

Heber City Corporation
City Council Meeting
July 16, 2015
7:30 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on July 16, 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
Council Member Heidi Franco
Council Member Kelleen Potter

Also Present: City Manager Mark Anderson
City Recorder Michelle Kellogg
City Engineer Bart Mumford
City Planner Anthony Kohler
Chief of Police Dave Booth

Others Present: Brian Watson, Bob Piscitelli, Daniel Mauer, Wes Bingham, Fred Schloss, Bill Hyde, Paul Boyer, Tracy Taylor, Justin Johnson, Mel McQuarrie, Rich Hansen, Rick McCloskey, Ronald Crittenden, Paul Cook, Laurie Wynn, Mike Johnston, Todd Cates, Jeff Smith and those whose names were illegible.

II. [Pledge of Allegiance: Council Member Robert Patterson](#)

III. [Prayer/Thought: Council Member Kelleen Potter](#)

IV. [Minutes for Approval: June 18, 2015 Work and Regular Meetings](#)
[June 18, 2015 Draft Work Meeting Minutes](#)
[June 18, 2015 Draft Regular Meeting Minutes](#)

Council Member Patterson moved to approve the June 18, 2015 Work and Regular Meeting minutes. Council Member Rowland made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

V. Open Meeting for Public Comments

Paul Boyer stated he would like to discuss the lease talks that had been going on in the Airport Board meetings. He gave handouts to the Council on three other airports that had made changes to their lease terms and summarized the content.

Fred Schloss indicated he had some concerns that he would like the Council to consider. He appreciated the new restrooms in the City Offices, but wanted the public notice board lowered for the convenience of short people. Also, the Karl Malone Auto Dealership parking lot lights needed to be turned off at night so as not to shine in the residents' windows. Next, he expressed concern that deer resided in his yard, and asked that they be removed. The last item of concern was that there was a huge heavy equipment shop going on with dump trucks being worked on along 300 South between 400 and 500 East. He asked the City to please enforce the ordinance.

1. [Accept/Reject the Cook Annexation Petition, a Request to Annex 7.45 Acres of Land Located at the Northeast Corner of 2400 South and US Highway 40](#) [July 2, 2015 Letter from Paul Cook, Old Mill Investments, LLC](#) [Petition for Annexation](#)

Council Member Patterson moved to accept the Cook Annexation Petition, a request to annex 7.45 acres of land located at the northeast corner of 2400 South and US Highway 40, and to refer it to the Planning Commission for further study. Council Member Potter made the second.

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

Paul Cook requested access to water on 2400 South in order for his fire system to be compliant until the annexation was approved. Mayor McDonald stated that this item would go on the August 6 agenda. Anderson noted he discussed the request with Mumford and it was his desire to talk with the fire department about delaying the fire requirement until the annexation was approved. This request was moved to the next work meeting agenda.

3. [Approve Amendment #2 to Attachment F to Professional Services Agreement between Heber City and Armstrong Consultants, Inc., to Perform an AGIS Study](#) [Amendment #2 Professional Services Agreement](#)

Anderson indicated the FAA had requested that the City initiate a survey of the airport and the surrounding areas with buildings and potential obstructions. Council Member Franco stated the budget for the runway apron was under the estimated cost, and she wanted to know the cost of this survey. Anderson stated the survey would cost \$120,000. Council Member Franco asked how big of a scope the survey would entail. Anderson was unsure, but indicated there was an obstruction in the mountains that caused concern with one of the approaches, and upon looking at the area, there was no tree as was originally thought. If a survey had been done, this issue could have been resolved more quickly. Council Member Rowland understood the survey would include natural obstacles, not man-made structures. Anderson also confirmed that this survey would have no ties to future airport projects.

Council Member Rowland moved to approve Amendment #2 to Attachment F to Professional Services Agreement between Heber City and Armstrong Consultants, Inc., to perform an AGIS study. Council Member Patterson made the second.

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

4. [Three Strings LLC, Request for Final Approval of the Power Industrial Subdivision located at approximately 601 West Airport Road](#)
[Power Industrial Park Plat Map](#)

Anderson reviewed that the City negotiated the sale of this property to Three Strings Holdings. At this time there were still some engineering items that needed to be cleaned up, but these items should be cleared up before recording the plat. He noted some of the items that needed to be resolved included how the subdivision street would tie into Airport Road, missing valves on the construction drawings, storm drain issues, notes on plats, easements, etc. It was indicated the Planning Commission reviewed this subdivision request and had made a recommendation for approval.

Council Member Potter moved to approve Three Strings LLC request for final approval of the Power Industrial Subdivision. Council Member Bradshaw made the second. Mumford asked if the motion could include the condition that they complete the engineering improvements, final lateral drawings and the plat. Council Member Potter amended her motion to include those conditions. Council Member Bradshaw amended his second.

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

5. [Approve Ordinance 2015-20, an Ordinance Vacating a Portion of Red Ledges Phase 1R Subdivision](#)
[Red Ledges Request](#)
[Staff Report](#)
[Ordinance](#)

Todd Cates reviewed that Phase 1R was recorded a year ago, but prior to recording Phase 2K, some lots in 1R needed to be reconfigured. He stated the open space area was steep and unusable so Red Ledges decided to tie it into the lots to make them a little bigger.

Council Member Patterson moved to approve Ordinance 2015-20, an ordinance vacating a portion of Red Ledges Phase 1R Subdivision. Council Member Rowland made the second.

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

6. Review the Proposed Heber Light & Power Rate Increase

Mayor McDonald stated Heber Light and Power Company had a study done and a rate increase was recommended. The exact amount of the increase had not yet been set. He indicated that on August 5th a public hearing would be held to make a presentation and discuss the rate increase with the public, and on August 6th the same presentation would be given to the Council.

Council Member Franco asked if there was a Cost of Living Allowance (COLA) in the wages this year, how much more revenue Heber Light and Power would receive if the impact fee was increased to 100% instead of 60%, if Heber Light and Power bought the generator, how much the debt load had increased, had Heber Light and Power paid down any of the Other Post Employment Benefits (OPEB) liability, and how a rate increase would affect the dividend that the City would receive. Mayor McDonald suggested that Council Member Franco ask the Heber Light and Power staff those questions so that she could receive answers to her satisfaction. Council Member Franco also requested that the presentation include the proposed rate for large commercial utility users.

2. Approve Offer to Purchase Land for Future Right-of-Way located on Daniels Road Parcel Map

Council Member Rowland moved to enter Closed Session at 8:05 p.m. to discuss the acquisition of real estate. Council Member Patterson made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

Upon adjournment from Closed Session at 8:17 p.m., Anderson stated the City had the intention of offering to purchase 25.88 feet of land along Daniel Road from Three Strings Holdings, as shown on the map highlighted in blue and the corner piece highlighted in orange.

Council Member Rowland moved to approve an offer to purchase approximately 384 feet x 25.88 feet of land for a future right-of-way located on Daniel Road from Three Strings Holdings, and to allow access to the southernmost portion of the land and to Burton Lumber. Council Member Patterson made the second.

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

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder