

WORK MEETING

**AGENDA
AND
STAFF MEMO**

DISCUSSION/ ACTION ITEMS

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

June 20, 2013

Work Meeting 6:00 p.m.

DISCUSSION ITEMS

- (Tab A) Michael Thurber, Country Meadows Estates Subdivision HOA, Discuss Piping of the Spring Creek Canal**
- (Tab B) Review Potential Corridor Preservation Projects**
- (Tab C) Review Proposed Changes to Heber City Personnel Policy**
- (Tab D) Discuss Local Bidder Incentive Ordinance 2013-06**
- (Tab E) Discuss Policy Regarding Limits/Fees on the Acceptance of Credit Card Payments**

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 June 13, 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 June 13, 2013.

Memo

To: Mayor and City Council
From: Mark K. Anderson
Date: 06/13/2013
Re: City Council Agenda Items

WORK MEETING

Michael Thurber, Country Meadows Estates Subdivision HOA, Discuss Piping of the Spring Creek Canal (Tab A): Mike Thurber, County Meadows Estates HOA member, is coming before the Council to solicit the City to pipe and cover the Spring Creek Canal which is in the back yard of several homes in this subdivision. (See enclosed letter and map) In this subdivision, the rear property lines of the affected homes go to the center of the canal which in some cases leaves very little usable property in the rear yards of these homes.

Staff acknowledges that the City has accepted the obligation to maintain the Spring Creek Canal, but the City does not have the inherent right to pipe and cover the canal without permission from the Spring Creek Canal Company. In brief discussion with staff we have the following concerns:

- Estimated cost to pipe approximately 560 lf. is \$200,000+
- City would have to annually clean the sediment out of the pipe using the high pressure hose from the Vactor Truck or a Fire Hydrant
- Piping the canal would reduce the carrying capacity of the canal
- Mike has indicated that the HOA does not have any resources to contribute to the project

The Council should listen to Mr. Thurber and determine if this is a project they would like staff to further explore.

Review Potential Corridor Preservation Projects (Tab B): At the last meeting, the Council reviewed the enclosed map and asked that no decision be made until Councilman Mergist could be present. Below is the staff report from the last meeting: *I have asked Bart Mumford to identify roadways that Heber City could potentially use Corridor Preservation Funds to acquire right-of-way for existing or planned roadways. As a result, Bart has prepared the enclosed map for Council review. Staff would recommend that the Council*

review the proposed map and present an approved map to the Council of Governments for funding consideration.

It has been some time since this group last met and staff believes it is important to make this group and the Wasatch County Council aware of Heber City's future right-of-way needs.

Review Proposed Changes to Heber City Personnel Policy (Tab C): The Heber City Personnel Policy Committee is recommending approval of several changes to existing policy. (See enclosed summary of changes). The proposed changes and financial impact, if any, is as follows:

Section 3.5 Drug Testing – Sample Collection: This policy provides direction to staff regarding “negative dilute” samples and other adulterated samples that the City might obtain from prospective or current employees. Because the City has had several “negative dilute” samples in the past, this policy gives the City options to request a second sample if no reasonable medically sufficient explanation is provided by the person submitting the sample. If a prospective employee provides two negative dilute samples, the job offer would be rescinded and if an existing employee provided two negative dilute samples, they would be subject to disciplinary action. The fiscal impact of this policy would likely be less than \$200 per year.

Section 4.1 Procedures: This amendment clarifies how removal of the Justice Court Judge occurs. This is similar to an amendment the Council made to Section 9.1 At-will Employees a few months ago. No fiscal impact.

Section 5.1 Time Period and Appointment: The Chief of Police has asked that the probationary period for law enforcement officers be extended to one year. The reason being, if the City sponsored an officer through POST training, the City would have little experience monitoring performance on the street after the employee completes field training etc. No fiscal impact.

13.13 Sick Leave: This policy allows employees to donate up to 40 hours of sick leave per year to a citywide pool or individual for use by employees who have exhausted their sick leave. It only allows the donation of sick leave to an employee who has exhausted their sick leave and prohibits the donation of sick leave within 60 days of voluntary termination. The City recently had an employee gift sick leave to another employee (who had adequate sick leave) when they terminated. We do not believe this is how this policy was intended to be used. Fiscal impact is hard to measure because the policy is rarely used and it may actually reduce any spikes in payment of sick leave when a person leaves City employment with 5 or more years of service.

13.14 Sick Leave Incentive: This policy allows an employee to use one sick day to attend the funeral of an extended family member or close friend. Fiscal impact is similar to the proposed amendment to the policy above. This may ultimately reduce what the City pays out when an employee leaves the City's employ with 5 or more years of service. This may have an impact on productivity, but an employee could still use vacation pay to attend a funeral if this policy is not approved.

Section 13.21 Military Leave: The proposed policy would allow employees to have 120 hours of paid military leave per year provided they present the City with their orders or a paycheck to validate their leave. The previous policy allowed the employee to seek additional compensation from the City for up to 88 hours per year if their hourly wage while on reserve duty was less than their wage as a City employee so they were not penalized financially. This proposed policy allows the employee to receive up to 120 hours of pay from the City in addition to the wages they receive while on guard duty. The City will soon have two police employees that would qualify for the policy. Estimated financial impact to the City is \$6,000+ per year. Historically, the City has not had employees seek additional compensation but some have opted to use vacation time to receive additional payment from the City while on guard duty. The Council should be mindful that the City is responsible to pay retirement benefit costs when an employee is deployed which can equate to 30%+ of their wage or approximately \$15,000 for every year a person is deployed.

This has become a bigger issue because the Police Department does not adjust the schedules of officers to make sure they are scheduled off on their training weekends. Although this is mandatory practice in State agencies and it is being recommended by the Personnel Committee, I believe the City's obligation is to ensure that an employee is not financially damaged by serving in the military. This policy allows an employee to double dip on up to three weeks of wages at the expense of the City which causes me concern. The Council should discuss what is equitable to the City and the employee.

Section 14.2 Travel Reimbursement: This proposed policy would change City per diem to match the U.S. General Services Administration (GSA) rates. The advantage of doing this is that per diem rates would automatically update without the Council needing to approve future changes and it provides for higher per diem rates in Cities that have higher costs. The current approved rates for meals are Breakfast \$12, Lunch \$14 and Dinner \$20. Enclosed is a copy of the Meals and Incidental Expenses (M&IE) Breakdown. Although the total allocation is the same per day, the GSA schedule allows for \$5 for incidental expenses which is not provided in the City's current policy. It may be well to refer this particular item back to the Committee, because I don't know if they were mindful how the rates are broken down. I don't think I have enough clarity to administer the proposed change.

Discuss Local Bidder Incentive Ordinance 2013-06 (Tab D): At the last Council meeting this topic was discussed by the Council and the Council indicated a desire to visit with local businesses to understand their attitude towards the proposed ordinance granting local preference. Staff indicated it would gather bid results from several recent projects to help understand how this policy may affect future bid awards. Enclosed is a summary prepared by Bart Mumford of bids the City has received on the 15 construction projects. In two instances, local bidders were awarded the bid. In other instances the highlighted local bids were 9% - 89% higher than the low bids. As a result, the proposed policy would not have benefitted any local bidders as no bids were within 5%.

Discuss Policy Regarding Limits/Fees on the Acceptance of Credit Card Payments (Tab E): At the last City Council meeting, I indicated that the City would be changing our credit card processor to Xpress Bill Pay which ultimately provides more services than our current

provider. The Council has approved the use of credit cards for utility bills with the fees being absorbed by the City. The Council has expressed an interest in taking credit cards for more transactions, but staff has concern about the cost of fees the City might incur if building permits and other large payments were allowed to be paid by credit card. Mindy Kohler has provided me with a summary of policies that she has obtained from other entities. (See enclosed) Currently the City absorbs about \$550 per month in credit card fees for utilities that are paid with a credit card. My biggest concern is acceptance of credit cards for large payments such as building permits. As a result, I am looking for guidance from the Council as we look to expand our acceptance of credit cards.

Items the Council may discuss are as follows:

- Does the City want to limit the amount that can be charged for any one transaction or type of transaction
- Does the City want to charge a fee for utility payment transactions that are processed on the phone (that require staff assistance)
- Does the City want to charge a convenience fee to offset the fees the City incurs by accepting a credit card

TAB A

June 6, 2013

Honorable David Phillips
Councilmember Benny Mergist
Councilmember Alan McDonald
Councilmember Robert Patterson
Councilmember Erik Rowland
Councilmember Jeff Bradshaw

The board members of the Home Owners Association of the Country Meadows Estates Subdivision request an audience with the Heber City Mayor and Councilmembers to discuss the Spring Creek Canal that runs through said subdivision. Because of water leakage and damage to property, mosquitoes, muskrats, voles, and snakes, we would like the City to consider piping and covering the canal.

Thank you for your time.

Terry Martin
CodiAnn Lance
Mike Thurber
Nate Cox
Lauren Jennings



Google earth



CANAL MAINTENANCE AGREEMENT

THIS AGREEMENT is entered into this 30th day of March, 2006, by and between Heber City, Spring Creek, and Sage Brush Irrigation Companies.

WHEREAS, there exists a canal known as the Spring Creek and Sage Brush Irrigation Canal, which runs through Heber City and Wasatch County, in which said canal companies transport irrigation water to stock holders at various points along said canal (see attached map, referenced as Exhibit A, which outlines said Canal), and

WHEREAS, Heber City desires a formal written agreement to continue to use said Canal to transport their storm and secondary excess water.

NOW, THEREFORE, the Parties hereby agree as follows:

1. Heber City shall be solely responsible to maintain and bear all costs, of said maintenance of the above described Canal between Heber City's north boundary and the flood control channel south of 1200 South or as far as their water runs as consideration for the use of the Canal to transport their storm and secondary excess water, up to the available capacity.
2. Except for negligent or intentional acts by Spring Creek or Sage Brush, Heber City shall be solely responsible for any and all liability arising from their storm, secondary and drain water being transported in said Canal.
3. Heber City shall neither cause nor allow any pollutants or other material to be introduced into the Canal that will cause violation of applicable state or federal regulations.

WHEREUPON, the parties hereto have set their hands the day and year first above written.

HEBER CITY



BY: [Signature]
TITLE: MAYOR

DATE: 3-30-06

SPRING CREEK IRRIGATION CO.

BY: [Signature]
TITLE: PRESIDENT

DATE: 3-30-06

SAGE BRUSH IRRIGATION CO.

BY: [Signature]
TITLE: PRESIDENT

DATE: 3-30-06

TAB B

HEBER CITY CORPORATION

ENGINEERING STAFF REPORT

MEETING TYPE:	Council Work Meeting	MEETING DATE:	June 6, 2013
SUBMITTED BY:	Bart L Mumford	FILE NO:	00000
APPROVED BY:	Mark K. Anderson		
SUBJECT:	CORRIDOR PRESERVATION FUND - HEBER CITY PROJECTS		

PURPOSE

To obtain Council direction on potential Corridor Preservation Fund projects in Heber City.

RECOMMENDED ACTION

That the City Council provide Staff input on potential projects that could be forwarded to Preservation Fund Governing Council for a request for funding.

BACKGROUND/HIGHLIGHTS

In July 2006 the City Council supported, and Wasatch County established, a vehicle registration fee surcharge to begin collecting funds for road planning and right of way activities as allowed by State code. One of the primary purposes of this fund was to acquire right of way to bypass some of the Main Street traffic around the City. Recent discussions with local officials have suggested that other City and County right of way projects should also be considered for use of this funding. Staff has prepared the following list of projects in Heber City that could potentially meet the criteria and qualify for a portion of the funds, along with the suggested action that could be taken.

1. Bypass - North, West, and South alignments

Action: Work with County to purchase any right of way in these alignments. Not currently aware of any property for sale.

2. Heber Parkway - Daniel Rd to Hwy 40

Action: Need 110' of right of way. Some or all of this may come from development.

3. 650 S. - from Rail Road to 1200 W.

Action: Support County in acquiring remaining right of way needed to construct road.

4. Daniel Rd - Heber Pkwy to E. Airport Rd

Action: Need to acquire some right of way in 2013 to widen road in 2014.

5. 1200 S. - Bardole Property

Action: Need to acquire right of way from Bardole to connect 1200 S. to 1200 W.

6. 1200 S. - Barker Property

Action: Need to acquire right of way from Barker to connect 1200 S. to 1200 E.

7. 500 E. - 600 S. Watson Property

Action: Need to acquire right of way from Watson to connect 600 S. to 720 S. to connect to High School.

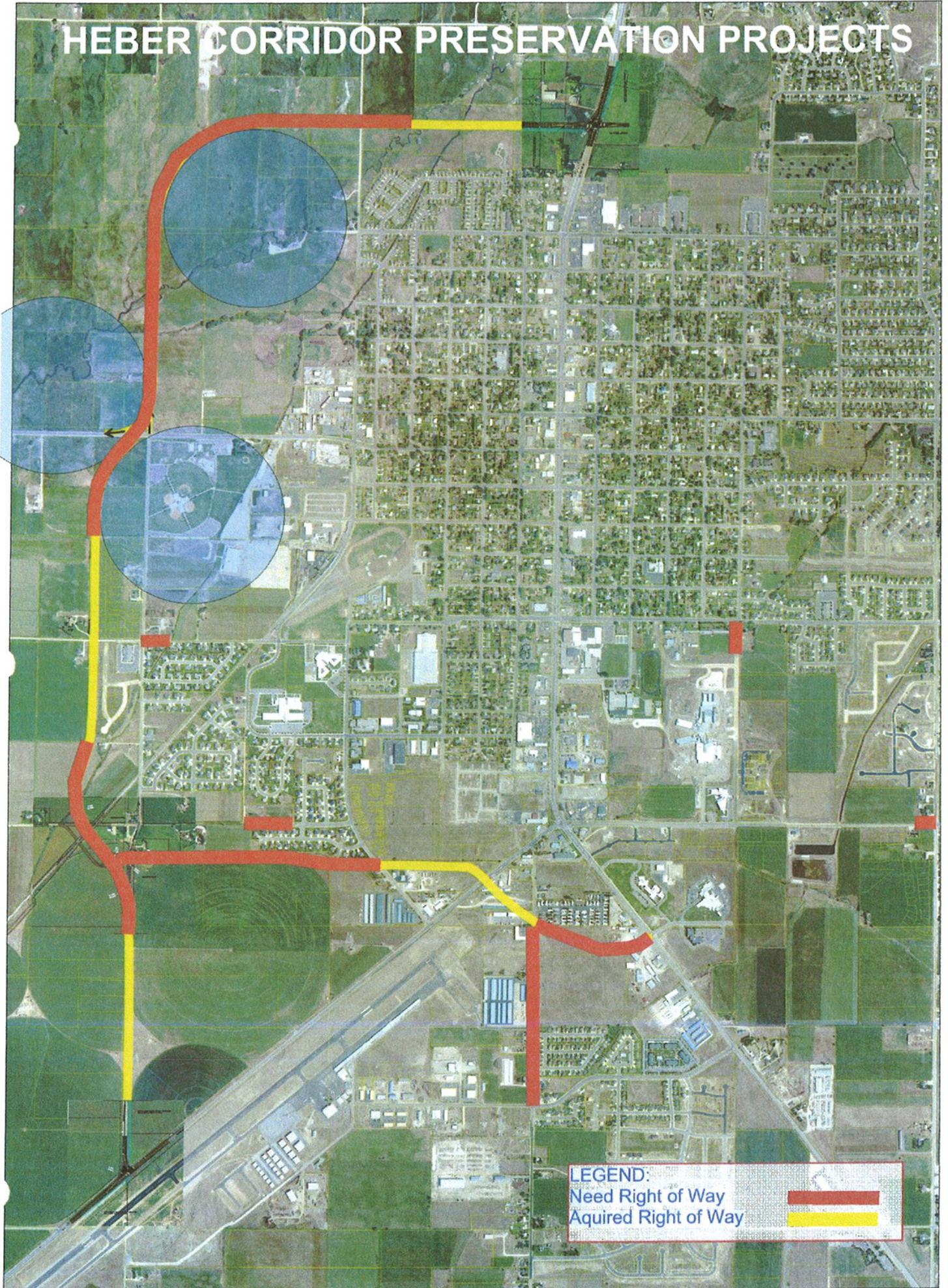
FISCAL IMPACT

These funds may only be used for corridor preservation activities such as right of way acquisition and related planning activities. The projects must be designated as a Minor Collector or larger roads as provided under the Federal Highway Functional Classification Guidelines. The projects must also be part of a prioritized list of approved projects established by the Preservation Fund Governing Council made up of the County Council and Mayors of each City in the County.

LEGAL IMPACT

None

HEBER CORRIDOR PRESERVATION PROJECTS



LEGEND:
Need Right of Way 
Acquired Right of Way 

TAB C

Section 3.5 Drug Testing - Sample Collection

A. All drug test sample collection and drug testing under the provisions of this policy shall be conducted in accordance with the requirements of the Act and other applicable provisions of state or federal statute or regulation. Sample collection, handling, and transportation procedures shall all be conducted in accordance with the requirements of the law.

B. Any person required to submit to a drug test under the provisions of this policy may, at his option and expense, submit a second drug test sample for further testing in accordance with the provisions of the Act and within two (2) hours of the first test.

C. All drug testing and sample collection procedures under this policy shall be performed under reasonable and sanitary conditions and in such a manner as to ensure the privacy of the individual being tested.

D. In all drug testing and sample collection procedures, any transmittal or reporting of test results shall be conducted with due respect for confidentiality. Drug test activities and result reports may be made available only to supervisors and management personnel with an immediate need to know about those procedures and results. Testing procedures and results may be made available and communicated as needed for the purposes of any disciplinary action or criminal investigation or prosecution. Records regarding test results are generally considered protected documents under the provisions of the Government Records Access and Management Act (63-2-304 (9) Utah Code Ann., 1953, as amended). (See Appendix)

E. Excess Fluid, Temperature Out-of-Range and Adulterated Samples (Negative Dilute Test Results): To obtain accurate and reliable test results, the employee or prospective employee must not dilute the urine sample by the ingestion of excess fluids (hereinafter referred to as "Excess Fluids Sample") before providing the sample. A urine sample shall be considered an excess fluids sample if (1) the test results indicated that the urine sample contains creatinine levels less than .2g/L and a specific gravity of less than 1.003 and (2) there is no medically sufficient explanation for such excess fluids, which explanation must be judged as satisfactory to the MRO in his/her sole but reasonable discretion. If a urine sample provided by a prospective employee or an employee is determined after appropriate testing to be an excess fluids sample, the prospective employee or employee shall, at the City's discretion, be required to provide another urine sample at a time and under conditions and requirements that are within the sole discretion of the City. In the event the second sample is determined after appropriate testing to be an excess fluids diluted sample, the prospective employee shall not be offered employment with the City and the employee shall be subject to disciplinary action.

Section 4.1 Procedures

F. Offices whose appointment and/or removal is governed by State law or existing City ordinances are the City Manager, City Recorder, City Treasurer, Chief of Police, City Attorney, and the Justice Court Judge; the Appointment, removal and demotion of these officials shall be by the Mayor with the advice and consent of the City Council. [Retention of the Justice Court Judge is subject to Utah State Code 78A-7-203.](#)

Section 5.1 Time Period and Appointment

_____ All original and promotional appointments of employees shall be tentative and subject to a probation period of at least six (6) months but may be extended with City Manager approval. [Exception: All sworn law enforcement officers are subject to a one \(1\) year probationary period but may be extended with City Manager approval.](#)

13.13 Sick Leave

A. Sick leave shall not be considered as a privilege which an employee may use at his/her discretion, but shall only be allowed upon approval of the supervisor in the case of necessity and actual sickness, to meet medical appointments, or sickness prevention. Sick leave with pay can only be granted (upon approval of the supervisor) in the case of a bona fide illness of an employee or a member of the employee's immediate family as defined in 1-13-20(B).

B. A full-time employee shall be entitled to one (1) working day for each month full-time service or major fraction thereof of actual service accumulated. There shall be no maximum limit on the amount of sick leave accrual.

C. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery therefrom are, for all job-related purposes, temporary disabilities and shall be treated on the same terms and conditions as are applied to other temporary disabilities.

D. Evidence in the form of a physician's certificate or certificate of illness, executed by the employee and his/her supervisor, may be furnished as proof of adequacy of the reason of the employee's absence during the time which sick leave was requested. Certificates may be requested by the department head, supervisor, or City Manager when there is an absence in excess of three (3) days or more or whenever there is a reason to believe sick leave privileges are being abused. No employee shall be entitled to sick leave while absent from duty because of disability arising from a sickness or injury purposely self-inflicted or caused by willful misconduct.

E. A person claiming sick leave with pay and any supervisor approving the same, or if it is shown that the claim was made or approved by such claimant or supervisor knowing that such claimant was not, in fact, sick or otherwise entitled thereto,

shall be subject to loss of sick leave benefits. Other disciplinary action will be determined by the City Manager.

F. Employees may donate up to 40 sick hours in any given year to a citywide pool for use by other employees who have exhausted their sick leave in any given year. Donations of sick leave will not be counted against hours used for sick leave incentive. Employees may designate the person who the sick leave is given to provided they have exhausted their sick leave, or the City Manager will determine how available sick leave is allocated based on need and circumstance. Donations of sick leave cannot be made within 60 days of the voluntary termination of employment.

G. Upon retirement or termination, accumulated sick leave will be paid at the current pay rate, for one quarter of the accumulated hours if the employee has been employed by Heber City for at least five (5) years. If the employee has been employed by Heber City for at least ten (10) years or more, 50% of the accumulated sick leave hours will be paid at the employee's current pay rate.

13.14 Sick Leave Incentive

A. It is recognized by the Heber City Mayor and Council that there is a direct benefit to Heber City when employees are able to minimize the use of sick leave. It is the desire of the Mayor and Council to encourage the appropriate use of sick leave benefits and reward employees who minimize the use of this benefit. Pursuant to that desire, all employees who have accrued 480 hours of sick leave shall be paid (upon the employees written consent) annually on the first payroll of December, twenty-five percent (25%) of unused sick leave for the previous twelve-month period ending November 30 or nearest pay period following November 30. The remaining 75% of unused sick leave during the previous twelve-month period shall be added to the previous year's accumulated total. The calculation of this incentive shall provide that any sick leave used shall be considered as coming from the current twelve-month period and not from accrued sick leave. If an employee has accumulated over 600 hours of sick leave, they may be paid (upon the employee's written consent) for 24 hours of sick leave regardless of hours used.

B. Sick leave benefits are intended solely to provide income protection in the event of illness or injury. This benefit may be used in addition to vacation and funeral leave in the event of the death of an immediate family member up to the maximum of three days or for extended family and friends up to a maximum of one day. No other use is permitted in addition to illness or injury.

Section 13.21 Military Leave

A. Employees are entitled to one hundred and twenty (120) hours of fifteen (15) calendar days military leave per year without loss of regular pay or other fringe benefits. ~~The employee shall be entitled to all military compensation with the City paying any~~

~~difference in the employee's regular salary and the military paying for eleven (11) working days (88 working hours). A copy of the military paycheck shall be provided by the employee to the payroll clerk. (Utah State Code 39-3-1 and 39-3-2).~~ Any employee requesting such leave must provide the department head with a copy of the military orders or a copy of the military paycheck prior to the leave being approved as soon as practical at the conclusion of the leave. ~~placing him/her on active duty status to his/her supervisor. Employees requesting military leave shall notify their supervisor at least four (4) weeks in advance of the requested leave date.~~

B. Employees requesting military leave may go on leave without pay status prior to using accrued vacation and comp-time.

C. Except in an emergency, employees who are members of reserve units of the military shall notify their department head within one week of receipt of an activation notice, and shall indicate in writing their intention and anticipation with regard to participation periods of active duty. Such written notification shall be made part of the individual employee's personnel file.

Section 14.2 Travel Reimbursement

A. Travel expenses must be included in the annual budget for each department anticipating travel, as part of the budget process. Any trip which is not anticipated and reported in the budget must have the approval of the City Manager, regardless of the amount of travel account in the department's budget.

B. After an employee completes a Travel Reimbursement Form for authorized travel by private vehicle, he/she will be reimbursed at rates not to exceed those approved by the City Council. The employee(s) will be reimbursed for all other travel expenses (i.e., room and board) after presenting proof of such expenses to the accounting clerk. Proof should be in the form of expense receipts.

C. All travel expenditures should be recorded and receipts collected. These receipts must be submitted to the accounting clerk at the end of each trip along with the employee's record of expenditures. Claims for travel pay not supported by an approved travel request and corresponding expense receipts will not be paid.

D. Mileage allowance shall be paid per the IRS approved reimbursement rate when using a privately owned vehicle (POV) when a City vehicle is not available. If using a POV and a City vehicle is available, the rate for mileage will be half of the IRS approved reimbursement rate.

Per Diem will be paid for travel at the following rates unless meals are provided through the training, convention or conference registration. If an employee's special (medical or religious related) dietary needs cannot be accommodated by the training,

convention or conference, Per Diem will be paid to the employee for those meals that are provided in the registration:

E. ~~Meals. Per diem will be \$46.00~~

~~Breakfast \$12.00~~

~~Lunch \$14.00~~

~~Dinner \$20.00~~

Per Diem will be paid at the U.S. General Services Administration (G.S.A.) rate. The rates can be found at GSA.gov - Per Diem Rates and Meals & Incidental Expenses Breakdown (M&IE).

When traveling less than a full day, breakfast will be compensated if departing before 7:00 a.m. and dinner will be compensated when returning after 7:00 p.m.

F. Partners may accompany elected and appointed officials and other regular full-time, permanent and part-time employees on City-assigned trips requiring overnight lodging and the City will pay the additional lodging and conference meal costs for the partner providing:

1. transportation is by City vehicle or the employee's private passenger car (air fares and other transportation costs will not be paid for spouses);

2. the trip destination is within the State of Utah. Employees using City-owned vehicles for travel are not permitted to allow spouses or others not employed by Heber City to operate City vehicles.

39-3-2. Government employees in United States armed forces or National Guard -- Pay allowance for time spent on duty -- Deduction of vacation time prohibited.

(1) All state employees who are members of the organized reserve of the United States armed forces, including the National Guard of this state, shall be allowed full pay for all time not in excess of 15 days per year spent on duty at annual encampment or rifle competition or other duties in connection with the reserve training and instruction requirements of the armed forces of the United States, including the National Guard of this state. This leave shall be in addition to any annual vacation leave with pay to which an employee may be entitled.

(2) County and municipal employees who are members of the organized reserve of the United States armed forces, including the National Guard of this state, may be allowed up to full pay for all time not in excess of 15 days per year spent on duty at annual encampment or rifle competition or other duties in connection with the reserve training and instruction requirements of the armed forces of the United States, including the National Guard of this state. This leave is at the discretion of the employing county or municipality and, if granted, shall be in addition to annual vacation leave with pay.

Amended by Chapter 217, 2003 General Session



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Meals and Incidental Expenses (M&IE) Breakdown

The following table is provided for federal employees who need to deduct provided meals from their daily meals and incidental expense (M&IE) allowance. Refer to [Section 301-11.18 of the Federal Travel Regulation](#) for specific guidance on deducting these amounts from your per diem reimbursement claims for meals furnished to you by the government. Other organizations may have different rules that apply for their employees; please check with your organization for more assistance.

The table lists the six M&IE tiers in the lower 48 continental United States (currently ranging from \$46 to \$71). If you need to deduct a meal amount, first determine the location where you will be working while on official travel. You can look up the location-specific information at www.gsa.gov/perdiem. The M&IE rate for your location will be one of the six tiers listed on this table. Find the corresponding amount on the first line of the table (M&IE Total) and then look below for each specific meal deduction amount.

