

Heber City Corporation
City Council Meeting
03/17/2008

6:00 p.m.

SPECIAL MEETING

The Council of Heber City, Wasatch County, Utah, met in **Special Meeting** on March 17, 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 Robert Patterson
Also Present:	City Manager	Mark K. Anderson
	City Recorder	Paulette Thurber
	City Engineer	Bart Mumford

Others Present: Steve Christensen, Shawn Seager, Mike Duggin, Wade Williams, Doug Bassett, Keith Merrill, Wes Johnson, Jon Frank, Kim Frank, Glade James, Scott Vuham, Mack Christensen, Eric Bunker, Steve Farrell, Craig Cofer, Mike Thurber, Brent Monsello, and others whose names were not legible.

Discussion – Traffic Issues Related to the Boyer Project – Valley Crossing: Mayor Phillips welcomed those in attendance and explained this was a Public Meeting not a Public Hearing so comments would be limited to the public as this was a meeting for discussion among the City Council, developer and other governmental entities. In attendance were representatives from UDOT, Horrocks Engineers, Boyer Development, Daniels Town, Heber City Council and Staff and other private property owners.

Mumford said there was a lot of information available to discuss tonight. There were the studies prepared for this project, the Hub relocation, graphics of that for a more detailed look, Shawn Seager, Mountainlands Association of Governments, had a presentation but it was more of a regional aspect and not so much the Boyer project, UDOT's comments because at some point the City needed to meet with UDOT one-on-one, and Mack Christensen from Horrocks. With all the information available, it could be presented in whatever way the Council desired. Mayor Phillips asked Seager to make his presentation and then Mack Christensen from Horrocks. After that he would like to hear from UDOT. He asked the Council to ask questions as the discussion took place.

Seager talked about the Rural Planning Organization (RPO) and the work that had been going on between the cities and County to produce an overall regional transportation plan. They then could model with a computer and simulate traffic conditions in future years. He indicated Mumford had asked them to do some specific modeling in the Hub area, as well as the bypass road. Seager showed some overhead slides and pointed out on those the roads and intersections

of interest to this meeting. He said there were some delays at the Hub intersection now with more delay anticipated in the future. He said they had looked at different scenarios on how to connect the bypass to US 40, a re-located Hub, where they would take the intersection and push it further south, and looked at taking US 40 and making that become the bypass alignment as it heads around the west side of town, and came back to the idea of having the bypass connect through the Boyer project, intersecting with Daniels' Road and continuing on to US 40 was still the best configuration as far as traffic flow. He talked about the Regional Transportation Plan which was a composite of Heber City's Traffic Master Plan and Wasatch County's Traffic Master Plan.

Seager said the planners and engineers had met monthly, the City and County had been diligently working together and, from his prospective, had a healthy relationship. He said the proposal he showed was consistent with the Heber City Master Transportation Plan. There was discussion about intersections and their placement so they weren't too close.

Mack Christensen, Horrocks Engineers, said the City had asked that the bus barn not be taken out; however, if the bus barn was missed, the trailer park would be affected. Councilmember Horner proposed a different possible connection. Christensen said they had looked at other alignments through the area but using the route suggested by Councilmember Horner would cause some deep curves and defeat the purpose of what was trying to be done with the bypass.

Councilmember Bradshaw asked if this proposal was too close to the airport. Mumford talked about what the Federal Aviation Administration would allow.

Councilmember Horner continued he wanted to see some studies in that area. Discussion about the speed and whether or not what Councilmember Horner was wanting would work. Mumford said the Federal Aviation Administration Runway Protection Area could not be moved but if the City wanted to challenge that, things could possible change.

Mack Christensen presented Horrocks' plan on paper and showed what they proposed. He talked in detail about the plan, islands, connections to Daniels' Road, medians, the other businesses along both sides of the road, etc.

There was quite a bit of discussion in relation to the property owners on the highway that were not part of the Boyer project. Williams said he was working with the property owners to make this work for everyone.

Discussion about the level of service at the current intersection being an "F" in the p.m. traffic and that after the development was complete in 2011, the level of service would be a level "C."

Doug Bassett, UDOT, talked about the problems with lights that were too close together. He said that presented its own type of problems and certain types of accidents.

Mayor Phillips asked Mayor Duggin how he felt about the Daniels intersection. Duggin said he could live with what they were proposing because it was a difficult intersection already.

Williams said he wanted to clarify that they had measured from the end of the Airport runway and it was 1200 feet. He said they couldn't move the intersection any closer because of that and the natural barrier of the canal. He said when they started the project, they determined where that intersection would fit before they planned the rest of the project. Keith Merrill discussed a displaced threshold with the landing threshold being moved to the south but that the critical

takeoff threshold not being changed. He suggested those kind of changes were done all over the country. Anderson responded that when there had been discussion about upgrading the Airport from a B2 Category Airport to a C2 Category Airport, one of the discussions was to displace the threshold on the eastern end because going to a larger airport required a larger safety area on each end of the runway. He said there would be, at some point, discussion again about an upgrade to the airport--it may not be for several years, but it would come back. Anderson said the City had to maintain a good relationship with the FAA because their share of funding on projects was 95%. He said in the last year, the City had worked on two grants and the federal participation was 3.2 million dollars. He continued that the Federal Aviation Administration had looked at Heber's airport very favorably over the years.

