

# **REGULAR MEETING**

# Memo

To: Mayor and City Council  
From: Mark K. Anderson  
Date: 04/09/2015  
Re: City Council Agenda Items for April 16, 2015

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## REGULAR MEETING

### **Item 1 – Discuss/Approve Heber Valley Community Garden Rules and Regulations:**

At the last meeting, the Council discussed the rules and fees for the Community Garden. In light of the Council conversation with Annie McMullin, Michelle Kellogg has made a few proposed changes for Council consideration. As Michelle researched this, only churches in Park City offer a community garden. She indicated that one church charges \$55 per year for a 4' X 25' garden area. This is 1/3 of the size of the largest garden that the City offers. This price difference might be one reason that non-residents are interested in Heber City's Community Garden. Attached is a map of the garden that has been provided by Annie for your review.

### **Item 2 – Discuss/Approve Ordinance 2015-10, an Ordinance Amending Section**

**12.24.330, Grave Markers and Headstone Requirements:** The Council reviewed this issue at the last work meeting which prohibits single or double markers and their concrete border from exceeding the size of the grave/s. The proposed Ordinance also limits the number of headstones/markers to one per grave. See enclosed Ordinance. Staff would recommend approval.

### **Item 3 – Approve Resolution 2015-06, a Resolution Amending the Airport Advisory**

**Board Bylaws:** The Council reviewed this matter at the last work meeting. The proposed changes allow the alternate member of the Airport Advisory Board to vote when a voting member is absent or recused on any agenda item. The Resolution also defines the term of appointment for the alternate member as a two year period. Staff would recommend approval.

### **Item 4 – Approve Waiving Landing Fees and Special Event Permit Fees for Non-**

**Profit Events at the Airport:** At the last work meeting, the Council expressed support for waiving fees for non-profit events at the airport and asked that this item be placed on the agenda for consideration. Additionally, a letter has been drafted for Council approval

encouraging the FBO to waive ramp fees for special events hosted by non-profit organizations at the airport.

**Item 5 – Approve Ordinance 2015-11, an Ordinance Vacating a Portion of Lot 204A, Mountain Meadows #2 Subdivision:** Blake Allen is requesting that a portion of Lot 204A in the Mountain Meadows #2 Subdivision be vacated. The vacated land would then be used for road access to property to the north that Blake would like to subdivide. Please note that some of the attached plats have Lot 204A improperly shown as Lot 204B. The Planning Commission has reviewed the request and is recommending approval. Staff would also recommend approval.

**Item 6 – Blake Allen, Approve Subdivision Plat Amendment to Mountain Meadows #2 Subdivision Plat, located at Lot 204A Airport Road:** If the vacation of a portion of Lot 204A is approved, this action would approve an amended plat map to reflect the new boundaries of the parcels in this plat. Staff would recommend approval.

**Item 7 – Blake Allen, Approve Subdivision Plat Amendment to Habitat for Humanity Subdivision, Amending Lots 1 and 4, located at 300 North 400 West:** Blake Allen is seeking approval to amend the boundaries of lot #1 and #4 of the Habitat for Humanity Subdivision. The proposal is to take a portion of Lot #4 and incorporate it into lot #1. The Planning Commission found the request consistent with the zoning and is recommending approval. Staff would also recommend approval.

**Item 8 – Closed Meeting as Needed:**

# MINUTES

1 Heber City Corporation  
2 City Council Meeting  
3 March 30, 2015  
4 5:00 p.m.

5  
6 SPECIAL BUDGET MEETING

7  
8 The Council of Heber City, Wasatch County, Utah, met in **Special Budget Meeting** on March  
9 30, 2015, in the City Council Chambers in Heber City, Utah

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11 I. Call to Order

12  
13 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 Recorder Michelle Kellogg  
City Engineer Bart Mumford  
City Planner Tony Kohler  
Chief of Police David Booth  
Justice Court Judge Randy Birch  
Cemetery/Parks Director Mark Rounds  
Public Works Director Stephen Tozier  
Building Official Wes Greenhalgh  
Senior Accountant Wes Bingham

14  
15 1. Discuss 2015-2016 Operating Budget  
16 City Manager Memo  
17 Department Requests  
18 Manpower Requests  
19 Insurance Analysis  
20 CAF Request  
21 Enterprise Funds  
22

23 Mayor McDonald welcomed the department heads to the budget meeting and noted that they  
24 would be presenting their budget requests to the Council. Judge Birch reviewed the Utah  
25 Constitution as it pertained to Justice Courts. These courts handled Class B and C misdemeanors,  
26 infractions, traffic, civil cases under \$10,000, etc. He stated the infractions had recently been  
27 reclassified so there would be more cases in the coming year. Judge Birch requested a part-time  
28 employee to help his two court clerks. He praised his two clerks and appreciated all their hard  
29 work, noting they were one of the first courts in the State to go paperless in their work. Judge

1 Birch also requested a new copy machine. Another request concerned raises for the two clerks.  
2 Council Member Rowland asked if the clerks were required to be certified. Judge Birch indicated  
3 no certifications were required. When asked what type of raise was requested, Anderson  
4 explained that Kellogg would do a comparison with other cities, and also indicated that  
5 promoting a clerk to a supervisory role may be appropriate. Council Member Rowland asked that  
6 the clerks document their job duties. Anderson stated the duties were listed in the job description.  
7

8 Wes Greenhalgh, Building Official, informed the Council that a new Secretary/Permit  
9 Technician accepted a job offer and would begin April 20. In the interim, he had sent work to a  
10 contract inspection company to compensate for being a one-person office, and stressed it was  
11 urgent to hire another inspector. Council Member Franco suggested offering a scholarship in  
12 return for a commitment to work in Heber for a certain number of years. Mayor McDonald asked  
13 about the request for two work vehicles. Greenhalgh indicated one would be for the new  
14 inspector and his current vehicle was 11 years old.  
15

16 Mark Rounds, Cemetery/Parks Director, listed updating the old shop restrooms on the southeast  
17 corner of the cemetery as a priority. He requested a replacement for the 1995 Ford F-150.  
18 Rounds also requested auto locks to replace the deadbolt locks on the shop, so the code could be  
19 changed as seasonal workers left after the summer work season. He requested tablets to track  
20 work orders among other non-capitalized requests. Rounds also requested funds to replace dead  
21 trees on Main Street and Wheeler Park, and for security lights and cameras at the Main Street  
22 Park.  
23

24 Rounds requested funds for fencing a portion of the Muirfield Park for an off-leash dog park.  
25 There was discussion on putting in grass or leaving the field grass in this portion of the park.  
26 Chief Booth stated he talked with Paws For Life and they wanted to partner with the City for this  
27 project and fund the "extras." Council Member Franco asked if Paws For Life liked the 200 x  
28 200 size of the dog park. Chief Booth stated Paws For Life would like the dog park bigger, but  
29 they understood it was the City's park. Rounds added that he was excited to work with Paws For  
30 Life. He also spoke with the Muirfield HOA, and the president, Larry Newhall, stated the  
31 residents were excited to get this dog park.  
32

33 Rounds updated the Council concerning a resident wanting to donate up to \$70,000 for a splash  
34 pad at the Main Street Park. It would be a fresh water facility because a recirculating water  
35 system would triple the cost of the project. The water use estimate was 25,000-40,000 gallons  
36 per day. Rounds thought this feature would add to the community. In talking with other entities,  
37 he was advised that this water feature would require additional sidewalks and an additional  
38 restroom, and the park traffic would double. The splash pad alone was estimated to cost \$72,000-  
39 \$75,000. Council Member Rowland asked what water costs would be per year. Anderson stated  
40 the majority of the cost would be pumping the water out of the ground and treating it. Council  
41 Member Rowland asked if the waste water from the splash pad could go towards irrigation.  
42 Rounds stated that was possible, but residents might complain about irrigating with chlorinated  
43 water. Council Member Patterson asked for lighting for the Olympic statue outside the City  
44 Offices. Rounds stated he would check with those over water quality to see if chlorinated water  
45 could go in the ditch irrigation system.

1 Tony Kohler, Planning Director, asked for up to \$200,000 for studies on the revitalization of the  
2 City. He felt that was the highest priority for the City. The highest priority for his department  
3 was to increase the Code Enforcement employee to 30 hours per week. He also requested a  
4 software program that would enable the City to accept forms and applications online. There was  
5 discussion on the Code Enforcement Officer's duties. Kohler also explained his equipment  
6 requests.

7  
8 Bart Mumford, City Engineer, stated the bulk of his work dealt with projects that were funded by  
9 impact fees, grants, etc. He reviewed the current and future projects for this coming budget year:  
10 the Public Safety Building, a pressurized irrigation line on 600 South from Main Street to 500  
11 East, and sewer maintenance and storm drains on 1200 East. He indicated there would be many  
12 street projects in the coming year. Mumford stated Kohler was successful in getting a CDBG  
13 grant for the 500 South Waterline Project this summer. In reviewing the water projects, Mumford  
14 stated a priority was getting water with higher pressure up to the homes that were located high in  
15 Valley Hills Subdivision.

16  
17 There were two projects Mumford explained in detail. The first was the sewer project on the east  
18 side of Highway 40, 600 North to 300 North. He asked if the Council was in favor of using the  
19 balance of the City's impact fees to build the sewer line in anticipation of the annexation of the  
20 Bassett property. Anderson offered another option of having the developer help with the costs of  
21 the sewer in lieu of paying impact fees as a condition of annexation. Anderson noted he could  
22 find the money from other sources in the budget as well, in order to get this project started this  
23 summer. There was discussion on requiring funds to help with the sewer from the annexation  
24 petitioner. Mumford stated the second project was on 600 South. The City was working with  
25 UDOT to widen the street and put in curb and gutter from Main Street to 500 East. The project  
26 would also include installing pressurized irrigation on both sides of the street and possibly  
27 adding a trail. If a trail was installed, the ditches would be covered. It was indicated that the  
28 intermediate school would be moving next to Old Mill Elementary in the near future so there  
29 would not be many students using the 10 foot trail/sidewalk. Council Member Franco was in  
30 favor of the trail, noting the accessibility of the high school track, the library and the new  
31 development on the old high school property.

32  
33 Steve Tozier, Public Works Director, indicated 30%-35% of the equipment in his department had  
34 been replaced, of which he appreciated greatly. He spoke of current projects his crew was  
35 involved with, and noted his department was assisting contractors with projects within the City.  
36 Tozier estimated building onto the Public Works facility would cost \$3.5 million-\$5 million. He  
37 asserted his crew was using sewer videos to assess the City's deteriorating sewer lines, which  
38 would be expensive to replace. He also talked about software that could generate work orders for  
39 those employees with smartphones. He requested four additional hires, one being increasing a  
40 part-time administrative assistant to full time status.

41  
42 Council Member Potter asked if Public Works could hire seasonal help since work slowed down  
43 during the winter months. Tozier stated the downside of seasonal help was the learning curve  
44 involved with the job. Council Member Franco questioned some of the Public Works foremen  
45 not being certified, yet they supervised those that had certifications. Tozier stated the foremen

1 had the most experience and had good people skills. He explained the certification process in  
2 some detail. Equipment requests were discussed as outlined in the packet.  
3 Chief Booth stated there were no requests from the Animal Control Department. He indicated the  
4 Police Department FTE he requested would work in the schools one day a week. He noted VIPS,  
5 reserve officers and volunteers helped with manpower needs in the department. He also  
6 requested a graveyard shift and swing shift pay differential to help keep officers working in the  
7 department, and noted other cities offered this incentive to their employees. He also explained  
8 his office manager request and indicated this person would supervise a secretary, the crossing  
9 guards, the evidence tech, and VIPS.

10  
11 The Police Department equipment requests included cameras, replacement vehicles, and building  
12 improvements for the Public Safety Building. Chief Booth talked about the Public Safety  
13 Building contingency fund and stated he hoped all items which had been cut from the budget  
14 could be covered by this fund, but at the end of the project, he might need a little more money to  
15 cover fencing, covered parking and lockers.

16  
17 Anderson stated the airport requests included increasing the Airport Manager's hours by a couple  
18 hours per week. In administration, a Network Administrator had been requested, but Anderson  
19 stated many department heads preferred their requests for new hires above hiring this position.  
20 Council Member Rowland and others on the Council disagreed and stated the City's IT was  
21 mediocre at best. Council Member Bradshaw stated he had been in favor of hiring an on-site IT  
22 person since 2006. It was decided to hire a Network Administrator.

23  
24 Anderson reviewed the bids on insurance coverage. He reviewed the PEHP proposal, but noted  
25 the employee's exposure would be greater than it would if the City remained with Select Health's  
26 coverage. He recommended changing the dental insurance plan from TDA to Lincoln Insurance.

27  
28 Anderson indicated there was a financial request for the Commemorative Air Force. The Council  
29 agreed to give \$1,500 to the Mustang Event. With regard to water, sewer and utility rates,  
30 Anderson reviewed the Zion's Bank Public Finance study compared to actual budget figures.  
31 Raises, equipment and additional manpower were higher than projected in the study and the  
32 difference was significant. Wes Bingham stated he reviewed the projects that Zion's Bank  
33 estimated would be completed. He looked at the net operating budget for projects and felt the  
34 projects were not being covered, but indicated sewer projects were close to the Zion's Bank  
35 estimates. Council Member Rowland asked that staff take the new figures and project how much  
36 would be needed to fund water and sewer in order to determine rates. Anderson stated he was not  
37 in favor of funding manpower requests in the Water and Sewer Funds because of this problem,  
38 and indicated staff needed to come back with a long-term solution to this problem. Anderson  
39 indicated the water and sewer revenue needed to exceed expenses so there would be funds to  
40 cover replacement needs for failing infrastructure. Council Member Franco asked if fees could  
41 be charged for grease problems in the sewer system. Anderson stated policies needed to be put in  
42 place so grease would no longer be a problem in the sewer system. There was discussion on  
43 water bills. Anderson felt water rate increases needed to be more than 10%.

44  
45 Employee wages were discussed. Anderson recommended a wage analysis, which would cost  
46 \$2,000. He stated that depending on the results from that study, he would recommend wage

1 adjustments. Mayor McDonald asked Anderson to estimate the revenue that the City would  
2 receive if there were a 15% tax increase.

3

4 Anderson recommended reducing the General Fund reserve by funding the Social Hall Roof, a  
5 splash pad, and other necessities. He also asked for recommendations from the Council for  
6 spending these funds.

7

8 Anderson indicated the personnel requests he recommended for approval. Council Member  
9 Rowland suggested looking at Public Works for more efficiency, especially in light of the  
10 deficiencies in the Water and Sewer Funds. Council Member Patterson was concerned with  
11 failing systems and was in favor of giving Public Works all the manpower requests it needed. It  
12 was decided to hold another budget meeting on April 27 at 5:00 p.m.

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14 With no further business, the meeting was adjourned.

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Michelle Kellogg, City Recorder

1 Heber City Corporation  
2 City Council Meeting  
3 April 2, 2015  
4 5:37 p.m.

5  
6 WORK MEETING

7  
8 The Council of Heber City, Wasatch County, Utah, met in Work Meeting on April 2, 2015, in  
9 the City Council Chambers in Heber City, Utah

10  
11 I. Call to Order

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13 City Manager's Memo

14  
Present: Mayor Alan McDonald  
Council Member Jeffery Bradshaw  
Council Member Erik Rowland  
Council Member Heidi Franco  
Council Member Kelleen Potter (arrived at 5:44 p.m.)

Excused: Council Member Robert Patterson

Also Present: City Manager Mark Anderson  
City Planner Tony Kohler  
Chief of Police Dave Booth  
City Deputy Recorder Allison Lutes

16 Others Present: Krew Rowland, Kobe Rowland, Kiah Rowland, Annie McMullen, Tracy Taylor,  
17 Justin Johnston, Brian Balls, Kassadi Hardman, Jacee Lewis, and Bill Gaskill.

18  
19 Prior to discussion on the agenda items, Mayor McDonald invited Chief Booth to discuss the  
20 color variations of the brick for the public safety building. Chief Booth drew a rendering  
21 showing the various brick patterns, and explained that the roofline, soffit and fascia were  
22 designed to extend down and were intended to cover exposed brick. However, if there was any  
23 exposed brick for any reason, due to misalignment or other, then the brick would be honed to  
24 match the correct color. Chief Booth confirmed that the building would appear just as it did in  
25 the artist rendering, and added that the Public Safety building would be the most energy efficient  
26 building in the City.

27  
28 1. Discuss Proposed Changes to the Airport Advisory Board Bylaws  
29 Airport Advisory Board Bylaws

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31 The Council was amenable to the proposed changes to the Airport Advisory Board bylaws to  
32 allow the alternate board member to vote if one of the regular board members was absent or  
33 recused, and to define the term for the Alternate Board Member to two years.

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2. Discuss Waiving Landing Fees and Special Event Permit Fees for Non-Profit Events at the Airport

After some discussion on this agenda item, Council Member Rowland confirmed that the landing fees they would be waiving would only apply to the airplanes participating in the events, and not to all who fly in and attend. Council Member Franco asked whether the City could advise the Commemorative Air Force (CAF) that the waiver of fees would be part of its contribution to their events. Anderson suggested they could include a statement that would put in perspective the financial impact on the City that the CAF would be benefitting from.

After further discussion, Council Member Rowland suggested that Terry Loboschefskey draft the letter concerning the landing fees.

Council Member Franco then turned the discussion to the March 18 Airport Advisory Board meeting, and expressed her concern regarding the FBO participating in the meeting via text message, contrary to the City Ordinance allowing only Council Members to participate in meetings electronically. She was concerned that the practice could potentially lead to others participating via text message, thus bypassing the intent of holding public meetings, so that all could see and hear the participants. Council Member Franco requested that the rules be clarified so that they would know how to handle such situations in the future. Anderson said he didn't view the instance as becoming an ongoing problem, but suggested that staff revisit the rules of order and procedure and see if they could address this issue accordingly.

Anderson added that he spoke with Nadim AbuHaidar after the Airport Advisory Board meeting, who told him he hadn't expected his comment to be shared with the Board.

At 5:44 p.m., Council Member Potter arrived.

3. Discuss Pay Grade Changes for Building Inspector II and III Building Department Pay Grades

Anderson explained that they had received two applications for the Building Inspector II position, and felt they didn't have a sufficient number of candidates to proceed with that process. As a result, they initiated a job posting for Building Inspector II and III, but before doing so, Anderson requested that Michelle Kellogg analyze the pay ranges in other jurisdictions. Based on the results of the pay analysis, Anderson felt the recommended pay scale appeared reasonable. Anderson indicated that the current job posting was scheduled to close on April 6. The Council was supportive of the pay grades as proposed.

Anderson asked whether the Council would be comfortable with staff initiating pay grade changes based on analysis as performed for the Building Inspector II and III positions, or whether they preferred the staff continue with the current practice of bringing all types of these issues to the Council. Council Member Bradshaw suggested such items be brought before the Council periodically, and suggested a once or twice a year review, rather than each time there was a new hire. Council Member Potter agreed.

80 4. Discuss Proposed Amendments to the General Plan Land Use Map  
81 2015 Land Use Map Amendment

82  
83 Tony Kohler projected an image of the Land Use Plan and explained that the Planning  
84 Commission recommended some changes. He further explained that the land use plan guided  
85 what future zoning would be, and in particular, it guided zoning for some annexations currently  
86 on file. One of those affected was the Strawberry Annexation, and Kohler indicated that most of  
87 the property owners near Chip Turner's log place didn't want to see the business park zone, as  
88 depicted in the City's current General Plan. The Planning Commission agreed with those owners  
89 and recommended that the area be designated as a commercial area. The second proposed  
90 change related to areas within the Strawberry Annexation that were formally designated  
91 residential and medical office use. The Planning Commission recommended changing those  
92 areas to a planned community mixed use, requiring a mixture of housing types and allowing for  
93 some commercial development. Council Member Franco confirmed with Kohler that by  
94 accepting the proposed Land Map Use changes, it would grant higher density in the affected  
95 areas. She expressed her concern that if they were to move forward on these proposed changes,  
96 they could close the door on future TDR opportunities, by not adopting a more synergistic  
97 approach to have the County participate in the program. Franco indicated that the City and  
98 County were close to a Memorandum of Understanding, and it would be the topic of discussion  
99 at the interlocal meeting which was planned for two weeks later, as well as another meeting at  
100 the end of the month.

101  
102 Kohler indicated that as a City, Heber was pretty much built out. The Strawberry Annexation  
103 was probably the biggest residential annexation, unless annexation boundaries were changed.  
104 The west side of town was pretty much built out, while the north side of town would be the next  
105 biggest area. Kohler then presented the third proposed Land Use Plan change for that area, north  
106 of King's, with a proposed mixed use residential/commercial zone to accommodate a larger  
107 retailer. Kohler indicated that zoning was a PCMU zoning. He added that the proposed area  
108 would be the last significant annexation area for the City, pursuant to the 30-year plan. In  
109 response to questioning by Council Member Franco, Kohler confirmed that the proposed  
110 changes could potentially affect the Bassett Annexation by increasing density, and added that the  
111 zone was a MURCZ zone, with 20 units per acre density. However, Kohler added that most, if  
112 not all of the area was slated to be commercial and retail; the developers were not interested in  
113 building residential in that area.

114  
115 Council Member Potter questioned Kohler on the timing, and asked why the request was coming  
116 before Council at this time, rather than waiting to see how the TDR process played out. Kohler  
117 responded that the Planning Commission had been struggling with the current Land Use Map  
118 while analyzing the subject annexations and wanted to see a different Land Use Map than  
119 currently existed. He added that the requested changes wouldn't re-zone anything, and that any  
120 increases in density would be driven by annexation approval, which was a legislative decision.  
121 Kohler indicated that he concurred with Mike Johnston's recommendation that commercial  
122 approval not be delayed, because the projects were in limbo, pending the land use and  
123 annexation decisions. Kohler indicated that there were three other developer groups waiting for  
124 the decision on the Land Use Map to determine which way they would proceed with their  
125 proposed projects, located South of the City. Council Member Franco suggested that should the

126 Land Use Map be approved, then the developers should be advised that sometime within the  
127 following twelve to eighteen months they would be required to participate in the TDR program  
128 based upon the density increases they would be receiving. Anderson added that the provision  
129 could be included in the annexation agreements.  
130

131 Kohler advised that commercial developers were not currently held to the same density  
132 requirements as residential developers, and to require that they participate in a TDR program, or  
133 retroactively apply some restrictions, they would risk potentially driving out retailers and  
134 services from the City. He added that the City needed to create a TDR program that was  
135 reasonable and feasible, or risk the developers choosing to go elsewhere.  
136

137 Kohler indicated that Item 3 was proposed to be an economic hub and anchor for the City, and if  
138 the Council agreed with that, he encouraged them to consider approving the changes. The  
139 proposed changes 1 and 2 to the south of the City were not requested by the developers, but  
140 rather from the Planning Commission and some of the neighbors, who thought it would be a  
141 better land use.  
142

143 After further discussion, the Council requested to see some proposed language for the annexation  
144 requests that would address the TDR issue and receiving zones, and to wait until they had met  
145 with the County before making a decision on the current Land Use Map request. Mayor  
146 McDonald indicated that a tentative meeting with the County Council had been set for May 4,  
147 and told Kohler that the second Council meeting in May would be when this Land Use Map  
148 request could be brought before Council again. Council Member Franco added that an interlocal  
149 meeting had been set for 7:00 p.m. on April 14, and Anderson indicated he would attend as well.  
150

151 7. Discuss Proposed Changes to the Heber Valley Community Garden Rules and  
152 Regulations

153 Community Garden Rules and Regulations

154 Communications with Annie McMullen Regarding the Community Garden  
155

156 Annie McMullen addressed the Council regarding the new proposed rules whereby Heber City  
157 residents would be given first choice of garden plots, followed by Wasatch County residents, and  
158 lastly, other counties' residents, based on availability. Proof of residency would be required  
159 when signing up. McMullen asserted that the garden should be all-inclusive, and stated her  
160 concern that if the residency restriction was imposed, it would kick out people who had been  
161 there a long time. She added that she wouldn't object to turning away new people based on  
162 residency restrictions, but the current garden was filled with people from both Heber and  
163 Midway, and she encouraged the Council to consider grandfathering in people who were already  
164 working in the garden, regardless whether they were from Heber or Midway, or even Park City,  
165 as was the case with one participant, Fred Gonzales.  
166

167 Council Member Rowland expressed his concern with the potential to create a private club of  
168 those who were there before and would be allowed to stay, rather than allowing others to  
169 participate and have equal rights to use the property. He added that he had been approached by  
170 residents who told him they felt they should have first rights to use the garden, since their tax  
171 dollars were paying for it, and the land belonged to the City.

172 McMullen suggested they build more boxes and expand the garden to allow more people to  
173 participate. She indicated she had spoken with Lynn Adams, who told her the ground  
174 underneath was hard pan, and was not suitable for cemetery use. McMullen asserted that  
175 community gardens were not operated on a lottery system, but rather once there, a person was  
176 allowed to remain each year until finished, because of the personal time, effort and money  
177 expended into cultivating the plot. Council Member Rowland countered that he felt that just  
178 because a person worked a plot one year, it shouldn't automatically give him/her the rights to the  
179 plot the following year, and likened it to extending land use rights, just because of one's  
180 presence. McMullen disagreed, and stated that blood, sweat and tears constituted a lot of equity  
181 in the ground.

182  
183 McMullen asserted that if they had a waiting list for boxes, then it would be a perfect Eagle  
184 Scout project to make more boxes; there was plenty of space available to construct more boxes.

185  
186 McMullen indicated a good problem to have would be a waiting list, but Council Member  
187 Rowland disagreed, and stated that the current model, whereby garden box holders were given  
188 automatic first rights to the boxes each year, would create a sense of entitlement. He felt they  
189 could explore solutions that would account for everyone's needs. Council Member Rowland  
190 added they should put in place a set of rules now, as opposed to retroactively applying rules in  
191 the future when problems would arise. After further discussion, Council Member Rowland  
192 suggested they consider imposing a two to three year limit on use, or fees that would cover  
193 multiple years, to allow others to participate in the garden. McMullen countered that her  
194 preference would be to add more boxes.

195  
196 Further discussion ensued, and the Council was supportive of allowing a gardener to remain in  
197 his or her allotted area, and to not make them abandon their spot year after year. McMullen  
198 reiterated her request to grandfather in Bill Baker from Midway and Fred Gonzales from Park  
199 City. Mayor McDonald felt the request was reasonable.

200  
201 McMullen asked whether the Council would consider her proposed rates on the boxes. She also  
202 requested they consider funding for a new deer fence, and added she could submit rates for a  
203 fence. She received a bid last year for approximately \$5,200 for a 7-foot chain link fence.

204  
205 Council Member Franco suggested that if a new person wanted to come in, and there was a  
206 waiting list, then they would need to build a box. McMullen was favorable to the idea, and  
207 added that there were Eagle Scouts who were lined up to do community garden projects.

208  
209 The Council was favorable to allowing Heber City residents first choice access, followed by  
210 Wasatch County, and then other counties, and grandfathering in the current two outside  
211 residents, Fred Gonzales and Bill Baker. Further, Council indicated they would consider  
212 imposing a time limit on currently existing box gardeners who were not City residents.  
213 Additionally, they discussed the possibility of charging a different rate for City vs. Non-City  
214 residents. McMullen further advised Council that she donated one of the boxes to the 4th  
215 District Judicial Junior Court, because they had completed over 400 hours of work in the garden.  
216 Council Member Franco added that it might be something they consider with the City food

217 pantry. McMullen agreed they may be able to dedicate a plot or two to social services if people  
218 were to come and work on those lots.

219

220 Mayor McDonald wrapped up discussion on this agenda item, and stated they would have  
221 Michelle Kellogg work on the language on the proposed rules and review the rates and it would  
222 be brought before the Council for a vote in the next meeting.

223

224 5. Discuss Potential Agenda Items for the UDOT Transportation Meeting Scheduled for  
225 April 14, 2015

226

227 Mayor McDonald reminded the Council that the UDOT meeting was scheduled for 4:00 p.m. on  
228 April 14 in the County Council chambers. He added that while the meeting really was UDOT's  
229 meeting, there were certain discussion items they wanted to include: status of the pipeline, Main  
230 Street public safety, and to provide information on the bypass road. Mayor McDonald solicited  
231 the Council's thoughts on any additional agenda items. Anderson stated that just prior to the  
232 current meeting, he forwarded an email from Brian Phillips about pedestrian safety issues on  
233 Main Street that gave an update on the estimated costs on improvements, and certain studies  
234 requested.

235

236 Council suggested certain items for follow up with UDOT in the proposed meeting: installing  
237 flashing signs at City entry points to advise drivers of reduced speed; aligning the intersection at  
238 the Hub and installing four lights for the four lanes; and confirming when traffic studies would  
239 be conducted on 100 West at 600 South (end of April); and Main Street at the park (end of June,  
240 first of July).

241

242 Council Member Franco stated that UDOT advised funding wouldn't be available until the new  
243 fiscal year in July, and if anything needed to be built based upon the survey, it would not happen  
244 until the fall. She felt they needed to hold UDOT to their stated schedule for surveys and  
245 funding for the crosswalk at the Main Street Park. Tracy Taylor from the audience took the  
246 podium and expressed that there were many comments from the public concerning this issue on  
247 Facebook. She suggested they consider the overhead flashing lights, such as those currently  
248 installed in Moab, for the crosswalk on Main Street at the City park and by the Junior High near  
249 McDonald's. She added that from Center Street to 500 North, there were currently no stop lights,  
250 allowing trucks to gain speed, which was perceived as an unsafe condition. She suggested they  
251 consider installing a stop light at 200 or 300 North. The Council responded that they had looked  
252 into the overhead, or HAWK lights, and UDOT told them it would be \$150,000 for one, and only  
253 based on justified need. UDOT conducted their justified need study in November, during a slow  
254 period, and determined Heber City did not qualify for funding of the HAWK system. The City  
255 then requested they perform another study in the summer, when pedestrian traffic is at its peak.

256

257 6. Discuss Potential Agenda Items and Set Date for Meeting with the County Council

258

259 The Council agreed to set the date for the meeting with the County Council for 6:00 p.m. on May  
260 4 at the Senior Center. The TDR's would be the main subject for discussion.

261

262

263 With no further business, the meeting was adjourned at 6:55 p.m.

264

265

266

\_\_\_\_\_  
Allison Lutes, Deputy City Recorder

267

268

269

270

1 Heber City Corporation  
2 City Council Meeting  
3 April 2, 2015  
4 7:03 p.m.  
5

6 REGULAR MEETING  
7

8 The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on April 2, 2015, in  
9 the City Council Chambers in Heber City, Utah  
10

11 I. Call to Order  
12 City Manager Memo  
13

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

Excused: Council Member Robert Patterson

Also Present: City Manager Mark Anderson  
City Planner Tony Kohler  
City Engineer Bart Mumford  
Chief of Police Dave Booth  
Deputy City Recorder Allison Lutes

14  
15 Others Present: Tracy Taylor, Brian Balls, Kassadi Hardman, Jacee Lewis, Bill Gaskill, Marcie  
16 Harvey, Diana Garfield, Mel McQuarrie, and others whose names were illegible.  
17

18 II. Pledge of Allegiance: Council Member Heidi Franco  
19

20 III. Prayer/Thought: By Invitation (Default Council Member Erik Rowland)  
21

22 IV. Minutes for Approval: March 16, 2015 Special Budget Meeting and March 19, 2015  
23 Work and Regular Meetings  
24 March 16, 2015 Draft Budget Meeting Minutes  
25 March 19, 2015 Draft Work Meeting Minutes  
26 March 19, 2015 Draft Regular Meeting Minutes  
27

28 Council Member Bradshaw moved to approve the minutes of the March 16, 2015 Special Budget  
29 Meeting and the March 19, 2015 Work and Regular Meetings. Council Member Potter made the  
30 second.  
31

32 Voting Aye: Council Members Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen  
33 Potter. Voting Nay: None. Council Member Robert Patterson was excused.

34 V. Open Period for Public Comments

35

36 Mayor McDonald opened the meeting for comments from members of the audience who wished  
37 to address the Council on matters which were not listed on the agenda. No comments were  
38 given.

