

Heber City Corporation
City Council Meeting
March 5, 2009

6:30 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on 03/05/09 in the City Council Chambers in Heber City, Utah.

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

Return ULCG Mid-Year Conference Registration Forms to Annette Williams by March

16: Mayor Phillips reminded the Council of this conference which is scheduled for April 15, 16, and 17. He asked them to give their completed registration forms to Annette for processing. Councilmember Hokanson wanted to know if the Council was going out together one evening for dinner. Mayor Phillips suggested that in the past the Council had gone out for dinner during the time they were in St. George. It was determined the Council would go out together on Friday evening.

Discuss Receiving Electronic Copies of Council Packets: A Power Point presentation was shown. It was indicated Mayor Phillips had looked at an e-mail version of the packet earlier in the day.

Councilmember Bradshaw and Councilmember Hokanson wanted to proceed in this manner. Anderson suggested both a hard copy and an electronic copy be given to the Council until everyone was comfortable with the electronic version. Councilmember Patterson indicated he liked a hard copy. It was decided that next meeting both a hard copy and an electronic copy of the packet would be provided to the Council.

Councilmember Horner arrived at 6:39.

Discuss Easement Agreements with the Bureau of Reclamation for All West

Communications and the Sewer Outfall Line: Mumford indicated this discussion was to let the Council know about a couple agreements with the Bureau of Reclamation the City needed to enter into. He said All West was the utility provider for Red Ledges and they needed to run utilities up Lake Creek Road and cross the Timpanogos and Wasatch Canals. All West would have to obtain a permit from the Bureau because it encroached on their easement. The City would also be a party to this agreement as the City was the underlying land owner—it would be a four-way agreement (All West, Heber City, Red Ledges and the Bureau). He said nothing would be required from the City, but this allowed All West to encroach on the Bureau's easement. He indicated Mayor Phillips would need to execute the document.

Councilmember Bradshaw wondered if this would be done prior to water season. Mumford thought so but said they would be boring under the canals so it would not make a difference.

The second issue he wanted to discuss with the Council was the Midway Lane Trail. He said the City would be crossing the Provo River with its 36" sewer line and would have to get an easement license from the Bureau for that crossing. It was indicated Mayor Phillips would also have to execute that document. Mumford said that every 25 years the Bureau would assess Heber City a license fee for that crossing. Mumford thought the cost would be a couple thousand dollars.

Mumford said he would update the Council when he had a schedule prepared for the work. He said it had been determined there was no stimulus money available for the project. He planned to proceed this week, start advertising and would get back with the Council the first of April with the bids. He said he expected a lot of interest and competitive bids.

Anderson said this would exhaust the sewer impact fees that had been accumulated based on the project just completed crossing Highway 40 on 1200 South and tying that into Industrial Parkway. He said this would create some challenges when the City started looking to expand capacity for the developments of Blue Ox and Elmbridge and the PCMU Zones. At the time those developments started, it would have to be determined how the infrastructure would be funded—development driven, reimbursement or bond for future impact fees.

Mayor Phillips asked how the City got information about possible stimulus monies. Mumford said he talked with the environment quality people at the State. He said they were the ones that would receive the Federal money. They determined this City project did not qualify as the City's sewer rates were too low. He said that based on criteria he had, there were more urgent, higher priority projects elsewhere. He said this project would be about 1.6 million dollars.

Councilmember Horner asked the rest of the Council if they would be interested in adopting a policy which would allow awarding a bid to local bidders if their bids were within 5% of the low bid. Councilmember Hokanson was interested as long as there was an option and it would not obligate the City one way or the other. Mayor Phillips asked staff to look into this. Anderson said he would get a copy of the County's Policy for the Council to review.

Discuss Date for Center Street Open House – Suggested Days – March 24 or 25 – Discuss Installation of a Pressurized Irrigation Line in the Project:

Mumford said the citizens had been told a final open house would be held prior to commencement of the construction on Center Street. He said he had a meeting with UDOT on March 30 for the final review on the project. Consequently, the dates he proposed for an open house were on a Tuesday or Wednesday, March 24 or 25. Discussion. Mumford was asked to set a date and if the Council could attend, they would.

Pressurized Irrigation System on Center Street. Mumford said the Council's policy in the past had been to expand the Pressurized Irrigation (PI) System when possible. The intent all along had been to install PI during the Center Street construction and eliminate the ditch between 500 East and 100 East. However, now the Broadhead Development was not moving forward as planned because of the economy which caused some problems.

