

Heber City Corporation
City Council Meeting
November 17, 2011

5:00 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on November 17, 2011, in the City Council Chambers in Heber City, Utah.

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| Present: | Mayor | David R. Phillips (arrived 5:20) |
| | Council Members | Eric Straddeck Nile Horner (arrived 6:00) Robert Patterson Alan McDonald (arrived 5:40) Benny Mergist |
| Also Present: | City Manager | Mark K. Anderson |
| | Deputy City Recorder | Michelle Kellogg |
| | City Engineer | Bart Mumford |
| | Planning Director | Tony Kohler |
| | Police Chief | Ed Rhoades |

Others Present: Jeff Bradshaw, Darryl Glissmeyer, Fran McGrath, Daniel Mauer, Billy Williams, Bruce Heywood, Laurie Wynn, Sue Buys, Kari McFee, Larry Newhall, Paul Berg, Glinda Straddeck, Dennis Roberts, and others whose names were not legible.

Mayor Pro Tempore Straddeck opened the work meeting and indicated Mayor Phillips would be late, due to attending another board meeting.

Review of Citizen Survey: Council Member Mergist indicated he went to Public Works to address some negative survey comments about that department. He stated Tozier had a plan in place to improve snow removal. Council Member Mergist thought the problem areas were taken care of last winter, and stated Tozier would get a list of problem areas and report them to Chief Rhoades so vehicles parked on the street could be cited. Council Member Mergist also felt the Public Works Department was more in tune with the needs of the citizens now. Council Member Straddeck asked Anderson to put Timp Meadows East on a watch list since there was a lot of slush left after the plows went through. Council Member Mergist stated he would like an emergency overtime fund for snow removal. Anderson indicated he had spoken with Tozier concerning emergency overtime pay.

Mayor Pro Tempore Straddeck stated Anderson had met with staff regarding how to improve service to the community. Anderson reviewed a memo that was passed out on all the improvements made thus far since receiving feedback from the survey respondents. He stated that from discussions with department heads, it was determined there was a need for more manpower to handle code enforcement. Council Member Mergist stated he met with the Weed Board and indicated the Board members wanted to come before the Council to seek funding to

hire a code enforcement employee for weed control County wide. Anderson stated one concern that he had was that the Board would only be focusing on noxious weeds and not nuisance weeds, and asked Council Member Mergist if he could find out if the nuisance weeds would also be addressed.

Anderson referred the Council to the chart in the handout from the random survey given to the citizens in 2005. He indicated that the poorer scores from the 2011 survey could be from reduced staff, and also indicated that since the 2011 survey was not random, more dissatisfied people would be motivated to express their frustrations.

Council Member Mergist read one comment that said if you don't use the Cemetery, don't pay. Anderson explained some operating expenses were paid by the City from the General Fund. The Perpetual Care Fund that patrons paid went for capital improvements and new infrastructure but didn't cover the operational costs. He added there were some comments suggesting privatizing the Cemetery.

Anderson stated some of the data gleaned from the survey could be helpful in prioritizing the budget for the coming year. Concerning the complaints of the bad secondary irrigation, Anderson called McKrola and he said somebody would have to pay for a filter to filter out the debris in that system.

Council Member Mergist asked about the comment that Mill Road Estates Park was a swamp. Anderson stated he spoke with Rounds today about playground equipment for that park but Rounds still needed to speak with Mumford about the water issue. They would like to get the water issue resolved and equipment purchased and installed by next year.

Mayor Phillips Phillips arrived at 5:20 p.m.

Council Member Straddeck thought all the comments about how taxes were raised every year was an indicator that the public was not accurately informed. He encouraged the Council to educate the public, and look at ways the City could communicate so the public could understand. Council Member Straddeck knew doing that was harder than it sounded, but he felt it should be a priority for the Council.

Anderson said so many of the comments were based on a lack of education. He thought Mayor Phillips would be able to clarify some of the misinformation in his weekly newspaper articles. Mayor Phillips suggested using the website more to inform and educate the public. Council Member Straddeck stated the Council should have a comprehensive communication strategy, with multiple levels on multiple fronts.

