

Heber City Corporation
City Council Meeting
01/17/2008
6:30 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on January 17, 2008, in the City Council Chambers in Heber City, Utah.

Present:	Mayor	David R. Phillips
	Council Members	Jeffery Bradshaw Elizabeth Hokanson Eric Straddeck Robert Patterson
Excused:		Nile Horner
Also Present:	City Manager	Mark K. Anderson
	City Recorder	Paulette Thurber
	City Engineer	Bart Mumford
	City Planner	Allen Fawcett

Others Present: Tony Kohler and Jason Boal.

City Office Design/Build Consultant Interviews – January 30th and 31st – (See letter provided by Bart Mumford): Anderson referred to the memo prepared by Mumford which was given to the Council tonight in their packets and listed the order and time in which the interviews for a design/build team would take place. It was indicated dinner would be brought in the first night and then a decision would be made that night if dinner should be provided the next night.

Budget Retreat – February 16, 2008: The Council was reminded of the Budget Retreat and that the agenda for that had not been prepared at this time but would be several days prior to the event.

City Offices are closed on January 21st for Civil Rights Day: Mayor Phillips reminded the Council the City Offices would be closed on Civil Rights Day.

Discuss Sage Acres Lot #1 Plat Amendment and Land Owner landscaping issues: Anderson reviewed this issue and said Council had had discussion with Ericksens, Stone Creek and Piscitellis. He said Piscitelli had shown no interest in having the property. He said, too, staff thought the agreement was in place between the property owners and the developer but now the agreement seemed to be unraveling. Mumford said he had talked with Ericksens today. He said their first priority was they want the full 18' of property. Mrs. Ericksen also wanted a berm and was not happy with the City not putting it in. He said there was considerable concern with

fencing issues as she wanted to put a fence on the property line. However, that violated the City's Code. It was indicated the Planning Department thought this should go to the Board of Adjustment for approval but staff was concerned with setting a precedent. Mumford emphasized this problem was created by the City and would not set a precedent.

Boal said he had spoken with Ericksens several times to try and find a resolution to the issue. He said, too, the Planning Department had been told by the Council to enforce the fence ordinance. Boal asked for a recommendation from the Council as to how to handle this problem.

It was indicated Fawcett and Mumford felt this was a hardship that was forced on the property owners. However, Boal and Kohler did not think that and said this issue could, depending on how it was handled, unravel the authority of enforcement. Mumford suggested this was equally as painful as the sidewalk issue was with the Cooks. He said as far as he could see, the only thing that could improve this situation was a rock fence. Discussion about the City helping with the cost of the fence and upgrading to rock.

Anderson suggested the City Council adopt an ordinance that would address this issue. Anderson felt this needed to go to the Board of Adjustment first. The Council indicated they were O.K. with participating with an upgrade to rock but that conversations needed to take place with Stone Creek to also participate.

Discuss format for Center Street Road Improvements Public Meeting and Schedule a date for the Meeting to be held: Mumford indicated CIVCO Engineering would be doing the design work for the upgrade of Center Street. He said there was available \$1,000,000 grant money from UDOT and \$1,000,000 from Red Ledges for the project. Mumford wanted to know if the Council wanted to hold an open house or a public hearing, which would be more formal. Mumford referred to the Boyer open house and how that was handled. Councilmember Bradshaw wondered about an open house for an hour and then a public hearing similar to how Boyer handled their informational meetings. Discussion about the engineer presenting the scope of the project and then an open period for formal questions.

Mayor Phillips liked the idea of an open house and then a formal meeting but on a different night than the regular City Council meeting. Anderson said a special invitation to those living on Center Street would be given. Discussion that sometime in February a meeting should be scheduled. Mayor Phillips suggested after the Budget Retreat--possibly the 19th at 7:00 p.m.

Review additional proposed language for the Mill Road Estates Phase III Subdivision Agreement: It was indicated that as Kohler reviewed the Mill Road Estates Agreement today, he added a paragraph "P" to the agreement. Also there was one reference to Phase II instead of Phase III which needed to be changed. A paper with the proposed additional language for paragraph "P" was provided to the Council.

Discussion of Agenda Items: Mayor Phillips asked about the lady of the car wash. Anderson said the Public Works Department was working with her again today to try and resolve her pressure issues. Anderson said it really was a volume issue and not a pressure issue. He said, too,

this person was concerned with competition. Mayor Phillips indicated he had tried to call her but had gotten no answer and there was no voice mail.

It was indicated Lance Higgs, a former City employee, was asking for a 10% discount on Cemetery lots. Anderson said he thought this was not a money issue, but a recognition issue. He said at the time of Higgs employment, the City had ragtag equipment, limited crew and certainly limited budget.

Mumford indicated he had not had a chance to talk with Brad Mackey, the representative of Mill Road Estates, but there was an off-site sewer that serves this development. He said there was a bit of a dispute between Wayne Hicken and the Mill Road Estates Subdivision owners, Heber City and others. He continued Hicken was trying to revoke the agreement and had been talking to his attorney to see about doing that. Mumford said with the absence of a guarantee to have the easement to sewer the project, he would not be able to approve it. Anderson was of the opinion once an easement was granted, it could not be withdrawn. The second issue Mumford needed to talk to Mackey about was an easement/dedication along the Wasatch Canal. He said the Council had had discussions about canal easements versus dedications to the City. Mumford said it was in the subdivision agreement as a dedication but he did not know if Mackey had had a chance to read it and he wanted them to be comfortable with that. Mumford said he was hoping to catch Mackey before the 7:00 p.m. meeting and his preference was a dedication to the City rather than an easement. Mumford talked about projects the City had easements on and projects the City had dedication to the City on. He preferred the dedication to the City. If Mackay was receptive to that, he would be glad.

Councilmember Hokanson asked about the reference to safety as alluded to in Kohler's staff report and asked if that had been addressed in the subdivision agreement. Anderson said no, it was not; but, if the City wanted to adopt an ordinance which facilitated the additional landscaping adjacent to the canal, he felt the developer would be willing to amend the plat. However, at this time, they were asking for approval as plated and if an ordinance were to be adopted, then a plat amendment could take place.

As the time was 7:00 p.m., the Work Meeting of the Heber City Council adjourned.

Paulette Thurber, City Recorder