

REGULAR MEETING

**AGENDA
AND
STAFF MEMO**

HEBER CITY CORPORATION
75 North Main Street
Heber City, Utah
City Council Meeting

December 5, 2013
7:00 p.m.
Regular Meeting

TIME AND ORDER OF ITEMS ARE APPROXIMATE AND MAY BE CHANGED AS TIME PERMITS

Pledge of Allegiance: Council Member Alan McDonald
Prayer/Thought: Council Member Erik Rowland
Minutes for Approval: November 19, 2013 Special Meeting
November 21, 2013 Work and Regular Meetings

OPEN PERIOD FOR PUBLIC COMMENT

APPOINTMENTS

(Tab 1) Tracy Kelley, Best Friends Animal Society, Recognition of the Heber Valley Animal Shelter Recognition

ACTION ITEMS

(Tab 2) Approve Red Ledges Phase 1 P, a 26 Lot Subdivision Located in the Red Ledges Planned Community and Associated Subdivision Agreement

(Tab 3) Adoption of Ordinance 2013-11 – An Ordinance Amending Section 6.25.010D of the Heber City Municipal Code – Validity, Rabies Vaccination Pre-requisite to Issuance

DISCUSSION/ACTION ITEMS

(Tab 4) Adoption of Ordinance 2013-12 – An Ordinance Amending the Consolidated Fee Schedule Appendix “A” (Consolidated Fee Schedule) Associated with and Pertaining to the Rabies Vaccination and Dog Registration Licensing Fees, Title 3.15 of the Heber City Municipal Code

CLOSED SESSION AS NECESSARY – PURPOSE TO BE ANNOUNCED IN MOTION

Ordinance 2006-05 allows Heber City Council Members to participate in meetings via telecommunications media.

In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Michelle Kellogg at the Heber City Offices (435) 654-0757 at least eight hours prior to the meeting.

Posted on December 2, 2013, in the Heber City Municipal Building located at 75 North Main, Wasatch County Building, Wasatch County Community Development Building, Wasatch County Library, on the Heber City Website at www.ci.heber.ut.us, and on the Utah Public Notice Website at <http://pmn.utah.gov>. Notice provided to the Wasatch Wave on December 2, 2013.

Memo

To: Mayor and City Council
From: Mark K. Anderson
Date: 12/02/2013
Re: City Council Agenda Items

REGULAR MEETING

Tracy Kelley, Best Friends Animal Society, Recognition of the Heber Valley Animal Shelter (Tab 1): The Best Friends Animal Society of Salt Lake has asked to come and recognize the Heber Valley Animal Shelter as being a 90%+ no kill facility. Enclosed is an email from Temma Martin and a draft press release that recognizes no-kill communities.

Approve Red Ledges Phase 1 P Subdivision Plat, a 26 Lot Subdivision Located in the Red Ledges Planned Community and Associated Subdivision Agreement (Tab 2): Red Ledges is coming before the Council to seek final plat approval for Phase 1 P. This is a 26 lot subdivision plat in close proximity to the city-owned McNaughton water tank. Enclosed is a staff report prepared by Tony Kohler with the accompanying subdivision agreement and plat map. The Planning Commission has reviewed the proposed subdivision and is recommending approval subject to the conditions contained in the subdivision agreement. Staff would recommend approval.

Adoption of Ordinance 2013-11 – An Ordinance Amending Section 6.25.010D of the Heber City Municipal Code – Validity, Rabies Vaccination Pre-requisite to Issuance (Tab 3): Enclosed is a draft ordinance that allows for the lifetime licensing of dogs which is being recommended by the Animal Services Control Board. See enclosed staff report from Chief Booth. Because the City will still need to verify proof of rabies vaccinations, a dog owner will still be required to come in every three years to provide a proof of rabies vaccination and pay \$5.00 for a new tag. Staff would recommend approval. The proposed fee adjustment is as follows:

• Dogs not sterilized	\$25.00	No fee change
• Dogs that are sterilized	\$20.00	\$5.00 fee increase
• Lifetime license (not sterilized)	\$60.00	Not previously offered
• Lifetime license (sterilized)	\$40.00	Not previously offered
• Rabies verification (new tag)	\$ 5.00	Not previously offered

Adoption of Ordinance 2013-12 – An Ordinance Amending the Consolidated Fee Schedule Appendix “A” (Consolidated Fee Schedule) Associated with and Pertaining to the Rabies Vaccination and Dog Registration Licensing Fees, Title 3.15 of the Heber City Municipal Code (Tab 4): Enclosed is the ordinance that amends the consolidated fee schedule to reflect the adoption of Ordinance 2013-11. If the Council does not adopt Ordinance 2013-11, there is no need to adopt this Ordinance. Staff would recommend approval.

MINUTES

1 **Heber City Corporation**
2 **City Council Meeting**

3
4 **November 21, 2013**

5
6 **6:00 p.m.**

7
8 **WORK MEETING**

9
10 The Council of Heber City, Wasatch County, Utah, met in Work Meeting on November 21,
11 2013, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

12
13
14 **Present:**

15 Mayor
16 Council Members

17 David R. Phillips
18 Robert Patterson
19 Alan McDonald
20 Benny Mergist
21 Jeffery Bradshaw
22 Erik Rowland

23
24 **Also Present:**

25 City Manager
26 City Recorder
27 City Engineer
28 Chief of Police

29 Mark K. Anderson
30 Michelle Kellogg
31 Bart Mumford
32 David Chief Booth

33
34 **Others Present:** Heidi Franco, Mark Smedley, Laurie Wynn, Kelleen Potter and others whose
35 names were illegible.

36
37 Mayor Phillips opened the meeting and welcomed all in attendance.

38
39 **Discuss Scheduling a Public Hearing to Amend the City Budget:** Anderson stated the new
40 State Auditor was adamant that the budget should be amended before the funds were spent. It
41 was noted that a water rate increase table was emailed to the Council last night. Anderson stated
42 the increase didn't have to be included when amending the budget since it was mentioned when
43 the budget passed, but he felt the proposed rate increase should be made available for public
44 input. He suggested holding the public hearing before the end of the year. It was decided to have
45 the budget report presented and amend the budget at the meeting held January 2, 2014. The
46 Council agreed to cancel the City Council meeting scheduled for the 19th of December.

47
48 **Business License Study Work Meeting – December 5th at 5:00 p.m.:** Anderson stated the
49 Council would review this study on December 5th so action could be taken if the Council felt
comfortable. Some of the Council didn't think that time frame would be sufficient time to
consider the proposal and discuss it thoroughly. It was tentatively decided to send out the
business license renewals at the current rates and any new rates could be enacted in February for
new businesses. The Council agreed to meet at 5:00 p.m. on December 5th for the presentation.

50
51 **Review Video on the Need for a New Public Safety Building:** Chief Booth passed out the
script for the video and explained the high school audio/visual class was doing the video footage
that went along with the script. He was told the video should be ready Saturday to go out on

1 YouTube and links to the video could be added to the City website and the Police Facebook site.
2 Chief Booth stated the Heber Valley Tourism and Economic Development office also offered to
3 put the video on its website. Heidi Franco asked if Mayor Phillips could promote the video in his
4 Wasatch Wave article. Chief Booth stated he presented his PowerPoint presentation on the
5 Public Safety Building needs to the Wasatch County Taxpayers Association and Cornerstone for
6 Freedom groups.

7
8 Mumford stated he visited with the GSBS architect and a kickoff meeting needed to be
9 scheduled. A committee also needed to be formed for this project. He hoped the first meeting
10 would be the first week of December. Anderson asserted he wanted this project to get going as
11 soon as possible and would like something from the architect to go in the CIB packet. Council
12 Members Rowland, Patterson, and McDonald stated they would like to be on the committee. The
13 tentative meeting was set for December 4th at 4:00 p.m.

