

Heber City Corporation
City Council Meeting
August 20, 2015
7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on August 20, 2015, in the City Council Chambers in Heber City, Utah

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

Mayor Pro Tem Bradshaw called the meeting to order and welcomed all in attendance.

Present: Council Member Robert Patterson
Council Member Jeffery Bradshaw
Council Member Erik Rowland
Council Member Heidi Franco
Council Member Kelleen Potter

Excused: Mayor Alan McDonald

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

Others Present: Wes Bingham, Ryan Klassovity, Todd Cates, and Rick Coleman

II. [Pledge of Allegiance: Council Member Kelleen Potter](#)

III. [Prayer/Thought: Council Member Jeffery Bradshaw](#)

IV. [Minutes for Approval: August 6, 2015 Draft Work Meeting Minutes
August 6, 2015 Draft Work Meeting Minutes](#)

Council Member Franco requested the following edits to the minutes: 1) page 4, line 33: "Rounds stated he preferred to keep the splash pad at the park. . ." should read, "Rounds stated it didn't matter whether or not the splash pad was in the City Park. . ."; 2) page 3, line 7: at the end of the sentence, add, "and would provide an executive summary of all of the past visioning documents as well as the original documents regarding downtown revitalization." *[Note: upon further review of the meeting audio, it was later determined the foregoing changes would not be incorporated into the minutes.]*

Council Member Rowland moved to approve the August 6, 2015 Draft Work Meeting Minutes. Council Member Patterson made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

V. Open Meeting for Public Comments

Ryan Klassovity of North American Services Group ("NASG") introduced himself to the Council and discussed his company's interest in locating a full service state-of-the-art FBO at the airport. Klassovity presented at the August 19 Airport Board Meeting, and explained that he was the Aviation Department Manager for NASG, a large industrial cleaning company with 23 offices across the country. In the past two years, the company had become a permanent user of Heber airport, during which they perceived a decline in the relationship between the airport tenants and the current FBO. Thus, NASG saw an opportunity to come in and fix the environment at the airport and provide full service FBO services. Klassovity added he had received a very positive response to the letter of intent he submitted to the City Council.

1. Rick Coleman, Discuss/Approve Request for Culinary Water Service Coleman Request for Water Service

Rick Coleman, resident of 181 South Mill Road, expressed his need for culinary water. His current water source, a spring behind Doug Cook's home, provided water to Cook, Steve Stone and Wayne McDonald. Coleman's water originated from McDonald's overflow. Recently, Coleman starting seeing contamination in his water, and was asked by Wayne McDonald to terminate that source of water. Coleman further explained he had approached Twin Creeks SSD, which did provide service to his area, and they did not object to his connecting to Heber's culinary water system. Coleman also confirmed his understanding that he would be responsible for all fees and costs to hook to the City culinary water, and further that he was in agreement with the conditions expressed by the City.

Council Member Rowland moved to approve Rick Coleman's Request for Culinary Water Service. Council Member Patterson made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

2. Approve Daniel Road Land Purchase Agreement Daniel Road Parcel Purchase Agreement

Anderson explained that during the last meeting the Council authorized the offer to purchase the .2283 acre parcel along Daniel Road from Three Strings Holdings. City Attorney Smedley drafted the offer, and staff was comfortable with the agreement. Council Member Franco expressed her concern with paragraph six of the agreement, which allowed Three Strings access through the southern forty-feet along Daniel Road, and felt it was too wide. Anderson stated the agreement as drafted was consistent with what the Council agreed to.

Council Member Potter questioned the need for the access. Council Member Franco expressed her frustration in allowing the forty-foot access to Three Strings, however she noted they were "over a barrel" due to the Council's past actions, and felt the City could encounter problems from

the County down the line regarding how the access was acquired, at the time the bypass road would be constructed. Anderson noted it wouldn't prohibit the Council from extinguishing the access; it would require compensation, since it would render a portion of the property unuseable.

Council Member Patterson moved to approve the Daniel Road Land Purchase Agreement. Council Member Rowland made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

3. [Approve Red Ledges Phase 1R Plat Amendment for Lot 451 and Lot 454](#)
[Staff Report re Red Ledges Phase 1R Plat Amendment](#)

Todd Cates explained there were four lots previously approved under Phase 1R, and all of the infrastructure had already been constructed. At the time Phase 2K was approved, a cul-de-sac was brought to the east side of the lots. Red Ledges Sales requested that they make at least three of the four lots uphill lots and add land to adjoin the cul-de-sac and extend it down. They believed this would result in added value to the lots.

