirement; Section 13.30, Time Off For Election (Voting):** Council
40 Member Potter made a motion to approve Resolution 2014-04, a Resolution amending the Heber

1 City Personnel Policy: Section 1.3, Personnel Committee; Section 13.13, Vacation; Section
2 13.14, Sick Leave; Section 13.25, Retirement; Section 13.30, Time Off For Election (Voting).
3 Council Member Patterson seconded the motion.

4
5 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
6 Council Member Rowland was excused.

7
8 **Item 9 – Approval of the Tentative Operating Budget for Fiscal Year 2014 – 2015 –**
9 **Scheduling of the Public Hearing to Consider Adoption of the Final Operating Budget for**
10 **Fiscal Year 2014 – 2015:** Mayor McDonald thanked Mark Anderson, City Manager, for the
11 time spent preparing the budget.

12
13 Council Member Patterson moved to approve the tentative operating budget for fiscal year 2014
14 – 2015. Council Member Bradshaw seconded the motion.

15
16 Council Member Franco asked for another budget meeting to be scheduled before June 19, 2014.

17
18 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
19 Council Member Rowland was excused.

20
21 Council Member Bradshaw made a motion to hold a Public Hearing for the final operating
22 budget for fiscal Year 2014 – 2015 budget approval on June 19, 2014. Council Member
23 Patterson seconded the motion.

24
25 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
26 Council Member Rowland was excused.

27
28 **Item 10 – Appointments to the Airport Advisory Board:** Mayor McDonald stated that he
29 would like Council Member Franco to serve on the Airport Advisory Board and would like to
30 retain Council Member Rowland for Airport Advisory Board as well.

31
32 Council Member Potter moved to approve the appointments to the Airport Advisory Board.
33 Council Member Franco made the second.

34
35 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
36 Council Member Rowland was excused.

37
38 Mark Anderson informed the Council that Mark Smedley, City Attorney, had provided the
39 proposed Airport Advisory Board terms, requirements, etc. for the Council's review. Mayor
40 McDonald stated that he felt holding off on the Airport Advisory Board meetings until June

1 would be the best thing to do, until board member requirements were met and the Council was in
2 agreement.

3

4 Council Member Bradshaw made a motion at 8:35 p.m. to move in to Closed Session to discuss
5 personnel. Council Member Patterson seconded the motion.

6

7 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
8 Council Member Rowland was excused.

9

10 Council adjourned from Closed Session at 9:05 p.m. and with no further business to discuss,
11 Council Member Patterson made a motion to adjourn the Regular Meeting. Council Member
12 Bradshaw seconded the motion.

13

14 Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None.
15 Council Member Rowland was excused.

16

17

18

19

Amanda Anderson
Deputy Recorder

APPOINTMENTS

TAB 1

mkellogg@ci.heber.ut.us

From: Sonya Duke <Sonya.Duke@uvu.edu>
Sent: Thursday, April 17, 2014 11:17 AM
To: mkellogg@ci.heber.ut.us
Subject: May 15th City Council (Wasatch Wildlife Weekend Conference)
Attachments: Wasatch Wildlife Weekend Flyer.pdf

Flag Status: Flagged

Michelle,

Thanks for your help getting on the May 15th city council agenda. Here are some details on what we would like to present:

Inform them about/Invite them as VIPs to:
Wasatch Wildlife Weekend Conference
June 19-21st

This is an exciting conference we are expecting to hold every year at the UVU Wasatch campus. We have partnered with the DNR/DWR and the conference will include classes on wildlife, local geology, exciting excursions with local businesses, fun entertainment and delicious food.

More information can be found at: <http://www.uvu.edu/conferences/www/>

Also, Michelle as part of their VIP passes we will send out reminder emails to them. Could you send me a list of all the current city council members and their email addresses?

Thank again, and let me know if you have any questions for me!

Sonya Duke, M.Ed.
Community Education Coordinator
UVU, Wasatch Campus
sonya.duke@uvu.edu
435.671.1197 (cell)
801.863.6614 (office)
ce.uvu.edu

Wasatch Wildlife

WEEKEND

June 19-21, 2014

Utah Valley University Wasatch Campus
Heber City, Utah

uvu.edu/ce/adventure

**An exclusive educational event
unlike any other. (18-years and older)**

Spend Thursday night through Saturday
with us and enjoy natural science
instruction from professors, wildlife
experts, and outdoor professionals.
Hands-on experience, great keynote
speakers, breakout sessions, field trips,
entertainment and Dutch Oven food –
and a special rehabilitated raptor
release back into the wild!

Limited Availability

Register Online Now!
uvu.edu/ce/adventure

\$129*

*includes instruction, Dutch oven
meal and field trips.

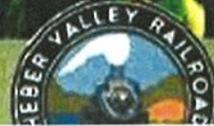
Lodging discounts available at
select resort hotels in Heber and
Park City, Utah.

See URL above for details.



- Wildlife Photography & Videography • Bird watching and Identification
Big Game and Black Bear management • Bat Netting
- River Otters • Fly fishing the Provo & Strawberry Rivers
- Geology, Archaeology and Biology of Cascade Springs and Alpine Loop
Fish Hatchery Tours • Heber Creeper and much more!

Our sponsors include:





WASATCH WILDLIFE WEEKEND

**Utah Valley University - Wasatch Campus
Heber City, Utah
June 19 - 21, 2014**

**First Annual UVU/DWR Wildlife
Conference**

Join us Thursday night through Saturday in beautiful Heber Valley for a unique educational experience in nature.

Enjoy natural science instruction and hands-on involvement from wildlife experts, outdoor professionals and professors.

- » **Wildlife: Birds - Bats - Big Game - Bears - Otter - Fish**
- » **Wildlife Photography/Videography**
- » **Fly Casting - Fishing Tips - Fishery Management**
- » **Utah Bucket List (Brett Prettyman) - places to see and visit in Utah**
- » **Special rehabilitated raptor release - Patti Richards**
- » **Early Archaeology - Evidences along the Wasatch**
- » **Geology & Biology Fieldtrip on the Heber Valley Railroad**
- » **Wild Edible Plants**
- » **Dutch Oven Dinner - Free**
- » **Horseback Riding 1 or 2 hour tours**



- » Hired Guns – Live Entertainment
- » Cheese & Wine Tasting – Snake Creek Grill

[See all classes & Events](#)



Presented by Utah Valley University & Utah Division of Wildlife Resources

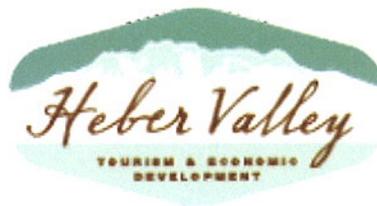
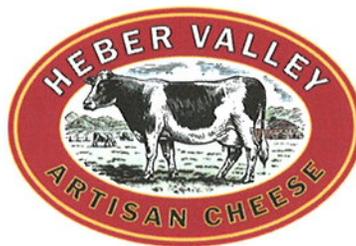
We've combined the best of Watchable Wildlife with fun education tie-ins, hands-on learning and outdoor experiences – with breakout sessions, one-on-one with the pros.. In the heart of the great outdoors, you'll hear wonderful keynote speakers covering everything from wildlife management to wildlife photography and the early history of Native Americans. Breakout sessions give you a full complement of discovering the art of fly tying and casting, geology, biology and more. The field trips, Heber Creeper train ride (includes Alpine Loop and Cascade Springs), horseback rides and bird watching give you every advantage of seeing and understanding nature up-close and personal.

Top this all off with great entertainment by The Hired Guns, a bird-release back into the wild, and a delectable Dutch Oven meal! We also have some terrific partners so you'll have options of overnight stays in luxurious resort surroundings (discount rates) or camping out in beautiful Wasatch Mountain State Park.

Wasatch Wildlife Weekend is will be held on Utah Valley University's Wasatch Campus and other various locations in Wasatch County.
[Directions - Travel Info & Discounts](#)

Our sponsors ensure an unforgettable weekend! [Secure Registration Link](#)

Sponsors



Conference Registration

Enjoy a weekend in our backyard!

Register online now for an exclusive educational event unlike any other.

