

WORK MEETING

**AGENDA
AND
STAFF MEMO**

HEBER CITY CORPORATION
75 North Main Street
Heber City, Utah
City Council Meeting

March 7, 2013
6:00 p.m.
Work Meeting

DISCUSSION ITEMS

- (Tab A)** Review Draft Ordinance Amending Section 2.08, Mayor
- (Tab B)** Ralph Lugton and Steve Anderson, Veteran's Memorial Update
- (Tab C)** Chief Booth, Discuss Changes in Vehicle Take Home Policy
- (Tab D)** Discuss Secondary Irrigation Rates
- (Tab E)** Discuss Placement of Coca Cola Vending Machine at the Heber City Main Street Park
- (Tab F)** Review Loans Made to the Airport Hangar Fund
- Council Member Rowland, Presentation on Youth Violence Related Issues

OTHER ITEMS AS NECESSARY

Ordinance 2006-05 allows Heber City Council Members to participate in meetings via telecommunications media.

In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Michelle Kellogg at the Heber City Offices (435) 654-0757 at least eight hours prior to the meeting.

Posted on February 28, 2013, in the Heber City Municipal Building located at 75 North Main, Wasatch County Building, Wasatch County Community Development Building, Wasatch County Library, on the Heber City Website at www.ci.heber.ut.us, and on the Utah Public Notice Website at <http://pmn.utah.gov>. Notice provided to the Wasatch Wave on February 28, 2013.

Memo

To: Mayor and City Council
From: Mark K. Anderson
Date: 02/28/2013
Re: City Council Agenda Items

WORK MEETING

Review Draft Ordinance Amending Section 2.08, Mayor (Tab A): At the last City Council meeting, the Council asked that staff work on an ordinance that more clearly indicates what powers and duties the Mayor possesses. Enclosed is a draft ordinance for Council consideration.

Ralph Lugton and Steve Anderson, Veteran's Memorial Update (Tab B): Ralph Lugton and Steve Anderson are coming before the Council to provide an update on the proposed design changes to the Veteran's Memorial project, the proposed project timeline and updated cost information. I met with Steve last week and he provided the enclosed information.

Because the proposed budget is currently about \$93,000 higher than the maximum funds the City Council has committed to this project, I have concern with the project running into budget problems if all the work is commissioned before the project is fully funded.

Also, in reviewing State Code and speaking with Mark Smedley and David Church, I believe the City would be violating Section 11-39-103 of the Utah State Code if the project is not competitively bid. When I brought up my concern with our purchasing policy the Council indicated that they would waive the requirement (under the unique circumstances) to bid the project out. Although I don't necessarily disagree with this position, after further review of State Code, I can't recommend proceeding as proposed.

At this time, I would recommend that we evaluate the project to see what work the City can do and bid out the remaining items and look at ways to phase the project to complete the project as funding allows. Although this may slow down the project schedule, it will keep the City compliant with State Law and limit potential criticism if donations are not obtained as quickly as we had hoped.

Chief Booth, Discuss Proposed Changes in Vehicle Take Home Policy (Tab C):

Enclosed is a memo from Chief Booth regarding changes he would like to implement to the Police Department Vehicle Usage Policy. Also enclosed is a copy of the Policy that he would like to implement in the department.

I concur with the need to require/encourage police officers to live in close proximity to the City. Also, based on costs (gas & wear and tear) incurred by the City to support the previous policy I believe the proposed changes are warranted.

Discuss Secondary Irrigation Rates (Tab D): At the last City Council meeting, the Council asked that additional discussion take place on the proposed increases to pressurized irrigation rates. Staff is looking for direction on how the Council would like to address this issue. Ideally, any adopted changes to the pressurized irrigation rates would go into effect on the May 1st billing.

Discuss Placement of Coca Cola Vending Machine at the Heber City Main Street Park (Tab E): The City has been approached by Swire Coca-Cola about the placement of a vending machine in the Main Street Park. Enclosed is information about the program. Essentially the City would receive 30% of the revenue generated from the sales from the machine. I expect the machine would only be in the park on a seasonal basis. Staff is not opposed to the proposal that may yield about \$3,000 per year in revenues for the City. We would recommend that the drinks be offered for the lower of the two price options.

Review Loans Made to the Airport Hangar Fund (Tab F): With the recent sale of a hangar, the Council asked that a report be made on the status of monies the Airport Hangar Fund has borrowed from the Capital Projects Fund and Industrial Park Fund. (See enclosed spreadsheet) I have also projected what monies might be left in this fund if/when the remaining hangars are sold. Staff would recommend that \$300,000 be transferred to the Capital Projects Fund to reduce the debt. These monies would then be available to be assigned to new/existing projects.

Council Member Rowland, Presentation on Youth Violence Related Issues: Councilman Rowland has asked for the opportunity to make a presentation to the Council regarding a project that he is working on with several community members.

DISCUSSION/ ACTION ITEMS

TAB A

ORDINANCE NO. 2013-_____

AN ORDINANCE AMENDING SECTION **2.08.010** OF THE HEBER CITY MUNICIPAL CODE, **GENERAL DUTIES**.

BE IT ORDAINED by the City Council of Heber City, Utah, that Section 2.08.010 of the Heber City Municipal Code is amended to reflect the local delegation of certain powers to the City Manager, traditionally held by a Mayor, consistent with the statutory form of government for Heber City pursuant to a six-member council as provided in the Utah State Code. The following specific Section is amended to read as follows:

Section 2.08.010 – General Duties

A. The ~~mayor~~ Mayor shall perform the duties which are, or may be prescribed by law, or by ordinance, and shall see that the laws and ordinances are faithfully executed. (Prior code §2-4)

B. Pursuant to the authority to do so provided in Sections 10-3b-303(1)(b)(i)(A) and (b)(iii)(A) (U.C.A), 1953, the following powers, authority and duties traditionally held by the Mayor in a six-member council form of government have been delegated to the City Manager:

 1. The City Manager shall be the chief administrative officer of the city to whom all employees of the city report. The City Manager shall be responsible to the city council for the administration of all city affairs placed in his charge, and shall possess all the power and authority associated with said administrative duties.

 2. The City Manager shall act as the personnel officer of the city; to make appointments and dismiss from employment all non-appointed employees, with the recommendation and advice of the various department heads.

 3. The City Manager shall have direct supervision and responsibility over the finance, engineering, and planning operations of the city and shall directly supervise the administration of the departments of the police, parks, public works, and cemetery.

 4. The City Manager shall act as purchasing agent for the city and approve all claims before presentation to the city council for payment; see that all goods purchased by and for the city are received as per contract.

 5. The City Manager shall serve as the budget officer and shall prepare the annual budget (to be construed as a financial estimate only) and keep the city council advised and appraised as to the financial condition and needs of the city.

 C. The above list articulated in Section B above is not a complete, nor is it intended to be an exhaustive list of all the duties of the City Manager. Said above list

represents only those duties that have been delegated to the City Manager that are traditionally held by a Mayor in this form of Government.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the ____ day of _____, 2013.

ADOPTED and PASSED by the City Council of Heber City, Utah this ____ day of _____, 2013, by the following vote:

	AYE	NAY
Mayor David R. Phillips	_____	_____
Council Member Robert L. Patterson	_____	_____
Council Member Alan W. McDonald	_____	_____
Council Member Benny Mergist	_____	_____
Council Member Jeffery Bradshaw	_____	_____
Council Member Erik Rowland	_____	_____

APPROVED:

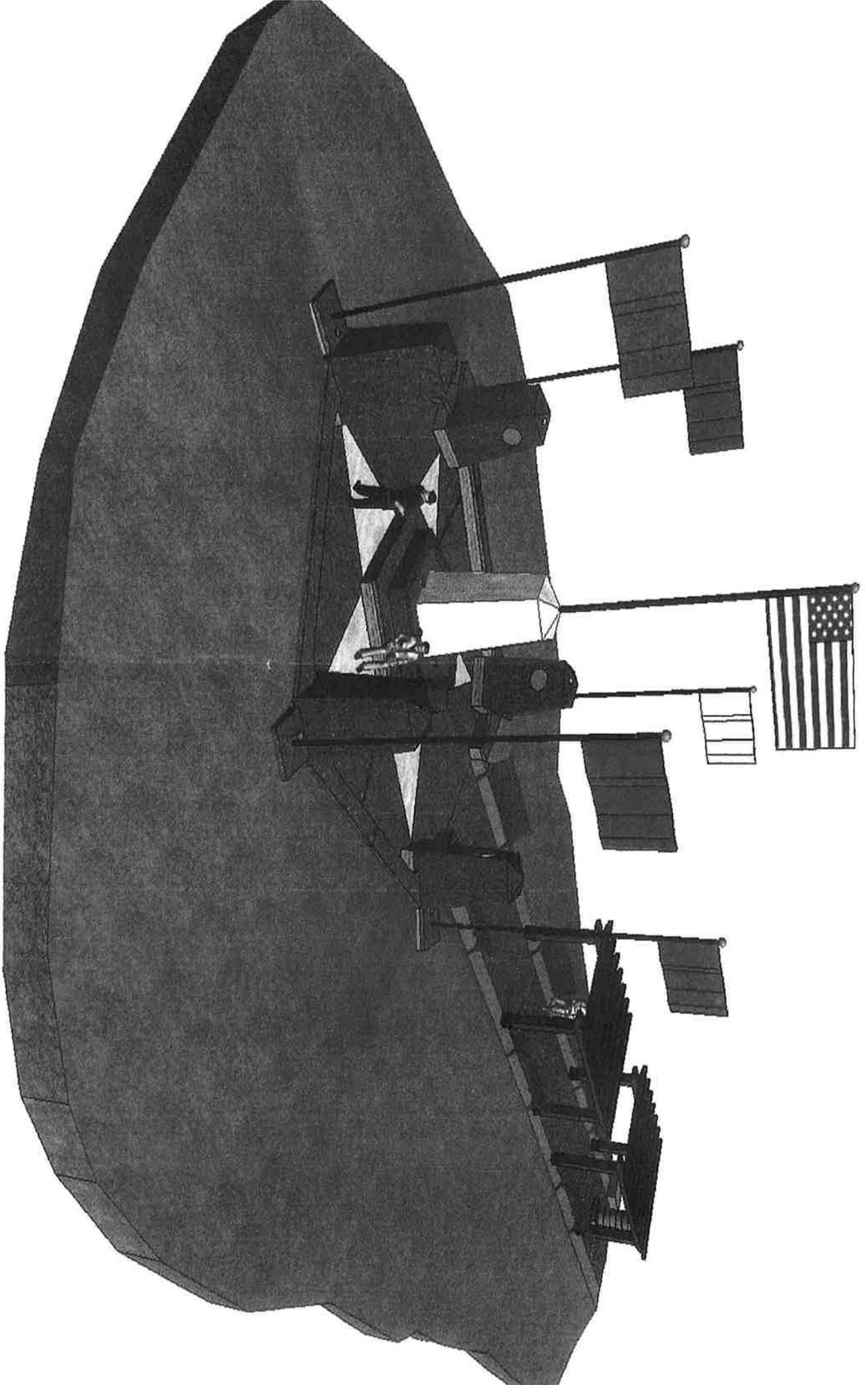
Mayor David R. Phillips

ATTEST:

RECORDER

Date of First Publishing: _____

TAB B



TAB C

**HEBER CITY
CORPORATION
STAFF REPORT**

Type of Meeting: Work Session	Date: March 7, 2013
Submitted by: Chief Dave Booth	
Approved by: Chief Dave Booth	
Subject: Vehicle Use	

PURPOSE

This report will better define the take home vehicle policy of the Heber City Police Department.

RECOMMENDED

It is being recommended by the Chief of Police that any future Officer hired by the police department will be required to live in the Heber Valley. The Heber Valley boundaries will be defined by the Chief of Police. At this point in time I would define the Heber Valley as any municipality or unincorporated area within the Heber Valley, including Timber Lakes and Jordanelle.

In regards to the four (4) employees who currently reside outside of the Heber Valley I would propose the following:

- They are grandfathered into the current policy and would not be required to move into the Heber Valley.
- If they live 30 miles or more outside of the City limits they will be required to leave their police vehicle at the police department when off duty. This will affect two of our officers.
- If they live less than 30 miles from the City limits they will be permitted to take their police issued vehicle to their residence but will be charged \$50.00 per month vehicle use fee. This would be deducted from their pay check. This will affect two of our officers.

This action is necessary to mandate and create an environment for our sworn peace officer to reside within the Heber Valley. With a department the size of Heber City it is vitally important that I have resources that are close enough to respond rapidly to any given emergency or situation that may arise. I need investigators that are able to quickly respond to callout situations. I need supervisors that can rapidly deploy to any emergency and provide first line supervision, if not a command post.

This action is not unique to rural agencies, similar to our size. What is unique to our valley is the cost of living for our employees to reside here and maintain a comfortable life style.

For those officers who currently reside in the valley or who will reside in the valley, I would propose they be given the option to utilize their City owned vehicle for limited personal use.

I would like to see each sworn officer have a need for one personally owned vehicle, if they choose. With the option available to utilize the City owned vehicle for limited personal use, the employee could potentially decrease their debt ratio by eliminating a vehicle payment. Minus a vehicle payment, would save the employee \$250.00 to \$400.00 per month in debt payment. Without this debt the employee would be in a more advantageous position to purchase a home within our valley.

Some examples I would see for personal use would be as follows:

- ❖ If the employee's spouse was at work and a child needed to be taken to preschool.
- ❖ If the employees spouse was using the personally owned vehicle and the employee needed to take care of errands in the Heber Valley.

An example of when an employee would not use his vehicle would be as follows:

- ❖ If the employee's personal vehicle is available but they simply choose to take the City's vehicle.

The City's vehicle could only be utilized within the Heber Valley and only for limited use. I believe this is the first of many steps that need to be taken by the City to insure our employees have the ability to live within our valley.

This practice is not uncommon within our profession. A point could be made and should be noted that additional marked police vehicles on our streets and parked in our businesses parking lots increases the safety in our community. A bank will never be robbed with a police car parked in the parking lot. Drivers slow down when they see a marked police vehicle.

The responsibility of monitoring and educating the officers on the proper use of the City owned vehicle would rest with the Chief of Police.

FISCAL IMPACT

I estimate that between gas saved and the vehicle use fee, the City will save approximately \$8,400 annually.

To allow employees limited use will cost the City approximately \$6,000 annually.

This would allow a \$2,400 per year savings to the current budget.

LEGAL IMPACT

None

Vehicle Use

706.1 PURPOSE AND SCOPE

The Department utilizes City-owned motor vehicles in a variety of applications operated by Department personnel. In order to maintain a system of accountability and ensure City-owned vehicles are used appropriately, regulations relating to the use of these vehicles have been established. The term City-owned as used in this section also refers to any vehicle leased or rented by the City.

706.2 USE OF VEHICLES

706.2.1 SHIFT ASSIGNED VEHICLES

The officer shall notify Dispatch of their on duty status.

Employees shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

706.2.2 UNSCHEDULED USE OF VEHICLES

Personnel utilizing a vehicle for any purpose other than their normally assigned duties shall first notify the Shift Sergeant of the reasons for use and a notation will be made on the shift roster indicating the operator's name and vehicle number. This section does not apply to personnel permanently assigned an individual vehicle or to support staff assigned transportation duties or to maintenance personnel.

Assigned duties include but are not limited to:

- (a) Demonstrations or public education
- (b) Maintenance of the vehicle
- (c) Attending school/training/fitness
- (d) Instances where the employee is on call and will need the vehicle to respond.
- (e) Travelling to make approved uniform or equipment purchases.
- (f) Approved extra duty assignments or mutual aid.

Employees assigned a vehicle are permitted to use their vehicles in an off duty capacity for personal use on a limited basis.

706.2.3 UNDERCOVER VEHICLES

Unmarked units, if not assigned to an individual employee, shall not be used without first obtaining approval from the respective unit supervisor.

706.2.4 DETECTIVE BUREAU VEHICLES

Investigation Section vehicle use is restricted to detective personnel unless authorized by a supervisor.

Heber City Police Department

Policy Manual

Vehicle Use

706.2.5 AUTHORIZED PASSENGERS

Personnel operating Department-owned vehicles shall only allow authorized passengers in their vehicle. In limited circumstances including going to and from work this could include family or other visitors.

706.2.6 PARKING

City-owned vehicles should be parked in their assigned stalls. Employees shall not park privately owned vehicles in any stall assigned to a City-owned vehicle or in other areas of the parking lot not designated as a parking space unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

706.2.7 INSPECTIONS

The interior of any vehicle that has been used to transport any person other than an employee should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized items have not been left in the vehicle.

706.3 ASSIGNED VEHICLE AGREEMENT

The employee shall sign an agreement setting the standard for how the vehicle shall be used and where it shall be parked when the employee is not on-duty.

The agreement also requires the employee to be responsible for the vehicle's care and maintenance.

The assignment of vehicles is at the discretion of the Chief of Police. Assigned vehicles may be changed at any time and/or permission to take home a vehicle may be withdrawn at any time.

706.3.1 VEHICLES SUBJECT TO INSPECTION

All City-owned vehicles are subject to inspection and or search at any time by a supervisor and no employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

706.4 SECURITY AND TAKE HOME USE

Employees may take home City-owned vehicles only with prior approval shall meet the following criteria:

- (a) Any employee hired after January 1, 2013, must live within the boundaries established by the Chief of Police. Living within these established boundaries will be a condition of their employment with Heber City.
- (b) Employees hired prior to January 1, 2013 and already living outside the established boundary must live within 30 miles of the Heber City Limits in order to be allowed to have a city owned vehicle for personal or take home use. These employees using a car for take home use will be charged a monthly fee to be set by the city which will be deducted from their payroll.
- (c) Employees hired prior to January 1, 2013, and already living outside the established boundary and outside the 30 mile limit will not be allowed to have the vehicle for take home use.
- (d) Off-street parking shall be available at the employee's residence.
- (e) Vehicles shall be locked when not attended.

Heber City Police Department

Policy Manual

Vehicle Use

- (f) All firearms and kinetic impact weapons shall be in a locking rack if the vehicle is so equipped or removed from the interior of the vehicle where feasible, or concealed from plain view where not possible. When the vehicle is not attended for lengthy periods of time any weapons should be properly secured in the residence. (refer to § 312 regarding safe storage of firearms at home).
- (g) The in-car computer should be locked in a stand on vehicles so equipped, covered or removed and stored inside the officer's residence to avoid theft or damage.

When an employee is on vacation, leave, or out of the area in excess of one week, the vehicle shall be stored at the police facility.

706.4.1 KEYS

All uniformed field personnel approved to operate marked patrol vehicles shall be issued their own personal vehicle key as part of their initial equipment distribution upon hiring. Personnel assigned a permanent vehicle shall be issued keys for their respective vehicle. The loss of any assigned key shall be promptly reported in writing through the employee's chain of command.

Additional keys will be maintained by the department and may not be taken by the officer assigned to the vehicle without approval.

706.5 ENFORCEMENT ACTIONS

When driving an assigned vehicle to and from work outside of the jurisdiction of the Heber City Police Department, an officer shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

Officers driving marked vehicles shall be armed at all times.

Officers may render public assistance, e.g. to a stranded motorist, when deemed prudent.

706.6 MAINTENANCE

- (a) Each employee is responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicle.
 - 1. Employees may use the wash racks at the police facility or maintenance yards (trusties may be used to clean vehicles, when available).
- (b) Employees shall make daily inspections of their assigned vehicle for service/maintenance requirements and damage.
- (c) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to employees under their command to ensure the vehicles are being maintained in accordance with this policy.
- (d) Routine maintenance and oil changes shall be done in accordance with the shop schedule. The vehicles will normally be serviced at the City maintenance shop or a designated service provider.
 - 1. When leaving a vehicle at the maintenance shop, the employee will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dashboard.
 - 2. Vehicles requiring warranty service shall be taken to the nearest authorized dealer after receiving clearance from a supervisor.

Heber City Police Department

Policy Manual

Vehicle Use

706.6.1 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions or deletions of any equipment or accessories shall be made to the vehicle without written permission from the assigned Vehicle Program manager.

706.7 ACCIDENT DAMAGE, ABUSE AND MISUSE

When a City-owned or leased vehicle is involved in a traffic collision, the involved employee shall promptly notify a supervisor. A traffic collision report shall be filed with the agency having jurisdiction.

When a collision involves a department vehicle or when a member of this department is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death, an outside law enforcement agency should be summoned to handle the investigation.

The employee involved in the collision shall complete the City's vehicle accident form. If the employee is incapable, the supervisor shall complete the form.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the shift sergeant.

An administrative investigation will be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

TAB D

WATER APPENDIX H: CURRENT AND PROPOSED CULINARY AND SECONDARY WATERRATES - \$12.50 RES BASE FEE

Heber City Utility User Rate Analysis - November 2012

CURRENT	PROPOSED
Culinary Water All Users	
Minimum	Minimum
Maximum	Maximum
Price per 1Kgal	Price per 1Kgal
Table No.	Table No.
Base Fee	Base Fee
3/4"	3/4"
1"	1"
1.5"	1.5"
2"	2"
3"	3"
4"	4"
11	11
Culinary Water All County Users	
Minimum	Minimum
Maximum	Maximum
Price per 1Kgal	Price per 1Kgal
Table No.	Table No.
Base Fee	Base Fee
3/4"	3/4"
1"	1"
1.5"	1.5"
2"	2"
4"	4"
11	11
Culinary Water Residential - All Users	
Minimum	Minimum
Maximum	Maximum
Price per 1Kgal	Price per 1Kgal
Table No.	Table No.
Base Fee	Base Fee
3/4"	3/4"
1"	1"
11	11
Culinary Water Residential County	
Minimum	Minimum
Maximum	Maximum
Price per 1Kgal	Price per 1Kgal
Table No.	Table No.
Base Fee	Base Fee
3/4"	3/4"
1"	1"
11	11
Culinary Water Commercial/Industrial	
Minimum	Minimum
Maximum	Maximum
Price per 1Kgal	Price per 1Kgal
Table No.	Table No.
Base Fee	Base Fee
3/4"	3/4"
1"	1"
1.5"	1.5"
2"	2"
3"	3"
4"	4"
6"	6"
8"	8"
10"	10"
11	11
Culinary Water Commercial/Industrial County	
Minimum	Minimum
Maximum	Maximum
Price per 1Kgal	Price per 1Kgal
Table No.	Table No.
Base Fee	Base Fee
3/4"	3/4"
1"	1"
1.5"	1.5"
2"	2"
3"	3"
4"	4"
6"	6"
8"	8"
10"	10"
11	11
Current Secondary Water	
Minimum	Minimum
Maximum	Maximum
Price per 1Kgal	Price per 1Kgal
Table No.	Table No.
Base Fee	Base Fee
Less than 6,000 Sq. Ft.	Less than 6,000 Sq. Ft.
6,000-9,999 Sq. Ft.	6,000-9,999 Sq. Ft.
10,000-14,999 Sq. Ft.	10,000-14,999 Sq. Ft.
15,000-19,999	15,000-19,999
More than 20,000	More than 20,000
per 1K.Sf	per 1K.Sf
11	11
Proposed Secondary Water	
Minimum	Minimum
Maximum	Maximum
Price per 1Kgal	Price per 1Kgal
Table No.	Table No.
Base Fee	Base Fee
Less than 6,000 Sq. Ft.	Less than 6,000 Sq. Ft.
6,000-9,999 Sq. Ft.	6,000-9,999 Sq. Ft.
10,000-14,999 Sq. Ft.	10,000-14,999 Sq. Ft.
15,000-19,999	15,000-19,999
More than 20,000	More than 20,000
per 1K.Sf	per 1K.Sf
11	11

TAB E



Full Serve Vending Solution

The Coca-Cola Advantage!

The bundle of goods
and services...

...driving
value creation
one drink at a time!





Your Local Coca-Cola Bottler

Global Company, Local Knowledge

The Swire Group

Aviation, Shipping, Properties, Industries & Private Group



Country	Population Million
HONG KONG	8.0
TAIWAN	23.8
CHINA	383.0
UNITED STATES	3.7

National Recognition



2002 Winter Olympics

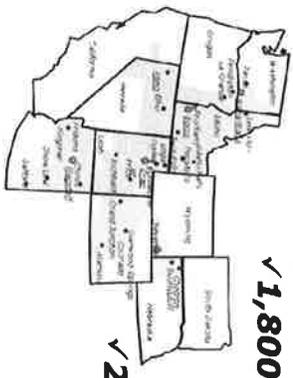
2006 Swire Synergy

2007 Bottler of the Year

2010 Bottler of the Year

Celebrating 125 Years

The 125th Anniversary



✓ **1,800 Local Employees**

✓ **27 Sales Centers**

✓ **11 States**



Consumers are Changing due to Shifting Demographics

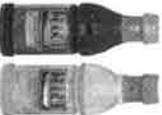
Consumers are Changing due to Shifting Demographics



Seeking Variety, Health, & Wellness



"Some people skate to the puck. I skate to where the puck is going to be."
- Wayne Gretzky





You Will Sell More When You Carry Preferred Brands

Market Share Difference!

2010 Share of Soft Drink Sales-Top 10 Brands

Coke Classic	17.0%
Diet Coke	9.9%
Dr Pepper	6.3%
Sprite	5.6%
Diet Dr Pepper	1.9%
Fanta	1.8%
Combined Coca-Cola Total	42.5%
Pepsi	9.5%
Mountain Dew	6.8%
Diet Pepsi	5.3%
Diet Mountain Dew	2.0%
	23.6%

Difference 18.9%!!!!

Source: Beverage Digest – 2011 Report



What does this difference in share mean?

28.6% potential increase in sales volume!

- ✓ Increased Customer Satisfaction
- ✓ Increased Sales Volume
- ✓ Increased Revenue
- ✓ Increased Profits!

Formula:
 18.9% divided into the total percent of 66.1% equates to 28.6% potential increase in profits



Brands on the Move!

Diet Coke - Coke Zero



THE WALL STREET JOURNAL.

Diet Coke outfizzes Pepsi as No. 2 US soda

MARCH 17, 2011

Top 10 SSD Brands in 2011

Brand	Million Cases	2010 Market Share	2010 Growth	Share Point Change
Coca-Cola Classic	1590.0	17.0	-0.5%	flat
Diet Coke	926.9	9.9	-1.0%	flat
Pepsi-Cola	891.5	9.5	-4.8%	-0.4
Mountain Dew	633.3	6.8	0.5%	0.1
Dr Pepper	592.0	6.3	2.8%	0.2
Diet Pepsi	496.2	5.3	-5.2%	-0.3
Sprite	525.5	5.6	2.0%	0.1
Diet Mountain Dew	187.5	2.0	5.8%	0.1
Diet Dr Pepper	174.5	1.9	5.6%	0.1
Fanta	170.5	1.8	1.0%	flat

Source: 2011 Beverage Digest

Coca-Cola Zero has delivered double digit growth for over four years by combining the **TASTE OF COCA-COLA** with zero calories.

Coke Zero is the 12th and most recent Coke brand to hit \$1 billion in global annual revenue*



*Source: Nielsen Scantrack AMC (Grocery, Drug, KT, CR, S) 12 m/e June 2010



Brands on the Move!

Fanta - POWERADE

2ND*
Largest Brand
Outside The US

10TH**
Largest Brand
In the USA



*Source: 2009 Case Sales, **Source: 2011 Beverage Digest Global Favorite Brand (12-18)**



X ION⁴
ADVANCED ELECTROLYTE SYSTEM
SODIUM
POTASSIUM
CALCIUM
MAGNESIUM





Sparkling Portfolio

You Will Sell More When You Carry Preferred Brands



Sugar Sparkling Portfolio

MARKET SHARE IMPACT

Out of five brands, all five are #1 in their respective category



Diet Sparkling Portfolio

MARKET SHARE IMPACT

Out of five brands, all five are #1 in their respective category



Source: 2010 Beverage World

Consumer Preferred Brands

Water Portfolio

You Will Sell More When You Carry Preferred Brands

evian.

- ✓ Born in the heart of the Northern Alps
- ✓ Filtered naturally, without chemicals
- ✓ Premium price and premium quality

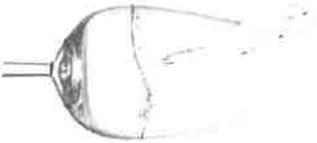
Smartwater is the #1 premium water



Smartwater is vapor distilled and targets the premium water consumer



Smart Water



30%



Looks and Feels Like Regular PET Bottles 100% Recyclable



PETE

Plant-Based PET

Made from sugarcane & molasses, by-products of sugarcane production





Enhanced Portfolio

You Will Sell More When You Carry Preferred Brands

#1 Enhanced Water in the U.S.



vitaminwater
GLACÉAU
try it



vitaminwater
Zero
naturally sweetened

Zero calories
100% natural truvia sweetener



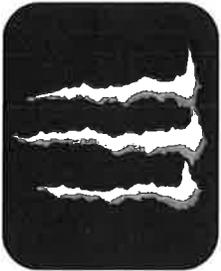
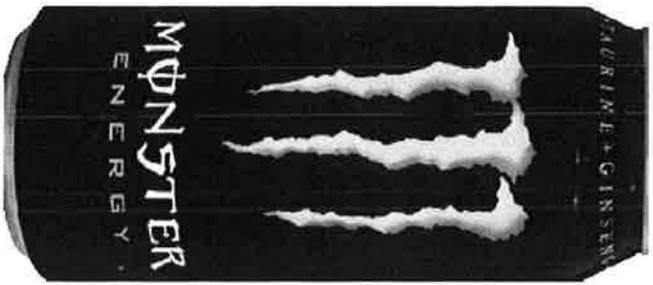
A Fresh New Approach to Enhanced Water
Inspired by nature, enhanced through science

Source: AC Nielsen YTD through April 2011

Consumer
Preferred
Brands

Energy Portfolio

You Will Sell More When You Carry Preferred Brands



Consumer Preferred Brands

POWERADE Portfolio

The Complete Sports Drink

You Will Sell More When You Carry Preferred Brands



ION4 Advanced Electrolyte System: Replaces the 4 critical electrolytes at the same ratio as they are typically lost in sweat, and delivers B-vitamins

		
Sodium	110mg	100mg
Potassium	30mg	24.2mg
Calcium	X	2.5mg
Magnesium	X	1.2mg
B Vitamins	X	10% rda



Equipment Technology

Beverage Technology Experts!

We Invest in Technology

- EMS 55 Energy Management System
- Exceeds tier II requirements

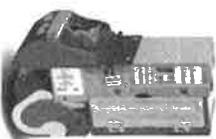
Vending Equipment

- Vending Partners: Dixie Narco, Vendo, MEI, Coinco, USA Technologies, True

Trained Certified Technicians

- All calls serviced within 24 hours
- Service Handhelds

"One Call - Does it All" 1-800-659-4395

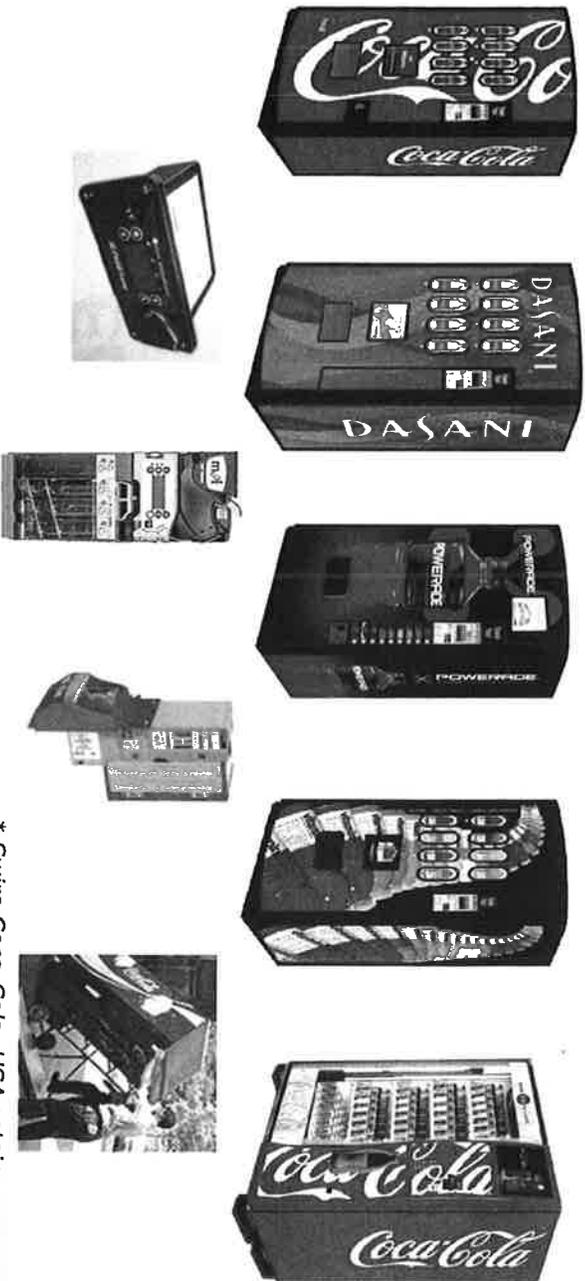




Equipment Support

State-of-the-Art Equipment

All Coca-Cola equipment provided and serviced free of charge*
(for the resale of Coca-Cola products purchased from Swire Coca-Cola, USA)



* Swire Coca-Cola, USA retains ownership

**Dynamic
Value
Creation**

The Coca-Cola Vending Advantage!

Brand Power-Dedicated Service

Brand Power

- Complete portfolio
- Consumer preferred brands

Equipment Leadership

- Industry-leading vending equipment
- In house remanufacturing center

Dedicated Customer Service

- Trained and certified technicians
- Handheld dispatched

Business Development

- Logistical, technical and operational expertise



CLEAN & FILLED & WORKING

Package Priority



Priorities

Equipment

- Vending Machine (s)
- 30-50 EMPLOYEES to 1 VENDOR ratio

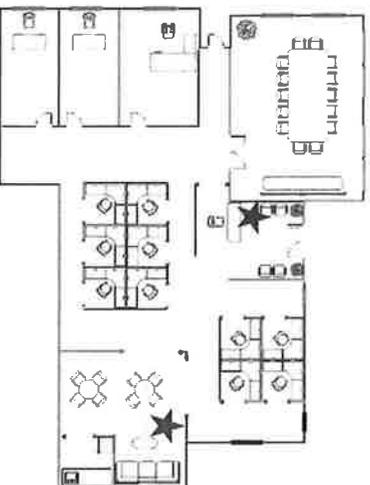
Brands

- Brands: Refer to Swire Merchandising Standards
- Package Priority: Refer to Channel / Package Priority Matrix

Merchandising

- Location: #1 in traffic pattern
- Appearance: Clean inside and out, Current Vend Strips, no clutter on or around vending machine
- Merchandising Message: Appropriate Vend Front and Merchandising Window Communication, Brand/Package/Period Emphasis- Vend Snipe when appropriate

Site Opportunity Map



CLEAN FILLED WORKING

Merchandising Tools



**Partnership
Promise**

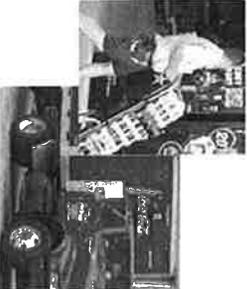
Partnership Promise

It All Starts With People!

The Swire Team Approach



**Business
Development
Representative**



**Delivery
and
Merchandising Team**



**Call
Center Sales
Representative**



PGI Services

As a 3rd party operator we depend on products, service, support from our suppliers, in my 24 years in Utah I have had an exceptional relationship with Swire Coca-Cola.

... I can honestly say that the experience I have had with Swire could not have been better, I would not hesitate to recommend Swire

*Mike Brown
Vice President
PGI Services*

**Dynamic
Value
Creation**

The Coca-Cola Advantage!

Activation and Sampling



- *Experiential & Interactive Brand Sampling*
- *Samplers, Tents, Banners, Beverages*
- *Brands: POWERADE ION4, vitaminwater, Smartwater, Fuze, Honest beverages, etc.*





The Coca-Cola Advantage!

Truck-Back Marketing





The Coca-Cola Advantage!

Neck-ringer Marketing

August 21-23
Participate in our best event ever!

STAMP OUT
Festival
Admission
with this neck ringer!

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GORGONZA
PARK

Save \$2.00*
on any regular priced
2 hour tubing ticket.

Bring this along with 1 tubing coupon to
Saddle River, NJ, and save \$2.00 off your
regular price. Good for 1 tubing ticket.
*Maximum discount of \$2.00 per ticket.
*Valid for 2 hours of tubing only.

ALL-OUT WEEKS ENTERTAINMENT

Idaho

Lodging & Massage
Hills, June 24

Vans Wrecked Tour!
August 1-3

90th Annual
Saddle River Stampede
September 1-3
September 19-20

Jack Johnson
Friday, August 12

Alison Krauss & Union Station
Saturday, August 13

Moby Garden
Friday, August 12

Kelvin Urban
Friday, September 8

ECVILING
Head out on the road to
enjoy the best of the
country with this neck ringer!
*Valid for 1 day of ECVILING only.

TCSE

SAVE \$10.00
Valid Dec 1 - Dec 19

Soilder
Lift

Look for this neck ringer to
save \$10.00 off your
regular price. Good for 1
day of lift tickets only. The
neck ringer must be
present at the time of
purchase. *Valid Dec 1 - Dec 19, 2009.

©2009
Kerr

Buy one adult lift ticket and
the rest of your immediate
family sits for FREE

Family
Season
Pass
Contest
the rules on page

Offer to receive your lift ticket
offer to receive your lift ticket
offer to receive your lift ticket

• Call to reserve your lift ticket
• Lift tickets are available for sale
• Valid only during the contest period
Opening Day through December 14, 2009
March 15 through April 12, 2010

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LIFT TICKETS

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SUNSET
COUNTRY
RESORT

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Join the Night Herd
Join the Night Herd
Join the Night Herd

www.parkcitysun.com



The Coca-Cola Advantage!

Partnerships





The Coca-Cola Advantage!

Other Marketing Assets





Vending Proposal



Vending Proposal

PRODUCT	Est. Annual Volume	Vend Price		Commission Rate
		Option 1	Option 2	
20 oz Carbonated Soft Drinks	200	\$1.25	\$1.50	30%
20 oz Powerade	75	\$1.25	\$1.50	30%
20 oz Dasani Water	100	\$1.25	\$1.50	30%
16 oz Energy	25	\$2.00	\$2.25	30%
Annual Commissions	400 cases	\$3,735.00	\$4,455.00	



Thank You

Tab F

Heber City Corporation
Airport Hangar Fund
28-Feb-13

Cash on Hand		\$330,000
Hangar Inventory:	Estimated Value	
(3) 75' X 75' Hangars	\$ 744,000	
(2) 40' X 45' Hangars	\$ 65,000	
Estimated Sales Price		<u>\$ 809,000</u>
Total Cash & Estimated Sales Price of Hangars		\$ 1,139,000
Loan from Capital Projects Fund		\$ (780,000)
Loan from Industrial Park Fund		<u>\$ (200,000)</u>
Total Loans		\$ (980,000)
Net Expected Cash After Sale of Hangars		<u><u>\$ 159,000</u></u>

Note - Current Hangar leases bring in \$3,800 per month.

REGULAR MEETING

**AGENDA
AND
STAFF MEMO**

HEBER CITY CORPORATION
75 North Main Street
Heber City, Utah
City Council Meeting

March 7, 2013
7:00 p.m.
Regular Meeting

TIME AND ORDER OF ITEMS ARE APPROXIMATE AND MAY BE CHANGED AS TIME PERMITS

Pledge of Allegiance: Council Member Jeffery Bradshaw
Prayer/Thought: Mayor David Phillips

Minutes for Approval: February 21, 2013 Work and Regular Meeting

OPEN PERIOD FOR PUBLIC COMMENT

APPOINTMENTS

(Tab 1) Recognition of City Employees
Wasatch Chevy's Car Club Presentation

ACTION ITEMS

(Tab 2) Approve Contango Capital Advisors, Inc. Investment Policy Statement Agreement
(Tab 3) Ordinance 2013-03, An Ordinance to Amend the Consolidated Fee Schedule - Adopting New Water and Sewer Rates

DISCUSSION/ACTION ITEMS

CLOSED SESSION AS NECESSARY – PURPOSE TO BE ANNOUNCED IN MOTION

Closed Session - Land Acquisition and Threatened or Pending Litigation

Ordinance 2006-05 allows Heber City Council Members to participate in meetings via telecommunications media.

In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Michelle Kellogg at the Heber City Offices (435) 654-0757 at least eight hours prior to the meeting.

Posted on February 28, 2013, in the Heber City Municipal Building located at 75 North Main, Wasatch County Building, Wasatch County Community Development Building, Wasatch County Library, on the Heber City Website at www.ci.heber.ut.us, and on the Utah Public Notice Website at <http://pnn.utah.gov>. Notice provided to the Wasatch Wave on February 28, 2013.

Memo

To: Mayor and City Council
From: Mark K. Anderson
Date: 02/28/2013
Re: City Council Agenda Items

REGULAR MEETING

Recognition of City Employees (Tab 1): Mayor Phillips is desirous to recognize Tony Kohler and Amanda Anderson. (See enclosed nominations)

Wasatch Chevy's Car Club Presentation: The Wasatch Chevy's Car Club is coming before the Council to express appreciation for the use of the City Park for their annual car show. Typically they present the City with a plaque and a check for \$500. The City has already reserved the park for June 21st and 22nd for the annual car show. The group is great to work with and provides a quality event for the community. Staff would wholeheartedly recommend approval.

Approve Contango Capital Advisors, Inc. Investment Policy Statement Agreement (Tab 2): As a follow up to the presentation made at the last City Council meeting, enclosed is a proposed agreement between Heber City and Contango Capital Advisors, Inc. (Zions Bank) The additional conditions staff is recommending are under Investment Restrictions which are found on the last page of the agreement. Staff would recommend that Council approve the agreement and authorize staff to invest up to \$5,000,000 of the City's funds under the conditions described in the agreement.

Ordinance 2013-03, An Ordinance to Amend the Consolidated Fee Schedule - Adopting New Water and Sewer Rates (Tab 3): To formalize the actions taken by the City Council at the last meeting, staff has prepared the enclosed Ordinance which amends the Consolidated Fee Schedule to reflect the new adopted rates for culinary water and sewer. Staff would recommend approval.

Closed Session: Staff would request the Council go into Closed Session to discuss threatened or pending litigation and land acquisition.

MINUTES

1 **Heber City Corporation**
2 **City Council Meeting**

3
4 **February 21, 2013**

5
6 **6:00 p.m.**

7
8 **WORK MEETING**

9
10 The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on February 21, 2013,
11 in the City Council Chambers at 75 North Main Street, Heber City, Utah.

12
13
14 **Present:** Mayor David R. Phillips
15 Council Members Robert Patterson
16 Alan McDonald
17 Benny Mergist (arrived at 6:09)
18 Jeffery Bradshaw
19 Erik Rowland

20
21 **Also Present:** City Manager Mark K. Anderson
22 City Recorder Michelle Kellogg
23 City Engineer Bart Mumford
24 Planning Director Anthony Kohler
25 Chief of Police David Booth

26
27 **Others Present:** Weslie Durtschi, Mark Rounds, Larry Newhall, Xela Thomas, Greg Aiken,
28 Scott Burnett, and others whose names were illegible.

29
30 Mayor Phillips opened the meeting and welcomed those in attendance.

31
32 **Discuss Powers of Duties, Mayor:** This item was discussed during the Regular City Council
33 Meeting.

34
35 **Greg Aiken, Zions Bank, Discuss Cash Management Services:** Greg Aiken and Scott Burnett
36 spoke to the Council on the investments Zions Bank provided to municipalities that could
37 enhance the yields from funds currently invested in the State Pool. Burnett explained that he
38 would open accounts for the City in an omnibus account, and invest those funds on behalf of the
39 City. Council Member McDonald asked if the invested funds would be accessible. Aiken
40 indicated he would work with Mark Anderson to determine what the needs of the City were so
41 the accounts would mature on a regular basis.

42
43 Anderson referred to the Zions Bank materials in the packet. There were samples of rates of
44 return so the Council could see what a reasonable expectation would be for the money invested.
45 Council Member Rowland asked how many municipalities Zions Bank served. Burnett replied
46 that \$275 million was managed for cities, school districts, counties, and other governmental
47 entities.
48

1 Council Member Rowland asked what concerns cities had regarding investing with Zions Bank.
2 Aiken responded that they needed the money on a short term basis and didn't have sufficient
3 surplus funds to invest for a certain time period. Aiken and Burnett agreed that money that could
4 be invested for a year would do well invested at Zions Bank.

5
6 Council Member Mergist arrived at 6:09 p.m.

7
8 Council Member Rowland asked if the money could be withdrawn in an emergency. Aiken
9 indicated the money could be at the City within 72 hours of the request. Anderson added that
10 Zions Bank hadn't had any investments default, whereas the State Pool had a few defaults in
11 2008.

12
13 Burnett stated they managed investments not only for municipalities in Utah, but also in Idaho,
14 Arizona, and California. He felt the minimum investment should be \$5 million in order to
15 maximize the return on investment. After transferring the money to Zions Bank, the investment
16 team would take up to eight weeks to invest \$2 million because they needed to find the right
17 investments. There would also be full transparency with online access to view the funds.

18
19 Council Member Bradshaw felt the City had funds that were not earning much money as they
20 were currently invested. He approved of investing with Zions Bank. Council Member Rowland
21 also agreed based on Anderson's recommendation. Council Member McDonald wanted to see
22 where the money would be invested. Anderson stated he wanted the Council to feel comfortable
23 with investing this money. He offered to draft a resolution that would include the duration of the
24 investments, the amount that could be invested, and the bond rating. Aiken affirmed that Zions
25 Bank was required to comply with the Utah Money Management Act, but if the City had
26 additional requirements, that would be fine too. The Council agreed to start investing with \$5
27 million. This item was moved to the next regular meeting.

28
29 **Chief Booth, Discuss Investigations with Wasatch County Sheriff's Office:** Chief Booth
30 indicated he was excited for this new program. He proposed that the City and County would
31 combine their detective units, and Detective Thacker would work from the County building. This
32 combination of resources would allow for greater jurisdiction because the detectives would be
33 able to cover the whole County. One detective could focus on property crimes while the other
34 could work on person crimes. Chief Booth thought that when the new Police Building was
35 constructed, the investigations unit could be moved to the City. He noted that budget monies
36 would not necessarily be saved, but the money spent would be maximized in training and
37 specialization. Chief Booth stated this combination would have many benefits, and he asked for
38 support from the Council.

39
40 Council Member Mergist asked how discipline issues would be handled if Detective Thacker
41 was supervised by the County. Chief Booth stated a grievance would be filed with him and he
42 would investigate the situation. Council Member Mergist asked what would happen in the case
43 that City personnel conducted an investigation in the County and mishandled the investigation.
44 Chief Booth indicated a memorandum of understanding between the City and County would be
45 written before this combination took place.

46
47 Mayor Phillips asked if the City would get a fair return for its money through the detectives'
48 workload. Chief Booth stated he and Sheriff Bonner would monitor the cases to make sure the
49 City received a fair return on its investment with regard to cases investigated within the City.

1 Council Member Mergist asked about the current case loads in the City and County. Chief Booth
2 indicated about 50% of the cases were in the City and 50% were in the County.

