

Heber City Corporation
City Council Meeting
12/07/2006

6:30 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on December 7, 2006, in the City Council Chambers in Heber City, Utah.

Present:	Mayor	David R. Phillips
	Council Members	Terry Wm. Lange Vaun Shelton Shari Lazenby Jeffery Bradshaw Elizabeth Hokanson
Also Present:	City Manager	Mark K. Anderson
	City Recorder	Paulette Thurber
	City Engineer	Bart Mumford
	City Planner	Allen Fawcett
	Chief of Police	Ed Rhoades

Others Present: Ernie Giles and Mary Ann Giles

Employee Christmas Dinner – December 9, 2006 – 6:00 p.m. – Soldier Hollow: Mayor Phillips reminded the Council of the employee Christmas dinner and encouraged any of the Council who felt comfortable to take time and say a few words to the employees that evening.

Ernie Giles – Newton Annexation Concerns: Giles indicated he was coming before the Council to get direction on his piece of property which was included in the Newton Annexation. He explained the piece of property he referred to was Don Hicken's old piece. He talked about the proposed bypass corridor and that, according to the annexation agreement, there would be an 84' easement he would have to give up for that corridor. He said that took off his access point to Southfield Road for anything in the future he might want to do with his property. He said he still had frontage on Highway 113 but that the State was getting harder to work with in relation to access points. He wondered if the Council would entertain annexing the rest of his 35 acres. He said he had visited with Anderson about this and he had suggested approaching the Council. A map was provided and studied. It was pointed out what part of the property was included in the Newton Annexation and what part was not. Giles discussed an easement for a 36" sewer line that Kay Probst would have to give and said he would be willing to do the same on his property that fronted Highway 113. Councilmember Lange talked about the existing sewer outfall line and said the City would someday have to have another outfall line on the other side of the road. Mayor Phillips summarized Giles' request. Councilmember Lange expressed his concern about the fall from the Erma Moulton property to Midway Lane. Mumford said Richter was working on his sewer problems as there was concern about the proper fall on his property, as well.

Mumford showed how a better alignment would work. Mayor Phillips asked the Council about their feelings on an additional annexation. Anderson said there had been discussion in the past as to whether or not the City boundaries should extend west of the proposed bypass. Giles said the problem he had was his access to Southfields Road and if the Council would allow him an access, he didn't care one way or the other about annexation. Additional discussion about limited access. Councilmember Bradshaw said he did not think additional access could happen based on the criteria used to determine the bypass road. Mayor Phillips suggested there may have to be an access at Midway Lane until an overpass was determined to be needed. Councilmember Shelton pointed out the City would be governed by what the State would allow. He hoped they would work with the City on these type of issues. Anderson explained Giles had some reluctance to signing the annexation agreement and giving up the bypass corridor. Mayor Phillips asked Giles if he would be more likely to support the truck route if the City would look favorably on an annexation petition of his property. Giles said Highway 113 was hard to get access to and getting more expensive all the time. He wondered if the City had any influence with the State as far as access. Discussion that there would have to be some access for those people on 650 South to the bypass. Councilmember Bradshaw said he had not envisioned development beyond the bypass route but the Council could always look at it; however, it wasn't something he had thought about. Councilmember Shelton hoped the State would work where access was needed. He suggested if someone didn't want to sign on the annexation, that property was released and if anyone questioned it, they shouldn't sign it. Councilmember Lazenby supported Councilmember Shelton's comment. She did not want anyone to feel forced into signing. It was determined the Council needed to talk to the State now and get some answers. Councilmember Lange suggested Giles talk to Al Mickelson about his concerns and what the County might be interested in doing on that side of the proposed bypass. Mayor Phillips intervened and said the City had been working with Wasatch County for quite some time and felt the Council should talk to them rather than Giles talking to Mickelson. Mayor Phillips indicated the City would get with the County in the next few days to get their input. Anderson said annexation are supposed to be recorded in 30 days so some decisions needed to be made. Giles said he would like to be part of the City. He felt it was in his best interest to take in all his property. Councilmember Lazenby suggested an agreement with Giles would have to have everything spelled out so there were no misunderstandings. Giles said again he did not want to give up his right to an access on Southfield Road. More discussion about the proposed annexation agreement. Anderson pointed out the annexation agreement for the Newton Annexation did not affect Giles. Mayor Phillips indicated the Council would get together with the County to talk about boundaries, etc., and what past Councils had perceived was the end of the City limits. He pointed out, though, that circumstances and attitudes change and questioned who could say what the boundaries would be in the future.

Discussion on Water Right Conversion: Mumford indicated Devin McKrola would like to see the City change the way water rights were evaluated. Mumford indicated he would study McKrola's proposal and get back to the Council as he would be interested in making a change if it looked good to him.

Discuss Compensation for Planning Commission for Special Meetings: Kieth Rawlings asked about being compensated for two special meetings. Anderson referred to the Code which outlined the Planning Commission got paid for regular meetings. It was decided there would be no compensation for the special meetings.