REGISTER NOW

Three Exciting Unique Days For Only \$129.00

- » Wildlife Photography & Videography
- » Bird watching & Identification
- » Bat Netting
- » Fly fishing the Provo & Strawberry Rivers
- » Big Game & Black Bear management
- » River Otter management
- » Fly Casting
- » Landscape for Wildlife
- » Dutch Oven Dinner
- » Live Entertainment
- » Field Trips
 - » Wild Edible Plants
 - » Fishing the Provo River
 - » Hiking - Geology Wasatch
 - » Birding Hike
 - » Heber Valley Railroad - Geology/Biology/Archaeology excursions
 - » Horseback riding

Quick Links

[Schedule](#)

[Keynotes](#)

[Travel Info & Deals](#)

Social Media Links



[Wasatch Wildlife Weekend - Facebook](#)



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UTAH VALLEY UNIVERSITY

ACTION ITEMS

TAB 2

HEBER LIGHT & POWER
2014 RATE STUDY

PRELIMINARY
COST OF SERVICE
AND
RATE DESIGN

APRIL 15, 2014

SUMMARY

Heber Light & Power
Electric Utility Cost of Service Study

SUMMARY
Revenue Excess/Deficiency Under Present and Proposed Rates
for the Projected Test Year FY 2014
(\$)

Ln.	Description	Ref.	Residential			Commercial			Street Lights (h)	Total System (i)
			Tier 1 (a)	Tier 2 (b)	Total (c)	Tier 1 (d)	Tier 2 (e)	Tier 3 (f)		
<u>Revenues from Existing Rates</u>										
1	Base	Sch. G	1,306,167	-	1,306,167	-	-	-	92,274	1,398,441
2	Energy	Sch. G	4,925,343	1,519,598	6,444,940	771,796	374,776	4,665,688	-	12,257,200
3	Demand	Sch. G	-	-	-	-	-	-	-	-
4	Total Revenue from Existing Rates	CALC	6,231,510	1,519,598	7,751,108	771,796	374,776	4,665,688	92,274	13,655,641
5	Less: Donated Street Light Accounts	CALC	-	-	-	-	-	-	(73,819)	(73,819)
6	Revised Revenue from Existing Rates	CALC	6,231,510	1,519,598	7,751,108	771,796	374,776	4,665,688	18,455	13,581,821
<u>Total Allocated Revenue Requirements</u>										
7	Demand	Sch. A	3,761,077	924,015	4,685,093	273,994	189,961	3,092,981	10,622	8,252,650
8	Energy	Sch. A	2,616,327	642,775	3,259,102	206,774	143,356	2,334,162	20,816	5,964,210
9	Customer	Sch. A	259,833	-	259,833	34,503	-	-	2,836	297,172
10	Total Allocated Revenue Requirements	CALC	6,637,238	1,566,790	8,204,028	515,271	333,317	5,427,143	34,273	14,514,032
11	Reallocation of Donated S.L. Accounts	CALC	12,568	2,967	15,535	976	631	10,277	(27,418)	-
12	Restated Allocation of Rev. Requirements	CALC	6,649,806	1,569,757	8,219,563	516,247	333,948	5,437,420	6,855	14,514,032
13	Revenue Excess (Deficiency)	CALC	(418,296)	(50,159)	(468,455)	255,549	40,828	(771,732)	11,600	(932,211)
14	Ratio of Revenue to Allocated Revenue Req.	CALC	0.94	0.97	0.94	1.50	1.12	0.86	2.69	0.94
15	Unadjusted Required Increase (Decrease)	CALC	6.71%	3.30%	6.04%	-33.11%	-10.89%	16.54%	-62.86%	6.86%
16	Across Board Required Rate Increase	CALC	6.86%	6.86%	6.86%	6.86%	6.86%	6.86%	6.86%	6.86%
17	Across the Board Revenue Increase	CALC	427,710	104,300	532,010	52,973	25,723	320,237	1,267	932,211
<u>Restated Revenue Requirements</u>										
18	Total	CALC	6,659,220	1,623,898	8,283,118	824,769	400,489	4,985,925	19,721	14,514,032
19	Demand	CALC	3,773,534	957,695	4,731,228	438,569	228,248	2,841,527	6,112	8,245,684
20	Energy	CALC	2,624,992	666,203	3,291,196	330,973	172,251	2,144,399	11,978	5,950,795
21	Customer	CALC	260,694	-	260,694	55,227	-	-	1,632	317,553
22	Total	CALC	6,659,220	1,623,898	8,283,118	824,769	400,489	4,985,925	19,721	14,514,032
23	Projected kWh Sales	Sch. C	65,453,057	16,080,401	81,533,458	5,172,892	3,586,370	58,394,091	520,745	149,207,557
24	Less: Donated SL Accounts	CALC	-	-	-	-	-	-	(416,596)	(416,596)
25	Adjusted kWh Sales	CALC	65,453,057	16,080,401	81,533,458	5,172,892	3,586,370	58,394,091	104,149	148,790,961
26	Average Cost Per kWh Under Current Rates	CALC	0.09521	0.09450	0.09507	0.14920	0.10450	0.07990	0.17720	0.09128
27	Average Cost Per kWh Under ATB Increase	CALC	0.10174	0.10099	0.10159	0.15944	0.11167	0.08538	0.18936	0.09755
28	Rate Increase (Decrease)	CALC	0.00653	0.00649	0.00653	0.01024	0.00717	0.00548	0.01216	0.00627
29	Per Unit	CALC	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%
29	Percent	CALC	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%

SUMMARY

Heber Light & Power
Electric Utility Cost of Service Study

SUMMARY
Revenue Excess/Deficiency Under Present and Proposed Rates
for the Projected Test Year FY 2014
(\$)

Ln.	Description	Ref.	Residential			Commercial			Street Lights (h)	Total System (i)
			Tier 1 (a)	Tier 2 (b)	Total (c)	Tier 1 (d)	Tier 2 (e)	Tier 3 (f)		
	Rev. Requirement Breakdown (%)									
30	Demand	CALC	25.9%	6.4%	32.3%	1.9%	1.3%	21.3%	0.1%	56.9%
31	Energy	CALC	18.0%	4.4%	22.5%	1.4%	1.0%	16.1%	0.1%	41.1%
32	Customer	CALC	1.8%	0.0%	1.8%	0.2%	0.0%	0.0%	0.0%	2.0%
33	Total	CALC	45.7%	10.8%	56.5%	3.6%	2.3%	37.4%	0.2%	100.0%
34	Purchased Power as Percent of Total R.R.	CALC	34.37%	35.77%	34.64%	34.99%	37.50%	37.50%	52.96%	35.83%
	Per-unit Annual Revenue Requirements									
35	Demand	CALC			203.33				102.82	200.35
36	Energy	CALC			0.0404				0.0230	0.0399
37	Customer	CALC			28.74				1.38	27.71
38	Total	CALC			0.1016				0.0379	0.0973
	Total Annual kWh Sales									
39	Winter (Nov. - May)	CALC	38,781,795	9,952,525	48,734,320	3,022,660	2,095,849	31,869,216	303,768	86,025,812
40	Summer (June - Oct.)	CALC	26,671,263	6,127,876	32,799,138	2,150,232	1,490,522	26,524,875	216,977	63,181,745
41	Total	CALC	65,453,057	16,080,401	81,533,458	5,172,892	3,586,370	58,394,091	520,745	149,207,557
	Average Monthly kWh Sales									
42	Winter (Nov. - May)	CALC	5,540,256	1,421,789	6,962,046	431,809	299,407	4,552,745	43,395	12,289,402
43	Summer (June - Oct.)	CALC	5,334,253	1,225,575	6,559,828	430,046	298,104	5,304,975	43,395	12,636,349
44	Total	CALC	5,454,421	1,340,033	6,794,455	431,074	298,864	4,866,174	43,395	12,433,963

SCHEDULE A

Heber Light and Power
Electric Utility Cost of Service Study

COST OF SERVICE
Allocation of Revenue Requirements
for the Protected Test Year FY 2014
(\$)

Ln.	Description	Ref.	Projected Test Year Rev. Req. (a)	Allocation Basis (b)	Residential			Commercial			Street Lights (f)	Total System (k)	
					Tier 1 (c)	Tier 2 (d)	Total (e)	Tier 1 (f)	Tier 2 (g)	Tier 3 (h)			Total (i)
Allocation Factors													
1	No. of Customers	Sch. D			0.874353		0.874353	0.116104			0.116104	0.009543	1,000,000
2	kWh Sales	Sch. C			0.438671	0.107772	0.546443	0.034669	0.024036	0.391361	0.450067	0.003490	1,000,000
3	NCP Demand	Sch. E			0.453873	0.111507	0.565380	0.033368	0.023134	0.376674	0.433176	0.001444	1,000,000
4	CP Demand	Sch. F			0.459997	0.113011	0.573008	0.032820	0.022754	0.370489	0.426063	0.000929	1,000,000
Allocation of Revenue Requirements													
Generation													
5	Gas Generation	Sch. B	(0)	kWh Sales		(0)	(0)		(0)		(0)		(0)
6	Heber Plants	Sch. B	680,875	kWh Sales	298,680	73,379	372,060	23,805	16,366	266,468	306,439	2,376	680,875
7	O & M Generation Plants	Sch. B	0	CP Demand									
8	Wages - Plants	Sch. B	925,151	CP Demand	425,567	104,553	530,119	30,364	21,051	342,758	394,172	859	925,151
9	Medical Insurance	Sch. B	212,148	CP Demand	97,587	23,975	121,563	6,963	4,827	78,598	90,388	197	212,148
10	Employee Benefits & Retirement	Sch. B	237,215	CP Demand	109,118	26,808	135,926	7,785	5,398	87,885	101,069	220	237,215
11	Sub-total Generation	CALC	2,055,389		930,953	228,715	1,159,668	68,717	47,642	775,710	892,068	3,653	2,055,389
Purchased Power Costs													
12	Total	Sch. B	5,200,757	kWh Sales	2,281,422	560,496	2,841,918	180,306	125,006	2,035,376	2,340,688	18,151	5,200,757
Distribution													
13	Wages - Distribution System	Sch. B	1,039,119	NCP Demand	471,629	115,869	587,497	34,673	24,039	391,409	450,121	1,501	1,039,119
14	Repairs and Maintenance	Sch. B	300,000	NCP Demand	136,162	33,452	169,614	10,010	6,940	113,002	129,953	433	300,000
15	Materials	Sch. B	475,000	NCP Demand	215,590	52,966	268,556	15,850	10,989	178,920	205,758	686	475,000
16	Vehicle Expense	Sch. B	252,000	NCP Demand	114,376	28,100	142,476	8,409	5,830	94,922	109,160	364	252,000
17	Communications	Sch. B	69,432	NCP Demand	31,513	7,742	39,255	2,317	1,606	26,153	30,076	100	69,432
18	Medical Insurance	Sch. B	270,012	NCP Demand	122,551	30,108	152,659	9,010	6,246	101,706	116,963	390	270,012
19	Employee Benefits & Retirement	Sch. B	265,147	NCP Demand	120,343	29,566	149,909	8,847	6,134	99,874	114,855	383	265,147
20	Sub-total Distribution	CALC	2,670,711		1,212,164	297,802	1,509,967	89,116	61,794	1,005,986	1,156,886	3,858	2,670,711
Administrative & General													
21	Generation-related	Sch. B	668,607	CP Demand	307,557	75,560	383,117	21,944	15,214	247,711	284,868	621	668,607
22	Distribution-related	Sch. B	1,014,877	NCP Demand	460,625	113,166	573,791	33,864	23,478	382,277	439,620	1,466	1,014,877
23	Customer-related	Sch. B	259,960	# of Cust	227,297		227,297	30,183			30,183	2,481	259,960
24	Sub-total Administrative & General	CALC	1,943,444		995,480	188,726	1,184,205	85,991	38,692	629,988	754,671	4,568	1,943,444
25	Total Operating Expenses	CALC	11,870,300		5,420,019	1,275,739	6,695,758	424,129	273,124	4,447,060	5,144,313	30,229	11,870,300
Other Requirements													
26	Annual Debt Service	Sch. B	119,518	CP Demand	54,978	13,507	68,485	3,923	2,720	44,280	50,922	111	119,518
27	Generation-related	Sch. B	570,827	NCP Demand	259,083	63,651	322,734	19,047	13,206	215,015	247,268	825	570,827
28	Customer-related	Sch. B	8,781	# of Cust	7,677		7,677	1,019			1,019	84	8,781
29	Total Debt Service	CALC	699,125		321,738	77,158	398,896	23,989	15,925	259,295	299,210	1,019	699,125

SCHEDULE A

Heber Light and Power
Electric Utility Cost of Service Study

COST OF SERVICE
Allocation of Revenue Requirements
for the Projected Test Year FY 2014
(\$)

Ln.	Description	Ref.	Projected Test Year Rev. Req. (a)	Allocation Basis (b)	Residential			Commercial			Street Lights (j)	Total System (k)
					Tier 1 (c)	Tier 2 (d)	Total (e)	Tier 1 (f)	Tier 2 (g)	Tier 3 (h)		
	Other Requirements (cont.)											
30	Capital Adds Paid from Cash		303,374									
	Generation-related	Sch. B			139,551	34,285	173,836	9,957	6,903	112,396	129,256	282
31	Distribution-related	Sch. B	1,448,938		657,634	161,567	819,201	48,348	33,520	545,777	627,644	2,093
32	Customer-related	Sch. B	22,288		19,488		19,488	2,588			2,588	213
33	Total Capital Adds	CALC	1,774,600		816,673	195,851	1,012,524	60,893	40,423	658,173	759,488	2,587
34	Total Other Requirements	CALC	2,473,725		1,138,411	273,009	1,411,420	84,882	56,348	917,468	1,058,698	3,607
35	Sub-total Revenue Requirements	CALC	14,344,025		6,558,430	1,548,748	8,107,178	509,011	329,471	5,364,528	6,203,011	33,836
	Revenue Credits											
36	Connection Fees	Sch. B	(25,141)		(11,411)	(2,803)	(14,214)	(839)	(582)	(9,470)	(10,890)	(36)
37	Interest Income	Sch. B	(22,800)		(10,348)	(2,542)	(12,891)	(761)	(527)	(8,588)	(9,876)	(33)
38	Pole Attachment Revenue	Sch. B	(41,352)		(18,769)	(4,611)	(23,380)	(1,380)	(957)	(15,576)	(17,913)	(60)
39	Receivables Penalty Income	Sch. B	(40,700)		(17,854)	(4,386)	(22,240)	(1,411)	(978)	(15,928)	(18,318)	(142)
40	Total Revenue Credits	CALC	(129,993)		(58,382)	(14,343)	(72,725)	(4,391)	(3,044)	(49,563)	(56,997)	(271)
41	Sub-total Net Revenue Requirements	CALC	14,214,032		6,500,048	1,534,405	8,034,453	504,621	326,427	5,314,966	6,146,014	33,565
42	Annual Dividends (Return)	Sch. B	300,000		137,189	32,385	169,574	10,650	6,890	112,177	129,717	708
43	Total Net Revenue Requirements	CALC	14,514,032		6,637,238	1,566,790	8,204,028	515,271	333,317	5,427,143	6,275,731	34,273
	Demand Related Rev. Requirements											
44	Operating Expenses	CALC	5,728,708		2,612,619	641,864	3,254,483	190,036	131,752	2,145,216	2,467,004	7,221
45	Other Requirements	CALC	2,442,656		1,111,246	273,009	1,384,255	81,275	56,348	917,468	1,055,091	3,310
46	Revenue Credits	CALC	(89,293)		(40,528)	(9,957)	(50,484)	(2,980)	(2,066)	(33,634)	(38,680)	(129)
47	Sub-Total Demand Related	CALC	8,082,071		3,683,337	904,916	4,588,253	268,331	186,034	3,029,050	3,483,415	10,402
48	Add: Annual Dividends	CALC	170,579		77,740	19,099	96,839	5,663	3,926	63,931	73,521	220
49	Total Demand Related	CALC	8,252,650		3,761,077	924,015	4,685,093	273,994	189,961	3,092,981	3,556,936	10,622
	Energy Related Rev. Requirements											
50	Operating Expenses	CALC	5,881,632		2,580,103	633,875	3,213,978	203,911	141,372	2,301,844	2,647,127	20,527
51	Revenue Credits	CALC	(40,700)		(17,854)	(4,386)	(22,240)	(1,411)	(978)	(15,928)	(18,318)	(142)
52	Sub-Total Energy Related	CALC	5,840,932		2,562,249	629,489	3,191,738	202,500	140,393	2,285,916	2,628,809	20,385
53	Add: Annual Dividends	CALC	123,278		54,079	13,286	67,365	4,274	2,963	48,246	55,483	430
54	Total Energy Related	CALC	5,964,210		2,616,327	642,775	3,259,102	206,774	143,356	2,334,162	2,684,292	20,816
55	Sub-total Demand and Energy	CALC	14,216,860		6,377,404	1,566,790	7,944,195	480,768	333,317	5,427,143	6,241,228	31,437

Heber Light & Power
2014 Rate Study

Rate Comparison Worksheet
Proposed Rates Based on 4.5% Increase and New Rate Structure for Commercial
HLP vs. RMP and Other Utah Municipal Utilities