14
15 **Discuss Beehive Storage Fire Protection Services:** Anderson stated the original agreement for
16 fire protection water hookups to this business which was outside the City boundaries was
17 informal at best, with no City approval given prior to being hooked up. Anderson stated in
18 talking with other cities, their policies denied services to entities outside the City limits. The
19 Council felt if Beehive Storage was to receive City services, they needed to be annexed into the
20 City. Anderson felt the property needed to be improved to City standards and the City would
21 normally request Beehive Storage to donate a portion of the property to the City for the bypass
22 route, but acknowledged that those requests might kill the project. The only service the City
23 currently provided to this property was fire service. Every time they expanded, they kept
24 extending the water line that was connected to the City system. Mayor Phillips asked Mumford
25 to see if there were previous discussions regarding this hookup that may have authorized them to
26 hookup to the City system. Mumford stated there was a well on the property but it did not have
27 enough pressure to provide fire protection. Mayor Phillips stated Beehive Storage hooked onto
28 the system to get fire hydrants for the storage units, but they never got City approval. Mumford
29 noted he checked his files and didn't find anything indicating City approval. Mumford said he
30 was uncomfortable not having control over the City system when it was outside the City limits
31 and where the business was not accountable to the City. Mumford was asked to check to see if a
32 well was on the property.

33
34 Mayor Phillips asked when the Council could meet for a Council dinner to welcome the
35 incoming Council members. It was decided the Council would meet at the Claim Jumper
36 restaurant on December 12th at 6:00 p.m.

37
38 Chief Booth announced the Police Department would participate in the Shop with a Cop program
39 on December 7th at 7:00 a.m. The police officers would each take a child in need to Walmart to
40 shop for Christmas presents.

41
42 Chief Booth stated Brandon Shopay was hired as a police officer, and would start full-time
43 December 2nd. He lives in Heber, has years of forensic and computer training, and will benefit
44 the City greatly. There were also three new reserve officers: Jared Rigby, who was doing a lot of
45 administrative tasks, background checks, and computer tasks; Ron Bridge, who was trained in
46 firearms and internet crimes against children, and also processes cellphone crimes; and Ken
47 Jones, who is an expert in the use of force training such as mace and Taser training. Chief Booth
48 indicated he would like to hire two more reserve officers and a bailiff, and noted those positions
49 were currently being posted. He also would like five volunteer reserve officers and 10 volunteers

1 in police service (VIPS) individuals. He would utilize some VIPS at the farmers market, use
2 others to work in the lab, and others to work with the Police Department's audio/visual needs. He
3 stated one VIPS would also serve in a public relations capacity. Currently, the Police Department
4 didn't have funding or resources to do these things and so VIPS would be a great help.

5
6 Council Member Rowland asked about police officers going after big rig trucks. Chief Booth
7 stated an officer needed specialty training and when they did get that training, they were usually
8 recruited by oil companies as safety managers, making \$100,000-\$200,000 per year.

9
10 In another issue, Anderson stated the City owned a parcel that included a canal in the Mill Road
11 Estates Subdivision. Trees were growing in the canal and were a nuisance to the neighbors. He
12 noted he would get a bid to take care of the trees.

13
14 Anderson stated the City contracted with Don Blackburn for building inspections, but Blackburn
15 had health issues so Kimball Engineering was helping out in that area. He noted the City would
16 not stay within its budget because of this change.

17
18 With no further business, the meeting was adjourned.

19
20
21
22
23

Michelle Kellogg, City Recorder

1 **Heber City Corporation**
2 **City Council Meeting**
3 **November 19, 2013**

4
5 **5:30 p.m.**

6
7 **SPECIAL MEETING**

8
9 The Council of Heber City, Wasatch County, Utah, met in **Special Meeting** on November 19,
10 2013, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

11
12
13 **Present:** Mayor David R. Phillips
14 Council Members Robert Patterson
15 Alan McDonald
16 Benny Mergist
17 Jeffery Bradshaw

18
19 **Excused:** Council Member Erik Rowland

20
21 **Also Present:** City Manager Mark K. Anderson
22 City Recorder Michelle Kellogg
23 Planning Director Anthony Kohler

24
25 **Others Present:** Paul Boyer

26
27 Mayor Phillips opened the meeting and announced this meeting was held to canvass the General
28 Municipal Election which was held November 5, 2013.

29
30 Michelle Kellogg opened 30 provisional ballots and six absentee ballots. The results were as
31 follows:

	Absentee/Provisional Votes	Total Votes Received
Mayor		
34 Alan W. McDonald	14	847
35 Mike Bardole	5	95
36 Erik Rowland	17	618
Council Members		
39 Heidi Franco	17	816
40 Kelleen L. Potter	18	775
41 Rodney W. Hopkins	16	722
42 Danny Goode	14	627

43
44 Kellogg noted that Alan W. McDonald was the Mayor-Elect, and the Council Members-Elect
45 were Heidi Franco and Kelleen L. Potter.

1 Council Member Mergist moved to approve the election Canvass. Council Member Patterson
2 made the second. Voting Aye: Council Members Patterson, McDonald, Mergist, and Bradshaw.
3 Council Member Rowland was excused.

4
5 With no further business, the meeting was adjourned.

6
7
8
9
10 Michelle Kellogg, City Recorder

2013 Heber City General Election Results November 19, 2013

	Early Voting Combined 20, 21, 22, 23, 24.1	Combined Precincts 20, 21, 22, 23, 24.1	Early Voting Combined 10, 11, 12, 13, 14	Combined Precincts 10, 11, 12, 13, 14	Early Voting Combined 31.1, 40, 41, 42.1	Combined Precincts 31.1, 40, 41, 42.1	Absentee and Provisional Ballots	TOTAL
Mayor								
A. McDonald	69	331	55	259	22	97	14	847
M. Bardole	1	35	6	34	1	13	5	95
E. Rowland	51	262	29	158	22	79	17	618
TOTAL	121	628	90	451	45	189	36	1560
Council								
H. Franco	60	360	39	218	17	105	17	816
K. Potter	58	261	58	259	27	94	18	775
R. Hopkins	70	391	31	128	23	63	16	722
D. Goode	54	189	42	217	20	91	14	627
TOTAL	242	1201	170	822	87	353	65	2940
Outstanding Absentee Ballots	101		49		28			
Provisional Ballots	15		17		8			

1 **Heber City Corporation**
2 **City Council Meeting**

3
4 **November 21, 2013**

5
6 **7:00 p.m.**

7
8 **REGULAR MEETING**

9
10 The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on November 21,
11 2013, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

12
13
14 **Present:**

15 Mayor David R. Phillips
16 Council Members Robert Patterson
17 Alan McDonald
18 Benny Mergist
19 Jeffery Bradshaw
20 Erik Rowland

21 **Also Present:**

22 City Manager Mark K. Anderson
23 City Recorder Michelle Kellogg
24 City Engineer Bart Mumford
25 Chief of Police David Chief Booth

26 **Others Present:** Heidi Franco, Mark Smedley, Laurie Wynn, Kelleen Potter, Janice Haynes,
27 Tracy Taylor, Anissa Wardell, Cammie Nebeker, Sheryl Nelson, Nile Horner, Ronald R.
28 Crittenden, Nathan Haack, Amy Haack, Robert Haack, David Nelson, Fred W. Schloss, Mike
29 Johnston, Gavin Brush, Cason Rasmussen and others whose names were illegible.

30
31 Mayor Phillips welcomed those in attendance and asked the visiting Boy Scouts to introduce
32 themselves. They indicated they were from Troop 222.

33
34 **Pledge of Allegiance:** Council Member Patterson
35 **Prayer/Thought:** Council Member Jeffery Bradshaw

36
37 **Minutes for Approval:** October 29, 2013 Special Meeting
38 November 7, 2013 Work and Regular Meetings

39
40 Council Member Rowland moved to approve the above listed minutes. Council Member
41 Patterson seconded the motion. Voting Aye: Council Members Patterson, McDonald, Mergist,
42 Bradshaw and Rowland.

43
44 ***OPEN PERIOD FOR PUBLIC COMMENT***

45
46 Mayor Phillips invited the public to address the Council on matters that would not be addressed
47 in the meeting. No comments were received.