In response to questioning by Council Member Franco, Cates stated that meetings with Utah Open Lands were ongoing, and they were making some progress.

Council Member Patterson moved to approve Red Ledges Phase 1R plat amendment for Lot 451 and Lot 454. Council Member Potter made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

4. [Approve Disposal or Sale of Evidence](#)
[Staff Report re Conversion of Evidence](#)

Chief Booth explained the list represented a routine clearing of the evidence room, and a surplus sale was scheduled for September 9-11.

Council Member Franco moved to approve the disposal or sale of evidence. Council Member Rowland made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

5. [Approve Proposed Request For Proposals \(RFP\) to Update the Heber City Master Plan and Adopt Form Based Codes and Design Criteria.](#)
[Request for Proposals](#)

Kohler explained the RFP evolved from the discussion concerning road width at a prior Council meeting, wherein Kohler was asked to prepare an RFP to engage a consultant concerning form based codes. Kohler added that if the RFP was approved, it would also include the downtown area. The RFP was seeking to engage consultants to create a master plan with form based codes and new design criteria for the core commercial area.

After discussion, the Council was in favor of setting the submission date to September 10, and involving the entire Council in the selection process, rather than relying on a selection committee.

Concerning the selection criteria outlined in the RFP, Kohler and Council Member Franco suggested giving more weight to "Knowledge" and "Schedule". The Council was favorable to removing five points from "Project Proposal" and five points from "Strength of Team and Management", and adding five points each to "Local Knowledge" and "Schedule".

The Council was favorable to scheduling the October 1 meeting to interview candidates, but to include in the agenda the option to select a candidate at that meeting; if the selection was not made at that October 1 meeting, then the selection would be made at the October 15 meeting.

Council Member Rowland moved to approve the Proposed Request For Proposals (RFP) to Update the Heber City Master Plan and Adopt Form Based Codes and Design Criteria, as amended as follows: the application submission deadline would be September 10, 2015; the selection committee would be composed of the City Council; and that they remove five points each from "Project Proposal" and "Strength of Team and Management" and add five points each to "Local Knowledge", for a total of fifteen points and "Schedule", for a total of fifteen points in the selection criteria. Council Member Potter made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

Prior to voting to move into closed meeting, Anderson discussed the old sewer property, and stated that Redgie Probst did not have any interest in purchasing the property, but Valerie Kelson was interested in purchasing a portion for her womens' shelter.

Council Member Franco stated that during a master trails meeting, the County shared a layout for their proposed development of the area around the Heber Valley Railroad, and there was discussion concerning constructing the electric substation either to the west of the Heber Light & Power building, or at the old sewer property. She felt if they were to locate the substation on the sewer property, it would be a win-win for the valley. It would allow the Heber Railroad area to be a tourist area, without the obstruction of the substation. Further, Council Member Franco stated that Doug Smith indicated during the trails meeting that the County really wanted to invest around the railroad, putting in retail, a village, the farmers market, and a hotel, but didn't want the substation located within view. Bradshaw said he wasn't aware of any serious conversations between the County and Heber Light & Power concerning the substation.

After some discussion, Anderson asked whether the Council was amenable to breaking up the parcel to sell a portion to Kelson. Council Member Bradshaw noted a concern raised by the Housing Authority in that while Kelson may have been able to raise funds for the purchase of the property, she wasn't able to formulate a plan for continued operation of the proposed facility.

After further discussion, the Council concluded they would be interested in seeing how the master plan evolved first, before making a decision on whether to sell off the property, either in whole or in part.

Next, Anderson stated that Scott Lythgoe expressed interest in obtaining the old cupola off the Central School and preserving it somewhere in the City. Council Member Rowland added he had been approached by many residents who expressed concerns with the disposal of City artifacts. Chief Booth indicated he also had been approached concerning the cupola, and he was telling people that City probably would want to preserve it. Chief Booth envisioned restoring the cupola and placing some red rock and flowers around it. He believed the community would like some preservation effort.

Council Member Rowland suggested holding a "closing house" to invite the public to view the old school and identify memorabilia that could be offered in an auction-type format.

After some discussion, Anderson stated he would work with staff to develop a plan for the issue concerning the old school and its artifacts.

6. Closed Meeting as Needed

Council Member Patterson moved to enter into closed meeting to discuss personnel. Council Member Rowland made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

At 8:15 p.m., the Council entered into closed session.

At 8:30 p.m., the Council returned to the Regular Session. With no further business, the meeting was adjourned.

Allison Lutes, Deputy City Recorder