39

40 1. Marcie Harvey, Wasatch Chevy's Car Club Presentation

41

42 Marcie Harvey, Vice President of Wasatch Chevy's Car Club, and Diana Garfield, Club  
43 President, presented the City with a check for \$500 to thank the City for its support over the past  
44 23 years that the car show had been held. She confirmed that the 2015 car show would be held  
45 on June 27, and added that the show was always scheduled for the fourth Saturday in June.

46

47 2. Approve Ordinance 2015-08, an Ordinance Vacating a Portion of The Cove at Valley  
48 Hills Subdivision Located on the West Side of Valley Hills Boulevard  
49 Ordinance 2015-08

50

51 Mayor McDonald stated that the Council engaged the Office of the Property Rights Ombudsman  
52 for its comment on this agenda item, and read into the record certain excerpts from the  
53 Ombudsman's Advisory Opinion: "Often an open space designation will include a dedication to  
54 the public or to an homeowner's association (HOA). In such case, the public or HOA gains an  
55 ownership interest in the property, and with it the legal ability to prevent a change. However, no  
56 such dedication is indicated for the Open Space Parcel. Coyote Development retained full  
57 ownership; it therefore retains the ability to control the destiny of the Parcel, which includes  
58 changing the parcel to something different than open space, despite it being so labeled on the  
59 Plat. . .the City has no basis to insist that it remain undeveloped. Although the neighboring  
60 property owners may enjoy the views and privacy afforded by the undeveloped property behind  
61 their homes, that alone is insufficient to guarantee that the parcel will remain in that state  
62 indefinitely. Heber City simply does not have sufficient justification to prevent development on  
63 the Open Space Parcel. . . Finally, since there is no evidence of a specific agreement or special  
64 use, the City has no basis to restrict development. Along the same lines, the neighboring  
65 property owners have not demonstrated a special or unique right to restrict development."

66

67 Council Member Rowland expressed that he had read the Ombudsman's Advisory Opinion, and  
68 had spoken with some of the residents, and he was not prepared to make a decision on this issue.

69

70 Council Member Rowland moved to continue this agenda item to a work meeting to allow more  
71 discussion regarding some information that might help formulate an amenable solution for all  
72 parties involved. Council Member Heidi Franco made the second.

73

74 Voting Aye: Council Members, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen  
75 Potter. Voting Nay: None. Council Member Robert Patterson was excused.

76

77 The Council agreed that this item would be placed on the May 7 work meeting agenda, due to  
78 out of town commitments by Council members.

79 3. Coyote Development, Approval of The Cove at Valley Hills Phase 1C, Located between  
80 1772 North Valley Hills Boulevard and Callaway Drive, and the Associated  
81 Development Agreement  
82 The Cove at Valley Hills Phase 1-C  
83

84 Due to the Council's vote on Agenda Item Number 2 above, the Council agreed that this item  
85 would be placed on the May 7 work meeting agenda as well.  
86

87 4. Wasatch County School District, Approve Lot Line Adjustment between Parcels Owned  
88 by Wasatch County School District, Located at approximately 601 South Main Street  
89 Wasatch County School District Lot Line Adjustment  
90

91 Tony Kohler projected a plat map of the area, and explained that a buyer was purchasing a piece  
92 of the old high school property that was not yet its own parcel. The request before the Council  
93 was to move current parcel boundaries to make the proposed sale portion a parcel. Council  
94 Member Franco inquired whether this issue would come before the Council each time a piece of  
95 the school property was sold. Kohler responded that they received an application to subdivide  
96 the property at the same time they received the current petition before the Council, so there  
97 would be no further requests to adjust boundary lines.  
98

99 Kohler added that the proposed boundary change would not violate any zoning ordinances, and  
100 the lots directly behind the parcel would remain school district property.  
101

102 Council Member Potter moved to approve the lot line adjustment between parcels owned by  
103 Wasatch County School district, located at approximately 601 South Main Street. Council  
104 Member Erik Rowland made the second.  
105

106 Voting Aye: Council Members Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen  
107 Potter. Voting Nay: None. Council Member Robert Patterson was excused.  
108

109 5. Approve Ordinance 2015-09, an Ordinance Vacating a Portion of the Phase 1 and Phase  
110 1P Red Ledges Subdivision Plats  
111 Ordinance 2015-09  
112

113 Tony Kohler projected a plat map of the Red Ledges area, and explained that the request  
114 proposed eliminating a small open space and integrating it into existing lots. Council Member  
115 Rowland asked whether Kohler believed there was anything of concern or of note with regard to  
116 agenda items 5, 6, 7, and 8. Kohler responded that items 7 and 8, concerning the combining of  
117 lots, were fairly routine requests. Kohler believed the only noteworthy item related to Phase 2H  
118 (Agenda Item Number 6), which proposed two flag lots. Kohler, Mumford and Red Ledges met  
119 to establish a standard to limit the number of flag lots. Kohler then reviewed the list of  
120 requirements established during their meeting with Red Ledges, and added that both he and  
121 Mumford were comfortable with the proposed requirements and the proposed two flag lots.  
122

123 Council Member Erik Rowland moved to approve Agenda Item Numbers 5, 6, 7, and 8, as  
124 written and presented in Council packets for approval. Council Member Heidi Franco made the  
125 second.

126

127 Voting Aye: Council Members Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen  
128 Potter. Voting Nay: None. Council Member Robert Patterson was excused.

129

130 6. Approve Red Ledges Phase 2H Subdivision, a 17 Lot Subdivision  
131 Red Ledges Phase 2H

132

133 See Agenda Item Number 5, above.

134

135 7. Approve Red Ledges Phase 1 Plat Amendment Combining Lots 168, 169 and 170  
136 Red Ledges Phase 1 Plat Amendment re Lots 168, 169 and 170

137

138 See Agenda Item Number 5, above.

139

140 8. Approve Red Ledges Phase 1 R Plat Amendment Combining Lots 430 and 431  
141 Red Ledges Phase 1R Plat Amendment re Lots 430 and 431

142

143 See Agenda Item Number 5, above.

144

145 9. Approve Wasatch County Cooperative Weed Management Area Memorandum of  
146 Understanding

147 Cooperative Weed Management Area Memorandum of Understanding

148

149 Council Member Jeffery Bradshaw moved to approve Wasatch County Cooperative Weed  
150 Management Area Memorandum of Understanding. Council Member Heidi Franco made the  
151 second.

152

153 Voting Aye: Council Members Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen  
154 Potter. Voting Nay: None. Council Member Robert Patterson was excused.

155

156 10. Closed Meeting to Discuss the Sale of Land and Pending Litigation

157

158 At 7:28 p.m., Council Member Rowland moved to enter into a closed meeting to discuss the sale  
159 of land and pending litigation. Council Member Bradshaw made the second.

160

161 Voting Aye: Council Members Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen  
162 Potter. Voting Nay: None. Council Member Robert Patterson was excused.

163

164 At 7:57 p.m., the Council returned to the Regular Session and adjourned the meeting.

165

166

167

168

---

Allison Lutes, Deputy City Recorder

# TAB 1

# HEBER VALLEY COMMUNITY GARDENS

## Rules and Regulations

### I agree to the following:

- Heber City residents will be given the first choice of garden plots, followed by Wasatch County residents, and if space is still available, residents from other counties may participate in the Community Garden. Proof of residency is required when signing up for a garden plot. Existing gardeners will have the option of retaining their plots up to five years before the plots are returned to a first come, first served status.
- Pay a fee of \$50 for a garden plot measuring 12' x 24', with access to water, \$35 for a plot measuring 12' x 11', with access to water, or \$20 for a plot measuring 12' x 6', with access to water. Additionally, a \$25 community garden usage fee will apply to non-Heber City residents.
- Plant by June 5, weather permitting, and keep the plot planted all summer long.
- Keep weeds down in my garden space and maintain the areas immediately surrounding my plot.
- Volunteer a few hours during the gardening season toward community gardening efforts. Keep trash and litter cleaned from the plot, as well as from adjacent pathways and fences.
- Be considerate when watering so the neighboring plots are not disturbed and/or over-watered.
- Pick only my own crops unless given permission by other plot users to pick from their plots.
- Not use weed repellents that will in any way affect other plots.
- Not bring pets to the garden.
- I understand that, because of the location of the garden, there may be some issues with animals (skunks, raccoons, and/or deer).
- If my plot becomes unkempt, I understand I will be given one week's notice to clean it up or it will be considered abandoned. The plot will be reassigned or tilled in.
- I will participate in the fall clean-up of the garden. Remove all materials from the garden spot after the harvest including corn stocks and make sure that the ground in my plot is level at the end of the season.
- Notify Mark Rounds, Parks/Cemetery Director, or Michelle Kellogg at the City Office if your garden spot has to be abandoned.
- I understand that \$10 of the box rent will be refunded only if I cleanup up my garden space of plant debris in the fall and return the watering nozzle.
- I understand that neither the garden group nor owners of the land are responsible for my actions. I THEREFORE AGREE TO HOLD HARMLESS THE GARDEN GROUP AND OWNERS OF THE LAND HEBER CITY CORPORATION FOR ANY LIABILITY, DAMAGE, LOSS OR CLAIM THAT OCCURS IN CONNECTION WITH USE OF THE GARDEN BY ME OR ANY OF MY GUESTS.

Signature of Gardener \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Email address: \_\_\_\_\_

w NORTH

# HEBER VALLEY COMMUNITY GARDEN

2015 proposal

tree

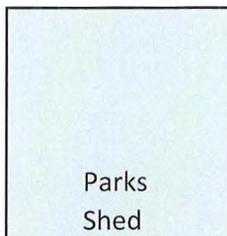
tree

tree

1



Walkways: woodchips or straw



Rent:

12 x 24	\$50
12 x 11	\$35
6 x 12	\$20

Includes box & water  
\$10 refunded if clean up in fall

# TAB 2

**ORDINANCE NO. 2015-10**

**AN ORDINANCE AMENDING SECTION 12.24.330 OF THE HEBER CITY MUNICIPAL CODE,  
GRAVE MARKERS AND HEADSTONE REQUIREMENTS**

BE IT ORDAINED by the City Council of Heber City, Utah, that Section 12.24.330 of the Heber City Municipal Code is amended as set forth below:

All markers are to be installed under the direction of the Sexton and in the manner provided in this Chapter, and if any person neglects to comply with this requirement, it shall be done by the Sexton at the expense of the person owning or burying in such lot. All markers shall be placed on a concrete foundation at least six inches deep and shall be flush with the lawn. In order to limit the costs of maintenance, all markers, gravestones and headstones placed in the "D" and "E" sections of the cemetery must be flat and flush with the ground. The height of any marker, gravestone or headstone placed in the "C" section of the cemetery may not be over 1/2 inch above the ground level. The height of any gravestone, headstone or marker in the "A", "B" or specially designated areas of "E" Section may not exceed the height of five feet and where practical must be in line with existing markers.