The table also lists the portion of the M&IE rate that is provided for incidental expenses (currently \$5 for all tiers), as well as the amount federal employees receive for the first and last calendar day of travel. The first and last calendar day of travel is calculated at 75 percent.

M&IE Total	\$46	\$51	\$56	\$61	\$66	\$71
Continental Breakfast/ Breakfast	\$7	\$8	\$9	\$10	\$11	\$12
Lunch	\$11	\$12	\$13	\$15	\$16	\$18
Dinner	\$23	\$26	\$29	\$31	\$34	\$36
Incidentals	\$5	\$5	\$5	\$5	\$5	\$5
First & Last Day of Travel	\$34.50	\$38.25	\$42	\$45.75	\$49.50	\$53.25

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Last Reviewed 2013-04-10

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QUESTIONS:

For all travel policy questions, email travelpolicy@gsa.gov.



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TAB D

HEBER CITY - CAPITAL PROJECT LOCAL BIDDER COMPARISON

PROJECT	DATE	BIDDER	AMOUNT	%DIFF
Main Street Park Strip Replacement	5/8/2013	Goran	\$195,144.20	
		Hidden Peak Electric	\$225,855.36	16%
		Quicksilver Concrete, Inc.	\$264,596.00	36%
2013 Sewer and Water Improvements	4/23/2013	Lance Excavating	\$246,026.50	
		BD Bush Excavation	\$277,527.00	13%
100 South Sidewalk	4/10/2013	Quicksilver Concrete	\$106,994.15	
		B&G Contractors	\$111,407.00	4%
		ZPSO Contractors, Inc.	\$111,659.80	4%
		Bowen Construction	\$117,519.10	10%
		Concrete Concrete	\$123,417.75	15%
		B. Hansen Construction	\$131,528.50	23%
		TKL Construction	\$151,820.50	42%
		Wells Barker Construction	\$152,756.25	43%
		Acme Construction	\$167,480.60	57%
300 W Street Improvements	7/26/2012	Acme Construction	\$795,414.00	
		Kilgore Paving	\$914,536.90	15%
		Vancon	\$919,775.00	16%
		Lyndon Jones Const.	\$945,955.50	19%
		Staker Parson	\$963,843.00	21%
Mill Road Estates Park Playground	7/25/2012	Solar Design	\$69,789.55	
		B&G Contractors	\$77,435.40	11%
		RASCO Constuction	\$79,835.70	14%
		MCSI	\$82,693.54	18%
		Acme Construction	\$92,183.80	32%
Muirfield Park Bridge	4/30/2012	B&G Contractors	\$39,462.00	
		Lance Excavating Inc	\$43,094.00	9%
		North Ridge Construction	\$51,410.00	30%
		Lydon Jones Construction	\$67,400.00	71%
600 S Sidewalk Improvements	4/12/2012	B&G Contractors	\$20,550.00	
		Wells Barker Construction	\$22,593.50	10%
		Kent Bethers Construction	\$25,125.00	22%
		DG Concrete	\$25,350.00	23%
		ADO M&C LLC (turned in late)	\$31,498.00	53%
		Miller Paving	\$33,434.75	63%
		Lance Excavating	\$38,835.00	89%
SR 113 Water Line and PRV	4/12/2012	DG Concrete	\$131,275.00	
		Lance Excavating	\$179,840.50	37%
		TNT General Contractors	\$205,100.00	56%
		Terry Larson Excavating	\$232,603.96	77%
		BD Bush	\$241,982.00	84%
		Brinkerhoff Excavating	\$245,159.00	87%
		Spade Excavating	\$305,820.00	133%

650 S Storm Drain & First Flush Pond	6/30/2011	BD Bush Excavation	\$222,980.00	
		Stevens Construction	\$276,076.50	24%
		Kriser Excavating	\$279,841.00	26%
		VanCon	\$289,865.00	30%
		Lance Excavating	\$309,246.00	39%
		Kilgore	\$314,908.00	41%
2011 City Road Improvements	6/17/2011	Staker Parson	\$3,391,003.00	
		Kilgore	\$3,671,610.44	8%
		Geneva Rock	\$4,186,108.20	23%
2010 300 W. CDBG Water Improvements	6/9/2011	TNT General Contractors	\$252,100.00	
		Spade Excavating	\$279,725.00	11%
		Kriser Excavation	\$293,458.00	16%
		BD Bush Excavation	\$297,995.00	18%
		Barton Excavating	\$312,346.82	24%
		Asso. Brigham Contractors	\$315,072.00	25%
		Lance Excavating	\$320,914.00	27%
		VanCon	\$339,160.00	35%
Valley Hills Retaining Wall	5/12/2011	Greg Allen Excavating	\$79,717.60	
		Kent Bethers Construction	\$96,711.20	21%
		Lance Excavating	\$99,123.50	24%
		B&G Contractor	\$112,000.00	40%
2010 Crack Seal	10/14/2010	Bonneville Asphalt	\$101,990.00	
		Superior Asphalt	\$105,040.00	3%
		M & M Asphalt	\$133,200.00	31%
		Hardrives Construction	\$199,945.30	96%
SR-113 Sewer Outfall Line	3/30/2009	Regency Excavation	\$955,681.79	
		Terry Larsen Excavating	\$1,043,687.00	9%
		VanCon, Inc	\$1,054,955.50	10%
		KW Robinson	\$1,062,466.39	11%
		Silver Spur Construction	\$1,156,750.00	21%
		Hughes General Contractors	\$1,173,642.00	23%
		DC Transport & Excavating	\$1,233,354.00	29%
		Lance Excavating	\$1,235,670.20	29%
		Johnston and Phillips	\$1,278,248.00	34%
		Condie Construction	\$1,302,457.44	36%
		MVC Construction	\$1,339,683.90	40%
		Whitaker Construction	\$1,379,525.00	44%
		Extreme Excavating	\$1,387,303.28	45%
		Hadco Construction	\$1,436,068.50	50%
Lyndon Jones	\$2,011,677.00	110%		
2008 Crack Seal Project	5/8/2008	Hot Asphalt	\$40,443.00	
		Superior Asphalt	\$40,880.00	1%
		Ridge Rock Inc	\$51,229.20	27%
		Kilgore Paving	\$55,700.00	38%
		Intermountain Slurry Seal	\$81,380.00	101%
		Preferred Paving	\$93,640.00	132%

TAB E

Credit Card Policies

Organization	Services	Absorb Fee	Customer Pays Fee	Other
Twin Creeks	W	X		Xpress Bill Pay
Jordanelle SSD	W/S	X		
Layton	All	X	2% fee over \$75	No AmEX
Logan	All	\$3,000 limit		
Kanab	All	X	\$3, phone or web	
North Ogden	All	X	\$2.50 phone or web	Visa/MC only
South Jordan	All	X		
St George	W/S	X		
Hyde Park	All		X	
Spanish Fork	All \$10+	X		All Cards
Francis	W/S	X	\$1/transaction	
Highland	All	\$500 limit*		Visa/MC/AmEx
Hyrum	All	\$1000 limit		
Washington	All	X		
Midvale	All	X	considering	
Roy	All	X		
North Logan	All**	X	online pmt fee	
Springville	All***	X		
Stockton	All	X	\$3, phone	
West Jordan	All**	X		
Fillmore	All	X		Visa/MC
Morgan	All	X		

*will accept for Cemetery charges regardless of amount

** No Building/Planning Department charges

***No Commercial utility account, Building or Planning Department

REGULAR MEETING

**AGENDA
AND
STAFF MEMO**

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

June 20, 2013
7:00 p.m.
Regular Meeting

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

Pledge of Allegiance: Mayor David Phillips
Prayer/Thought: Council Member Patterson
Minutes for Approval: June 6, 2013 Work and Regular Meetings

OPEN PERIOD FOR PUBLIC COMMENT

ACTION ITEMS

- (Tab 1)** Public Hearing – Resolution 2013-06 – A Resolution Adopting the 2013-2014 Operating Budget and Amendment of the 2012-13 Operating Budget to Allow for Additional Revenues and Expenses
- (Tab 2)** Parker Sharp and Brigham Lease – Request Approval for Eagle Projects and Funding Assistance to Build Planter Boxes at the Community Garden
- (Tab 3)** Resolution 2013-07 – A Resolution Adopting Firework and Open Fire Restrictions in Heber City
- (Tab 4)** Todd Cates/Red Ledges, Approve Request to Discharge Fireworks on July 5th, 2013
- (Tab 5)** Approve Sale of .57 Acres of Land Located at 345 West Airport Road to Millstream Properties, LLC

DISCUSSION/ACTION ITEMS

As Necessary

CLOSED SESSION AS NECESSARY – PURPOSE TO BE ANNOUNCED IN MOTION

Closed Session – Sale or Purchase of Real Estate

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 June 17, 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 June 13, 2013.

Memo

To: Mayor and City Council
From: Mark K. Anderson
Date: 06/13/2013
Re: City Council Agenda Items

REGULAR MEETING

Public Hearing – Resolution 2013-06 : A Resolution Adopting the 2013-14 Operating Budget and Amendment of the 2012-13 Operating Budget to Allow for Additional Revenues and Expenditures (Tab 1): Last week, I provided the Council with a copy of the proposed final budget. Please bring this to the meeting. Additionally, I have provided a copy of the capital requests summary and the Resolution approving the proposed budget. I am still working on a short PowerPoint presentation that I expect to forward to the Council early next week. The City does still not have a final Certified Tax Rate. The preliminary information suggests that the City will have a Certified Rate of .001146 which will yield \$791,392. Last year, the rate was .001115 which was expected to yield \$761,807. Of course these numbers are subject to change.

Some items that have come up recently that the Council may want to discuss funding are as follows:

- Additional Funding for Building Inspection Wages/Professional Services
- Contribution to the Adaptive Playground at Heber Valley Elementary
- Funding for a structure to display banners at the City Park
- Planter Boxes at the Community Garden

With regard to proposed budget amendments to the 2012-13 budget, I am still working on this and will not be able to provide this information until early next week.

Parker Sharp and Brigham Lease Request Approval For Eagle Projects and Funding Assistance to Build Planter Boxes at the Community Garden (Tab 2): Annie McMullen has sent me the enclosed email indicating that above two young men want to build additional planter boxes at the Community Garden for their Eagle Project. The estimated cost of the materials they are requesting from the City is ~\$740. The only concern that staff has is that there is only two persons that has signed up this year to have a plot in the community garden.

I suspect this is because Annie was not available to promote it due to her personal health issues. Unless additional resources are used to encourage people to use this area, the boxes may go unused. The Council should discuss the project to see if it is a project they want to support, and if so, what financial contribution they are willing to make. Annie does indicate a willingness to help promote this in future years.

Resolution 2013-07 – A Resolution Adopting Firework and Open Fire Restrictions in Heber City (Tab 3): If the City desires to adopt a Resolution that places restrictions on fireworks and open fires in Heber City this issue will need to be addressed soon. Staff has prepared the enclosed Resolution that mirrors the restrictions the City imposed in 2012. I am also enclosing a copy of the memo that was prepared by Mark Smedley in April which provides information about restrictions the City can legally impose. We believe that the proposed restrictions are appropriate as these properties interface with hazardous environmental conditions (e.g. brush covered areas). If the Council is uncomfortable with what is being proposed, we may need to hold a special meeting to make sure that any restrictions the City might impose meet Council approval.

Todd Cates/Red Ledges, Approve Request to Discharge Fireworks on July 5th, 2013 (Tab 4): Todd Cates, on behalf of Red Ledges, is requesting approval to have their annual fireworks display on July 5th. The Council granted this approval last year when there were extreme fire concerns under the conditions outlined in the attached letter. Staff has no issue with the proposed fireworks display provided the Wasatch County Fire District has equipment on site and they meet all of the restrictions that may be imposed by the County. Staff would recommend approval, subject to the enclosed letter of approval/indemnification.

Approve Sale of 0.57 Acres of Land Located on Airport Road to Millstream Properties, LLC (Tab 5): Enclosed is an offer from Millstream Properties, LLC to purchase .57 acres of City owned land located at 345 West Airport Road. Millstream has leased this property from the City for several years, and they are now requesting the right to purchase this property as they need to make some decisions with the land they own in the area. The Council can approve the sale of this property without holding a public hearing as the parcel does not meet the definition of a "Significant Parcel" as defined in Heber City Municipal Code Section 1.04.010 which reads as follows:

The phrase, "significant parcel" as used in this Section and throughout the Heber City Code as it relates to disposal or acquisition of real property by, from or for the benefit of Heber City shall have the meaning herein prescribed: Any parcel or piece of property which is one acre or greater, or any parcel of property with a structure or structures upon it where the value of such improved real property is greater than \$500,000.00.

With regard to the offer, if the Council is inclined to accept it, I would recommend the City agree to provide a Special Warranty Deed (a deed that indicates the City has done nothing to cloud the property title during its ownership) and no Title Insurance. This will save several hundred dollars in closing costs.

If the Council feels the need to go into closed session to discuss the offer, it would be appropriate to do so.

MINUTES

1 **Heber City Corporation**
2 **City Council Meeting**
3 **June 6, 2013**

4
5 **6:00 p.m.**

6
7 **WORK MEETING**

8
9 The Council of Heber City, Wasatch County, Utah, met in Work Meeting on June 6, 2013, in
10 the City Council Chambers at 75 North Main Street, Heber City, Utah.

11
12
13 **Present:**

Mayor
Council Members

David R. Phillips
Robert Patterson
Alan McDonald
Jeffery Bradshaw
Erik Rowland

14
15
16
17
18
19 **Excused:**

Benny Mergist

20
21 **Also Present:**

City Manager
City Engineer
Chief of Police
Deputy Recorder

Mark K. Anderson
Bart Mumford
David Booth
Amanda Anderson

22
23
24
25
26 **Others Present:** Daniel Mauer, Amy Mahoney, Kristin Heilmann, Danny Goode, Robert
27 Wilson, Jennifer Lloyd, Todd Cates, Rod Hopkins, and others whose names were illegible.

28
29 Mayor Phillips opened the meeting and welcomed those in attendance.

30
31 **Tab A: Amy Mahoney, Heber Valley Elementary, Discuss New Adaptive Playground**
32 **Equipment Project:** Amy Mahoney and Kristen Heilmann explained Heber Valley

33 Elementary's "Share the Love Project" in which they were trying to raise money for an adaptive
34 playground at their school to accommodate special needs children and their equipment, i.e.
35 wheelchairs, etc. They had raised \$62,000 to date, but another \$38,000 would be needed to
36 complete the project. Ms. Mahoney referred to the printout that was sent to the Council in their
37 packet materials which showed the equipment they wanted to purchase and explained to the
38 Council that there were 19 children who resided in Heber Valley who would utilize the adaptive
39 playground equipment. As there was not an adaptive playground in Heber City, parents of
40 special needs children had to travel to Park City to utilize adaptive playground equipment for
41 recreation, as well as occupational therapy. Mayor Phillips asked whether the School District
42 had contributed financially, aside from the grant monies, and Ms. Mahoney answered that the
43 School District had donated \$40,000. Mayor Phillips turned to the Council for their comments.
44 Council Member Rowland commented that with the City's upgrades to the City's parks, he
45 hoped it had not detracted from the fund raising they were working on. Council Member
46 Rowland asked Bart Mumford whether the City was putting in any play equipment that would
47 accommodate special needs children in wheelchairs, with visual impairments, etc. and Mumford
48 stated the playground areas were ADA compliant, but he was not sure whether the equipment at
49 this time was special needs accessible. Council Member Rowland stated he would be very happy

1 to contribute to this project. Council Member Patterson asked if this was a special program
2 through the School District or if the funding came from somewhere other than the School
3 District's general fund. Amy Mahoney stated it was a School District project. Council Member
4 McDonald stated he would like to look at the budget and see what the City could contribute.
5

6 **Clayton Vance – Discuss Ideas for Development of the Public Safety Building:** Council
7 Member Rowland introduced Clayton Vance. Council Member Rowland voiced his initial
8 concerns with using the Central School property and after meeting with Mr. Vance he felt that in
9 using the Central School property for the City's Public Safety Building, if the property were used
10 correctly, it could reestablish the central core of Heber City. Mr. Vance introduced himself to
11 the Council and then displayed a slide show for the Council with the focus on multigenerational
12 viability, meaning, "Was the design of our City viable for our future generations?" He urged the
13 Council to choose their architecture wisely when selecting the design of the future Police Station
14 and Justice Center. Mr. Vance felt a civic building should be represented architecturally as such;
15 reinforcing the order of urban design, setting itself as a figural building. Mr. Vance showed the
16 Council various examples of actual civic buildings that were designed around the concepts he
17 was discussing. (Please refer to Central School Block Proposal handout in extra materials).
18 With the projected plan, high-density housing would be on the property and the City could
19 maintain ownership of a portion of the land in order to expand the Police Station and Justice
20 Center in the future. Council Member Rowland thanked Mr. Vance for attending the meeting
21 and explained to the Council that he was excited about this plan idea and felt this was the right
22 way to move forward.
23

24 **Tab B: Discuss Local Bidder Draft Ordinance:** Council Member McDonald read a written
25 statement, "*I am pleased to say that the City Council is working on creating an ordinance that*
26 *gives preference to those businesses that pay taxes and fees to the City and hire local residents.*
27 *This local preference ordinance is part of a strategic business plan that can be used by the*
28 *Council to help boost our local economy. I have personally spent the past three months*
29 *researching business incentive programs like this that other local communities have put into*
30 *place. There are a great deal of business owners who have chosen to invest their own time and*
31 *money in the labor and material markets of Heber City. These businesses are a critical part of*
32 *our local economy. As a member of the City Council I want to make sure that whenever*
33 *possible, those same businesses are given special consideration when bidding for work in the*
34 *City of Heber. This local preference ordinance represents creative thinking and strategic*
35 *planning to support our local economy and create a competitive operating environment for*
36 *businesses to thrive. Strategies like this encourage people to buy local and is a very important*
37 *component of economic sustainability to the City. It is not only the responsibility of the City*
38 *Council to help our local businesses by buying local, but it is the responsibility of everyone in*
39 *this community. This ordinance is an incentive for local businesses to sell to the City and keep*
40 *their profits in the community. If the City gives local suppliers their business, the profits from*
41 *those sales will be used elsewhere in the City. It is using local money to stimulate local*
42 *providers of goods, services and construction. We help our businesses, as well as the City when*
43 *we keep our tax dollars in the community. Studies have shown that these benefits are multiplied*
44 *within the community and will have a positive effect for many within the City. An economics*
45 *professor named Charles Swenson of USC conducted an analysis on local preference*
46 *ordinances. It was concluded by him that the heightened economic activity and jobs created by a*
47 *local preference policy would generate new revenue for the City that would offset any*
48 *incremental increase in the cost of goods or services associated with awarding contracts to local*
49 *businesses. I personally feel from the research that I have done that local preference policies*

1 generate new jobs, stimulate the local economy and generate new revenue for the City with very
2 little cost to the City. With unemployment still high in this City, we cannot afford to send our
3 taxpayers money to out of state or out of the valley businesses. The City should make its
4 purchases in a way that helps local businesses create local jobs and that is what this ordinance
5 will do. It only makes economic sense to reinvest local taxpayer's money back into our own
6 community. It will develop new jobs and strengthen our local economy. Our focus should be
7 directed on the workers in our community where it belongs. When the City awards its
8 government contracts to non-local businesses this represents a significant missed opportunity to
9 stimulate our local economy and create jobs. I do not feel this local preference policy would
10 have much effect on non-local businesses and it does not unduly hamper non-local businesses in
11 the contracting process. The bid proposals for the City would still be just as competitive with
12 what the market will bear. Government agencies offer local incentives to show their
13 appreciation for those who pay their bills and provide the revenues to keep them going. For
14 example, schools offer lower tuition for local students, museums offer local discounts that non-
15 locals do not get, the Heber Railroad offers local discounts and none of them are accused of the
16 "good old boy system." It is only economic sense to offer discounts to those that are local who
17 are the main source of your income. Most businesses do not totally base their business around
18 government contracts to support themselves, mainly because government contracts offer very
19 little margin of profit. This policy also encourages non-local businesses who want to do business
20 in Heber City to relocate or set up shop in Heber, so they can be a part of our local vendor
21 preference and be a part of a City that is business friendly. By them relocating to Heber, it
22 builds our economic tax base also. The short-sighted practice of selecting the lowest qualified
23 bid without considering where the bidding company is located or where their employees live is to
24 the detriment of the economic viability of Heber City. This local preference policy will help
25 small businesses that are the backbone of the Heber City economy. I am hoping that the other
26 members of the City Council will continue to support business friendly principles like this and
27 take the necessary steps to help local companies by buying local. The City needs to set the
28 example by buying local."
29

30 Council Member McDonald stated that he would never solicit contracts from the City as he was
31 a member of the Council currently and would not do so in the future either, as it would be a
32 conflict of interest. He clarified some of the verbiage in the draft policies he emailed to the
33 Council earlier in the week and explained to the Council which options he was in favor of.
34 Council Member McDonald stated he was in support of a local bidder incentive if it was done
35 properly. Mayor Phillips asked the Council for their thoughts and Council Member Rowland
36 stated his biggest concern was missing the most important thing, which was what the local
37 businesses thought about this policy. Council Member Rowland felt the City should solicit local
38 business for their input to get a sense of what they felt was fair. He felt this was a good path to
39 be on, but that there was more work to be done. Council Member McDonald replied he had
40 spoken with over 70 businesses and felt this was what they wanted. Council Member Rowland
41 proposed inviting local business to voice their opinions and concerns to the Council. Mayor
42 Phillips asked for clarification on what the local business' concerns were, to which Council
43 Member McDonald responded that the majority of businesses he had spoken with felt they were
44 not being given the opportunity to include themselves in bidding processes, etc. Mark Anderson
45 stated that the draft from the City Attorney, Mark Smedley, and the draft from Council Member
46 McDonald were not all that different. Council Member Patterson asked Bart Mumford, City
47 Engineer, for rough estimate on the number of local contractors who put in bids over the past 10-
48 20 projects. Mumford felt that in the past couple of years about one local contractor had placed a
49 bid. Council Member Patterson asked Mark Anderson whether the City purchased locally and

1 Anderson answered that our non-specialty vehicles were purchased locally, as well as tires, etc.;

2 but that specialty equipment and vehicles had to be purchased out of town as there was no local

3 option for that. Mayor Phillips asked for the general opinion of the council on whether or not

4 they wanted to move forward with this. Council Member Rowland suggested inviting local

5 contractors for a discussion in order to work out formal details, etc. and to gather their opinions

6 on this proposed policy. Mark Anderson asked Mumford if it would be difficult to gather the

7 contractors for a meeting and Mumford stated it would be feasible to do so. Council Member

8 Bradshaw felt this was something that necessitated further time and thought before decisions

9 were made and that an obstacle this ordinance would face would be nationwide chains that local

10 businesses were unable to compete with, i.e. office supplies. There was some discussion on the

11 time frame drafted in the ordinance for the bidding process. Mayor Phillips asked the Council if

12 this was something they would like to pursue further and they answered they would like to

13 continue the discussion at a later date.

14

15 At this time, the Council paused from the agenda to begin the regular City Council meeting.

16 Upon finishing the regular meeting, the Council again went into the work meeting and discussed

17 the following items:

18

19 **Tab C: Review Potential Corridor Preservation Projects:** Anderson explained to the

20 Council the current situation with the County with regard to this topic and felt the City needed to

21 inform the County of the City's intention, funds, projects etc. and had asked Mumford to make a

22 list of projects that would meet the criteria of the State Code as to how these funds could be used

23 and then present those to the Council and so forth. Mumford stated his needs were to get these

24 projects on a list with Interlocal groups and/or the County in order to gain access to the funds

25 available, as well as to communicate to them the needs and intentions of the City with regard to

26 the corridor preservation project(s). Council Member McDonald felt gathering the data now

27 would be ideal so as to be better prepared when approaching the County/Interlocal groups to

28 move the project(s) along. He asked Mumford if the City needed to speak with the property

29 owners first, to which Mumford stated the homeowners were already aware and were including

30 this into their plans. Anderson recommended paying for additional right-of-way to make the

31 road to a width that would serve the community as a whole. Mayor Phillips felt having the right-

32 of-way was important and suggested moving this to the next agenda to allow Council Member

33 Mergist to contribute in the discussion. Council Member Rowland stated he was concerned with

34 how much contact had been made with the homeowners and other various questions along the

35 same lines, presenting scenarios and different approaches to this topic. Bart explained that up

36 until now the City had purchased property as it had come available and in implementing this

37 project it would create additional structure to the City's approach. Mayor Phillips commended

38 the City on gaining access to 41% of the bypass route and only having to purchase one portion of

39 this, as annexation agreements had provided the City with the properties. Council Member

40 McDonald felt most business owners would be in favor of this, as it would benefit their business.

41 Anderson felt the business owners would need to provide financial assistance under any future

42 terms to fund the road. Council Member Bradshaw brought to the attention of the Council the

43 previous public hearing that was held in regard to this project and his opinion was that in

44 finishing at least the western part of the bypass, it would eliminate some Main Street traffic, as

45 the bypass would be a shorter route to Park City and beyond. Mayor Phillips was in agreement

46 with this and Anderson stated previous studies had shown this project would take 9,000 vehicles

47 off of Main Street. Mumford stated the homeowners in the area were aware of this project, but

48 no formal attempt at contact had been made to date. Anderson's recommendation was to include

49 the County when approaching the land owners and also to approach the land owners with an

1 offer to purchase. Council Member Patterson asked if there were any plans for the area at 1200
2 East and 1200 South, to which Mumford answered that the surrounding area would develop and
3 as it was a bottlenecked area the City may create four lanes for that road in the future. The
4 Council indicated to Anderson they would like this to be brought to them at a later meeting to
5 discuss further.

6
7 **Tab D: Review Proposed Method to Advertise Community Events at the City Park:** Mark
8 Anderson stated the proposed design would accommodate up to three banners across to provide a
9 location to advertise. Mayor Phillips asked for Tony Kohler's feelings on the design and Kohler
10 felt this was more professional in appearance as opposed to t-posts and a sign strung between.
11 Kohler clarified it was not an electronic sign and the width of the banner area was six feet wide
12 and would be available to non-profit organizations, etc. as well as the City to advertise local
13 events. Mayor Phillips asked the Council for their thoughts. Council Member Bradshaw felt it
14 was preferable over what was currently being done with the banners and Council Member
15 McDonald was in support of the design, location and size. Council Member Patterson was not in
16 favor of the location, but felt the sign was acceptable. Council Member Rowland asked who
17 would receive preference with regard to placement of the signs, as it was a limited space. He
18 would like to see our lamp posts along Main Street utilized more frequently for advertising major
19 community events. Kohler explained the past policy has been first come and first served in
20 regard to who received preference in placing their signs. Mayor Phillips asked what would
21 happen if a fourth event was to occur simultaneously and the Council felt they would handle that
22 as it came forth. Anderson stated the cost for the lamp post banners were \$70-\$80 each and the
23 cost was high for small events. After some discussion, Council Member McDonald liked the
24 idea of eliminating the various signages at the park and using one central sign for all
25 advertisement. Council Member Rowland felt it was too small for vehicle traffic. The City
26 Council would address this again at the budget meeting in two weeks.

27
28 **Discuss Rescheduling of July 4th City Council Meeting:** The City Council would like the bid
29 information to be conveyed to them via phone or email and not hold a City Council meeting on
30 July 4th.

31
32 The City Manager, Mark Anderson, provided a copy of the final budget to Council and explained
33 the changes to that budget. Council Member Rowland asked about live-streaming the City
34 Council meetings and Kohler stated he would compare costs for this. Anderson updated the
35 Council on renewing business licenses online as this was something they were actively working
36 on with the intention of creating this option for dog licenses, etc. in the future. Xpress bill pay
37 was now the company the City was using to take credit card payments, etc. rather than Secure
38 Instant Payments. Mayor Phillips asked Mumford to bring 300 West pressurized irrigation
39 updates to the Council at the next meeting.

40
41 Anderson explained that as recent as today someone tripped on the existing front walkway of the
42 tabernacle building. As this walkway did not meet the current code, the City needed to
43 implement a new front walk that met building code requirements, etc. Mumford explained the
44 design drawing for a new front walkway, which Wes Greenhalgh had made, to the Council.
45 Mayor Phillips asked if the beauty of the building would be detracted from with the new design.
46 Councilmembers McDonald and Rowland felt using stamped concrete rather than traditional
47 concrete would create continuity with Main Street. The Council asked Mumford to present
48 various design concepts and cost to them and Mumford stated he would put those options
49 together and bring them to the Council. Anderson mentioned that the existing rose bushes

1 deterred traffic to the monuments in the lawn at the Tabernacle and felt the rose bushes were
2 neglected and did not beautify the tabernacle. Kohler presented the idea of creating a rose
3 garden rather than lining the walkway with the roses. Council Member Patterson felt the roses
4 were attractive and would rather have them than just grass.

5
6 Mayor Phillips asked Kohler to update the council from time to time on incoming businesses,
7 etc. so the Council was prepared to answer public questions, etc.

8
9 Anderson asked Mumford to report on current projects. Mumford updated the Council on the
10 Veteran's Memorial, the current piece of the water line project on Main Street that should be
11 done by the end of next week, the Main Street paver project and briefly discussed each of these
12 projects. Mumford mentioned their attempt to work with Main Street business owners, etc. so as
13 to not negatively impact their businesses. With regard the Main Street Park, they had found the
14 old school foundation under the playground area so that delayed the project and added about
15 \$3,000 to the project. The playground equipment arrived a week late, but the equipment was
16 being assembled and the project was being pushed as quickly as possible. The artificial grass
17 was in at the Cove Park and Wheeler Park. The 100 South sidewalk replacement was going very
18 well. The 300 West waterline replacement had begun and was going well. Paperwork was just
19 in place for the Daniel Road project that tied in with Airport Road which would take about a year
20 to prepare for. The Silver Eagle project water and sewer lines were finished.

21
22 Anderson stated Kristen Brownson, from the FAA, came by to inspect the airport project and the
23 new grant should be ready shortly. Mayor Phillips asked about incoming business and Anderson
24 stated negotiations were being done in regard to the piece of property next to the 24-Hours
25 Fitness Shop and that the negotiations were for a Café Rio restaurant; a Verizon store may be
26 going in next to Little Caesars and finally, Anderson mentioned that Joann's, Hibbett Sports, TJ
27 Maxx were all being discussed with Boyer, but cost finalizations were issues. Anderson also
28 updated the Council on the status of the Zion's Bank building and the senior housing on 1200
29 South and 500 East. McDonalds was discussing removing their existing building and rebuilding
30 on the existing location. Sears would be moving to another location and Majestic Mountain
31 subdivision should be done within a few weeks. Council Member Rowland stated he was told
32 that the property north of Kings was nearly ready to sell and they would potentially build a hotel
33 at that location. There was a brief discussion on various projects within the City and in closing
34 the discussion, Mumford stated there was a lot going on right now, there were good people
35 working on these projects and he felt positive about them all.

36
37 Council Member Rowland asked for the Council's thoughts on moving the Farmer's Market to
38 the fair grounds the week of the Wasatch County Fair and the general opinion of the Council
39 after some discussion was they would not like to move the Farmer's Market to the fairgrounds
40 during that week.

41
42 Council Member Patterson made a motion to move into a closed session to discuss sale and/or
43 purchase of real estate.

44
45 With no further business, the meeting was adjourned.

46
47

Amanda Anderson, Deputy Recorder

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**Heber City Corporation
City Council Meeting
June 6, 2013**

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on June 6, 2013, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

Present:

Mayor
Council Members

David R. Phillips
Robert Patterson
Alan McDonald
Jeffery Bradshaw
Erik Rowland

Excused:

Benny Mergist

Also Present:

City Manager
City Engineer
Chief of Police
Deputy Recorder

Mark K. Anderson
Bart Mumford
David Booth
Amanda Anderson

Others Present: Daniel Mauer, Danny Goode, Robert Wilson, Todd Cates, Rod Hopkins, and others whose names were illegible.

Pledge of Allegiance: Council Member Erik Rowland

Prayer: Mayor David Phillips

Minutes: May 16, 2013 Work and Regular Meetings

Council Member Patterson moved to approve the May 16, 2013 Work Meeting minutes and the May 16, 2013 Regular Meeting minutes. Council Member Bradshaw seconded the motion.

Council Member McDonald asked for clarification between lines 13 and 16, page 2 of 3 in the Regular Meeting that he had accepted, as Mr. McQuarrie had met the requirements for approval.

Council Member Patterson moved to approve the May 16, 2013 Work Meeting minutes and the May 16, 2013 Regular Meeting minutes with the above-mentioned clarification made. Council Member Bradshaw seconded the motion.

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

Voting Nay: None.

1 **OPEN PERIOD FOR PUBLIC COMMENTS**

2
3 Mayor Phillips invited those from the audience who wished to speak on a subject which would
4 not be addressed in the agenda to come forward.
5

6 Daniel Mauer took the floor and requested that the City Council allow for public comment at the
7 beginning, as well as at the end of regular meeting so citizens could comment on topics
8 discussed during the current meeting, which would create more transparency and make public
9 comment more relevant to current topics. Mauer's other concern was being dismissed from a
10 meeting, due to a closed session, and not being invited back into the meeting after the closed
11 session was finished. He thought moving to closed session after the work and regular meetings
12 would allow the public to participate in both meetings, without confusion. Mauer ended his
13 comments and stated he felt the Unplugged program was outstanding and wanted to commend
14 the Council for their role in the program.
15

16 Robert Wilson took the floor; voicing his concern with the time it has taken to receive his
17 building permit. He stated it has taken three to five weeks to receive his permits and this was
18 adversely affecting his business. Anderson stated he has discussed this with Wes Greenhalgh on
19 numerous occasions and they had decided that if the plan reviews could not be provided within
20 three weeks, then the City would bring in outside help. Council Member McDonald stated he
21 felt that something should be done quickly in order to help our local contractors and business
22 owners as this was adversely affecting their business. Mayor Phillips asked for the Council's
23 opinion with regard to the three week time frame and the Council felt two weeks was what they
24 would like to see. Mark Anderson stated that from his discussions with Wes, their thoughts were
25 to bring in someone to do the inspections, as Wes was working on the plan reviews. Anderson
26 stated that the additional cost of bringing in new staff to assist would be offset by the revenue
27 provided by the influx of building permits.
28

29 **ACTION ITEMS**

30
31 **Tab 1: Todd Cates – Approve Red Ledges Phase IE Subdivision Plat:** Council Member
32 Rowland moved to approve the Red Ledges Phase IE Subdivision Plat. Council Member
33 Patterson made the second. Voting Aye: Council Members Patterson, McDonald, Bradshaw and
34 Rowland. Voting Nay: None.
35

36 **Tab 2: Ernie Giles, Sewer Connection Request:** Council Member McDonald stated he was
37 the brother-in-law of Ernie Giles and he excused himself from the chambers due to conflict of
38 interest. Mr. Giles took the floor and explained where his property lines were and explained why
39 he was requesting the sewer connection. After brief discussion between Mr. Giles and the
40 Council, Mark Anderson reminded the Council of their previous concerns, i.e. the North Fields
41 area, planning and zoning concerns, etc. Tony Kohler, Planning and Zoning director, explained
42 the City's policy was to not provide connection to people outside of the city limits and although
43 it had happened in the past, it was written that the City would not do this. Mayor Phillips stated
44 Mr. Giles was in compliance with the County and the individuality of this situation set it apart.
45

46 Council Member Rowland moved to approve the Ernie Giles sewer connection request. Council
47 Member Bradshaw made the second. Mark Anderson asked for clarification on what the
48 connection fee would be. Council Member Rowland amended his motion to approve the Ernie
49 Giles sewer connection request to include the impact fee at 100% with a continuing monthly fee

1 at 150% as it currently stands. Mumford asked if this would affect the special service district or
2 if this would be independent of that and after discussion, it was decided that due to the
3 uniqueness of this situation, it would not affect the Special Service District.

4
5 Voting Aye: Council Members Bradshaw and Rowland. Voting Nay: Council Member
6 Patterson.

7
8 Motion failed.

9
10 **Tab 3: Approve Updates to the Airport Layout Plan (ALP), Terminal Area Drawing:**

11 Council Member Rowland explained the ALP drawing and stated the drawing was the result of a
12 large amount of time by all involved parties. Council Member Rowland also stated the Airport
13 board was in support of this proposal. Council Member McDonald asked about the tie-down
14 areas and whether or not they were still under the FBO. Council Member Rowland stated there
15 were a couple of areas that were not under the direction of the FBO. Mark Anderson referred to
16 area #5, which was a new piece of asphalt, and stated they felt it was an ideal place for
17 helicopters to land, but would also be used to add additional tie-down space. Anderson showed
18 the historical access to the airport and then the proposed changes (on the projector). He showed
19 the parts of the drawing and explained their purposes. In the packet materials Anderson included
20 the FAA approval and stated if the Council was in favor the drawings could be signed and
21 implemented.

22
23 Council Member Patterson made the motion to approve updates to the airport layout plan (ALP),
24 terminal area drawing. Council Member Rowland seconded the motion. Voting Aye: Council
25 Members Patterson, McDonald, Bradshaw and Rowland. Voting Nay: None.

26
27 Mayor Phillips stated that at some point he would like to discuss with the Council the topics
28 brought up during the public comment period of the City Council Meeting. He also decided to
29 finish the Work Meeting before moving into Closed Session, so those in attendance could attend
30 the remainder of the Work Meeting.

31
32 With no further business, Council Member Patterson made a motion to adjourn the meeting.
33 Council Member Rowland made the second. Voting Aye: Council Members Patterson,
34 McDonald, Bradshaw and Rowland. Voting Nay: None.

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Amanda Anderson, Deputy Recorder

ACTION ITEMS

TAB 1

Resolution 2013-06

**A RESOLUTION ADOPTING A FINAL BUDGET FOR FISCAL YEAR
2013-2014**

WHEREAS , the Utah State law requires that city budgets be adopted by resolution; and

WHEREAS, a public hearing was held on June 20, 2013, at the City Council's regularly scheduled meeting, complying with State law;

NOW THEREFORE, BE IT RESOLVED by the City Council of Heber City, Utah that:

SECTION 1. BUDGET ADOPTION. The following budget is hereby adopted as the 2013-14 Operating Budget for Heber City Municipal Corporation for the funds listed below:

Heber City Municipal Corporation:

General Fund	\$ 6,385,869
Water Fund	\$ 1,804,250
Sewer Fund	\$ 1,336,200
Airport Hangar Fund	\$ 240,300
Utility Fund	\$ 150,150
Capital Improvements Funds	\$ 5,829,800
Internal Service Fund	\$ 98,000
Debt Service	\$ 294,987
Perpetual Care	\$ 88,000
<u>GRAND TOTAL</u>	\$16,227,556
Less Interfund Transfers	\$ (661,269)
TOTAL BUDGET	<u>\$15,566,287</u>

PASSED AND ADOPTED this the 20th day of June, 2013.

HEBER CITY MUNICIPAL CORPORATION

David R. Phillips
Mayor

Attest:

Michelle Kellogg
City Recorder

HEBER CITY CORPORATION
SUMMARY OF GENERAL FUND
2013 - 2014 CAPITAL REQUESTS - Tentative Approval
June 10, 2013

DEPARTMENT	ITEM REQUESTED	AMOUNT REQUESTED	RUNNING TOTAL	APPROVAL RECOMMENDED	RUNNING TOTAL
LEGISLATIVE					
	Heber Valley Tourism and Economic Development	25,000		25,000	
	Cowboy Poetry	5,000		5,000	
	Childrens Justice Center	5,000		5,000	
	High School Rodeo	10,000		10,000	
	Special Olympics	600		600	
	Farmers Market	1,000		1,000	
	Peoples Health Clinic	5,000		5,000	
	Citizen Corp	2,000		2,000	
	Unidentified	3,000		3,000	
	Logo Development	3,000		3,000	
	Budget Retreat	2,000		1,500	
	TOTAL	61,600	61,600	61,100	61,100
JUDICIAL					
	Add door in current space	1,000		-	
	Add wall to split conference room into small conference room	1,800		-	
	Bulletproof window and cashier tray w/speaker	3,500		-	
	Court Laptop replacement	1,200		1,200	
	Printer Replacement	350		350	
	Publish Warrants	1,200		-	
	TOTAL	9,050	70,650	1,550	62,650
ADMINISTRATIVE					
	Art for Michelle, Cathy, and Mark's offices	1,800		900	
	Chairs for second floor and bench for Treasurer's office	1,300		1,000	
	ID Badges for City Employees	1,000		1,000	
	Software for agendas, minutes and document management	25,000		-	
	Risk Management program	5,000		2,500	
	Two-Drawer Locking Filing Cabinet	400		400	
	Parlant Community Messaging System Subscription	5,000		5,000	
	City Manager Discretionary	25,000		25,000	
	TOTAL	64,500	135,150	35,800	98,450
GENERAL GOVT. BUILDINGS					
	Improvements to Social Hall	5,000		5,000	
	Police Station	10,000		10,000	
	TOTAL	15,000	150,150	15,000	113,450
BUILDING					
	Desktop computer	900		900	
	Ipad	600		600	
	Electronic Document Management System startup	10,000		10,000	
	TOTAL	11,500	161,650	11,500	124,950
PLANNING					
	Business License Fee Study Update	8,000		8,000	
	TOTAL	8,000	169,650	8,000	132,950
POLICE					
	Laptop computers (5), desktop computers (5), in-car printer (5)	12,000		12,000	
	Tasers (5)	4,000		4,000	
	Miscellaneous replacement or worn out equipment	5,000		3,000	
	Remington 870 Shotguns (6)	3,000		3,000	
	Stinger tire deflating divices (6)	2,400		2,400	
	Equipment needed for a new FTE	6,000		6,000	
	New Police Badges	4,250		4,250	
	Crossing Guard Equipment	2,000		1,000	
	TOTAL	38,650	208,300	35,650	168,600

HEBER CITY CORPORATION
SUMMARY OF GENERAL FUND
2013 - 2014 CAPITAL REQUESTS - Tentative Approval
June 10, 2013

DEPARTMENT	ITEM REQUESTED	AMOUNT REQUESTED	RUNNING TOTAL	APPROVAL RECOMMENDED	RUNNING TOTAL
ANIMAL CONTROL					
	Vehicle	34,500		34,500	
	Portable Corrals	4,700		4,700	
	Electric Power Washer	2,800		2,800	
	Feral Cat Carriers (6)	440		440	
	Laptop Computer	1,200		1,200	
	Desktop Computer	1,000		1,000	
	Remington 870 Shotguns (2)	700		700	
	TOTAL	10,840	219,140	45,340	213,940
ROADS					
	Asphalt saw (1/2)	4,000		4,000	
	Concrete tools	4,000		2,000	
	Floor lift in new PW shop addition (1/4)	39,250		-	
	Mitchell vehicle data (1/4)	1,000		1,000	
	Heavy & Medium Duty Automotive scanner (1/4)	2,500		2,500	
	Light Duty Automotive scanner (1/4)	1,250		1,250	
	Plasma Cutter	900		-	
	PW shop door chain override (1/4)	3,750		1,000	
	Emergency power generation (1/4)	18,750		-	Talk with Het
	Fork lift attachment (1/4)	250		250	
	Snow blower attachment (1/4)	1,875		1,875	
	Breaker attachment (1/4)	2,500		-	
	Skid Steer Planner Attachment (1/3)	7,000		7,000	
	Tractor Trailer Upgrade	56,000		-	sewer
	Asphalt saw attachment (1/4)	5,000		-	
	Pipehunter 4x4 conversion (1/4)	20,000		-	
	Loader lease renewal/buy back (1/4)	35,000		3,000	
	Fast solutions inventory control system (1/4)	150		150	
	Time clock plus upgrade (1/4)	666		-	
	Keyless/card swipe facilities conversion (1/4)	6,667		-	
	Audio/visual emergency radio vehicle retrofit (1/4)	2,750		1,500	
	Emergency radio bank charger (1/4)	150		150	
	Duplicate shop space (1/4)	450,000		-	
	Wash bay	250,000		-	
	Larger salt storage bin	360,000		-	
	Screen bedding bin	30,000		-	
	Gate extension to front corner of shop (1/4)	1,250		1,250	
	Water main fire hydrant extension at shop	7,500		7,500	
	TOTAL	1,312,158	1,531,298	34,425	248,365
PARKS					
	Cemetery/Parks shop expansion (1/2)	125,000		-	
	Green House (1/2)	6,500		-	
	Cemtery/Parks tile floor	765		765	
	PC Computer (1/2)	1,000		750	
	Skid Steer Trailer (1/2)	3,650		-	
	Skit Steer Renewal (1/2)	2,500		2,500	
	Cat 420E back hoe lease (1/2)	3,000		3,000	
	Commerical Wood Chipper (1/2)	10,000		-	
	Replacement trees (1/2)	1,250		1,250	
	Hobart Welder (1/2)	1,000		1,000	
	Smart Phones (3) (1/2)	1,140		-	
	Weed Spray Booms (1/2)	700		700	
	6' Park Benches (2)	1,350		1,350	
	Bobcat Grader attachments	8,300		8,300	
	Hanging flower baskets	3,250		4,000	
	Landscape bark	1,000		-	
	Commercial outdoor trash receptacles	1,850		1,850	
	20' Equipment trailer	3,200		3,200	
	Muirfield Park Buck Fence	15,000		-	
	Spillproof cabinet for Pesticides (1/2)	350		350	
	Mower Storage - Bendpak 9000 lb 4 post lift	2,900		2,900	
	Daniel Road Bike Lane	1,500		1,500	
	500 North Bike Lane	1,500		1,500	
	650 South Bike Lane	1,000		1,000	
	TOTAL	197,705	1,729,003	35,915	284,280

HEBER CITY CORPORATION
SUMMARY OF GENERAL FUND
2013 - 2014 CAPITAL REQUESTS - Tentative Approval
June 10, 2013

DEPARTMENT	ITEM REQUESTED	AMOUNT REQUESTED	RUNNING TOTAL	APPROVAL RECOMMENDED	RUNNING TOTAL
CEMETERY	Cemetery/Parks shop expansion (1/2)	125,000		-	
	Veterans Memorial	375,000		375,000	
	Green House (1/2)	6,500		-	
	Cemetery/Parks tile floor	765		765	
	Cemetery office desk, chair and furniture	1,500		1,000	
	PC Computer (1/2)	1,000		750	
	Skid Steer Trailer (1/2)	3,650		-	
	Skit Steer Renewal (1/2)	2,500		2,500	
	Cat 420E back hoe lease (1/2)	3,000		3,000	
	Commerical Wood Chipper (1/2)	10,000		-	
	Replacement trees (1/2)	1,250		1,250	
	Hobart Welder (1/2)	1,000		1,000	
	Smart Phones (3) (1/2)	1,140		-	
	Spillproof cabinet for Pesticides (1/2)	350		350	
	Mower Storage - Bendpak 9000 lb 4 post lift	2,900		2,900	
	Weed Spray Booms (1/2)	700		700	
		TOTAL	536,255	2,265,258	389,215
AIRPORT	Snow Box	5,500		5,500	
	Air Compressor w/ basic tools	500		500	
	FAA Grant Match	225,000		225,000	
	Hand-held radio	350		350	
	Power washer	280		280	
	Pilot's lounge furniture	500		500	
	Rugs	200		-	
	Automatic gate heaters	275		275	
	Airport entry kiosk	500		400	
		TOTAL	233,105	2,498,363	232,805

HEBER CITY CORPORATION
SUMMARY OF CAPITAL PROJECTS / IMPACT FEE FUNDS / RESTRICTED FUNDS
2013 - 2014 CAPITAL REQUESTS - Tentative Approval
June 10, 2013

DEPARTMENT	ITEM REQUESTED	AMOUNT REQUESTED	APPROVAL RECOMMENDED
CAPITAL PROJECTS			
	City Admin/Public Safety Building	522,000	400,000
	Main Street Paver Replacement		229,000
	Transfer to General Fund (Veterans Memorial)	100,000	100,000
	TOTAL	<u><u>622,000</u></u>	<u><u>729,000</u></u>
PARKS, CEMETERY & TRAILS			
	Daniel's road bike lane	1,500	1,500
	500 North bike lane	1,500	1,500
	600 South bike lane	1,000	1,000
	TOTAL	<u><u>4,000</u></u>	<u><u>4,000</u></u>
STREETS			
	Daniel's Road Hwy 189 to 2500 South UDOT	390,000	390,000
	1200 East Center Street to Hwy 40	3,000	3,000
	TOTAL	<u><u>393,000</u></u>	<u><u>393,000</u></u>
AIRPORT			
	Runway & Apron Rehab Engineering	19,000	19,000
	Runway & Apron Rehab Construction	225,000	225,000
	TOTAL	<u><u>244,000</u></u>	<u><u>244,000</u></u>
TRANSPORTATION TAX			
	Daniel's Road Hwy 189 to 2500 South UDOT	106,000	106,000
	1200 East Center Street to Hwy 40	3,000	3,000
	Annual Sidewalk New Construction & Repair	80,000	80,000
	Acad/work Renewal Hardware (1/3 of 3,600)	1,200	1,200
	Radar Traffic Recorder	5,000	5,000
	TOTAL	<u><u>195,200</u></u>	<u><u>195,200</u></u>
CLASS C ROADS			
	Annual Road Maint - Crack, Seal, Overlay/Replacement	250,000	250,000
	TOTAL	<u><u>250,000</u></u>	<u><u>250,000</u></u>

HEBER CITY CORPORATION
SUMMARY WATER / WATER IMPACT FEE FUNDS
2013 - 2014 CAPITAL REQUESTS - Tentative Approval
June 10, 2013

DEPARTMENT	ITEM REQUESTED	AMOUNT REQUESTED	APPROVAL RECOMMENDE	IMPACT	OPERATING
WATER					
	Valley Hills Tank Connection 12" Line	258,000	258,000	258,000	-
	300 West CDBG Waterline Project (2013 Replacement Project)	300,000	300,000		300,000
	550 North - 550 East to 750 East 8" Line	164,000	-		-
	Future Tank Storage (300 West PI)	103,000	103,000	103,000	-
	Annual Water Main/Sys Replacements	400,000	250,000		250,000
	Fencing Water Tanks	45,000	40,000		40,000
	Broadhead Tank Roof Replacement	513,000	513,000		513,000
	Broadhead Booster Pump VFD	7,000	7,000		7,000
	Acad/lwork Renewal Hardware (1/3 of 3,600)	1,200	1,200		1,200
	Hydro-Excavator	400,000	-		-
	Soil Surgeon (1/3)	1,000	1,000		1,000
	Meter vault installation project	35,000			-
	Meter replacement project	35,000			-
	Main line valve insertion project	50,000	25,000		25,000
	Ford F150 (1/2)	15,000	-		-
	Hydronic radiant heat system	75,000	-		-
	New asphalt saw (1/2)	4,000	4,000		4,000
	350 Size Dump Truck (2) (1/4)	30,000	17,500		17,500
	Floor lift in new PW shop addition (1/4)	39,250	-		-
	Mitchell vehicle data (1/4)	1,000	1,000		1,000
	Heavy & Medium Duty Automotive scanner (1/4)	2,500	2,500		2,500
	Light Duty Automotive scanner (1/4)	1,250	1,250		1,250
	Plasma Cutter	900	-		-
	PW shop door chain override (1/4)	3,750	1,000		1,000
	Emergency power generation (1/4)	18,750	-		-
	NCMR3 water sampling	6,000	6,000		6,000
	Tracked skid steer (1/4)	13,750	13,750		13,750
	Fork lift attachment (1/4)	250	250		250
	Snow blower attachment (1/4)	1,875	1,875		1,875
	Cold planner attachment (1/3)	7,000	-		-
	Breaker attachment (1/4)	2,500	-		-
	Asphalt saw attachment (1/4)	5,000	-		-
	Mini excavator (1/3)	46,667	-		-
	Backhoe lease renewal (2) (1/2)	15,000	15,000		15,000
	Loader lease renewal/buy back (1/4)	35,000	3,000		3,000
	Fast solutions inventory control system (1/4)	150	150		150
	Time clock plus upgrade (1/4)	666	-		-
	Keyless/card swipe facilities conversion (1/2)	20,000	-		-
	Audio/visual emergency radio vehicle retrofit (1/4)	2,750	1,500		1,500
	Emergency radio bank charger (1/4)	150	150		150
	Duplicate shop space (1/4)	450,000	-		-
	Conversion of cold storage to part storage (1/2)	10,000	-		-
	Pallet racks (1/2)	10,000	-		-
	Irrigation system at PW shop, Valley Hills, and Hospital Well	20,000	4,000		4,000
	Gate extension to front corner of shop (1/4)	1,250	1,250		1,250
	Landscaping at shop, Valley Hills & Hospital Well	10,000	3,000		3,000
	Fencing projects at Spring, Broadhead, Hospital, Valley Hills	48,000			-
	TOTAL	3,209,608	1,575,375	361,000	1,214,375
PRESSURIZED IRRIGATION					
	Daniels road 1450 South to 1300 South	96,000	-	-	-
	Annual Irrigation Main/Sys Replacements	50,000	40,000	-	40,000
	TOTAL	146,000	40,000	-	40,000
	Total Water Projects	3,355,608	1,615,375	361,000	1,254,375

HEBER CITY CORPORATION
SUMMARY SEWER / SEWER IMPACT FEE FUNDS
2013 - 2014 CAPITAL REQUESTS - Tentative Approval
June 10, 2013

DEPARTMENT	ITEM REQUESTED	AMOUNT REQUESTED	APPROVAL	
			RECOMMENDED	IMPACT OPERATING
SEWER				
	Annual Sewer Main/Sys Replacements	200,000	200,000	200,000
	Annual Sewer Replacement 2013 Carryover	50,000	50,000	50,000
	Acad/work Renewal Hardware (1/3 of 3,600)	1,200	1,200	1,200
	Soil surgeon (1/3)	1,000	1,000	1,000
	350 Size Dump Truck (2) (1/4)	30,000	17,500	17,500
	Floor lift in new PW shop addition (1/4)	39,250	-	-
	Mitchell vehicle data (1/4)	1,000	1,000	1,000
	Heavy & Medium Duty Automotive scanner (1/4)	2,500	2,500	2,500
	Light Duty Automotive scanner (1/4)	1,250	1,250	1,250
	Plasma Cutter	900	-	-
	PW shop door chain override (1/4)	3,750	1,000	1,000
	Emergency power generation (1/4)	18,750	-	-
	Skid steer easement machine	25,000	25,000	25,000
	Tracked skid steer (1/4)	13,750	13,750	13,750
	Fork lift attachment (1/4)	250	250	250
	Snow blower attachment (1/4)	1,875	1,875	1,875
	Cold planner attachment (1/3)	7,000	-	-
	Breaker attachment (1/4)	2,500	-	-
	Asphalt saw attachment (1/4)	5,000	-	-
	P.O.S.M. Database Sewer Software	15,000	15,000	15,000
	New Vactor ENZ nozzles	10,000	10,000	10,000
	Vactor ENZ Nozzle (Root Removal)	4,000	4,000	4,000
	Laptop Computer & Mount (Vactor)	1,750	900	900
	Pipehunter 4x4 conversion (3/4)	60,000	-	-
	Mini excavator (1/3)	46,667	-	-
	Backhoe lease renewal (2) (1/2)	15,000	15,000	15,000
	Loader lease renewal/buy back (1/4)	35,000	3,000	3,000
	Fast solutions inventory control system (1/4)	150	150	150
	Time clock plus upgrade (1/4)	666	-	-
	Keyless/card swipe facilities conversion (1/4)	6,667	-	-
	Audio/visual emergency radio vehicle retrofit (1/4)	2,750	1,500	1,500
	Emergency radio bank charger (1/4)	150	150	150
	Duplicate shop space (1/4)	450,000	-	-
	Conversion of cold storage to part storage (1/2)	10,000	-	-
	Pallet racks (1/2)	10,000	-	-
	Gate extension to front corner of shop (1/4)	1,250	1,250	1,250
	TOTAL	1,074,025	367,275	367,275

