

Heber City Corporation
City Council Meeting
April 21, 2015
5:00 p.m.

SPECIAL MEETING

The Council of Heber City, Wasatch County, Utah, met in **Special Meeting** on April 21, 2015, in the City Council Chambers in Heber City, Utah

I. **Call to Order**

Present: Mayor Alan McDonald
Council Member Robert Patterson
Council Member Jeffery Bradshaw (via telephone)
Council Member Erik Rowland
Council Member Heidi Franco (excused at 6:15 p.m.)
Council Member Kelleen Potter

Also Present: City Manager Mark Anderson (via telephone)
City Recorder Michelle Kellogg
City Engineer Bart Mumford
City Attorney Mark Smedley

Others Present: Paul Mayer, Jay Price, Mel McQuarrie, Redgie Probst, Dan Burton, Riley Probst, George Bennett, Wade Kelson, and others whose names were illegible.

Mayor McDonald welcomed those in attendance, and announced Council Member Bradshaw and Mark Anderson were participating via telephone.

2. **Approve Ordinance 2015-12, an Ordinance Vacating a Portion of Red Ledges Phase 2 Subdivision Open Space/Golf Course Area**

**Staff Report
Ordinance**

Kellogg explained the Council had approved the vacation of this parcel in 2012, but it had not been in ordinance form. This was a housekeeping procedure so the vacation could be recorded.

Council Member Patterson moved to approve Ordinance 2015-12, an ordinance vacating a portion of Red Ledges Phase 2 Subdivision Open Space/Golf Course area. Council Member Franco made the second. Voting Aye: Council Members Robert Patterson, Erik Rowland, Heidi Franco, and Kelleen Potter. Council Member Jeffery Bradshaw was inaudible via the telephone.

1. **Discuss Southern Bypass Roadway between Highway 40 and Daniel Road
Proposed Bypass Route
City T Alignment**

Developer Sample Alignment
City Manager Memo
Heber City Master Plan for Streets 2012
Projected Traffic Volumes 2040

Mayor McDonald explained that at the last meeting the Council discussed this item and was in favor with keeping this bypass as laid out in the Master Plan. Redgie Probst stated he purchased the land a year ago without any knowledge of the bypass going through the property. He had recently sold a portion of the land to Burton Lumber and when they applied for a building permit, the proposed bypass was discovered. He asked what steps needed to be taken in order to resolve this problem. Mayor McDonald stated that the individual who sold the land to Probst knew that the bypass was planned for that location since he had served as a City Council member and had been part of several discussions regarding the bypass running through his property.

Council Member Franco asked if Jay Price, who worked for Burton Lumber, was aware of the bypass since he had served on the County Council. Price acknowledged that he knew there was a proposed southern bypass route. Council Member Franco stated she hoped the resolution of this situation would be beneficial for all parties. Council Member Potter stated it was the City's hope that the bypass would take pressure off the HUB intersection. Mayor McDonald stated UDOT would not get involved in this section of the bypass, so the City would be the only entity participating in the acquisition of the property.

Wade Kelson, attorney for Three Strings Holdings, asked how this bypass could be beneficial to his clients. Council Member Franco stated Probst was interested in buying two acres of City property and the City was in favor of trading that land for the bypass property. Kelson asserted although the Council stated there was a need for the bypass, nobody had heard of this right-of-way until now. He also claimed that in prior discussions with the City, no mention was ever made of a bypass road going through this parcel.

Council Member Rowland asked Mumford how the developer option of the three right-of-way proposals would affect the bypass if it was constructed. Mumford stated the configuration would not be amenable to a bypass road. Council Member Rowland suggested using the developer option as a future right-of-way. Price stated this route was not supported by the County or by UDOT as a bypass road, but was now being considered as a future local road. He felt trucks would not take that route to get to the western bypass. It was indicated that Burton Lumber would have access from Daniel Road. If the curve of the bypass was implemented, that access might be taken away.

Council Member Rowland stated the goal for a bypass would be to have wide roads, limited access and as few stops as possible. If any of those items were removed from the goal, the purpose of the bypass would be defeated and other options would be considered for a local road.

Mel McQuarrie, engineer for Three Strings Holdings, didn't think Daniel Road would accommodate a bypass since it was a four lane road, and was not an optimal width for a bypass road. Mumford stated there were a lot of aspects with the bypass proposals. He stated the City was interested in two projects: the bypass, which had been in the Master Plan for two years and

was getting more refined as time passed, and having businesses come to the City. He indicated the definition of bypass used in recent years was a road connection to move trucks off Main Street. This southern bypass would not divert trucks off Main Street. This would be a primary road that would not stop, and would connect Highway 40 to Highway 189. Mumford stated with the development in this area, he was trying to have discussions to get this road into place. He wanted to see if there was middle ground that all parties could agree to.

Mumford stated there was plenty of evidence that this was in the transportation plan, whether the other parties were aware of it or not. Typically, the developer would pay for the road, but if the parties wouldn't need the road as part of their development, the City would have to pay for it. He asserted the important point tonight was to preserve the corridor. The construction might not come for 5-15 years, but eliminating the curve would eliminate the use as a bypass road. He also stated the long-term best option for the City would be to preserve the bypass road. After some discussion, Mumford stated the City could start with a T intersection, but eventually the road should expand to include the curve. He noted that if a building was located within the proposed curve, it would cost the City more to demolish the building and acquire that additional land. The current building plans could be altered so the bypass would not impact the business in the future.

Council Member Franco was excused at 6:15 p.m. Price stated he would concede 40 feet of right-of-way, but not the additional land needed for the curve. Dan Burton stated he could move the buildings further east, but the seller would have to give up additional land to the east. There was discussion on business access points onto Daniel Road and/or the bypass road. Probst stated he needed to know the position of the City. Mayor McDonald stated Council Member Bradshaw was inaudible participating via telephone. Council Member Patterson was in favor of the T intersection option and felt the City should not worry about the curve. He thought both sides of the road would eventually have businesses fronting it, and those businesses would need access onto the road. Council Member Potter stated she would need more information and was not prepared to decide tonight, but noted that she wanted to do what it took to alleviate traffic from the HUB intersection. Council Member Rowland agreed that commercial entities would abut the road and they would need access. He was also in favor of the T intersection on the road. He felt the City could still be mindful of the road width. Mayor McDonald proposed to discuss this further at another meeting.

Mark Smedley stated the Council not only needed to consider the petitioning entities, but also needed to consider the good of the City as a whole. Council Member Potter asked if Seager was available to give clarification on the traffic study.

It was decided to discuss this item further at a meeting on April 27, at 5:00 p.m.

Probst offered to put a cost estimate together of what it would cost the City to purchase the land for the bypass options.

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder