

Heber City Corporation
City Council Meeting
02/24/2011
5:00 p.m.

SPECIAL MEETING

The Council of Heber City, Wasatch County, Utah, met in **Special Meeting** on February 24, 2011, in the City Council Chambers located at 75 North Main Street in Heber City, Utah.

Present:	Council Members	Nile Horner Robert Patterson Alan McDonald Benny Mergist
Excused:	Mayor Council Member	David R. Phillips Eric Straddeck
Also Present:	City Manager City Recorder City Engineer	Mark K. Anderson Paulette Thurber Bart Mumford

Others Present: Willa Motley

Mayor Pro Tempore Patterson started the meeting at 5:10 p.m. He excused Mayor Phillips and Councilman Straddeck as they were out of town.

Capital Facilities Plan Study/Review: Mumford handed out the same summary materials he had given the Council at the last meeting but had added a fourth page.

Mumford reviewed the additional page. He said he had looked at water based on ERU's instead of meter size based on a request from Councilman Horner. Mumford said they looked at that and found it could be done but was not practical for commercial—there were a lot of problems trying to do that with water. Councilman Horner said he was okay with that—his main concern was that commercial businesses didn't get charged more than they should. Mumford said they had kicked the idea around and had come up with a hybrid that he thought was better. He said that commercial would still be accessed based on meter like in the past and residential would be charged a flat fee based on ERU's; however, non-residential would be based on meter size. He thought this was the best of both worlds and a better way to charge. A permanent living structure was considered residential.

Anderson asked about an impact fee for commercial pressurized irrigation and if there were any. Mumford said there would be some of those and that the Boyer project would be the first. He indicated that since it was not metered, they would measure their landscaped area and come up with what was equivalent for residential to determine their fee.

Mumford explained the end goal was to publish a new Capital Facilities Master Plan document, have a new public hearing because of the number of changes since the first public hearing and then finalize the document.

Councilman McDonald asked about utility fees and discussed collecting up front to obtain monies for the system or bonding. He said he would support the impact fees as listed and then look at utility fees later. Mumford said there might be some flexibility on utility fees, not that they would go away, but that the impact fees were probably the more important element. He said the utility fees had a couple different purposes. The pressurized irrigation fee was dependent on what decisions the Council made in relation to central Heber. Mumford said the storm drain fee was different in that it paid for the capital projects. If you don't implement that fee and a storm drain project moves forward then the City had to find that funding somewhere else and the maintenance would not get done. Review of table 7-29. Motley said the State was driving Heber City towards the water quality issues and if the City did a voluntary storm water plan that would keep the State happy. Mumford agreed the City needed to do a higher level of maintenance. He continued the City now had to get a permit for discharge. He said the City did not want to raise any red flags but rather the City should beef up its maintenance so the State didn't come down hard on the City. Anderson talked about the canals the City was responsible for cleaning and the cost associated with that. It was indicated that street cleaning was included with the storm drain system. The Councilmen indicated they were okay with the storm water user fee. Councilman McDonald felt Chapter 7 was now done and felt from discussions that the rest of the Council was okay with it, as well. There was continued debate for a period of time about what really constituted the impact for storm drain. Discussion about a business that took care of its own storm-drain water on site, did not use the City's facilities and also did not create any additional traffic impact, why they needed to pay a fee. Mumford said he would look at that issue again because a lot of storm impact was associated with roads. If someone had a road impact, they should not have a storm impact.

Anderson said he anticipated the storm water utility fee would be used to fund the costs of cleaning the lower Wasatch, Spring Creek Canal, and other costs associated with flood control on Lake Creek Channel. Motley indicated the utility fee was more for water quality than for flood control and cleaning of canals.

Chapter 9: Parks and Trails. The Council decided last meeting that the trail in the middle of the school property could be eliminated. Mumford said the Planning Department was going to try to

reroute that, not eliminate it. Councilman Horner said take that trail down 500 East. Mumford said the Planning Department was looking at that. Councilman Horner said his concern was with B55 (designation on map) and wondered what liability was placed on the City by having the trail along the canal. Mumford said there had been a lot of discussion about that but the insurance company stated, unless the City was negligent, there was no liability. He indicated pieces of that trail were already built. Councilman Mergist indicated that in the area where he grew up, trails along canals and rivers were common. It was indicated there was no utility fee associated with trails. Discussion about the City being responsible for maintenance. Mumford said unless there was an HOA the City would be responsible for maintenance. Anderson and Mumford both said there was no funding for that maintenance. The Council indicated they were okay with Chapter 9, Parks and Trails System.

Chapter 6: Street Systems. Councilman Horner said he thought 100 East from 600 South to 1200 South should be taken off the map. Motley said that was part of the Master Road Plan that was adopted. Mumford said on the updated plan it was not on there now because it was outside the time frame of the current Capital Facilities Master Plan or 20-year window. Discussion about removing some proposed roads from the map. It was felt when the Capital Facilities Master Plan was updated in five years, they could be put back on if needed.

Discussion about the 45% subsidy on commercial building.

At this point, the Council indicated they were okay with Chapter 6.

Chapter 5: Sanitary Sewer System. Mumford indicated the fee had dropped. Discussion about how much money there was in sewer impact fees and what projects were coming up. Discussion about Cowboy Village and that being moved to Southfield Road and where that sewer line would run. Mumford said the County wanted to transfer what credit they had to the new location. It was indicated the County had not paid impact fees to start with.

Discussion about the amount of monies in the different impact fee funds and the allocations to different projects. Regarding secondary irrigation, Councilman Horner suggested taking out the \$700,000 for the settling pond. If you took that out and in the future it had to be built, the City could bond for it. Motley asked how that bond would be paid for. Councilman Horner said “up the fee”. Motley indicated the way it was presented now, only the users paid. Councilman Mergist indicated if the City bonded, everyone would pay, not just the users.

Councilman Horner asked how the rest of the Council felt about the Special Service District and the Daniel Resolution. Councilman McDonald said he stood by the Resolution. Councilman Mergist he did not have a problem with the concept, but his problem was: If Daniel truly has a contract with certain requirements, then that is the product they should receive. He said he came

from a part of the country were these kind of issues were addressed all the time and at some time, this part of the country would also have to address those issue, as well.

It was decided to schedule a public hearing for March 17, 2011, to give the public the opportunity to review the changes made to the Facilities Master Plan since the last hearing.

At 6:40 the Special Meeting of the Heber City Council to discuss the Facilities Master Plan adjourned.

Paulette Thurber, City Recorder

Approved 05/05/2011