

Heber City Corporation
City Council Meeting
June 17, 2010

6:30 p.m.
WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on June 17, 2010, in the City Council Chambers in Heber City, Utah.

Present: Mayor David R. Phillips

Council Members Eric Straddeck
Nile Horner
Robert Patterson
Alan McDonald
Benny Mergist

Also Present: City Manager Mark K. Anderson
City Recorder Paulette Thurber
City Engineer Bart Mumford

Todd Cates – Red Ledges – Request to delay final payments on Center Street

Improvements: Cates said he was presenting to the Council a special request. He said they had signed an Interlocal Agreement between Heber City, Wasatch County, the Jordanelle Special Service District and themselves. He said they had made payments of almost \$700,000 last year and had two payments left--\$167, 000 and \$142,000 which were to be made on June 1 and June 30. He said because of the slow selling season, they were requesting to push off those payments to July 15 and August 15. He said as he discussed this option with staff, it did not seem to be a problem and it would help them out.

Councilman McDonald said he did not have an issue with it. Anderson did not see it as a problem, as far as cash flow. Councilman McDonald moved to delay payments until July 15 and August 15. It was explained no motion was needed. Councilman Horner asked what the likelihood was that they would come in again and ask for another extension. Cates did not see that as an issue. Councilman Horner asked if the first payment was not made by July 15, would Cates agree to a penalty. Cates said he did not see a problem with making the payment by July 15. Councilman Horner said he did not see a problem with a postponement but did not want it to go beyond that. The City needed compensation (penalty) if payment went beyond the dates requested. Councilman Horner suggested if the payments were not received by August a penalty of \$10,000 be imposed. Cates figured out that would be 75% interest. He suggested that was

quite high (laughter) and said 12% was what normally would be agreed upon which would be about \$1,600. Everyone agreed to the \$1,600. Councilman Patterson said Red Ledges had been a good citizen and good on their word in the past.

Councilman McDonald – Presentation of Proposed Ordinances:

- Status Performance for Physical Performances of Service Contracts (E-Verify)
- Amendments to the Powers and Duties of the Mayor and City Council

Councilman McDonald said he had, over the last two months, looked at the Code book in relation to the powers and duties of the Mayor and Council and had looked at other cities and compared their code to Heber City's Code. He said he wanted to define in more detail the duties and powers of the Mayor and City Council and also compliance to employment. Councilman McDonald indicated he had put these proposed ordinances together with the help of Mark Smedley. He said he wanted to update the Codebook and define more the official powers of the Council.

Councilman Patterson wanted to know why he went to Mark Smedley without talking to the rest of the Council and suggested these ordinances changed the form of government. Councilman McDonald disagreed and said he did not think they changed the form of government. Councilman Patterson said he was not in favor at all. Councilman Straddeck wanted a redline/strikeout form. Councilman McDonald said he was not trying to force anything on the rest of the Council but wanted the Council to review it. Councilman Horner indicated he had not had time to review the proposal and said he did not have an opinion right now but wanted time to look at it.

Councilman McDonald said the other piece of legislation he was proposing was on requirement of contracts. This complied with State and Federal laws about e-verifying. Anderson said City contracts were already e-verified. Anderson recommended not making reference to sb (Senate Bill) because it did not reference any specific year and would be confusing. Anderson suggested any reference be to State Code Sections created instead by sb181. Councilman McDonald was fine with referring to State Code.

Report from the Housing Authority Board – Councilman McDonald: Councilman McDonald said the last couple months the Council had been talking about giving reports to the rest of the Council and as he was the representative of this Board (Housing Authority) he wanted input from the Council on the Elmbridge Subdivision and the Park City Housing Development. He indicated there were 76 units going in that Subdivision. He said the concern of the Board members was Heber City/Wasatch County had their own Housing Authority and they wanted that organization to be involved and did not want outside Authorities from other communities / counties that might take away from Wasatch County. He expressed concern with getting too dense with affordable housing and the impact to schools, infrastructure, etc. He also had

concerns with too many affordable housing units coming in at once. Discussion about other proposed affordable housing units. Anderson indicated there was senior housing, Elmbridge, and Cowboy Partners that all received tax credits from Utah Housing Authority to build units. Councilman McDonald suggested affordable housing should be spread out throughout the community. He talked about Sherman's Landing that had been changed to have all the affordable housing units in one row. He talked about those lots being shrunk by making four lots out of three (still meeting the code requirements) and said he preferred that they were spread out throughout the development. Tony Kohler said there were three chances to look at the affordable housing--Affordable Housing Board, Planning Commission and City Council. Councilman McDonald said another thing he had concern with was the interest rate of senior housing monies and making the Affordable Housing Organization a lending institution. Councilman Horner said it was something new to lend to the developer as they had lent to purchasers before but never the developers. Councilman McDonald said the Authority had 2.6 million dollars in one account and had decided they were going to disperse that into about 8 different banks for protection against bank failures. Anderson suggested those monies could be deposited into the State Treasurer's Pool.

Discuss Participation in the Wasatch County Fair Days and Swiss Days Parades: The Council was interested in participating.

Update on Center Street Project: The Council asked for an e-mail update instead of taking time in this meeting.

Reports from other Boards: No other reports were given.

As there was no further business, the Heber City Council Work meeting adjourned.

Paulette Thurber, City Recorder