

Heber City Corporation
City Council Meeting
11/16/2006

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on 11/16/2006, in the City Council Chambers in Heber City, Utah.

Present:	Mayor	David R. Phillips
	Council Members	Terry Wm. Lange Vaun Shelton Jeffery Bradshaw Elizabeth Hokanson
Absent:		Shari Lazenby
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: Cal Giles, Mike Johnston, Annie Bruehl, Lauren Knowles, Gene Cluff, R.H. Kohler, Irene Hastings, Carl and Dolores Mayers, Brian Balls, Clint Kelson, Ryan Davis, Wade Kelson, Todd Cates, Mitchell Burns, Wayne Thacker, Donald White, Mike Thurber, Joe Spencer, David Shaia, William Wardle, Kim MacLachlan, John MacLachlan, Scott Cook, Mary Silverzweig, Steven Jones, David Clark, Summer Swaner, Araceli Jimenez, John Cowley, Shelton Taylor, Bryan and Jessica Moses, Bill and Diana Witt, Matt and Susan Carlson, Randall Probst, Kay Probst and others whose names were not legible.

Pledge of Allegiance: Councilmember Jeffery Bradshaw
Prayer: Councilmember Vaun Shelton

Minutes: November 2, 2006 Work Meeting
November 2, 2006, Regular Meeting

Councilmember Lange moved to approve the Work Meeting Minutes and Regular Meeting Minutes of November 2, 2006. Councilmember Bradshaw made second. No discussion. The voting was unanimous in the affirmative.

OPEN PERIOD FOR PUBLIC COMMENT

Mayor Phillips invited anyone to come forward and discuss with the Council anything not already on the agenda.

Cal Giles wanted to know if the Public Hearing involving the property across the street from his property was on the agenda tonight. It was indicated that was the Cook-Houston Annexation and, yes, it was on at 8:10 p.m.

CONSENT AGENDA

Local Consent for a Restaurant Liquor License – Genulies Restaurant located at 734 West 100 South:

Approval of SSO Agreement between Heber City Corporation and Aerial Ads, Ken Heidorn, owner (Airplane Banner Towing Business):

Approval of final Purchase Agreement – Lot 17 Heber City Manufacturing and Business Park – 1000 South 300 West:

Mayor Phillips had concerns with the termination clause in the lease agreement with Aerial Ads. Councilmember Lange suggested the language read no more than 60 days instead of one year.

Councilmember Bradshaw had concerns with the restaurant liquor license application and asked about the preschool and if the footage between the preschool and the restaurant would prohibit a restaurant liquor license. Anderson referred to the staff report prepared by Tony Kohler which indicated a preschool was not included in the school perimeters in the State Code. He said staff felt this request was within the law.

Councilmember Hokanson moved to approve the Consent Agenda with the change on the Aerial Ads lease suggested by Councilmember Lange. Councilmember Lange made the second. No further discussion. The voting was unanimous in the affirmative. Councilmember Lazenby was absent.

PUBLIC HEARING

7:30 p.m. - Ordinance 2006-24 - An Ordinance annexing property known as the MacLachlan Annexation – A 5-acre parcel of land located at approximately 2500 South Daniel Road (east side of road):

The Public Hearing Notice was read by the City Recorder. Mayor Phillips asked if staff wanted to present on this issue. Allen Fawcett showed the map on the overhead projector along with a map showing possible lot configuration. Mayor Phillips opened the Public Hearing. No comments were received. The Public Hearing was closed.

Councilmember Hokanson moved to approve Ordinance 2006-24, an Ordinance annexing property known as the MacLachlan Annexation located at approximately 2500 South Daniels Road subject to the terms of the Annexation Agreement as presented. Councilmember Shelton made the second. No further discussion. Voting AYE: Terry Wm. Lange, Vaun Shelton, Jeffery Bradshaw and Elizabeth Hokanson. Councilmember Lazenby was absent.

7:50 p.m. - Ordinance 2006-25 - An Ordinance annexing property known as the Mayers Annexation – A 10.6-acre parcel of land located at 2100 South Daniel Road (east side of road):

The Public Hearing Notice was read by the City Recorder. An overhead of the parcel was shown. Mayor Phillips opened the Public Hearing.

Steven Jones, 2091 South Baxter, Daniels Gate Subdivision, addressed the Council and said he felt he represented the majority of neighbors in Daniels Gate and the Wheeler Lane Subdivision.

He explained he was one of the first to move into Daniels Gate Subdivision. He said the residents were promised a lot of things by the developers, C and A, City Manager, Mark Anderson and the Heber City Planning Commission. He referred to secondary water and a park that was supposed to be built next to and behind his house. After two years, it was decided to move the park and expand it. He was concerned that the City was now annexing more land and the park issue in his area had not been resolved. Jones said Anderson had promised him there would be no houses built until the park issue was resolved but they continue to dig through and have broken through the fence and are already planning roads for this proposed subdivision. Jones presented a petition with 39 signatures against the Mayers Annexation. Anderson pointed out the Jones' home on an overhead map and showed the proposed road location that would connect the proposed annexation and the area of the Jones home. He also showed where the park was once located and where it was proposed to be located. He said he understood the park was to be completed as part of the subdivision acceptance; and consequently, before any housing permits were allowed.

Anderson referred to the revised Annexation Agreement which incorporated language about any unused water rights and clarified the conditions of annexation imposed at the time of development.

There were no other comments. Mayor Phillips closed the Public Hearing.

Councilmember Lange asked why the location of the park had changed and asked if it was because the City wanted a bigger park. Mike Johnston answered by reviewing the maps, Plat A and Plat B of Daniels Gate and the history of the C and A Group. He talked about density bonuses which had since been removed from the Heber City Municipal Code; consequently, Plat A was amended because it was too small to be developed. He pointed out on the overhead the proposed park and detention basin. It was indicated the park was moved from behind Jones' property to a larger area in Wheeler Park. Johnston pointed out this had nothing to do with the Mayers' Annexation. Johnston explained the completion of the park had to be done prior to building permits being issued on the Mayers' Annexation piece because it was part of the construction bond. Johnston said the amendment of the park was all done with public hearings, as required. Councilmember Lange asked Jones if his concern was the loss of the park. Jones indicated no, his concerns were broken promises and that more land was being brought into the City without finishing what was already in the City. He said he wanted to see more land finished and the park finished. He suggested finishing what had already been started before adding more land. Councilmember Lange wanted to get input from legal counsel to see if that was even a legal consideration. Johnston indicated the roads were paved, the movement of the park was complete and it was grassed and play equipment was placed; however, it had been temporarily taken out because of the expansion of the park. Jones discussed a drainage ditch and said the drain by his house was still open and dangerous for the kids. Mumford indicated the owner of the lot where the basin was located planned on laying a foundation and building a house. He said that couldn't be allowed until the other basin was built. Now that it was, the owner could now fill that in and construct a house.

Anderson agreed with Johnston and said the issues weren't related--the completion of the park and the Mayers' Annexation. He said he understood the issues of Mr. Jones and suggested the developer of this property would be motivated to get the park finished as quickly as possible so the City could issue building permits for those lots.

Councilmember Lange agreed with Anderson but indicated he also had concerns with what Jones was talking about; however, he did not feel the Council could hold hostage the annexation before them now.

Councilmember Lange moved to accept Ordinance 2006-25, an Ordinance annexing property known as the Mayers' Annexation located at approximately 2100 South Daniels Road and the Annexation Agreement and that they move forward as rapidly as possible in order to solve these other issues. Councilmember Hokanson made the second. Councilmember Hokanson discussed the lot with the drain issue and if that house was not built on soon, if there was something the City could do to follow up on the drain situation. Mumford said he would follow through. Anderson said he wouldn't object to having the Public Works crew fill in that drain if the property owner was not opposed. No further discussion. Voting AYE: Terry Wm. Lange, Vaun Shelton, Jeffery Bradshaw and Elizabeth Hokanson. Councilmember Lazenby was absent.