PUBLIC HEARING

1
2
3 **Public Hearing to Accept Comments on Heber City's Application for a Low Interest Loan**
4 **from the Community Impact Board (CIB). The City Intends to Apply for a \$6,700,000**
5 **Loan from the CIB to Partially Fund the Construction of a \$7,800,000 Proposed**
6 **Police/Justice Court Facility at 301 South Main Street. A Presentation About the Nature**
7 **and Scope of the Project Will be Made Which Will Include the Potential Impact to Citizens**
8 **if the Loan is Received:** Mayor Phillips announced that a PowerPoint presentation would be
9 given and then the public hearing would be opened for public comment. Anderson turned the
10 time over to Chief Booth. Chief Booth gave the presentation to the audience and Council that he
11 previously gave at the City Council Work Meeting held November 7th (see attached
12 presentation). At the conclusion of the presentation, the following comments were given:
13

14 Anissa Wardell stated she saw a need for this building, but she asked if the City was planning for
15 the next 30 years or for the next 10-15 years, in which the latter time frame would be more cost
16 effective. She noted that the talk on some social media sites was that many thought there was a
17 need, but were not in favor of spending \$7.8 million. Also, she thought CIB only made loans in
18 the amount of \$5 million. Another concern she expressed was that some people felt the project
19 was just sprung on them and had not been discussed over a long period of time. She concluded
20 that the citizens would like to be part of the process.
21

22 Cammie Nebeker, Heber City, asked where the Police Department would be located while the
23 construction took place. Chief Booth indicated part of the building would be torn down to make
24 room for the new building. After the new building was completed, the other part of the current
25 building would be torn down.
26

27 Council Member McDonald clarified that 80% of the new building would be used and only 20%
28 would be for future growth. Chief Booth confirmed that the rooms might be a little larger to
29 allow for future growth, but all the rooms would be in use. He didn't want the perception that
30 half the building would be empty waiting for future needs. He stated there would be some areas
31 in the building that future needs could not be forecasted, such as the evidence room and lab.
32 Those rooms would be built in an area where expansion to those areas could be done easily and
33 for minimal cost.
34

35 Anissa Wardell noted the Justice Court was only used two days a week, so there were some areas
36 that could still be looked at in order to save money.
37

38 Heidi Franco asked what the potential square footage of the new building would be. It was
39 indicated the anticipated square footage was 22,000. She asked how much of the square footage
40 would be used by the current staff, and was told approximately 18,000 square feet. She asked
41 how long evidence had to be kept by the police. Chief Booth said the State continually changes
42 the length of time for evidence storage, especially because of the constant change of technology.
43 Franco asked how much of the 22,000 square feet would be used for the Justice Court. It was
44 indicated 4,000 square feet and up to 4,800 with future growth. She also asked what would
45 happen to the land when the last half of the current building was torn down, and was told it
46 would be used as lawn, public parking, and secured parking.
47

48 Ron Crittenden was concerned that there was no vision to look ahead. He asked why the City
49 paid \$2 million for that property. Anderson stated the City paid \$800,000 for the whole Central
Page 2 of 6

1 School block. Crittenden asked if the City looked at buying the old high school. He suggested all
2 the City offices could be housed there. He suggested the City build a public safety building that
3 would cost \$5 million so the City would be assured of receiving the CIB loan instead of
4 requesting a \$7 million loan and having the risk of not getting it. He noted if the City didn't get
5 the CIB loan, it would have to go with a market rate loan at a much higher debt service.
6

7 Council Member Patterson asked Chief Booth to discuss the issue about combining services with
8 the County. Chief Booth said in speaking with the County, the Fourth District Court operated
9 five days a week, and the County Justice Court had three Fridays a month where the court was
10 not in use. He stated the City was here to provide for its citizens' needs, and noted that even if
11 the courts could be combined, there was still the issue of the clerks, court files, etc. Touching on
12 the suggestion to buy the old high school, Chief Booth asserted that it was not structurally sound
13 to withstand a natural disaster.
14

15 Tracy Taylor stated her major concern was that the City needed to include the public in this
16 process. She stated the application to the CIB was filed in October and a public hearing was
17 supposed to be held prior to sending the application. The fact that a public hearing was not held
18 prior to sending off the application reflects that reaching out to the public was an afterthought.
19 She felt \$7.8 million for a public safety/court building was excessive. She noted the School
20 Board was also meeting tonight about bonding for new school buildings, and an aquatic center
21 was scheduled for the ballot next year. She was frustrated that each entity only considers their
22 own needs, but people cannot afford to do it all. She also thought comparing this project to the
23 school bond for the new high school in the PowerPoint presentation was not comparing apples to
24 apples. The first \$40 million bond didn't pass because the School Board didn't have a plan, or a
25 design. In the end, the school cost \$80 million. She asked why the City hadn't fixed the
26 deficiencies in the current building so that it wouldn't be toxic to the staff.
27

28 Crittenden asked if maintenance costs would increase in a 22,000 square feet building. Chief
29 Booth indicated there would be a 30%-40% cost savings in utility expenses. Anderson said there
30 might be additional cleaning expenses with the new building. He stated he felt partially
31 responsible for not having a public hearing on this issue before now. But when the budget passed
32 in June, it included \$400,000 that was allocated for the design of a public safety building, and the
33 City had adopted a Reimbursement Resolution in May. So he felt the City had been upfront with
34 regard to making the public aware of its intentions to build a new public safety facility. The
35 City's financial advisor recommended applying for the CIB loan in October because interest
36 rates had risen over the summer months. Anderson indicated he notified CIB about not having a
37 public hearing and they were aware the public hearing came after submitting the application.
38

39 Heidi Franco questioned the utility costs for the building.
40

41 Fred Schloss stated this was the second time in recent history that the City was going through the
42 process of raising taxes. He had lived in Heber for 30 years, and was tired of people on the radio
43 saying things every morning that weren't true. He was 82 years old and a veteran. He suggested
44 that before this building was built, that the design was laid out with the Planning Department so
45 that it would grow with the community. Downtown Heber City was planned as a walking
46 community. He stated he was in favor of this new public safety/court building. He knew the
47 architects weren't grabbing numbers out of the air. They had looked at other buildings and had
48 experience in these things. Schloss supported Chief Booth and this new building.

1 Danny Goode asked what would happen if the City withdrew its application with CIB and re-
2 applied in February. Anderson stated it would delay the decision by four months and
3 construction would begin in the winter months, which would increase costs. Goode also asked if
4 the building was scaled back now, when would the City need to add on and what would be the
5 impact. Chief Booth stated the rooms would need to be larger, which would be difficult to
6 accomplish on an existing building. Anderson stated the interest rate would also be a guess when
7 the time came for adding on.

8
9 Mayor Phillips closed the public comment portion of the meeting. He didn't know the answer for
10 future needs, but the City tried to be conscientious in its estimations. It had been 24 years since
11 taxes were raised. He discussed the Council's decision to build on the central school property,
12 and stated the City wanted to build for its needs, but not build a TajMahal.

13
14 Council Member McDonald thanked the public for coming tonight. He stated the City was trying
15 to get the word out of the City plans for a public safety facility. The people he talked to were all
16 aware of the need to have a new public safety building. He asserted it was much more feasible to
17 build for future needs than to spend the time and expense of remodeling and adding on in the
18 near future. He supported this decision.

19
20 Council Member Bradshaw stated we could all agree that the property tax system was not a fair
21 way to tax us. But that was what we were faced with. He pointed out that the cost was based on
22 the 12,500 population. But over the years, the cost would be spread out among the increased
23 population, so the tax burden per individual in years to come would diminish. He stated we
24 would be kidding ourselves if we thought building a public safety building was even an option.
25 There had been a need since 2008 and the need was greater now. Trying to consider moving into
26 the high school was not a good idea. It was built in 1964 and the life of that building had been
27 spent. He indicated the City would be as frugal as it could to get what it needed in this facility.

28
29 Council Member Rowland stated one enjoyable thing about being on the Council was seeing
30 many new things, and he realized how much he didn't know. The Council relied a lot on staff
31 and experts. He commended Chief Booth on the time he spent researching, traveling, talking to
32 other police chiefs and architects, gathering information to help the Council make good
33 decisions, and getting answers to questions presented to him. He supported this new building as
34 well and thought it was overdue.