Mayor Phillips asked Mack Christensen to explain how they came up with a 7% impact in relation to Daniels Road and the Boyer project. Christensen said they looked at just the traffic on Daniels Road and analyzed how much of the traffic on Daniels Road would be either going into or going out of the Boyer development. Then they looked at the rest of the background traffic and did a comparison of those volumes and it ended up being 7%. So they attributed 7% of the traffic being either drawn into the Boyer development or out of there. Christensen also talked about 10th South and the level of service. He said the level of service in 2030 would be level of service "C" but the level of service in 2011 would be "B". He said it still operated good even with the development.

Mayor Phillips suggested there was need for give and take because everyone had their standards, UDOT, Federal Aviation Administration, Heber City, Daniels, etc. He asked everyone to keep an open mind.

Anderson indicated that the letter from Bassett dictated that they wanted Boyer to put in the wiring for the signalization of the new intersection but it did not mention the signal arms, etc. Bassett said that the underground features would be put in during the infrastructure placement and when UDOT determined it was time for a signal, they would work with Boyer to pay for the rest. He said they typically did not participate in the cost of something that was caused by development.

Mayor Phillips asked if UDOT would finance any of this change to transportation. Bassett said they had applied for some funding from the Legislature but it had not been determined if that would be available yet especially because of the overrun of funding for snow removal this past winter. Consequently, if that money was not available, they didn't have any projects.

Anderson asked about funding for the Daniels left hand turn to allow for more storage and better traffic movement. Bassett said any agency could ask but he did not write the check and could not say for sure. Mayor Phillips asked if Heber City, Daniels Town and Wasatch County asked together, if it would make a difference. Bassett said pooling the request might be helpful. Councilmember Horner asked if the road would become a State road if UDOT participated. Bassett said no. Mayor Phillips asked if Bassett was the person to talk to about the bypass. Bassett said no, but rather the Region Director. Councilmember Straddeck asked, assuming the funding was available, what the time frame was. Bassett indicated they were about three years out.

Steve Christensen, attorney for Boyer, indicated he had talked with Bart Mumford and Horrocks early on in the process of the development because there were always traffic issues, etc., that everyone wanted to resolve up front. He talked about the State Statute and what was required of

a developer. He talked about the 7% impact that Mack Christensen pointed out and said that meant that 93% of the traffic was not brought about by the Boyer project--so what can the City require of a developer? He said the City had the right to charge the developer costs related to the project and that the City could upgrade roads, signalization, intersections on its own. He suggested if the project did not need the particular light, roads, etc., then the City had to look at traffic impact fees. However, the City could only require the actual impact costs. He said it was a balancing act and that the law had changed a lot in the last 15 years based on Supreme Court decisions and that city's didn't have as much wiggle room as they historically were used to.

Wes Johnson said the figure of 7% was only at the one intersection--just the Daniels Road intersection. He said each intersection had to be looked at individually.

Williams indicated they had said all along they wanted to make this work and they thought with the improvements they had proposed, the traffic flow would be better until 2030. He said they were willing to really step up and wanted to make sure this worked. Again he said they would like to see the Daniels intersection work. Williams said UDOT had worked with them on other projects as far as signal arms, etc. He suggested if UDOT would do that again, they would be willing to put what they would otherwise pay towards the signal up front towards the Daniels intersection.

Councilmember Patterson asked what the possibilities were for Boyer paying upfront for the Daniels Road connection and getting paid back later. Williams said they were willing to do that or work with RDA's or whatever mechanism there was available for the City. Anderson said the Council had said all along they would not use taxpayers money for this and he suggested it would be hard to sell that concept. He talked about what Midway City had done in order to get a grocery store. Anderson discussed prepayment of road impact fees or building permit fees. He said the City did that with the Muirfield development so the City could move forward with a new water tank. He said he understood that Boyer had worked with other cities in that regard.

Councilmember Horner asked if Boyer had contacted any of the land owners and what the possibility was for contributions from them. Williams said they had a broker make some investigation and it had been determined it was for a public road and it needed to be done by a public entity rather than private property owners.

Mack Christensen and Williams talked about costs and alternatives that might reduce costs. It was indicated a lot of the cost was acquiring right-of-ways, takings, etc.

