

Heber City Corporation  
City Council Meeting  
03/02/2006

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on March 2, 2006, in the City Council Chambers in Heber City, Utah.

Present:	Mayor	David R. Phillips
	Councilmembers	Terry Wm. Lange Vaun Shelton Jeffery Bradshaw
Excused:	Councilmembers	Shari Lazenby Elizabeth Hokanson
Also Present:	City Manager	Mark K. Anderson
	City Recorder	Paulette Thurber
	Chief of Police	Ed Rhoades
	Code Enforcement	Anthony Kohler

Others Present: Meredith Brown, Krista McKnight, Wendy McKnight, Mike Thurber, Shelton Taylor, Chad Bellon, Josh Yeates, Steve Yeates, Brian Balls, Annie Bruehl and others whose names were not legible.

Mayor Phillips asked for a volunteer to offer a prayer or thought. No one responded. The meeting continued with the Pledge of Allegiance being given by Councilmember Shelton and a prayer offered by Councilmember Bradshaw.

**Open Period for Public Comment**

Krista McKnight asked to address the Council and present her thoughts on a recreation center. She said she had heard a lot of talk but was not seeing anything getting done. She said there was nothing in this community for the youth to do. Because of that, she felt there were a lot of young girls between the ages of 15 and 18 getting pregnant. She said she also saw a lot of drinking going on. She indicated she had gone around the community taking a poll of what the kids would like to see in relation to recreation—skate park, paintball alley, dance club without alcohol, and other things related to a recreation center. She talked about the cost and suggested donations from parents and businesses. She asked the Council to “please help the kids get something.” Mayor Phillips indicated a recreation center was on the agenda for the next Interlocal Meeting. He said that as a City, it was felt a “rec” center should be a county-wide effort, not just a city-wide effort. He thanked Krista for her remarks and time.

Minutes:

February 16, 2006, Work Meeting

Councilmember Lange moved to approve the Work Meeting minutes of February 16, 2006. Councilmember Bradshaw made the second. The voting was unanimous in the affirmative.

### APPOINTMENTS

**Chad Bellon – Hitek, Inc. - Requesting a Lot Split / Small Lot Subdivision for a five-lot subdivision to be located at approximately 680 East 600 South:** An overhead slide was presented of the area. Tony Kohler indicated the Planning Commission had requested a couple of changes to the plat--one being to put a note on the plat that the Planning Commission did not want the home on the corner lot on 600 South 680 East facing onto 600 South and the home on the corner of 680 South and 680 East not face on 680 South but rather face onto 680 East. Bellon said also a 5' planter strip was to be installed instead of a 4' planter strip. They also wanted the 10' utility easement designated on each lot. It was indicated the new plat showed those changes. It was indicated the typical City requirements for a subdivision were required on this request as in the past on other requests. Councilmember Lange talked about utility placement being in front of the lots now and not in the back of the lot. Councilmember Shelton thought the electrical easements were in the back. Bellon pointed out there wasn't enough area for the road on 680 East so they bought additional property from Clegg. Kohler again reviewed the changes requested by Planning Commission and engineer. Anderson said the annexation which included these lots was not complete. It was held up at the Lt. Governor's office as all annexations had been since the law changed. He continued that if the Council approved this subdivision, it needed to be done contingent on the annexation being approved.

Councilmember Lange moved to approve Bellon's request for a lot split/small lot subdivision for a five-lot subdivision to be located at approximately 680 East 600 South based on recommendations of the Planning Commission and subject to annexation. Also subject to standard requirements of the City. Councilmember Bradshaw made the second. No further discussion. The voting was unanimous in the affirmative. Councilmember Lazenby and Councilmember Hokanson were absent.

**Frank Mayoh – Requesting approval for a Lot Split / Small Lot Subdivision for property located at approximately 400 North 200 West:** Shelton Taylor, Summit Engineering, indicated he represented the Mayohs. An overhead slide of the area was presented. Taylor indicated there was an existing working fire hydrant, sewer, water and irrigation flow. He said everything was in order. He said he had talked with his clients about the standard procedures and requirements of the City in relation to sidewalk and curb and gutter. The curb and gutter would be installed and sidewalk would be deed restricted and installed later on. It was clarified that the deed restriction on the sidewalk would be for the entire perimeter of the lot. He said they were aware of the requirement to turn water shares over to the City. He handed out a final plat and explained this was not a cottage lot split but a regular lot split.

Councilmember Bradshaw moved to approve this lot split/small lot subdivision for Frank Mayoh on 400 North 200 West subject to the curb, gutter and road widening being deed restricted and installation of sidewalk. (It was indicated the discussion above was backwards to what was deed restricted and what was to be installed now) Also that water rights would be turned over to the City according to the City Engineer's determination. Councilmember Shelton make the second. No further discussion. The voting was unanimous in the affirmative. Councilmember Lazenby and Councilmember Hokanson were absent.

