

**Heber City Corporation
City Council Meeting
May 21, 2015
7:07 p.m.**

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on May 21, 2015, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

Present: Mayor Alan W. McDonald
Council Members Robert Patterson
Jeffery Bradshaw
Heidi Franco
Kelleen Potter

Excused: Council Member Erik Rowland

Also Present: City Manager Mark Anderson
City Recorder Michelle Kellogg
City Engineer Bart Mumford
Planning Director Anthony Kohler
Chief of Police David Booth
City Attorney Mark Smedley

Others Present: Rob Heywood, Matt Parker, Jenny Dorsey, Nann Worel, Mike Tagliabue, Nathan Cox, Mel McQuarrie, Jim McIntyre, and others whose names were illegible.

Mayor McDonald opened the meeting and welcomed those in attendance.

Pledge of Allegiance: Council Member Heidi Franco

Prayer: Mayor Alan McDonald

Minutes: April 27, 2015 Special Meeting

Council Member Bradshaw moved to approve the above listed minutes. Council Member Patterson seconded the motion. Voting Aye: Council Members Patterson, Bradshaw, Franco, and Potter. Council Member Rowland was excused.

OPEN PERIOD FOR PUBLIC COMMENTS

Mayor McDonald asked if there were any in the audience that had comments for the Council that would not be addressed on the agenda. No comments were given.

Nate Cox, Peoples' Health Clinic, Report on How the City's 2014 Donation Was Used: Cox thanked the Council for the \$6,000 donation given last year. He talked about the increased usage from Heber residents at the clinic, and stated 94% of the clinic's patients were employed. He also spoke of the actual costs of the clinic compared to the payments made by patients. Nann Worel stated the clinic staff thought the patients would decrease substantially when the Affordable Care Act was enacted, but in reality, the visits only decreased by 20%.

Approve Modification of Cottages at Ranch Landing Development Agreement: Mayor McDonald explained the amendment to the development agreement was to remove the requirement to build a fence along the border of the subdivision. Council Member Franco moved to approve the modification of the Cottages at Ranch Landing Development Agreement. Council Member Potter made the second.

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

Approve Ordinance 2015-08, an Ordinance Vacating a Portion of The Cove at Valley Hills Subdivision Located on the West Side of Valley Hills Boulevard: Mayor McDonald stated all the requirements had been met by the developer. Council Member Bradshaw moved to approve Ordinance 2015-08, an ordinance vacating a portion of The Cove at Valley Hills Subdivision. Council Member Potter made the second.

Voting Aye: Council Members Bradshaw and Potter. Voting Nay: Council Members Patterson and Franco. Since there was a tie vote, Mayor McDonald voted aye. The motion passed.

Coyote Development, Approve The Cove at Valley Hills Phase 1C, Located between 1772 North Valley Hills Boulevard and Callaway Drive, and the Associated Development Agreement: Council Member Potter asked if some mitigation could be put in to protect neighbors during construction. Anderson stated the Council had a right to discuss things that would be in the public interest, and thought it was a reasonable request to protect those homes during construction. Smedley advised including some appropriate language into the development agreement like requiring a debris fence or barrier that would facilitate holding back whatever was there. If something happened, the developer would have to come in and clean it up as often as necessary.

Council Member Franco asked if the geotechnical study would absolve the City from any liability in the case of a landslide. Smedley stated language could be added that the City and the engineer would make some recommendations and if anything else was done, the developer would be liable. Mayor McDonald felt this item should be continued in order to add language to the development agreement.

Council Member Franco asked Smedley to check with the North Salt Lake attorney and the Traverse Ridge attorney to see if there was anything the City could do to protect itself. Smedley agreed and advised the Council to approve the subdivision conditioned on specific amendments to the development agreement.

Council Member Potter moved to approve The Cove at Valley Hills Phase 1C, and hold off on the plat recording until the Council addressed the safety of the surrounding neighbors, the liability issues facing Heber City, and preserving property values within the development agreement. Council Member Bradshaw made the second.

Voting Aye: Council Members Bradshaw and Potter. Voting Nay: Council Members Patterson and Franco. Since there was a tie vote, Mayor McDonald voted aye. The motion passed.

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder