WORK MEETING

AGENDA
AND
STAFF MEMO

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

April 18, 2013

Work Meeting 6:00 p.m.

DISCUSSION ITEMS

(Tab A) Mark Smedley – Review of the Fireworks Ordinance and 2013 Legislative Changes

(Tab B) Discuss Heber City Logo Contest

Discuss Airport Hangar Impact Fees

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 April 11, 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 April 11, 2013.

Heber City Corporation

Memo

To: Mayor and City Council

From: Mark K. Anderson

Date: 04/11/2013

Re: City Council Agenda Items

WORK MEETING

Mark Smedley – Review of the Fireworks Ordinance and 2013 Legislative Changes (Tab A): With another dry year expected, Councilman Mergist has expressed concern about making sure our firework ordinance is strong enough to put appropriate restrictions in place. As a result, I have asked Mark Smedley to review our existing ordinance and how it was impacted by HB 289 that was adopted in the last legislative session. Enclosed is a staff report prepared by Mark Smedley on the matter. In summary, the existing Ordinance appears to be sufficient, the Council is limited in what restrictions they can impose and may want to add language about the negligent discharge of fireworks. I expect Mark Smedley to be available to answer any questions the Council may have on this issue.

Discuss Heber City Logo Contest (Tab B): Enclosed is a copy of the Logo Contest Flyer/Rules and copies of the logos that were submitted to the City for consideration. The Council should determine the following:

- Who will evaluate and rank the logos that were submitted
- When will the Council determine if any of the logo's or elements of the submitted logos be selected for use by the City
- If a winner is selected, how/when would they be recognized

Although not specifically stated in the contest information, it was discussed that the City would recognize any winner on May 1st to coincide with the date that early settlers entered the Heber Valley in 1859.

Discuss Airport Hangar Impact Fees : At the last City Council meeting, Rick Alden appeared before the Council to inquire about the elimination or reduction of water impact fees for airport hangars. Rick wants to install a restroom in the hangar he just purchased from the City and feels like the proposed impact fee is excessive based on his anticipated use.

The Council expressed an interest in exploring this request and asked that it be discussed at a future work meeting. Councilman McDonald also expressed some desire to look at impact fees on commercial/industrial businesses as well.

As the Council discusses this issue, they should be mindful of the following:

- Current water impact fees are $2,435 for a ¾" connection and $231for the meter fee.
- Any modification of impact fees should be addressed in an update of the City Capital Facilities Plan/Master Plan with the appropriate public hearings.
- Water impact fees have historically been imposed based on meter size and the ability to place demand on the system – The City has to build the system to provide adequate storage, wells, properly sized pipes, etc. to deliver water to all customers when they demand it.
- The City has maintained a policy of charging a minimum impact fee of 1 ERU for all users – For residential and commercial uses, on average this is fair based on potential impact they can place on the system. Water consumption in hangars is unlikely to vary much if ownership changes. This is not always true with residential and commercial/industrial buildings.
- With regard to hangars, the City sells the hangar to the tenant and the tenant leases the ground on which the hangar resides. The ownership of the hangar that was sold to Mr. Alden will revert to the City in 30 years with any associated improvements that he might make to the hangar.
- Water consumption in hangars which are only used for aircraft storage typically demand less than 100 gallons of water per month.
- If hangar impact fees are reduced on airport hangars, how would the City deal with those who have already paid a higher fee?
- The City has 11 developed pads for 50' X 50' hangars that have access to sewer. When hangars are constructed in this area, the sewer impact fee issue becomes a much bigger issue that just $2,435 for water.
- Minimum sewer impact fees for Heber City are $1,242 and $3,290 for HVSSD.

Lastly, if the Council wants to consider an impact fee less than 1 ERU, I would recommend that we look at including the expansion of our current public works building (in the water, sewer, utility and road impact fees) as a eligible way to spend impact fees as we have exceeded the storage capacity of the existing facility.

DISCUSSION/ ACTION ITEMS

TAB A

MEMORANDUM

TO: Heber City Council and City Manager

FROM: J. Mark Smedley, Heber City Attorney

RE: Fireworks Ordinance / State Code Comparison

DATE: April 11, 2013

The 2013 Utah State Legislature amended specific Sections of the State Code that are associated with state and local municipality fireworks regulation.

Section 15A-5-202(3)(b) of the Utah Code Annotated was amended to include restrictive language which clarified and established limits upon municipalities' abilities to control and prohibit the ignition or use of fireworks within a city, to wit;

Line 77 *(i) (t)he legislative body of a municipality within which the hazardous environmental conditions exist may prohibit only the ignition or use of ignition source in mountainous, brush-covered, or forest-covered areas or the wildland urban interface area, which means the line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose; and (ii) where the hazardous environmental conditions exist in unincorporated areas that meet the description in Subsection (3)(b)(i), the state forester may prohibit the ignition of the ignition source in all or part of these areas, after consulting with the county fire code official having jurisdiction over that area.*

See Exhibit A attached.

Section 53-7-225 of the Utah Code Annotated was also amended for the same purpose and to remain consistent with the above referenced 15A-5-202(3)(b) change.

Line 94 *Section 2. Section 53-7-225 is amended to read:*

53-7-225. ***Times for sale and discharge of fireworks.***
(1) This section supercedes any other code provision regarding the sale or discharge of fireworks.////

Line 104 *(3) Except as provided in Subsection (5), a county or municipality may not prohibit any person from discharging class C Common state approved explosives in the state as follows:////*

Line 119 *(5) A county or municipality may prohibit any person from discharging class C common state approved explosives:*

(a) as provided in Subsection 15A-5-202.5 (1)(c); or

(b) in accordance with a municipal ordinance prohibiting the negligent discharge of class C common state approved explosives.

See Exhibit A attached.

The Heber City Code, Section 8.02.010, ***Restrictions on the Use of Fireworks Within Heber City,*** is consistent and not in conflict with these two State Code amendments referenced above. However, it is important to remember that any action that the Council may consider taking is subject to these said referenced State Code Restrictions, or limitations imposed upon counties and municipalities.

As a result of this most recent State Code amendment, one recommended amendment to our Ordinance would be to add a provision to our Ordinance that prohibits the negligent discharge of class C common state approved explosives, subsection (b) above from line 122. It could be as simple as stating that any violation to the City Ordinance shall be considered "negligent".

EXHIBIT A.

These sections from the Heber City Municipal Code contain ("fireworks").

Section 8.02.010 Restrictions on the Use of Fireworks Within Heber City

1. **Resolution.** In the event the Council finds that it is in the best interest of Heber City and the general health, safety and welfare of the public that such restrictions should be imposed, the Council shall have the authority to impose such restrictions by resolution on a case by case basis as the circumstances require and as the Council deems prudent.

2. **Definition.** All terms relating to fireworks used in this ordinance shall have the same meaning as they are defined in Utah Code Ann. 53-7-202 of the Utah Fire Prevention Act.

3. **Sale, Discharge and Possession of Certain Fireworks Restricted.**

a. When the City Council imposes restrictions by resolution upon the sale or discharge of fireworks in Heber City, it shall be unlawful for any person to use or discharge any fireworks in Heber City .

4. **Enforcement.**

a. Every officer charged with enforcement of State and municipal laws including the Fire Marshal is hereby charged with the responsibility to enforce this ordinance and any associated resolution.

b. Fireworks sold or offered for sale, or discharged in violation of this ordinance and any associated resolution may be seized and destroyed and the license of the person selling or offering fireworks for sale may be revoked.

5. **Punishment.** Violation of this ordinance and any associated resolution shall be a class B misdemeanor punishable by both fine and imprisonment as set forth in Utah law.

6. **Effective Date.** This ordinance shall take effect immediately upon passing.

(2012-10, Added, 09/20/2012)

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[Introduced][Amended][Status][Bill Documents][Fiscal Note][Bills Directory]

H.B. 289 Enrolled

1

FIREWORKS AMENDMENTS

2

2013 GENERAL SESSION

3

STATE OF UTAH

4

Chief Sponsor: James A. Dunnigan

5

Senate Sponsor: John L. Valentine

6
7 **LONG TITLE**
8 **General Description:**
9 This bill modifies the State Fire Code and Public Safety Code regarding the sale and
10 discharge of fireworks regarding the conditions and process for a municipality or
11 county to prohibit the discharge of fireworks.
12 **Highlighted Provisions:**
13 This bill:
14 . provides that the legislative body of a municipality may prohibit the discharge of
15 fireworks in specified areas if the local fire code official determines that hazardous
16 environmental conditions exist;
17 . provides that a county or municipality may not prohibit the lawful discharge of class
18 C common state approved explosives, except as provided; and
19 . clarifies that Utah Code Section 53-7-225 supercedes any other code provision
20 regarding the sale and discharge of fireworks.
21 **Money Appropriated in this Bill:**
22 None
23 **Other Special Clauses:**

24 None
25 **Utah Code Sections Affected:**
26 AMENDS:
27 **15A-5-202**, as last amended by Laws of Utah 2012, Chapter 148
28 **53-7-225**, as last amended by Laws of Utah 2012, Chapter 26
29

30
Be it enacted by the Legislature of the state of Utah:
31 Section 1. Section **15A-5-202** is amended to read:
32 **15A-5-202. Amendments and additions to IFC related to administration, permits,**
33 **definitions, general, and emergency planning.**
34 (1) For IFC, Scope and Administration:
35 (a) IFC, Chapter 1, Section 105.6.16, Flammable and combustible liquids, is amended
36 to add the following section: "12. The owner of an underground tank that is out of service for
37 longer than one year shall receive a Temporary Closure Notice from the Department of
38 Environmental Quality and a copy shall be given to the AHJ."
39 (b) IFC, Chapter 1, Section 109.2, Notice of violation, is amended as follows: On line
40 three, after the words "is in violation of this code," insert in the section the phrase "or other
41 pertinent laws or ordinances."[.]
42 (2) For IFC, Definitions:
43 (a) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
44 Educational Group E, Day care, is amended as follows: On line three delete the word "five"
45 and replace it with the word "four."[.]
46 (b) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
47 Institutional Group I, Group I-1, is amended as follows: On line 10 add "Type I" in front of the
48 words "Assisted living facilities,"[.]
49 (c) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
50 Institutional Group I, Group I-2, is amended as follows:
51 (i) On line three delete the word "for" and insert the following into the sentence "on a
52 24-hour basis of more than three."[.]
53 (ii) On line 10, after the words "Nursing homes,"[;] add the following: "both
54 intermediate nursing care and skilled nursing care facilities, ambulatory surgical centers with
55 five or more operating rooms where care is less than 24 hours, and Type II assisted living
56 facilities. Type II assisted living facilities with five or fewer persons shall be classified as

a
57 Group R-4. Type II assisted living facilities with at least six and not more than 16 residents

58
shall be classified as a Group I-1 facility."[.]
59 (d) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
60 Institutional Group I, Group I-4, Day care facilities, Child care facility, is amended as follows:
61 (i) On line three delete the word "five" and replace it with the word "four."[.]
62 (ii) On line two of the exception delete the word "five" and replace it with the word
63 "four."[.]
64 (e) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
65 Residential Group R, R-2, is amended to add the following: "Exception: Boarding houses
66 accommodating 10 persons or less shall be classified as Residential Group R-3."
67 (3) For IFC, General Requirements:
68 (a) IFC, Chapter 3, Section 304.1.2, Vegetation, is amended as follows: Delete line six
69 and replace it with: "the Utah Administrative Code, R652-122-200, Minimum Standards for
70 Wildland Fire Ordinance."[.]
71 (b) IFC, Chapter 3, Section 310.8, Hazardous Environmental Conditions, is deleted and
72 rewritten as follows: "When the fire code official determines that hazardous environmental
73 conditions necessitate controlled use of any ignition source, including fireworks, lighters,
74 matches, and smoking materials[~~, the ignition or use of the source in mountainous,~~
75 ~~brush-covered, or forest-covered areas is prohibited except in approved areas as allowed by the~~
76 ~~AHJ.~~"];
77 *(i) the legislative body of a municipality within which the hazardous environmental*
78 *conditions exist may prohibit only the ignition or use of the ignition source in mountainous,*
79 *brush-covered, or forest-covered areas or the wildland urban interface area, which means the*
80 *line, area, or zone where structures or other human development meet or intermingle with*
81 *undeveloped wildland or land being used for an agricultural purpose; and*
82 *(ii) where the hazardous environmental conditions exist in unincorporated areas that*
83 *meet the description in Subsection (3)(b)(i), the state forester may prohibit the ignition or use*

84 *of the ignition source in all or part of these areas, after consulting with the county fire code*
85 *official having jurisdiction over that area."*

86
(c) IFC, Chapter 3, Section 311.1.1, Abandoned premises, is amended as follows: On
87 line 10 delete the words "International Property Maintenance Code and the".
88 (d) IFC, Chapter 3, Section 311.5, Placards, is amended as follows: On line three delete
89 the word "shall" and replace it with the word "may".
90 (e) IFC, Chapter 3, Section 315.2.1, Ceiling clearance, is amended to add the
91 following: "Exception: Where storage is not directly below the sprinkler heads, storage is
92 allowed to be placed to the ceiling on wall-mounted shelves that are protected by fire sprinkler
93 heads in occupancies meeting classification as light or ordinary hazard."
94 Section 2. Section **53-7-225** is amended to read:
95 **53-7-225. Times for sale and discharge of fireworks.**
96 *(1) This section supercedes any other code provision regarding the sale or discharge of*
97 *fireworks.*
98 [~~(1)~~] *(2)* A person may sell class C common state approved explosives in the state as
99 follows:
100 (a) beginning on June 23 and ending on July 27;
101 (b) beginning on December 29 and ending on December 31; and
102 (c) two days before and on the Chinese New Year's eve.
103 [~~(2) A person may discharge~~]
104 *(3) Except as provided in Subsection (5), a county or municipality may not prohibit any*
105 *person from discharging* class C common state approved explosives in the state as follows:
106 (a) between the hours of 11 a.m. and 11 p.m., except that on July 4 and July 24, the
107 hours are 11 a.m. to midnight:
108 (i) beginning on July 1 and ending on July 7; and
109 (ii) beginning on July 21 and ending on July 27;
110 (b) (i) beginning at 11 a.m. on December 31 and ending at 1 a.m. on the following day;
111 or
112 (ii) if New Year's eve is on a Sunday and the local governmental jurisdiction
113 determines to celebrate New Year's eve on the prior Saturday, then it is lawful to discharge

114
Class C common state approved explosives on that prior Saturday; and
115 (c) beginning at 11 a.m. on the Chinese New Year's eve and ending at 1 a.m. on the
116 following day.
117 [(3)] *(4)* A person who violates the time restrictions stated in Subsection [(2)] *(3)*(a),
118 (b), or (c) is guilty of an infraction.
119 *(5) A county or municipality may prohibit any person from discharging class C*
120 *common state approved explosives:*
121 *(a) as provided in Subsection 15A-5-202.5 (1)(c); or*
122 *(b) in accordance with a municipal ordinance prohibiting the negligent discharge of*
123 *class C common state approved explosives.*

[Bill Documents][Bills Directory]

Who represents me?

Enter street address

Enter zip code

Find

State Senate

350 North State, Suite 320
PO Box 145115
Salt Lake City, Utah 84114
Telephone: (801) 538-1035
Fax: (801) 326-1475

How can we improve this page? For a personal response, please include your email address.

Send

House of Representatives

350 North State, Suite 350
PO Box 145030
Salt Lake City, Utah 84114
Telephone: (801) 538-1029
Fax: (801) 326-1544

TAB B

Heber City Logo Contest

Attention all artists And Wannabe artists...

Heber City Council would like to see your ideas for a new City logo. We are looking for a bold and distinctive design that captures the essence of the City. You don't need to be a professional artist or graphic designer, just draw or sketch your idea and enter today.

Current Heber City Logo

Several key features attract residents, visitors, and businesses to the community. Heber City possesses characteristics that make the City quite unique. It is located in a high mountain valley between the Wasatch Mountains and the foothills of the Uintas. It has an ideal setting along the Provo River, just under Jordanelle Reservoir and just above the renowned Provo River Canyon. The abundance of surrounding public lands, lakes, streams, and open space make Heber City a magnet for thousands of hunters, fisherman, and other outdoor enthusiasts each year. Nearby Wasatch Mountain State Park and neighboring world renowned ski resorts attract thousands of skiers and golfers to areas that are within a 10-15 minute drive of the City. Heber City also boasts the Heber Valley Railroad, a historic railroad which operates passenger excursion trains along a line from Heber City through Provo Canyon to Vivian Park along the beautiful Deer Creek Reservoir. Heber City is home to the Cowboy Poetry Gathering which features award winning Western Shows. Utah Valley University Wasatch Campus is situated within three miles of the City. The Russ McDonald Field / Heber City Municipal Airport is located one mile south of the downtown area. Heber City residents enjoy 18 parks located within the City boundaries.

Heber City Logo Contest

Heber City Council will judge all entries and may choose a finalist design to submit to the City's graphic design team for refinement. The City Council may choose not to use any contest submissions and retain the current logo, but if a final logo idea/theme is chosen and adopted by the City, the winner, will receive a $250 cash prize and recognition as a creative partner in any new logo reveal publications.

- The contest is open to any individual, any age
- City Employees may apply, but in lieu of a $250 cash prize; the cash prize will be contributed to a local charity of the employee's choice
- The deadline for submissions is Thursday, April 4, 2013

For a complete list of contest rules/submission requirements, instructions and entry forms, go to:
www.ci.heber.ut.us/news/LogoContest.html

Heber City Logo Contest Rules and Submission Requirements

Heber City is conducting a logo contest for individuals of all ages. The contest is open to any individual, including, but not limited to Heber City residents. Entries will be judged by the five member Heber City Council. City Council will select top designs and any winning themes / ideas that may be used as the official Heber City logo.

Rules and Submission Requirements:

- The contest is open to any individual of any age.
- No group projects are allowed; only one participant may submit each work of art.
- Artists may submit up to two entries and must complete an entry form for each.
- Heber City reserves the right to extend all deadlines associated with this contest to ensure that a sufficient number of entries are received.
- Each design must lend itself to different formats, including publications, signage, website, promotional items, and other printed material. It must reproduce well in different sizes and when printed in black and white. Limit designs to five colors or less.
- All submitted designs and source images must be the original work of the artist. No third party artwork or images, including clipart, or copyrighted graphics may be used.
- The final design chosen as the contest winner may not necessarily be used as the City's official logo, or may be chosen in whole or in part as the official City logo.
- Artwork that has been previously published or exhibited is not permitted.
- By submitting an entry, the artist agrees that Heber City will become the rightful owner of the image and any likeness of the image, and may alter and reproduce the image at its discretion.
- Electronic entries should be EPS, JPG, or PDF format. All formats, including drawings, sketches, or paintings are eligible and may be submitted by mail.
- Print submissions should be no larger than 8.5" X 11".
- Incomplete information will disqualify the entry.
- Heber City Council will judge all entries and may choose a finalist design to submit to the City's graphic design team for refinement. The City Council may choose not to use any contest submissions and retain the current logo, but if a final logo idea/theme is chosen and adopted by the City, the winner, will receive a $250 cash prize and recognition as a creative partner in any new logo reveal publications. If a logo / theme submitted by a City Employee is chosen and adopted by the City, the $250 cash prize will be contributed to a local charity of the employee's choice. A 'charity' is defined as a non-profit charitable organization designated by the U.S. Internal Revenue Code 501(c).
- All entries will be judged on the artwork's creative ideals that reflect those things that add up to the feeling that our community is a special place, distinct from anywhere else; practical usability, and artistic merit in capturing the essence of Heber City, Utah.
- While not required, participants are encouraged to provide a brief written explanation of their chosen logo design.
- Judging decisions are final and may not be appealed.
- The deadline for entries is Thursday, April 4, 2013. Entries received after the deadline will not be accepted.

For more information, please contact Karen Tozier at 435-654-4830 or ktozier@ci.heber.ut.us

Heber City Logo Contest Contestant Entry Form

SAVE THIS FORM TO YOUR COMPUTER. COMPLETE THE FORM ONLINE AND EITHER PRINT IT AND MAIL ALONG WITH YOUR ENTRY, OR E-MAIL THIS FORM, ALONG WITH YOUR ENTRY, AS INSTRUCTED BELOW.

Artists may submit up to two entries and must complete an entry form for each.

Contest submissions (electronic entries should be EPS, JPG, or PDF format), along with this completed entry form, may be e-mailed with the words "Heber Logo Contest" in the subject line to ktozier@ci.heber.ut.us or mailed or submitted in person to:

Heber City Corporation
Attention: Karen Tozier
75 North Main Street
Heber City, UT 84032

Contestant Name: _____

Address: _____

Phone Number: _____

E-mail address: _____

Age if under 18: _____

If you are a minor under the age or 18, please have a parent or guardian sign below:

Parent or Guardian Name:

Signature: _____

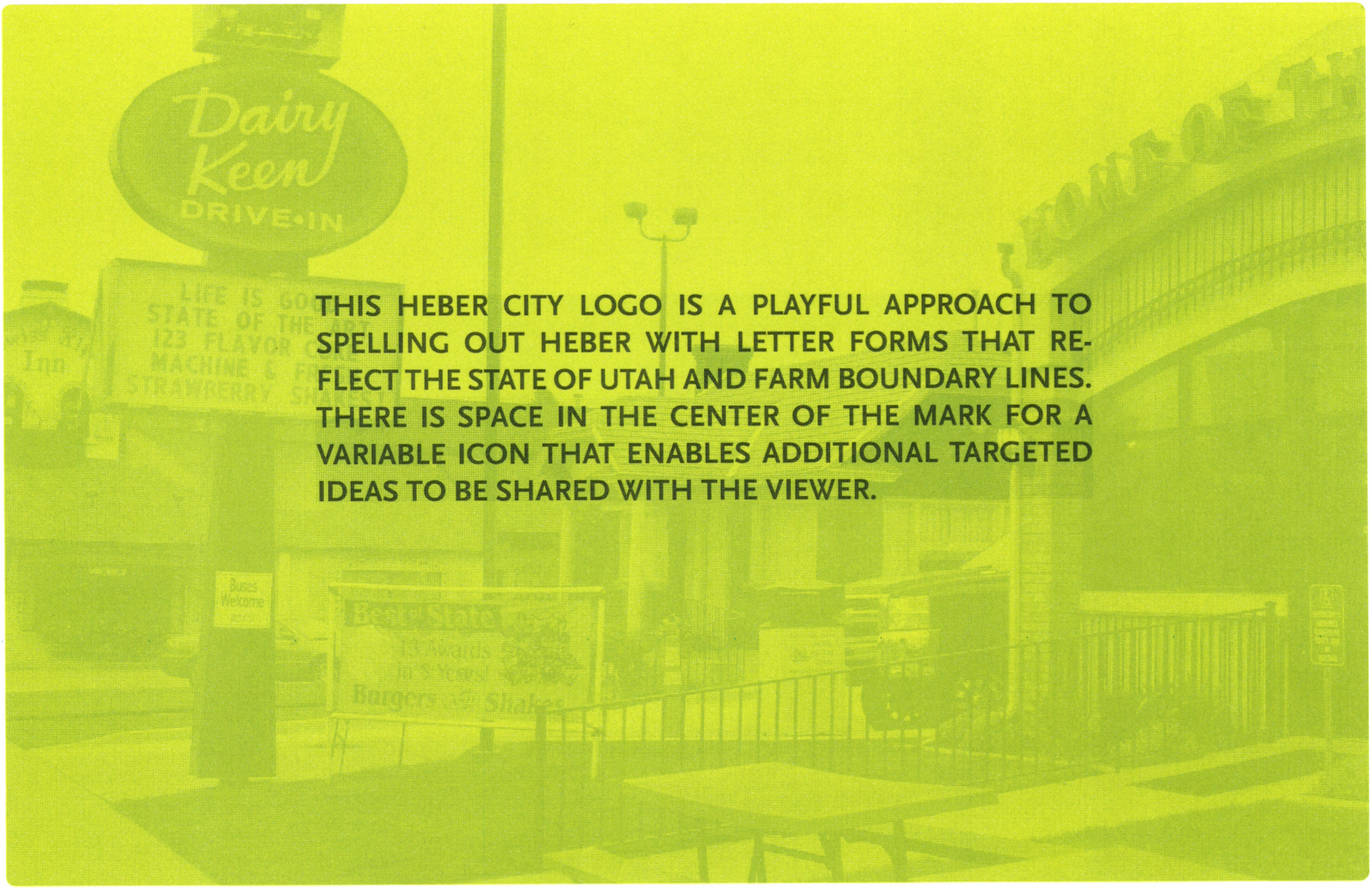
Name of Entry: _____

Please choose a name for your entry. This name should coincide with the file name of electronic submissions or included on drawings and/or sketches.

Deadline for submission(s) is Thursday, April 4, 2013

By participating in the contest, finalists and winners release and agree to hold harmless Heber City, their affiliates, subsidiaries, advertising and promotion agencies, sponsors, and prize suppliers, and all their respective directors, officers, employees, representatives and agents, from and against any and all liability for any loss, property damage, or damage to person, including without limitation, death and injury, due in whole or in part, directly or indirectly, from or arising out of participation in the contest, or participation in any contest-related activity, or the receipt, use or misuse of the any prize(s).

Heber City Corporation



THIS HEBER CITY LOGO IS A PLAYFUL APPROACH TO SPELLING OUT HEBER WITH LETTER FORMS THAT REFLECT THE STATE OF UTAH AND FARM BOUNDARY LINES. THERE IS SPACE IN THE CENTER OF THE MARK FOR A VARIABLE ICON THAT ENABLES ADDITIONAL TARGETED IDEAS TO BE SHARED WITH THE VIEWER.