Discuss Persons to Serve on Critical Land Committee: Brief discussion. Councilmember Bradshaw was chosen to serve on the Critical Land Committee.

Discuss Hiring of Public Works Part-Time Secretary: It was indicated no monies had been budgeted for this position this budget year. It was also indicated Mayor Phillips and Anderson had met with Tozier to discuss this issue. It was pointed out that Tozier spent a lot of time doing administrative work. The Council asked if the money could be found to fund this position. Anderson indicated yes. The entire Council was O.K. with hiring a part-time secretary to work in the Public Works Department. Councilmember Lange stressed that Tozier had to let go of some responsibilities and use the person hired.

Chief Rhoades – Emergency Management Training: Mayor Phillips indicated he had asked the Chief to take a little time each meeting to discuss emergency management issues. Chief Rhoades quickly reviewed Utah State Code 63.5b.401 which stated that “by July 1st of each year each political subdivision officer shall designate at least three emergency interim successors, specify their order of succession and provide a list of those designated successors to the Division.” He said a successor would be the elected official who had the authority to take charge in an emergency if the Mayor was not available. He explained the “Division” was the Emergency Services of Utah. Chief Rhoades did not know if the City had taken the steps to report the authorized person(s) and the succession of authority each year. Mayor Phillips indicated the decision had been made several years ago that the seniority of the Council Members be followed for the successor requirement. Chief Rhoades indicated that, in the law, not being at the scene did not mean they weren’t contactable--with modern technology, a person doesn’t have to be on the scene to be the authorized emergency manager. Chief Rhoades indicated he had given the Council a binder last year which contained Heber City’s Emergency Operations Plan. He talked about the Proclamation/Declaration under Annex I which outlined that if the City didn’t deem an emergency over the bounds of what they could handle, it couldn’t get help from the Federal government once an emergency was declared. He said it didn’t mean the City would automatically go out of their boundaries for help; but, no help would be available unless an emergency was declared. He said the line of help would be the County first, State second, and Federal Government third. When a disaster happens, the City’s Response Plan is followed. First the City declares to the Emergency Agency of Utah that they have had a disaster. That opens the door for help. The Emergency Operations Plan would have to be activated. An emergency cost would have to be established. Someone would have to be assigned to keep track of hours and other expenses. Radio and other direct contact would have to be established with the State. The City would also conduct a damage assessment so it could be understood where the City stood and its ability to handle the emergency. Then the City would issue a local state of emergency and if it was outside what the City could handle, help would be asked for first from the County, then the State and then the Federal Government. He said all this was explained in Annex I of the binders.

Mayor Phillips asked the Council if they would support telling developers to get their construction trailers off the street. He said the City needed to “take the City back”. The Council was supportive. Other discussion about people parking on the streets during snow removal times. Anderson said he had sent an e-mail to Chief Rhoades on some of these issues and that Ryan Yardley, Code Enforcement Officer, had been upstairs talking to Tony Kohler earlier in the day. Anderson said staff had had extensive conversations in staff meetings and other discussions about identifying some of these problems.

Councilmember Lange expressed concern with the stop sign situation into the public works area. He said the railroad hadn't killed their weeds either. Mumford indicated debris also caused problems with the storm drain system, especially as there is development on steeper ground. Mayor Phillips suggested people get a list of what they could and couldn't do when they get their building permit. Chief Rhoades suggested the City Code might have to be changed to allow enforcement of issues not already covered, such as construction trailers, construction debris, etc. Mayor Phillips wanted Chief Rhoades to look into the Code to determine deficiencies.

Councilmember Hokanson expressed frustration about no one using the new sidewalk on Mill Road because of snow removal or lack of. It was discussed the School District had committed to keep the sidewalk clean but there were rocks on the mow strip and also that in the second phase of Ivory, the sidewalk was only four feet wide and the blade on the School District's plow was five feet. Anderson said the City needed to educate the property owners to keep their sidewalks clean. He said it was a combination code enforcement issue and education issue. It was suggested that until the Ivory Home development got populated, there would continue to be a problem. Fawcett suggested it was the responsibility of the homeowners association to keep those sidewalks clear.

Review of Agenda Items:

Mark Anderson explained that Tish Dahman had made contact with the City about the Historic Preservation Committee. She was wanting to get that finalized in order to qualify for grant monies and that applications needed to be submitted before the end of the year to get monies in the next year. Because the City didn't have a complete committee, Dahman suggested she and Carol Lee Martinez could be on that Committee with Councilmember Lazenby and Lucille Tuttle. Other names suggested were: Donna Mork and Lisa Burkemo. It was indicated three of these people would be contacted and final ratification would be made in January. Anderson was asked to prepare a letter to these people and also get a copy of their resume to be submitted with the application to the State. Thurber would place this item on the next agenda for discussion.

It was indicated the Council would meet with Wasatch County Council again the first week in January.

The regularly scheduled meeting of December 21, 2006, was cancelled.

As the time was 7:00 p.m., the regular meeting of the Heber City Council was convened.

Paulette Thurber, City Recorder