Heber City Cemetery allows one marker or headstone per grave. A double marker is allowed over two graves. Military markers must be placed within the concrete border of the marker. Headstones including a concrete border cannot exceed the size of the grave. Concrete borders surrounding a double marker cannot exceed the size of two graves.

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, a complete copy has been published in the Wasatch Wave or a complete copy has been posted in three public places within Heber City but not prior to the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ADOPTED and PASSED by the City Council of Heber City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2015, 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 Potter	_____	_____

APPROVED:

\_\_\_\_\_  
Mayor Alan McDonald

ATTEST:

\_\_\_\_\_  
RECORDER

Date of First Publishing: \_\_\_\_\_

# HEBER CITY AIRPORT ADVISORY BOARD BYLAWS

Adopted April 20, 2006

Amended July 3, 2014

## **Article I:**

### **Authority**

These rules and procedures are amended by Resolution 2014-10 of the Heber City Council.

## **Article 2:**

### **Jurisdiction**

The physical jurisdiction of the Airport Advisory Board (Board) is the Heber City/Russ McDonald Airport field boundaries and any infrastructure, safety zones, and the like appertaining thereto.

## **Article 3:**

### **Appointment and Terms of Members**

- A. The Airport Advisory Board shall consist of (7) members and (1) alternate;
- B. Membership shall be as follows:
  - 1. Two City Council Members. Said two Council Members shall be non-voting Board Members, and once approved by the consent and advice of the City Council may serve at the pleasure of the Mayor for the duration of their term as Council Members. However, with the advice and consent of the City Council the Mayor may rotate these Council Members with other Council Members every two years, but this is not required, and left to the discretion of the Mayor.
  - 2. Three permanent Heber City Residents. Said three Resident Members shall be voting Board Members.
  - 3. Two at-large permanent Wasatch County Residents. Said Wasatch County Resident Members may, but are not required to be Heber City Residents, but must be Wasatch County Residents and shall be voting Board Members.
  - 4. One alternate member that is a resident of Wasatch County. The alternate may participate in the meeting if any voting or non-voting member is unable to attend, but can only vote if a voting member is absent.
  - 5. A Quorum shall consist of a minimum of three voting Board Members.
  - 6. A Technical Assistance Committee will be formed as needed to help understand technical and other issues associated with the Airport or other

entities that might be affected by it. During the time they serve on said Technical Assistance Committee, any such Committee Member shall not be paid or receive any compensation from the City.

7. For the purposes of this Article and provisions, Permanent Residency shall be defined as a person who meets the following criteria:
  - a. is a citizen of the United States at least 30 days immediately prior to their appointment;
  - b. has been a resident of Utah for at least the 30 days immediately before the appointment;
  - c. will be at least 18 years old on the day of the appointment to the Board; and
  - d. currently resides within the voting district or precinct in which the person would apply to register to vote. It is not a requirement of Board Membership that said Member votes, is registered or registers to vote.
  - e. whose home and primary residence is located in Wasatch County and is recognized as a primary residence by the County Assessor.
8. Members shall be required to attend at least 60% of the publicized meetings of the Board.
9. In the event a membership term is ended, and there is no immediate replacement and the Council does not approve or consent to a replacement, the person last serving in that position for said term shall continue to serve until the Mayor and Council come to an agreement or replace. However, any term of any Council Member shall terminate when they no longer serve as City Council Members.
- C. The Airport Advisory Board will interface with and be supported by the City Manager, his designee, and/or the Airport Manager. Heber City will also provide a secretary and staff support as needed.
- D. Subject to Provision B(1) above regarding Heber City Council Members, and Provision 8 above, the terms of office for the seven appointed Airport Advisory Board Members shall be four years. The initial appointments shall be for, three positions two years, two positions three years, and two positions four years from January 1, 2005. Any vacancies in these positions shall be filled by a recommendation from the Mayor and confirmation by the City Council. The appointment will be for the remaining time of the member whose vacancy is being filled.
- E. Improper conduct and non-performance of duties shall result in a recommendation to the Heber City Council for removal of said member. Members may be removed after a public hearing, by a majority vote of the City Council.

## **Article 4:**

### **Airport Advisory Board Officers and their Duties**

#### **A. Chairperson**

1. The Airport Advisory Board shall elect a Chairperson and a Vice-Chairperson from among its members at the first regular meeting in January.
2. The Chairperson and Vice-Chairperson shall serve for a term of two years, beginning the first regular meeting in February.
3. The Chairperson shall preserve order, and decide all points of order, subject to appeal of the membership. Such appeal shall be decided by a majority vote of the members present. The Chairperson may vote on all matters before the Airport Advisory Board.
  - a. The Chairperson with the concurrence of a majority vote of the Airport Advisory Board and the City Council may create such special subcommittees as he/she may, from time-to-time, deem necessary or desirable.
  - b. In the event of absence or disability the Chairperson, the Vice-Chairperson shall preside. In the absence of both, the members shall appoint a Chairperson for that meeting.

#### **B. Vice-Chairperson**

1. Perform all of the above duties in the absence of the Chairperson;
2. Conduct the annual review of the Airport Advisory Board actions;
3. Coordinate and conduct the annual meeting of the Board; and
4. Provide orientation to new Airport Advisory Board Members.

#### **C. Secretary**

1. Assure true recording and maintenance of the public record, record the proceedings of all hearings and meetings; and prepare the minutes of the Board. Minutes shall include:
  - a. The date, time, and place of the meeting;
  - b. The names of members present and absent;
  - c. The substance of all matters proposed, discussed, or decided, and a record, by individual members of votes taken;
  - d. Findings and conclusions;
  - e. The names of all citizens who appeared and who gave comments and the substance in brief of their testimony;
  - f. Any other information that any member requests be entered in the minutes.

2. All recommendations to the City Council, involving changes in the City ordinances shall be submitted by the Secretary to the City Attorney for review. After the review, the proposed ordinance shall be returned to the Airport Advisory Board to evaluate any comments or suggestions before being submitted to the City Council.

**Article 5:**

**Staff of the Board and their Duties**

- A. Airport Manager and Secretary with whatever assistance is required from the Airport Advisory Board.
  1. Shall advise the Airport Advisory Board regarding regulation of and requests for development and re-development, financial concerns, and other matters;
  2. Coordination and supervision of work preparation by staff;
  3. Prepare all documents for presentation to the Airport Advisory Board; and
  4. Assist the Chairperson and Vice-Chairperson of the Board in the exercise of their duties.

- B. Legal Counsel

The City Attorney or his designee shall be the legal counsel for the Airport Advisory Board and its subcommittees.

**Article 6:**

**Meetings**

- A. The Airport Advisory Board shall meet as set forth in the annual notice of meeting schedule to conduct its duly appointed business.
- B. A special meeting for any purpose may be held on the call of the Chairperson or four members of the Airport Advisory Board. Board members and public shall be notified of such meetings by the Secretary, in accordance with the provision of City and State law.
- C. A Quorum of the Airport Advisory Board shall consist of three voting members. A quorum shall be necessary to conduct business.
  1. Any agenda item must receive at least four (4) affirmative votes for approval or recommendation to City Council for approval.
  2. A failure to vote by a member shall be counted as an abstention.
- D. Order of Business for Regular Meetings

Unless approved by majority of the quorum, the Airport Advisory Board will follow the published Agenda.

## **Article 7:**

### **Participation by Staff and Public**

- A. No person shall be permitted to speak unless recognized by the Chairperson, who shall designate time limits to persons permitted to speak on any matter properly before the Board. Each person speaking before the Airport Advisory Board shall first state his name, address and then the substance of his remarks.
- B. Matters before the Airport Advisory Board shall be presented in the following manner:
  1. Presentation by staff;
  2. Presentation by applicant;
  3. Comments from the public, where appropriate, (decided by the chair);
  4. Comment and questions from the Airport Advisory Board;
  5. Further comments by applicant and public; and
  6. Concluding comments and recommendations from the staff.
- C. Roberts Rules of Order will be applied as necessary.

## **Article 8:**

### **Findings, Conclusions and Recommendations**

- A. Form and Character of Motions
  1. Upon review of the public record on a request and due deliberation among the members of the Airport Advisory Board, any member of the Board, except; the Chairperson, may make a motion. The motion shall include not only the direction of the motion (approval, approval with conditions, or denial), but also a recitation of the specific findings and conclusions supporting such motion.
  2. A second shall be required for each motion.
  3. A motion shall die in absence of a second.
  4. Discussion and amendments on the motion.
  5. Where a motion to deny a request shall be been defeated, a member of the Board initially in opposition shall have first right to make a motion to:
    - a. Approve the request;
    - b. To table, or
    - c. To continue the matter for further study or investigation.
- B. Forwarding the Airport Advisory Board recommendations to the City Council
  1. Recommendations made by the Airport Advisory Board will be prepared by staff and scheduled for presentation to the City Council.

Recommendations will be forwarded as approved by the Airport Advisory Board (without alteration).

2. The City Manager, his designee or the Airport Manager supported by the Chairman and other members of the Airport Advisory Board will present it to the City Council.
3. Airport Advisory Board Secretary will notify Board Members when Board matters are being presented to the City Council.

#### **Article 9:**

##### **Requirements for the Submission of Requests**

- A. The Airport Advisory Board may adopt standard forms for the submission of requests. All requests shall have reasonable advance time requirements;
- B. The Airport Manager or his designee shall certify completeness of requests;
- C. Any request denied shall not be resubmitted for a maximum period of six months or as requested by the Chairman; and
- D. The Airport Advisory Board may recommend to the City Council a fee schedule for the submission of requests to cover processing, duplication, notices and, distribution of requests and related documents.

#### **Article 10:**

##### **Documents of the Board**

- A. Any and all materials submitted to the Airport Advisory Board regarding a request shall be entered into the public record by a motion to “accept for the record”.
- B. All notices, agendas, requests, agency or consultant letters or reports, staff reports, minutes of meetings, and resolutions or record shall constitute the documents of the Airport Advisory Board and shall be indexed as public record.

#### **Article 11:**

##### **Administrative Calendar**

- A. Notice for all public hearings, work sessions and regular meetings shall conform to requirements of law.
- B. Regular meeting schedule for the calendar year following shall be determined at the annual meeting of the Airport Advisory Board.
- C. The Airport Advisory Board shall have an annual public meeting, to review the work of the previous year and plan the work program for the coming year.

#### **Article 12:**

##### **Conduct of Members of the Airport Advisory Board**

- A. Members of the Airport Advisory Board shall prepare themselves for hearings and meetings.

- B. Appointed members of the Airport Advisory Board shall attend at least 60 percent of all meetings within a calendar year. Failure to do so may be deemed by the Airport Advisory Board as cause for removal.
- C. An Airport Advisory Board member with a conflict of interest in a matter before the Board must state that such a conflict of interest exists and withdraw from participation in the public hearing, work session, or regular meeting on such matters. Participation of a member of the Airport Advisory Board with a conflict of interest may be cause for removal. The interests of that Airport Advisory Board member may be represented before the Board by agenda or legal representative at the public hearing, regular meeting, or work session and entered into the public record. The prohibition from “participation” does not exclude an Article 7.B.2 presentation or a response solicited from one of the other Board members.

