

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT
City Council Meeting
May 19, 2020

5:00 p.m. Work Meeting
6:00 p.m. Regular Meeting

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** remotely via personal computer device on May 19, 2020. Due to the Wasatch County Health Department's stay at home order, this meeting was held virtually.

I. WORK MEETING-5:00 P.M.

Present: Mayor Kelleen Potter
Council Member Heidi Franco (participating remotely)
Council Member Mike Johnston (participating remotely)
Council Member Rachel Kahler (participating remotely)
Council Member Ryan Stack (participating remotely)
Council Member Wayne Hardman

Staff Present: City Manager Matt Brower
City Attorney Mark Smedley
City Planning Director Tony Kohler
City Engineer Bart Mumford
Assistant City Engineer Russ Funk
City Planner Jamie Baron
Police Lieutenant Jeremy Nielson
City Recorder Trina Cooke

Also Present: Sorenson Property Annexation's representatives Mike Bradshaw and John Plunkett
Participating Remotely: Frank Fortino

Mayor Potter called the meeting to order at 5:00 p.m.

1. Discussion of Ordinance 2020-05 Amending the Home Occupation Code (Kohler) - 25 min

WM Item 1 Staff Report Home Occupation Code Amendment

City Planning Director Tony Kohler presented the information as attached in the staff report. He provided a summary of the proposed changes, the finding and conclusions of staff, and discussion points. He noted the Planning Commission and Staff both recommended the Code amendment. Mr. Kohler introduced Frank Fortino, owner-operator of a local pizza food truck who had requested the City Code amendment.

Mr. Fortino explained the request was in order to allow him to build a prep kitchen in his garage which was not permitted in the current code. Mr. Kohler noted this item was on the Work Meeting for Council discussion only and it would be presented for action on a future Council Meeting.

Council Member Kahler asked how the City could prevent people from running a food truck business from their driveway with the proposed Code amendment. Mr. Kohler referred to the section which stated “the vehicle/trailer shall not be parked upon the street right of way or between the street and the home”. Council Member Johnston expressed his support for the Code amendment.

Council Member Stack expressed support as well and suggested the following inclusions:

- B.3 specify the resident be a full-time resident
- B.4 – he felt the City sign code should be updated before deferring to it in this section
- B16 – he felt 10pm was too late for operating hours
- Fire department review of the kitchen
- Limitations to delivery times
- Review of Salt Lake City’s prohibited businesses

Discussion regarding specifications and restrictions for the Code amendment followed.

2. Main Street Banner Policy Discussion (Smedley) – 30 min

City Attorney Mark Smedley explained the City Code did not currently include parameters to mandate or restrict the banners hung from light poles along Main Street. He explained the purpose of the discussion was to establish whether the Council felt a policy was necessary and if so, obtain feedback and guidance from the Council for the policy. Council Member Stack explained his concern was the City’s lack of policy allowed no restriction of content. He recommended the content of banners be restricted to City, County and Governmental speech.

Council Member Johnston expressed agreement with Council Member Stack's concerns regarding the possibility of the banners becoming a political platform and a war of differing opinions. He wanted to avoid public debates. Mayor Potter suggested the city adopt an ordinance allowing the Council the ability to vote to approve banner content. Council Member Franco suggested the Council restrict banner content to City and local government sponsored events and holidays. She recommended not allowing individuals to sponsor banners. Council Member Kahler asked if the City could take more control and whether the banners could be used less commercially and focus on branding for the City. Discussion regarding how to specify or restrict banner content continued.

Mayor Potter suggested having City Attorney Mark Smedley find a range of policy options for the Council to consider. City Attorney Mark Smedley agreed to reach out to other cities who had vetted banner policies for comparisons and bring them back to Council for further discussion.

3. Scheduling Tours of Annexation Petitions Properties (Brower) - 5 min

WM Item 3 Staff Report

Mr. Brower stated the Open Space and Trails Committee had expressed interest in a tour of the proposed North Village area annexations and asked if the Council would be interested in the tour as well. Council consensus was to be included in the invitation for a tour once a date and time was established.

II. REGULAR MEETING-6:00 P.M.

1. Call to Order

Mayor Potter called the Regular Meeting to order at 6:00 p.m. and welcomed all those listening. She advised members of the public how to access a link located on the City website in order to provide public Comments during the Public Comment period on the agenda or for specific agenda items.

2. Pledge of Allegiance (Council Member Johnston)

Council Member Johnston led the Pledge of Allegiance.

3. Prayer/Thought by Invitation (Default: Council Member Stack)

Council Member Stack shared a prayer.

III. CONFLICT OF INTEREST DISCLOSURE:

IV. CONSENT AGENDA:

1. Approval of May 2, 2020 City Council Special Meeting Minutes (Cooke)

5.2.2020 Special Meeting DRAFT Minutes

Motion: Council Member Kahler moved to approve the Special Meeting Draft Minutes for the meeting held May 2, 2020. Council Member Stack seconded the motion. Voting Aye: Council Members Franco, Hardman, Johnston, Kahler and Stack. The motion passed unanimously.

V. PUBLIC COMMENTS:

Mayor Potter read a public comment submitted by Ron Crittenden regarding budget concerns based on the current economic uncertainty due to the Corona Virus/Covid-19 pandemic [attached at the end of these Minutes]. In response to the email, Mayor Potter informed those listening that City Manager Matt Brower had immediately reacted to the pandemic by asking all departments to cease all unnecessary expenditures and had been providing regular reports on projections and revenue status updates to the Council.

VI. ACTION ITEMS:

1. Update Regarding Heber City's Ongoing Response to COVID-19 (Brower)

Mr. Brower provided a PowerPoint presentation (as included in the recording) regarding the current state of the City during the COVID-19 pandemic. He noted Wasatch County remained at the Orange level risk. He provided the website <http://coronavirus.wasatch.utah.gov/> for those seeking additional information.

Lieutenant Jeremy Nelson provided an update of the police department's ongoing safety measures and City Attorney Mark Smedley provided an update of the Justice Court's proceedings during the ongoing pandemic.

Mr. Brower advised Council that the City offices had reopened to the public as of May 18, 2020. The offices were taking additional safety precautions such as the installation of health screens at customer service counters and disinfecting between customers. He added that the Business License department was working diligently to forward information to all local businesses. Mr. Brower explained the City was working closely with the Wasatch County Health Department. The Heber Market on Main kickoff was currently postponed to July, 2020 dependent upon the Governor's direction.

2. Consider Approval of Ordinance 2020-13 to Accept the Sorenson Property Annexations (aka Reinvestment Holdings Annexation and the West Jordanelle-Jordanelle Ridge Annexation) - continued (Kohler)

Item 2 Staff Report Sorenson

Item 2 MDA Redline Version

Item 2 MDA Clean Version

Item 2 Sorenson Exhibits with Updated Subdivision Document Submittal

Mayor Potter read several emails from the public as attached following these meeting minutes.

Mr. Brower described the innumerable efforts by the City and Staff to ensure the Sorenson Annexations were beneficial to the City. He read through the latest adjustments to the MDA (Master Development Agreement), made at the direction of Council, in order to finalize and approve the annexation.

City Planning Director Tony Kohler clarified the Council would be accepting the annexation by approving Ordinance 2020-13 which included the MDA as an exhibit.

Council Member Johnston expressed his support of the annexation and recognized the fact that the development would outlast both the sitting Council Members, and annexation representative Mr. Bradshaw. He explained his desire to ensure the City's and developer's expectations were aligned and discussion to clarify followed.

The following points for section 3.6 of the MDA were determined:

- The developer would comply with the current Moderate Income Housing Ordinance and Plan (2018-31).
- The language in section 3.6 ensured the developer would build the moderate-income housing units and not be permitted the fee in lieu option.
- The wording "or have obtained permits to build" would be removed from the section to read: "Developer must have built 144 affordable housing units that comply with the with the City ordinance before any additional building permits for market rate housing are approved".

Motion: Council Member Johnston moved to strike the words "or have obtained permits to build" and to include a sentence stating the fee in lieu was not permitted. Council Member Franco made the second. Voting Aye: Council Members Franco, Hardman, Johnston, Kahler and Stack. The motion passed unanimously.

Council Member Johnston felt the definition of Improved Open Space in section 1.2.34 should include: Irrigated landscaping, pavilions, playgrounds, bathrooms, paved parking lots. Council Member Franco felt the playground size should be established and asked to add drinking fountains to the list of amenities. Mr. Brower explained the list was intended as an example of what could be considered improved open space rather than to encompass everything that would constitute improved open space.

Motion: Council Member Johnston moved to include; bathrooms, irrigated landscaping, pavilions, playgrounds, drinking fountains and associated paved parking lots in the definition 1.2.34 Improved Open Space. Council Member Stack made the second. Voting Aye: Council Members Franco, Hardman, Johnston, Kahler and Stack. The motion passed unanimously.

Council Member Johnston felt the language in section 7. Open Space, Regional and Improved Public Parks and Trails Requirements should specify that the City had the discretion to own and maintain the acreage dedicated as neighborhood parks. Mr. Bradshaw agreed to the suggestion. Discussion continued regarding park specifications.

Motion: Council Member Johnston moved to add the language "The City will be given the first right of refusal to accept ownership and maintenance obligations of the parks" to section 7.1 Neighborhood Parks. Council Member Stack made the second.

Sorenson representative John Plunket suggested the language in 7.0 be modified to exclude neighborhood parks from the 60 total acres of improved open space dedicated to the City. Discussion continued regarding the specific language in the Parks section. Mr. Brower recommended that Mr. Plunket and City Attorney Mark Smedley leave the room to work out acceptable language to please both the Council and annexation petitioners.

In section 7.3 Regional Parks, it was determined to change the number of residential units constructed from 1,400 to 1,200 as the trigger for trailhead park construction as well as to include “access to public bathrooms” in the amenities.

Council Member Franco asked if they needed to have an agreement drafted between Ivory Homes and the Sorenson group for follow-through on the bridge from Coyote Lane. City Engineer Bart Mumford explained the obligation of the bridge was in Ivory homes agreement. Mr. Bradshaw explained they would need the bridge to be widened in order to move forward with development.

Discussion turned to public and private road standards. Council Member Johnston advocated for minimum asphalt in the mountainous areas. It was determined to keep the private roads at 24 feet wide as long as it still met fire code.

Discussion turned to the trails system. Mr. Bradshaw explained the map shown was just an overview of an existing trail to be added to and expanded upon.

The following adjustments were agreed upon for the Jordanelle Design Guidelines:

- Section 4.8 Storm Drainage; needed to include “per acre” after “0.1 cfs”.
- Section 4.5 Mailboxes; cluster mailboxes would be a requirement for all units
- Section 5.6 Fencing; the language of the third paragraph would be modified to read: “Property owners *shall* only install fencing on their property” and to eliminate “open space” from the last sentence of the paragraph.
- Section 6.0 Landscaping; change the date range to read “November 1 - April 30”
- Section 6.0 Rear Yard Landscaping; deadline for landscaping should be “June 30” if Certificate of Occupancy is issued during the winter months.
- Section 7.0 Lighting and Miscellaneous Site Features; Council Member Johnston asked them to consider dark sky compliance.

Motion: Council Member Johnston moved to amend the design guidelines as discussed and agreed upon and for the developer and City to work together to implement dark sky compliant requirements to be adopted into the developers design guidelines. Motion failed for lack of a second.

City Attorney Mark Smedley reviewed the following agreed upon amendments included in the MDA as drafted by himself and Mr. Plunkett:

- Section 1.2.34 Improved Open Space; line 5, after the words “sports fields,” added the words: “bathrooms, irrigated landscaping, associated paved parking for improved open space, pavilions, playgrounds, trailheads, drinking fountains, or other improvements”

- Section 3.6 Affordable Housing Requirements; line 11, deleted the words “or have obtained permits to build” to read: “For every 1,442 market rate housing units that are built, Developer must have built 144 affordable housing units that comply with the City ordinance before any additional building permits for market rate housing units are approved...” and added at the end of the paragraph “Payment of a fee-in-lieu to fulfill this requirement, as provided in the ordinance, is not an option, unless specifically agreed to by the City”
- Section 7 Open Space, Regional and Improved Public Parks, and Trails Requirements; nine lines from the bottom, amended to include the underlined and read as: “Holdings, Developer or Sub-developers, shall be required to dedicate to the City at least 10 acres of total improved open space for every 1,000 residential units approved. This Improved Open Space shall be developed as public Village Parks or public Regional Parks as described below.” “Neighborhood Parks” had been deleted from the last sentence.
- Section 7.2 Village Center Parks; line 7, amended to read as: “the public Village Center Parks shall be designed with City input but developed, constructed and paid for by the applicable developer and managed and maintained by the City and shall be open and accessible to the public. These public parks will be required, as a minimum, to have tot lots, trail connections, landscaping with trees, access to bathrooms, benches and drinking fountains. These parks are intended to be part of the Capital Facilities Plan outlined in section 8 of this agreement. The timing of these parks will follow the schedule outlined in the Capital Facilities Plan.”
- Section 7.3 Regional Parks; second line from the bottom, the sentence was changed from “1,400 residential units constructed” to “1,200 residential units platted”.

Motion: Council Member Johnston moved to accept the MDA for the upper Jordanelle Master Planned Community, as amended that night, along with design guidelines and attached exhibits as reviewed and amended, and concurrently adopt Ordinance 2020-13 to approve the annexation consisting of approximately 8288 acres. Council Member Hardman made the second. Rollcall vote: Voting Aye: Council Members Franco, Hardman, Johnston, Stack, and Kahler. The motion passed unanimously.

3. Consider Approval of Ordinance 2020-21 to Amend the Zone Boundary from Residential (R-1) Zone and Residential (R-3) Zone to the R-3 Clustered Open Space Zone (COSZ) for The Springs at Coyote Ridge aka VXC Annexation, located Southeast of Coyote Lane - continued (Baron)

Item 3 Staff Report - Springs at Coyote Ridge Zone Change and Concept

*City Planner Jamie Baron asked to skip to agenda item four as he felt this item was somewhat contingent on the approval of the Annexation Addendum.

Returned to discussion of Agenda Item Four after discussion of Agenda Item Five.

Mr. Baron presented an image to reflect the area of the proposed zone change.

Motion: Council Member Hardman made the motion to approve Ordinance 2020-21. Council Member Stack made the second. Rollcall Vote: Voting Aye: Council Members Johnston, Stack, Kahler, Franco and Hardman. The motion passed unanimously.

4. Consider Ordinance 2020-23 Approval of the VXC Annexation Addendum (Coyote Ridge Open Space Agreement) - continued (Baron)

Item 4 Staff Report - VXC 1st Addendum

Mr. Baron presented the policy questions to be considered. Council Member Franco disapproved of the request for a five-foot setback on the south side of requested barn parcel. It was determined to address the policy questions in order.

- Density and Uses

Ivory Homes was requesting higher density for their development. Mr. Prince indicated Ivory homes had the higher density in their draft and felt it had been lost in the shuffle. He apologized it was not in the draft Council had previously viewed and apologized for the miscommunication. Mr. Prince then shared that Ivory was in the process of entering into contract to purchase the adjoining Boone property. Wasatch Back development representative Brett Walker asked for Council consideration based on the additional months of time the process has taken due to the City's request for the pond and park dedication. Discussion continued. Consensus of the Council was to not allow any additional increased density.

Motion: Council Member Johnston moved to allow 17 additional units in exchange for Ivory having acquired the Boone property, Ivory's contribution of nearly a quarter million dedicated to park improvements and to remove the Coyote Lane access from the cul-de-sac, dedicating 100 feet of corridor along the Highway through the Boone property. The motion failed for lack of a second.

Extensive discussion regarding density and the agreement continued.

Mr. Brower proposed the Council consider eliminating Ivory's \$250,000 park contribution and the City assess an increased parks impact fee to the building permits in order to cover the cost of the park improvements.

Council Member Franco suggested delaying the park improvement payment from Ivory until 75% of their units were completed and reducing the fee to \$150,000 in order for the City to be eligible to apply for matching grants.

Council Member Kahler expressed disapproval for both the proposed increased density and waiving the Park improvement payment obligation.

Discussion continued.

Motion: Council Member Stack moved to release Ivory of the nearly \$250,000 obligation towards park improvements, grant no additional density, and for the City to increase the parks impact fee to raise the necessary funds to cover the cost of the park. Council Member Hardman made the second. Voting Aye: Council Members Harman, Franco, Stack and Johnston. Voting Nay: Council Member Kahler. The motion passed 4-1.

It was clarified that Ivory would still be granted an additional eight (8) units in return for obtaining the Boone property.

Policy Questions Continued:

- Road Stubs

Sixty-foot wide future road easement to be built with adjoining developments.

- Affordable Housing

Ivory would not be required to increase their affordable housing contribution based on the addition units allowed for acquisition of the Boone property.

- Park Timing

Mr. Brower pointed out the City would be paying for the park, therefore it would be the City's timeline to determine.

- Berming and Barn Parcel

Wasatch back was requesting to eliminate the berm requirement between the barn and trail and the highway due to limited space. It was determined the setback to the North needed to be a minimum twelve-feet. Council Member Johnston asked if it was entirely necessary to have driveway access from Highway 40. Mr. Lent informed Council the proposed barn was intended to be used for storage and they wanted a pull through drive, which would mainly exit to the east on the far side of Highway 40.

The final change presented was the addition of a twenty-foot wide trail easement connecting the park to the single-family lots as proposed by Council.

It was clarified that if the Boone property was obtained by Ivory, the cul-de-sac's currently proposed access from Coyote Lane would be relocated.

Motion: Council Member Johnston moved to accept the proposed amendment to the annexation agreement with Ivory Homes and Wasatch Back. Concerning the following items: Number one; the City would release Ivory Homes from their requirement to donate approximately \$250,000 for improving the park. Number two; the road stub to the south would be granted to the City as a sixty-foot wide easement to be built at a future date. Number three; the City was not requesting any additional affordable housing bonus based on the additional units granted to Wasatch Back. Number four; there would be no timeline requirement for the City to improve the park. Number five; the City agreed to eliminate the berm requirement on the Wasatch Back portion of approximately 64 feet. Number six; the City would work with the applicant to craft a parcel for the barn lot granted for private use only; the setback to the South would be twelve feet minimum; the City would grant an easement for a dedicated trail corridor; and regarding the park, Wasatch Back would grant a twenty-foot trail easement to the knuckle of the road, to be constructed at the completion of the subdivision (and the City would work with Wasatch Back regarding the measurement of the setback of the corner lot in order to accommodate the width of the easement); and that in return for dedicating the 2.85 acres to the City for a public park, the City was granting 28 additional townhome units to Wasatch Back. Number seven; Ivory Homes would relocate the cul-de-sac from Coyote Lane if the Boone property was purchased. And to approve Ordinance 2020-23. Second: Council Member Hardman made the second. Rollcall vote: Voting Aye: Council Members Hardman, Johnston, Stack, Kahler and Franco

5. Consider Approval of CARES Act Grant Offer for the Heber Valley Airport (Biggs)

Item 5 - Staff Report - AP Grant

Heber Valley Airport Manager explained the aviation industry had been one of the hardest hit economically by the impacts of the Corona Virus/COVID-19 pandemic. The airport had been offered a grant through the CARES (Coronavirus Aid, Relief, and Economic Security) Act in the amount of \$69,000. The City would not be required to repay the money but the grant needed to be accepted formally by the City Council.

Motion: Council Member Kahler moved the City accept the Cares Act grant as presented. Council Member Franco made the second. Voting Aye: Council Members Franco, Hardman, Johnston, Kahler and Stack. The motion passed unanimously.

6. Consider 600 South 300 West Roundabout Approval (Mumford)

Item 6 Rd19 600S Rndabout 200518

City Engineer Bart Mumford reminded Council that they had directed Staff to provide a less expensive option for a roundabout. He presented a mini roundabout option and explained it was a smaller version of the more expensive, traditional roundabout. The one possible drawback that large trucks, buses or trailers would run it over. He indicated Staff needed Council to provide a decision regarding the installation of a traditional roundabout, mini roundabout or a four way stop for the intersection. Mr. Mumford clarified the cost of a mini roundabout would be approximately half of a traditional roundabout and the City would not bear the expense of undergrounding the Heber Light and Power power-line.

Consensus of the Council was in support of the mini roundabout.

Motion: Council Member Kahler moved to approve the funding for staff to proceed with the design and construction of the recommended mini roundabout. Council Member Hardman made the second. Voting Aye: Council Members Franco, Hardman, Johnston, Kahler and Stack. The motion passed unanimously.

7. Consider Approval of Ordinance 2020-14 Amending the Heber City Sign Ordinance (Kohler)

Item 7 Staff Report Amending Sign Regulations

Due to the late hour, it was determined to continue this agenda item to a future item.

8. Fiscal Year 2020-2021 Annual All Funds Tentative Budget Review (Brower, Bingham)

City Manager Matt Brower reviewed the timeline of the Budget Workshop meetings and upcoming Fiscal Year 2020-2021 Budget adoption. He explained the General Fund Budget changes as well as additional fund changes. He noted the Heber Sales Tax preliminary estimate was 104% above the previous year. Mr. Brower informed Council that if they agreed with the changes as presented, said changes would be incorporated into the final budget document. Council Agreed.