Line No.	Rate Description	HLP			Rocky Mountain Power	Bountiful City	City of Hurricane		Price City
		Current	Proposed						
1	<u>Residential</u> Base/Customer Charge		12.00	12.54	5.00		11.00		3.74
2	All								
3	Tier 1		0.07525	0.07860	0.08850		0.07490	1st 400 kWh	0.09220
4	Tier 2		0.09450	0.09880	0.11543		0.08560	Next 200 kWh	0.10721
5	Tier 3				0.14451		0.09630	All Additional	0.12673
6	Tier 4								
7	Tier 5								
8	Estimated Monthly Charge 750 kWh		68.44	71.49	80.80		67.18		81.07
9	<u>Commercial - All</u> Base/Customer Charge		None						
10	Energy Rate								
11	Tier 1		0.14920						
12	Tier 2		0.10450						
13	Tier 3		0.07990						
14	Estimated Monthly Charge 3,600 kWh		334.59						
15	<u>Small Commercial (Non-demand)</u> Base/Customer Charge			21.64					
16	Energy Rate								
17	Tier 1								
18	Tier 2								
19	Tier 3								
20	Estimated Monthly Charge 3,600 kWh			349.64					
21	<u>Small Commercial (Demand)</u> Base Charge / Customer Rate								
22	Energy Rate								
23	Tier 1								
24	Tier 2								
25	Tier 3								
26	Demand Rate								
27	Estimated Monthly Charge 3,600 kWh / 11.5 kW								
28	<u>Large Commercial / Industrial (Demand)</u> Base Charge / Customer Rate								
29	Energy Rate								
30	Tier 1								
31	Tier 2								
32	Tier 3								
33	Demand Rate								
34	Estimated Monthly Charge 116,300 kWh / 370.0 kW			9,741.20					

Heber Light & Power
2014 Rate Study

Rate Comparison Worksheet
Proposed Rates Based on 4.5% Increase and New Rate Structure for Commercial
HLP vs. RMP and Other Utah Municipal Utilities

Line No.	Rate Description	HLP			Payson City	Murray City	Springville City	All Other Avg. Charge
		Current	Proposed					
1	<u>Residential</u> Base/Customer Charge		12.54					
2	Energy Rate	12.00			3.35	11.00		
3	All							
4	Tier 1	0.07525	0.07860	0.07998	0.08600	0.07700		
5	Tier 2	0.09450	0.09880	0.10900	0.09630	0.09400		
6	Tier 3			0.11899		0.11600		
7	Tier 4			0.11900				
8	Tier 5			0.12000				
8	Estimated Monthly Charge 750 kWh	68.44	71.49	82.85	69.40	74.70	76.07	
9	<u>Commercial - All</u> Base/Customer Charge							
10	Energy Rate	None						
11	Tier 1	0.14920						
12	Tier 2	0.10450						
13	Tier 3	0.07990						
13	Estimated Monthly Charge 3,600 kWh	334.59						
14	<u>Small Commercial (Non-demand)</u> Base/Customer Charge							
15	Energy Rate		21.64					
16	Tier 1		0.11870					
17	Tier 2		0.08050					
18	Tier 3							
18	Estimated Monthly Charge 3,600 kWh		349.64				358.49	
19	<u>Small Commercial (Demand)</u> Base Charge / Customer Rate							
20	Energy Rate			2.00				
21	Tier 1			0.11790				
22	Tier 2			0.08104				
23	Tier 3			0.06525				
24	Demand Rate			7.40				
25	Estimated Monthly Charge 3,600 kWh / 11.5 kW			330.60	380.55	437.57	364.11	
26	<u>Large Commercial / Industrial (Demand)</u> Base Charge / Customer Rate							
27	Energy Rate			100.00				
28	Tier 1			0.06460				
29	Tier 2			0.06244				
30	Tier 3			0.06112				
31	Demand Rate			6.63				
31	Estimated Monthly Charge 116,300 kWh / 370.0 kW		9,741.20	9,781.36	9,666.57	11,948.41	10,394.91	

Average Monthly Charge

Residential	Total Charge *	¢ / kWh
750 kWh		
Proposed Rates	\$ 71.49	\$ 9.53
Current Rates	\$ 68.44	\$ 9.13
Increase	\$ 3.05	\$ 0.41
Small Commercial - General Service	Total Charge *	¢ / kWh
3600 kWh		
Proposed Rates	\$ 349.64	\$ 9.71
Current Rates	\$ 334.59	\$ 9.29
Increase	\$ 15.05	\$ 0.42
Large Commercial - General Service	Total Charge *	¢ / kWh
116,300 kWh / 370.0 kW		
Proposed Rates	\$ 9,741.20	\$ 8.38
Current Rates	\$ 9,339.32	\$ 8.03
Increase	\$ 401.88	\$ 0.35

* Residential and Commercial include monthly service charge

TAB 3

Heber City Planning Commission
Meeting date: May 15, 2014
Report by: Anthony L. Kohler

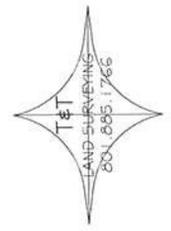
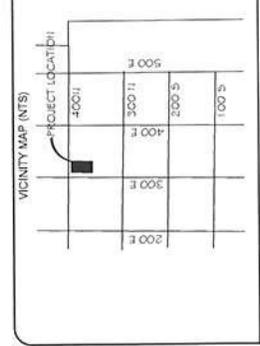
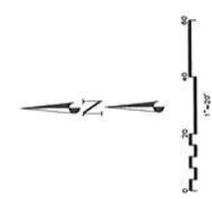
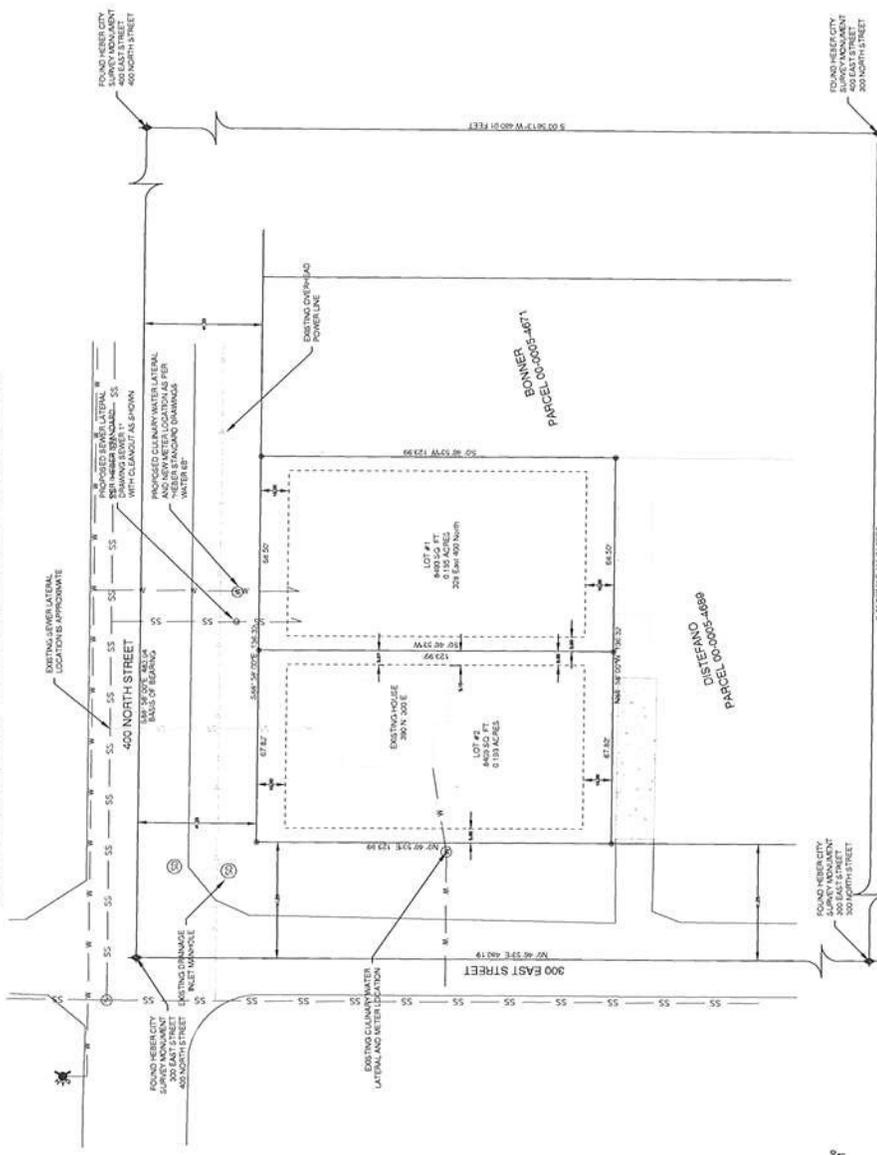
Re: Heber Homes # 9 Blake Allen Subdivision at 390 North 300 East

The petitioner is proposing to split the property located on the south east corner of 400 North and 300 East into 2 lots. Sidewalk, curb and gutter do not exist along the frontage of the property or in the neighborhood vicinity. The property is located within the R-2 Residential Zone and Infill Overlay Zone. The proposed lots meet the requirements for the Infill Overlay Zone, and the home constructed on this lot will need to meet the standards for an infill home as found in Chapter 18.83 of the code. A fire hydrant exists on the North West corner of the intersection within 250 feet of the property lines of the subdivision.

