

Heber City Corporation
City Council Meeting
02/07/2008

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on February 7, 2008, in the City Council Chambers in Heber City, Utah.

Excused:	Mayor	David R. Phillips
Present:	Mayor Pro Tempore	Jeffery Bradshaw
	Council Members	Elizabeth Hokanson Eric Straddeck Nile Horner Robert Patterson
Also Present:	City Manager	Mark K. Anderson
	City Recorder	Paulette Thurber
	City Engineer	Bart Mumford
	City Planner	Anthony Kohler
	Chief of Police	Ed Rhoades
	Planning Dept.	Jason Boal

Others Present: Paul Berg

Pledge of Allegiance: Councilmember Eric Straddeck
Prayer Councilmember Nile Horner

Mayor Pro Tempore Bradshaw excused Mayor Phillips as he was out of the State. He indicated he would be chairing this meeting.

Minutes: 01/07/2007 11:30 a.m. Regular Meeting

Councilmember Hokanson moved to approve the minutes 01/07/2007 City Council Meeting held at 11:30 a.m. Councilmember Straddeck made the second. The voting was unanimous in the affirmative.

OPEN PERIOD FOR PUBLIC COMMENTS

No comments were received.

ACTION ITEMS

Ordinance 2008-04 - Amending the Heber City Municipal Code by adoption an Open Space Requirement Ordinance: Tony Kohler, Planning Department, discussed this proposed ordinance. He showed on the overhead drawings of Phase III of the Mill Road Estates Subdivision both before and after the possible changes based on the proposed ordinance. He also showed overheads of a subdivision in Midway that had incorporated berms and landscaping in the design and the Boldavs Annexation project with and without additional landscaping of those areas next to collector/arterial roads. He then showed overheads of the Parkside Annexation Concept Plan with and without the landscaping along Midway Lane, Southfields Road and the proposed bypass road. He explained this ordinance would permit developers to enhance open space to the City with the City allowing reduction in setbacks. He said the ordinance did not allow bonus density and it also allowed the Council to say no to proposals if they felt the developer was not meeting the intent of the ordinance. He indicated the ordinance did not specify who would maintain the open space and suggested that would be up for negotiation. He said in some places the HOAs take on that responsibility, some places the City, and some places the lot owners.

Councilmember Hokanson said her concern was that in doing the calculations, the City was giving more than the developer was giving--10' versus 4'. She said she preferred a 1 to 1 ratio. Paul Berg liked the 1 to 1 ratio and agreed it was more fair. He said the ordinance was a way to keep green space along the roads and gave the feel of green and openness. Kohler did not see an issue with the 1 to 1 ratio. Additional discussion about reduction in setbacks in some instances.

Councilmember Horner's concern was maintenance. He wanted to make sure when the Council approved a subdivision with this berming, landscaping, and openspace element that it would be maintained. Berg suggested that in the subdivision agreements, a paragraph was needed to outline that if the maintenance was the responsibility of the home owners and they failed in that responsibility, an assessment would be placed on their home taxes through the Wasatch County Assessor's office.

Councilmember Horner moved to have staff add language to the proposed ordinance in relation to a 1 to 1 ratio in both paragraph A and B and bring it back to Council for approval. Councilmember Patterson made the second. There was additional discussion about setbacks, limiting the 1 to 1 ratio to Paragraph A only and not to Paragraph B. Voting AYE on the motion as made: Jeffery Bradshaw, Elizabeth Hokanson, Nile Horner and Robert Patterson. Voting NAY: Eric Straddeck.

Ordinance 2008-03 – An Ordinance amending Section 10.16.040 – Parking during Snow Cleanup Periods (Tabled at the 01/17/2008 meeting): Chief Rhoades said his Department had been battling back and forth for several years on snow removal problems/issues. He said this year was evident of what happened when there was no “teeth” in the snow removal ordinance. He suggested the way the ordinance was written now created problems. Chief Rhoades talked about the “2” accumulation of snow” language in the ordinance and how that hampered enforcement with the “parking on road” language. He said he was not after the Council to make huge changes to the ordinance tonight but a basic change that would put some enforcement tools

into the ordinance and then during the summer work towards a better overall ordinance. Chief Rhoades said his Department had issued 200 warning within a 24 hour period for people to move their vehicles. He suggested this was a safety issue as well as an enforcement issue. Anderson pointed out it could be a liability to the City if a plow hit a vehicle. Councilmember Hokanson said she had concerns with old town and some of those residents not having a place to put their vehicles other than on the street.

Councilmember Horner said the Public Works Department needed to do a better job in pushing snow.

There was lengthy discussion about old town, the width of roads, cars parked on the road, the correct way to remove snow, roll back of the snow within a certain time frame, driving with the blade up and only sanding, wearing down of the snow blades, education of the public, how the public could be informed as to when the plows would be out, hotlines, website alerts, accumulation of snow, depth of snow, working with people that did not have driveways, when plowing should actually start, etc.

Councilmember Straddeck indicated he would like to see the 1:00 a.m. to 8:00 a.m. language removed from the ordinance.

Councilmember Horner moved to add/change the proposed ordinance that there be no parking or people should move their cars from 6:00 a.m. to 4:00 p.m. for 36 consecutive hours after two inches of snow fall.

Mumford suggested the ordinance had to be simple or it wouldn't work and felt that unless the language was no parking between one month and another month, it just wouldn't work. He agreed with Councilmember Hokanson that a permit process could be implemented and could be given to people that didn't have a driveway or needed a permit for extra cars for a special occasion, etc.

The motion died for lack of a second.

Chief Rhoades said his wish was not having parking on roads from November to April. He said if it wasn't snowing, he wouldn't enforce it; but, as soon as there was snow, it would be enforced. Councilmember Hokanson again said she would like to see permits for people that didn't have driveways. Chief Rhoades again talked about an education process for the public.

Councilmember Straddeck moved that Ordinance 2008-03 be approved with redline/strikeout as presented. The motion died for lack of a second.

More discussion about a no parking regulation from November to April.

Councilmember Straddeck moved to adopt ordinance 2008-03 as presented with one amendment to paragraph A by striking out the words "between the hours of 1:00 a.m. and 8:00 a.m.

Councilmember Horner made the second. Voting AYE: Jeffery Bradshaw, Elizabeth Hokanson, Eric Straddeck, Nile Horner and Robert Patterson.

DISCUSSION/ACTION ITEMS

Mayor Phillips – Appointments:

City Treasurer
City Recorder
Wasatch County Housing Authority

Mayor Pro Tempore Bradshaw indicated Mayor Phillips had proposed the re-appointments of the City Treasurer and the City Recorder.

Councilmember Hokanson moved to re-appoint Nioma Duke as the City Treasurer and Paulette Thurber as the City Recorder. Councilmember Patterson made the second. The voting was unanimous in the affirmative.

Mayor Pro Tempore Bradshaw indicated that initially Councilmember Straddeck had been appointed to serve on Wasatch County Housing Authority Board but that he had a conflict with that schedule and had requested someone else be appointed. Mayor Phillips recommended that Councilmember Hokanson be appointed to that Board.

Councilmember Patterson moved that Councilmember Hokanson be appointed to the Wasatch County Housing Authority Board. Councilmember Horner made the second. No discussion. The voting was unanimous in the affirmative.

At 9:10 the Regular Meeting of the Heber City Council held on February 7, 2008 was adjourned.

Paulette Thurber, City Recorder