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

**6:00 p.m.**

**WORK MEETING**

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

**Present:**

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

**Excused:** Benny Mergist

**Also Present:**

City Manager	Mark K. Anderson
City Engineer	Bart Mumford
Chief of Police	David Booth
Deputy Recorder	Amanda Anderson

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

Mayor Phillips opened the meeting and welcomed those in attendance.

**Tab A: Amy Mahoney, Heber Valley Elementary, Discuss New Adaptive Playground**

**Equipment Project:** Amy Mahoney and Kristen Heilmann explained Heber Valley Elementary's "Share the Love Project" in which they were trying to raise money for an adaptive playground at their school to accommodate special needs children and their equipment, i.e. wheelchairs, etc. They had raised \$62,000 to date, but another \$38,000 would be needed to complete the project. Ms. Mahoney referred to the printout that was sent to the Council in their packet materials which showed the equipment they wanted to purchase and explained to the Council that there were 19 children who resided in Heber Valley who would utilize the adaptive playground equipment. As there was not an adaptive playground in Heber City, parents of special needs children had to travel to Park City to utilize adaptive playground equipment for recreation, as well as occupational therapy. Mayor Phillips asked whether the School District had contributed financially, aside from the grant monies, and Ms. Mahoney answered that the School District had donated \$40,000. Mayor Phillips turned to the Council for their comments. Council Member Rowland commented that with the City's upgrades to the City's parks, he hoped it had not detracted from the fund raising they were working on. Council Member Rowland asked Bart Mumford whether the City was putting in any play equipment that would accommodate special needs children in wheelchairs, with visual impairments, etc. and Mumford stated the playground areas were ADA compliant, but he was not sure whether the equipment at 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 4<sup>th</sup> 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 4<sup>th</sup>.  
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.

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Amanda Anderson, Deputy Recorder