

Heber City Corporation  
City Council Meeting

April 2, 2009

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on April 2, 2009, in the City Council Chambers in Heber City, Utah.

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

Others Present: Martin Van Roosendaal, II, Nirfrone Meyer, Margaret Red Elk, Tom Post, Heidi Post, Rosemary Giles, Fred Schloss and Phil Lyons.

Pledge of Allegiance:	Mayor David Phillips
Prayer/Thought	Councilmember Jeff Bradshaw

Mayor Phillips excused Nile Horner because of a death in his family.

Minutes: March 16, 2009, Special Meeting  
Councilmember Patterson moved to approve the minutes as written. Councilmember Bradshaw seconded the motion. Voting Aye: Council members Bradshaw, Hokanson, Straddeck, and Patterson.

Boy Scout Troop 722 was recognized by Mayor Phillips.

**OPEN PERIOD FOR PUBLIC COMMENTS**

No comments were given.

## APPOINTMENTS

**Phil Lyons – Wasatch County Health Department – Annual Report:** Mayor Phillips said the Council had received the report and had time to review it. Lyons said he appreciated the chance to be on the agenda. As a Health Department they were mandated to give a report each year. He hoped the materials provided were helpful to the Council. He said very interesting things come before the Board of Health.

Lyons reviewed the packet. He said the dental program was one of a kind in the State. Lyons said the budget was good and with a few adjustments, 2009 will be a good year also.

**Margaret Red Elk / Rosemary Giles – Pow Wow - Report of last year's Event and request for donation for this year's Event:** Margaret Red Elk reviewed last year's event. She stated she hoped the event would grow this year because the gas prices were lower. The event would be offering family passes again this year as well as developing another CD. She read a letter she had written to the Council. It stated Soldier Hollow was proud of being a part of this event and donations had dropped because of the economy so they needed as much help as possible. She asked for a donation.

Red Elk extended a special invitation for the Council and Heber residents. She indicated that she saw a lot of people from Park City but not from Heber City. The event would take place the last weekend in June.

Councilmember Bradshaw moved to have this put on a budget agenda. He indicated times were tough but from his point of view he would like to give it serious consideration. Councilmember Patterson seconded the motion.

Anderson said there may have been some confusion. They requested money for this year and the Council had already made a commitment to give them \$2,000. So their request tonight was for next year.

Voting Aye: Council members Bradshaw, Hokanson, Straddeck and Patterson.

Anderson commented that Soldier Hollow had been very generous with giving tickets to our employees and their children.

**Tom Post – Return of Sidewalk Cash Bond – Property located at 485 South 100 East:** Post requested the return of the bond for the sidewalk at 485 South 100 East. He said the sidewalk did not go anywhere. To the east it would dead end at a ditch. Part of the curb and gutter had been deed restricted. He thought deed restrictions for the sidewalk would be a good thing to have. Post indicated he had built several cottage homes and if there was sidewalk there, they put it in. But it did not make sense to put the sidewalk in this area.

Mumford said there were a number of older subdivisions where the City policy required sidewalks. Now the City has a slightly different policy. Since these older subdivisions were under the old rules, they needed to come back to the Council to request a change. Mumford said from an engineering perspective, there was one side to connect to. He said it depended on what the priority was as far as getting sidewalks in. During Mayor Adams' tenure, there was real enthusiasm about getting sidewalks installed. If that priority had changed, the City would work towards deed restriction.

Mumford said there were two recommendations that came from the Planning Commission as far as the motion, and it appeared one was a requirement to put in the curb and gutter. That requirement was not picked up on when the plat was recorded and so it was deed restricted. He asked the Council to ratify the curb and gutter deed restriction.

Councilmember Hokanson moved to deed restrict the sidewalk on 500 South and also deed restrict the curb and gutter as well. Councilmember Bradshaw seconded the motion. No further discussion.

Voting Aye: Council members Bradshaw, Hokanson, Straddeck and Patterson.

### **ACTION ITEMS**

**SR113 Sewer Project – Awarding of Bid:** Mumford said the City received excellent bids for this project. The engineers estimated the price at \$1.2 million and the low bid was \$955,681.79. Mumford said the bids were all around the engineers' estimate. He checked out the low bidder's references and they were all good. They do primarily pipe work and have a lot of experience. He suggested the Council award the bid to Regency Excavation from Ogden.

Mumford also talked about closing the Midway Trail while work proceeded in that area. There was a provision in the contract about that section being closed for no more than eight weeks. If the contractor needed more time, there would be liquidated damages at \$500 per day. A comment from the County was they wanted that money to go towards their trails.

Anderson said his experience with liquidated damages was that some type of hardship to the community would have to be shown before the contractor would pay that fee. Mayor Phillips wanted to make sure the trail was put back correctly.

Councilmember Hokanson asked if a decision had been made on how the pipe would enter the plant. Mumford had a meeting with Wes Johnson and Scott Wright. They agreed after going through the numbers, it was a good size and would work well.

Councilmember Bradshaw moved to award the bid to Regency Excavation. Councilmember Straddeck seconded the motion. No further discussion.

Voting Aye: Council members Bradshaw, Hokanson, Straddeck and Patterson

### ***CITY COUNCIL BOARD ASSIGNMENT REPORTS***

Wasatch County Weed Board – 1<sup>st</sup> Wednesday  
Wasatch City/County Health Department – 4<sup>th</sup> Tuesday  
Heber Light and Power – 4<sup>th</sup> Wednesday  
Heber City Planning Commission – 4<sup>th</sup> Thursday  
Historic Preservation – As Needed

With no further business, the meeting was adjourned at 8:02 p.m.

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Paulette Thurber, City Recorder