

Heber City Corporation
City Council Meeting

August 7, 2008

6:30 p.m. Work Meeting

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on August 7, 2008, in the City Council Chambers in Heber City, Utah.

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

Interlocal Advisory Board Meeting – August 12 – 7:30 p.m. – Wasatch County Offices:
Information for this meeting was provided in the packet prior to the meeting.

Utah League of Cities and Towns Convention – September 10-12, 2008 – Need registration and the dates a hotel room is needed: It was indicated hotel rooms had been reserved at the Sheridan, the same place as the conference.

Jennifer Kohler – Wasatch County Housing Authority (WCHA) update: It was explained the Council received an annual report/update on the WCHA status. Jennifer Kohler was present to give that update. She passed out a handout and referred to it frequently. It contained the board members, including Councilmember Hokanson and Councilmember Bradshaw. She reviewed the purpose of the Housing Authority. The purpose of Wasatch County Housing Authority (WCHA) is to act as an advocate for low-income families in Wasatch County, provide first-time homebuyer assistance to income-qualified residents, subsidize rent in 12 contracted apartments, enforce affordable housing ordinances, assist with housing-related projects (i.e. grant applications, targeted group programs, etc.), and create and preserve affordable rental and for-purchase housing opportunities.

Kohler explained that the HUD numbers needed to qualify for affordable housing had gone up so more people could now qualify. Some accomplishments of the WCHA had been obtaining \$450,000 in community development block grants in the past five years for down payment assistance, Senior Center/Library, land acquisition for independent living senior/disabled facility, helping to secure housing for over 50 Wasatch County families through first-time buyer loans, equity-only loans, subsidized rent, Habitat for Humanity and Share the Future projects. It also assisted with the creation of affordable housing plans and ordinances, continued to work closely with more than 50 housing developers to enforce the ordinances, recently created recordable documents (deed restrictions) to preserve affordable housing for 40 years, and restructured the fee-in-lieu formula making fees more proportionate.

Kohler explained the current goals of WCHA were to create a stock of available housing units, such as senior living in Ranch Landing. Also to establish new-construction criteria for deed restricted units, secure new funding resources such as new grants, no-interest loans and tax credits, evaluate and make recommendations to the Affordable Housing Ordinance, and define the process of enforcing the ordinance.

Kohler said she would like to define a set process of enforcing Heber's affordable housing ordinance. She said there had been some great improvements in the area such as more occupancy in the affordable housing, especially in the Ranch Landing project. There had also been better communication between the City, the Planning Commission, and WCHA, more support of affordable housing efforts, and new overlay zones.

Anderson asked how much interest there was in affordable housing at Ranch Landing. Kohler answered that there was a lot. Councilmember Patterson asked how many units were available. Kohler said quite a few. She was appreciative of the support from the Council, staff, and Planning Commission.

Kohler felt there were some challenges within Heber City and said the current affordable housing ordinance was outdated and not easily understood. She said the City had reverted to the old ordinance and any new developments coming into the City were being referred to the old ordinance. Mayor Phillips wondered why this happened. Anderson said this ordinance needed to be brought back for discussion. Kohler suggested there was vague language that needed to be clarified. She said developers would wait until the last minute to read all the information and procedures and suggested there was no clear process in place for developers. Kohler suggested another challenge was that in some cases, affordable housing plans had been approved by City staff without being reviewed by WCHA. Kohler said she hated for the Council to overlook her as there could be repercussions. Councilmember Hokanson wondered if the WCHA should sign off on the plats. Mayor Phillips asked who signs off on a plat for the City. Mumford indicated he required a letter that said the requirements had been met. Requiring letters insured the plat would not be bogged down with too many signatures.

Kohler felt some density designations and fees were counter-productive to creating affordable housing. She said, too, impact fees really added up so she would like to see if some reductions in those fees could be implemented to make the homes more affordable. Anderson clarified the law. Somebody had to pay the fees, whether through grants, the builder or the buyer.

Kohler recommended that the City redefine its affordable housing goals, update the City ordinance, and require WCHA involvement with the plat approval process. She asked the Council what the City wanted to see in affordable housing (i.e. rental, single or multi-family) and could WCHA get a timeline of when the City wanted to see these things happen. She also asked how WCHA could better serve the City. She wanted to see a timeline for implementing the recommendations she mentioned. She also wanted to know if the City was willing to consider new ways of ensuring that affordable housing (i.e. fee reduction on deed restricted units, higher-density overlay zones in new locations, etc) didn't slip through the cracks.