Mumford said the Broadhead people were interested in entering into an agreement with the City, having the City put in the PI system along their property and then the City getting reimbursed when the development moved forward, which development would probably not happen until 2011. He said that without that piece, other parts of the system that were being installed with the Center Street project would not work. He figured the cost of the whole irrigation project to be about \$200,000. Discussion about the goal of not having to tear up new streets later to install the PI. Mumford talked about the issue of not installing the PI infrastructure at this time and the cost of tearing up the new road later. He said even if the ditch was piped and the PI system run in that pipe, the connections to the individual home still would have to be installed at some time—thus tearing up the new road. He pointed out there were a number of billing problems that would have to be worked out at some point.

Anderson said when the City started with PI, the benefit was to lengthen the life of the culinary water system before the City had to develop more storage tanks and/or water sources. He asked Mumford for an estimated time period before additional sources or tanks would be needed. Mumford felt 10/15 years before new sources had to be found and 15/20 for new tanks to be built. Anderson suggested again that to be fair, people who benefited from the City installing the PI would have to be charged more money than people who benefited from a developer who contributed water shares as a part of development and installed the PI.

Discussion about using culinary water for outdoor watering. More discussion about who paid for PI because it was not eligible for impact fee money. Anderson said he did not know if there would be more federal funding in the future to fund PI. He wondered about a vote from the citizenry. He felt they needed to know the facts and the costs. Anderson discussed the fact that it cost more money to maintain two systems than one--it was cheaper to produce the secondary water than the culinary water but its not that much cheaper to where people's rates could remain the same after the secondary system was built.

Councilmember Horner wondered where the storm drain would go if the ditches were filled in. Mumford said storm drain pipe would run from 600 East across Main Street into Lake Creek Channel.

Anderson said the \$200,000 for the PI System in the Center Street Project would have to come out of the water operating fund which now had about \$1,000,000. He said that came from the users of the system. However, the intent for that money was to replace the water system as it wore out. It did not seem fair that people got access to the PI System and not have to pay for the cost. Anderson said the people in yellow (referring to the overhead map) flood irrigated. He said there were some complex issues in regard to water shares, billings, etc., with a PI System in areas other than new subdivisions.

Mayor Phillips talked about the issue in which people with water rights would have a different cost than those people without water rights. It was pointed out the people along Center Street were planning to flood irrigate this summer. It was suggested that was one issue that would have to be discussed during the open house. Mike Thurber asked if those people that had water shares would have to relinquish those shares to the City when the PI System was installed. Anderson said he did not know but that was what happened when subdivisions were developed.

Mumford said he had discussions with Devin McKrola to see if there could be any assistance from the CUP. He hadn't received an answer yet, but McKrola indicated there was a possibility. Mumford said also it looked like the Federal stimulus money for the Center Street Project was more than he originally thought and there would be \$500,000 additional over the \$1,000,000.

Mumford suggested he could bid out the project both with and without PI and then a decision could be made. Mayor Phillips asked for a summary of issues for the Council to consider.

Anderson posed the following questions to the Council: 1) Do you feel compelled to get PI in as fast as possible with or without federal funding? 2) Do you want to stay status quo because you feel the water availability is O.K. for 10 or 15 years. 3) How do you propose to allocate the cost to those that are the beneficiary of PI--there had to be a way to pay back the capital costs for installing the line for delivering water to homes. 4) Does the City create a new water rate for those that have PI delivered to their homes because of City work rather than a developer who gave water shares as a result of development. 5) What about the ditch system and flood irrigation.

Mumford talked about the water savings from seepage (from ditches) and that possibly compensating for the water rights the City would need to put into the system. Councilmember Horner said the City needed to pursue that thought/issue. Mayor Phillips felt it was important to pursue the PI for the entire City. He said it was the right thing to do for all the right reasons and the Council should not be scared off because of costs.

Mumford said he needed direction, as far as this piece, by the end of the month. He said he could pursue as is and if the PI had to be pulled out later, it could be. Councilmember Bradshaw said it would be fool hardy to let this slip by. He felt the City needed to put the lines in now. He wanted to plan to put in the infrastructure. Councilmember Patterson said it was foolish to put off installing the lines for 10 or 15 years. Councilmember Hokanson felt the Council would be sorry if they waited for federal funding which was not guaranteed anyway. She felt the Council needed to make the decision now.

Discussion about having further discussion on this matter during the Work Meeting held on March 19, 2009. The Council decided to start the March 19, 2009, Work Meeting at 5:30 to discuss this issue. Sandwiches would be brought in.

Councilmember Hokanson wanted to talk at a future meeting about expending impact fee monies on parks. She wanted staff to research grants to see if there were funds out there to apply for. Anderson said he would be having a meeting with Mumford and Rounds and wondered if Councilmember Hokanson wanted to attend. She said yes.

As the time was 7:00 p.m., the Work Meeting of the Heber City Council held on March 5, 2009, was continued until after the Regular Meeting. Discussion from that continued meeting is contained herewith.

Paulette Thurber, City Recorder

Approved 03/19/2009