35
36 Anderson stated he met with a realtor today that stated there was a possible offer coming for the
37 old high school.

38
39 Council Member Patterson stated there was a lot of misconceptions that the Council hadn't put
40 much thought into this building, but the topic had been discussed for at least six years, which
41 was the whole time he has been on the Council. He felt the building was definitely needed now
42 and for the future, not just the next 4-5 years. He commended Anderson and Chief Booth, along
43 with other staff members, for all the work put into this project. He felt it was definitely the right
44 decision, and fully supported the new building.

45
46 Council Member Mergist also supported the idea. Council Member McDonald wanted to move
47 forward and make the presentation to CIB in January. The Council agreed.

1
2
3 **APPOINTMENTS**

4 **Nile Horner, Request for Free Water and Sewer Hookups to Horner's Corner, LLC,**
5 **Located at 1520 South Highway 40;** Council Member McDonald recused himself from this
6 item because of his personal relationship with Horner and business dealings with him.

7 Horner stated he was here requesting water hookups and referred to the prior work meeting when
8 he came before the Council. Mayor Phillips reviewed that in 1997 an annexation took place and
9 Horner's recollection was that his father was promised hookups in exchange for agreeing to the
10 annexation.

11
12 Council Member Mergist moved to not charge Horner impact fees, and that the funds be taken
13 from the General Fund to fund the Impact Fee Fund. Motion died for lack of a second.

14
15 Horner said the Council should look at this issue as two issues. One issue was the water and
16 sewer hookups. He explained the three other property owners didn't want to annex with Ray Hult
17 and they stalled the annexation. They allowed the annexation to go through with the promise of
18 water hookups. Horner met with Mumford and Smedley two weeks ago and presented a letter
19 from Paul Cook, which letter stated that his recollection was that the City offered a sewer and
20 water hookup in exchange for not opposing the annexation. It was not the impact fees that were
21 discussed, but the actual hookups. Horner asked Smedley his opinion on the matter and Smedley
22 felt if those were the facts and the promise was actually made, it would not be remiss that the
23 City honor the promise.

24
25 Council Member Bradshaw asked when impact fees were implemented. Anderson stated impact
26 fees were implemented in 1993. Council Member Bradshaw asked if there were separate fees for
27 water hookups and impact fees. Anderson stated they were basically the same thing. He noted
28 that Scott Wright was the Mayor at the time, but Wright had not been contacted to see if he
29 remembered the incident.

30
31 Horner asked for a motion to connect to the water and sewer line hookup with a meter, so he
32 could run a line to the hookup. Mayor Phillips said he thought the promise had been made and if
33 his vote was needed, he would favor Horner. Council Member Patterson asked if the costs were
34 for the stubs for hookups. Mumford indicated that his estimate was for the stubs. Horner asked if
35 he could hookup to the City water without discussing the impact fees if the hookups were
36 awarded. He acknowledged that Cook paid to run a line to the water main and that he paid an
37 impact fee. Horner said the water main was now in front of his property, so now it was feasible
38 for the City to honor the promise and award the hook up.

39
40 Council Member Rowland indicated he was in favor of providing relief to the requirement to
41 provide water rights to the City, but not in favor of negating the impact fees. He didn't feel there
42 was enough information to relieve the impact fees.

43
44 Council Member Rowland moved that the City pay the water install, water rights, water meter,
45 and sewer install, but not impact fees. Council Member Mergist made the second.

46
47 Voting Aye: Council Members Patterson, McDonald, Mergist, Bradshaw and Rowland.
48

1 Horner thought that was fair and appreciated the Council for that vote. But he noted that Cook
2 paid the impact fee because he had a building permit to add on to his building. Horner was not
3 adding anything to what was there in 1998. He knew there was a method in the law that gave the
4 Council the ability to waive the impact fee if it was for the greater good of the citizens of Heber
5 City. His argument was that in 1998, his father allowing the annexation benefited the City
6 because then the water and sewer lines were run to the southern part of the City.

7
8 Council Member Rowland stated there were 30 other parcels along Highway 40 that would be
9 affected by this, and a precedent would be set if the impact fees were waived. He felt the promise
10 was kept by the motion just passed, and the impact fee request was going beyond the intention.
11 Council Member Rowland asked if Horner would allow the curb and gutter and sidewalk on
12 Daniels Road. Horner said that was a needed project and he should not be impacted by it. It
13 would be a prescriptive easement only. Horner asserted that issue was still under discussion.

14
15 Council Member Rowland moved to have Mumford and Horner continue to talk about the
16 impact fee and the Daniels Road prescriptive easement issues. Council Member Patterson made
17 the second.

18
19 Voting Aye: Council Members Patterson, Bradshaw, and Rowland. Voting Nay: Council
20 Member Mergist. Excused: Council Member McDonald.

21 22 *ACTION ITEMS*

23
24 **Approve Haack Subdivision, a Small Subdivision Located at Approximately 850 East**
25 **Center Street:** Mayor Phillips stated the Planning Commission recommended approval for this
26 subdivision. Council Member Mergist moved to approve Haack Subdivision. Council Member
27 Bradshaw made the second. Voting Aye: Council Members Patterson, McDonald, Mergist,
28 Bradshaw and Rowland.

29
30 **Approve 2014 Employee Holiday Schedule:** Council Member McDonald moved to approve
31 the 2014 Employee Holiday Schedule. Council Member Mergist seconded the motion. Anderson
32 noted he would like the latitude to give employees time off during the week of July Fourth and
33 not Columbus Day if that was so desired. The Council agreed. Voting Aye: Council Members
34 Patterson, McDonald, Mergist, Bradshaw and Rowland.

35 36 *DISCUSSION/ACTION ITEMS*

37
38 **Review Proposed Airport Development Plan Project List:** Council Member Rowland stated
39 the FAA had a list which originally included an environmental assessment, but when the list was
40 sent to the City, the assessment had been inadvertently left off. Anderson contacted the FAA and
41 they were going to send over the corrected list. Council Member Rowland thought the corrected
42 list should go back to the Airport Board in order to be transparent.

43
44 Council Member Mergist made a motion to continue this item. Council Member Patterson
45 seconded the motion. Voting Aye: Council Members Patterson, McDonald, Mergist, Bradshaw
46 and Rowland.

47
48 With no further business, the meeting was adjourned.

APPOINTMENTS

TAB 1

mkellogg@ci.heber.ut.us

From: Temma Martin <temmam@bestfriends.org>
Sent: Monday, December 02, 2013 4:55 PM
To: mkellogg@ci.heber.ut.us
Subject: Best Friends at Council Meeting Thursday
Attachments: No Kill Utah News Release final.docx

Hi Michelle,

Sorry for my delay in getting this to you.

Anna Gonce, Executive Director of Best Friends Animal Society--Utah will be presenting Heber Valley Animal Shelter with a certificate recognizing them for saving the lives of 90 percent or more of the animals in their care. She will also present certificates to two rescue groups, Canines with a Caws and Paws for Life, for their role in supporting Heber Valley Animal Shelter's efforts.

Tracy Kelley, Best Friends' senior manager, Utah coalition, will probably also attend the meeting.

I'm attaching a news release about our project to recognize the shelters with a 90 percent save rate in Utah.

Please let me know if you have any other questions.

Thanks,
Temma

--

Temma Martin
Public Relations Specialist
Best Friends Animal Society

Together, we can Save Them All™

Every day 9000 animals die in America's shelters because they're homeless.

Best Friends is building programs to change that.

You can save one when you adopt instead of buy.

You can save dozens when you have your pet neutered to prevent accidents.

You can save hundreds when you help spread the word.

Let's work together and **Save Them All!**

Learn more at www.bestfriends.org



NEWS RELEASE

FOR IMMEDIATE USE

November 21, 2013

Progress toward making Utah no-kill state

Best Friends to recognize Utah no-kill communities

A coalition of shelters and animal rescue groups, working together to save the lives of homeless pets at a rate never before seen in Utah, are bringing the state closer to becoming one of the first states to end the killing of shelter pets.