**Article 13:**

**Changes Affecting the Airport Master Plan**

Anytime the Airport Advisory Board would make a decision affecting the Airport Master Plan, the Board shall hold a public hearing to make an amendment to the Plan.

**Article 14:**

**Adoption and Amendment of Bylaws**

- A. Bylaw adoption, or amendment, shall be recommended to the Heber City Council by the Airport Advisory Board following review by the Board’s legal counsel. The Airport Advisory Board bylaw proposal shall be adopted or amended upon a vote of a majority plus one of the appointed members. The Board shall then forward the bylaws or amendments to the City Council.
- B. The City Council shall review the proposed bylaws and make one of the following actions:
  - 1. Adopt as submitted; or
  - 2. Refer the proposal back to the Board with such recommendations the City Council would like considered.

The bylaw or amendment proposal shall take effect immediately upon adoption by resolution of the City Council.

**TAB 3**

## RESOLUTION NO. 2015-06

### A RESOLUTION AMENDING ARTICLE 3 OF THE HEBER CITY AIRPORT ADVISORY BOARD BYLAWS, *APPOINTMENT AND TERMS OF MEMBERS.*

BE IT ORDAINED by the City Council of Heber City, Utah, that Article 3 of the Heber City Airport Advisory Board Bylaws, is amended as follows:

#### **Article 3:**

#### **Appointment and Terms of Members**

A. The Airport Advisory Board shall consist of (7) members and (1) alternate;

B. Membership shall be as follows:

1. Two City Council Members. Said two Council Members shall be nonvoting Board Members, and once approved by the consent and advice of the City Council may serve at the pleasure of the Mayor for the duration of their term as Council Members. However, with the advice and consent of the City Council the Mayor may rotate these Council Members with other Council Members every two years, but this is not required, and left to the discretion of the Mayor.

2. Three permanent Heber City Residents. Said three Resident Members shall be voting Board Members.

3. Two at-large permanent Wasatch County Residents. Said Wasatch County Resident Members may, but are not required to be Heber City Residents, but must be Wasatch County Residents and shall be voting Board Members.

4. One alternate member that is a resident of Wasatch County. The alternate ~~may shall~~ participate in the meeting. ~~if any voting or non-voting member is unable to attend, but can only vote if a voting member is absent~~ If any voting member is absent or recused on particular agenda items, the alternate may participate in the discussion and vote.

5. A Quorum shall consist of a minimum of three voting Board Members.

6. A Technical Assistance Committee will be formed as needed to help understand technical and other issues associated with the Airport or other entities that might be affected by it. During the time they serve on said Technical Assistance Committee, any such Committee Member shall not be paid or receive any compensation from the City.

7. For the purposes of this Article and provisions, Permanent Residency shall be defined as a person who meets the following criteria:

a. is a citizen of the United States at least 30 days immediately prior to their appointment;

b. has been a resident of Utah for at least the 30 days immediately before the appointment;

c. will be at least 18 years old on the day of the appointment to the Board; and

d. currently resides within the voting district or precinct in which the person would apply to register to vote. It is not a requirement of Board Membership that said Member votes, is registered or registers to vote.

e. whose home and primary residence is located in Wasatch County and is recognized as a primary residence by the County Assessor.

8. Members shall be required to attend at least 60% of the publicized meetings of the Board.

9. In the event a membership term is ended, and there is no immediate replacement and the Council does not approve or consent to a replacement, the person last serving in that position for said term shall continue to serve until the Mayor and Council come to an agreement or replace. However, any term of any Council Member shall terminate when they no longer serve as City Council Members.

C. The Airport Advisory Board will interface with and be supported by the City Manager, his designee, and/or the Airport Manager. Heber City will also provide a secretary and staff support as needed.

D. Subject to Provision B(1) above regarding Heber City Council Members, and Provision 8 above, the terms of office for the seven appointed Airport Advisory Board Members shall be four years. The initial appointments shall be for, three positions two years, two positions three years, and two positions four years from January 1, 2005. The term of the alternate shall be two years. Any vacancies in these positions shall be filled by a recommendation from the Mayor and confirmation by the City Council. The appointment will be for the remaining time of the member whose vacancy is being filled.

E. Improper conduct and non-performance of duties shall result in a recommendation to the Heber City Council for removal of said member. Members may be removed after a public hearing, by a majority vote of the City Council.

ADOPTED and PASSED by the City Council of Heber City, Utah, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2015, 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

# TAB 4

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

# TAB 5

**ORDINANCE NO. 2015-11**

AN ORDINANCE VACATING A PORTION OF LOT 204A MOUNTAIN MEADOWS #2 PLAT AMENDMENT.

BE IT ORDAINED by the Council of Heber City, Utah, that pursuant to Utah State Code, Section 10-9a-609 (3), a portion of Lot 204A, more particularly described and illustrated on Exhibit 1, is hereby vacated from the Lot 204 Mountain Meadows #2 Plat Amendment.

The vacated portion of said parcel is not a new building lot and shall be incorporated into adjoining lots or adjoining development.

**Legal Description:** Lot 204A Lot 204 Mountain Meadows #2 Plat Amendment

**Tax ID Number:** 0MO-2204-A-008-045

This Ordinance shall take effect and be in force from and after its adoption.

ADOPTED and PASSED by the City Council of Heber City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2015, 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 Potter	_____	_____

APPROVED:

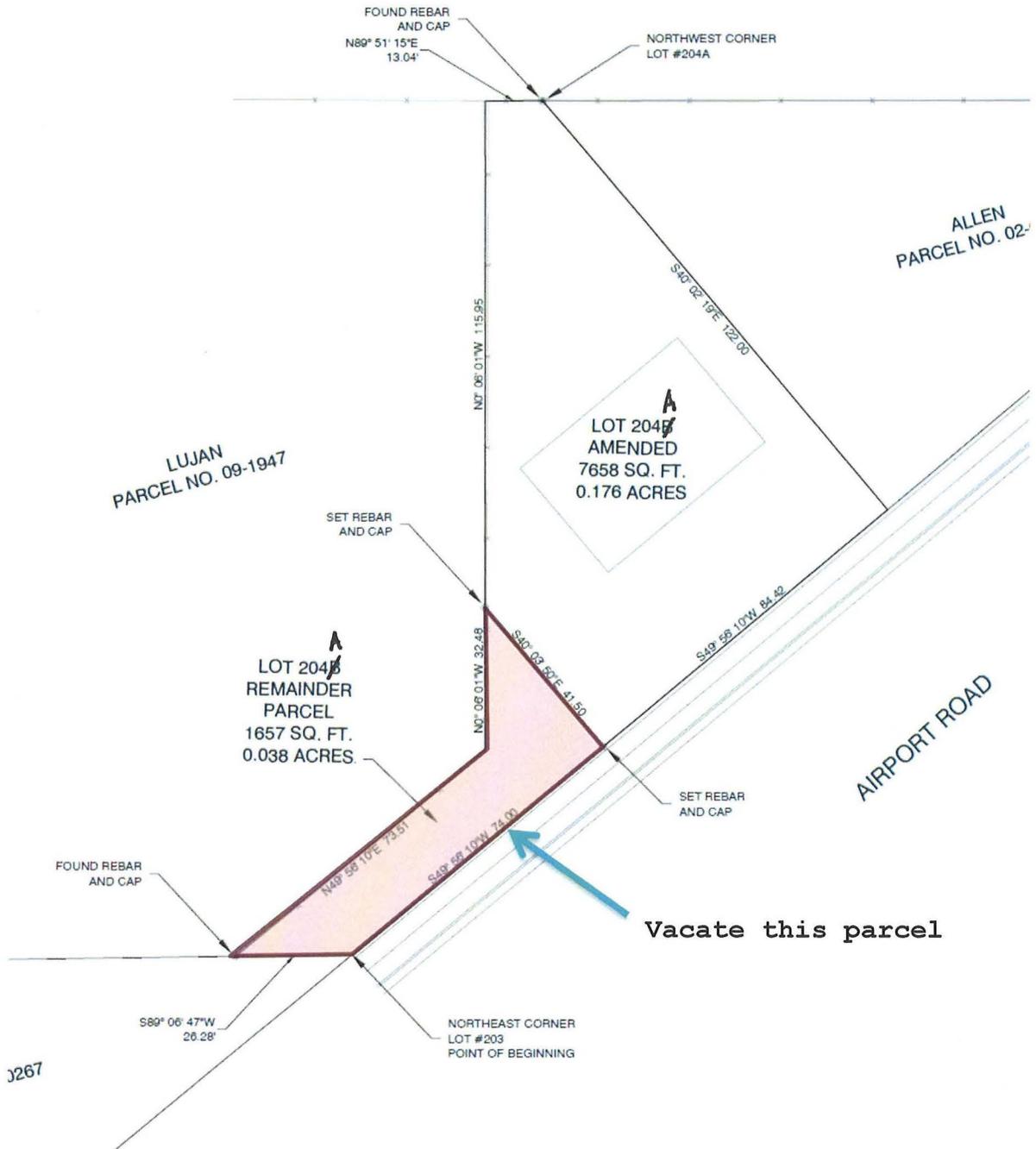
\_\_\_\_\_  
Mayor Alan McDonald

ATTEST:

\_\_\_\_\_  
RECORDER

Date of First Publishing: \_\_\_\_\_

# EXHIBIT 1



# TAB 6

Heber City Council  
Meeting date: April 16, 2015  
Report by: Anthony L. Kohler

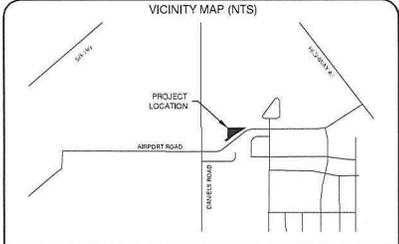
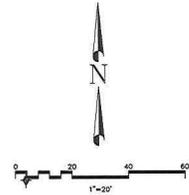
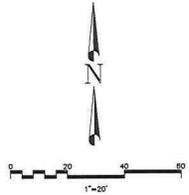
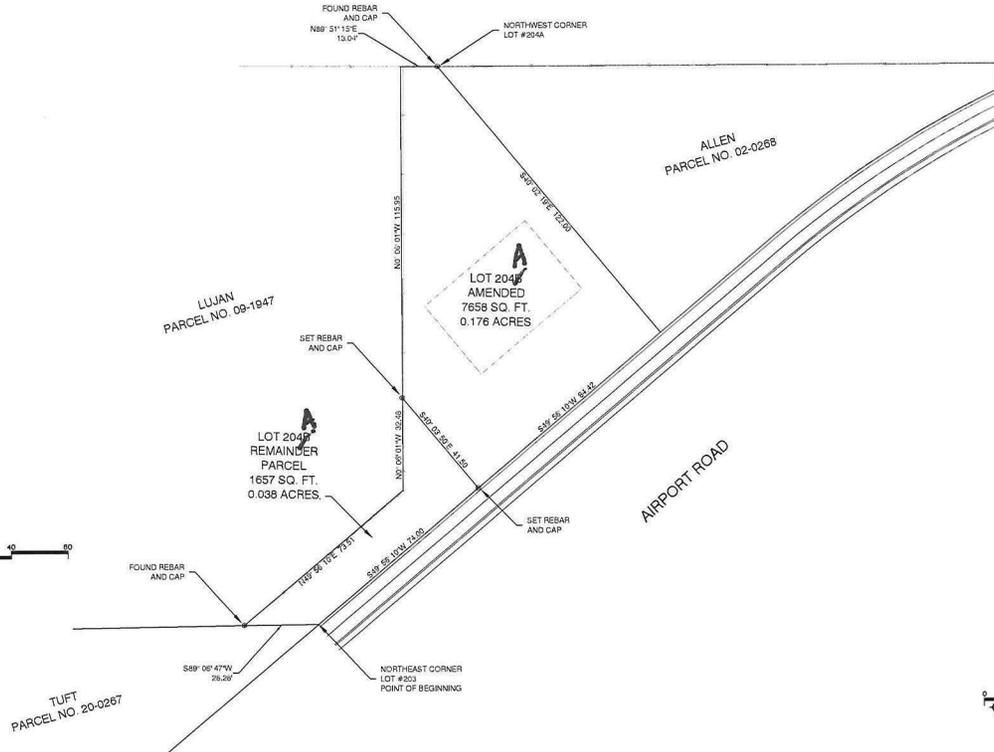
**Re: Mountain Meadows #2 Amendment**

The petitioner is proposing to remove part of lot 204A from the subdivision and retain it as an unsubdivided remainder piece. The intent is to eventually develop the field to the north, utilizing the remainder as part of the road accessing the development. The properties are located within the R-3 Residential Zone, which permits single family dwellings on lots 65 feet wide with 65 feet of frontage.

**RECOMMENDATION**

On March 26, 2015, the Planning Commission found the removal of the proposed segment from Lot 204A as consistent with the area, frontage and setback requirements of Chapter 18.60 R-3 Residential Zone. A notice should be recorded by the city on the remainder parcel that notifies the public that the remainder parcel is not a buildable lot.

**LOT 204 MOUNTAIN MEADOWS #2 2ND AMENDMENT**  
 LOCATED IN THE SOUTHWEST QUARTER OF SECTIONS 8, TOWNSHIP 4 SOUTH,  
 RANGE 5 EAST SALT LAKE BASE AND MERIDIAN



**WASATCH COUNTY SURVEYOR**

Approved as to form this \_\_\_ day of \_\_\_, A.D. 2015

RS# \_\_\_\_\_

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 easements, and parcels of land intended for public purposes for the perpetual use of the public; this \_\_\_ day of \_\_\_, A.D. 2015.

Mayor \_\_\_\_\_

Clerk/Recorder \_\_\_\_\_

**CITY ENGINEER APPROVAL**

Approved this \_\_\_ day of \_\_\_, A.D. 2015, by the City Engineer of Heber City:

City Engineer \_\_\_\_\_

---

**PLANNING COMMISSION APPROVAL**

Approved this \_\_\_ day of \_\_\_, A.D. 2015, by the Planning Commission of Heber City.

Chairman, Planning Commission \_\_\_\_\_

**HEBER HOMES NO. 8 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 RECORDER**

**SURVEYOR'S CERTIFICATE**

I Travis J. Daley do hereby certify that I am a Professional Land Surveyor and that I hold certificate No. 6387184 in accordance with Title 58 Chapter 22, Professional Engineers and Land Surveyors Licensing Act. I further certify that, by the authority of the owner, I have completed a survey of the tract of land shown herein in accordance with Section 17-69-17. That I have verified all measurements and have placed monuments as represented on this plat.



Travis J. Daley, P.L.S. Date \_\_\_\_\_

**BOUNDARY DESCRIPTION**

ALL OF LOT 204B, LOT 204 MOUNTAIN MEADOWS #2 PLAT AMENDMENT.

**OWNER'S DEDICATION**

We, the undersigned owners of all the real property depicted on this plat and described in the Surveyor's Certificate have caused the land described herein to be divided into lots, easements and other public uses as designated herein, and now do hereby dedicate under provision of 10-9-807 Utah Code, without condition, restriction or reservation, to Heber City, Utah, all Easements 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 the \_\_\_ day of \_\_\_, A.D. 2015 personally appeared before me, the undersigned notary public, the signer of the above Owner's Dedication, who duly acknowledged to me that he signed it freely and voluntarily and for the uses and purposes therein mentioned.

NOTARY PUBLIC \_\_\_\_\_

My Commission expires \_\_\_\_\_

**OWNER'S DEDICATION**

We, the undersigned owners of all the real property depicted on this plat and described in the Surveyor's Certificate have caused the land described herein to be divided into lots, easements and other public uses as designated herein, and now do hereby dedicate under provision of 10-9-807 Utah Code, without condition, restriction, or reservation, to Heber City, Utah, all Easements 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 the \_\_\_ day of \_\_\_, A.D. 2015 personally appeared before me, the undersigned notary public, the signer of the above Owner's Dedication, who duly acknowledged to me that he signed it freely and voluntarily and for the uses and purposes therein mentioned.

NOTARY PUBLIC \_\_\_\_\_

My Commission expires \_\_\_\_\_

**LEGEND**

BOUNDARY LINE \_\_\_\_\_

PUBLIC UTILITY EASEMENT \_\_\_\_\_

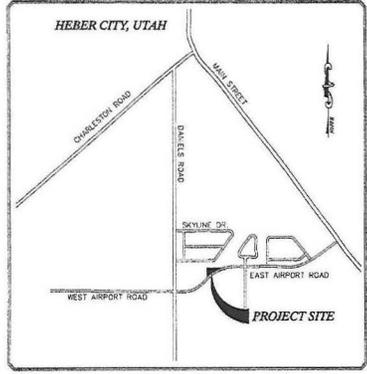
SET 5' 6" X 2' 4" BAR AND CAP MARKED "PLS 6387184" \* \_\_\_\_\_

# LOT 204 MOUNTAIN MEADOWS #2 PLAT AMENDMENT

LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 8 TOWNSHIP 4 SOUTH,  
RANGE 5 EAST, 31R&M

HEBER LANDING SUBDIVISION  
ENTRY #212398

## VICINITY MAP



## SURVEYOR'S CERTIFICATE

I, TRAVIS E. JENSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD LICENSE NO. 376076 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND THAT I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND.



Travis E. Jensen  
TRAVIS E. JENSEN LS# 376076  
DATE: 1/03/07

## BOUNDARY DESCRIPTION

ALL OF LOT 204 FROM THE MOUNTAIN MEADOWS #2 SUBDIVISION, AND OFFICIAL PLAT ON RECORD WITH THE WASATCH COUNTY RECORDERS OFFICE AS ENTRY #229919.

Christy Hansen - Notary Public



Christopher T. Coode  
Rebecca R. Coode

## OWNERS DEDICATION

WE, THE UNDERSIGNED OWNER(S) OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYORS CERTIFICATE ON THIS PLAT, HAVE CAUSED THE LAND TO BE DIVIDED INTO LOTS, STREETS, PARKS, OPEN SPACES, EASEMENTS AND OTHER PUBLIC USES AS DESIGNATED ON THIS PLAT, AND NOW DO HEREBY DEDICATE UNDER THE PROVISIONS OF 10-9-807 UTAH CODE, WITHOUT CONDITION, RESTRICTION, OR RESERVATION TO HEBER CITY, UTAH, ALL STREETS, WATER, SEWER, AND OTHER PLACES OF PUBLIC USE, TOGETHER WITH ALL IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND HEBER CITY FOR THE BENEFIT OF THE CITY AND INHABITANTS THEREOF.

IN WITNESS WHEREOF \_\_\_\_\_ HAVE HERETO SET FORTH THIS 4th DAY OF April A.D. 2007

Chris Coode  
Signature

## ACCEPTANCE BY LEGISLATIVE BODY

THE CITY OF HEBER CITY, WASATCH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 24th DAY OF April A.D. 2007.

Signature  
Clerk-Recorder

NOTE:  
A SIX (6) FOOT PUBLIC UTILITY EASEMENT IS ON ALL SIDE LOT LINES AND A TEN (10) FOOT PUBLIC UTILITY EASEMENT IS ON FRONT AND BACK OF LOTS.

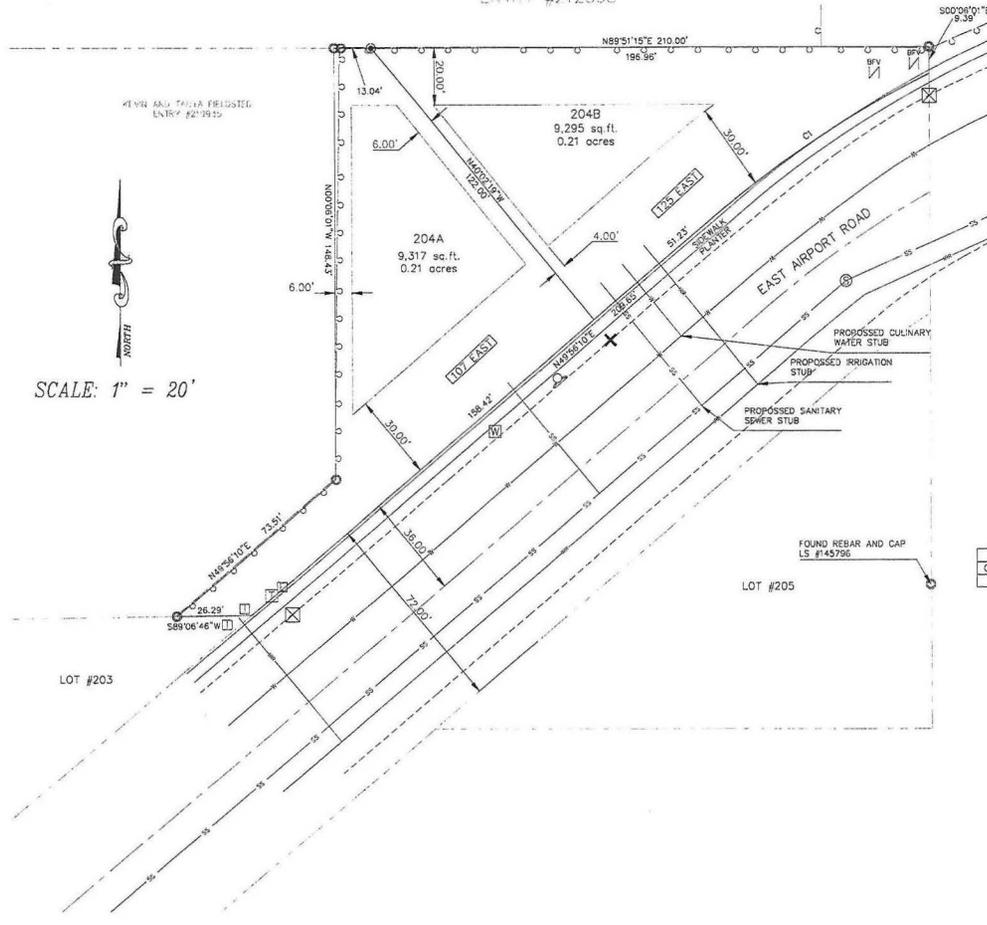
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
CI	94.80	386.00	14°04'17"	S56°58'18"W	94.96

