

Heber City Corporation  
City Council Meeting  
02/21/2008

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on February 21, 2008, in the City Council Chambers in Heber City, Utah.

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

Others Present: Randi Higgs, Lance Higgs, Tish Dahmen and Ellen Bonner

Pledge of Allegiance: Councilmember Nile Horner  
Prayer: Councilmember Elizabeth Hokanson

Minutes: January 7, 2008, Special Meeting 12:30 p.m.  
January 17, 2008, Work Meeting  
January 17, 2008, Regular Meeting  
February 7, 2008, Work Meeting  
February 7, 2008, Regular Meeting

Councilmember Bradshaw moved to accept the January 7, 2008, Special Meeting, January 17, 2008, Work Meeting, January 17, 2008, Regular Meeting, February 7, 2008, Work Meeting and February 7, 2008, Regular Meeting minutes as presented. Councilmember Hokanson made the second. Mayor Phillips questioned the wording on page 7 of the January 17, 2008 minutes and felt the reason should be explained for Councilmember Hokanson's pain and leaving the meeting early which was because of a tooth extraction earlier in the day. Councilmember Bradshaw amended his motion to include that explanation. Councilmember Hokanson concurred with the amendment. The voting was unanimous in the affirmative.

**Lance Higgs – Recognition of Service Given to Heber City:** Mayor Phillips gave the following background: Higgs worked 12 plus years for Heber City as Public Works Director. He

was cost conscious and had to work with a very lean budget. He said Higgs received all certifications that were necessary for the position and was the first one to receive those certifications. He was dedicated and conscientious, took his job seriously and operated on a very lean budget. Mayor Phillips observed it was commendable that Higgs got done what he did on the budget and work force he had.

A plaque was then presented to Higgs.

Higgs thanked everyone from the City and said this recognition was important to him and meant a lot. He thanked Randi, his wife, for helping him with all the loose ends, getting up with him when he had to go out on call, etc. He said she was a real asset to his accomplishments.

#### OPEN PERIOD FOR PUBLIC COMMENT

Mayor Phillips invited anyone that wanted to make comments to the Council on issues not already on the Agenda.

Tish Dahmen, Chamber of Commerce, and Ellen Bonner, Timpanogos Valley Theater, asked to address the Council. It was indicated they had met earlier with Neil Parkinson from Senator Bennett's office and discussed an opportunity for a \$400,000 grant for restoration of the Social Hall. Their quest, then, was to meet with the Council to determine if they should work towards that grant. Dahmen explained the grant had to go through the City. She said, too, the grant would be for brick and mortar only.

Anderson said he had gotten the sense from a previous meeting the vision of the group had shifted and wanted to make sure he had not misinterpreted that meeting. Bonner said that was partly because they thought the City didn't want to work in that direction. She said they wanted to pursue this grant but wanted to talk to the Council first to make sure they were all on the same page.

Dahmen said there were some criteria to meet and that the money would not be available until the fall of 2009 or 2010 and then the money had to be spent in a year. Councilmember Bradshaw said he did not think there would be anything better for downtown than a theater and was in favor of this. Dahmen said the historic element was very desirable, the City needed to own the building and it needed to generate community activities. She felt this would continue to anchor the heart of the City.

Dahmen was asked to let Anderson know the deadline for the grant and the Council would meet with them on the 6th if the deadline was the 15<sup>th</sup>; otherwise arrangements would be made for a later meeting.

Councilmember Horner indicated he was in favor of trying for the grant. Councilmember Hokanson said she was definitely in favor. Councilmember Straddeck also in favor.

Discussion about the tabernacle and possible uses for it. Dahmen said there were wonderful things that could be done with the entire block. She said there were wonderful opportunities available to keep Main Street vibrant and alive.

## CONSENT AGENDA

**Approval - Amended Police Officer III Position Job Description:** Councilmember Straddeck asked about 1C and said it appeared we were moving from a more objective set of requirements to a more subjective requirement. Chief Rhoades indicated there was a different requirement in the Human Resource policy and the Police policy and if this was adopted, there would not be a conflict. Councilmember Straddeck suggested the first line under paragraph 3 be stricken. He said it was redundant because to be a police officer required adherence to laws and regulations. Chief Rhoades indicated he also wanted to add a requirement of holding the position of Officer II for 2 years.