A number of city and county shelters in Utah have reached a shelter save rate of 90 percent (or more) of the pets in their care, a generally accepted milestone for being seen as no-kill. Several other Utah city and county shelters are close to reaching no-kill, including Salt Lake County Animal Services, West Valley City Animal Services, and South Salt Lake Animal Services.

Among the shelters achieving no-kill status so far are Enoch Animal Shelter, Ephraim City Animal Control, Grand County (Moab City) Animal Care and Control, Hurricane Animal Shelter, Iron County Animal Shelter, Ivins Animal Shelter and Adoption Center, Kane County (Kanab City) Animal Control, Parowan Animal Control, South Ogden/Riverdale Animal Control and Wasatch County (Heber Valley) Animal Control Shelter.

These shelters are successful thanks, in part, to the tireless efforts of a coalition of 32 rescue groups, led by Best Friends, which pull animals from their local shelters and make them available for adoption. Humane Society of Moab Valley, for example, is celebrating 10 years of helping their community by maintaining no-kill status.

For nearly 14 years through August of 2013, nearly three dozen municipal and private animal organizations have been working closely together to bring about an end to the killing of pets in Utah shelters. The No More Homeless Pets in Utah Coalition, facilitated by Best Friends Animal Society–Utah, has supported nearly 112,000 adoptions and more than 261,000 spay/neuter surgeries, helping to sharply reduce shelter intake rates and deaths. Prior to the year 2000 (before this effort was launched), more than 46,000 animals were being killed in Utah each year. In 2012 — the best year on record — that number dropped to 22,299, a decrease of 51 percent.

Best Friends will attend individual town meetings in many of the communities over the next few weeks to officially recognize the shelters for their lifesaving efforts.

"When we started the No More Homeless Pets program in Salt Lake 12 years ago, we truly believed we would see a day when Utah was a no-kill state," said Gregory Castle, chief executive officer for Best Friends Animal Society. "The diligent efforts of these communities, along with those of dozens of supporting rescue partners across the state, are helping to make that a reality."

Newly released statistics for January through August of 2013 indicate that there are a total of 20 Utah shelters or communities that have save rates of more than 90 percent in the current year (2013).

Best Friends Animal Society offers support and resources to communities, animal groups and individuals who are working to help us Save Them All™. Progressive efforts like aggressive adoption programs, free or low-cost spay/neuter services and promotion of trap/neuter/return (TNR) of free-roaming community cats all serve to decrease the number of homeless animals, and increase lives saved.

Information about pets for adoption, free and low-cost spay/neuter, and humane solutions for community cats are available at www.bestfriends.org/utah and www.bestfriends.org.

About Best Friends Animal Society®

[Best Friends Animal Society](http://www.bestfriends.org) is the only national animal welfare organization focused exclusively on ending the killing of dogs and cats in America's shelters. An authority and leader in the no-kill movement since its founding in 1984, Best Friends runs the nation's largest no-kill sanctuary for companion animals, as well as lifesaving programs in partnership with rescue groups and shelters across the country. Since its founding, Best Friends has helped reduce the number of animals killed in shelters from 17 million per year to around 4 million. Best Friends has the knowledge, technical expertise and on-the-ground network to end the killing and Save Them All™.

To become a fan of Best Friends Animal Society on Facebook go to:
<http://www.facebook.com/bestfriendsanimalsociety>

Follow Best Friends on Twitter: <http://twitter.com/bestfriends>

[Best Friends Animal Society–Utah](http://www.bestfriends.org/utah) first began working to make Utah a no-kill state in 1999. Our nationally-recognized programming focuses on increasing adoptions of shelter cats and dogs, creating access to free and low-cost spay/neuter services, and collaborating with Utah shelters, rescue groups, veterinarians and local governments to save the lives of homeless pets. So far, these innovative efforts have helped reduce the number of animals killed in Utah's shelters by 51 percent. Together with you, we will one day Save Them All™.

To learn more about Best Friends Animal Society–Utah, visit:
<https://www.facebook.com/NMHPU> and <http://www.bestfriends.org/utah>

Media contact:

Temma Martin
Best Friends Animal Society
801-953-8876
temmam@bestfriends.org

ACTION ITEMS

TAB 2

Re: Red Ledges Phase 1P Final

Red Ledges is proposing a 26 Lot subdivision of lots sized 1/3 to 3/4 acre. The city's water tank resides within the plat. Some of the lots are located topographically below the roads and will need ejector pumps for sewer access.

The city has followed the county road standards for the private roads in Red Ledges as set forth in the interlocal agreement. That permits 1300 foot long cul-de-sacs. This measurement would be taken at the first intersection at Lot 762 and the streets would fall within the 1300 foot length.

Recommendation

On November 14, 2013, the Planning Commission recommended the proposed subdivision as consistent with the Red Ledges Master Plan, Interlocal Agreement, and Chapter 18.61, conditional upon Lots 758-779 showing Building Pads 30 feet from the right of way, with 10 foot and 14 foot side setbacks and 30 foot rear setbacks, and Lot 774 being widened to 100 feet.

Section 18.61.040 Development Requirements

	One-Family Lots/Dwellings		
	<i>Patio Lots</i>	<i>Traditional Lots</i>	<i>Estate Lots</i>
Minimum Area	5,500 s.f. (Maximum Patio Home Lot Size 8,000 s.f.)	8,000 s.f. (Maximum Village Lot Size 19,999 s.f.)	20,000 s.f.
Minimum Lot Width	50 l.f. at front of building pad	65 l.f. at front of building pad	100 l.f. at front of building pad
Minimum Unit Size (per unit):			
Single-Story	850 s.f.	950 s.f.	1,200 s.f.
Multi-Story	1,450 s.f.	1,600 s.f.	1,800 s.f.
Minimum Yard Setbacks			
Front Yard	20 feet from front r-o-w	30 feet from front r-o-w	30 feet from front r-o-w
Side Yard	16 feet total with no less than 6 feet on one side	20 feet total with no less than 10 feet on one side	24 feet total with no less than 10 feet on one side
Rear Yard	15 feet	20 feet	30 feet
Corner Lots	20 feet total with no less than 14 feet for side yard fronting a street and 6 feet on other side.	25 feet total with no less than 15 feet for side yard fronting a street and 10 feet on other side.	30 feet total with no less than 20 feet for side yard fronting a street and 10 feet on other side.
The buildable area is the portion of land located within the property boundary setbacks. The building pad is the portion of land located within the buildable area setbacks.			

November 1, 2013

Heber City Corporation
Attn: Bart Mumford P.E.
75 North Main
Heber City, Utah 84032

Subject: Red Ledges Phase 1P – Review

Dear Bart:

Horrocks Engineers recently reviewed the plat and concept plans for Red Ledges Phase 1P. The following items should be addressed.

General

- A complete set of the plans have not yet been submitted or reviewed. Any redline comments will need to be addressed and incorporated into the plans.
- The plat needs to show street names and addresses.
- Lot 780 is a flag type lot, and the allowance of this type of lot should be verified.

Heber City Tank Parcel:

- The plat may need more specific language for the access of the tank parcel.
- A development agreement should be created to allow for the overflow of the tank into the private storm drain system.
- The development agreement should also address access to the parcel for maintenance of the tank.
- A power and phone service should be provided to the tank parcel.
- The new access location for the tank needs to be shown on the plans and provided by the developer.
- The existing fence on the parcel should be shown on the plans. The fence may need to be moved or additional fence added.
- The overflow structure/box and design needs to be completed and approved by Heber City Public Works.

Streets

- There is not a paved outlet at the end of Copper Belt Drive. The cul-de-sac lengths are longer than 1300 if measured from the round-about. At a minimum,

Copper Belt Drive should be connected to the north to Flat Top Mountain Drive with an approved access road. This road will need to be maintained in the winter for emergency access. The fire chief and fire marshal should also approve of the roads and the cul-de-sac lengths.

- A temporary turn-around should be designed at the end of Copper Belt Drive.

Storm Drain

- A storm drain report and final design needs to be submitted and reviewed.

Please call our office with any questions or concerns regarding this project.

