

1 Heber City Corporation
2 City Council Meeting

3
4 June 16, 2008

5
6 6:00 p.m.

7
8 SPECIAL MEETING

9
10 The Council of Heber City, Wasatch County, Utah, met in **Special Meeting** on June 16,
11 2008, in the City Council Chambers in Heber City, Utah.

12
13 Present: Mayor David R. Phillips
14
15 Council Members Elizabeth Hokanson
16 Eric Straddeck
17 Nile Horner
18 Robert Patterson

19
20 Excused: Jeffery Bradshaw

21
22 Also Present: City Manager Mark K. Anderson
23 City Recorder Paulette Thurber
24 City Engineer Bart Mumford
25 City Planner Allen Fawcett
26 Chief of Police Ed Rhoades

27
28 Others Present: Wayne Thacker, Donna Thacker, Mary Silverzwei, George Holmes, Joe
29 Giles, Peggy Giles, Mary Giles, LoiAnn Nichol, Ross Nichol, Robert Harmon, Diana
30 Lance, Wayne Buell, Kathy Buell, Laren Gertsch, Jay Price, Becky Price, Steve Farrell,
31 Tom Rowley, Al Mickelsen, Val Draper, Ernie Giles, Mike Kohler, Kendall Crittenden,
32 Marie Giles, John Besendorfer, Bob Probst, Rob Heywood, Tony Kohler, LaRen Provost,
33 and others whose names were not legible.

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35
36 **SPECIAL MEETING – BYPASS ROAD (TRUCK CORRIDOR)**

37
38 Mayor Phillips had everyone introduce themselves. Mayor Phillips said he and Mike
39 Kohler decided not to set a specific agenda for this meeting but rather wanted a
40 discussion about where the City stood on the bypass road and the direction it would like
41 to go in the future. He turned the time to Mike Kohler. Kohler said he had not yet met
42 with the property owners but said there had been very few changes to the map in the last
43 eight years.

44
45 The current map was presented on the overhead and on the chalk board. Kohler reviewed
46 the proposed location. It was indicated there had been some acquisition of property by the

1 City. Also, the City had a study done seven months ago on the corridor width. The items
2 studied were the non-stop trips through town, the stop and go trips and the truck traffic.
3 Most of those studies indicated a bypass on the western side of Highway 40 would take
4 the trips off of Main Street. Studies have indicated the majority of trips, up to 40%, come
5 and go from Provo and north on Highway 40. There was a higher percentage as a whole,
6 about 28%, of commercial trucks going north on Highway 40. One other study, done by
7 a private company, was on some of the intersections in the area: by the train tracks on
8 Casperville Road and Southfield Road, on Highway 113, and on North Highway 40;
9 which showed the intersection footprints for the bypass crossings. The intersection by
10 the Hub Restaurant was not studied. It was indicated the purpose of this meeting tonight
11 was to let property owners know what was proposed. It was explained that over time
12 there was a need to acquire property so when annexations were brought to the Council for
13 approval, the City would require part of the land for the bypass road. Kohler felt it was
14 our responsibility as a community to come together to resolve the Main Street congestion
15 problem. Kohler thought that UDOT would help fund this project, but that was only his
16 opinion.

17
18 Councilmember Straddeck asked Mumford to show what the City had acquired already.
19 Mumford reviewed that on the map. He also showed what had been dedicated to the City
20 by Boyer. Mumford outlined the current City boundaries.

21
22 Mayor Phillips talked about the boundaries and the property that might become the new
23 City limits. He said there was a time when there was no interest in having the limits
24 going west. He said now, as a condition of annexation, the City required some of the
25 property for the purpose of the corridor. Mayor Phillips said what had brought the City
26 to this point was the Parkside Annexation. When that came before the City Council,
27 Laren Gertsch asked the City and County Councils what was going to happen to his
28 property, since it was located in line with the proposed corridor. At that time, the
29 Council put the annexation on hold until a public meeting could be held for the property
30 owners. The corridor had mostly been outlined on the south of Midway Lane because of
31 the annexations. Mayor Phillips gave some history of the different locations for the
32 bypass road. Mumford said he knew there were some adjustments that had to be made
33 because some property lines didn't line up.

34
35 Mike Kohler talked about an overpass at the Midway Lane intersection so the speed limit
36 could be higher. However, UDOT had said absolutely no on an overpass. Kohler
37 thought the County might have some leverage. The footprint was large enough that if an
38 overpass went in, it would allow for merge lanes.

39
40 Wayne Thacker wanted to know what the access would be for his property. Kohler said
41 in the final design there would be access on 650 South because the City couldn't lock
42 people in. Rob Heywood suggested there was going to be several stop signs and
43 consequently did not think the proposal was very efficient. He said trucks would not take
44 a route full of stop signs. Wayne Thacker asked about sound walls. Mayor Phillips said
45 that had not been discussed yet. Mayor Phillips said the City was trying to look ahead
46 before new homes were built. Mike Kohler said the alternative to not building the bypass

1 corridor was that Main Street would fail. The City had to find an option. That was part of
2 what government had to do.