VII. COMMUNICATION ITEMS BY MAYOR, CITY COUNCIL AND STAFF: Staff Follow-Up Reports from City Council Requests

1. Staff Follow-Up Reports from City Council Requests

Discussion returned to the roundabout and consensus of the Council was to reconsider the roundabout. City Attorney Mark Smedley advised the Council they could not change the previous direction given by Council via the earlier motion. He indicated they would need to bring it back at the next meeting. Mr. Mumford noted they would need to do two designs and get two bids for both the mini and standard roundabouts. Mr. Brower stated he would direct Staff to include the roundabout in the upcoming Fiscal Year 2020-2021 budget.

Motion: Council Member Hardman moved to extend the meeting beyond 11:30 p.m. in order to finish their discussion. Council Member Franco made the second. Voting Aye: Council Members Franco, Hardman, Johnston, Kahler and Stack. The motion to extend the meeting passed unanimously.

Consensus of the Council was to return to the next meeting with both roundabout designs and bids.

Mr. Baron shared information regarding the policy question of whether the Council wanted to take action to void expiring plats. He advised Staff Recommended not taking action.

VIII. ADJOURNMENT

Motion: Council Member Stack made the motion to adjourn. Council Member Hardman made the second. The Meeting adjourned at 11:36 p.m.




Trina Cooke, City Recorder

Following are the Public Comments received via email for the Public Comment section of the agenda as well as comments pertaining to specific agenda items:

V. PUBLIC COMMENTS:

From: Ronald Crittenden

Sent: Monday, May 18, 2020 3:52 PM

To: CC Public Comments <ccpublic@heberut.gov>

Cc: Heidi Franco <hfranco@Heberut.gov>; Wayne Hardman <whardman@Heberut.gov>; Ryan Stack <rstack@heberut.gov>; Rachel Kahler <rkahler@heberut.gov>; Mike Johnston <mjohnston@heberut.gov>; Kelleen Potter <kpotter@Heberut.gov>; Matt Brower <mbrower@Heberut.gov>

Subject: (EXTERNAL) May 19 Heber City Council Meeting: Public Comments

General Public Discussion: As the city contemplates budgeting issues for the 2020-2021 year I hope and encourage that the city council and staff are not overlooking the present budget for 2019-2020, which is most assuredly experiencing a severe reduction due to COVID-19 reduced sales tax revenues. The reduced revenues need to be reflected into reductions in the current budget year. Given the high proportion of the city budget dedicated to personnel costs and given the fact that many of the city's citizens are facing reduced incomes (if not outright unemployment) the city staff needn't be insulated from some adjustments, even perhaps reductions in recent years increased staffing and very generous compensation increases. What's not done now could very drastically impact next year's budget pains.

Thanks for your consideration,

Ronald R. Crittenden

VI. ACTION ITEMS:

2. Consider Approval of Ordinance 2020-13 to Accept the Sorenson Property Annexations (aka Reinvestment Holdings Annexation and the West Jordanelle-Jordanelle Ridge Annexation) - continued (Kohler)

From: catherin dalton
Sent: Tuesday, May 19, 2020 5:42 PM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Meeting tonight

I would like to express my thoughts about the Sorenson annexation tonight. I wish the development wasn't happening. But since it's inevitable, I'd prefer they pay both City and county taxes. I spoke to my council representative and had many of my questions answered. I feel good about most everything that has been decided. From everything I understand I have encouraged my council member to vote yes on the annexation whenever that comes up for vote.

Catherin Dalton

From: Kendall Crittenden
Sent: Tuesday, May 19, 2020 1:25 PM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Sorenson annexation

I vote NO on the Sorenson annexation in its presentation configuration.

Kendall Crittenden

From: Cristina Aguirre
Sent: Tuesday, May 19, 2020 11:47 AM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Sorenson annexation

My name is Cristina Aguirre. Heber City home owner.

I'd like to be heard on the Sorenson annexation.

1. If this annexation is approved, there should be NO exceptions. If they are to be annexed into Heber City, they should abide by ALL city council requirements now AND in the future. There should be NO zoning or development freezes.

2. I would like to see water-saving techniques, like Xenoscape, be required to this development based on their location.

3. So as not to put undue burden on our current services, they should build the following at their expense:

A. at least one fire/ems department

B. some sort of water and sewer processing plants

C. SCHOOLS!!! (We simply cannot support more taxes!)

Thank you for your time.

Cristina Aguirre

From: David Milliner

Sent: Monday, May 18, 2020 11:08 PM

To: CC Public Comments <ccpublic@heberut.gov>

Cc: PC Public Comments <pcpublic@heberut.gov>

Subject: (EXTERNAL) Objection to REI Holdings/Sorenson Legacy Foundation Annexation Petition

Heber City Council Members and Mayor:

With respect, I object on due process and open public meeting grounds to holding any vote on annexation of the 8,288.34 acres, and at least 6,347 housing units, proposed in the above-referenced annexation petition, or on any other development-related petition, so long as regular public meetings are not allowed. These types of decisions are simply too important and have too much immediate and lasting impacts on our community to be made without full and fair public education and input done in the normal and ordinary course of the public meeting process. As a result, I ask that you table this petition, and all other significant development-related petitions, until such time as regular public meetings can resume.

In this regard, I also wish to remind you of what I perceive as the sentiment of a majority of your constituents in favor of curbing the rapid (many would say "out-of-control") growth we've experienced in our community in recent years, and the desire to maintain insofar as possible, and for as long as possible, the open spaces and predominantly rural setting of the Heber Valley, which is what causes most of us want to live here. Not long ago, the Wasatch County Council

found this out the hard way when its decision to rezone the North Fields area to allow smaller lot sizes was soundly repealed via a public referendum. With this in mind, I would also respectfully ask that you implement the following policies: (1) interface with Wasatch Count to determine whether annexation will impose lower housing densities on any areas that want to be annexed and developed, and go with the option that is likely to result in the lowest density for any proposed development; and (2) make sure you are extracting as much as legally possible in impact and other development fees and concessions from new developments and for building permits for new construction. We also just voted down a very expensive new school bond proposed by Wasatch County School District, which serves to remind us of the very significant impacts on existing residents of all this growth. To the fullest extent legally possible, please make sure that new growth is paying its own way, and don't approve any new projects until you're very sure that it is.

Respectfully,

David Milliner

Heber City

From: Ronald Crittenden

Sent: Monday, May 18, 2020 3:41 PM

To: CC Public Comments <ccpublic@heberut.gov>

Cc: Heidi Franco <hfranco@Heberut.gov>; Wayne Hardman <whardman@Heberut.gov>; Rachel Kahler <rkahler@heberut.gov>; Ryan Stack <rstack@heberut.gov>; Mike Johnston <mjohnston@heberut.gov>; kpotter@heberut.org; Matt Brower <mbrower@Heberut.gov>; Mark Smedley <msmedley@Heberut.gov>

Subject: (EXTERNAL) Heber City Agenda Item #2- Ord. 2020-13 Sorenson Annexation

Agenda Item #2: Sorenson Annexation ADA. In response to some of my comments on the last city council meeting there was a reaction defending the use of ADA's as a tool "used often by other cities". The problem isn't the use of an ADA here, but rather the massive scope of exemptions within part of the ADA that is the isolated problem. I would challenge staff or council to point to any other ADA that doubles the size of a city population (and many times double the acreage) for a 30-40 =forever years development outlook, where the new land mass is allowed to be exempt from future city council's zoning and development considerations later deemed appropriate for the rest of the city (the current citizens). I would defer, for the moment, to current city legal counsel but I question the legality, or at a minimum the appropriateness, of exempting future city councils (newly elected to fulfill the current will of the citizens) from their fundamental rights to consider and vary zoning and development standards within the whole city.

Is the city council prepared, in the spirit of fairness and equal treatment, to extend this 30-40 + forever freeze on current zoning and development standards for ALL the property in the city? Otherwise then, going forward (as new tools considered for good operations of city services and land development are developed) there will be two standards in our city, one for Sorenson lands and one for the rest of us. What about the precedent being set to allow this for Sorenson (half the city) - won't/shouldn't all recent and new annexations into the city expect the same forever assurances and exemptions from future city actions? Who of the present council claim a crystal ball to the 40+ year future- to be willing to assure us that these locked in exemptions won't harm the city's best interests in the future?

Thanks for your consideration,

Ronald R. Crittenden

From: Rod Woolley
Sent: Sunday, May 17, 2020 10:22 AM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Sorenson Property

I find it very irresponsible to consider adding this property to the city limits of Heber. Seem that every time more area is added there is a substantial increase in taxes.

It time to limit growth and keep this valley a rural area. That is why most of us move here. Keep the open spaces.

Sincerely

A concerned citizen.