Sincerely,

HORROCKS ENGINEERS


Willa Motley

cc: file
Wilding Engineering
Red Ledges
Heber Planning Department

SUBDIVISION AGREEMENT
AND
COVENANT RUNNING WITH THE LAND
(Red Ledges Phase 1P)

THIS AGREEMENT entered into this _____ day of _____, 2013, by and between Heber City, hereinafter referred to as "City" and the undersigned _____, hereinafter referred to as "Developer".

WHEREAS, the Developer has proposed a 26 lot subdivision, Red Ledges Phase 1P, in the PC Planned Community Zone in Heber City; and

NOW, THEREFORE, the Parties hereby agree as follows:

1. The final subdivision plat shall include easement language permitting Heber City 24 hour non-attended access through the Red Ledges Development for the purpose of accessing the tank, along with any utilities needed by Heber City for the water tank.

2. The final plat shall include easement language allowing overflow from the tank to discharge into the development's private storm drain system. The overflow structure shall be shown on the construction improvement plans.

3. Developer shall install a power and phone service to the tank parcel.

4. The final development construction plans shall show a new access road to the tank, acceptable to the City.

5. A temporary turnaround shall be provided at the end of Copper Belt Drive. Developer shall provide a gravel surface on Copper Belt Drive as a temporary fire access road connecting to the street to the north and maintain year around emergency access.

6. Said improvement costs shall be paid by, and be the sole responsibility of the Developer, their assigns, transferees or successors as owners or developers. The Developer shall be obligated to disclose and notify in writing their immediate successors in ownership or developers of the requirements of this Agreement.

7. Developer shall execute a performance agreement and provide a bond acceptable to the City.

8. Upon the full and complete performance of all of the terms and conditions of this Agreement by the Developer, their

assigns, transferees or successors, and upon the City's approval of the improvements, the City agrees to take over those areas shown on the recorded subdivision plats as dedicated to the public. The City agrees to maintain such as public works without assessment for the construction of improvements as set out in the plans and specifications. Nothing contained here shall be construed in any way to render the City liable for any charges, costs, or debts for material, labor, or other expenses incurred in the making of these improvements.

9. This Agreement contains the entire agreement between the Parties, and no statement, promise or inducement made by either party hereto, or agent of either party hereto which is not contained in this written Agreement shall be valid or binding. This Agreement may not be enlarged, modified or altered except in writing approved by the Parties.

10. This Agreement shall be a covenant running with the land, and shall be binding upon the Parties and their assigns and successors in interest. This Agreement shall be recorded with the Wasatch County Recorder.

11. In the event there is a Failure to Perform under this Agreement and it becomes reasonably necessary for either party to employ the services of an attorney in connection therewith (whether such attorney be in-house or outside counsel), either with or without litigation, on appeal or otherwise, the prevailing party to the controversy shall be entitled to its reasonable attorney's fees incurred by such party and, in addition, such costs and expenses as are incurred in enforcing this Agreement.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands the day and year this agreement was first above written.

DATED this _____ day of _____, 2013.

HEBER CITY:

By: _____
David Phillips, Mayor

ATTEST:

Heber City Recorder

OWNER, _____
Red Ledges

By: _____

STATE OF UTAH)
 : ss.
COUNTY OF WASATCH)

On this _____ day of _____, 2013, personally appeared before me the above named Owner, who duly acknowledged to me that he is the owner in fee and executed the same as such.

NOTARY PUBLIC

TAB 3

ORDINANCE NO. 2013- 11

AN ORDINANCE AMENDING SECTION 6.25.010 D OF THE HEBER CITY MUNICIPAL CODE, **Validity. Rabies Vaccination Pre-requisite to Issuance.**

BE IT ORDAINED by the City Council of Heber City, Utah, that Section 6.25.010 D of the Heber City Municipal Code is amended as follows:

6.25.010 D Validity. Rabies Vaccination Pre-requisite to Issuance

D. Licenses shall be valid from the date issued until the expiration date. No dog shall be licensed without proof of approved rabies vaccination. No license may expire later than the expiration date of the rabies vaccination. An owner may purchase a license consistent with the license fee amounts in the consolidated fee schedule.

Unless otherwise determined by court order, or other provisions of this Code, any such license shall be given depending upon the date and kind of vaccine used upon payment of the fee established herein. In the event the owner demonstrates proof of an unexpired rabies vaccination, the license fee shall be appropriately prorated.

Regardless of the type of license purchased, every three years, on January 3rd of any such renewal year, any type of license shall be renewed by purchasing a rabies verification tag consistent with the respective license fee in the consolidated fee schedule.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the ____ day of _____, 2013.

ADOPTED and PASSED by the City Council of Heber City, Utah this ____ day of _____, 2013, by the following vote:

	AYE	NAY
Councilman Robert L. Patterson	_____	_____
Councilman Alan W. McDonald	_____	_____
Councilman Benny Mergist	_____	_____
Councilman Jeffery Bradshaw	_____	_____
Councilman Erik Rowland	_____	_____

APPROVED:

Mayor David R. Phillips

ATTEST:

RECORDER

Date of First Publishing:

HEBER CITY CORPORATION

STAFF REPORT

Type of Meeting: Council Meeting	Date: December 5, 2013
Submitted by: Chief Dave Booth	
Approved by: Chief Dave Booth	
Subject: Animal Services Fees for 2014	

PURPOSE

The animal services board has discussed the need to modify the fee schedule for dog licensing within Wasatch County / Heber City.

The purpose for the change was the consistent complaint by local citizens requesting the option of a lifetime license. In researching the matter, it was discovered that numerous agencies within the State of Utah have adopted similar ordinances to accommodate dog owners.

RECOMMENDED

I recommend we follow the board's motion and adopt the proposed ordinance and fee schedule. This will place our agency within consistent practices that are occurring throughout the state. It will also show our responsiveness to our local citizenry.

FISCAL IMPACT

The current 12 month rate for dogs will increase from \$15.00 to \$20.00 for spayed or neutered dogs.

The proposed change would occur in the form of a lifetime license of: \$40.00 for spayed or neutered or \$60.00 if not spayed or neutered. The dog owner will be required to have a rabies verification tag issued every three (3) at the fee of \$5.00.

LEGAL IMPACT

Any legal impact will be negated with the implementation of the new ordinance and fee schedule.

DISCUSSION/ACTION ITEMS

TAB 4

ORDINANCE NO. 2013 12

AN ORDINANCE AMENDING THE CONSOLODATION FEE SCHEDULE **APPENDIX "A" (Consolidated Fee Schedule)** ASSOCIATED WITH AND PERTAINING TO THE RABIES VACCINATION AND DOG REGISTION LICENSING FEES, TITLE 3.15 HEBER CITY MUNICIPAL CODE, REVENUE AND FINANCE.

BE IT ORDAINED by the City Council of Heber City, Utah, that Appendix "A" associated with Title 3.15 of the Heber City Municipal Code is amended as and pursuant to the attached Exhibit A. This Ordinance is adopted to reflect the City Council's decision to change the options for dog licensing, licensing duration and vaccination verification fees.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder, and (c) a short summary of it has been published in the Wasatch Wave, a complete copy has been published in the Wasatch Wave or a complete copy has been posted in three public places within Heber City but not prior to the ____ day of _____, 2013.

ADOPTED and PASSED by the City Council of Heber City, Utah this ____ day of _____, 2013, by the following vote:

	AYE	NAY
Councilman Robert L. Patterson	_____	_____
Councilman Benny Mergist	_____	_____
Councilman Alan W. McDonald	_____	_____
Councilman Erik Rowland	_____	_____
Councilman Jeffery Bradshaw	_____	_____

APPROVED:

Mayor David R. Phillips

ATTEST:

RECORDER

Date of First Publishing:

EXHIBIT A.