8:10 p.m. - Ordinance 2006-26 - An Ordinance annexing property known as the Cook-Houston Annexation – A 28.54-acre parcel of land located between 600 South and 1200 South along 1200 East (Mill Road) (west side of road): The Public Hearing notice was read by the City Recorder. Mayor Phillips open the Public Hearing for anyone wanting to make comment.

Calvin Giles indicated he lived on Mill Road and was concerned about the subdivision that would be situated east/west of his house. He asked if it were possible for the contractor to lay out the subdivision so that when cars come out of the subdivision, the lights didn't shine on his home. He said his other concern was the traffic on Mill Road. He indicated he couldn't get out of his driveway from 8:00 a.m. to 9:00 a.m. unless he ran over a child or a car. He asked that the Council take into consideration all the subdivisions on Mill Road and see what could be done about those issues. He thanked the Council for their time and again said he had major concerns with traffic impact and the car lights not reflecting on his home and his children's homes.

Anderson discussed the concept plan and the driveway proposal that go onto Mill Road. Mayor Phillips said the City had worked with developers in the past with these very issues. Mayor Phillips felt this was a reasonable request. There were no other comments.

Mayor Phillips closed the public comment portion of the Hearing.

Councilmember Hokanson moved to approve Ordinance 2006-26, an Ordinance annexing property known as the Cook-Houston Annexation – A 28.54-acre parcel of land located between 600 South and 1200 South along 1200 East (Mill Road) on the west side of road and the associated annexation agreement. Councilmember Shelton made the second. No further discussion. Voting AYE: Terry Wm. Lange, Vaun Shelton, Jeffery Bradshaw, and Elizabeth Hokanson. Councilmember Lazenby was absent.

8:30 p.m. - Ordinance 2006-27 - An Ordinance annexing property known as the Newton Annexation – A 98.23-acre parcel of land located between 600 West and 1400 West and Midway Lane (100 South) and 600 South: The Public Hearing notice was read by the City Recorder. Mayor Phillips opened the Public Hearing.

John Cowley - 750 West 600 South. Cowley explained that part of the property proposed for annexation was his farm. He questioned how this would affect his farming at night if the property goes into the Heber City limits. He asked if he could still cut and bail at night? It was

explained that bailing was done best when there was some dew on it. He said that he sometimes starts bailing at 10:00 p.m., 11:00 p.m., or midnight. He asked about the City's ordinance. Anderson indicated the City Code stated loud noise from machinery was not allowed between 10:00 p.m. and 7:00 a.m. Anderson said any action on the part of the City would probably be complaint driven. He did not think it would be any different from in the past. Discussion about farming at night in past years. Tony Kohler indicated that the proposal, as now outlined, did not have any additional homes along that area. Councilmember Shelton said he had talked to Phil Wright about a property owner that had complained about manure fertilizer. Wright would not shut down the farmer and based his decision on past history, the community environment, etc. Councilmember Shelton said if Cowley got complaints, the City would have to look at them and base any decisions or action on past history and how long it had been going on. Mike Thurber indicated when he was on the Council, the only complaints he received were about the Heber Light and Power generator. He did not think Cowley farming at night would be an issue. There were no further comments. Mayor Phillips closed the public comment portion of the Hearing.

Mayor Phillips reminded the Council of the proposed agreement with Wasatch County. He said he would ask for a motion if the Council was O.K. with that Agreement.

Anderson asked that if the Council was inclined to approve the request, it should be subject to the Annexation Agreement and any property owner within the area unwilling to sign for the bypass right-of-way be left out of the property annexed. For instance, if Kay Probst was unwilling to dedicate the 84' right-of-way, he be left out of the annexation. Council understood that and indicated that language was in the Annexation Agreement. Anderson read paragraph four from the Annexation Agreement which outlined the right-of-way dedication for a western truck route. He said, however, the property owners would be able to continue to farm their property to keep it from being a nuisance property.

Randall Probst had concerns about the right-of-way being specific for the truck route and asked what happened if the truck route moved to another location or did not get built. "Does that release that right-of-way?" he asked. Anderson indicated the Agreement did not address that issue. Mayor Phillips indicated the only reason the City was asking for the right-of-way was for the truck route.

Councilmember Lange asked Wayne Thacker about the ground dropping to the west on the piece above 650 South. Thacker said, "Basically out there every two feet it falls west it falls one north." Councilmember Lange felt that information was very important for this annexation because of needing to connect to the City's outfall line. Councilmember Lange said there were two sewer lines in Southfield Road and these people would not be able to get on to them. Councilmember Lange continued to discuss sewer lines on Southfield Road and the ability/inability to hook on. Mumford said the applicants were aware they would have to construct a new sewer line.

Mayor Phillips asked if the Council would be comfortable if the Agreement was amended to allow any dedicated right-of-way ground go back to property owners if the truck route was moved or not built. Mumford said he felt the City could use that property to purchase different property for the truck route if it were moved to another location. Mayor Phillips asked the Council to address the issue.

Councilmember Lange talked about 800 North in Orem and felt the Council had to be cautious as to a time frame. Councilmember Bradshaw did not see any reason why the City would want an

84' strip there if the truck route went somewhere else. He said he didn't anticipate that, however. Councilmember Lange agreed with Councilmember Bradshaw and said the deed restrictions needed to be printed on the plat. He said he did not know how the City could put a date, year, or month on the building of the bypass. Councilmember Hokanson said the property owners should not be penalized if the route was moved. Councilmember Shelton said he knew it was difficult to put a time line on this but he felt one should be placed.

Mike Johnston suggested the issue of dedicating the property for a bypass should be addressed on another document and not the Annexation Agreement. He said there would actually be a deed recorded prior to the Annexation Plot being recorded to fulfill the Annexation Agreement. He said the Annexation Agreement was good but the particulars of the transfer should be on another document. Anderson felt it would be better if the details were left to the deed otherwise we might not give good answers tonight. He said he still wanted to see the land farmed and put to good use in the interim. He felt there would be some things that could be worked out and be beneficial to everyone. He suggest the language say if it wasn't used for transportation, it be given back to the original land owners. Mayor Phillips talked about the possibility of the Probst piece not being included in this annexation. He also discussed the possibility of annexing a complete property without getting the dedication of the right-of-way.

A representative of the Newton piece indicated they were O.K. with dedication of the right-of-way and the Annexation Agreement. Kay Probst asked about the water rights that would go with the acre and third dedicated for a bypass road. Anderson told Probst the Annexation Agreement addressed that issue and water rights were not required on the 84' strip. However, once the property was developed and there was extra water rights, the City had the first right of refusal on that water. He said he would advocate, as part of the agreement for dedication of right-of-way, the property owners keep farming that strip until such time as it was needed for the bypass. Probst indicated the irrigation would be cut off once developed. Anderson said it would then be up to the City to maintain. There was discussion about the City being able to annex without all property owners signatures, but that only those property owners that signed the Annexation Agreement would be held to the terms in the Annexation Agreement. Councilmember Lange suggested the City move ahead with this proposed annexation even though there would be questions and things to work out in the future. Mayor Phillips agreed that if the Council moved forward there would be provisions that it would be subject to; if those provisions weren't met, then the issues would be dealt with as they presented themselves.

Mayor Phillips reviewed the notes he had taken about conditions: Sign Agreement with Wasatch County, talk about the dedicated land for truck route, spell out what happens if the bypass is moved, water rights, until developed, land could continue to be farmed, and time frames.

Councilmember Lange suggested the Council move forward and accept the request with the conditions as outlined by Mayor Phillips and talked about in the discussion. He said, however, he had questions on the proposed agreement with Wasatch County.

Councilmember Shelton moved to approve Ordinance 2006-27, an Ordinance annexing property known as the Newton Annexation – A 98.23-acre parcel of land located between 600 West and 1400 West and Midway Lane (100 South) and 600 South based on the Annexation Agreement and based on the recommendation of the Planning Commission. He continued the approval was based on the conditions of land transfer and subject to the agreement with Wasatch County. Councilmember Bradshaw made the second. Discussion. The Council decided the dedicated right-of-way ground would go back to the property owners if it was determined the land would

not be used for transportation purposes. Voting AYE: Terry Wm. Lange, Vaun Shelton, Jeffery Bradshaw, and Elizabeth Hokanson. Councilmember Lazenby was absent.

APPOINTMENTS

Christie Oostema, Green Space Design and Steve Farrell, Wasatch County Council – Presentation on Wasatch County Critical Land Planning Project:

Mr. Summer Swaner introduced himself and indicated he was the founder of Green Space Design which was a non-profit organization based out of Salt Lake. He introduced Christie Oostema as the executive director for that Foundation. He said starting January they would be going around the valley having public workshops to help their team put together real estate information and open space information.

Oostema indicated she had been working on a Project with Steve Farrell, Wasatch County Councilmember, over the last several months (Wasatch County, Charleston, Daniel, Heber, Midway and Wallsburg Critical Lands Planning Project). She said this presentation was a reminder of the projects they do and a shorter version of what was presented to the Interlocal Committee in the summer. She said they would have a steering committee starting on December 14 in relation to the Project starting in January. She indicated they would like to have a Council Member and Planning Commission Member on that steering committee.

Oostema presented an overhead slide show about openspace, the loss of openspace nationwide and solutions to that problem. There were also maps of the Midway and Heber area with overlays showing platted development.

Oostema reviewed the plan that Francis, Oakley, Coalville, Hennifer, etc. had put together based on a mayors' coalition and the desire of the community residents to preserve openspace. She said one issue they had was people didn't always understand zoning and how that allowed development in areas thought to be openspace.

Projected populations of the Heber Valley were reviewed by Oostema. She reviewed again the Project she and Steve Farrell were working on. There was discussion on how to pay for land in order to preserve for openspace. Councilmember Lange expressed concern about the possibility of a taking.

Mayor Phillips thanked Oostema for the presentation. The Council asked for a copy of the presentation.

Todd Cates/Lauren Knowles – Annexation Petition – Red Ledges Recreation Community – Consisting of 1,515.73 Acres and located at approximately 2300 East to 3600 East Lake Creek Road on the northern side of Lake Creek Road:

Mayor Phillips indicated Cates and Knowles were prepared to give a presentation; however, since both the Council and the Planning Commission had seen it, it was not necessary to see it again unless the Council had questions. There were no questions.

Councilmember Bradshaw moved to forward the Red Ledges Recreation Community Annexation Petition to the Planning Commission for further study. Councilmember Lange made the second. No discussion. The voting was unanimous in the affirmative. Councilmember Lazenby was absent.

Lauren Knowles - Subdivision Final Approval – Willow Creek Estates Phase I – located at approximately 400 South 500 East, south of Broadhead Estates Subdivision Phase I:

Councilmember Lange asked if this was the parcel with the big tree. Knowles said yes. Councilmember Lange asked about a reserved street between two houses. An overhead of the area was shown. Knowles pointed out the continuation of 400 South. Discussion about connection to either Broadhead Estates or Mill Road Estates. It was indicated this subdivision was adjacent to Ivory Homes Phase III. Councilmember Lange asked about 750 East. It was indicated 750 East wasn't in this particular subdivision but was a part of the City's Transportation Plan and would be extended with another subdivision.

Anderson updated the Council on a piece of property the City owned jointly with Wasatch County that was purchased in the 1980's as a flood control area. He said he and Mike Davis had met with Wayne Hicken and Knowles about the development of Phase II, which Hicken owns, and the possible purchase by them of the City/County property. He said that property would be appraised to see what the value was and then it could be determined if the City and County would want to sell it. He said the report on the appraisal should be available next week. Depending on that report, Hicken would decide if he wanted to move forward with development of his property. Knowles discussed the benefit of including that property. She explained the second phase was delayed until that issue could be resolved.

Councilmember Lange moved to give final approval to the Willow Creek Estates Subdivision, Phase I under the terms of the Subdivision Agreement as provided to the Council. Councilmember Bradshaw made the second. The voting was unanimous in the affirmative. Councilmember Lazenby was absent.