COUNTY SURVEYOR APPROVAL  
APPROVED THIS 4th DAY OF February A.D. 2007 BY THE  
WASATCH COUNTY SURVEYOR  
Travis E. Jensen

CITY ENGINEER APPROVAL  
APPROVED THIS 24th DAY OF April A.D. 2007 BY THE  
CITY ENGINEER  
Paul Mendenhall

PLANNING COMMISSION APPROVAL  
APPROVED THIS 5th DAY OF Feb A.D. 2007 BY THE  
PLANNING COMMISSION OF HEBER CITY  
Vicki R. Coode

WASATCH COUNTY RECORDERS  
ENTRY # 229919 DATE: 1/03/07 TIME: 2:11 PM  
FEE: \$22.00 BOOK: 015 PAGE: 152-153 FOR: CHRISTOPHER T. COODE  
BY: Vicki Coode WASATCH COUNTY RECORDER LIS PRINCE



SCALE: 1" = 20'



LEGEND	
—w—	EXISTING IRRIGATION
—	EXISTING WATER
—	BOUNDARY LINE
—	LOT LINE
—	EXISTING ADJACENT PROPERTY LINES AND LOT LINES
—	ROAD CENTERLINE
—	BUILDING SETBACK LINE
—	EXISTING WALK FENCE
—	EXISTING SEWER
○	SET REBAR AND CAP MARKED "ERIC ENG"
○	FOUND REBAR
○	EXISTING WATER METER
○	EXISTING FIRE HYDRANT
BY	EXISTING PVC RISER
⊗	EXISTING TIE BOX
⊗	EXISTING IRRIGATION BOX
⊗	SET SCRIBE IN CONCRETE

**Epic Engineering**

3341 SOUTH 4000 WEST  
WEST VALLEY CITY, UTAH 84126  
(801) 955-5605

50 EAST 100 SOUTH  
HEBER CITY, UTAH 84032  
(435) 894-6500

BAR SCALE MEASURES  
1" ON A FULL SIZE  
SHEET, ADJUST  
ACCORDINGLY FOR  
A HALF SIZE SHEET.

SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST  
PLAT AMENDMENT  
LOT #204 MOUNTAIN MEADOWS #2

DESIGNER DEK	CAD JCR
REVIEWED TEJ	DATE 12/21/07
SHEET 1 of 1	

N:\PROJECTS\07-SM-XXX-CHRIS\_COODE\LOT\_AMENDMENT.dwg - 8/16/2007 - 7:49:58 AM.MDT

# Tab 7

Heber City Council  
Meeting date: April 16, 2015  
Report by: Anthony L. Kohler

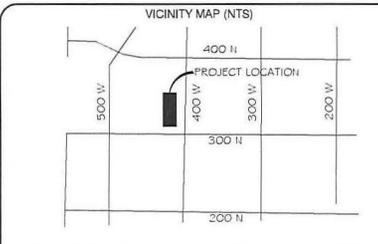
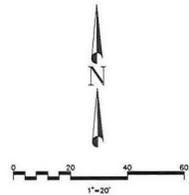
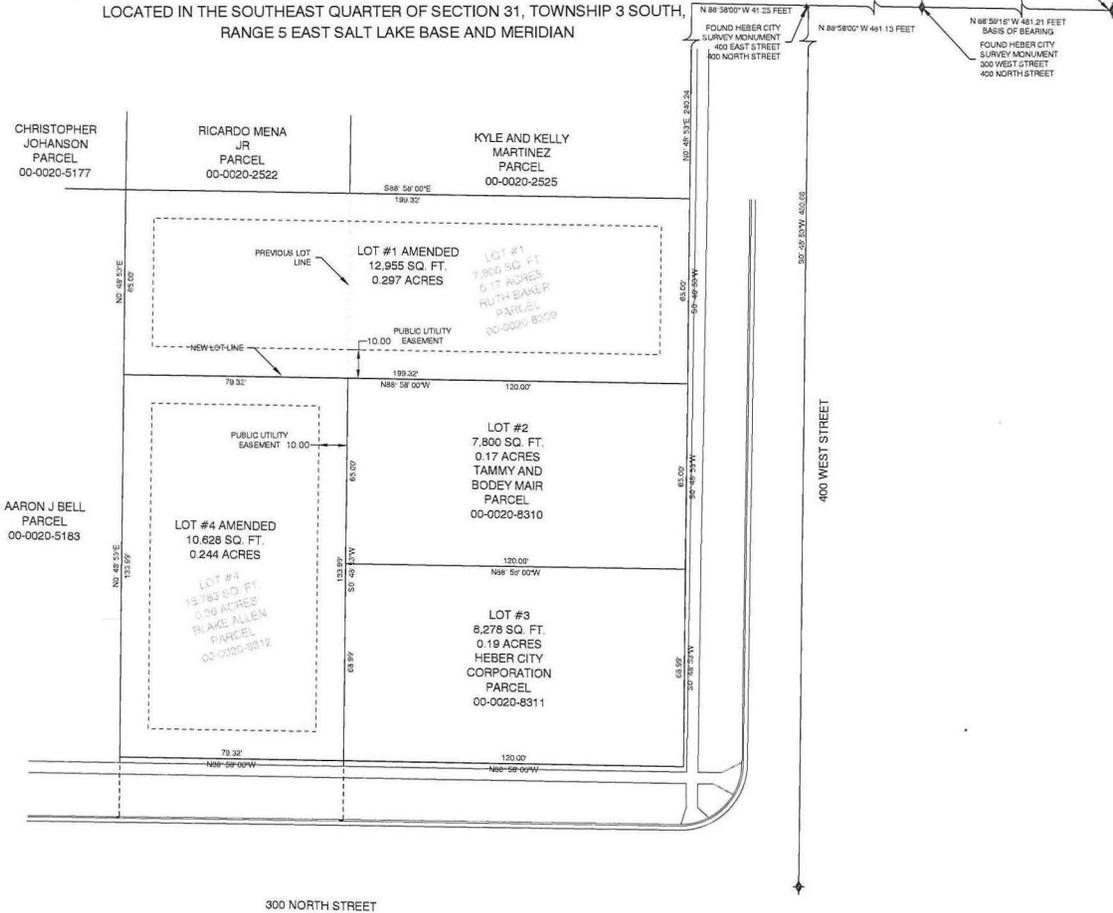
**Re: Habitat for Humanity Subdivision Amendment to Lot 1 and Lot 4**

The petitioner is proposing to alter Lot 4 of the Habitat Subdivision by removing the rear portion of the lot and adding it to Lot 1. The properties are located within the R-3 Residential Zone, which permits single-family dwellings on lots 65 feet wide with 65 feet of frontage. Both lots have a single-family dwelling.

**RECOMMENDATION**

On March 26, 2015, the Planning Commission found the proposed alteration to Lot 1 and 4 of the Habitat for Humanity Subdivision at 300 North 400 West as consistent with the area, frontage and setback requirements of Chapter 18.60 R-3 Residential Zone.

**HABITAT FOR HUMANITY LOT SPLIT AMENDED  
AMENDING LOTS 1, AND 4 OF THE "HABITAT FOR HUMANITY LOT SPLIT"  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH,  
RANGE 5 EAST SALT LAKE BASE AND MERIDIAN**



**WASATCH COUNTY SURVEYOR**

Approved as to form this \_\_\_ day of \_\_\_ A.D. 2015  
 ROS # \_\_\_\_\_  
 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 easements, and parcels of land intended for public purposes for the perpetual use of the public this \_\_\_ day of \_\_\_ A.D. 2015.

Mayor \_\_\_\_\_  
 Clerk/Recorder \_\_\_\_\_

**CITY ENGINEER APPROVAL**

Approved this \_\_\_ day of \_\_\_ A.D. 2015, by the City Engineer of Heber City.  
 City Engineer \_\_\_\_\_

**PLANNING COMMISSION APPROVAL**

Approved this \_\_\_ day of \_\_\_ A.D. 2015, by the Planning Commission of Heber City.  
 Chairman, Planning Commission \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I, Travis J. Daley, do hereby certify that I am a Professional Land Surveyor and that I hold certificate No. 6387184 in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act. I further certify that, by the authority of the owner, I have completed a survey of the tract of land shown herein in accordance with Section 17-23-17. That I have verified all measurements and have placed monuments as represented on this plat.

Travis J. Daley, P.L.S. Date \_\_\_\_\_

**BOUNDARY DESCRIPTION**

LOT #1, AND LOT #4 OF THE "HABITAT FOR HUMANITY LOT SPLIT"

**OWNERS DEDICATION**

We, the undersigned owners of all the real property depicted on this plat and described in the Surveyor's Certificate have caused the land described herein to be divided into lots, easements and other public uses as designated herein, and now do hereby dedicate under provision of 10-9-607 Utah Code, without condition, restriction, or reservation to Heber City, Utah, all Easements 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 the \_\_\_ day of \_\_\_ A.D. 2015 personally appeared before me, the undersigned notary public, the signer of the above Owner's Dedication, who duly acknowledged to me that he signed it freely and voluntarily and for the uses and purposes therein mentioned.

NOTARY PUBLIC \_\_\_\_\_  
 My Commission expires \_\_\_\_\_

**OWNERS DEDICATION**

We, the undersigned owners of all the real property depicted on this plat and described in the Surveyor's Certificate have caused the land described herein to be divided into lots, easements and other public uses as designated herein, and now do hereby dedicate under provision of 10-9-607 Utah Code, without condition, restriction, or reservation to Heber City, Utah, all Easements 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 the \_\_\_ day of \_\_\_ A.D. 2015 personally appeared before me, the undersigned notary public, the signer of the above Owner's Dedication, who duly acknowledged to me that he signed it freely and voluntarily and for the uses and purposes therein mentioned.

NOTARY PUBLIC \_\_\_\_\_  
 My Commission expires \_\_\_\_\_

**LEGEND**

BOUNDARY LINE \_\_\_\_\_

PUBLIC UTILITY EASEMENT - - - - -

SET 5/8"x24" BAR AND CAP MARKED "PLS 6387184" ●

**HEBER HOMES NO. 8 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 RECORDER**