Mayor Phillips wanted to know about other cities' plans for affordable housing. Kohler said there were several things in the County that were in the works, especially around the college. Mayor Phillips wanted this topic on a future agenda for discussion. He indicated, too, the current Program had expired and suggested the Planning Commission should start working on an updated plan. The Council was in agreement that a new plan should be worked on by the Planning Commission.

Kohler showed the form for the approval process that developers received. Councilmember Bradshaw agreed that the City needed to proceed on more affordable housing. Councilmember Hokanson wanted to discuss a new ordinance and would like Kohler to return and take part in that discussion.

Anderson brought up the point that the City owned lots on behalf of the Housing Authority and should consider transferring those lots to WCHA to do as it saw fit.

Discuss appointment of citizens to the Building Committee: Anderson encouraged the Council to identify a number of citizens who could be on the committee. Then they needed to identify some alternates after the regular members had been asked. He said, too, the Council needed to decide which council members would serve on the board. Discussion about the names presented. Councilmember Hokanson said Gordon did not have the time nor did Powell. She felt Norm Eiting should be left on. Councilmember Straddeck said from a philosophical viewpoint, he thought the majority should not be affiliated with the City, not because they couldn't be objective, but because they were involved with the City all the time. He would like to see the Council reach out to others first. Councilmember Bradshaw said he had heartburn with the number of people that did not live in the City.

Councilmember Bradshaw suggested that nine members serve on the committee. Councilmember Straddeck and Councilmember Hokanson agreed. Councilmember Patterson suggested ten. It was decided the committee would consist of nine citizens: Mike Johnston, Mike Thurber, Tish Dahmen, Paul Kennard, Darryl Glissmeyer, Francis Harrison, Jr., Norm Eiting, Eleanor Nelson, and Corey Holmes. It was decided a letter would be drafted inviting these people to participate on the committee and asking for an RSVP.

Discuss multiple families living in the same residence (see 18.08.200): Mayor Phillips indicated this was on the agenda because of a complaint. He said staff needed to take people's word, but there was still the need to limit the number of people in a house. He did not want to go to the extent of fingerprints and DNA.

Chief Rhoades said this was a very tough Ordinance. He said, too, it was hard to prove how many people lived in a home. He said “the water had not been tested” and he didn’t know if the City could legally do what the Ordinance required. Chief Rhoades said when the Police Department got a complaint like this, they try and work it somewhat logically. He said they check the home area several times and get license plate numbers from vehicles parked there. He said they try to work methodically through it.

Councilmember Hokanson said to write her (the complainant), include a copy of the Ordinance and tell her the City needed some specifics. Mayor Phillips said he would have Anderson send this lady a letter and if she had a specific complaint, that was needed in order to look at it in view of the laws, and that the City Council would then discuss it.

Discuss request for a Crossing Guard at 980 South 1200 East: It was indicated the School District wanted a crossing guard at this location which would provide access to Old Mill Elementary. Chief Rhoades said if he looked at the request based on the Ordinance, by the created need, there was a controlled intersection. He said the stop sign actually controlled the traffic going west bound which crossed the path of the children going south bound. He said the issue was off of 1200 East and turning or going westbound on 980 South. The kids did not feel they were safe.

Chief Rhoades said the problem could actually be the speed limit and wondered if the crossing was or was not in the City limits.

It was indicated the cost to hire a crossing guard at that location would be approximately \$4,500 a year.

Chief Rhoades said the area did not warrant a crossing guard if it was a controlled intersection and this intersection had stop signs.

Councilmember Straddeck said he did not want to play with child safety. Councilmember Patterson agreed and said he was all for the safety of the kids. He felt the intersection was a disaster waiting to happen. Councilmember Bradshaw also thought one was needed.

Anderson suggested going to the School District and tell them the City already had \$10,000 in crossing guard salary for guards the City didn’t have to have.

Councilmember Straddeck said he would defer to what Chief Rhoades felt was the right thing to do.

Anderson indicated he would approach the County to see if they would help with the costs, as well as the School District. Chief Rhoades was asked to get Anderson information on where crossing guards were not required but the City had them placed anyway.

Review draft budget of the Center Street Project – Discuss Scope of Work: It was indicated that in the packet of materials provided tonight, there was a budget that had been provided by Mumford for the Center Street project. (rough estimate) Anderson talked about the funds

available from UDOT (\$1,000,000) and Red Ledges (\$1,000,000). He said anything over that would have to be provided by the City. Anderson said he thought transportation funds (the City had about \$1,300,000) and road impact fees (about \$1,000,000) could be used but there were other projects that were “looming” out there. He said he had not looked at the budget to determine what had been committed for other projects. He suggested also looking at the water fund as there might be some elements in this project that would qualify for use of those funds and also a small amount from the storm drainage impact fees.