3
4 Mary Silverzwei said they would not be able to develop and get the same money that
5 other people in the area had received for their properties if the bypass was placed as
6 proposed and Mary Giles said she would not be able to sell her land. Mayor Phillips
7 talked about what made property valuable.

8
9 George Holmes wondered if the zoning of the property along the corridor would change.
10 Mayor Phillips said what had been talked about was not to have commercial or strip
11 malls along the corridor. Also, nothing would be developed to the west of it. Holmes
12 said it appeared there would be some land taken from the property owners and rezoning
13 that area might be a way of compensating them. Crittenden talked about the committee
14 he had headed. He talked about the possible zoning that could be there. There was a
15 recommendation that zoning be changed to 5 acres or possibly 10 acres. It was indicated
16 the Council would have to create that zone since they currently did not have a 10-acre
17 zone. Crittenden said he did not want to see sound walls and talked about a buffer zone.

18
19 Mrs. Buell talked about her property and the commercial area that had been talked about
20 in the past. She talked about some of that area being wetlands. She said she hoped the
21 zoning there would not change to allow the high density and commercial. She knew that
22 a developer wanted to develop that corner.

23
24 Anderson said there was a good chunk of the corridor that the City was not considering
25 for annexation. He talked about the City's annexation boundary. He said the Randy
26 Giles property was not included in that. He said there were always changes when new
27 legislative bodies come into office. Anderson talked about the Trimble property (Yeates)
28 that had been zoned commercial. He did not anticipate any annexation north of the
29 proposed east/west corridor on Highway 40. Anderson and Mumford said they had tried
30 to miss the Buell property.

31
32 Tom Rowley talked about the area around his home and that Boyer had known from the
33 beginning about the bypass road. Anderson explained the traffic pattern and speed limits.
34 Mayor Phillips said the trucks were not going to be required to take that route, but
35 personally felt that it should be a requirement. He talked about speed. Mumford said the
36 corridor had been designed for 55 MPH, but those speeds initially could be lower. He
37 said, too, it was designed for 4 lanes, but that might not happen in the beginning either.
38 Thacker said to visualize 55 MPH on Southfield Road. He said he did not think that
39 would happen with the stops.

40
41 Mumford said the City had been acquiring 84 feet with annexations but said in any future
42 right-of-way acquisition, he would recommend that the Council acquire at least 100 feet.

43
44 Laren Gertsch passed out a paper with 13 questions and requested a written response
45 from the City and County Councils. He said this bypass would block his access to
46 Midway Lane. He said he was getting double talk from every politician. He wanted to

1 know if his property would be annexed. He said a stop sign on Midway Lane was a joke,
2 and wanted to know how Midway Lane would be intersected.

3
4 Gertsch went over his list of questions. He talked about a map that was presented to the
5 commissioner of UDOT in 2000. It was signed by former Mayor Lynn Adams and
6 County Commissioner, LaRen Provost. He said he was not going to sell his property for
7 that road. He asked what UDOT would allow and who would pay for it. Gertsch said it
8 made more sense to have a bypass road on the east side as Mill Road was a wide road
9 already. Gertsch asked also if this should go to a public vote as this was a significant cost
10 to the community and the City had to provide access to the property owners. He talked
11 about the inferior synchronization of the stop lights on Main Street. With computerized
12 synchronization, traffic would move much faster through Main Street. Another question
13 posed was why was the City spending all this money when people were not going to use
14 it.

15
16 Mary Giles wanted to clarify that the property to the east of the bypass was all annexed
17 and therefore developable and the owners could get value from their property. But the
18 property owners to the west were not allowed to develop.

19
20 Rowley talked about other bypasses he had been on in different cities. They were all
21 built without stop signs. Councilmember Straddeck said when this road went in, it would
22 be in various phases. It would have some stops and it may initially be on a two lane road.
23 It would depend on the traffic failure on Main Street which would cause UDOT to come
24 in and help with the costs. Councilmember Straddeck explained that the traffic studies
25 had shown that this needed to be done.

26
27 Mayor Phillips tried to defend the elected officials. He said the Council was having this
28 meeting so the route could be tweaked if necessary. Mayor Phillips said the truck route
29 came first and then the annexations came second, with the condition of a corridor.

30
31 Kohler said the Probst (Parkside) Annexation prompted the changes to the corridor route.
32 A decision was made to put an intersection at Midway Lane. That intersection was put
33 together by Mountainland Association of Governments (MAG) with a radius that was
34 necessary. If it needed to be modified, now was the time. He said the real key was how
35 quickly one could turn from that intersection. MAG could make that adjustment.

36 Jay Price said he did not know if UDOT had committed. He said the two Councils were
37 talking about City and County money and not UDOT money.

38
39 LaRen Provost said as the former County Commissioner, he had hours of public
40 meetings. Even UDOT was there. There were several routes proposed. The one agreed
41 on was signed by the Interlocal Group and Mayor Adams. He said he did not have a
42 signed copy but he thought UDOT probably had it. He said he took his hat off to the City
43 by having Boyer participate.