3
4 Chief Booth asserted that the memorandum of understanding would be all-encompassing and
5 was currently being reviewed by the City Attorney. Council Member Mergist asked if combining
6 investigations was unique. Chief Booth said no because the BACKNET unit was also a
7 collaborative effort with the County. Council Member McDonald asked if the City would need to
8 share the cost of equipment as well. Chief Booth commented that he could envision requesting
9 one piece of equipment and the County requesting another piece of equipment and sharing, so
10 that duplication would not be necessary.

11
12 Council Member Patterson was concerned about losing control of the City employee. Chief
13 Booth assured the Council that if that employee was needed elsewhere, he would have the
14 authority to pull the City employee back to assist the City. The Council supported the concept
15 and staff agreed to bring back a memorandum of understanding for Council approval.

16
17 **Bart Mumford, Discuss Main Street Park Equipment and Fall Zone Replacement:**

18 Mumford reviewed that the budget for a new playground at Main Street Park was \$120,000,
19 which included the fall zone. With regard to the fall zone, Mumford preferred the artificial turf
20 that was used in the Mill Road Estates Park. He indicated the play equipment cost came in
21 \$20,000 more than was budgeted. There were several options in the packet for the Council to
22 review. Mumford thought the swing set and tall slide should be removed from the park. Council
23 Member Mergist was in favor of keeping the swings. Mumford asked for direction from the
24 Council on if they wanted to stay with the current budget or increase it to accommodate the
25 increase in equipment cost.

26
27 Mark Rounds stated that the moving parts wear out on the swings, and there were many that felt
28 the space needed for swings was great. All the Council members were in favor of keeping the
29 swings. Mumford stated he asked his experts (his children) and they liked swings, slides and
30 spinning things. Council Member McDonald asked what the greatest liability was on the
31 playground. Rounds replied that swings were the greatest liability. The Council agreed to
32 increase the playground budget by \$20,000.

33
34 Mayor Phillips asked if there were sufficient picnic tables at the park for the population. Rounds
35 indicated four new tables were purchased last summer. Mumford added that the parks crew
36 would be dismantling the old equipment in order to save money on this project.

37
38 **Report on Board Assignments by Council Members:** No reports were given.

39
40 With no further business, the meeting was adjourned.

41
42
43
44
45

Michelle Kellogg, City Recorder

1 **Heber City Corporation**
2 **City Council Meeting**

3
4 **February 21, 2013**

5
6 **7:00 p.m.**

7
8 **REGULAR MEETING**

9
10 The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on February 21,
11 2013, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

12
13
14 **Present:** Mayor David R. Phillips
15 Council Members Robert Patterson
16 Alan McDonald
17 Benny Mergist
18 Jeffery Bradshaw
19 Erik Rowland

20
21 **Also Present:** City Manager Mark K. Anderson
22 City Recorder Michelle Kellogg
23 City Engineer Bart Mumford
24 Planning Director Anthony Kohler
25 Chief of Police David Booth

26
27 **Others Present:** Weslie Durtschi, Larry Newhall, Xela Thomas, John Cowley, Wilma Cowley,
28 Brent Kelly, Mary Kelly, John N. Giles, Rachel Kahler, Steve Farrell, Scott Maxfield, Jay
29 Bingham, Devin McKrola, Joe Dunbeck, and others whose names were illegible.

30
31 Mayor Phillips opened the meeting and welcomed those in attendance, including a group of Boy
32 Scouts.

33
34 **Pledge of Allegiance:** Council Member Erik Rowland

35 **Prayer:** Council Member Jeffery Bradshaw

36
37 **Minutes:** January 17, 2013 Work and Regular Meeting
38 February 7, 2013 Work and Regular Meeting

39
40 Council Member Rowland moved to approve the above listed minutes. Council Member
41 Patterson seconded the motion. Voting Aye: Council Members Patterson, McDonald, Mergist,
42 Bradshaw, and Rowland.

43
44 ***OPEN PERIOD FOR PUBLIC COMMENT***

45
46 Mayor Phillips invited those who wished to speak to the Council to come forward. No comments
47 were given.

PUBLIC HEARINGS

Public Hearing – Matt Millis, Zions Bank Public Finance, Presentation and Recommendations for Proposed Changes to the Culinary Water, Secondary Water and Sewer Utility Rates:

Mayor Phillips stated the City Council had been working on this issue for several months. He turned the time over to Matt Millis, who gave a power point presentation. Millis confirmed that this had been a long process and these proposed rates were tailored to meet the City's needs. In his presentation, he stated preventative maintenance would be less expensive than fixing the infrastructure after broken pipes caused flooding and expenses arose from other deterioration. Just as every day purchases become more costly due to inflation, utilities, wages and infrastructure have also become more costly due to inflation. Therefore, it becomes necessary to increase user rates from time to time. Millis stated that the City staff did an excellent job in identifying the City's needs for regular maintenance and replacement. He wanted to make sure the City had 275 days of rainy day funds in cash in order to keep bond rates stable. He noted the focus of his study was on funding capital projects.

Millis explained the new culinary rate structure, which included a base fee for zero gallons used, and an increase in fees as usage reached above normal levels. The average water rate increase would be \$3.56 per month. Secondary rates would increase from \$1-\$3 per month. Sewer rates would increase by approximately \$.65 per month. Millis recommended that the rates be adjusted for inflation and City needs for the next several years since there were so many capital improvement projects scheduled for the near future.

Mayor Phillips opened the public hearing to members of the audience who wished to make comments.

Larry Newhall, current president of Muirfield Subdivision HOA, indicated the HOA would increase its bill to the subdivision homeowners to account for the increased rate in secondary irrigation. He asked if the rate would increase yearly. Council Member Bradshaw replied that the water fund had lost money for many years, and would not be able to recoup that loss with a rate increase in one year. The City decided to make incremental rate increases every year instead of one big increase. Newhall recalled that in 2008 there was a requirement for homes with access to secondary irrigation to convert to that system, and the homeowners would be charged whether they connected or not. Mayor Phillips commended Newhall for his dedication and good representation of Muirfield Subdivision. Millis indicated that there was significantly fewer capital costs with secondary water and this proposed rate would be good for many years.

John Cowley felt he was taxed all the time. He didn't make enough money, and other seniors like him, to cover all the taxes. He thought the future was unknown and funds should be allocated on a year-by-year basis. Anderson responded that the funds gained from the increase would only go towards water projects.

Council Member Mergist was not in favor of bundling the three rate increases in one vote and wanted to vote on each separately. He didn't agree with how the City charged for secondary irrigation. He understood there was a need for upkeep and maintenance, and he saw the need for an increase in water and sewer as well as the need for a rainy day fund. He indicated he would vote for the rate increase tonight even though he disagreed with a portion of it.

1 Council Member Rowland moved to approve the proposed culinary and sewer rate increases and
2 put on hold the secondary rate increase in order to give it further study. Council Member
3 Bradshaw seconded the motion. Anderson asked when the rates would become effective. Council
4 Member Rowland amended his motion to include the effective date to be the end of March, 2013
5 billing for water, and the end of April, 2013 billing for sewer. Council Member Bradshaw
6 amended his second on the motion.

7
8 Voting Aye: Council Members Mergist, Bradshaw, and Rowland. Voting Nay: Council Members
9 Patterson and McDonald.

10
11 **Public Hearing – To Discuss the Sale of Approximately 1.90 Acres of Public Property**
12 **Located at Approximately 300 West 1000 South, Heber, Utah, to Bingham Investment**
13 **Trust. The Property is Located in the Heber City Manufacturing and Business Park:**

14 Anderson indicated there were two parcels at 300 West and 1000 South that totaled 1.9 acres.
15 The City received an offer for the land from Mrs. Calls Candy, a local company. The City
16 Council gave the buyers some conditions on the sale of the land which included: a water share
17 would be given with the land but usage could not exceed the one water share, or the company
18 would have to provide the City with an additional water share, recapture provisions would apply
19 if the property was sold within three years of the purchase, or if the building was not built within
20 one year, the City was not willing to provide title insurance or a survey, but those could be done
21 at Maxfield's expense, the City would allow time for due diligence if Maxfield needed it, and a
22 building of at least 15,000 square feet would need to be built on that property.

23
24 Mayor Phillips opened the public hearing to the audience. No comments were given. Mayor
25 Phillips closed the public hearing.

26
27 **Approval of the Purchase Agreement between Heber City and Bingham Investment:**

28 Council Member McDonald moved to approve the Purchase Agreement between Heber City and
29 Bingham Investment with the conditions as outlined in the public hearing. Council Member
30 Patterson made the second.

31
32 Voting Aye: Council Members Patterson, McDonald, Mergist, Bradshaw, and Rowland.

33
34 ***APPOINTMENTS***

35
36 **Rachel Kahler, Wasatch County Board of Tourism and Economic Development – Cowboy**
37 **Poetry Request for Funding:** Council Member Rowland disclosed a conflict of interest with
38 this item, in that he built a website for Cowboy Poetry for a fee. Anderson stated Council
39 Member Rowland disclosed that conflict to Mayor Phillips 24 hours in advance of the City
40 Council meeting per the requirement of the Conflict of Interest for Public Officials Policy.

41
42 Rachel Kahler stated the Wasatch County Board of Tourism and Economic Development took
43 on the task of promoting Cowboy Poetry as well as other events in the valley. She noted the new
44 board members and asserted that they all worked very hard to put this event together each year.
45 She gave a power point presentation to show the accountability of the funds received for
46 Cowboy Poetry. She indicated that the Board wanted to continue to expand the corporate
47 sponsors, but she stressed that this was a non-profit organization and that made a big difference
48 in revenue. It was a long process getting grants from big corporations. In the past, Cowboy
49 Poetry was a small gathering, but in 2007, those in charge wanted to attract bigger entertainers.

1 This raised the bar for these gatherings across the country. She requested a \$5,000 donation from
2 the City per year for the next three years.