Councilmember Straddeck moved to accept the Police Officer III job description as proposed with the changes as discussed with an additional requirement of two years as Officer 2. Councilmember Horner made the second. It was discussed that a D paragraph could be added (under Minimum Qualifications) to insert that requirement. No further discussion. The voting was unanimous in the affirmative.

### ACTION ITEMS

**Ordinance 2008-04 – An Ordinance Amending the Heber City Municipal Code by Adopting Section 18.68.175, Open Space – Final Language Approval:** Kohler indicated the Ivory Home's people had apologized for not being able to attend the meeting. He referred to the e-mail they had sent expressing their opinion in relation to the proposed changes in Ordinance 2008-04.

Councilmember Hokanson said the Council needed to decide if they wanted the strip of land next to the channel or not. Kohler talked about other developments in which the ordinance might apply. Discussion about this issue not being seen in the beginning or it could have made a difference in the whole plan of the development. Kohler said the whole intent of the ordinance was open space and better development design. Councilmember Hokanson felt the City should have the landscaping along the canal. Councilmember Straddeck said he did not think the Council should change the law for now and then change back in a couple months. He said the Council needed to make a decision that was fair for now and the future. Anderson suggested discussion on the proposed ordinance without paragraph D. Councilmember Horner said he liked the 1 to 1 ratio.

There was discussion about the benefit of the 1 to 1 ratio. The Council felt the canal looked better with the landscaping. Councilmember Horner discussed safety and suggested with the landscaping, it was more inviting to children. Anderson said the strip could be used for snow removal purposes in the winter and said after this last winter, that was a concern to many. There was discussion about the depth of water in the canal during high run off periods.

Mumford indicated the developers were going to build the improvement for the channel and put the rest on hold. He said they would not record the plat yet but they wanted to get the FEMA benefit now so they could sell the rest of phase 2.

Anderson said the Council could make it such that the ratio did not apply to paragraph B or have a different number for the B setbacks and dedicated open space. Kohler said he would like to leave the ratio out of setbacks and dedicated open space. Mumford agreed. It was felt that without the ratio, there would be more flexibility for the Council. Kohler preferred more

flexibility. He said with more flexibility, it allowed for better design. He again said he wanted to leave the ratio out. Councilmember Bradshaw felt it was important to have flexibility. “Who would have thought we would have a channel down a road,” he said. He said there would be issues in the future not envisioned now and he wanted the law as flexible as possible.

Councilmember Straddeck asked Councilmember Hokanson about her feelings now since she was the one that proposed the 1 to 1 ratio. She wondered again about how many subdivisions this would affect. Kohler said probably not too many. Councilmember Hokanson said she was rethinking her stand on the 1 to 1 ratio. Kohler said density was a big thing. He showed two overheads of the Parkside Annexation--one with landscaping along the perimeters and one without. He pointed out there were still 24 lots in the design so the developer was not losing any lots and the development had landscaped berms and other green to make the design more appealing. Mumford suggested the City had to do something to help with the issues of the bypass and other busy roads. Councilmember Straddeck said he felt if the 1 to 1 ratio was left out, the Council could still make it such that the City was not being taken advantage of. He discussed adding the word “or” to paragraph B before the words “front yard setback reduction” to add the flexibility the Council wanted.

Councilmember Straddeck moved to approve Ordinance 2008-04, an Ordinance amending the Heber City Municipal Code by adopting Section 18.68.175, Open Space, striking paragraph D, and add “/or” to the language in paragraph B. Councilmember Hokanson made the second. No further discussion. Voting AYE: Jeffery Bradshaw, Elizabeth Hokanson, Eric Straddeck and Nile Horner. Councilmember Patterson was excused.

#### DISCUSSION/ACTION ITEMS

**Bart Mumford – Flood Channel Culvert Underneath Highway 189:** Mumford indicated he had only just talked with Mike Davis about participating in upsizing the culvert on Highway 189 before the meeting. Consequently, Davis had not yet had a chance to talk to the County Council. He said Davis was receptive to the idea if the County Council could come up with the money. Mumford said he was going to tell the engineers that everyone appeared favorable to this but he was waiting for a final decision from the County Council.

Anderson pointed out the City and County had a joint agreement in relation to the flood channel and that the City and County had a 50/50 interest in this.

#### CITY COUNCIL BOARD ASSIGNMENT REPORTS

Heber City Planning Commission – 2<sup>nd</sup> Thursday  
Heber Valley Special Service District – 3<sup>rd</sup> Wednesday  
Historic Preservation

No reports were given.

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Paulette Thurber, City Recorder