

HEBER CITY CORPORATION  
75 North Main Street  
Heber City, UT 84032  
Heber City Council Meeting  
September 2, 2025

**APPROVED Minutes**

4:00 p.m. Work Meeting  
6:00 p.m. Regular Meeting

**I. WORK MEETING - 4:00 P.M.**

Mayor Heidi Franco called the meeting to order at 4:04 p.m. and welcomed everyone present.

**City Council Present:** Mayor Heidi Franco  
Council Member Yvonne Barney - arrived 4:16 p.m.  
Council Member Aaron Cheatwood  
Council Member Mike Johnston  
Council Member Sid Ostergaard  
Council Member Scott Phillips

**Staff Present:** City Manager Matt Brower  
Assistant City Manager Mark Smedley  
Community Development Director Tony Kohler  
City Engineer Russ Funk  
City Attorney Jeremy Cook  
City Recorder Trina Cooke  
Chief of Police Parker Sever  
City Treasurer Mindy Kohler  
Public Works Fleet Manager Preston Hicken  
IT Director Anthon Beales

**Staff Participating Remotely:** IT Director Anthon Beales, Human Resources Manager Cherie Ashe, Engineering Technician Desiree Muheim, Assistant City Manager Mark Smedley, Finance Manager Sara Jane Nagel, Animal Control Supervisor Justin Hatch, Animal Control Officer Stella Schurtz, Animal Control Technician Holly Brown, Animal Control Technician Troy Glaser, Public Works Director Matthew Kennard, and Planner Jacob Roberts.

**Also Present:** Rachel Kahler, John Janson, Zach B, Tuck and Jeannie Lowe, Morgan Murdock, Tori Broughton, and others who did not sign in or whose handwriting was illegible.

**Also Attending Remotely:** (names are shown as signed in online) Mary, Alex, Andrew, Anne, C, Christen Thompson, Dwayne Giles, Grace KPCW, Jami Hewlett, Jen, JS, Nick Lopez, Patrick Snead, Quinn, S, Shorty5, and Zach Butterfield.

1. Updating Utility Applications to Remove Rental Accounts (Mindy Kohler, Treasurer) - 30 min

City Treasurer Mindy Kohler provided background regarding the City software that allowed renters to have utility accounts in the renters name at the service address rather than the homeowner. She explained that renters often moved out without settling past-due accounts for City utilities. The unsettled accounts left the City with a significant deficit annually. Staff recommendation was to allow utility accounts to be held only under the homeowners name. Ms. Kohler proposed a plan to notify the homeowner's of the intention to convert all rental accounts beginning in the new year and for all new rental unit accounts to be established only in the name of the property owner. Consensus of Council majority was to return to the next City Council Meeting with an ordinance to implement the amended policy.

2. Ordinance 2025-08 repealing the Residential Commercial Overlay Zone (RC) and the Neighborhood Infill Overlay Zone (NIOZ) and replacing them with the Central Heber Overlay Zone (Tony Kohler, Community Development Director, John Janson, Planning Consultant) - 45 min

Community Development Director Tony Kohler reviewed the updates made at Council's direction to the proposed Central Heber Overlay Zone (CHOZ) Ordinance. Council proceeded to discuss the density that would be permitted, affordable housing options, the transition area for the zone, how to best guide redevelopment in the downtown area, and what the property owners should and should not be allowed to do with adjoining City-owned utility right-of-way land.

3. C Street Initiative (Tony Kohler, Community Development Director) - 20 min

Community Development Director Tony Kohler asked Council to consider a trigger mechanism for C Street improvement projects. He recommended reaching out to the design community with an RFQ (Request for Qualifications), and go through a six to nine-month process to approve a design and the amenities to be included. He suggested a temporary ordinance to halt development in the area until the design process was established. Consensus of Council majority supported staff proceeding with the RFP process and the temporary ordinance to halt development.

## II. BREAK - 10 MIN

## III. REGULAR MEETING - 6:00 P.M.

1. Call to Order

Mayor Franco called the meeting to order at 6:17 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Heidi Franco, Mayor)

Mayor Franco led the recitation of the Pledge of Allegiance.