HEBER CITY CORPORATION
SUMMARY UTILITY FUND
2013 - 2014 CAPITAL REQUESTS - Tentative Approval
June 10, 2013

DEPARTMENT	ITEM REQUESTED	AMOUNT REQUESTED	APPROVAL RECOMMENDED
UTILITY			
	Soil surgeon (1/3)	1,000	1,000
	350 Size Dump Truck (2) (1/4)	30,000	17,250
	Culvert Replacement (Zions Bank)	12,000	12,000
	New street sweeper	250,000	-
	Floor lift in new PW shop addition (1/4)	39,250	-
	Mitchell vehicle data (1/4)	1,000	1,000
	Heavy & Medium Duty Automotive scanner (1/4)	2,500	2,500
	Light Duty Automotive scanner (1/4)	1,250	1,250
	Plasma Cutter	900	-
	PW shop door chain override (1/4)	3,750	1,000
	Emergency power generation (1/4)	18,750	-
	Tracked skid steer (1/4)	13,750	13,750
	Fork lift attachment (1/4)	250	250
	Snow blower attachment (1/4)	1,875	1,875
	Breaker attachment (1/4)	2,500	-
	Asphalt saw attachment (1/4)	5,000	-
	Laptop computer & mount (Vactor)	1,750	900
	New maintainer	95,000	-
	Tools for new maintainer	7,500	-
	Mini excavator (1/3)	46,667	-
	Laptop computer & mount	3,500	-
	New street sweeper	255,000	-
	Loader lease renewal/buy back (1/4)	35,000	3,000
	Fast solutions inventory control system (1/4)	150	150
	Time clock plus upgrade (1/4)	666	-
	Keyless/card swipe facilities conversion (1/4)	6,667	-
	Audio/visual emergency radio vehicle retrofit (1/4)	2,750	500
	Emergency radio bank charger (1/4)	150	150
	Duplicate shop space (1/4)	450,000	-
	Gate extension to front corner of shop (1/4)	1,250	1,250
		1,289,825	57,825

HEBER CITY CORPORATION
 SUMMARY OF INTERNAL SERVICE FUND
 2012-2013 VEHICLE REQUESTS - Tentative Approval
 June 10, 2013

DEPARTMENT	ITEM REQUESTED	AMOUNT REQUESTED	APPROVAL RECOMMENDED
POLICE	(5) Midsize SUV (Equipped) Purchase or;	181,000	\$ 181,000
	(5) Midsize SUV (Equipped) Lease (\$66,000)		
	Move K-9 Cage	2,000	\$ -
ROADS	Ford F150 (1/2)	15,000	\$ -
	350 Size Dump Truck (2) (1/4)	30,000	\$ 17,500
	Boom Truck upgrade	35,000	\$ 25,000
	Loader Broom Attachment	15,000	\$ -
	SS salt dispensers (2)	35,000	\$ 17,500
	Bed Adapters (2)	10,000	\$ 5,000
	Tracked skid steer (1/4)	13,750	\$ 13,750
PARKS	Ford F150 (1/2)	16,500	\$ 16,500
CEMETERY	Ford F150 (1/2)	16,500	\$ 16,500
TOTAL	<u>369,750</u>	<u>\$ 292,750</u>	

TAB 2

Mark Anderson

From: Annie McMullen <Annie.McMullen@rossignol.com>
Sent: Tuesday, June 11, 2013 9:41 AM
To: Mark Anderson
Subject: RE: Scanned image from MX-M503N

Hi Mark,

Thanks for the note and for putting the Eagle Scout request on the agenda. I will call the 2 boys and let them know the schedule. What time would we need to be there? I was intending to have them do the talking but would be there if there were questions that they could not answer.

The 2 boys are Parker Sharpe and Brigham Lease (I think that is his last name). Brigham had come to me last fall when the garden was closing down to build boxes. At that time we were cleaning up and there was no \$\$ left for supplies. I thought he had taken on a different project so I began to talk with Parker. Then last week I received a call from him asking about boxes, so now I have 2 Eagle Scouts with the same project. Good news is that their efforts will expand opportunities at the garden and they will be the labor to build and place the boxes.

That was a big job last year.

I haven't spoken with Michelle so I don't know how many boxes are taken.

We had a notice go into the June newsletter but didn't get into the May city newsletter. I am not sure what the response has been.

~~I have mixed emotions about my new knee. Hopefully you will have no complication which is what has set me back. I think when I am fully recovered I will love it because my knee will again work right, but honestly I am struggling with recovery.~~

Hope all is well. I'll talk to you soon.

Annie McMullen
The Rossignol Group
Rossignol, Lange, Dynastar & Look
annie.mcmullen@rossignol.com

Check out cool gear at:
www.rossignol.com
www.dynastar.com
www.langeski boots.com

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-----Original Message-----

From: Mark Anderson [mailto:manderson@ci.heber.ut.us]
Sent: Monday, June 10, 2013 4:30 PM
To: Annie McMullen
Subject: RE: Scanned image from MX-M503N

Annie:

~~I need to get my left knee replaced. I should visit with you to understand the pitfalls before I move forward.~~

I can put this on the agenda for Council consideration on June 20th.

Let me know the names of the two young men that will be making the request of the Council. I assume that Parker Sharp is the name of one of them based on the application you attached. Do you have a sense of how many of the garden spots are being used this year? Michelle is on vacation this week and I do not have a good feel for how many people have signed up.

Lastly, I would encourage you to make the young men solicit the council for the monies for the materials. The Council and I like to see the scouts have some responsibility to raise some of the project funds. The last one we participated in at the Animal Shelter had the scout raise about 30% of the funding.

Glad to see you are back in action.

Mark

Mark K. Anderson
Heber City Manager
75 North Main
Heber City, UT 84032
phone 435-654-0757
fax 435-654-2743

-----Original Message-----

From: Annie McMullen [mailto:Annie.McMullen@rossignol.com]
Sent: Monday, June 10, 2013 12:59 PM
To: manderson@ci.heber.ut.us
Subject: FW: Scanned image from MX-M503N

Hi Mark,

Well, the community garden is off to a start albeit a slow one, but it's going. I have not been able to put much effort into that community project this year though my intentions were there. I had knee replacement surgery in the middle of April and the recovery has been much slower than I expected. I had a complication that they found 6 weeks after surgery that set me back. My femur was fractured during surgery so I have had a few weeks added onto the recovery . . . Jeez, that really doesn't work for me but I have no choice in the matter. So I am working hard on getting back to normal. I have not been able to be as engaged in the garden as I was last year so I must apologize. I don't like starting something and not be able to continue working on it. Hopefully I can start working on the garden again soon.

The reason for the note is that I have been working with 2 young men going after their Eagle scout badges. I've attached one of their project proposals. Both have been approved for working in the garden and building boxes to continue to grow the garden. What we would like to do is build 8 smaller redwood or cedar boxes - 12' x 11' - and set them in the garden. I believe that the smaller size box will be more manageable for individuals and if we ever altered the design of the garden, that size would be easier to move. I would also like to plant some flowers in one or two boxes to beautify the garden area.

That being said, wondering if we (2 young men and I) can get on the next agenda for the city council to ask for help with funding. Each box will cost about \$185 and we need to fund 6 of them. Pro Build once again will give us discounts on

the wood. They are also donating two boxes, one to each Eagle scout candidate for their projects. Do you think the council would fund at least 4 of the boxes (\$740)? The scouts would also be responsible for finding funding for the remaining 2 boxes.

Last request, I need the parks dept to do some work at the garden.

Before we set the boxes, we need to grade part of the designated area to make it flat so we can better set the boxes. Last year we did so much digging to set the boxes and we still have one box that is totally out of whack. Hopefully I can get that box reset. It would be much help to have flat area to work with and the garden would look better. Once the boxes are set and level, I would request that the boxes be filled with soil from the grading. There should be plenty of soil to fill the raised boxes and the parks guys have equipment to do that.

I am also working on getting fencing to keep the deer out. Our individual gardens were growing quite well last summer and then the deer came through and decimated some of the boxes. :(So I guess I need to find someone to fund fencing. I am thinking of either Plastic construction fencing (functional not so pretty) for the perimeter of the area or getting something like chicken wire and fencing the individual boxes.

I hope this note finds you well. We have a first baby in our family, born last Monday to Caitlyn and her husband & my son Ryan was married on Saturday! We had quite the week . . new baby and new bride. We are such lucky folks!

Please let me know what you think. Thanks, Annie McMullen The Rossignol Group Rossignol, Lange, Dynastar & Look
annie.mcmullen@rossignol.com

Check out cool gear at:
www.rossignol.com
www.dynastar.com
www.langeski boots.com

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-----Original Message-----

From: mc-Copier3@skisna.loc [mailto:mc-Copier3@skisna.loc]
Sent: Thursday, June 06, 2013 8:33 AM
To: Annie McMullen
Subject: Scanned image from MX-M503N

Reply to: mc-Copier3@skisna.loc <mc-Copier3@skisna.loc> Device Name:
SCEE95A2 Device Model: MX-M503N
Location: Not Set

File Format: PDF MMR(G4)
Resolution: 200dpi x 200dpi

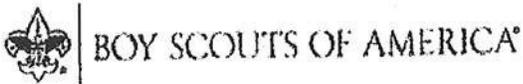
Attached file is scanned image in PDF format.
Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

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Eagle Scout Service Project Proposal



Eagle Scout candidate's name **Parker Sharp**

Eagle Scout Requirement 5
While a Life Scout, plan, develop, and give leadership to others in a service project helpful to any religious institution, any school, or your community. (The project must benefit an organization other than Boy Scouting.) A project proposal must be approved by the organization benefiting from the effort, your unit leader and unit committee, and the council or district before you start. You must use the *Eagle Scout Service Project Workbook*, No. 512-927, in meeting this requirement.

Eagle Scout Service Project Proposal

Project Description and Benefit

Eagle Scout candidate: Parker Sharp

Briefly describe the project. Attach sketches or "before" photographs if these will help others visualize it.
I will be constructing large wooden boxes for the community garden at the Heber Valley Cemetery.



click above to add image, edit this to
create image description

Tell how your project will be helpful to the beneficiary. Why is it needed?

Mrs. McMullen runs the garden and she wants more flower boxes so that more people can plant their gardens at a time.

When do you plan to begin work on the project? As soon as possible.
How long do you think it will take to complete? The actual project should take two days.

Giving Leadership

Approximately how many people will be needed to help on your project? 3 to 5

Where will you recruit them (unit members, friends, neighbors, family, others)? Explain:
People in my scout group as well as others from church and family.

What do you think will be most difficult about leading them?
I think it will be difficult to keep everyone on task.

Materials (Materials are things that become part of the finished project, such as lumber, nail, and paint.)

What types of materials, if any, will you need? You do not yet need a detailed list of exact quantities, but you must show you have a reasonable idea of what is required.
I will need enough wood to construct several boxes. I'll also need plenty of screws to hold the boxes together.

Eagle Scout Service Project Proposal, continued

Supplies (Supplies are things you use up, such as masking tape, tarps, and garbage bags.)

What kinds of supplies, if any, will you need? You do not yet need a detailed list or exact quantities, but you must show you have a reasonable idea of what is required.

I will need a tarp and some garbage bags to keep all the sawdust together.

Tools

What kind of tools, if any, will you need?

I will need several drills as well as shovels to fill the boxes with the dirt that is on-site.

Permits and Permissions (Note that property owners normally secure permits.)

Will you need to secure permissions or permits (for example, building permits)? Who will obtain them? How much will they cost? How long will it take to secure them?

I won't need any permits.

Preliminary Cost Estimate

(You do not need exact costs. Reviewers will just want to see if you can reasonable expect to raise enough money to cover an initial estimate of expenses.)

(Enter your estimated expenses.)

Items	Cost	Fundraising Explain where you will get the money for total costs indicated below, left.
Materials	\$600	
Supplies	\$50	
Tools	\$0	
Other*	\$10	
Total costs:	\$660	

*Such costs as food, water, gasoline, parking, permits, equipment rental, sales tax, etc.

Project Phases (You may have more than eight phases, or fewer, as needed; if more, click the button to add a phase.)

Think of your project in terms of phases and list what they might be. The first might be to complete your final plan. Others might include fundraising, preparation, execution, and reporting. You may have as many phases as you want, but it is not necessary to become overly complicated.

1. Raise funds
2. Gather materials
3. Construct boxes
4. Place boxes in garden
- 5.
- 6.
- 7.
- 8.

Eagle Scout Service Project Proposal, continued

Logistics (A tour and activity plan has also been called a "tour permit." Check with your council service center to determine if one is required.)

How will you handle transportation of materials, supplies, tools, and helpers? Will you need a tour and activity plan?
I have a trailer that I can use to transport the wood and other supplies. I won't need a special plan.