**Joshua M. Yeates – Request to amend the Heber City Annexation Policy Plan to include 4.36 acres of property located north of Heber City:**

Mayor Phillips asked Anderson to review this issue and possibly other areas that might need to be looked at.

Anderson indicated Yeates had contacted him a few weeks ago about annexation. It was explained the City couldn't accept annexation petitions for areas that were outside the City's Annexation Policy Plan boundaries. He said also Daniels was now formally a town and the City's boundary needed to be looked at so it aligned with the new boundary of Daniels Town. He also suggested the proposed bypass road may need to be in the City limits and possibly the Christensen land should be considered for annexation. Based on those possibilities, the City Council might want to recommend to the Planning Commission to look at the boundaries. Councilmember Bradshaw said the Planning Commission was of the same opinion. Anderson said this particular property might have some wetland issues and also could be impacted by the bypass road. Anderson explained to Yeates it might be a 3-month process with a couple public hearings. He said he was sure Yeates would want to be involved in those meetings. Councilmember Lange agreed it was time to look at the boundaries again.

Josh Yeates indicated he was the agent for Dick Reinhold. An overhead of the area was shown. He pointed out the property consisted of approximately 4 acres with the wetlands being about .4 acres. He indicated he wanted to do a commercial use on the property. Yeates reviewed and reiterated what the Policy Plan outlined on page 3 of 9, Character of the Community (third paragraph). He also read from the Plan regarding the City running out of development land. He said the property under discussion fit nicely into the future growth area and was close to municipal services. He said he felt annexation of this property would be beneficial for the commercial development of the City.

Steven Yeates, outlined on the overhead how the development would be placed. He understood and was aware of the possible bypass road and said it would come through the top of that property. He said they could allow for that to be untouched by development and also said the wetlands was just a small pool. He said a hotel would be placed in the middle of property and a restaurant on the other end. He felt the property could be nicely added as it was contiguous to the current City limits. He said he would like to start the process with the Planning Commission. Councilmember Lange asked if they knew if the elevation of the property would accommodate the sewer line. Steve Yeates said they could run it such that it would fall and hit the line. Anderson suggested if the Planning Commission and City Council did annex the property as requested, he would recommend that a condition of annexation be contribution of the land needed for the bypass. Yeates said there had been so many lawsuits statewide in relation to contributed land, the State was "putting their foot down." However, he said they would work with the City on that issue. Anderson pointed out that as a condition of annexation, the City could ask for the land to be contributed. However, if the area had already been in the City limits, it would be impossible for the City to request the land for the bypass without compensation. Councilmember Shelton informed Yeates they would probably be facing a meeting with the Boundary Commission if the City were to move forward with annexation. Steve Yeates said he had talked with a couple people from the County and they had indicated they were O.K. with the City moving forward with the request. Councilmember Shelton asked Yeates if he had talked to the County about the sewer. Yeates indicated the County was not interested in sewerage that property. Mayor Phillips discussed the possible truck route through the property. He encouraged Yeates to work with the Planning Commission and to share their vision with them.

Councilmember Shelton moved to send to the Planning Commission the recommendation to look at changing the Future Land Use Map and the Annexation Policy Plan Boundary Map to include this property as well as other areas discussed. Councilmember Lange made the second. The voting was unanimous in the affirmative. Councilmember Lazenby and Councilmember Hokanson were absent.

**Review Summary of budget Retreat Visioning and Goals:** Mayor Phillips suggested that since two of the Councilmembers were absent, it might be best to look at this another time. Anderson said he would like to use this as a foundation for the Department Heads to use when presenting their budget requests. Anderson indicated that since there had not been enough time to address all of the items listed during the budget meeting, he took the liberty to put his thoughts down as to how some could be accomplished. Mayor Phillips reviewed the topics determined by the City Council as priorities for the up-coming year. Mayor Phillips indicated if the Council felt O.K. with the summary, it would be the basis for the budget preparation. Councilmember Bradshaw indicated he wanted CAMS, himself and Anderson to get together and talk about what priorities CAMS had for the City and also the City let CAMS know what the City's priorities were. Anderson agreed to that meeting. Councilmember Lange wanted to prioritize the paving of the parking at the City Building. Anderson said he had talked to Mumford about that issue and it was included in this year's road project. He said it would probably be done this summer.

**Council Board Reports:** No reports were given.

**Closed Session as Necessary:**

At 8:17 Councilmember Bradshaw moved to go into Closed Session to discuss land acquisition and personnel. Councilmember Lange made the second. The voting was unanimous in the affirmative. Councilmember Lazenby and Councilmember Hokanson were absent.

Those going into Closed Session: Mayor David Mayor Phillips; Councilmembers Lange, Councilmember Shelton, and Councilmember Bradshaw; City Manager Mark Anderson; and City Recorder Paulette Thurber.

At 9:00 p.m., the Council re-conveyed the regularly scheduled meeting of the Heber City Council for March 2, 2006, and adjourned.

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Paulette Thurber, City Recorder