

Heber City Corporation
City Council Meeting
July 15, 2010

6:30 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on July 15, 2010, in the City Council Chambers in Heber City, Utah.

Present: Mayor David R. Phillips

Council Members Nile Horner
Robert Patterson
Alan McDonald
Benny Mergist

Excused: Council Member Eric Straddeck

Also Present: City Manager Mark K. Anderson
Deputy City Recorder Michelle Kellogg
City Engineer Bart Mumford
City Planner Tony Kohler
Chief of Police Ed Rhoades

Luke Peterson – Introduction of new Wasatch County Business Development Director:

Peterson introduced himself to the Council and stated he was looking forward to meeting with each Council member individually. He explained economic development and tourism had been separate entities but now they were combined as one operation. He indicated the same tools were used to attract tourists and businesses. This valley had much to offer: natural resources, people, and was business friendly. Peterson stated his entity had changed its name to Wasatch Tourism and Development, and said the business development aspect was key to his success. He emphasized that in the past, others focused on themes. He was not interested in themes but whatever would be successful.

It was indicated Peterson was an employee of all the entities in the County, even though the County paid his salary. His office was located in the Chamber of Commerce building. Councilman McDonald asked if Peterson had any ideas on how to help small businesses. Peterson stated Business Expansion and Retention (BEAR) had grants available to assess businesses and see if they qualified for certain services. Peterson also wanted to find financing to help those businesses with their business plans, help them set up QuickBooks, show them how to build a website, etc. Peterson stated he was looking to make the most of the events going on throughout the County. He wanted to combine those calendars so businesses could take advantage of that knowledge. He also wanted to bring businesses together to help each other. Councilman McDonald wanted him to find ideas to help those in the construction industry.

Peterson talked to a few construction companies and they indicated they had partnered with mortgage companies for reciprocal referrals.

Review of Letter from the Lt. Governor's Office – 2009 Population Estimate of 10,107 and Designation as a 4th Class City: Mayor Phillips reviewed the letter from the Lt. Governor. Anderson indicated the numbers were from 2009, so when the census was tallied the population number would be more accurate.

Distribution of the Revised Heber City Budget for 2010-2011: Anderson indicated he incorporated the changes the Council had requested and stated the Manager's Message talked about the funds affected and the amount required to be appropriated from the General Fund to balance the budget.

Discuss the need for a Drinking Fountain at the Main Street Park: Mayor Phillips indicated he had asked for this item to be included in the agenda. He was at the Main Street Park and was informed there were no water fountains. He thought that was a needed item. Anderson stated at one time there was one in the pavilion but it kept getting damaged, so it was removed. In talking with Rounds, there were a few areas where a stand-alone fountain could be installed for a total cost of \$1,000 – \$3,000. It was indicated labor and material would be less than \$500 per fountain. Councilman Mergist asked if one would be handicap-accessible and thought that would be required. Anderson thought of having one with different heights. The Council was favorable to the project.

Update on Culinary Water System: Mumford said there were difficulties with discolored water in the drinking water. He stated the milky look was air in the water. There was also a red/brown color which appeared randomly because of deposits being pulled out of the sandstone in the hospital well. He stated since it was the hottest part of the season, it would be hard to shut down, but there would be filtration. He also thought it could go away with time. Councilman McDonald asked if there was filtration. Mumford said currently there was no filtration on any of the wells in town. He indicated there was no bacteria found in the water; only sediment. Anderson indicated when the well started up, it pumped to waste for awhile to get rid of the sediment. Mumford stated he would continue to observe the well to see if patterns occurred. He said the well hadn't been dug deeper but the pump was moved from a 130 foot depth to a 200 foot depth. He thought the color would eventually clear up. The casing was 400 feet deep. Anderson said since the pump was deeper, it was picking up more sediment, and it might have to be raised to clear up. Councilman Mergist asked if the sediment would hurt the pump. Mumford said not in the short-term, but if it went on for years, the pump could be damaged. After the hot season, he would examine it further. He indicated it mostly affected the homes west of 750 East. Discussion on utilizing Broadhead Springs.