Safety Issues (The Guide to Safe Scouting is an important resource in considering safety issues.)

Describe the hazards and safety concerns you and your helpers should be aware of as this project is conducted.
The people helping need to be careful with the drills and screws.

Further Planning (You do not have to list every step, but it must be enough to show you have a reasonable idea of how to complete a final plan.)

List some action steps you will take to complete a final plan. For example, "Complete a more detailed set of drawings."
Get exact dimensions for the boxes. Figure out exactly how much wood is needed. Figure out a specific date to do the project.

Candidate's Promise (Signed before approvals below are granted)

On my honor as a Scout, I have read this entire workbook, including the "Message to Scouts and Parents or Guardians" on page 4-4. I promise to be the leader of this project, and to do my best to carry it out for the maximum benefit to the religious institution, school, or community I have chosen as beneficiary.

Signed

Date

Unit Leader Approval*

I have reviewed this proposal and discussed it with the candidate. I believe it provides impact worthy of an Eagle Scout service project, and will involve planning, development, and leadership. I am comfortable the Scout understands what to do, and how to lead the effort. I will see that the project is monitored, and that adults or others present will not overshadow him.

Signed

Date 6-4-2013

Unit Committee Approval*

This Eagle Scout candidate is a Life Scout, and registered in our unit. I have reviewed this proposal, I am comfortable the project is feasible, and I will do everything I can to see that our unit measures up to the level of support we have agreed to provide (if any). I certify that I have been authorized by our unit committee to provide its approval for this proposal.

Signed

Date 6-4-13

Beneficiary Approval*

This service project will provide significant benefit, and we will do all we can to see it through. We realize funding on our part is not required, but we have informed the Scout of the financial support (if any) that we have agreed to. We understand any fundraising he conducts will be in our name and that funds left over will come to us. We will provide receipts to donors as required.

Signed

Annie McMillan

Date 6.4.13

Signed

Date

Council or District Approval

I have read sections 9.0.2.0 through 9.0.2.15, regarding the Eagle Scout Service Project, in the Guide to Advancement, No. 33088. I agree on my honor to apply the procedures as written, and in compliance with the policy on "Unauthorized Changes to Advancement." Accordingly, I approve this proposal. I will encourage the candidate to complete a final plan and further encourage him to share it with a project coach.

While it makes sense to obtain them in the order they appear, there shall be no required sequence for the order of obtaining approvals marked with an asterisk (). However, council or district approval must come after the others.

for Community Garden

TAB 3

HEBER CITY RESOLUTION #2013-07

A RESOLUTION ADOPTING CITY WIDE FIREWORKS AND OPEN FIRE RESTRICTIONS FOR 2013

WHEREAS, Heber City, Wasatch County, Utah (Heber City) desires to adopt firework and open fire restrictions for 2013 as set forth in the attached Exhibit A,

NOW, THEREFORE, it is hereby resolved by the City Council of Heber City, Wasatch County, Utah, that Heber City hereby adopts certain fire work and open fire restrictions for 2013 as set forth on the attached Exhibit A, and hereby approves the same.

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

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

APPROVED: _____
Mayor David R. Phillips

ATTEST:

RECORDER

(Seal)

Date of First Publishing: _____

Exhibit A.



Heber City Fireworks and Open Fire Restrictions

The Wasatch County Fire Marshal has prohibited fireworks and fires in certain areas of cities where vegetation is overgrown or in benches and foothills where wild land fire potential is extreme.

Heber City has defined the geographical areas where restrictions are in force effective July 1, 2013 on the discharge of any fireworks (including Class A, B and C) and open fires:

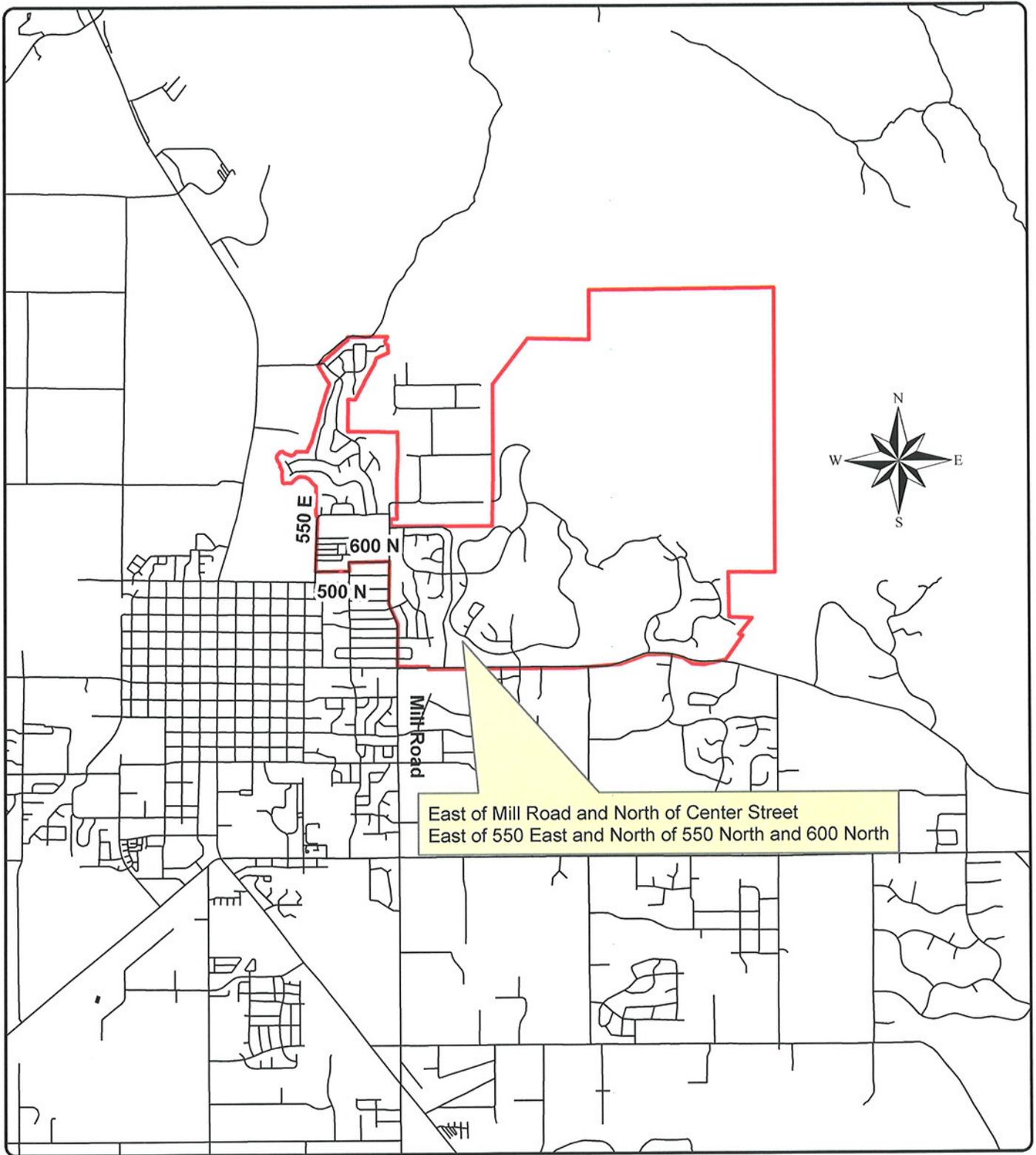
- East of Mill Road and North of Center Street
- North of 550 East and North of 550 North and 600 North
- Or other areas where vegetation is overgrown

Residents living in the above restricted areas are welcome to come to Timp Meadows/Eagle Park and the Cove Park to use Class C fireworks such as igniters, fuses and "common fireworks", which are the smaller and less powerful fireworks available for sale to and use by the general public. Please clean up your debris from your fireworks.

ADDITIONAL FIREWORKS INFORMATION

- Fireworks may only be discharged as noted:
 - July 1 – July 3 11:00 am to 11:00 pm
 - July 4 11:00 am to midnight
 - July 5 – July 7 11:00 am to 11:00 pm
 - July 8 – July 20 Discharge of Fireworks Not Permitted
 - July 21 – July 23 11:00 am to 11:00 pm
 - July 24 11:00 am to midnight
 - July 25 – July 27 11:00 am to 11:00 pm
- State of Utah approved Class “C” fireworks can only be sold between June 23 – July 27, 2013.
- You must be at least 16 years old to purchase fireworks.
- Parents are strongly encouraged to supervise their children while using fireworks.
- Keep a bucket of water nearby to place spent fireworks in for at least twelve hours before discarding into a garbage can.

For more information on the restrictions, please visit
www.utahfireinfo.gov www.ci.heber.ut.us



Fireworks Restriction Area Heber City, Utah

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)

[Download Zipped Enrolled WordPerfect HB0289.ZIP](#)
[\[Introduced\]](#)[\[Amended\]](#)[\[Status\]](#)[\[Bill Documents\]](#)[\[Fiscal Note\]](#)[\[Bills Directory\]](#)

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

LONG TITLE

7 **General Description:**

8 This bill modifies the State Fire Code and Public Safety Code regarding the sale and
9 discharge of fireworks regarding the conditions and process for a municipality or
10 county to prohibit the discharge of fireworks

11 **Highlighted Provisions:**

12 This bill

13 . provides that the legislative body of a municipality may prohibit the discharge of
14 fireworks in specified areas if the local fire code official determines that hazardous
15 environmental conditions exist.

16 . provides that a county or municipality may not prohibit the lawful discharge of

class

17 C common state approved explosives, except as provided, and

18 . clarifies that Utah Code Section 53-7-225 supercedes any other code provision
19 regarding the sale and discharge of fireworks

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23

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?

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

State Senate

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

Enter street address

Enter zip code

Send

Find

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 4

Mark Anderson

From: Todd Cates <todd.cates@redledges.com>
Sent: Thursday, June 06, 2013 4:51 PM
To: Mark Anderson
Subject: RE: Fireworks

Hi Mark,

We would like to get the council's approval and as always we will take steps to mitigate dry conditions for a show this summer. Our plan is to have the event on July 5 at Sunset. The steps we took last year (and would repeat this year) are the following:

1. Fireworks West (a well-known, professional fireworks organization) will be on site with fire extinguisher and staff to professionally produce and manage the show.
2. We set off the fireworks on the practice area which is 10 acres of irrigated blue grass
3. We will water the grass prior to the show.
4. The immediate area surrounding the blue grass is native grass.
5. We will water the native grass just prior to the show as well.
6. We will have our security team on site. This will be approximately 4-6 people. They will be equipped with ATV's, fire extinguishers and shovels as well.
7. The fire Department will be on site as well. With their brush truck and staff.
8. If the wind conditions are not suitable for a safe program, we will NOT shoot the fireworks off.
9. Additionally, the areas including the practice area and adjacent practice areas are surrounded by a golf hole with blue grass and Red Ledges Blvd which is a paved community road.

Let me know what else you need to take this to the council.

Thanks,
Todd

From: Mark Anderson [mailto:manderson@ci.heber.ut.us]
Sent: Thursday, June 06, 2013 4:41 PM
To: Todd Cates
Subject: Fireworks

Todd:

If Red Ledges wants to have their annual fireworks display, you need to get on the City Council agenda soon.

Mark

Mark K. Anderson
Heber City Manager
75 North Main
Heber City, UT 84032
phone 435-654-0757
fax 435-654-2743

June 10, 2013

Red Ledges Land Development Inc.
1851 East Center Street
Heber City, Utah 84032
Telephone: (435) 657-4041

RE: Fire Works Restrictions, Conditions and Indemnifications

Attention: Todd Cates, V.P.

Dear Todd:

With regard to the Red Ledges Development's inquiry and request to the City regarding the discharge of fireworks for this year of 2013, the City authorizes restricted and conditional discharge of fireworks as follows:

Any and all preparation, lighting or discharge of any fireworks or related items are restricted and conditioned by the following:

1. Prior written approval from the fire code official for Wasatch County. Specifically, said official shall determine that the environmental, physical location and physical conditions ***do not pose*** hazardous environmental conditions which would necessitate controlled use of any ignition source, including fireworks, lighters, matches, and smoking materials, and that the ignition or use of the source would not pose a substantive risk to mountainous, brush-covered, or forest-covered areas.
2. Red Ledges employs or contracts with a professional individual, company or entity (aka fireworks presenter) qualified to prepare, administer, supervise and discharge the fireworks display, and who is bonded and/or insured for such presentation. The fire code official for Wasatch County shall approve any such fireworks presenter.

3. Red Ledges shall have Wasatch County fire apparatus equipment on hand.
4. Adherence to any *Wasatch County 2013 Fire Restrictions*, if so adopted subsequent to this Notice.

The acknowledging signature of Red Ledges below shall serve as an indemnification and promise to defend agreement from Red Ledges to indemnify, defend and hold harmless Heber City, its agents, employees and assigns from and against all claims, liabilities, losses, damages, costs, expenses (including attorneys' fees and expenses), causes of action, suits, claims, demands or judgments of any nature arising from or that may arise as a result of Red Ledges fireworks display and presentation.

Red Ledges agrees to bear full responsibility associated with said fireworks display and presentation, and accepts this fact with full intent to hold the City harmless.

Red Ledges accepts and incorporates any *Wasatch County 2013 Fire Restrictions* as additional terms and conditions of this permissive document in the event any such are adopted after the date of this Notice.

In the event there is a Failure to Perform under the terms set forth herein and it becomes reasonably necessary for any party to employ the services of an attorney in connection therewith (whether such attorney be in-house or outside counsel), either with or without litigation, on appeal or otherwise, the losing party to the controversy shall pay to the successful party reasonable attorney's fees incurred by such party and, in addition, such costs and expenses as are incurred in enforcing this Agreement.

Sincerely,

J. Mark Smedley,
Heber City Attorney

Cc: File

Acknowledgment, consent and approval:

Dated this _____ day of _____, 2013.

Heber City

By: _____

Red Ledges

By: _____