HEBER CITY
OFFICIAL LOGO
FLAG CONCEPT

HEBER CITY
SINCE 1889

B&W

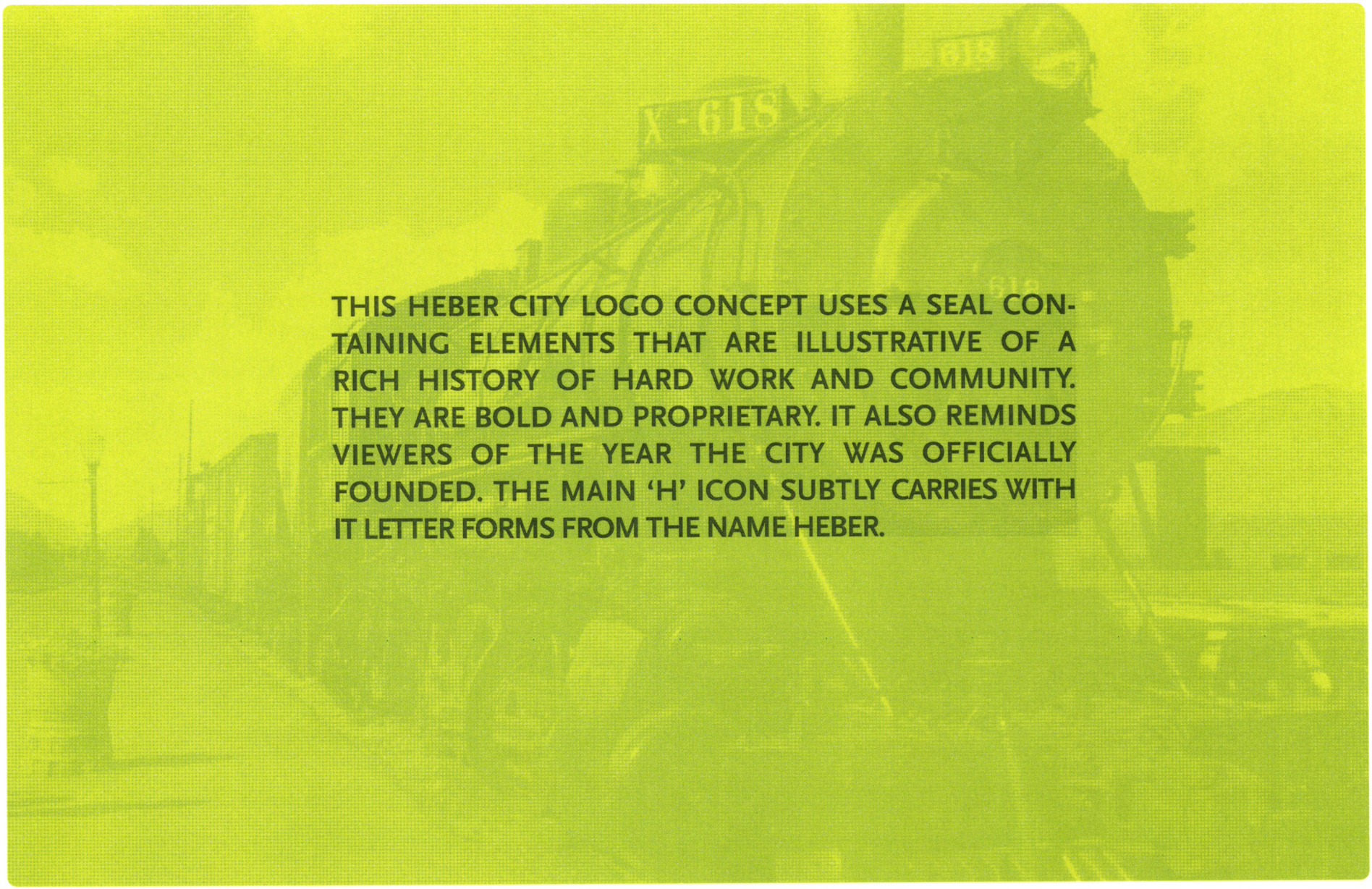
REVERSE

FALL COLORS
SECONDARY PALETTE

SOCIAL ICON /
WINTER PALETTE

SWISS DAYS ICON

18
89



THIS HEBER CITY LOGO CONCEPT USES A SEAL CONTAINING ELEMENTS THAT ARE ILLUSTRATIVE OF A RICH HISTORY OF HARD WORK AND COMMUNITY. THEY ARE BOLD AND PROPRIETARY. IT ALSO REMINDS VIEWERS OF THE YEAR THE CITY WAS OFFICIALLY FOUNDED. THE MAIN 'H' ICON SUBTLY CARRIES WITH IT LETTER FORMS FROM THE NAME HEBER.

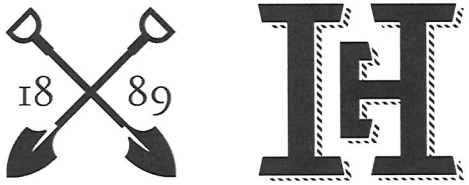
HEBER CITY
OFFICIAL LOGO
SEAL CONCEPT

HEBER
CITY

B&W

HEBER
CITY

SECONDARY ICONS



LOGOTYPE

HEBER
CITY

Attached please find my logo submission entry and application for the logo contest. I wanted to create a design that captured the pristine feeling of living in this beautiful green valley that is unique for its mountain view, clean air, charming railroad, and the powerful Provo River. [redacted] and have repeatedly struck up conversations with neighbors about the treasure we have all found in living here.

Thank you for the opportunity to compete,

live

HEBER CITY

CLEAN AIR • PERFECT LOCATION

Whenever i think of Heber City the first thing that comes to mind is Heber Valley Railroad. However I thought to myself that is used in alot of things, but i didn't want to leave it out seeing as that is one of the things that heber is known for. So the second thing that came to mind was the statue at heber park. It's a wonderful symbol of the beginings of this great town. Then I thought that makes it kind of like a history lesson. So I put the sunset colors in to represent tranquility.

Heber City
Corporation

When my family moved to Heber City we lived close to where the new rec center is. We loved to see the hot air balloons fly right over our house. We still tell the children on the mornings that the hot air balloons are visible and they all run outside to see them. We have also taken detours while driving the get a better view as one is preparing to land. The mountains and the river are beautiful and a distinctive part of the valley.

Thanks,

HEBER CITY

CORPORATION

This is my second entry. I wanted something that said cowboy or country without the cliché objects. Also built into the letters is the silhouette of the mountains as you enter Provo canyon. They are a prominent view from most places around town and a large promoter for living or visiting the area. I grew up in a small town with rodeos, demolition derbies, and cowboy poetry. I love the small town feel of Heber City and that was one of the reasons my family moved here.

Thanks,

HEBER CITY

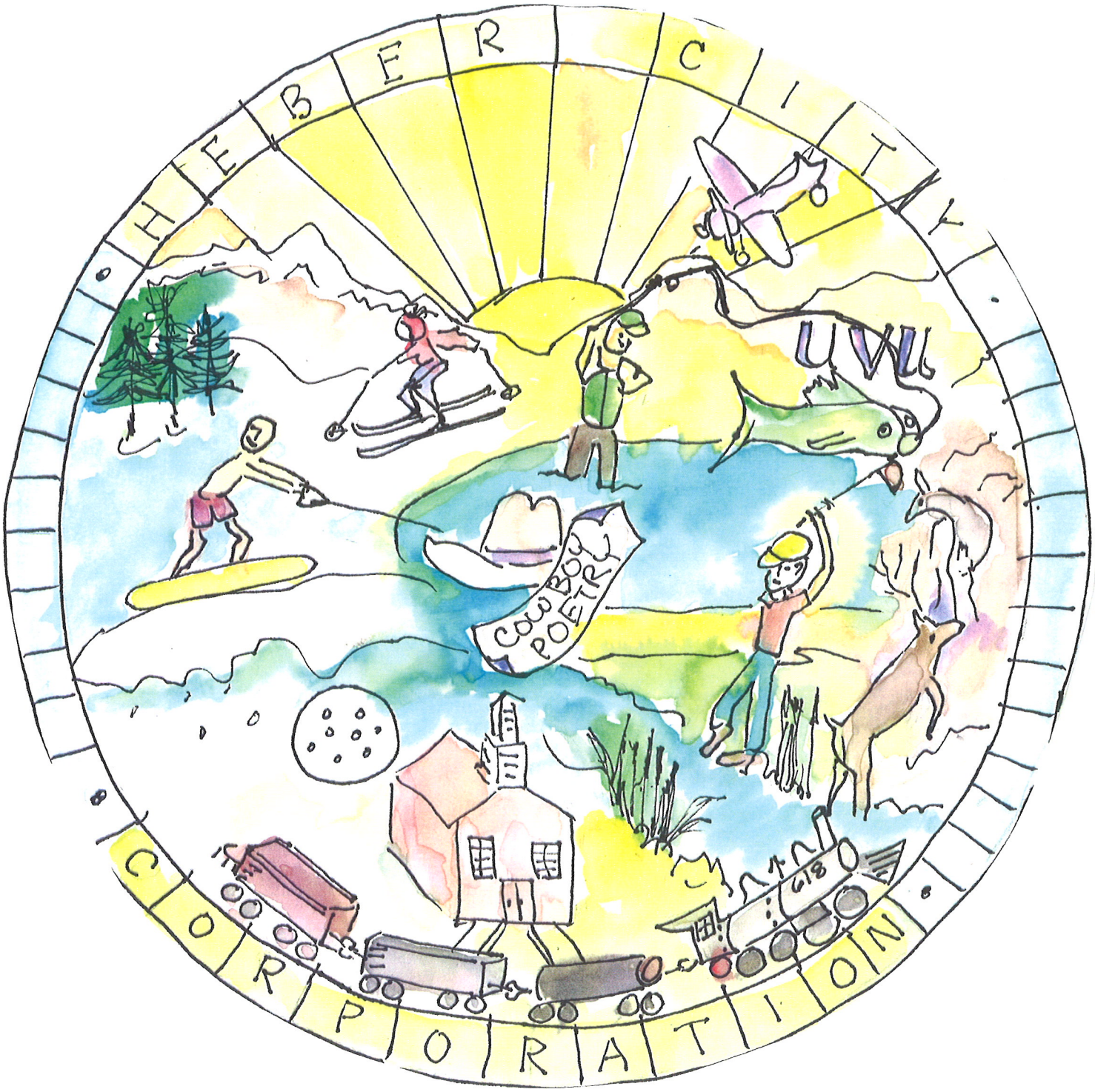
CORPORATION

HEBER CITY

CORPORATION

HEBER CITY

CORPORATION


HEBER CITY
COWBOY POETRY
CORPORATION

Heber City
1859

Heber City
1859

Heber City
1859

REGULAR MEETING

AGENDA
AND
STAFF MEMO

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

April 18, 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 Alan McDonald
Prayer/Thought: Council Member Robert Patterson

Minutes for Approval: April 4, 2013 Work and Regular Meetings

OPEN PERIOD FOR PUBLIC COMMENT

APPOINTMENTS

None

ACTION ITEMS

(Tab 1) Ryan Davis, Request for a Lot Line Adjustment for Property Located at 500 South Southfield Road.