RECOMMENDED MOTION

On April 24, 2014, the Planning Commission recommended approval of the proposed subdivision as consistent with the applicable codes, Chapter 18.83 Neighborhood Infill Zone, and Chapter 17 Subdivisions, contingent upon a deed restriction being recorded for future curb, gutter, sidewalk and asphalt improvements along the frontage 300 East and 400 North, water rights being turned over to the city in an amount determined by the City Engineer, water and sewer laterals be constructed to city standards.

HEBER HOMES NO.9 SUBDIVISION
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST
 SALT LAKE BASE AND MERIDIAN
 A PART OF BLOCK 123 OF THE HEBER CITY SURVEY OF BUILDING LOTS



SURVEYORS CERTIFICATE

I, Travis J. Dalby, being duly sworn, a Professional Land Surveyor and Hold (I) hold Certificate No. 10000, State of Utah, do hereby certify that I am a duly Licensed Professional Land Surveyor and Hold (I) hold Certificate No. 10000, State of Utah, and I have prepared this Survey of Building Lots in accordance with Section 17-2-17. That I have verified all measurements and have placed thereon my signature and the date of this Survey.



Travis J. Dalby P.L.S. Date _____

BOUNDARY DESCRIPTION

THE WEST 136.32 FEET OF THE NORTH 120.99 FEET OF LOT 3, BLOCK 123, HEBER CITY SURVEY OF BUILDING LOTS.

OWNER'S DECLARATION

We, the undersigned owners of all the real property described in this plat and described in the Surveyor's Certificate have caused the land described herein to be platted into lots, easements and encumbrances, and we hereby certify that the same are in accordance with the provisions of the Utah Land Code, with all conditions, restrictions, or encumbrances in Heber City, Utah, all Encumbrances together with all improvements required by the development agreement between the undersigned and Heber City for the benefit of the City and the inhabitants thereof.

Date _____

ACKNOWLEDGMENT

STATE OF UTAH)
) S.S.
 COUNTY OF WASATCH)
 On this _____ day of _____ A.D. 2014, personally appeared before me, the undersigned Notary Public, the signer of the above Owners' Declaration, who duly acknowledged to me that he signed a true and correct copy of the same and for the uses and purposes therein mentioned.

NOTARY PUBLIC _____
 My Commission expires _____

LEGEND

- BOUNDARY LINE _____
- PUBLIC UTILITY EASEMENT _____
- SET BACK FOOTING AND CAP MARKED P.S. 68174*
- EXISTING FIRE HYDRANT
- HEBER CITY SURVEY MONUMENT AS NOTED
- EXISTING WATER METER
- EXISTING SEWER MANHOLE
- EXISTING STORM DRAIN MANHOLE

HEBER HOMES NO.9 SUBDIVISION
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 5 EAST
 SALT LAKE BASE AND MERIDIAN
 A PART OF BLOCK 123 OF THE HEBER CITY SURVEY OF BUILDING LOTS

WASATCH COUNTY RECORDS

CITY ENGINEER APPROVAL
 Approved this _____ day of _____ A.D. 2014, by the City Engineer of Heber City.
 City Engineer _____

PLANNING COMMISSION APPROVAL
 Approved this _____ day of _____ A.D. 2014, by the Planning Commission of Heber City.
 Chairman, Planning Commission _____

WASATCH COUNTY SURVEYOR
 Approved as to form this _____ day of _____ A.D. 2014.
 RDS # _____
 Wasatch County Surveyor _____

HEBER CITY ACCEPTANCE AND APPROVAL
 The City Council of Heber City, Utah, Wasatch County, Utah, approves this subdivision subject to the conditions and restrictions stated herein, and hereby accepts all statements and parcels of land intended for public purposes for the parcel use of the public this _____ day of _____ A.D. 2014.
 Mayor _____
 City Recorder _____

HEBER CITY ACCEPTANCE AND APPROVAL
 Approved this _____ day of _____ A.D. 2014, by the City Engineer of Heber City.
 City Engineer _____

PLANNING COMMISSION APPROVAL
 Approved this _____ day of _____ A.D. 2014, by the Planning Commission of Heber City.
 Chairman, Planning Commission _____

TAB 4

HEBER CITY PLANNING COMMISSION

Meeting date: April 10, 2014

Report by: Anthony L. Kohler

Re: Red Ledges Phase 2C

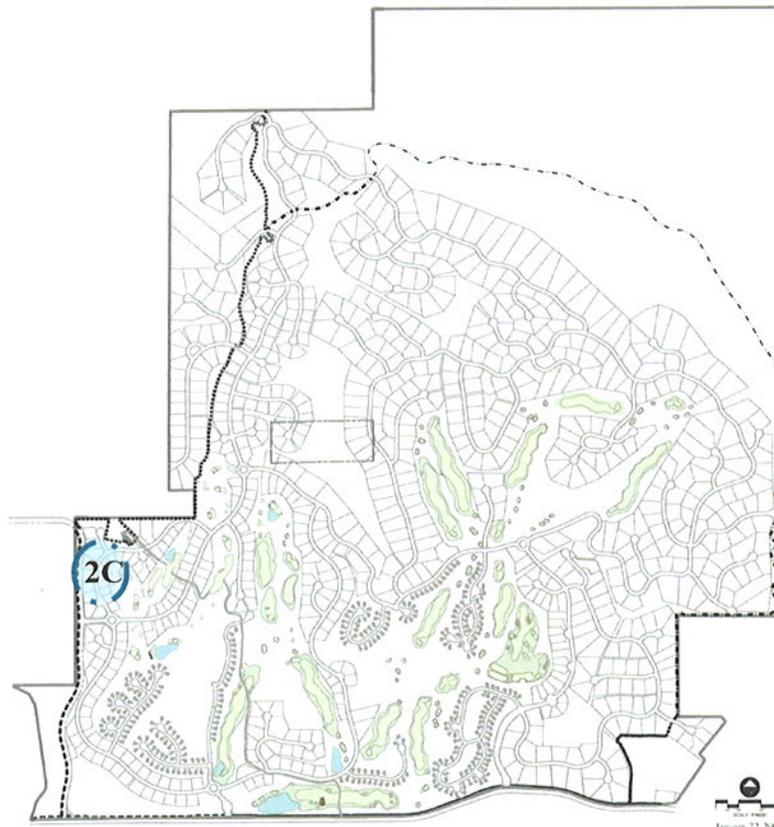
Red Ledges is proposing Phase 2C, consisting of 9 traditional lots. The lots backup to the future Bypass Road and will have a trail along the western edge of this plat. The Master Plan Agreement requires that the Bypass Trail be constructed with the Bypass, by October 31, 2016.

RECOMMENDATION

On April 24, 2014, the Planning Commission recommended the proposed Red Ledges Phase 2C as consistent with the Red Ledges Master Plan, the PC Planned Community Zone, Interlocal Agreement, and Master Plan Agreement, conditional upon the following:

1. A temporary turnaround will need to be provided at the north end of Haystack Mountain Drive; and
2. Prior to recording the plat, developer shall provide an updated title report and a tax clearance from the County Assessor.

Vicinity Map



TAB 5

Heber City Council
Meeting date: May 15, 2014
Report by: Anthony L. Kohler

Re: Questar Facility at 167 West Center Street
1. Amendment to General Plan
2. Amendment to Zoning Map
3. Amendment to RC-Zone

Questar has abandoned their facility in Heber City and moved their regional headquarters to Summit County. Questar is marketing their property for sale. The property is currently located within the R-3 Residential Zone and Infill Overlay Zone. A potential buyer would like to use the property as an office for a development company and with Questar, have petitioned for a change to the General Plan, Zoning Map, and the R-C Overlay Zone.