3
4 Council Member Bradshaw stated the City had been financially supportive of Cowboy Poetry
5 throughout the years. The City used to donate directly to Cowboy Poetry and then the Wasatch
6 County Board of Tourism and Economic Development requested the money be donated to it
7 instead. He asked why Cowboy Poetry was requesting direct support in addition to what the City
8 already gave the Board on an annual basis. He also wondered why the City couldn't just increase
9 its donation amount to the Board.

10
11 Council Member Rowland was reluctant to give to these events using taxpayer money, but he
12 was impressed with the accountability that Cowboy Poetry has shown. He supported this request.
13 Council Member Mergist stated he was surprised at how many people came to Heber from out of
14 town to see Cowboy Poetry. As a member of the Cowboy Poetry Board, he could see the
15 progress, and felt that in a short amount of time the event would make a profit.

16
17 Council Member Mergist moved to approve the grant request of \$5,000 for the next three years.
18 Council Member Rowland made the second.

19
20 Council Member McDonald suggested increasing the Board payment instead of giving a separate
21 donation to Cowboy Poetry. Council Member Rowland was concerned that this grant might go
22 away in a few years, so he was hesitant to combine the money.

23
24 Voting Aye: Council Members Patterson, McDonald, Mergist, Bradshaw, and Rowland.

25
26 Council Member McDonald asked if this was the last year the City was obligated to give a
27 donation to the High School Rodeo. Council Member Mergist thought the City was committed
28 through 2014.

29 30 *ACTION ITEMS*

31
32 **Approve FAA Grant Application for Runway and Apron Rehab:** Council Member
33 McDonald moved to approve the FAA Grant Application for Runway and Apron Rehab. Council
34 Member Patterson seconded the motion.

35
36 Voting Aye: Council Members Patterson, McDonald, Mergist, Bradshaw, and Rowland.

37
38 Anderson noted that this grant was just for engineering services and not for improvements to the
39 airport.

40
41 **Resolution 2013-02, a Resolution Amending the Heber City Personnel Policy, Section 13.29,**
42 **Instant Award Policy:** Mayor Phillips asked if he could hand a check to the employee being
43 recognized and then payroll could implement the taxes through payroll deductions. He asked
44 Kellogg to let the Council know how difficult that process would be after the new accounting
45 software was up and running.

46
47 Council Member Mergist moved to approve Resolution 2013-02, a Resolution amending the
48 Heber City Personnel Policy, Section 13.29, Instant Award Policy. Council Member Patterson
49 seconded the motion.

1 Voting Aye: Council Members Patterson, McDonald, Mergist, Bradshaw, and Rowland.

2
3 **Declare Items Surplus:** Anderson commented that in addition to the items listed and those listed
4 in the staff memo, Mark Rounds also had a computer that needed to be declared surplus. The
5 plan was to have a sale at the Police Department.

6
7 Council Member Mergist moved to declare the items noted as surplus. Council Member
8 Patterson made the second.

9
10 Voting Aye: Council Members Patterson, McDonald, Mergist, Bradshaw, and Rowland.

11 *DISCUSSION/ACTION ITEMS*

12 **Review Recommendation from the Airport Advisory Board to Engage a Consultant to**

13
14 **Review Hangar Lease Rates:** Anderson stated the scope of work for a consultant included the
15 conditions where the City would grant extensions to reversionary and non-reversionary leases,
16 recommendations of lease rates, and the development of a rates and charges document. Council
17 Member Mergist asked what the cost would be for this study. Anderson stated the cost would be
18 \$4,000-\$8,000 depending on if there was a meeting with the hangar owners. Anderson thought it
19 would take 45 days to select a consultant and then the study should be finished within another 60
20 days. Anderson stated there were four hangars left to sell at the airport. The Airport Advisory
21 Board was not anxious to go to a non-reversionary lease since the other leases were currently
22 reversionary. Council Member Rowland said the reason the Board felt a consultant was
23 necessary was because there have been two requests for lease extensions. The consultant could
24 help create a policy for when requests were made.

25
26
27 Anderson thought requests should not be considered unless there was a considerable
28 improvement and investment in the hangar. Extensions should not be given either because it
29 would delay when the City would be able to take it over. He stated protecting the City's interest
30 was becoming increasingly difficult. He hoped the City would adhere to the advice given by the
31 consultant. It was decided to proceed with obtaining a consultant.

32
33 Anderson noted the consultant would be paid with money from the Hangar Enterprise Fund. He
34 announced that a hangar was sold last week for \$248,000. He also asked the Council if they
35 would like the other funds that were loaned to build the hangars paid back.

36
37 Council Member Rowland stated with upcoming projects, it was important to use matching funds
38 in order to minimize the expense of the projects.

39
40 Mayor Phillips asked if the Council wanted to return to the Work Meeting Agenda to discuss the
41 Powers and Duties, Mayor item. Council Members Bradshaw and Patterson didn't want to
42 discuss the Mayor Powers and Duties item on the Work Meeting Agenda. Council Member
43 Rowland stated he would prefer to just adopt the State Code version of this item. Council
44 Member McDonald thought there were parts of the State Code that the City had already
45 modified. Anderson stated in the City Code, the Mayor had all duties prescribed by law. Mayor
46 Phillips felt a bridge could be put in the City Code that would point to the State Code except for
47 the modifications as set forth. Council Member Rowland felt the City Code should say that the
48 City adheres to the State Code with the following exceptions, which should not take much
49 verbiage to state.

1 There was discussion on simplifying the City Code. Anderson did not think the City was out of
2 compliance with the State Code. Council Member McDonald felt things should flow between the
3 State Code and City Code. Council Member Rowland favored Smedley putting together what
4 was needed. Anderson thought the Mayor section of the Code could clarify that the duties given
5 to the Mayor had been delegated to the City Manager. The Council agreed that Smedley and
6 Anderson would write a new version of the Powers and Duties, Mayor, section of the Code.

7
8 Mayor Phillips asked if the Council wanted to go to dinner one night during the League of Cities
9 and Towns conference. The Council was in favor of this proposal.

10
11 With no further business, the meeting was adjourned.
12
13
14
15

16

Michelle Kellogg, City Recorder
17

APPOINTMENTS

TAB 1

Memo

To: Mayor Phillips
From: Mark K. Anderson
CC:
Date: 2/28/2013
Re: Mayor's Instant Award

I would like to recommend Tony Kohler for the Mayor's Instant Award. Tony has proven himself to be a very valuable, versatile, competent and willing employee. During the past several months Tony has taken on the following special assignments outside of his normal scope of responsibilities as the City's Planning Director and performed them well. Examples of projects that Tony has undertaken that have improved City operations or enhanced resources are as follows:

- Oversight of City IT Services
- Implementation of new VOIP phone system which connects all departments – Part of this project required Tony and other City employees to crawl around the bowels of City buildings to install new wiring
- Obtained a \$5,000 grant from the National Trust for Historic Preservation for the Social Hall roof repair and prepared the RFP to select the architect/engineer for this project
- Obtained a \$36,000 UDOT Safe Sidewalk Grant to replace one block of damaged sidewalk between 500 and 600 South Main
- Coordinated the redesign of the City's website and his department does a great job of keeping the website current and relevant
- Identified replacement chairs for the City conference room and located new cubicles for the Justice Court Clerks that are similar to other furnishings in the building

Although there are many outstanding employees in the City, Tony has been at the heart of special projects that have helped the City progress technologically as we try to do more with less. Tony seems to enjoy new challenges and has shown a willingness to help his fellow employees with their technology needs.

Memo

To: Mayor Phillips
From: Michelle Kellogg
Date: 02/27/2013
Re: Employee Recognition

Mandy Anderson is an energetic and enthusiastic City employee. She is always willing to fill in for others who are out sick or on vacation, and she adjusts her schedule accordingly to accommodate the needs of the City Offices. When the Public Works secretary suddenly moved out of state, Mandy filled in for two months at the Public Works building, in addition to fulfilling her job duties as Deputy Recorder. For the 2012 City Christmas Party, Mandy donated her time and materials to make invitations that were sent to the employees. She goes the extra mile in making homemade birthday cards for the employees as well.

For the past three weekends, Mandy has worked to update the countertops in the Treasurer's Office, the Engineering Office, and the two bathrooms on the main floor of the building, by painting them and adding a layer of polyurethane. These updates have greatly enhanced the beauty of the building. We appreciate Mandy for giving up her weekends to accomplish this task, and also for her optimistic attitude and diligence in making the City a better place to work.

ACTION ITEMS

TAB 2

Contango Capital Advisors, Inc.

Investment Policy Statement

ACCOUNT NAME: HEBER CITY
ACCOUNT NUMBER:
ACCOUNT TYPE: AGENCY
DATE: 02/28/2013

Summary

The purpose of this Investment Policy Statement (IPS) is to foster a clear understanding of how the Heber City account will be invested.

An effective IPS is a dynamic document that changes as the municipality's situation and/or goals require. The IPS establishes the investment objective and defines the policies and guidelines necessary to implement the investment strategy that Contango Capital Advisors, Inc. expects will achieve that objective.

Investment Objectives

The investment objective of this account is to provide preservation of principal, maintain liquidity necessary for disbursements, and to maximize total return.

Liquidity

To meet liquidity needs, Contango Capital Advisors, Inc. will make reasonable efforts to maintain a money market sweep or cash equivalent (not to exceed 90 days) amount of approximately \$50,000.

The money market fund utilized will provide income that is Taxable.