Council Member Straddeck stated in question three, regarding incentives for businesses to locate in the City, there was a mean of 2.92, which indicated the public could go either way on that question. But later in the survey when asked if business fees should be subsidized, it was clear that they should not.

Council Member Straddeck also noted that in "Contributing to Causes," CJC and Special Olympics received the most favorable response, but Cowboy Poetry received the lowest support. Anderson stated that could be correlated with the amounts given.

Council Member Mergist stated the question three comment that businesses needed to pay their fair share was a given since businesses were taxed heavily. Council Member Patterson observed that there were a lot of negative comments regarding the City administration and the City Council.

Council Member Mergist indicated animal control officers took a hit. Anderson stated it was partly due to the type of work animal control officers and police officers did.

Anderson pointed out the mentality of the public when he read the comment from question two, "I am looking at a proposed property tax increase of 22%-27% including a doubling of an unimproved lot (from \$216.49-\$442.27). Why should I support any tax increase when this happens anyway??" Anderson indicated this individual thought the 45% increase would be on the total bill instead of just the City's portion.

Council Member Mergist stated that the City was putting forth an effort to address these problem areas. He asked what the City could do to know that it was doing better. He asked if there was an area on the website for public comments. Kohler stated the website was not set up for that, and explained if there was a comment section, there would need to be resources allocated to look at those comments and respond to them. Anderson stated that was something that could be considered in the future. Council Member Mergist stated the City needed to have a way of measuring progress.

Mayor Phillips stated in reading the survey comments, the City could sense the frustration of some members of the community. He knew code enforcement took a reactive position instead of a proactive position. He indicated he would like to see more proactive code enforcement in the future. It was indicated Main Street was getting cleaned up and looked much nicer.

Mayor Phillips indicated Erik Rowland had ideas concerning survey tools.

Council Member McDonald arrived at 5:40

Mayor Phillips was impressed with receiving feedback from 593 people. He stated in 2005, only 200+ residents responded. He complimented Kohler for his code enforcement efforts. Mayor Phillips stated the City needed to take the lead on having residents keep their yards looking nice. He didn't think residents minded paying taxes for mowing, snow removal and code enforcement.

Council Member Mergist asked about the sidewalk on 600 South. Anderson stated the Aspen Pointe Subdivision developer would pour the concrete in the spring.

Anderson said he had a phone message from an upset business owner that could not rent his building on Main Street because of the bad sidewalk in front of the business. Mayor Phillips asked the Council if the City should have the obligation to keep the sidewalk nice or put the responsibility for that on the business. Council Member McDonald stated if somebody got hurt, the City would be sued, not the business. Mayor Phillips thought if the City would not fix the sidewalk, enforcement with the businesses should be mandatory. Council Member Patterson asked if the businesses were aware that they were responsible for the sidewalk. Mayor Phillips didn't think so. Council Member Mergist stated the City would have to change the City Code to reflect that the City would maintain the sidewalk on Main Street. Council Member McDonald stated if the City began installing sidewalk, then the liability against the City would increase.

Mumford stated there were two or three requests per year, and the City's policy was to remove the bad concrete and let the resident replace that portion. Discussion on UDOT Main Street sidewalk grants received in years past.

Council Member Horner arrived at 6:00

Council Member Horner wanted to see how many sidewalks adversely affected businesses. He thought this business was the most adversely affected. He stated other businesses that front the sidewalk, had nice sidewalks. Anderson asked Mumford if he could get a cost estimate for sidewalk in the 500-600 South block.

Anderson asked if there was any direction the Council wanted to give concerning the survey results and comments. No other comments were given.

Schedule Date to Discuss the Employee Compensation Study: Anderson stated two weeks ago the meeting to discuss the compensation study was cancelled. He asked the Council to select another date for that meeting. Council Members McDonald and Mergist requested that the discussion wait until the new Council Members were seated before setting a date.

