

Heber City Corporation
City Council Meeting
November 5, 2009

6:30 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on November 5, 2009, in the City Council Chambers in Heber City, Utah.

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

Heber City's Cowboy Poetry – November 3rd- 8th – Presentation to Tom Whitaker on November 7th at 7:00 p.m.: Mayor Phillips stated that he, along with the Council, would present a plaque to Whitaker after the Bar J Wrangler show. Anderson read the inscription on the plaque. Mayor Phillips asked the Council to come to the front with him to make the presentation.

Discuss Date to Canvass the General Election – Update on Current Vote Count: Anderson said Thurber had read the State Code which stated the canvass can take place no sooner than seven days and no later than 14 days after the election. The provisional ballots had been counted and there were three votes difference between Elizabeth Hokanson and Benny Mergist. Councilmember Straddeck asked if a recount should be requested before or after the canvass. Anderson said a recount could be requested after the canvass, on the condition that there were eight votes or fewer difference.

The Council discussed a day everybody could attend. It was agreed that Tuesday, November 10th, at 5:30 p.m. they would meet for the canvass. Councilmember Patterson said he would not be able to attend.

Update on Easement Acquisition for the Valley Hills Water Tank: Mumford spoke about the conversation from a prior meeting with regard to obtaining an easement to the water tank. He reminded the Council he had asked for approval to offer the homeowner a small sum for access. The owner, Rick Lindsay, called Mumford today and said he was willing to deed approximately 3.5 acres to the City so he would not have to pay taxes on it. It was landlocked and was undevelopable. The City would be required to maintain the property if the transaction took place.

Anderson suggested if the Council was willing to accept this proposal, the City could draft a quitclaim deed and bring it to the Council for approval. Councilmember Horner asked to make sure that land would never be developed so Lindsay could have that assurance. It was determined that the necessary language could be added. Councilmember Horner asked if the Andersons had deeded their easement to the City yet. Mumford said that when the City annexed the Anderson home into the City, the Annexation Agreement required the dedication of the easement.

Discuss Increase in the Wasatch Irrigation Assessment: Anderson said the City had a few more shares this year than last year. In this year's assessment, there were two new charges that appeared on the bill – one was a \$10 fee for each lot served by pressurized irrigation and another \$10 per share of water that was allocated to the pressurized irrigation which was a non-scheduled item. Anderson stated the bill had almost tripled from what it was a year ago. Wasatch Irrigation had proposed new bylaws which created a new class of stock to the City for which they maintained the cost for servicing the City was higher than the cost of servicing the agricultural areas. Anderson said if the City tripled its rate they would want to hear from consumers, and likewise, this assessment had tripled and he would like to have discussions with the irrigation company. Wasatch Irrigation indicated it serviced 2,000 lots of which 1,400 were located in the City. Anderson suspected inflation also had to do with the increased rate, but it seemed disproportionate.

Anderson was told WANET had \$60,000-\$70,000 in reserves a year ago and now that the City maintained the system, that reserve didn't seem necessary. Mayor Phillips asked if the change would impact Heber City more than any other area. Anderson thought so. Mayor Phillips wanted to talk with them and understand their rationale. Councilmember Horner said there were more lots and more hookups which was part of the City's expense. According to McKrola, it took time and effort to even out the flows.

Councilmember Straddeck asked if they wanted immediate payment and was told yes. He stated there were three issues-that the assessment was three times the bill from last year, the bylaws and the capital improvements. He asserted that the board and Council should get together to discuss these issues. The Council shouldn't let these issues go unresolved. Anderson asked if the Council would like them to come here. Councilmember Bradshaw said their annual meeting was the first Saturday in February.

Mayor Phillips suggested meeting one day next week. He wanted to talk about the \$45,000 and the \$60,000. He also would like to talk about the stock. It was agreed that they would try to meet on the 19th before the City Council meeting at 5:00 p.m. If that didn't work, Anderson should request the 3rd of December before the City Council meeting at 5:00 p.m.

With no further business, the meeting adjourned.

Michelle Kellogg, Deputy City Recorder