

Heber City Corporation
City Council Meeting
February 19, 2015
6:30 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on February 19, 2015, in the City Council Chambers in Heber City, Utah

I. Call to Order

[City Manager's Memo](#)

Present: Mayor Alan McDonald
Council Member Robert Patterson
Council Member Jeffery Bradshaw
Council Member Erik Rowland
Council Member Heidi Franco
Council Member Kelleen Potter

Also Present: City Manager Mark Anderson
City Attorney Mark Smedley
City Engineer Bart Mumford
Chief of Police Dave Booth
City Deputy Recorder Allison Lutes

Others Present: Wes Bingham, Tom Meecham, Larry Newhall, Erin Holcombe, Bill Lutes and others whose names were illegible.

1. [Mark Smedley, Open Meeting Act Training](#)

[Mark Smedley Memorandum Re Open Meetings Act Training](#)

[Utah Code Title 52 Chapter 4](#)

Smedley discussed the Open Meetings Act, specifically as it related to closed meetings. He pointed out that all political or public-affiliated entity meetings were open to the public, with a few exceptions. Smedley explained that a closed meeting must be raised as a motion during an open meeting, must be articulated with specificity to avoid challenges, and it required a two-thirds vote to pass. Smedley also stated that closed meetings did not necessarily have to be noticed ahead of time, but added that it was a requirement that a quorum be present in order to go into a closed meeting. He noted that the City's current practice adding a statement on all meeting agenda that notified the public concerning a potential closed meeting was a good practice. Smedley further advised the Council that issues could be discussed but decisions could

not be made during closed meetings, only in open meeting upon motion. Smedley offered his suggestion that even if Council was prepared to make a decision out of a closed meeting, Council should wait and notice it on the next open meeting agenda. Smedley further noted that closed meetings must be electronically recorded, but written recording of the meeting would be at the Mayor's discretion. Any electronic or written recording would be designated as protected records, and could not be viewed unless approved by a court of proper jurisdiction. Smedley cautioned the Council not to discuss the substance of any closed meeting with others. Further discussion ensued regarding defining a "public body" as provided in the Act. Smedley concluded that any entity that was not private and had any public interest must hold public meetings. Finally, Smedley noted that chance or social meetings could not be used to circumvent the act.

2. Discuss Replacement of 130 Feet of Sewer Line at 750 East Center Street

Staff Report Re Sewer Line Replacement

Mumford explained that the developer of Broadhead Estates needed to connect to the City sewer line running down Center Street, but had not started trenching, pending the Council's decision as to the budget request. He further explained that a 130-foot section of the City sewer line was found to have deteriorated with broken joints and invasive roots, and needed to be replaced. Mumford stated that they were seeking the Council's support to amend the budget to reimburse the contractor for the use of BD Bush Excavation to replace the line so that construction could proceed. Mumford added that the City had worked with BD Bush before and they were a good contractor. He added that the current bid was not out of line, and in fact if the City were to seek outside bids, it could increase time and money.

The Council expressed support for this agenda item, and noted that it would be added to the next regular meeting agenda.

3. Update of Public Safety Building - Discuss Color of Window Frames

Erin Holcombe with GSBS presented the Council with conceptual renderings depicting the black or white window frame color schemes for their consideration. She explained that when the building material was changed from sandstone to masonry for budgetary reasons, they found that the white window frames didn't tie in quite as well and looked less rich. They believed the dark window frames would pull out some contrast. GSBS proposed to pull off the black on some of the more dominate features and replace with a soft gray-green. Holcomb added that the proposed change would not impact cost or schedule, and the finish was warranted for 30 years. After some discussion, the Council agreed to proceed with the black window frames.

With no further business, the meeting was adjourned.

Allison Lutes, Deputy City Recorder