Acceptable Investments and Investment Allocation

The investment objective of this account can be best met by a capital preservation strategy. Over time, individual assets outperform or underperform other assets, which will affect the overall asset allocation. Replacements of investment vehicles can also have an effect. Small cash balances may accumulate before the portfolio is rebalanced and is again fully invested. Client additions and withdrawals of cash can also cause the allocation to be above or below prescribed limits. The long-term target asset allocation ranges for this account are:

Allocation Parameters

Fixed Income	10%	to	100%
Cash	0%	to	10%

The account may be invested in the following asset types:



US Government and Government-sponsored Securities

- ❖ Direct Obligations of the US government
- ❖ Government Sponsored Agency securities as follows:
 - Government National Mortgage Association (GNMA)
 - Federal National Mortgage Association (FNMA)
 - Student Loan Marketing Association (SLMA)

	<ul style="list-style-type: none"> ➤ Federal Home Loan Bank (FHLB) ➤ Federal Home Loan Mortgage Corporation (FHLMC) ➤ Federal Farm Credit Bank (FFCB)
<input checked="" type="checkbox"/>	<p>Corporate Debt Securities Limited to: Taxable or Tax-exempt</p> <ul style="list-style-type: none"> ❖ Commercial Paper ❖ Bank Certificates of Deposit ❖ Notes and Bonds ❖ Bank Time Deposits ❖ Eurobonds ❖ Bankers Acceptances ❖
<input checked="" type="checkbox"/>	<p>Municipal Securities Limited to: Taxable or Tax-exempt</p> <ul style="list-style-type: none"> ❖ Notes and Bonds
<input checked="" type="checkbox"/>	<p>Money Market Funds/Mutual Funds Limited to: Investment is restricted to any such funds that invest in securities deemed acceptable for outright purchase.</p>

Duration

The Duration for this portfolio will be between 0 and 3 years.

Duration is used as an indicator of a bond's price volatility resulting from changes in interest rates. The greater the duration of a security, the greater its price volatility. Further defined, duration is the number of years required to receive the present value of future payments, both of interest and principal, of a bond.

Maximum Final Maturity

The maximum final maturity of individual securities purchased will not exceed 5 years.

Safety of Principal: Ratings & Credit Risk

The minimum credit rating at time of purchase will be A3/A-/A- by one of the following rating agencies: Moody's, Fitch or Standard & Poor's. The minimum credit rating for commercial paper will be A1/P1. The minimum average rating for the entire portfolio will be A3/A-/A-.

State Specific Requirements (If necessary per investment objective)

The state of residence for the beneficiary/owner(s) of the account is Utah. The portfolio holdings will concentrate on issues that will generate Federal and State tax-free income. If applicable, the portfolio can purchase bonds with reciprocal agreements. Unless otherwise notified, the general practice will be to avoid municipal debt issues subject to Alternative Minimum Tax (AMT).

Asset Allocation Descriptions

Cash and Equivalents

"Cash equivalent" is the term used for an individual short-term, highly liquid investment that can be converted to cash within one day in most market situations. A money market fund invests in "money market instruments", which by regulation have a maturity of less than one year. A money market fund offers daily liquidity even though the underlying portfolio will have a longer average maturity.

Potential risks: In extreme market environments, a money market fund might not be able to immediately meet all redemption requests. Because of their short maturity profile, cash-equivalent and money market investments are unlikely to change significantly in value if interest rates rise or fall. However, the cash flow received from these investments can vary significantly in response to changes in interest rates and/or general market and economic conditions. The credit quality of cash-equivalent or money market investments is generally high, but varies from instrument to instrument and fund to fund. In general, yields are higher when credit quality is lower or maturities are longer.

Fixed Income

Fixed-income securities – sometimes called bonds or debt securities – typically offer returns in the form of variable or fixed periodic cash flows; the principal is returned when the instrument matures. The major categories of fixed-income investments include domestic and foreign government bonds, US government agency bonds, mortgage- and asset-backed bonds, investment-grade and high-yield corporate bonds, and other classes of foreign and domestic bonds. You can invest in fixed-income securities directly or through pooled vehicles such as actively managed mutual funds, exchange traded funds, or passive index-based funds.

Potential risks: The value of these securities will usually be affected by changes in interest rates. Fixed-rate bonds with longer maturities/durations will usually be more affected by changes in interest rates than ones with shorter maturities/durations. In addition to interest-rate sensitivity, most bonds also have price sensitivity to credit quality – the market value of an issuer's debt will be affected by real or perceived changes in the ability of the issuer to make interest and or principal payments. Finally, many investors rely on rating agencies to assess the credit quality of fixed-income securities. If ratings move up or down, market prices are likely to respond.

Portfolio Risk Summary

In this fixed-income strategy, portfolio managers from Contango Capital Advisors, Inc. or from our approved third-party separate account managers seek to deliver current income and, over time, capital preservation by investing in a portfolio of bonds targeting specific goals.

This strategy carries the risk that a bond in the portfolio will default or cease to make timely payments of interest and/or principal or that its perceived creditworthiness will decline, causing a fall in its market price (credit risk), and the risk that interest rates will rise, rendering the bonds within the portfolio less valuable relative to their purchase prices (duration or interest-rate risk).

Secondary risks can include trading or execution-related risks (such as illiquidity or wide bid/ask spreads within the bond market when buying or selling), bond-structure characteristics (such as bond calls and puts, which can lead to early retirement of an issue, or, alternatively, the risk that it might be extended). With certain types of bonds – for example mortgage securities – another risk is convexity, the possibility that the expected life of a security may change in response to changes in interest rates. For example, when interest rates rise, fewer people typically refinance mortgages; this may extend the life of lower-yielding mortgage securities in a pool of investments.

Guiding Principles

Contango Capital Advisors, Inc. will review the target asset allocation ranges at least once a year to confirm or adjust the targets. Market value fluctuations and/or large cash inflows or outflows may necessitate rebalancing the portfolio regardless of whether target asset allocation ranges have been modified.

Monitoring Objectives and Results

This investment policy statement will be in effect until modified by Contango Capital Advisors, Inc. and client. Together we share responsibility for reviewing this IPS periodically to ensure its appropriateness.

In agreeing to this IPS, all parties acknowledge that every asset class is subject to certain risks, including but not limited to declines in market value, volatility, illiquidity, and delay or default of cash flow payments.

Investment Restrictions

For Corporations or Public Entities that have defined investment policies or are restricted by state statutes / guidelines, a copy of the Investment Policy or State guidelines MUST be attached hereto.

Are there additional account specific restrictions? Yes No

Other account specific restrictions: If "Yes" please describe

- Must abide by the Utah Money Management Act
- Purchases of maturities greater than two years require approval from Heber City
- The account will use PTIF as the Money Market Fund

Account #
Account Name HEBER CITY

Signatures

CLIENT Date

CLIENT Date

ADVISOR SIGNATURE Date

For Contango Capital Advisors, Inc.

Greg Aiken
One South Main, 1st Floor
Salt Lake, Utah 84133
801-844-7731

TAB 3

ORDINANCE NO. 2013-03

AN ORDINANCE AMENDING THE CONSOLIDATED FEE SCHEDULE **APPENDIX "A" (Consolidated Fee Schedule)** ASSOCIATED WITH AND PERTAINING TO THE CULINARY WATER AND SEWER FEE SCHEDULE, TITLE 3.15 HEBER CITY MUNICIPAL CODE, REVENUE AND FINANCE.

BE IT ORDAINED by the City Council of Heber City, Utah, that Appendix "A" associated with Title 3.15 of the Heber City Municipal Code is amended as and pursuant to the attached Exhibit A. This Ordinance is adopted to reflect the City Council's decision to increase monthly culinary water and sewer rates.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder, and (c) a short summary of it has been published in the Wasatch Wave, a complete copy has been published in the Wasatch Wave or a complete copy has been posted in three public places within Heber City but not prior to the _____ day of _____, 2013.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2013, by the following vote:

	AYE	NAY
Council Member Robert L. Patterson	_____	_____
Council Member Alan W. McDonald	_____	_____
Council Member Benny Mergist	_____	_____
Council Member Jeffery Bradshaw	_____	_____
Council Member Erik Rowland	_____	_____

APPROVED:

Mayor David R. Phillips

ATTEST:

RECORDER

Date of First Publishing: _____

WATER/SEWER

Service	Fee
Residential Water – Base Fee	
¾ Inch Meter	\$12.50
1 inch Meter	\$12.50
Residential Water – Price Per Thousand Gallons	
0 - 7,000	\$0.45
7,001 – 12,000	\$0.55
12,001 – 19,000	\$0.80
19,001 – 35,000	\$1.00
35,001 – 70,000	\$1.15
70,001 – 999,999,999	\$1.35
Commercial Water – Base Fee	
¾ Inch Meter	\$12.50
1 inch Meter	\$12.50
1 ½ Inch Meter	\$54.89
2 Inch Meter	\$90.22
3 Inch Meter	\$210.33
4 Inch Meter	\$351.63
6 Inch Meter	\$648.37
8 Inch Meter	\$1,128.80
10 Inch Meter	\$1,178.80
Commercial Water – Price Per Thousand Gallons	
0 – 7,000	\$0.50
7,001 – 999,999,999	\$1.05
Sewer	
Base Rate	\$12.45
Base and 1 Addition	\$18.68
Base and 2 Addition	\$24.90
2 Bases and 1 Addition	\$31.13
Base and 3 Additions	\$31.13
Base and 4 Additions	\$37.35
2 Bases and 3 Additions	\$43.58
Base and 5 Additions	\$43.58
3 Bases and 1 Addition	\$43.58
Base and 6 Additions	\$49.80
Base and 7 Additions	\$56.03
4 Bases and 3 Additions	\$68.48
2 Bases and 10 Additions	\$87.15
1 Base and 15 Additions	\$105.83
Base and 18 Additions	\$124.50
 Volume Charge	 \$0.89 per thousand gallons

All fees are one and a half times for non-resident accounts.