

Heber City Corporation
City Council Meeting
April 20, 2006

6:30 P.M.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on April 20, 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
	Planning Secretary	Karen Tozier
	City Engineer	Bart Mumford
	Planning Secretary	Karen Tozier
	Administrative Clerk	Juli Larsen

George Holmes-Discussion regarding Farm Lease Agreement:

Mayor Phillips greeted and thanked George and Glen Holmes for being in attendance. George reviewed the situation with the Council members and the controversy of who he thought was responsible for payment on the sprinkling system that was being leased from Heber City to Cedarview Dairy L.L.C. He continued saying he didn't think it was fair for him to pay for the sprinkler system and now own it. The Mayor asked George to explain to the Council why he thought he shouldn't have to pay for it. George found it hard to explain but he thought if he paid for the leased equipment, it should be his. The Mayor responded by reviewing a couple of paragraphs of the lease agreement with the Council. He continued explaining the lease for land indicated where funding for the sprinkler equipment would come from as stated in paragraph #6. He read the paragraph out loud. George said he had another lease agreement that did not have that particular statement included which he didn't have with him to review at this time. The Mayor commented he would like to see a copy of his lease. He continued explaining that the City went ahead and paid for it through other means of funding. The Mayor told Mr. Holmes to bring his lease agreement to the Council to review. George commented he didn't think the agreement was fair because he had signed it while he was on his tractor. The Council verified the signed lease agreement.

The Mayor continued by explaining because the funding from the NRCS was not received, the City covered the funding and expected to be reimbursed. The Mayor

continued that Glen came to the Council about one year ago claiming he was not aware of such agreement and thought the sprinkling system and wheel line would be theirs to keep if they were required to pay for it. Mark Anderson brought to the Council's attention the letter that was attached to the lease. Councilmember Lange mentioned he spoke with George and Glen at the beginning of the agreement and mentioned the timeliness of the purchase and thought, in this case, he wanted them to bring their lease in and listen to their explanation and would like to not argue over this situation. Councilmember Lange also mentioned he thought they had taken very good care of the equipment and property. The Council, along with the Holmes', continued discussing the rental and the money owed to the City. The Mayor asked the brothers if they had a proposal on the matter as a whole that they would like to review with the Council at this time. George asked the Council what they would like the property to look like. Councilman Lange said to keep it green and from being a fire hazard. The Council discussed the grants requested in the past. The Mayor asked if they were still interested in farming the land. George said yes they would like to still farm the land. The Mayor said they had the signed lease agreement plainly in front of them which still has not been lived up to. He continued explaining letters have been received back and forth and money is still owed to the City which includes not only the annual billing but the equipment, as well. He continued explaining to the Council the question should be clear, to pay for the water line, keep the lease agreement and if not pay for the equipment and walk away from the lease agreement so the City could lease to someone else. Discussion. The Mayor asked the Council if it would be in the best interest of the City to cut loses, compromise and close this matter. The Mayor asked George to bring in their copy of the lease agreement for the Council to review. Continued discussion as to who was responsible for payment.

Mr. Holmes made three proposals to the Council. 1) The City purchase the wheel line plus the ones they had put on (\$100 link – about 15 links) and they walk away. 2) The City pay for the wheel line, putting it together and the \$500 rent for 2004. If the City wanted the Holmes' to rent it, they would. 3) The City pay for the new wheel line, the Holmes take what they brought in and someone else rent it.

Mayor Phillips reviewed and clarified the three options. Councilmember Lange felt the issue should be continued. Discussion about the time line for planting and if a week or two would make a difference. It was decided the Council would have a meeting next week, would make a decision at that time and would notify the Holmes' of their decision.

As the time was 7:00 p.m., the Regular Meeting of the City Council started.

It was determined, because of the lateness of the hour, the Council would only address the most pressing matters remaining on the Work Agenda. The City Council continued with the Work Agenda; the time was 10:50 p.m.

Review proposed bike path/trail striping:

Mumford indicated that the Council had asked the bike lanes be stripped consistent with the Bike Trails Master Plan throughout the City. Because there are plans to seal all the roads this year, part of the project would be to stripe the bike trails. Mumford indicated the study analyzed the differing road widths, roads with curb and gutter, and roads without curb and gutter. Mumford reviewed the differences with the Council. He

indicated Daniels Road and one other road needed to have four feet of asphalt added to allow a bike lane; a cost estimate of \$38,000 was attached. There were a couple of roads that were too narrow to allow both parking and a bike lane; 600 South from 300 West around the bend to Heber Valley Elementary was cited as an example. Mr. Mumford indicated that one solution would be to stripe with one line and allow both parking and bike lane. Mayor Phillips felt that 650 South was too narrow and should be a no parking area. Councilmember Lange suggested scheduling a fieldtrip. Bart Mumford expressed that UDOT's permission would be needed to designate and stripe 100 South as a bike lane. 500 North would have combined parking and bike lane, Councilmember Lange pointed out the importance of the bike lane on this street due to the fact that there were numerous children who ride bikes to J.R. Smith Elementary. Mayor Phillips was concerned about the proximity of the bike path to the high school parking lot, expressing that perhaps the bike lane should start to the east of the Seminary Building. A decision was made to schedule this on the next work meeting agenda.

Juli Larsen, Administrative Clerk

Karen Tozier, Planning Secretary