ACTION ITEMS

Ordinance 2006-28 - An Ordinance amending the Heber City Municipal Code in relation to Solicitors (Title 5): Mayor Phillips explained that this ordinance came from the Utah Leagues of Cities and Towns based on a settlement reached because of a lawsuit. He said all cities had been encouraged to adopt this ordinance.

Anderson explained the provisions of the settlement was Kirby would not sue any additional cities provided they adopted this model ordinance. Discussion about the lawsuit involving Kirby vacuums.

Councilmember Hokanson wanted to know if the City could put any restrictions other than what was in the proposed ordinance. Anderson said not as far as Kirby was concerned. Councilmember Hokanson said she had issues with ice cream trucks and didn't think it was right to peddle to children in neighborhoods. Anderson indicated back ground checks had to be done on ice cream truck drivers. Chief Rhoades said there were also regulations about inspecting their trucks. Councilmember Hokanson said she had heard too many things about ice cream truck peddlers. Anderson referred to the ordinance and the requirements from applicants and what would justify denial. Mayor Phillips indicated this ordinance was for door-to-door and did not think ice cream trucks were addressed in this ordinance. Councilmember Hokanson wanted staff to look into what could be done about ice cream trucks and the risk to children. Anderson said he did not think the City could restrict them without opening the City to a potential law suit. Anderson indicated there was another regulation for motorized street vendors.

Councilmember Hokanson moved to adopt Ordinance 2006-28, an ordinance amending the Heber City Municipal Code in relation to solicitors. Councilmember Shelton made the second. There was no further discussion. Voting AYE: Terry Wm. Lange, Vaun Shelton, Jeffery Bradshaw and Elizabeth Hokanson. Councilmember Lazenby was absent.

Councilmember Hokanson asked staff to look into the motorized street vendors.

Ordinance 2006-29 - Adoption of Design Criteria for the C-2 and C-4 Commercial Zones :

Fawcett indicated Rudi Kohler and the Planning Commission had put together a presentation if the Council wanted to see it.

Kohler thanked the people that had served on the Committee with him the last 18 months. He thanked Allen Fawcett and Tony Kohler on their input as to how to proceed and their help with existing ordinances. Rudi Kohler said Lane Lythgoe was the most important player in this process and deserved a lot of credit for the final document. He reminded the Council that the C-3 Zone was approved several months ago. He said this presentation focused on the C-2 and C-4 Zone Design Criteria, that they had been treated as a single entity and that there were no differences between them.

An overhead presentation was presented. Kohler reviewed and commented on each section of the criteria. As he reviewed the criteria, he often compared it to the C-3 Design Criteria. He pointed out this criteria focused on being pedestrian friendly. He said there were provision for dark stores (maintenance and lighting) and some consideration for large retail. He said they wanted a human scale or downtown scale where people would be comfortable walking. Landscaping was not just grass, but trees as much as possible and that irrigation had to be provided. He said if there was a single word to describe what the Committee wanted with this criteria, it was pedestrian. This criteria stressed a friendly environment for the pedestrian. Kohler said they looked extensively at building design--materials and colors and that they considered links to the C-3 Zone in all of the criteria. Kohler said they did not spend a lot of time on signage because the City had an existing ordinance addressing signage that had been adopted.

Mayor Phillips and the rest of the Council thanked him and everyone on the Committee for the work they had done. Mayor Phillips discussed the importance of design criteria for now and for the future.

Councilmember Bradshaw moved to adopt Ordinance 2006-29, Design Criteria for the C-2 and C-4 Commercial Zones. Councilmember Hokanson made the second. Voting AYE: Terry Wm. Lange, Vaun Shelton, Jeffery Bradshaw and Elizabeth Hokanson. Councilmember Lazenby was absent.