Significant non-residential uses exist on the block that make it less than desirable to redevelop this property residentially through the infill zone. These uses include proximity to the Catholic Thrift Store, Century Link Building, a triplex, and the RC Residential Commercial Zone along 100 South. The block is centrally located on Center Street near Main Street and 100 South. The petitioner of these requests informally visited with the Planning Commission on March 13, 2014 and on April 24, 2014 at a formal public hearing.

The following options for using the property with existing zoning were discussed with the Planning Commission: (1) The property could possibly be split under current zoning into 2 infill lots, however, the driveway is shared with Century Link to the east which makes this development option difficult; (2) Chapter 18.108.025 permits clinics and hospitals in residential zones on sites that are ½ acre in size, but the property is just shy of ½ acre; (3) Chapter 18.108.050 of the code permits “Water, sewer and electric buildings and structures may be constructed in all residential zones subject to the approval of the Board of Adjustment, however, it is unlikely another utility would utilize this building; (4) Nursery School, Family Day Care, and Mini Day Care Centers are permitted pursuant to Chapter 18.86.030, which limits the number of children to 6 to 12; (5) Boardinghouses and rooming houses; (6) Bed and Breakfast Homes limited to 8 rooms; (7) Clubs and lodges; (8) Public schools, public libraries, public parks, playgrounds, recreation buildings and churches, but not temporary revival tents or buildings; and (9) use of the building as a single family dwelling.

The Planning Commission and petitioner felt the following options were superior to those permitted by existing zoning, and as such, the Planning Commission held a public hearing on April 24, 2014, and recommended approval for the following:

1. **General Plan Amendment.** Recommendation to approve the proposed amendment to the General Plan to designate Center Street from 100 West to 200 West on the south side of Center Street, within Block 80 as future R-C Residential Commercial Overlay Zone.
2. **Zone Map Amendment.** Recommendation to approve the proposed zoning map amendment to rezone property located at 167 West Center Street on Block 80 (old Questar Facility) to apply the R-C Residential Commercial Overlay Zone.
3. **Zoning Ordinance Amendment.** Recommendation to approve the proposed amendment to Chapter 18.50 the R-C Commercial Overlay Zone, altering the Objectives and Characteristics in Section 18.50.010 and the Permitted Uses in Section 18.50.020.

Questar Facility Location



Photograph of Existing Questar Facility



ORDINANCE NO. 2014-11

AN ORDINANCE AMENDING THE GENERAL PLAN LAND USE MAP ON BLOCK 80, ALONG CENTER STREET BETWEEN 100 WEST TO 200 WEST.

BE IT ORDAINED by the City Council of Heber City, Utah, that the Existing General Plan Land Use Map shown in Exhibit 1 be **amended** as shown in Exhibit 2.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the ____ day of _____, 2014.

ADOPTED and PASSED by the City Council of Heber City, Utah this ____ day of _____, 2014, by the following vote:

	AYE	NAY
Council Member Robert L. Patterson	_____	_____
Council Member Jeffery Bradshaw	_____	_____
Council Member Erik Rowland	_____	_____
Council Member Heidi Franco	_____	_____
Council Member Kelleen L. Potter	_____	_____

APPROVED:

Mayor Alan W. McDonald

Exhibit 1: Existing General Plan Map

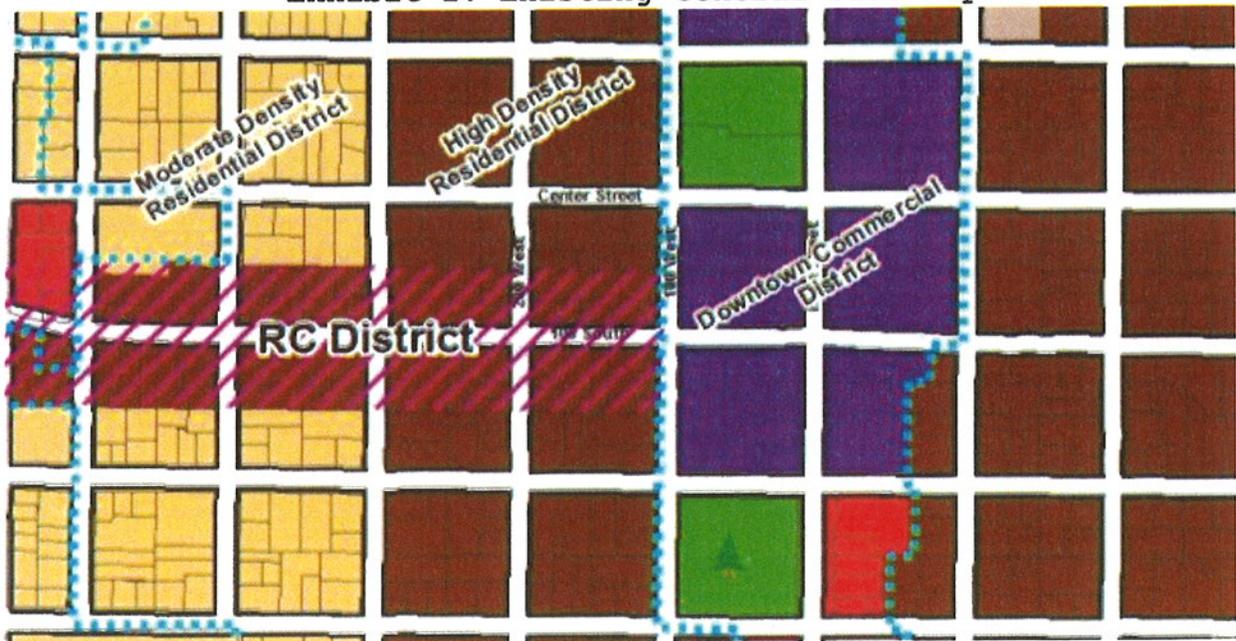
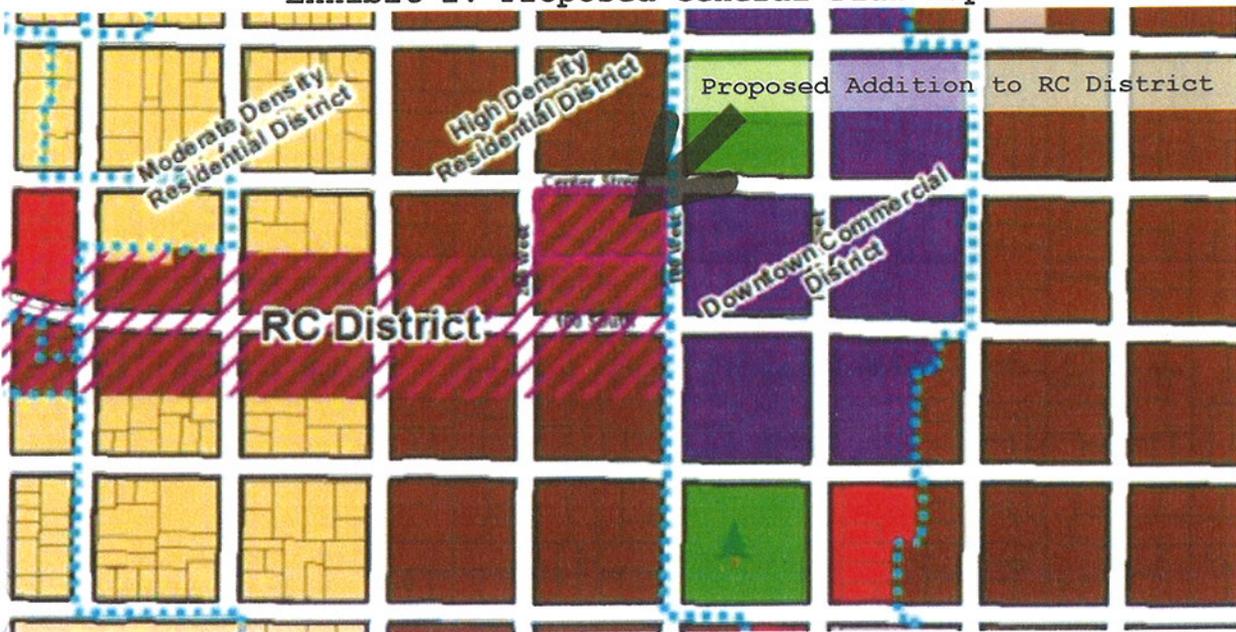


Exhibit 2: Proposed General Plan Map



TAB 6

ORDINANCE NO. 2014-12

AN ORDINANCE AMENDING THE ZONING MAP ON BLOCK 80, ALONG CENTER STREET BETWEEN 100 WEST TO 200 WEST.