(Tab 2) Amy Johnson, Request to Waive the Event Permit Fee for the Heber Valley Memorial Run

(Tab 3) Resolution 2013-04, a Resolution to Proclaim the Second Thursday in May as Arbor Day in Heber City

(Tab 4) Ordinance 2013-05, an Ordinance Amending the Consolidated Fee Schedule – Adopting New Secondary Irrigation Rates

(Tab 5) Award 100 South Sidewalk Replacement Bid – Replacement of Sidewalk from 100 West to 500 West

DISCUSSION/ACTION ITEMS

None

CLOSED SESSION AS NECESSARY – PURPOSE TO BE ANNOUNCED IN MOTION

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 April 11, 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 April 11, 2013.

Heber City Corporation

Memo

To: Mayor and City Council

From: Mark K. Anderson

Date: 04/11/2013

Re: City Council Agenda Items

REGULAR MEETING

Ryan Davis, Request for a Lot Line Adjustment for Property Located at 500 South Southfield Road (Tab 1): Ryan Davis is coming before the Council to request a lot line adjustment for property located at approximately 500 South 1200 West. Enclosed is a staff report prepared by Tony Kohler and the associated plat maps. The Council as the Land Use Authority is required to approve this request if it does not violate current zoning standards. Staff believes the request is in harmony with existing zoning ordinances and recommends approval.

Amy Johnson, Request to Waive the Event Permit Fee for the Heber Valley Memorial Run (Tab 2): Amy Johnson, daughter of Val & Kathy Draper, is coming before the Council to request the waiver of the Special Event Permit Fee for the Heber Valley Memorial Run that the Draper family has initiated. Wasatch County Parks & Recreation has agreed to sponsor this event and provide insurance. (See enclosed email from Tom Bonner) Also enclosed is a document off of their website that describes the purpose of the event. As noted in the document, the monies raised from this event will be donated to the dialysis center that IHC is hoping to locate at the local hospital.

In reviewing Section 5.04.080 of the Municipal Code, the Mayor/Council can waive license fees for meritorious causes. Below is a copy of Section 5.04.080 for your review:

5.04.080 Exemptions

If any person shall furnish such evidence as shall satisfy the city council that they, by reason of misfortune, physical infirmities, or other reasonable or meritorious cause, merit exemption from the payment of any license fee herein required, the mayor may waive such license fee upon recommendation of a majority of the city council. (Ord. 92-03, 1992; Prior code §21-9)

Staff believes that this is a great event to remember and continue the contributions made by the Draper Family to this community. Staff would recommend approval of the request.

Resolution 2013-04, a Resolution to Proclaim the Second Thursday in May as Arbor Day in Heber City (Tab 3): Tony Kohler has prepared the enclosed resolution and staff report asking that the Council adopt a Resolution declaring the second Thursday of May as the day that Heber City celebrates Arbor Day. This is one of the tasks that Tony has taken on to ensure the City is recognized as a Tree City. Staff would recommend approval.

Ordinance 2013-05, An Ordinance Amending the Consolidated Fee Schedule – Adopting New Secondary Irrigation Rates (Tab 4): This issue was continued from the April 4, 2013 meeting because two members of the Council were absent.

At the budget meeting held on March 21st, a majority of the Council indicated that they were ready to have this item placed on the regular agenda for consideration. Attached is an Ordinance proposing changes to the secondary irrigation rates that are consistent with the recommendations made by our consultant. Staff would recommend approval with the provision that the rates become effective on the May 1, 2013 billing. This would enact the new rate at the beginning of the new irrigation season.

Award 100 South Sidewalk Replacement Bid – Replacement of Sidewalk from 100 West to 500 West (Tab 5): Enclosed is a staff report from Bart Mumford summarizing the bids the City received to replace the sidewalk on 100 South from 100 West to 500 West. The apparent low bidder is Quicksilver Concrete in the amount of $106,994.15. Staff would recommend the bid be awarded to Quicksilver Concrete.

MINUTES

Heber City Corporation
City Council Meeting

April 4, 2013

6:00 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on April 4, 2013, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

Present:	Mayor	David R. Phillips
	Council Members	Alan McDonald
		Benny Mergist
		Jeffery Bradshaw
Excused:	Council Members	Robert Patterson
		Erik Rowland
Also Present:	City Manager	Mark K. Anderson
	City Recorder	Michelle Kellogg
	City Engineer	Bart Mumford
	Planning Director	Anthony Kohler
	Chief of Police	David Booth

Others Present: Ryan Brown, Xela Thomas, and others whose names were illegible.

Mayor Phillips opened the meeting and excused Council Members Patterson and Rowland.

Ryan Brown, Principal J.R. Smith Elementary, Discuss 500 North Sidewalk: Brown stated that according to State Statute, every school was required to have a School Neighborhood Access Plan. He showed the Council a map of the current plan. One concern was that the T intersection at 200 East had no sidewalks or a crosswalk. He asserted that many children tried to cross the street at this intersection. He suggested moving the crosswalk from 300 East and 500 North to 200 East and 500 North. Mumford stated the crosswalk had been at 300 East since the 1990s. Mayor Phillips asked if moving the crosswalk would solve the problem. Brown indicated he thought it would help. Council Member Mergist was concerned that the children would then be crossing the street at the hub of the congested traffic. Mayor Phillips felt sidewalks would also be needed along the south side of 500 North to help remedy the problem. Council Member Mergist felt an additional crossing guard should be utilized as well, in order to monitor the traffic as the other crossing guard watched the children cross the street. Chief Booth stated his concern was not having sidewalk along the south side of 500 North for the children who would walk the additional distance from the east to get to the proposed crosswalk. Mumford noted he looked at the area and thought some trees would need to be removed in order to lay sidewalk, depending on the City right-of-way on that side of the street. Brown thought the current plan was good, but as time progressed, there were other issues that have continued to surface. Mayor Phillips asked if it might be better to have two crosswalks, the current site plus the proposed site. Mumford was

concerned that if the current crosswalk was moved, the City would be addressing jaywalking and no sidewalks, but it would increase the distance that children from the east would be walking with no sidewalk. Council Member Bradshaw thought the City resources would stretch to solve all the problems, but he favored hiring an extra crossing guard. Mayor Phillips thought the Council should schedule another meeting when the entire Council was present and the neighborhood Council could come and make a presentation to the Council. He asked Mumford to research the right-of-way between 200 East and 300 East on the south side of 500 North. It was decided this discussion would continue at the work meeting on May 2. Anderson asked how many students tried to jaywalk on a daily basis. Brown responded that his estimate would be 30 children per day. It was suggested to paint the curb red and install no parking signs along the south side of 500 North.

Michelle Kellogg, 2013 Municipal Election Update: Kellogg gave the following update on changes to the election law as well as general information for the upcoming municipal election:

Primary and General Election Dates, Primary –August 13, 2013, General Election - November 5, 2013

Filing Period, June 1-7 during office hours and not later than the close of normal office hours (June 3-6). The candidate names must be sent to the County Clerk and to the Lt. Governor's office at the close of the filing period. Write-In Candidates must file 60 days before the General Election. No write-ins are allowed for the Primary.

Candidate Orientation – This would be a good idea for letting candidates know that staff would be there to help correct misconceptions with regard to the City. The meeting would include: explaining GRAMA, carbon copy all questions from the candidates and the responses to all candidates for transparency reasons, review the purpose of each department in the City, review election deadlines and procedures for successful campaigns.

Poll Locations will be the same locations used in the County elections - School District Office, Senior Citizens Center, and the Parks and Recreation Building.

Order of Names on Ballot - To counter complaints, the State now randomly orders the letters of the alphabet each year. The example was shown of names that were previously ordered alphabetically, such as: Anderson, Bradshaw, McDonald, Mergist, Patterson, Phillips, and Rowland. Now those names would be ordered: Rowland, Phillips, Patterson, McDonald, Mergist, Anderson, and Bradshaw.

Absentee Ballots – These must be mailed 28 days before the election for everyone that has requested a ballot. Ballots can be requested up through the Thursday before the election and can now be requested online. Military and overseas voters can request and receive ballots and balloting materials by electronic transmission (fax or email). Ballots must be sent overseas 46 days before an election. If there is a military ballot sent, the canvass of election results must be held 14 days after the election.

Early Voting begins two weeks before the election and ends the Friday before the election Primary: July 30-August 9; General: October 22-November 1.

Voting ID – It is required to show a valid drivers' license or passport. If the address on the drivers' license is wrong, but the voter's name is on the voter roll, voters would be allowed to vote. If the name is not on the roll, the voter must vote with a provisional ballot, and then provide proof of residency to the County Clerk within five days of the election for the vote to count.

Financial Disclosure – Candidates must submit a report seven days before the Primary and General elections. If eliminated, the candidates must also submit the report no later than 30 days after the Primary or 30 days after the General election.

Recount - A recount may be requested if the difference of votes cast between the winning and losing candidate is equal to or less than .25% of the total number of votes cast for ALL candidates in the race (2.5 votes per 1,000 votes cast). A recount must be requested within 3 days of the canvass for a municipal election.

FYI: Utah Department of Transportation meeting with Cities Within Wasatch County, Thursday, April 11, 2013, 1:00 p.m.-3:00 p.m., County Administration Building, Commission Chambers, 25 North Main, Heber City: Anderson noted the time and place of this meeting.

Discuss City Manager Schedule for April: Anderson stated he would be gone April 6-10 for City Manager training. It was indicated that the Utah League of Cities and Towns Convention would be April 10-12.

Anderson commented that today was the last day for the City Logo Contest. He stated he would have Kohler email the entries to the Council for review.

The Council felt a need to discuss the direction of the proposed public safety building. It was determined that this topic could be discussed in conjunction with the budget meeting scheduled for April 23, at 4:15 p.m.

