

Heber City Corporation
City Council Meeting
December 15, 2011

6:00 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on December 15, 2011, in the City Council Chambers in Heber City, Utah.

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

Others Present: Daniel Mauer, Darryl Glissmeyer, J.M. Gill, Erik Rowland, Jeff Bradshaw, Mark Rounds, and others whose names were not legible.

Mayor Pro Tempore Straddeck opened the meeting and excused Mayor Phillips.

Newly Elected Official Training: Anderson stated Council Members Elect Bradshaw and Rowland and Council Member Patterson had signed up for this training, and any other Council Members were welcome to sign up as well.

Discussion Regarding an Ordinance that would allow OHV (Off-Highway Vehicle) use in Heber City: Mayor Pro Tempore Straddeck stated this item was previously tabled in order to gather additional information, and indicated Fred Hayes was here tonight to address the Council. Hayes passed out handouts. He stated the green book was from Utah State Parks, and was current since the last State Legislative session. The second handout was from the Department of Public Safety website.

Council Member McDonald asked what the top concerns were about making these vehicles legal within the city limits. Hayes stated in 2008, at the request of some cities in southern Utah, ATVs were legalized for street use. The street-legal ATVs were required to have the same safety features as motorcycles and must also be insured like other motor vehicles. He stated the concerns with these vehicles would be the same as concerns with motorcycles and scooters. Cities with populations over 7,500 were exempt from this State law, but they could opt-in if the local governing body so chose. Smaller cities such as Midway and Charleston were required to follow this law. Therefore, County roads were legal for OHVs.

Hayes stated there was some concern regarding underage drivers, but it was rare to have concerns about the street-legal issue. Street-legal ATVs were already able to use State and County roads, including Main Street. Divided roads and freeways were not legal for ATV use of any kind. The only streets in question were the City streets.

Chief Rhoades stated one concern he had was educating the public on the difference between street-legal ATVs and off-road vehicles. Hayes stated there was confusion on that since many people that see the street-legal vehicles on the street think they can ride their non-street-legal ATVs on the street. Council Member McDonald asked if a special driver's license was required, as was required for motorcycles. Hayes stated only a standard driver's license was required, and drivers under 18 years old were required to wear a helmet. Rowland asked if there were restrictions on passengers. Hayes indicated the helmet rule applied for passengers as well. Seat belts were also required on the street-legal vehicles. Council Member McDonald asked if the City allowed this, would the City be liable in any way. Hayes stated there would be no more liability than with any other motor vehicle. Mayor Pro Tempore Straddeck asked for opinions from the Council. Council Members Patterson, Horner, and McDonald indicated they would like to see an ordinance to legalize the street-legal OHVs. Council Member Mergist was not in favor of legalizing these vehicles. Mayor Pro Tempore Straddeck asked Anderson to have staff draft an ordinance and move this item to the next regular agenda.

Hayes stated most cities had OHV ordinances in place to promote tourism. Users could ride over the mountains and come into town for lunch or to spend the night, and then ride home. The City could also designate whichever streets were felt most appropriate for OHV use. Most cities from Nephi and south had this law to one extent or another. On a personal note, Hayes stated he had been in the OHV program for years, and had seen very few problems. Chief Rhoades asked what Hayes' recommendation would be for a city of this size. Hayes indicated there were no arterials that connected Heber City to the public domain lands. For example, a rider couldn't get from the City to Strawberry Reservoir. He recommended authorizing street-legal ATVs first, so the City would be guaranteed licensed drivers. Then, as more arterials to the public riding areas were made available to the non-street-legal riders, the City could address surfaces that would take them out to the trail. Mayor Pro Tempore Straddeck asked the Council if the proposed ordinance should include both street-legal and non-street-legal vehicles, or just street-legal OHVs. The Council agreed to only consider street-legal OHVs for street use.

Discussion — East Center Street Speed Limit: Mayor Pro Tempore Straddeck stated additional information had been included in the packet since this item was last discussed. Anderson stated there was justification to increase the speed limit on Center Street but staff felt like some promises had been made to Center Street residents to not increase the speed limit. In searching the minutes, no discussion regarding a promise of this nature was found. Mumford stated he wanted to keep the trust of the residents even though the speed increase was justified. Anderson recommended discussing the proposal with the residents to get a feel for their opinion. Council Member Mergist stated he was not in favor of increasing the speed limit. Council Member McDonald wanted to poll the Center Street residents to find out their feelings. Mumford stated eventually the speed limit increase would be needed. Council Member Horner remembered the understanding at the public meetings before the Center Street construction began was that the limit would not be raised; therefore, he was in favor of leaving the speed limit at 25 mph. Council Member Patterson was also in favor of leaving the speed limit at 25 mph.

Discuss Skid Steer Trade Out Cost: Anderson stated at one time when the budget was tight, a lighter duty New Holland replaced the Bobcat. The current request for a new Bobcat would be approximately \$3,827. Mayor Pro Tempore Straddeck asked how often attachments were needed for the New Holland Skid Steer. Anderson stated there were several jobs that required attachments, and rental attachments were hard to find. Council Member Horner asked if the bids in the packet were on the State Contract. Rounds stated the bids were not on the State Contract, but the dealers all sold equipment to the government. He continued that there would be more expense this year, but next year the expense would be less because the City would trade-off through the State Contract again. Anderson indicated if a certain model was required, three bids would not be required. He stated five bids were received but they were all different brands. Rounds noted one advantage to having a Bobcat was that they had all the implements available that would be needed for his duties. The Council was in favor of purchasing the Bobcat.

Review Carpet Samples: Kellogg explained the process of selecting the carpet, including the different qualities. She stated the bids from the State Contract were such that the preferred higher quality carpet was cheaper than the lower quality alternatives. Anderson stated the carpet and paint bids were over budget. The paint bids were reviewed, and Council Member McDonald stated the paint should be spec'd out because there were various qualities of commercial paint. Mayor Pro Tempore Straddeck asked if the Council wanted Kwal brand paint or wanted to have the paint spec'd out based on quality. The Council was in favor of requiring the bidders' quotes to reflect the same quality of paint.

Council Member Mergist asked Anderson to see if a grant could be obtained for the paint and carpet project for this historical building. Anderson indicated the soonest grant money would be available would be after February, 2012. Council Member Horner asked if there were any local businesses that the City could work with on purchasing the carpet. Kellogg indicated that she Googled commercial grade carpet tiles and nothing in Heber came up.

Chief Rhoades stated he also chose the same carpet for the Police Department, and the bid was higher than his budget as well.

Anderson stated that Public Works would be reading meters year-round so leaks could be identified and the consumers' bills would not be outrageous in the spring. Anderson also informed the Council that Mumford had compiled the cost to provide sidewalks on Main Street. He asked that this be considered during the budget process. When asked about using Class B and C road money to fund the project, Anderson indicated since Main Street was a State road, he did not know if funds could be used from Class B and C road money. He stated he would do some research to see if those monies could be used.

With no further business, the meeting was adjourned.

Michelle Kellogg, Deputy City Recorder