Status of the Center Street Project: Mumford said Center Street was getting close to opening, and thought by next Thursday at the latest it would be open. The work that remained was to finish the landscaping, striping, etc., and he indicated the street was open to local traffic now. Mumford stated that once it was open, it would take a month or two to close out and get the paper work finished. He was notified that a contractor was preparing a delay claim against the City. Councilman McDonald asked why the contractor pulled out from doing part of the project

and why the Public Works Department was required to do it. Mumford said it was not part of the UDOT project but a separate project. The Contractor originally agreed to do the side project and then he changed his mind. The contractor further indicated if the project was delayed he would charge a delay fee. Councilman Horner asked who approved to have Public Works do it. Mumford said there was a time frame with replacing the 12" waterline and Tozier felt Public Works could do the job. Mumford indicated having Public Works employees do the work would save time and avoid the delay fee. It took time to advertise for a new contractor and go through the bidding process. He did what he thought was in the best interest of the City. Councilman Horner said he felt the City Council should have made that decision and asked who authorized overtime hours for those employees. Anderson stated he gave the authorization for overtime for the Public Works employees involved in the project.

It was explained the contractor put in the main waterline but wouldn't connect the line to the side street connections. Councilman McDonald asked who gave the warranty on that work done. Mumford said if there was a failure, the City would be responsible for its part and the contractor would be responsible for his part. Councilman Horner stated if he had been aware of the situation he would have talked with Gordon and Gordon may have done it. Mumford indicated if the Council wanted to give criteria on what their input should be, he would comply. Councilman Horner asked if there was a policy on change orders. Mumford indicated there was not. Councilman McDonald commended Mumford on a job well done, and suggested the City could ask for a refund from the contractor for backing out on this project. Mumford said with the details of the contract, it would be hard to get money back. Mayor Phillips advised Mumford that when in doubt, he should ask Anderson to email the Council for direction. Anderson said he would check on a policy for change orders.

Discussion on Center Street Pressurized Irrigation Issues: Mumford stated many businesses and residences on Center Street were connecting to the secondary irrigation system without turning in irrigation shares to the City. He indicated there were 14 lots where the ditch users paid Wasatch Irrigation for their irrigation water. The remaining users in Timp Meadows Subdivision contributed water rights but never got water. An overhead was displayed and there was discussion on the secondary irrigation users. Mumford showed another group that contributed water rights but didn't contribute to the system. They were entitled to water but hadn't put in any infrastructure.

Mumford gave some options to this problem. The City could tell the owners who formerly had the ditch irrigation they didn't have to pay or it could ignore that they were not paying. Another option was to lock up all the units, which would make the residents angry. Mumford and Anderson suggested sending a letter to these people saying they could use it now and pay for the City's water rights, but next year they would need to turn over the water rights.

Councilman McDonald suggested sending a letter with what the fee was. It was thought there could be cross connections if the residents connected the lines themselves. Councilman Horner asked if Zions Bank and the two others had hard plumbed into the system. It was indicated they had and three others used hoses to connect to the system.

Councilman Horner suggested not charging the people using the hoses the rest of the summer, but to inform them they wouldn't be able to hook on permanently until next year. Councilman Patterson said the residents should all pay a fee because the owners knew they were using it for free and shouldn't be shocked if they received a bill.

Councilman McDonald agreed with Councilman Horner. Mayor Phillips suggested informing the residents and charging a fee based on lot size. It was indicated water rates needed to be adjusted all around. Mumford confirmed the Council agreed to let the affected residents along Center Street use the secondary irrigation without charge.

Anderson said there were ditch users on 100 South that also wanted to hook onto the irrigation system. Anderson stated he would email the Council for final feedback.

Reports from Other Boards: None were given.

With no further business, the meeting was adjourned.

Michelle Kellogg, Deputy City Recorder