44

1 Mayor Phillips said there was not an elected official here that had a closed mind. There
2 were possibilities and options. He said this was just a penciled-in road. He talked about
3 possible changes.

4
5 Councilmember Horner said in fairness to Mike Kohler, it was Heber City that had done
6 the annexing. He thought the City had lined up the annexation but if there was a 20 foot
7 discrepancy, then annexation wasn't really doing much good. Holmes said what you
8 annex was property and some property lines don't always match up. Councilmember
9 Horner said this group was here tonight and had talked about tweaking. That was the
10 problem. We needed to set the line in stone and stop tweaking. He expressed concern
11 with taking traffic off Main Street which could hurt the businesses. He did not think this
12 would take trucks off Main Street, especially those coming from Daniels Canyon, but it
13 could take 46% of regular traffic off Main Street.

14
15 Mayor Phillips said the City and County agreed on the position of the corridor and it had
16 not changed, with the exception of circumventing the barn, for two and a half or three
17 years. Mayor Phillips and George Holmes discussed whether or not the corridor had
18 changed since the church was built. Mayor Phillips said the corridor was there first.
19 Holmes said at one time it came across the corner of his property. The intersection had
20 changed and toggled back and forth.

21
22 Tony Kohler said the City would have more flexibility if there was nothing on the
23 western side. But the more people come in and developed, the less flexibility the City
24 would have concerning where to place the corridor.

25
26 Mayor Phillips, Mike Kohler and Jay Price talked about the overpass. Jay Price said if all
27 the entities in this area went to UDOT and combined all our efforts, they might tell us
28 O.K.

29
30 Tony Kohler talked about the proposed development the Frontgate people (Yeates)
31 wanted. They wanted townhouses, duplexes, and open space. Mayor Phillips asked if
32 the City Council was ready to bring back the Parkside Annexation. They said no.

33
34 Anderson said we knew what the footprint needed to be for this bypass. It was just a
35 matter of seeing if or where it could be moved. Kendall Crittenden talked about the
36 footprints that were outlined in the study for the four different intersections.

37
38 Mayor Phillips asked if the City and County agreed that the corridor would be initially
39 built with stop signs. Jay Price said he did not want to do anything until it could be built
40 with the overpasses.

41
42 Anderson said from staff perspective there were a lot of options that existed. As the City
43 got resources, the City could have studies done to determine the impact. He talked about
44 an engineering study that outlined the wetlands. He said he wanted a study because
45 everything was vague as far as wetlands.

46

1 Mike Kohler said we needed to concentrate on the intersection on Midway Lane because
2 of the proposed Parkside Annexation. Mumford said the traffic study indicated that in
3 2030, there would only be 50% of the traffic needed to justify an overpass. Anderson
4 said it was unlikely that the road would be built without UDOT participation. Mike
5 Kohler agreed. Mayor Phillips said the plan needed to be laid out now. The City could at
6 least keep an area clear for future use. These Councils needed to use foresight as the City
7 grew.

8
9 Mayor Phillips wanted to let the Kay Probst property (Parkside Annexation) know what
10 was discussed tonight.

11
12 Wayne Thacker talked about the 46% of traffic going from Highway 189 to Park City. He
13 suggested moving the corridor farther to the west. He said 800 North in Orem was going
14 to increase the truck traffic up Provo Canyon and through Heber.

15
16 Anderson said the information the City had in 2000 was less than what it now had. The
17 more information that was gathered, the more refined the map got. He encouraged the
18 Interlocal Group and the Corridor Fee Committee to look at this. Mumford said this
19 study was the most accurate. Based on what the City understood, and what the goals
20 were, this was the best information the City had. The wetlands had not been verified
21 before. This was the best thing the City had right now in making it's decisions. The
22 current study should be referred to until more studies were done.

23
24 LaRen Provost said it was tough being an elected official. He appreciated the meeting
25 and the discussion.

26
27 Mayor Phillips said the City might have to purchase some land to make this work. He
28 also wanted to discuss this more during the Interlocal meeting. He agreed the City
29 needed to get a plan together and go to UDOT.

30
31 Probst asked if a committee was going to be formed to determine the price that would be
32 paid to acquire corridor land . Anderson said one thing that needed to be understood was
33 that the primary source to acquire property was corridor preservation fees and
34 annexation. The corridor fees could not be used for condemnation. There would also
35 have to be two appraisals. The value would be assessed before the take and it would be
36 assessed on the estimated value after the take. It would then be purchased based on the
37 fair market value from those appraisals. Anderson talked about how the process worked
38 if the property owner did not want to accept a fair market value. Anderson said one last
39 comment was there were goals and there were realities. That was what the City came to
40 grips with each day. It was hopeful that the City and County could get UDOT to
41 participate but it might not be a reality.

42
43 With no further discussion, the meeting was adjourned.

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Paulette Thurber, Heber City Recorder