

Heber City Corporation  
City Council Meeting  
06/16/2011

6:05 p.m.  
WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on 06/16/2011 in the City Council Chambers located at 75 North Main Street in Heber City, Utah.

Excused: Mayor David R. Phillips

Present: Council Members Eric Straddeck  
Nile Horner  
Robert Patterson  
Alan McDonald  
Benny Mergist

Also Present: City Manager Mark K. Anderson  
City Recorder Paulette Thurber  
City Engineer Bart Mumford  
City Planner Tony Kohler  
Chief of Police Ed Rhoades

Mayor Pro Tempore Straddeck excused Mayor Phillips and explained he was in the East on Heber Light and Power business.

**Outline of Process to Consider a Property Tax Increase:** Anderson reviewed the outline of this process and said the Council needed to select a location to hold the meeting so the information could be placed in the valuation notice that the County sent out in July. He recommended looking at the Senior Citizens Center. Discussion about holding the Hearing on Tuesday, August 9 at 6:00 p.m. or 7:00 p.m. but could not be held earlier than 6:00 p.m. Mayor Pro Tempore Straddeck felt the meeting should be held in this building as that was where people expected the Council meetings to be. Anderson said the Council did not need to make a final decision that night but would have to tell the people at the Hearing when that decision would be made.

Anderson said since there was not an adopted budget the Council had two options to continue to operate – operate under a tentative budget or under the current year’s budget. Councilman McDonald said the tentative budget. Anderson asked then, since the tentative budget proposed a

3% COLA if the Council was ok with implementing a COLA on the first payroll of July. The Council was okay with that implementation. Anderson said there were 4 ½ positions proposed in the new budget and asked when the Council wanted those noticed. Council said start advertising after July 1. Anderson said he would provide a proposed job description for a Finance Director at the next meeting.

Anderson said he, Tony Kohler and Bart Mumford had discussed fees for a Municipal Utility Fee. He said that from an accounting standpoint staff would start charging expenses to that fund. He said it was the intent to have this as a line item on the utility bill. Councilman Horner wanted to know if that could be added without an adopted budget. Anderson said yes but there needed to be some education via public hearing to notify people of that charge. He continued there would not be any revenue until that fee was adopted but staff would start categorizing expenses into that fund. Councilman Horner did not like the idea of setting up that fund until there was revenue coming in to balance it. Councilman Straddeck felt it was 6 of 1 and ½ dozen of another. Anderson felt the need to start allocating funds to that account starting in July.

Judge Birch indicated that every time he went to training he was told of things he was not doing. He had Larsen prepare a list of those things and they were working to get everything in order. He said his department was doing a good job staying on top of current stuff but not doing such a good job on the old stuff. He said the City lost funds on some cases because cases were dismissed because of time frames. He said his staff was supposed to double check warrants on the state-wide system and that had not been happening. He said, too, the clerks were still entering tickets manually and he hoped that didn't happen forever. He felt that while they were doing better in moving forward, the requested few extra hours would allow past catch up work. He pointed out his staff was looking at files from three different administrators but said his clerks were doing a good job. Judge Birch stressed that he did not want to lose Greer and that she was a very good employee and her personality matched well with Larsen's. He said he would hate to have to find another clerk and start training all over again. He suggested additional hours would give stability in the office and give the clerks time to get some old work caught up. He pointed out the City was not getting smaller and doubted the work load would decrease.

Anderson indicated Greer was getting prorated benefits now and it would cost the City about \$9,000 annually to add the extra hours. Birch said he had an intern for 10 hours a week but he would be leaving in August.

Mayor Pro Tempore Straddeck asked if the Council was interested in extending Greer's hours to full time. They all indicated yes, they would be in favor of that. Councilman Horner asked if she were to get the extra hours would she still be interested in applying for the other full-time position that was currently open. Judge Birch did not think so.

**Change Order for the Airport Snow Removal equipment Building:** Anderson indicated that when the builders were working on the SRE building it was determined one more foot of height was needed. The cost would be \$1,023 and the cost to the City would be \$59. The Council was okay with that Change Order.