With no further business, the meeting was adjourned.

_____

Michelle Kellogg, City Recorder

DRAFT

Heber City Corporation
City Council Meeting

April 4, 2013

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on April 4, 2013, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

Present:	Mayor	David R. Phillips
	Council Members	Alan McDonald
		Benny Mergist
		Jeffery Bradshaw
Excused:	Council Members	Robert Patterson
		Erik Rowland
Also Present:	City Manager	Mark K. Anderson
	City Recorder	Michelle Kellogg
	City Engineer	Bart Mumford
	Planning Director	Anthony Kohler
	Chief of Police	David Booth

Others Present: Xela Thomas, Dick Jenkins, Ryan Starks, Rick Alden, and others whose names were illegible.

Mayor Phillips opened the meeting and welcomed all in attendance. He excused Council Members Patterson and Rowland.

Pledge of Allegiance: Council Member Benny Mergist
Prayer: Mayor David Phillips

Minutes: March 21, 2013 Work and Regular Meetings
Council Member Mergist moved to approve the above listed minutes. Council Member Bradshaw seconded the motion. Voting Aye: Council Members McDonald, Mergist and Bradshaw. Council Members Patterson and Rowland were excused.

OPEN PERIOD FOR PUBLIC COMMENT

Richard (Rick) Alden, Park City, was concerned about his 30 year hangar lease. He wanted to install a bathroom in the hangar, but he had been told the Water Impact Fee was $2,450 and a contractor estimated a $4,000 cost for the bathroom because of the impact fee. He came to address the Council tonight to see if a more reasonable impact fee could be negotiated for this improvement. Mumford indicated there was a minimum fee for a water connection, which was equivalent to a residential unit. Alden asserted he would not use as much as a residential unit,

and estimated the bathroom might be used a few times per month. Anderson stated he compared water usage for other hangars. Some users used 20 gallons per month and others with businesses used more. The concern was that the tenants of residential and commercial buildings sometimes change over time and water and sewer usage could change as well. Mayor Phillips stated the Council could look at impact fees for hangars. Anderson indicated it would be a process to amend the Master Plan regarding impact fees. Alden asked if it made any difference that he didn't own the property. Anderson indicated that he owned the building and leased the ground. Mayor Phillips stated this item would go on the next work meeting agenda to be discussed.

APPOINTMENTS

Ryan Starks, Report on Heber Valley Tourism and Economic Development (HVTED): Starks indicated he wanted to account for the $25,000 contribution from the City. He presented a PowerPoint presentation. The money received from Heber City went into a general fund along with other entities' money and the HVTED board then developed a budget from the total amount. Starks stated the biggest complaint in the valley was "I don't know what's going on." The board was trying to address and resolve that complaint. Starks wanted his office to be strong so the valley's presence could be strong. They updated the website, including listing all the commercial properties for sale in the valley. He indicated that the County set a budget for HVTED, so if TRT collection was lower than that number, the County would provide the difference. The total TRT for Wasatch County was $1.1 million last year. Anderson indicated that the HVTED balance sheet was included in the extra materials for the Council to review. Starks remarked that to avoid financial ruin, the board approved to set money aside as a rainy day fund. They were recently discussing how to best use some of those rainy day funds to further promote the valley and not just sit on those funds. Council Member McDonald asked how HVTED and the Chamber of Commerce merged. Starks indicated the Chamber of Commerce board resigned, and a new board was recently created. Together, they were trying to create a stronger business network. Starks felt it was important that the HVTED make a presentation to the Council each year and account for its actions.

Anderson said he discussed developing the industrial park with Starks. There was interest in the area from hotels. Starks commented that he felt he was an extension of the City and if there was anything he could do to help, please call him.

ACTION ITEMS

Mark Miller, Request Approval of Proposed Plat Amendment to the Miller Lot Split located at 355 South 100 West: Council Member McDonald moved to approve the plat amendment to the Miller Lot Split, located at 355 South 100 West. Council Member Mergist made the second.

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

Appointment of Member to the Board of Adjustment: Mayor Phillips presented the name of Dallin Koecher to fill the vacancy on the Board of Adjustment. Council Member Mergist moved to approve Dallin Koecher as a member of the Board of Adjustment. Council Member Bradshaw seconded the motion.

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

Ordinance 2013-05, An Ordinance Amending the Consolidated Fee Schedule – Adopting New Secondary Irrigation Rates: Council Member Mergist moved to continue this item. Council Member McDonald seconded the motion.

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

Resolution 2013-03, a Resolution Amending the Heber City Personnel Policy, Section 1.5 - Definition of Terms, Section 9.1 – At-Will Employees, Section 13.9 – Overtime and Compensatory Time, Section 13.13 – Vacation, Section 13.14 – Sick Leave, Section13.19 – Workers' Compensation, Section 14.4 – Breaks and Rest Periods: Council Member Mergist moved to approve Resolution 2013-03, a resolution amending the Heber City Personnel Policy. Council Member McDonald made the second.

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

Award Bid for 300 West Waterline Improvement Project: Council Member McDonald stated he would like to modify the bid procedure to help local contractors. Council Member Bradshaw asked if the City was required by law to accept the lowest bid. Anderson stated when grant money was involved the City wouldn't be able to accept higher bids because of the accountability to the grantor. The Council asked to discuss this item on the May 2nd work meeting agenda. It was discussed that the County had a policy that allowed them to award a bid to the local bidder if the bid was no more than five percent higher than the lowest bid. Council Member McDonald asked if the grant would reduce the $261,000 bid amount. Mumford clarified the total project budget was $371,000, and the grant would reduce that amount.

Council Member Bradshaw moved to approve the BD Bush Excavation bid. Council Member Mergist seconded the motion.

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

Award Bid for Main Street Park Playground Replacement Project: Mumford showed the Council illustrations of the top three proposals. The Council agreed to let the committee decide which of the proposals to go forward with. Council Member Mergist moved to approve the Big T Recreation proposal, which was the committee's first choice. Council Member Bradshaw made the second.

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

Council Member Mergist moved to go into Closed Meeting at 8:20 p.m. for the purpose of discussing the sale or purchase of real estate. Council Member Bradshaw seconded the motion. Voting Aye: Council Members McDonald, Mergist and Bradshaw. Council Members Patterson and Rowland were excused.

Council Member Mergist moved to adjourn from Closed Meeting at 8:40 p.m. Council Member McDonald made the second. Voting Aye: Council Members McDonald, Mergist and Bradshaw. Council Members Patterson and Rowland were excused.

Anderson commented that Juli Larsen left her Justice Court Clerk position a couple weeks ago. Rondel Clegg was hired to replace her.

With no further business, the meeting was adjourned.

_____

Michelle Kellogg, City Recorder

DRAFT

APPOINTMENTS

ACTION ITEMS

TAB 1

HEBER CITY COUNCIL
Report by: Anthony L. Kohler
Meeting date: April 10, 2013

Re: Southfields Lot Line Adjustment at approximately 500 South Southfield Road

The owner of the future Southfield Estates Subdivision is requesting to adjust the lot lines to transfer the existing home to one of the development partners. The property is located within the R-1 Residential Zone, which requires a minimum of 10,000 square feet and 100 feet of frontage. The resulting lot meets the requirements of the R-1 Residential Zone. The attached map shows the current and proposed boundary lines. The map shows several overlaps and gaps with adjoining property lines.

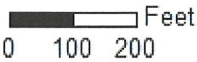
Section 10-9a-608 (5) (a) of the Utah State Code requires the Land Use Authority, who is the City Council in this situation, to approve the proposed lot line adjustment if it doesn't violate the zoning ordinance.