Dog Licensing Fees:

1. Twelve (12) month license fees, beginning January through to December of each calendar year:
 - \$20.00 (for neutered or spayed dogs)
 - \$25.00 (for dogs not neutered or spayed)

2. Life time license fees, for the life of the dog:
 - \$40.00 (for neutered or spayed dogs)
 - \$60.00 (for dogs not neutered or spayed)

3. Rabies verification renewable fees: \$5.00 every three years from the first verification

DEPARTMENT REPORTS

TAB 5

MEMORANDUM

To: Mayor and City Council
Cc: Mark Anderson
From: Karen Tozier
Subject: November Monthly Report
Date: November 27, 2013

- **Red Ledges requests Subdivision Final Approval of Red Ledges Phase 1P located on Copper Belt Drive near the intersection of Red Ledges Village Way. The main entrance to the Red Ledges Development is at 1851 East Center Street (Lake Creek Drive)**

The Commission unanimously recommended final subdivision approval for Red Ledges Phase 1P conditional upon Lots 758 through 779 showing building pads 30 feet from the right-of-way, with 10 foot and 14 foot side setbacks and 30 foot rear setbacks, and Lot 774 being widened to 100 feet.

HEBER CITY CORPORATION

STAFF REPORT

MEETING TYPE:	Regular Council Meeting	MEETING DATE:	December 5, 2013
SUBMITTED BY:	Bart L Mumford	FILE NO.:	00000
APPROVED BY:	Mark K. Anderson		
SUBJECT:	CITY ENGINEER MONTHLY REPORT - November 2013		

CIP AND OTHER CITY PROJECTS

Broadhead Tank Roof Repair: Percent Complete: 10%
Gerber Construction completed piping modifications. Roof replacement will begin early spring to allow sufficient time to order, install, and test booster pump VFD modifications.

Public Safety/Court Building: Percent Complete: 1%
Council awarded contract to GSBS for architectural services to begin design of new public safety building on Central School block on 11/7/13. Held public hearing 11/21/13 to apply for CIB loan.

Main St. Pavers / Util - 200S to 200N: Percent Complete: 100%
Goran Construction completed work.

Road Crack Sealing 2013: Percent Complete: 20%
Bonneville continued crack sealing in the north east portion of the City. Work will stop when cold weather begins and resume in the spring.

Subdivision Bond Work: Percent Complete: 5%
Council directed staff to call outstanding subdivision bonds at 2/17/11 Work meeting. Negotiating with HOG subdivision developer to complete remaining improvements. Working with property owners on solution to complete the remaining improvements needed to accept the subdivision.

Valley Hills Tank Pipeline: Percent Complete: 1%
Horrocks is evaluating the cost effectiveness of installing the master planned Valley Hills Tank water line before beginning design.

CITY PROJECTS UNDER WARRANTY

▫ *Sewer Outfall - 100 S.:	Expires 12/23/12
▫ *Water Main Replacement - 300 W (CDGB):	Expires 12/05/13
▫ *Storm Drain & Pond - 650 S:	Expires 12/23/13
▫ Sidewalk Improvements - 600 S (200E-270E)	Expires 07/25/14
▫ Water Main - SR113 & PRV:	Expires 08/27/14
▫ Muirfield Park Bridge/Trail:	Expires 08/23/14
▫ Road Improvements - 300 W. (100S to 1000S)	Expires 01/28/15
▫ Sidewalk Replacement - 100 W.	Expires 07/17/15
▫ Water Main Replacement - 300 W CDBG 12:	Expires 07/31/15
▫ Sewer Maintenance 2010 - Manhole Sealing:	Expires 09/15/21

*Warranty is extended until outstanding issues/punchlist items are resolved.
- Schedule warranty walk through 3 months prior to expiration date.
- Send Bond Claim letter 1 month prior to expiration date.

ENGINEERING MONTHLY PROJECT BUDGET vs CONTRACTS REPORT

November 2013

PROJECT NAME	CITY BUDGET		CONTRACTS		CHANGE ORDERS		TOTAL	Notes
	Approved	Amt	Approved	Amt	Approved	Amt		
Broadhead Tank Roof Repair								
1. Horrocks Engineers	07/01/13	\$513,000	Prior Year					- Evaluation & Structural Report (\$8,000)
2. Horrocks Engineers			AsNeeded	\$56,000.00				- Design, CM, & Insp
3. Gerber Construction			08/15/13	\$439,200.00				- Construction Contract
Subtotal:				\$495,200.00	\$0.00	\$495,200.00		
Daniels Road Reconstruct / UDOT								
1. Civco Engineers	07/01/13	\$496,000	06/06/13	\$113,732.28				- Design Contract wUDOT
- CO #1			Pending	\$18,389.64				- Additional potholing, 3 Additional right-of-ways
Subtotal:				\$113,732.28	\$18,389.64	\$132,121.92		
Main St. Pavers / Utilities								
1. Horrocks	02/07/13	\$279,317	AsNeeded	\$34,000.00				- Pavers \$233k + Meters \$40k + Park/Off Sidewalk \$16k
2. Goran			05/16/13	\$195,144.20				- Design / Bid / CM / Insp
- CO #1					07/23/13	\$4,342.00		- Construction Contract
- CO #2					08/08/13	\$312.00		- Replace red flagstone with stamped colored concrete City Office
- CO #3					08/27/13	\$3,883.58		- Sprinkler pipe needed to be lower
3. Public Works			02/07/13	\$40,000.00				- Additional work
Subtotal:				\$269,144.20	\$8,537.58	\$277,681.78		- Meter Can Replacements
Majestic Mtn - Bond Work								
1. Horrocks Engineers	09/30/12	\$262,784	AsNeeded	\$13,522.00				- Bid doc prep / Inspection
2. ACME Construction			09/20/12	\$173,148.75				- Construction Contract
- CO #1					10/30/12	\$3,380.00		- Replace Curb box, ball valve, & washers
- CO #2					12/03/12	\$0.00		- Extend schedule to complete by 5/1/13
- CO #3					06/10/12	\$2,391.75		- Sink hole repair/add trail sub-base material
- CO #4					06/10/12	\$5,191.88		- Light Conduit/Wire Conn (1/2 Reimb)
3. Blake Allen Fire Hydrant Relocate			10/02/12	\$1,350.00				- Reimbursed for relocating misconstructed FH
4. Heber City			Pending	\$34,990.00				- Lots 23&24 Util Escrow
4. Heber City			Pending	\$19,577.00				- Temp CulDeSac Escrow (\$12,790-), LotA ImpFees (\$6,787+)
5. Wheeler Park			Pending	\$9,846.00				- 16" Water Reimbursement
6. Summit Engineering			08/27/13	\$420.00				- Record Dwgs
Subtotal:				\$252,853.75	\$10,963.63	\$263,817.38		
Public Safety/Court Building								
1. GSBS	07/01/13	\$400,000	11/07/13	\$409,500.00				- Architect fee (\$31.5k+1%+3.4%+1.6%) est if \$6.3M Const
Subtotal:				\$409,500.00	\$0.00	\$409,500.00		
Road Crack Sealing								
1. Bonneville	07/01/13	\$250,000	08/01/13	\$162,100.00				
2. Horrocks Engineers			AsNeeded	\$25,000.00				- Design, CM, & Insp
Subtotal:				\$187,100.00	\$0.00	\$187,100.00		
Valley Hills Tank Pipeline								
1. Horrocks Engineers	07/01/13	\$258,000	Pending	\$7,000.00				- Pipeline feasibility study
Subtotal:				\$7,000.00	\$0.00	\$7,000.00		

DEVELOPER CONSTRUCTION PROJECTS

RESIDENTIAL

Center Creek Estates Plat A (1200 S. 1200 E.): 32 lot subdivision approved 09/18/08. Extended plat approval expired 09/18/10.

Davis Lot Split (485 S 100 E): 3 lot subdivision approved 07/19/07. Plat recorded 04/08/08. Construction is 0% complete. Council approved deed restricting curb, gutter, and sidewalk which recorded on 4/21/09. On 5/6/10 Council approved substituting Surety bond for cash bond.

Findarle Lot Split (131 S 200 W.): 2 lot subdivision approved 01/04/07. Construction is 20% complete. Need to install services and sidewalk.

Haack Subdivision (850 E. Center): 1 lot subdivision approved 11/21/13. Waiting for documents to record plat. Needs Health Dept approval for septic tank or extend sewer.

Heber Homes 6 - Clyde Lot Split (494 E. Center): 2 lot subdivision approved May 2, 2013. Construction is 0% complete. Waiting for agreements to record plat.