**Zions Bank Public Finance Proposal to Provide a Utility Rate Analysis:** Anderson said he had met with a couple representatives from Zions Bank Public Finance and talked about rate structure. In light of those conversations, he thought maybe the City was not as bad off as he had portrayed to the Council. He asked if the Council wanted to have a formal presentation by people that had professional expertise in doing a more formal study on rate analysis. He said any costs for that would come out of the water and sewer fund. Councilman McDonald said he had proposed some additional firms to Anderson for consideration. Mayor Pro Tempore Straddeck felt that the City definitely needed a study on file. He liked the idea of a local source and was in favor of using Zions. Councilman Mergist and Councilman Patterson agreed. Councilman Horner said he would be interested in a formal presentation as did Councilman Mergist. Councilman Horner thought \$20,000 was a lot of money for an analysis. Anderson was instructed to ask Zions to come before the City Council on July 7 2011, so the Council could tell them their expectations concerning a study, etc.

**City Manager Vacation:** Anderson indicated he would be on vacation from June 23 through the following Wednesday. He said he would take his laptop so he had the ability to check his e-mail and he also would have his cell phone.

**Update on flood:** Anderson indicated that last night was the highest flow seen thus far this season. He indicated a little bit of water seeped out onto Center Street and pretty much maxed out the Humbug Canal. Mumford said some interesting things had been discovered. He said the City's crews had been monitoring every night (24/7). What they determined was a tree stuck where the water is split and forced a lot of spill out. The crew was able to pull that tree out with a backhoe. He said he didn't expect any increase over the next week because of cool weather. However, if there is 80 or 90 degree weather in the next week, that would cause the peak to go up. McKrola said there was a 50/50 probability to hit a higher peak based on the data and Mumford felt the crew should continue to monitor the canals for the next two weeks. He said, based on last night's monitoring, the crew had determined a better indicator as to where there would be problems. He said the bottleneck was further east behind Lake Creek where it crossed behind Noel Cook's property. He continued that when it got to the point the Humbug Canal was full the crews would have to do something down Center Street. He said the staff knew more now where to watch and how much to watch for and there was still a need for the crew to keep monitoring. He said that cool weather and knowing where to watch gave him a better comfort level. Councilman Mergist wanted maps that showed those ditches so the Council could have something to look at when talking about these issues. Mumford said that John Emmanuel and

Chris Pederson were doing a good job in monitoring the canals. He said he had sat down with Pedersen, Emmanuel, and Steve Tozier earlier today because he would be gone next week. He felt confident they could and would handle the issue.

**Election Information:** Anderson indicated the filing period for running for City Council was July 1– July 15. He pointed out that the 1<sup>st</sup>, 8<sup>th</sup>, and 15<sup>th</sup> were Fridays and since the City Offices were closed on Friday, he asked what the Council wanted to do about staying open on those days. The Council wanted the office open on Friday, July 15, and felt that nine days gave anyone that wanted to file for Council seat plenty of opportunity to do so.

Anderson said he had been trying to get a copy of the bylaws of Wasatch Water Efficiency Team. He said Smedley had been looking into the ramification of the City getting out of WET. Councilman Mergist said he wanted to formally request an election of officers because if the City didn't make that request, it wouldn't happen. He said that in talking with McKrola the City may have shot itself in the foot by not aggressively pushing for a board to be elected. Councilman Horner disagreed according to what attorney Maybe had said. Councilman Mergist said we need to make some request by the next board meeting.

Councilman Mergist said the majority of the board would not budge on the \$40,000 they felt the City owed. He felt the City's options were to look at having an election and withdrawing from WET INC. It was noted that Wasatch Irrigation was functioning as the board of WET INC. Councilman Horner agreed that the City should aggressively pursue getting out of WET INC. Anderson said he would get a copy of the bylaws and have Smedley review them. After that he would be able to give the Council information about the consequences of getting out.

Councilman Mergist said he did not think WET INC had any desire to take back secondary irrigation. Anderson indicated that WET INC had made the comment that they owned the new pipe down Center Street. It was asked if they paid for the pipe – no. It was asked if they contributed labor – no. Anderson explained that since the City eliminated the ditch which was an easement in the City's right-of-way that was the distribution system for the water, they felt they had claim to the pipe. Councilman Horner felt that could be an issue. Councilman Mergist said he would get a copy of the bylaws and the Council could move forward from there.

At this time the Council adjourned the Work Meeting of 06/16/2011.

---

Paulette Thurber, City Recorder