Mumford indicated a public hearing would have to be held the last of August or first of September. He said the way costs were coming in, the budget was one million over what initially thought. (initially \$3,000,000 and now close to \$4,000,000) He suggested that before the City went to the public on a final plan in the form of a public hearing, it would be best to have determined the final budget and funding available.

Mumford reviewed the scope of work--three lanes from Main Street to past the canal bridge, storm drain system, curb and gutter, replacing the bridge crossing the canal and widening it, installing secondary irrigation and sidewalk where it was missing.

Mumford suggested there were three potential option. 1) cut part out (stop the project at 1200 East). That may save \$300,000. 2) cut out the curb, gutter and storm drain system – probably \$1.3 million would be saved. (Mumford said this option would be a very drastic option) He said he favored doing something in between. He suggested if a little more money could be obtained, the same project could be done by not installing pressurized irrigation (for instance) and if he was very aggressive on cost cutting. He asked for suggestions form the Council.

Mayor Phillips said it was important to do this right the first time—“If we ever want a storm drain, we need to do it right.” Councilmember Patterson felt the same way about pressurized irrigation.

Anderson said the City could fund the project but the Council needed to understand there may not be enough money for other projects such as the Daniels intersection. He suggested, in looking forward, there may be increased money in some funds in the future because of the Boyer project.

Councilmember Straddeck asked about bonding for this project. Anderson said that was a possibility, but suggested spending the money the City had now and bond for the next project.

Councilmember Bradshaw felt strongly, too, that if that was going to be done, do it right the first time even if the City had to look for other sources of funding.

Councilmember Straddeck asked if the curb, gutter and storm drain were not installed in now and just the road installed, and then later on decide to do that, would a lot of road have to be dug up. Mumford said they could be connected but it would not be as easy. Mayor Phillips asked if the City did this project right to the point of the amount of money available, and finish later, if that would work. Anderson again said the City could fund it all but that might mean the City

wouldn't have funds for maintenance of other projects in the future. Mumford said curb, gutter and storm drain was a big expense. Further discussion.

Mumford concluded from the Council discussion to keep the project as much in tact as possible for the public meeting. He said he would refine the numbers and would present another draft to the Council again right before the public hearing.

Councilmember Straddeck wanted a list of projects in the next five years that might be affected if all funds were spent on this project.

Review request from KTMP: It was indicated a request had been made by KTMP to have weekly updates on the radio. Councilmember Hokanson said "no thanks". Mayor Phillips said he would prefer putting something in the newspaper. Councilmember Straddeck liked the concept. He felt it would be a great public relations opportunity and beneficial to the community.

Discuss status of Information Technology Issues – City Council e-mail addresses:

Councilmember Hokanson did not want to give e-mail addresses out unless they were a City Council e-mail.

Discuss maintenance of storm water retention pond for the Boyer Project: Anderson said the issue with the Boyer project was that there was a storm drain proposed directly South of Rick Widdison's property. He said the Subdivision Agreement was silent on who would maintain the storm drain. Mumford said he wanted the developer to maintain it. The developer felt, however, that the storm water came off City streets and the City should maintain it. Discussion about different areas the City took care of. Councilmember Patterson thought Boyer should maintain the drain. Councilmember Bradshaw suggested it was not worth the fight. Councilmember Straddeck suggested perhaps the City didn't want the land. He thought it would be better to have an easement instead.

Mayor Phillips said he would ask Councilmember Hokanson and Councilmember Horner their opinions (they had just left the meeting) and a decision would be made based on everyone's opinion.

Other Issues: Mumford indicated Lake Creek Road was going to be widened as sewer needed to be extended across it. He said that work would cause the road to be shut down. He said there was a water stub out that needed to be put in, as well. He suggested if the City fronted the money, the City might be able to get the money back from Stone Creek when there situation was more secure. He said the cost ranged from \$15,000 to \$50,000. Mayor Phillips felt it made sense to do that when the road was shut down by Red Ledges. Anderson indicated he would send an e-mail out to the council when Mumford had the numbers. Mayor Phillips asked that if anyone opposed, to get back to Anderson.

Michelle Kellogg, Deputy Recorder
Paulette Thurber, City Recorder