Heber Homes 7 (211 S. 200 W.): 3 lot subdivision approved 07/18/13. Plat recorded 10/09/13.

Heber Meadows - Ph2 (2600 S. 1200 E.): 23 lot subdivision approved 10/04/07. Construction is 0% complete. Waiting for approvals from Planning Commission and Council to record revised plat. Construction was partially completed in Phase 1. Phasing needs to be corrected.

King - Plat A (200 S. 550 E.): 2 lot subdivision approved 09/06/07. Plat recorded 12/19/07. Construction is 70% Complete. Council approved amended plat and construction drawing 10/15/09. Amended plat recorded 09/11/11. Currently working on improvements along with new home.

King - Plat B (250 S. 500 E.): 2 lot subdivision approved 09/06/07. Plat recorded 05/08/08. Construction is complete for Lot 1. Lot 2 irrigation and water service need to be completed.

Meadows at Southfield (500 S. 1200 W.): 46 lot subdivision. New plat approved 10/01/09. Plat approval expired 10/01/10. Developers plat extension request has not yet been approved by Council. Council approved lot line adjustment on these parcels on 4/18/13. Construction is 0% complete.

Mill Road Estates 4 (Mill Road and 400 S.): 32 lot subdivision. Subdivision phasing was approved 08/21/08. Extended plat approval expired 08/21/10. Project was resubmitted to the Planning Commission and approved 5/26/11. Construction is 0% complete.

Mountain Meadows 2 (E. Airport Rd. 111 E.): 2 lot subdivision approved 10/18/07. Plat recorded 04/24/08. Construction is 0% complete. Coordinated with developer. Need to install irrigation, water and sewer services to 2nd lot.

Muir Lot Split (188 E. 500 S.): 2 lot subdivision approved 07/18/13. Waiting for agreements to record plat.

Noble Vista (770 S. 1200 E.): 23 lot subdivision. Plat recorded 11/13/07. Construction is 90% complete. Subdivision has been taken over by new owner. New bond will be requested prior to restarting. Mill Road improvements are 100% complete and started warranty on 10/06/09. Chris Goode received occupancy for his home on Lot 23 and subdivision was granted partial acceptance.

Red Ledges - Ph1G (1820 E. Center): 3 lot subdivision approved 4/05/12. Plat was recorded 08/10/12. No additional public improvements were required for this subdivision and it will be closed out.

Red Ledges - Ph1H (Flat Top Mountain Drive): 5 lot subdivision approved 05/03/12. Plat was recorded 08/03/12. Construction is 0% complete. Work will begin Spring 2014.

Red Ledges - Ph1J (Flat Top Mountain Drive): 2 lot subdivision approved 06/21/12. Plat was recorded 08/10/12. Construction is 50% complete. Will finish Spring 2014 along with 1K.

Red Ledges - Ph1K (Explorer Peak Dr.): 12 lot subdivision approved 01/17/13. Plat was recorded 03/15/13. Inspection deposit is needed. Construction is 0% complete. Work will begin Spring 2014 with 1J.

Red Ledges - Ph1L (Copper Belt Dr.): 14 lot subdivision approved 01/17/13. Plat was recorded 03/15/13. Inspection deposit is needed. Construction is 0% complete. Work will begin Spring 2014.

Red Ledges - Ph1M (Red Knob Way): 12 lot subdivision approved 03/21/13. Plat was recorded 03/26/13. No additional public improvements were required for this subdivision and it will be closed out.

Red Ledges - Ph1N (Explorer Peak Dr.): 9 lot subdivision approved 10/03/13. Plat recorded 10/15/13. Construction is 0% complete.

Red Ledges - Ph2A (2400 E. Lake Creek Road): 11 lot subdivision approved 10/06/11. Plat was recorded 12/15/11. Construction is 20% complete. Anticipate completion in October 2013.

Red Ledges - Ph2D (Red Ledges Blvd): 8 lot subdivision approved 10/5/13. Construction is 99% complete. Plat recorded 11/13.

Shermans Landing (650 S. 1200 W.): 35 lot subdivision approved 10/04/07. Council extended the plat recordation but it expired on 10/04/09.

Developer is in the process of revising plans for new affordable housing ordinance and will then resubmit for approval of new plat. Council approved replacing the sewer pump station that would service this subdivision with a gravity sewer through Giles' property or the bypass if easement can be obtained. Canal irrigation line is complete. Subdivision plans will be modified to serve annexations to the North. Construction is 0% complete.

Stone Creek 1 (800 N. 1300 E.): 125 lot subdivision approved 12/06/07. Extended plat approval expired 12/06/09. Waiting for developer and project to be resubmitted for approval. Construction is 2% complete.

Swift Creek 1 (820 E. Old Mill Dr): 16 lot subdivision approved 10/17/13. Waiting for agreements and final drawings to record plat.

Swift Creek 2 (960 E. Old Mill Dr): 11 lot subdivision approved 10/17/13. Waiting for agreements and drawings to record plat.

NON-RESIDENTIAL

AutoZone (805 S. Main): 1 Commercial lot and building approved 10/06/11. Plat recorded 03/27/12. Development construction is 99% complete. Working on punchlist items (Light replacement).

Gateway 1 (1200 S. Main): 8 Lot Commercial subdivision. Construction is 90% complete. County will transfer easement for 16" waterline running through the subdivision once they are reimbursed for Highway 40 sidewalk. Need to complete storm water box. Wells Fargo has taken over 4 of the unsold lots. Surety denied City's claim. Continued working with Wells Fargo and other lot owners to see if we can jointly complete subdivision improvements.

High School (800 S. 500 E.): Construction is 99% complete on road, water, sewer, and storm water improvements surrounding new facility. Impact fees, water rights, and record drawings have been tentatively agreed to. Discussions continue on bringing closure to the canal grate cleaning. Impact fees are still outstanding on Heber Valley Elementary.

HOG Business Park (1600 S. Daniel Rd.): 4 lot commercial subdivision. Construction is 85% complete. Subdivision has been taken over by new owners. Working on alternate plan to complete remaining work.

Jazabra Commercial Garage (2126 S. Daniel Rd.): Commercial Lot improvement. Construction is 90% complete.

Millstream RV Park (2120 S Highway 40): 151 Unit RV Park approved 05/03/12. Two year warranty period began November 21, 2013.

Ranch Landing Plat B Assisted Living (500 E. 1200 S.): Commercial lot improvement approved 12/06/12. Construction is 20% complete. Road improvements will wait until spring.

Zion's Bank (20 N. Main): Commercial building approved 09/13/12.
Construction is 80% complete. Working on building improvements.

DEVELOPMENTS UNDER WARRANTY

- *Silver Ridge (500 E.309 S.) (Punchlist) Expires 06/25/11
- *Red Ledges - Ph1B Cabins (2000 E. Ctr) Expires 09/20/12
- *Red Ledges - Ph2 (2500 E. Ctr) Expires 09/20/12
- *Miller (300 S. 100 W.) Expires 06/02/13
- *Nordgran (94 N. 500 E.) Expires 08/22/13
- *Aspen Pointe (600 S. 1200 E.) (1yr) Expires 08/27/13
- *Elmbridge (705 N 100 W) Expires 09/20/13
- **Birmingham Commercial (100 S. 801 W.) Expires 12/07/13
- Rooftop Anchors (800 S. 430 W.) Expires 12/07/13
- Red Ledges - Ph1C (2000 E. Ctr) Expires 01/26/14
- Red Ledges - Ph1D (2000 E. Ctr) Expires 01/26/14
- Red Ledges - Ph1E (Abajo Peak Way) Expires 05/30/14
- Red Ledges - Ph2B (607 N. Haystack Mtn Dr.) Expires 11/02/14
- Majestic Mountain (1040 S. 1200 E.) Expires 07/29/15
- Wasatch Orthodontics (493 S. Main) Expires 09/05/14

*Warranty is extended until outstanding issues are resolved.
**Reduced warranty period to one year.
- Schedule warranty walk through 3 months prior to expiration date.
- Send Bond Claim letter 1 month prior to expiration date.

OTHER HIGHLIGHTS

Training: Bart - Performance Review Training