Ordinance 2006-30 - Amendment to the Heber City Municipal Code – Section 18.85 –

Cottage Overlay District: Mayor Phillips indicated cottage home neighbors were complaining that some cottage homes did not fit within the neighborhood. He said this ordinance was an attempt to rectify that issue. Fawcett said the perception seemed to be that the City was cramming homes into the City. He felt this ordinance addressed that issue and prevented illegal infill. Discussion about a 70' area between homes constituting a big enough hole to put a home in. Mayor Phillips summarized that the cottage home was intended to be an infill strategy. He said initially the cost was less expensive but now the cost had gone up. He felt this ordinance would kill the cottage home concept. He talked more about the “intent” and not allowing a cottage home because it didn't meet the intent. He felt that somewhere along the line something

had been lost. Fawcett said somewhere along the line the cottage home stopped being cute and started being vinyl boxes. He felt this ordinance eliminated some of the problems such as design and cramming the homes into too small a space. He said this ordinance provided for more flexibility, even though it was more complex.

Kohler reminded the Council that what we came from was duplexes and twin homes. He pointed out the Planning Commission had recommended eliminating duplexes. The Council did not want to go back to duplexes and agreed cottage homes were a good replacement for duplexes. Mike Johnston felt the jamming concept came when someone bought a large lot with a small home and put two homes on it. That was when the neighbors thought it was jamming. Mayor Phillips discussed the goal of the cottage home concept. Anderson referred to his staff report and his frustration with adding more costs. He asked Blake Allen to address the Council. Allen said the first cottage homes he built sold for \$160,000-the last one he sold for \$260,000. He said they were the same lot size, same home with just a few improvements; because of the demand, the cost had gone up. "Its hard to make it affordable because of the cost of the lot," he said. Blake Allen said this ordinance would cut back on where these type of homes could be built. Discussion about affordable housing and additional discussion that land values had caused the affordability of homes to diminish.

It was indicated the planning staff was working on a town home ordinance and looking at the affordable housing ordinance. Fawcett said Heber City was in a crisis right now with housing. Mayor Phillips questioned what would happen if this ordinance was not adopted. Fawcett said planning staff would have more people complain about the same issues. He said they were trying to make these homes compatible with the neighborhood. Councilmember Bradshaw thought there was a big need for having opportunity for people to build a home that was a little more affordable.

Mike Johnston indicated he had been involved with this ordinance from the beginning. He thought the ordinance was wonderful and said that Allen (Fawcett) and Tony (Kohler) had done a good job. He felt they had tried to clarify the intent. He said, too, it was bigger and harder to dig through, but he thought it was good. He encouraged the Council to adopt it and commented that it kept the density in the core of town without duplexes. Johnston felt the Cottage Homes were "doing a good job in the City" but understood that people got upset when there was change.

Councilmember Bradshaw moved to adopt Ordinance 2006-30, amending the Heber City Municipal Code, Section 18.85, Cottage Home Overlay District. Councilmember Hokanson made the second. Voting AYE: Terry Wm. Lange, Vaun Shelton, Jeffery Bradshaw and Elizabeth Hokanson. Councilmember Lazenby was absent.

DISCUSSION/ACTION ITEMS

Christmas Bonus for Employees and Board Members: Councilmember Lange moved to increase the bonus this year by \$50 over last year. (Full time employees, Planning Commission and City Council \$300; Part-time employees \$225; BOA \$150) Councilmember Hokanson made the second. It was decided to add the Airport Advisory Board to the list this year as they had held meetings almost monthly. Their bonus was to be the same as the Board of Adjustment. Included also was the Farmer's Market volunteers, Helen and Chuck Warren, Paul Askins and Barbara Carey. No further discussion. The voting was unanimous in the affirmative. Councilmember Lazenby was absent.

CITY COUNCIL BOARD REPORTS

Heber City Planning Commission – 2nd Thursday –Bradshaw
Heber Valley Special Service District – 3rd Wednesday – Phillips, Shelton, Hokanson
Historic Preservation – Councilmember Lazenby

No reports were given

OTHER ITEMS AS NECESSARY

As there was no further business the regularly scheduled meeting of November 16, 2006, of the Heber City Council adjourned at 10:40 p.m.

Paulette Thurber, City Recorder

Approved 12/07/2006