Discuss Employee Christmas Bonus: Mayor Phillips asked the Council Members if they approved of giving the same amount as last year to the employees as a bonus. Council Member McDonald asked if the gift certificates would be used as in former years. Anderson stated because of a tax liability, FICA needed to be deducted, thus the money would be deposited in the employees' bank accounts. Council Members Straddeck, Mergist, Patterson, and Horner were in favor of the net amount of the bonus being \$250 for full time employees, and the other amounts as listed in the packet. Council Member McDonald wanted the gross amount of the bonus to be \$250.

Anderson stated last year there was an employee Christmas luncheon/retirement party for Susan Young. He requested another Christmas luncheon/retirement party in December for Paulette Thurber. Council Member Horner asked that the party honor Nioma Duke as well. December 14th was suggested as the day for the luncheon. Mayor Phillips asked Anderson to give employees an hour of time for that luncheon.

Mayor Phillips asked if the Council wanted to have a dinner for the outgoing and incoming Council Members. It was decided that the dinner would be discussed at a later date.

Council Member Straddeck asked when the swearing-in for the new Council Members would take place. Anderson stated it was custom to take place at noon on the first Monday of the year, but this year January 2nd was a holiday.

Present Recommendation for the Consultant to Perform the Utility Rate Study: Council Member McDonald was surprised the Zions Bank bid came in so much less than the others. Anderson stated Tozier, Mumford and he met and although it was close, they recommended Zions Bank. Council Member McDonald was concerned that Zions Bank never did a utility-based method analysis. Anderson stated that Utility Financial Solutions created a hybrid between the cash method and utility based method. Council Member McDonald wanted to see a five-year projection, not just a year-to-year analysis. Mayor Phillips advised Anderson to require that in

the scope of work. Mumford stated all the firms had a five-year plan in the scope. All the Council agreed to work with Zions Bank.

Review Cost of Vector Truck Purchase: Anderson reviewed that at the last Council meeting, there was discussion that the vector truck was in need of major repairs. He brought back a State contract bid for \$367,824.53 for a new truck. Discussion on past quotes for used trucks. All the Council agreed to buy the truck.

Discuss OHV Ordinance: Mayor Phillips stated he had requested some people come and speak to the Council concerning this proposed ordinance, so he would like to wait for them to arrive before discussing this issue. Council Member Mergist asked which streets would be designated as OHV access streets. Anderson felt that all the streets would need to be designated. It was indicated that since Heber City's population was over 7,500, an ordinance would need to be passed to allow ATV usage. Council Member Mergist indicated there were many unmarked intersections and putting ATVs on the road would be dangerous. Darryl Glissmeyer stated in talking to other cities, they had very little problems with ATVs on the road. It was indicated Richfield, Fillmore and Ephraim were some cities that allowed OHV usage. Anderson asked if the Council would be interested in listening from Fred Hayes.

Review Draft Water Conservation Plan: Mumford stated the first plan was implemented in 2001. This draft was the five year update of that plan. He indicated a public hearing would be required before this could go into effect. Council Member McDonald wanted a different word used on page seven, bullet point two, instead of "reluctant."

Mumford stated this was a good plan to have in place. Anderson indicated Tozier talked about as the water meters got older, the accuracy would wane. He stated the City was tightening up the system and making improvements. This item was moved to the next regular meeting agenda.

Chief Rhoades announced the local Walmart donated \$1,200 to have a "Shop with a Cop" day, December 3rd. He asked for volunteers from the Council to be at Walmart at 8:00 a.m. on that day to help wrap gifts and said it would touch their hearts to see these children. He added that the HUB would be donating breakfast for the children and officers.

Chief Rhoades also indicated the Childrens Justice Center was now for Wasatch County residents only since Park City recently built their own. The funding lost was approximately \$30,000. He stated staff had been reduced and other measures taken to cut costs.

With no further business, the meeting was adjourned.

Michelle Kellogg, Deputy City Recorder