BE IT ORDAINED by the City Council of Heber City, Utah, that the R-C Residential Commercial Overlay Zone be applied as shown in Exhibit 2 to the parcel located at 167 West Center Street, further described in Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the ____ day of _____, 2014.

ADOPTED and PASSED by the City Council of Heber City, Utah this ____ day of _____, 2014, by the following vote:

	AYE	NAY
Council Member Robert L. Patterson	_____	_____
Council Member Jeffery Bradshaw	_____	_____
Council Member Erik Rowland	_____	_____
Council Member Heidi Franco	_____	_____
Council Member Kelleen L. Potter	_____	_____

APPROVED:

Mayor Alan W. McDonald

ATTEST:

RECORDER

Date: _____

Date of First Publishing:

Exhibit 1: Parcel Description

Serial Number: OHE-0552-0-080-045

84726 Recorded at Request of Mountain Fuel Supply Co JUL 8 1963
at 11:50 AM, Fee Paid \$ 2.00 Wayne C. Whitely
By Mary C. Chipman Dep. Book #6 Page 207 Ref.
Mall tax notice to John Crawford, Jr. Address 1800 E. 1st St. Salt Lake, Utah

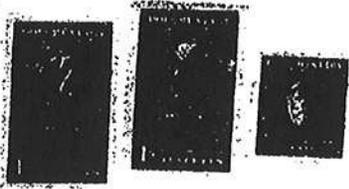
WARRANTY DEED

ADDISON C. MOULTON and LACY S. MOULTON, his wife, -----grantors
of Heber City, County of Wasatch, State of Utah, hereby
CONVEY and WARRANT to

-----MOUNTAIN FUEL SUPPLY COMPANY, a Utah corporation,-----
of Salt Lake City, County of Salt Lake, State of Utah
for the sum of TEN AND NO/100-----DOLLARS,
(\$10.00), and other good and valuable consideration,

the following described tract of land in Wasatch County,
State of Utah, to-wit:

Beginning at the Northeast corner of Lot 3, Block 80,
Heber City Survey and running thence South 0° 48' West
198.32 feet to the Southeast corner of said Lot 3;
thence North 88° 58' West 59.32 feet; thence North 0°
48' East 198.32 feet; thence South 88° 58' East 59.32
feet to the point of beginning.



WITNESS the hands of said grantors, this 27th day of June A. D. 1963.

Signed in the presence of
Wayne C. Whitely
Addison C. Moulton
Lacy S. Moulton
Lacy S. Moulton

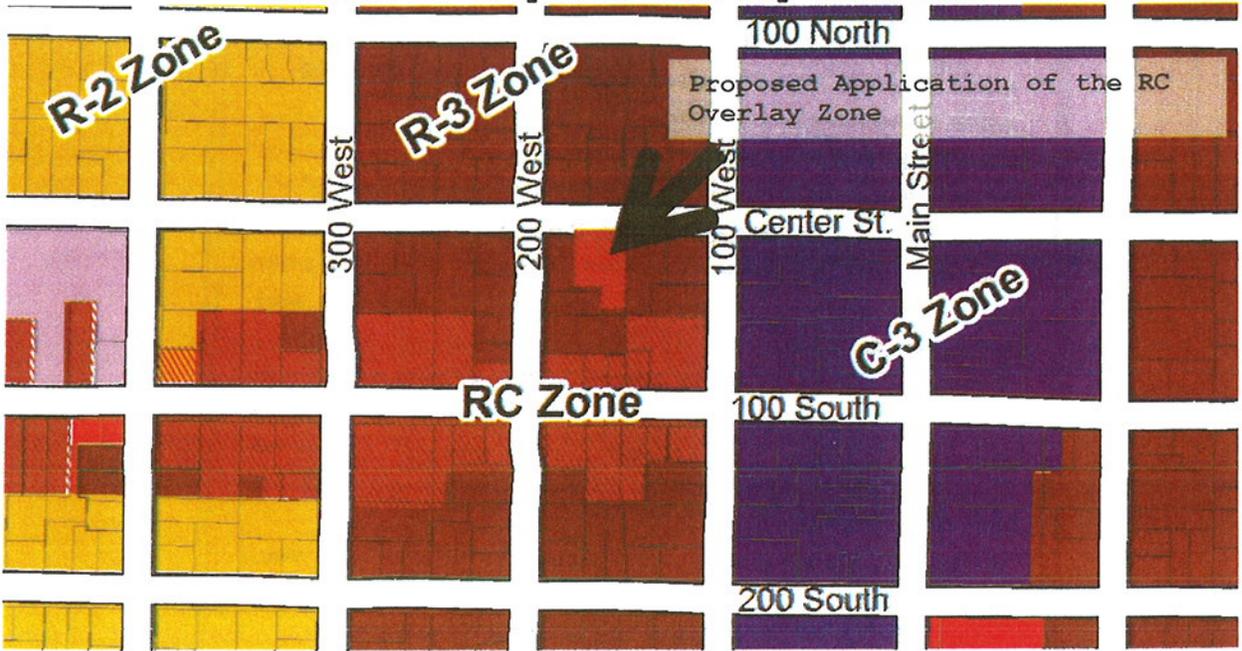
STATE OF UTAH,
County of Wasatch } ss.

On the 27th day of June A. D., 1963 personally
appeared before me Addison C. Moulton
and Lacy S. Moulton, his wife
the signers of the within instrument who duly acknowledged
to me that they executed the same.



My Commission expires July 12, 1964. My residence is Heber, Utah
Notary Public.

Exhibit 2: Proposed Zone Map Amendment



Tab 7

ORDINANCE NO. 2014-13

AN ORDINANCE AMENDING THE ZONING TEXT FOUND IN CHAPTER 18.50 OF THE R-C RESIDENTIAL COMMERCIAL ZONE.

BE IT ORDAINED by the City Council of Heber City, Utah, that Section 18.50.010 Objectives and Characteristics and Section 18.50.020 Permitted Uses of the R-C Residential Commercial Zone as found in Chapter 18.50 of the Heber City Municipal Code be **amended** as follows:

Section 18.50.010 Objectives and Characteristics

A. The RC Zone has been established as a residential/commercial zone. The area is primarily for residential use. It is intended that future use of this area will include additional selective commercial activities. Those who desire to establish a business presence, must help maintain the residential look and feel that presently exists in the area.

B. "Residential look" as defined for the purposes of this ordinance is primarily a single family, relatively small individual residential structure. Structures should utilize an architectural style of the late 1800 or early 1900's, including porches, gable roofs, and exterior finishes of stone, brick, or stucco.

C. The RC Zone is characterized by a ~~wide,~~ clean, well landscaped road ~~known as 100 South, aka Midway Lane~~ with a residential character. All property for use in this zone is required to front ~~100 South, upon the road upon which the RC Zone parallels as shown on the Official Zone Map (i.e. 100 South, Center Street.)~~ New development in this area must maintain a residential look through the use of brick, stone or other approved material. Residences converted to business use must maintain the residential look.

D. In order to accomplish the goals and objectives of this section and to promote the characteristics of this Zone, the regulation set out in this Chapter shall apply in the RC Zone.

Section 18.50.020 Permitted Uses.

The following uses shall be permitted in the RC Zone.

- A. Single Family Residential Use
- B. Bed and Breakfast Inns
- C. Music and Dance Studios
- D. Office use, such as: attorneys, public accountants, architects, real estate and land development and doctor's offices
- E. Craft and Curio Shops

Date of First Publishing:

Tab 8

Heber City Council
Meeting date: May 15, 2014
Report by: Anthony L. Kohler

Re: Vacancy/Maintenance Agreement, Section 111 C-2 & C-4 Design Criteria

BACKGROUND

The Planning Commission has been approached for approving 2 commercial developments this year that according to Section 111 of the C-2 and C-4 Design Criteria would require a Vacancy and Development agreement because the size of the proposed buildings would exceed 15,000 square feet. Currently the C-2 & C-4 Design Criteria require such an agreement for buildings larger than 15,000 square feet.

The C-2, C-3, C-4, and I-1 Zones limit the gross floor area of retail buildings to no more than 60,000 square feet. The MURCZ Zone (Walmart area) requires buildings larger than 60,000 square feet to enter into a Vacancy/Maintenance Agreement. Only the C-2 and C-4 Zones require a Vacancy/Maintenance agreement for buildings over 15,000 square feet.

