

Heber City Corporation
City Council Meeting
May 7, 2015
7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on May 7, 2015, in the City Council Chambers in Heber City, Utah

I. [Call to Order](#)
[City Manager Memo](#)

Present: Mayor Alan McDonald
Council Member Robert Patterson
Council Member Jeffery Bradshaw
Council Member Erik Rowland (via Skype)
Council Member Heidi Franco
Council Member Kelleen Potter (arrived at 7:03 p.m.)

Excused: None

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

Others Present: Josh Echols, Rafael Arostegui, Spencer Park, Rachel Wetterlin, Tracy Simmons-Wetterlin, Russ Witt, Jeff Wetterlin, Paul Berg, Jared R. Nielsen, Jaxen R. Nielsen, Todd Cates, Carl L. Mayers, Lisa Deniston, and others whose names were illegible.

II. [Pledge of Allegiance: Mayor Alan McDonald](#)

III. [Prayer/Thought: By Invitation Council Member Robert Patterson](#)

IV. [Minutes for Approval: April 16, 2015 Regular Meeting and April 21, 2015 Special Meeting](#)

[April 16, 2015 Draft Regular Meeting Minutes](#)

[April 21, 2015 Draft Special Meeting Minutes](#)

Council Member Patterson moved to approve the minutes of the April 16, 2015 Regular Meeting and the April 21, 2015 Special Meeting. Council Member Bradshaw made the second.

Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

V. Open Period for Public Comments

Mayor McDonald acknowledged the presence of high school students, who were members of Mr. Wheatley's class. He then invited members of the audience who wished to address the Council on matters which were not listed on the agenda to come forward. No comments were given.

1. Community Development Block Grant (CDBG) Second Public Hearing Second CDBG Public Hearing

Mayor McDonald read a script prepared by City staff: "This hearing has been called to allow all citizens to provide input concerning the project that has been awarded under the 2015 Community Development Block Grant Program. Heber City has amended its capital investment plan and has applied for funds on behalf of the 2015, 500 South Waterline Project. Copies of the capital investment plan are available if anyone would like a copy. Heber City's application was successful in the regional rating and ranking process for the proposed waterline project, and has been awarded \$150,000. The Mountainlands Association of Governments (MAG) in which Heber City is a member, is expecting to receive approximately \$400,000 in this new program year. The proposed waterline project will involve the construction of approximately 1960 lineal feet of 8-inch culinary waterline along 500 South between Main Street and 400 East. This project will replace the existing 2 inch, 4 inch, and 6 inch waterlines which are substandard, as they do not provide adequate water pressure or fire flow. Twenty new services will be connected from the new water line to replace the existing services. New fire hydrants will be installed at 100 East, 200 East, and 400 East to provide fire protection in areas that currently lack fire protection. The project's new waterline, laterals, and fire hydrant will serve 20 properties. These properties consist of 4 vacant lots, 1 vacant home, 14 single family homes, and (1) two-family home, serving a total of 16 families and approximately 46 residents. The estimated cost for the project is \$405,216.00. The public hearing is now open. Please state your name for the minutes and provide any questions, comments or suggestions you may have."

Mayor McDonald invited members of the audience to come forward with any comments or questions. None were given. Mayor McDonald expressed his appreciation to Kohler and the staff for their thorough submission, allowing the City its grant money for projects.

2. Approve Ordinance 2015-13, an Ordinance Vacating Lot 10, Westview Subdivision Ordinance 2015-13

Kohler stated that Agenda Items 2 and 3 were related and could be voted upon in one motion. He projected a plat map of the subject area and explained that the request involved a split of the corner of Lot 10 from the duplex, which would require a plat amendment. Additionally, the County Recorder required an ordinance to vacate the lot, which would turn it into a meets and bounds description, over which the plat would overlay. Spencer Park and Russ Witt appeared to answer any questions by the Council. The Council had no comments or questions.

Council Member Bradshaw moved to approve Ordinance 2015-13, an Ordinance Vacating Lot 10, Westview Subdivision, and approving the Lot Split of Lot 10, Westview Subdivision Plat, Located at Approximately 555 Freedom Lane. Council Member Patterson made the second.

Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

3. [Russ Witt, Approve Lot Split of Lot 10, Westview Subdivision Plat, located at approximately 555 Freedom Lane Westview Subdivision Lot Split](#)

See Agenda Item Number 2, above.

4. [Watts Enterprises, Approve Ranch Landing Plat E, Building C Subdivision, located at approximately 1059 South 500 East Ranch Landing Plat E Condominium](#)

Council Member Heidi Franco moved to approve Watts Enterprises Ranch Landing Plat E, Building C Subdivision, located at approximately 1059 South 500 East. Council Member Robert Patterson made the second.

Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

5. [Carl Mayer, Approve Mayers Meadows Subdivision, a 42 Lot Subdivision located at approximately 2150 South Daniel Road and Associated Subdivision Agreement Mayer Final Subdivision Application Mayers Meadows Subdivision Agreement](#)

Kohler projected a plat map of the subject area, located in an R-3 zone next to Wheeler Park and explained that the Planning Commission recommended approval. Kohler further explained that the developer was dedicating 64-foot, rather than 60-foot wide roadways, which would provide a wider planter strip; along with that, the developer requested 25-foot setbacks. In response to Council Member Franco's question, Kohler stated that because there were no double frontage lots against the street, the developer would not be fencing the property, and instead fencing would be left to the property owners.

Council Member Potter moved to approve Mayers Meadows Subdivision, a 42-lot subdivision located at approximately 2150 South Daniel Road and the associated subdivision agreement. Council Member Franco made the second.

Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

6. [Approve Red Ledges Phase 2K Subdivision, an 81 Lot Subdivision Red Ledges Phase 2K](#)

Kohler projected a plat map for the Council's reference and explained that the City, County, Red Ledges and Twin Creeks entered into an interlocal agreement several years prior, which was then revised five years ago, in response to the County's request to address trails. Kohler indicated the trails shown on the current map indicated those the parties agreed to build. Kohler showed where on the map the subject subdivision was proposed and noted two proposed alternate trails that the developer was dedicating for public use, both of which would connect to open space. The Planning Commission recommended not utilizing the eastern trail alternate (indicated in yellow on the plat map,) because it was considered too steep. Todd Cates of Red Ledges further explained that the open space to which the public trail would extend would be controlled by the County, an area which would consist of approximately 2,750 acres, in addition to Red Ledges' 400 acres of open space. Cates further explained that the new phase (2K) would probably go in next spring, and expressed that they hoped the trail would open in fall 2016.

In response to questioning by Council Member Franco regarding the timing on resolving open space issues with the County, Cates indicated he was hopeful they could have resolution by this summer, and committed to contacting the County the following week.

Council Member Robert Patterson moved to approve Red Ledges Phase 2K Subdivision, an 81-Lot Subdivision. Council Member Kelleen Potter made the second.

Anderson suggested that the motion to approve be amended to indicate that the City would be willing to defer construction of the indicated trails as recommended by the Planning Commission and the abandonment of the alternate trail, subject to County concurrence and approval. The motion was amended as stated by Anderson.

Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

[7. Adoption of Tentative 2015-2016 Operating Budget](#) [2015-16 Tentative Budget](#)

Anderson expressed that the City Manager budget message summarized the budget fairly well, however there were some items remaining that would require further discussion before adopting the final budget; namely the splash pad, the social hall roof, the northwest sewer line, where they were considering adding a pressurized irrigation line, the purchase of a right-of-way regarding the southern bypass, and allocation of the proceeds from the sale of the industrial park property. Council Member Bradshaw noted he had spoken with Mike Johnston concerning the cost to replace the social hall roof, but hadn't heard back from him as of yet. Anderson stated that he would want to be certain they had exhausted all avenues concerning grant money to fund the social hall roof before they committed to 100% funding by the City for the project.

Anderson further noted he was awaiting the results of a salary analysis concerning pay grades allocated to certain jobs, which he expected by the end of the month, so a further budget meeting would be necessary to discuss the noted remaining items. Anderson added that the sewer line project was anticipated to cost more than initially budgeted due to the depth of the project, and Bart Mumford would need more time to analyze bids and determine how much more the project

would cost. Anderson estimated the proposed pressurized irrigation line would add approximately \$200,000 to the sewer line project. He also informed the Council that the proposed 10% utility fee increase, still did not appear to be adequate, based on how the costs were going in the department, and expressed that further discussion was needed on this item.

Council Member Franco inquired whether the 600 South Main Street to 500 East UDOT project budget of \$1.331 million, of which the City proposed to fund \$240,000, included the infrastructure removal and the installation of bike lanes. Bart Mumford responded that at present it was borderline whether it would be included until they moved further along in the planning, however he believed at present, the sidewalk/bike lane project could be included based on the budget they had established, but advised the council that as bids came in, it could add another \$50,000. Mumford also confirmed that the City notified UDOT that the City planned to include the bike lanes or sidewalks and had budgeted for it, although they hadn't decided how the design would be incorporated, whether sidewalk or bike lanes. It was agreed that the Council would discuss its recommendations concerning the sidewalk vs. bike lanes issue at the next budget meeting.

Further discussion ensued, whereby Anderson addressed specific questions posed by Council Member Franco concerning budget line items pertaining to the Heber Light & Power dividend, debt service reserve, capital equipment, depreciation, and Planning Department professional services expenses.

Anderson further explained that with the proposed 10% utility and 10% sewer rate increases effective in July, there would still be an \$11,200 budget shortfall, as indicated on the Utility Fund budget (page 47).

The Council agreed to meet on May 21 at 4:30 p.m. to discuss the budget issues before the regular council meeting.

Discussion next focused on Public Works. Council Member Patterson expressed his concerns with the lack of manpower in that department. Mayor McDonald agreed, and stated that Public Works should be able to add at least two more employees. Council Member Bradshaw asserted that Public Works needed to focus first on hiring a replacement for retired employee Maurice Chatwin, then consider additional positions, since the position had been vacant for five months.

Council Member Jeffery Bradshaw moved to approve the Adoption of Tentative 2015-2016 Operating Budget. Council Member Robert Patterson made the second.

Anderson requested that the motion be amended to state that a public hearing on the adoption of the final budget would be scheduled for June 18. The motion was amended as stated.

Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

8. [Closed Meeting for the Purpose of Discussing Threatened or Pending Litigation](#)

At 8:00 p.m., Council Member Rowland moved to enter into a closed meeting to discuss threatened or pending litigation. Council Member Patterson made the second.

Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

At 8:56 p.m., the Council returned to the Regular Session.

Anderson stated that he had spoken with Wade Kelson and advised the council that Three Strings Holdings may seek an extension on the closing date of the industrial park property to approximately June 10, due to the issues relating to the Burton Lumber property and the bypass road. He added that the subdivision plan had been submitted to the Planning Commission, and Three Strings was actively moving on its plans for the property. Further, a survey of the property was completed, and it showed an additional 1-1/2 acres to the property than originally thought, which would be favorable to both the City and Three Strings.

In response to a question by Council Member Franco concerning insurance increases, Anderson stated that the City's insurance premiums totaled approximately \$140,000 per year. He estimated that the impact to the premiums based on claims relating to litigation would result in only a 5%-10% increase.

With no further business, the meeting was adjourned at 9:00 p.m.

Allison Lutes, Deputy City Recorder