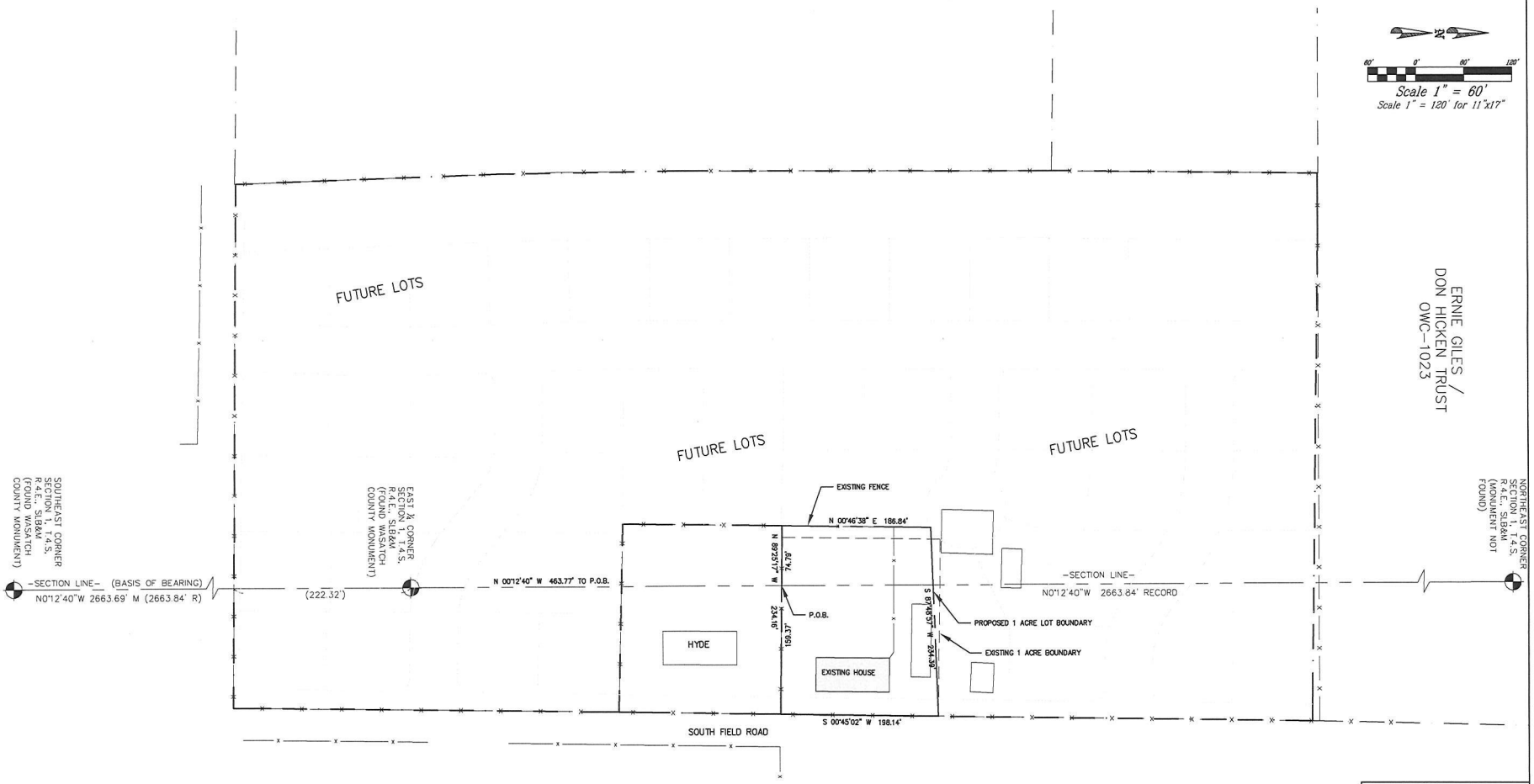
APPLICABLE CODES

Chapter 18.52 R-1 Residential Zone
Section 10-9a-608-(5) (b) (Utah State Code lot line adjustments)

Section 10-9a-608 Utah State Code
(5) (a) The owners of record of adjacent parcels that are described by either a metes and bounds description or by a recorded plat may exchange title to portions of those parcels if the exchange of title is approved by the land use authority in accordance with Subsection (5)(b).
(b) The land use authority shall approve an exchange of title under Subsection (5)(a) if the exchange of title will not result in a violation of any land use ordinance.
(c) If an exchange of title is approved under Subsection (5)(b):
(i) a notice of approval shall be recorded in the office of the county recorder which:
(A) is executed by each owner included in the exchange and by the land use authority;
(B) contains an acknowledgment for each party executing the notice in accordance with the provisions of Title 57, Chapter 2a, Recognition of Acknowledgments Act; and
(C) recites the descriptions of both the original parcels and the parcels created by the exchange of title; and
(ii) a document of conveyance shall be recorded in the office of the county recorder.
(d) A notice of approval recorded under this Subsection (5) does not act as a conveyance of title to real property and is not required in order to record a document conveying title to real property.

Heber City. Utah





EXISTING BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 00°12'40" WEST 463.77 FEET ALONG THE EAST SECTION LINE OF SECTION 1, FROM THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE NORTH 89°25'17" WEST 60.19 FEET;
THENCE NORTH 00°45'02" EAST 198.80 FEET;
THENCE SOUTH 89°14'58" EAST 219.56 FEET;
THENCE SOUTH 00°45'02" WEST 198.14 FEET;
THE NORTH 89°25'17" WEST 159.37 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1.00 ACRES

BOUNDARY LINE ADJUSTMENT DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 00°12'40" WEST 463.77 FEET ALONG THE EAST SECTION LINE OF SECTION 1, FROM THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. SAID POINT BEING ON AN EXISTING PROPERTY LINE WITH HYDE;

THENCE NORTH 89°25'17" WEST 74.79 FEET ALONG THE HYDE BOUNDARY TO AN EXISTING FENCE;
THENCE NORTH 00°46'38" EAST 186.84 FEET GENERALLY FOLLOWING AN EXISTING FENCE;
THENCE SOUTH 87°48'57" WEST 234.39 FEET TO AN EXISTING FENCE ALONG SOUTH FIELD ROAD;
THENCE SOUTH 00°45'02" WEST 198.14 FEET ALONG THE EXISTING SOUTH FIELD ROAD FENCE TO THE HYDE PROPERTY;
THE NORTH 89°25'17" WEST 159.37 FEET ALONG THE HYDE BOUNDARY TO THE POINT OF BEGINNING.

CONTAINING: 1.034 ACRES

RYAN DAVIS

MEADOWS AT SOUTH FIELDS

BOUNDARY LINE ADJUSTMENT

BERG ENGINEERING
RESOURCE GROUP P.C.
300 E Main St. Suite 204,
Midway, Ut 84049
ph. (435) 657-9749

DESIGN BY: PDB DRAWN BY: PDB	DATE: 9 APR 2013 REV:	SHEET 1

TAB 2

Welcome!

Posted on **March 23, 2013**

The Heber Valley Memorial Run will be held on **Memorial Day, Monday, May 27, 2013**. This charity event will benefit an organization, family, or individual in need in the Heber Valley community. We invite you and your friends & families to join us for this fun run/walk event on this special holiday. If you are not able to join us for the event and you want to help in another way, visit our Sponsors page.

Memorial Day is a time to reflect on those that are no longer with us. The goal of this event is to honor those people by raising money to help others. Participants have the chance to run or walk in honor of a person(s). A board will be available to write messages or post a picture to honor those special people. Participants can also wear a memorial shirt, hat, etc. in memory of a loved one.

In 2013, the funds will benefit the local hospital, which is working towards a goal to open a dialysis center. This will be the first along the Wasatch Back. Click here to read more. The funds will also help supply the hospital with items for children, to help the children feel more comfortable while they are at the hospital.

This event is organized in memory of Val, Kathy, and Quincy Draper, who passed away in May 2012. Click here to read more about their story.

Posted in **Uncategorized**

Mark K Anderson

From: Tom Bonner [tombonner@co.wasatch.ut.us]
Sent: Thursday, April 11, 2013 4:27 PM
To: manderson@ci.heber.ut.us
Cc: Lesa Hough; martinshort3@hotmail.com
Subject: Draper 5k Run

Mark,

This letter is to inform you that the memorial day 5k run is a Wasatch County Parks and Recreation sponsored event and is covered by our risk management. The event will be held on Monday May 27, 2013 at the south field park complex. If you have any other concerns about this event feel free to contact me.

Sincerely,

Tom Bonner, Director
Wasatch County Parks & Recreation
345 West 600 South #500
Heber City, Utah 84032
Office: 435-657-3240
Fax: 435-657-1072
Cell: 435-671-8496

WASATCH COUNTY
PARKS & RECREATION

TAB 3

Heber City Council
Meeting date: April 18, 2013
Report by: Anthony L. Kohler

Re: Arbor Day Proclamation

This year the city will be recognized by the Utah State Forester and the Arbor Day Foundation for the third time for the Tree City USA designation. To receive the certification, the city must (1) Appoint a tree board; (2) Adopt a tree ordinance; (3) Spend at least $2 per capita on community forestry issues; and (4) Observe Arbor Day. The city has done all four of these for 3 consecutive years to receive the certification.

The purpose of the discussion on April 18, 2013 is to adopt an updated Arbor Day Proclamation, designating the second Thursday in May as the city's Arbor Day Celebration. This year, staff is suggesting the city erect a Tree City USA sign along Main Street as part of that celebration.

Resolution 2013-04
Arbor Day Proclamation

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, the City Council of Heber City, does hereby proclaim the second Thursday of May as

Arbor Day

in Heber City, and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, the City Council urges all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this_____day of_____in the year_____

Mayor_____
David R. Phillips, Mayor

Attest_____
Michelle Kellogg, City Recorder

TAB 4

ORDINANCE NO. 2013-05

AN ORDINANCE AMENDING THE CONSOLIDATED FEE SCHEDULE **APPENDIX "A" (Consolidated Fee Schedule)** ASSOCIATED WITH AND PERTAINING TO THE SECONDARY IRRIGATION 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 secondary irrigation 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: _____

UTILITY FEE

Service		Fee	
Single Family Unit	$	4.83	
Multi Family =< 1 Acre	$	4.83	
Multi Family > 1 Acre	$	3.77	Per Acre
Non Residential =< 1 Acre	$	4.83	
Non Residential > 1 Acre	$	3.77	Per Acre
Maximum Fee for Any Parcel	$	40.00	*

***Parcels shall not be combined.**

IRRIGATION

Service		Fee		
Ditch Irrigation	$	12.00	per share with $6.00 minimum	
Secondary Irrigation				
Less than 6,000 square feet	$	4.00	$	6.00
6,000 - 9,999 square feet	$	8.00	$	10.00
10,000 -14,999 square feet	$	14.00	$	15.00
15,000 - 19,999 square feet	$	17.00	$	20.00
More than 20,000 per 1K square feet	$	25.00	$	25.00

IMPACT FEES

Service		Fee
Parks and Trails (Residential Per Lot)	$	485.00
Streets and Transportation (Residential Per Lot)	$	1,382.00
Multi Family Per Lot	$	839.00
Non Residential Per Trip	$	80.00
Culinary Water		
Residential (ERU)	$	2,435.00
Fee Per .75" Meter (30 gpm max flow)	$	2,435.00
Fee Per 1.0" Meter (50 gpm max flow)	$	4,330.00
Fee Per 1.5" Meter (100 gpm max flow)	$	9,741.00
Fee per 2" Meter (160 gpm max flow)	$	17,317.00
Fee per 2.5" Meter (??? Gpm max flow)	$	27,058.00
Fee per 3.0" Meter (350 gpm max flow)	$	38,964.00
Fee per 4.0" Meter (1,000 gpm max flow)	$	69,268.00
Pressurized Irrigation		
Residential	$	653.00
Non Residential per irrigated square foot	$	0.09
Sewer		
Fee per ERU	$	1,242.00

Impact Fees are adjusted January 1st of each year based on prior year, December, ENR 20 City Index.

TAB 5

HEBER CITY CORPORATION

STAFF REPORT

MEETING TYPE:	Regular Council Meeting	**MEETING DATE:**	April 18, 2013
SUBMITTED BY:	Bart L Mumford	**FILE NO:**	13002
APPROVED BY:	Mark K. Anderson		
SUBJECT:	100 South Sidewalk - CONTRACT AWARD		

PURPOSE

To obtain Council approval to award a construction contract to Quicksilver Concrete for Heber City's 100 South Sidewalk project.

RECOMMENDED ACTION

That the City Council authorize the City Manager to execute an agreement with the apparent low bidder, Quicksilver Concrete, for an amount not-to-exceed $106,994.15.

BACKGROUND/HIGHLIGHTS

The FY 2013 City Budget includes funds for the design, construction, and installation of replacement sidewalk, driveways, and landscape repair on 100 South between 100 West and 500 West. The budget for this project is $149,000.00. This action is for the approval to award a construction contract. The engineering design and construction services are being provided by Horrocks Engineers.

The project was advertised for bid on March 13, 20, 27 and April 4, 2013 in the Wasatch Wave and in the Intermountain Contractor. A prebid meeting was held on March 26, 2013. A public bid opening was held on April 10, 2013 at the Heber City offices. The engineers estimate for the project was $142,670. The following bids were received:

1.	Quicksilver Concrete	$106,994.15
2.	B&G Contractors	$111,407.00
3.	ZPSCO Contractors, Inc.	$111,659.80
4.	Bowen Construction	$117,519.10
5.	Concrete Concrete	$123,417.75
6.	B. Hansen Construction Inc.	$131,528.50
7.	TKL Construction	$151,820.50
8.	Wells Barker Construction	$152,756.25
9.	Acme Construction	$167,480.60

Attached is the bid tab showing the bid details. The apparent low bidder was Quicksilver Concrete. Staff reviewed the bids and found that Quicksilver provided all information required in Section 200 of the contract documents. References were checked and found to be favorable. Staff recommends awarding the contract to Quicksilver Concrete for $106,994.15.

FISCAL IMPACT

The Budget approved for this project in the current Fiscal Year is $149,000 which comes from the Capital Project Fund. Approximately $9,000 has been spent to date on the project for engineering planning and design.

Total engineering design, construction and inspection services are estimated to be $22,000. The construction cost, if awarded to Quicksilver Concrete, is estimated to be $106,994.15, for a combined total project cost of $128,994 which is within the project budget.

LEGAL IMPACT

At the bid opening Concrete Concrete appeared to be the low bidder with a bid amount of $56,142.75. However, after checking and recalculating the total amounts based of the bid unit prices, as prescribed in the bid documents, the total bid prices were corrected and Quicksilver Concrete was the actual apparent low bidder.

13002SR 100S Sidewalk Contract Award 130418.doc

BID TAB - April 10, 2013
Heber City
100 S. Sidewalk Project 100 West to 500 West

						1		2		3		4	
				Engineers Estimate		Quicksilver Concrete, Inc.		B&G Contractors		ZPSCO Contractors, Inc.		Bowen Construction	
No.	Item Description	Qty Bid	Unit	Unit Bid Price Dollars	Amount Dollars	Unit Bid Price Dollars	Amount Dollars	Unit Bid Price Dollars	Amount Dollars	Unit Bid Price Dollars	Amount Dollars	Unit Bid Price Dollars	Amount Dollars
1	Mobilization	1	LS		$6,700.00		$8,850.00		$10,000.00		$7,000.00		$5,000.00
2	Traffic Control	1	LS	$6,700.00	$6,700.00	$3,000.00	$3,000.00	$4,000.00	$4,000.00	$3,000.00	$3,000.00	$2,300.00	$2,300.00
3	4" Concrete Sidewalk-Remove and Replace	11,500	SF	$6.62	$76,130.00	$5.10	$58,650.00	$5.25	$60,375.00	$5.50	$63,250.00	$5.30	$60,950.00
4	6" Concrete Sidewalk – Remove and Replace	1,700	SF	$7.50	$12,750.00	$6.25	$10,625.00	$6.75	$11,475.00	$6.00	$10,200.00	$7.35	$12,495.00
5	6" Concrete Driveway – Remove and Replace	1,200	SF	$8.78	$10,536.00	$6.25	$7,500.00	$6.00	$7,200.00	$6.00	$7,200.00	$7.50	$9,000.00
6	3" Asphalt Pavement Driveway – Remove and Replace	500	SF	$4.41	$2,205.00	$5.15	$2,575.00	$5.00	$2,500.00	$7.00	$3,500.00	$8.50	$4,250.00
7	Saw Cut	400	LF	$3.00	$1,200.00	$2.00	$800.00	$1.00	$400.00	$2.00	$800.00	$3.10	$1,240.00
8	Untreated Base Course	200	TN	$30.00	$6,000.00	$28.00	$5,600.00	$23.00	$4,600.00	$25.75	$5,150.00	$46.00	$9,200.00
9	Remove Tree Roots	10	EA	$500.00	$5,000.00	$65.00	$650.00	$50.00	$500.00	$60.00	$600.00	$100.00	$1,000.00
10	Landscape and Sprinkler Restoration	5,257	SF	$1.94	$10,198.58	$0.95	$4,994.15	$1.00	$5,257.00	$1.40	$7,359.80	$1.30	$6,834.10
11	Curb & Gutter-Remove and Replace	150	LF	$35.00	$5,250.00	$25.00	$3,750.00	$34.00	$5,100.00	$24.00	$3,600.00	$35.00	$5,250.00
				TOTAL BID	$142,669.58	TOTAL BID	$106,994.15	TOTAL BID	$111,407.00	TOTAL BID	$111,659.80	TOTAL BID	$117,519.10

LOW BID

				5		6		7		8		9	
				Concrete Concrete		B. Hansen Construction Inc		TKL Construction, Inc		Wells Barker Construction		Acme Construction	
No.	Item Description	Qty Bid	Unit	Unit Bid Price Dollars	Amount Dollars	Unit Bid Price Dollars	Amount Dollars	Unit Bid Price Dollars	Amount Dollars	Unit Bid Price Dollars	Amount Dollars	Unit Bid Price Dollars	Amount Dollars
1	Mobilization	1	LS		$5,000.00		$7,500.00		$15,182.00		$11,245.00		$14,590.00
2	Traffic Control	1	LS	$2,200.00	$2,200.00	$5,000.00	$5,000.00	$10,884.00	$10,884.00	$1,500.00	$1,500.00	$4,610.00	$4,610.00
3	4" Concrete Sidewalk-Remove and Replace	11,500	SF	$6.50	$74,750.00	$7.00	$80,500.00	$5.50	$63,250.00	$7.32	$84,180.00	$6.45	$74,175.00
4	6" Concrete Sidewalk – Remove and Replace	1,700	SF	$7.50	$12,750.00	$8.00	$13,600.00	$6.50	$11,050.00	$8.57	$14,569.00	$8.95	$15,215.00
5	6" Concrete Driveway – Remove and Replace	1,200	SF	$7.50	$9,000.00	$8.00	$9,600.00	$6.50	$7,800.00	$8.57	$10,284.00	$8.95	$10,740.00
6	3" Asphalt Pavement Driveway – Remove and Replace	500	SF	$4.85	$2,425.00	$4.00	$2,000.00	$3.08	$1,540.00	$6.60	$3,300.00	$6.90	$3,450.00
7	Saw Cut	400	LF	$2.25	$900.00	$2.00	$800.00	$4.00	$1,600.00	$2.00	$800.00	$1.40	$560.00
8	Untreated Base Course	200	TN	$35.00	$7,000.00	$22.00	$4,400.00	$24.39	$4,878.00	$24.00	$4,800.00	$32.00	$6,400.00
9	Remove Tree Roots	10	EA	$125.00	$1,250.00	$100.00	$1,000.00	$1,445.00	$14,450.00	$200.00	$2,000.00	$672.00	$6,720.00
10	Landscape and Sprinkler Restoration	5,257	SF	$0.75	$3,942.75	$0.50	$2,628.50	$3.50	$18,399.50	$2.25	$11,828.25	$3.30	$17,348.10
11	Curb & Gutter-Remove and Replace	150	LF	$28.00	$4,200.00	$30.00	$4,500.00	$18.58	$2,787.00	$55.00	$8,250.00	$91.15	$13,672.50
				TOTAL BID	$123,417.75	TOTAL BID	$131,528.50	TOTAL BID	$151,820.50	TOTAL BID	$152,756.25	TOTAL BID	$167,480.60