RECOMMENDATION

On April 24, 2014, the Planning Commission held a public hearing on the proposed amendment and recommended removing the entire Section 111 of the C-2 & C-4 Design Criteria. The rationale for this amendment is to be business friendly for smaller businesses in areas that are adjacent to and within the downtown where development should be encouraged; and to be more consistent with the regulation of big boxes in Heber City, where stores over 60,000 square feet are only permitted in the MURCZ Zone and then only with a Vacancy/Development Agreement. The Planning Commission recommended the proposed ordinance be retroactive to any business that applied for commercial development approval since January 1, 2014.

ORDINANCE NO. 2014-14

AN ORDINANCE REPEALING SECTION 111 OF THE HEBER CITY COMMERCIAL DISTRICTS: C-2 AND C-4 ZONES DESIGN STANDARDS AND GUIDELINES.

BE IT ORDAINED by the City Council of Heber City, Utah, that SECTION 111 HEBER CITY COMMERCIAL DISTRICTS: C-2 AND C-4 ZONES DESIGN STANDARDS AND GUIDELINES is **REPEALED**:

~~SECTION 111 DARK STORE / VACANCY AGREEMENT:~~

~~Vacant buildings encompassing a substantial square footage require more intensive municipal services, including, but not limited to fire/police protection, community development, and code enforcement. All buildings 15,000 square feet or larger shall enter into a vacancy, development and maintenance agreement between the property/building owner and the City.~~

~~A **Dark Store/Vacancy Agreement**. A commercial building permit application shall not be approved for the construction of a large retail establishment over 15,000 square feet until a Vacancy Agreement has been approved by the Planning Commission and City Council. The Vacancy Agreement shall be signed by the City and the developer and will apply to all future owners, lessees, and lessors of the site and/or building. The agreement shall contain the following:~~

~~The property owner shall have the first right of refusal as set forth in the Reciprocal Easement Agreement (REA), to redevelop the building and re-market the property after one year of vacancy.~~

~~Any agreement associated with the proposed property, premises and structures shall not contain "noncompete" clauses or other such language that would prohibit or limit the occupancy and use of the building and site or redevelopment or reuse of the building and site.~~

~~In the event that the facility is vacated, the owner or operator, within twelve months of vacancy shall submit to the Planning Commission and City Council a plan for the reuse of the facility. The time limit may be extended by the City Council. If the owner or operator is unable to provide a plan which is acceptable to the City, the City may utilize a Redevelopment Agency or other mechanism to take whatever action is permitted by law to assure appropriate redevelopment or reuse of the facility.~~

~~A development agreement provision citing conditions of approval for a zone change and site development shall be required, as well as other reasonable agreements as necessary to minimize the negative impact of a potential dark store.~~

~~**Maintenance Plan.** Any vacant building and the accompanying exterior site shall be maintained and secured as if they were occupied.~~

~~A commercial building permit application shall not be approved for the construction of a large retail establishment until a plan and agreement to maintain the upkeep of the exterior building improvements, landscaping, parking lot and site improvements and litter removal has been approved by the Planning Commission and City Council. Failure to comply with the maintenance plan shall be deemed to constitute a public nuisance and may be abated or prosecuted as a nuisance pursuant to Chapter 8.04 of the Heber City Code.~~

~~Said proposed plan and agreement for the site and building maintenance shall be submitted to the City and considered by the Planning Commission and City Council for approval as part of a commercial development application.~~

~~The developer and owner are required to pay a monthly fee of \$0.20 per square foot to the City for any period of vacancy after a 90-day vacancy grace period for a building greater than 15,000 square feet, adjusted annually to the Consumer Price Index.~~

~~A cash bond shall be posted prior to issuance of a building permit that will cover maintenance or redevelopment of the site in the event of the owner failing to do so. The amount will be determined by the Planning Commission and City Council.~~

~~A building shall not be permitted to be dark for a period longer than 2 years. In the event of a store being dark, the City may utilize a Redevelopment Agency or other mechanism to take whatever action is permitted by law to assure appropriate redevelopment or reuse of the facility.~~

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the _____ day of _____, 2014.

Any application for a commercial building over 15,000 square feet approved by the Planning Commission after January 1, 2014, shall be exempt from the Section 111 Design Criteria Requirements for a Dark Store/Vacancy Agreement.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2014, by the following vote:

	AYE	NAY
Council Member Robert L. Patterson	_____	_____
Council Member Jeffery Bradshaw	_____	_____
Council Member Erik Rowland	_____	_____
Council Member Heidi Franco	_____	_____
Council Member Kelleen L. Potter	_____	_____

APPROVED:

Mayor Alan W. McDonald

ATTEST:

RECORDER

Date: _____

Date of First Publishing:

Tab 9

**There are no physical
materials for this
agenda item.**

Department Reports

Tab 10

5/6/14
D. Brown

Report of: All Judges
HEBER CITY JUSTICE COURT
MONTHLY REPORT - JUSTICE COURTS
2014049 - 2014064
Journals:
Report Period: 04/01/2014 - 04/30/2014 Location #: 2607

Signature of Judge 

1a. Total Traffic Cases Filed: 173
Charges Filed State Local
I. TRAFFIC
1b. Total Traffic Cases Disposed: 152
CHARGE DISPOSITIONS
Bail Guilty Non-Jury Trial Jury Trial Dis- Trans-
Forf Plea Acquit Convict Acquit Convict missed ferred of Arrest

9	Driving Under Influence			3				
	Impaired Driving DUI Reduced		4	1				
42	Drivers License Violations		5	11		8		4
105	1 Moving Violations		56	16		9		6
78	Non-Moving Violations		32	12		25		10
	Parking Tickets							
1	Failure to Appear Informations			1		2		3

II. CRIMINAL MISDEMEANORS AND INFRACTIONS
2a. Total Misdemeanors/Infractions Filed: 40
2b. Total Misdemeanors/Infractions Disposed: 25

1	Assault							
6	Theft					1		
	Failure To Appear Informations							
3	Public Intoxication							
	Illegal Sale-Alcohol							
10	Other Liquor Violations including Open Container			5			1	
7	Controlled Substance/Narcotics			1				4
	Bad Checks							
4	Domestic Animal Ordinances			2		5		1
	Wildlife Resources							

Parks Recreation

3 Planning/Zoning/Fire or Health

8 Domestic Violence

13 2 Other Misdemeanors/Infractions

Felonies Filed:

Preliminary Hearings Held: 4
Dismissed: 2
Bound Over: 2

Initial Appearances: 6
Transferred: 1

Cases Filed: 3 Settled / dismissed: 1

IV. SMALL CLAIMS
1 Default Judgement:

Trials:

Small Claims:

Criminal:

V. APPEALS FILED
Traffic:

VI. REVENUE COLLECTED		No Surcharges	
Total Collected	85/90%	35%	4,636.11
1. Fines and Forfeitures Collected	14,146.09	5,517.60	3,992.38
1a. Surcharge Collected	6,942.89	5,574.60	1,368.29
2. Traffic Mitigation (SL Co.)	0.00	0.00	
3. Fees/Costs/Contempt Fines	4,132.53	0.00	
4. Overweight Court Costs	0.00	0.00	
5. Security Surcharge Collected - 100%	3,808.16	3,808.16	
6. Total Revenue Collected	29,029.67	29,029.67	

VII. REVENUE DISBURSED

7. Fine/State for DWR	0.00		
8. Fine/State for Boating Act	0.00		
9. Fine/State for Off-hwy Veh	0.00		
10. Fine/State for Surcharge	6,942.89	5,574.60	1,368.29
11. Fine/State for Overweight	0.00		
12. Fine/State for Higher Ed	0.00		
13a. Security Surcharge to St (80% of \$32)	2,442.48		
County - 62.5%	1,526.55		
Court Security - 25%	610.62		
Technology - 12.5%	305.31		
13b. \$8 Court Security Account	755.02		
14. Fine/LEA for 41-1a-1303(2)	0.00		
15. Fine/State for Transportation Fund	0.00		
16. Total Disbursed	10,140.39		

VIII. REVENUE RETAINED

- 17. Fines & Forfeitures Retained 14,146.09
- 18. Traffic Mitigation Retained (SL Co) 0.00
- 19. Fees/Costs/Contempt Fines Retained 4,132.53
- 20. Security Surcharge (20% of \$32) 610.66
- 21. Total Revenue Retained 18,889.28

IX. MISCELLANEOUS INFORMATION

Total Criminal and Traffic Cases this time period with:

Surcharge/Fines paid by Partial Payment 0

Judgment fulfilled by Alternate Order 0

Amount this month of:

Waived Surcharge 1,407.77

Uncollected Surcharge 316.19