

Heber City Corporation
City Council Meeting
January 21, 2016
5:00

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on January 21, 2016, in the City Council Chambers in Heber City, Utah

I. **Call to Order**
City Manager Memo

Present: Mayor Alan McDonald
Council Member Jeffery Bradshaw
Council Member Heidi Franco
Council Member Kelleen Potter
Council Member Jeffrey Smith
Council Member Ronald Crittenden

Excused: None

Also Present: City Manager Mark Anderson
City Attorney Mark Smedley
City Planner Tony Kohler
Chief of Police Dave Booth
City Recorder Michelle Limón

Others in Attendance: Darryl Glissmeyer, Brian Balls, Brenda Nagle, Chris Shurian, Mark Smedley, Tracy Taylor, Ed Parknson, Todd Cates, Rick McCloskey, Rich Hansen, Darren Tuddenham, Paul Berg, James Doolin, Brenda Wilcox, Ann Hoffman, Andrew Hoffman, Craig Romrell and others whose names were illegible.

Mayor McDonald called the meeting to order and welcomed everyone in attendance. He reminded the Council they had strategic planning meeting on Saturday, January 23, 2016, at 8:00 a.m. In addition, if anyone would like to get an item on the agenda for the next Council meeting, it needed to be in by Monday, January 25, 2016, for agenda prep meeting.

1. **Discussion Regarding Inter-Local Cooperation Agreement for the Provision of School Resource Officers in Certain Wasatch County School District Schools**
Staff Memo
Inter-Local Agreement

Chief Booth discussed the inter-local cooperation agreement for the school resource officers with Wasatch County School District Schools. Chief Booth explained the inter-local was brought before the Council because the grant was funded for three years. The City paid a portion, the

School District paid a portion, and the grant paid a portion. He stated after the four years, he would hope the City would continue to fund the position forever.

Council Member Franco inquired if Chief Booth thought the City could get another grant in five years. Chief Booth indicated that he did not. He explained they were only one of two agencies that were awarded grants this year - Salt Lake City and Heber City. It was said if the City were to receive another grant in five year, it would be with the assumption they would hire another officer. Council Member Potter inquired if the grant was award based on need. Chief Booth stated they really focused on growth and the crime rate was pushing up as well.

2. [Presentation by Spring Creek Assisted Living for Property Located at approximately 750 South 1200 West](#)
[Spring Creek Presentation](#)

Mayor McDonald said they had some people from Spring Creek that would like to make a presentation.

Brian Balls, Summit Engineering, indicated the property was across from the County events center. He said his client was Chris Shurian, and they were here to fill in some of the details. He went on to say they were at the meeting to get the Council's feel regarding a rezone of the property.

Mr. Shurian noted that half of the project was a commercial assisted living facility; however, the underlying zone was residential. He said they understood the moratorium, and to move forward with the project, they would need to rezone the property.

Mr. Balls discussed the project. He indicated first and foremost, there is potential for high water, but the project does not require them to go below grade. He went on to say they felt it was important to take assisted facility living facilities into the neighborhoods and not segregate them. Lastly, the housing need for our seniors was a need and the need was only going to grow.

Mr. Shurian informed the Council his background was in construction development. He said as his own parents had become elderly, he decided to look into constructing an assisted living facility himself; there is a great need for assisted living.

Mr. Shurian explained that he found an assisted living facility in Alpine that felt good to him, and he modeled his project after that one. He noted that most facilities are at a 70-75 percent occupancy rate; this one was at a 95 percent occupancy rate.

Mr. Shurian indicated that Heber Valley had always been appealing to him. He went on to discuss the assisted living facility site. He noted that Building A was the main building. The main area would have a cafeteria and a chapel. He said, if you look across the canal, there would be proposed smaller units, which are one and two bedroom units with garages. The smaller units would have all the amenities of Building A. He explained the residents felt more independent in these units and that was what made the facility in Alpine more popular.

Council Member Bradshaw inquired how many total units there were on the site plan. Mr. Shurian indicated there were 30 of the smaller units and 30 units in the main building. He noted they designed it that way based on what was most popular.

Council Member Bradshaw clarified that Mr. Shurian anticipated the future phase would be 55 and older housing. Mr. Shurian indicated yes, it would be geared toward seniors, and they would have access to the club house at the assisted living facility, the walking paths, and a lot of green space.

Council Member Franco said because this is commercial as well as residential, how much would the new design standards apply to their proposed buildings? Mr. Kohler indicated it was to be determined. The initial thought was the more intense design criteria would apply in the downtown area and there may be some basic rough standards as you go away from the core of town, and there probably wouldn't be any for single-family homes. Council Member Franco clarified that for all commercial use, the design standards would be enforced; not just downtown. Mr. Kohler agreed, yes, there probably would be.

Council Member Franco stated that was something they needed to think about for the future. They were looking to set up those design standards come April of this year. She went on to say we have committed a lot of money into form-base code; in addition, they were not looking at putting high-density next to the County. Council Member Franco stated she was not sure how the project would fit with the form-base code. However, they would love to see this high-quality project come to Heber.

Mr. Shurian pointed out it was not a high-density project. He went on to say he did not want to put the seniors in an industrial or hospital area.

Council Member Bradshaw pointed out the area was in the bypass area. Mr. Shurian said by the time the bypass came in, they would have a buffer in place. He went on to say it was a great location, with easy access, and the view was awesome.

Council Member Smith inquired if he was anticipating gating the facility. Mr. Shurian indicated they were not. Council Member Smith questioned Mr. Shurian about emergency service. Mr. Shurian stated the residents would have access to all services, and if they needed memory care, they would refer them out to another facility. There would be levels of treatment.

Mr. Anderson inquired if the roads within the development would be private. Mr. Shurian stated that was their initial discussion. Council Member Franco indicated she was concerned about the private streets, primarily the narrowness, the safety issues, and the snow removal. Mr. Shurian said they did not anticipate any City services. He went on to say the difference was they were not employing a 60-foot right-of-way. It would be a one-way street. Parking would not be allowed on the streets; there would be parking in guest stalls in a convenient proximity, and emergency services would have access.

Mr. Balls pointed out the property to the left on the site plan was a senior community for 55 and older, which was for a future time. It was a residential component, and they would work on that

later; it is not any of their focus. All of their discussion was for the assisted living portion only to let the City Council see about a rezone. He stated their goal was hoping to move forward with the assisted living, which was a commercial use; none of the units were for sale.

Council Member Crittenden commented on the density out toward the County and the form-base code. He suggested if they were to come in and get less density, perhaps the four-plex area could be common area or a park. Mr. Balls said the assisted living units, the smaller units, were being built to help the residents feel more independent.

Mr. Anderson inquired if the site required a General Plan amendment. Mr. Kohler noted the Planning Commission recommended a General Plan amendment; in addition to an R-1 zone change to an R-2 zone with a clustered open space overlay zone.

Council Member Potter pointed out it seemed there would be less impact with the proposed assisted living facility than the other subdivision. Mr. Kohler indicated the other subdivision would have had two to three children, an impact on the school, and 200 daily traffic trips.

Council Member Franco said I just want them to be a part of the design code standards. Mr. Balls indicated his understanding was the design standards affected residential. Mr. Kohler explained it affected commercial as well. Mr. Balls stated ultimately yes, we would comply. We are not going to do something against or contrary to the standard. He questioned what the design standards were. Mr. Kohler noted, that within a couple of weeks, the City should have a couple of findings.

Mr. Anderson questioned when they would be vested under design criteria. Mr. Kohler explained this was a rezone request and General Plan amendment request. The next step would be site plan approval. He added the Planning Commission did approve a conceptual plan request. Council Members Potter and Smith indicated that they were okay with the rezone and plan.

Council Member Bradshaw indicated that he did not see any reason why they could not proceed and study it further and continue it as such time as they have some more definite answers.

Council Member Franco indicated that she was concerned with up-zones with the TDR programs. She noted that the TDR program had to work a certain way and there were a lot of changes coming. She went on to say she was concerned about that. In addition, she had pleaded with the Planning Commission regarding up-zones as well as the form base code.

3. Discussion Regarding Consolidation of All Airport Funds Consolidation of Airport Funds

Council Member Crittenden had made a recommendation to consolidate all Airport revenues. Council Member Crittenden indicated there were concerns, and he understood that Mr. Anderson had a handle on it. However, there was an issue with transparency.

Council Member Crittenden indicated that Mr. Anderson asked the consolidation be done with the new budget year. However, he had seen the budget amended twice now. He went on to say

he didn't care that it be an enterprise fund. He just wanted to see the consolidation in the interest of transparency. Council Member Crittenden said it was here for a matter of discussion, and he would like to see it in the next Regular City Council meeting.

Council Member Bradshaw pointed out the only problem was depreciation. If they included depreciation, it would be a very large number, and it would distort how the airport was really doing. Council Member Crittenden stated there are assets out there, and he would like to see if there was snowplow equipment wearing out. In addition, he would like to be able to separate it out and see if the Airport was carrying itself. Council Member Bradshaw indicated that it would show a huge loss every year if there were to put it in an enterprise fund. Council Member Crittenden said his intent was to show the public the airport was or was not carrying itself. He wanted to show what the City was putting in and taking out. Council Member Bradshaw stated they would need to call it something else. He indicated he thought it could be done on a short-term basis, but he did not think it could be done on the long-term.

Council Member Potter indicated that she agreed with the intent. But she questioned if they were prepared to know what it would cost them. However, she did like knowing they have a better handle on it.

Council Member Smith indicated from an accounting perspective, he don't see that it would be proper to do what was being proposed. He said to be transparent; he strongly opposed putting it into an enterprise fund and following GASB.

Mr. Anderson explained the process of moving the airport funds. He stated he would not encourage doing this halfway through a budget year. He suggested that it would be well to have the discussion on it during the budget process. He stated that Staff was happy to provide the information on a monthly or quarterly basis.

Council Member Franco suggested that she would like to see the property taxes the city was receiving from the airport in the report as well.

It was noted that all that was being asked of Staff was to do the report; they didn't think they needed to have the item move to the next Regular meeting.

Council Member Bradshaw said he thought it would be helpful if they included the report on the City's website. However, they needed a lot more information. Council Member Franco stated they needed information to make a wise choice. She went on to say there was talk that the Airport could be put on the ballot. They are saying it's all about safety; however, she thought it was about investments. Mr. Anderson said the reality was they would not have all the information they needed until the Master Plan update was done.

4. [Discussion Regarding Sewer Impact Fee Service Areas](#) [Sewer Impact Fee Amendment](#)

Mayor McDonald indicated that previously they discussed the City's sewer impact fee analysis, and questioned whether they wanted to stay with one, flat fee or go with a two-tier fee.

Mr. Anderson said, as he indicated in his staff report, he contacted Layton City because he knew they had a utility fund that had different impact fees based on locations within the City. He went on to say his biggest concern was if they established two districts, were they going to be restricted from using the revenues from one district to repay the debt on other districts. They can only fund projects within those districts. He noted that Layton City had three different areas for storm drain, and they said they were in the process of consolidating it all into one.

Mr. Anderson noted that he had spoken with Suzie Becker with Zion's Bank Public Finance; she said the City would need to be able to justify their decision; was it fair? He went on to say, as he had indicated, the \$200 difference was not a significant amount, and it gave the City more flexibility. Therefore, he would recommend the one, flat fee.

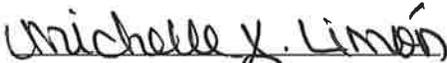
Mayor McDonald polled the Council as to their thoughts regarding one, flat fee or a two-tier fee approach. Council Member Franco indicated she would like one, flat fee. Council Member Bradshaw indicated he would like one, flat fee. Council Member Smith indicated he would like one, flat fee. Council Member Potter indicated she would like one, flat fee. And Council Member Crittenden indicated he would like one, flat fee.

Mr. Anderson informed the Council that Staff had scheduled the public hearing for the next Regular Council meeting, which was February 4, 2016, and they would propose the one, flat fee.

Council Member Franco inquired if they were doing the Master Plan update next. Mr. Anderson indicated that he thought it would be completed in two years; however, he would have to confer with Mr. Mumford.

5. Other Items as Needed

With no further business to come before the Council at this time, Council Member Franco moved to adjourn the Work Meeting at 8:25 p.m. Council Member Potter seconded the motion. The motion passed unanimously.


Michelle Limon, City Recorder