Councilmember Straddeck asked Mumford if he had done an analysis on what Boyer's responsibility was. Mumford said he hoped the Council had gained enough information from this discussion tonight to made some decisions because granting approval to Boyer was the next step. He said the Council had to decide what kind of configuration they wanted on 1000 South. He said options were right turn in and right turn out, putting a median through there to allow for turning, or a signal. (Intersection F) There had also been discussion about the Daniels connection with left turning into but not out of, allowing medians, etc. Mumford said the big decision was the connection into Daniels Road. Mumford said staff, as well as the Planning Commission, was recommending Alternative 3. He said he believed Boyer was responsible for some costs but not all. He said, too, he had not been able to verify the 7% number. In order for their traffic study to work, they were eliminating left hand turns and consequently functionality so he felt that obligated them somewhat. He agreed, though, that connection did need to go in. Mumford said, at this point, he would allow turning at 1000 South. As for Daniels Road, he

recommended to allow left turns into Daniels Road as long as possible. The left turn out, he thought, was a significant safety issue. Mumford continued the City needed to work with Boyer to come up with what their share was on the connection road to 189 and suggested that should be worked out before approval. He thought that could all be determined in the time frame they needed. Councilmember Hokanson agreed that the City needed to establish what the City had to do and what the City didn't have to do.

Bassett talked about the medians that were necessary and said they had changed their requirements in some areas. Councilmember Hokanson asked about a light at 1000 South. Bassett said they did not anticipate one there now. Bassett indicated that Boyer would be required to widen the lane on the north side of Highway 189 on Boyer's frontage. He said they would be required to accommodate the extra lanes between Highway 40 and the western boundaries of their project. Anderson asked about the timing for signalization based on the traffic studies. Mack Christensen said based on studies, the signal would be warranted on opening day. There was a conflict, however, because UDOT didn't normally put in signals until they had a physical warrant as volumes didn't always happen as anticipated. He thought once traffic had stabilized, a study could be made and he thought it could happen within two or three months after opening if the underground was in place. Anderson asked if the City had any latitude as to the length of the median. Bassett said they could analyze any request the City wanted.

Mumford said as far as staff was concerned, they were going to proceed. Mayor Phillips said the Council needed to get together and talk about all of this and made some decisions.

Anderson indicated UDOT had agreed to install a turn lane at Industrial Parkway, which was appreciated, but that the same thing needed to be done at the East Airport Road intersection on Highway 40 about 1800 South by the WingPoint Apartments to accommodate safety issues.

Mayor Phillips asked Mayor Duggin if he had considered any obligation Daniel might have to fixing this situation. Mayor Duggin said their budget was as public as Heber's and anyone was able to look at it. Mayor Phillips suggested the City might entertain an IOU. Mayor Phillips suggested Boyer was contributing and willing to do what was fair and Heber City was wanting to do what was fair. He said the Council needed to look at Corridor Preservation Fees. He said he wanted to make sure anyone that had an obligation came forward.

Councilmember Straddeck discussed the following concerns he still had: 1) 1000 South and said the Council needed to look at this area and the level of service as it continues to degrade and what was needed so the City could properly assess impact fees; 2) If the City was going to continue to be committed to the bypass, he had concerns with the road that went through the Boyer development. The alignment of that bend and that 30 mph would have a serious impact on trucks taking that route. The fact that 300 West was connected to that road concerned him, as well. He said that would affect how a future bypass would work; 3) He was concerned that the City get the right-of-way now to do what may be necessary in the future to allow a bypass. Councilmember Horner expressed concern, too, if the curve alignment would work. He agreed with Councilmember Straddeck that it needed to accommodate a 50 mph speed. Mumford said even though an 84' right-of-way was being built, he was actually trying to reserve up to 100' because, in the future, if overpasses, etc., were needed, then the City would have the right-of-way needed. Williams discussed covering the canal at some point in time which would allow for future possibilities. Councilmember Straddeck thought there might be other options and wanted to make sure they were considered. Both he and Councilmember Horner felt the speed should be

50 mph rather than 35 mph. Discussion about costs. Anderson indicated the City imposed road impact fees based on building permits so every time Boyer got a permit in their project, the fees would be assessed based on the number of trips per day that building would generate. Because 1000 South was a State road and the City's impact study did not budget improvements on State roads, the City would look to UDOT to do studies to determine what changes that intersection would require.

Councilmember Straddeck talked more about the bypass connector. He did not think the 300 West connection onto the main road would work well. Mumford said the County was also concerned about that. Mumford talked about a frontage road but said that was so far down the road, and there would be different things happening all the time.

Councilmember Straddeck asked Bassett about the median on 189 being extended all the way down to the Boyer opening. Bassett said it was because of limited access on and off the Highway.

Mumford indicated there was one other meeting scheduled for Wednesday morning. He said the studies dealing with this project had been finished. During the meeting on Wednesday morning there would be a presentation on the last study which dealt with how much right-of-way was needed at different intersections along the bypass.

Mayor Phillips expressed appreciation to Horrocks, Shawn Seager, Bart Mumford and others who had put so much work into this issue but said the City Council ultimately had to make the tough calls. Mayor Phillips thanked those in attendance for their comments and participation.

As there was no other business, the Special Meeting of the Heber City Council held on March 17, 2008 adjourned at 8:26 p.m.

Paulette Thurber, City Recorder