### 3. Prayer/Thought by Invitation (Yvonne Barney, Council Member)

Council Member Barney shared that her friend visiting Scotland had shared the following quote that she felt captured the meaning of community: "Eat at a local restaurant tonight. Get the cream sauce. Have a cold pint at 4 o'clock in a mostly empty bar. Go somewhere you've never been. Listen to someone you think may have nothing in common with you. Order the steak rare. Eat an oyster. Have a Negroni. Have two. Be open to a world where you may not understand or agree with the person next to you, but have a drink with them anyways. Eat slowly. Tip your server. Check in on your friends. Check in on yourself. Enjoy the ride." - Anthony Bourdain. Council Member Barney felt the Council should remember to enjoy the ride and find ways to work together.

## IV. AWARDS, RECOGNITION, and PROCLAMATIONS:

### 1. Oath of Office for New Police Officer Kenzi Bishop

Chief of Police Parker Sever introduced new Heber City Police Officer Kenzi Bishop. City Recorder Trina Cooke provided the Oath of Office for Officer Bishop.

### 2. Mayor's Awards for Heber Valley Animal Services Team: Justin Hatch, Stella Shurtz, Holly Brown, and Troy Graser; City Arborist Parker Sweat; City Planner Jamie Baron; and Building Official Curt Davis

Mayor Franco read the Mayor's Award nominations for the Animal Service Team as included in the meeting materials and presented each of them with a commemorative challenge coin. The recognition for Parker Sweat, Jamie Baron, and Curt Davis was postponed until the next meeting.

## V. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts disclosed.

## VI. PUBLIC COMMENTS: (3 min per person/20 min max)

Mayor Franco opened the Public Comment period at 6:29 p.m. With no one coming forward to comment, the Public Comment period was closed at 6:30 p.m.

## VII. CONSENT AGENDA:

Mayor Franco explained that items five and six on the Consent Agenda were being pushed to the next Council Meeting.

**Motion:** Council Member Phillips moved to approve agenda items one through four on the Consent Agenda.

**Second:** Council Member Cheatwood made the second.

**Discussion:** Council Member Cheatwood asked if the old Vac-truck had been sold. Fleet Manager Preston Hicken stated it had not yet been sold. Council Member Johnston asked what was done with the waste extracted by the truck. Mr. Hicken explained that debris such as rocks and sticks were separated out and the waste was disposed of properly.

**Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston.

**Voting No:** None.

The **Motion Passed unanimously, 5-0.**

1. August 19, 2025, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Ordinance 2025-23, Sports Court Fencing (Jamie Baron, Planning Manager)
3. Ordinance 2025-20 Amending the Parking Code (Jeremy Cook, City Attorney)
4. Public Works Purchase of Sewer Vacuum Truck \$508,421.13 (Preston Hicken)
5. Resolution 2025-14 Shift Differential for Hourly Administrative Staff (Cherie Ashe, Human Resources Manager)

**VIII. ACTION ITEMS:** (Council can discuss; table; continue; or approve items)

1. Ordinance 2025-08 repealing the Residential Commercial Overlay Zone (RC) and the Neighborhood Infill Overlay Zone (NIOZ) and replacing them with the Central Heber Overlay Zone (Tony Kohler, Community Development Director, John Janson, Planning Consultant) - *45 min*

Council resumed their discussion regarding how to implement or require under-grounding power lines; clarified the frontage surface improvement requirements for curb, gutter, and sidewalks; determined the number of units and bedrooms permitted in mansion-style multi-unit buildings; location of utility easements and the size of utility boxes; and porch and balcony square footage minimums.

Mayor Franco opened the discussion for public comment at 7:49 p.m.

Tori Broughton stated that she lived in the downtown area and wished to commend the Council for considering the overlay zone. She hoped the Council was aware that entities across the State were looking to Heber City to learn what the City would pass, and accomplish with this ordinance, to see how the City would guide infill and create affordable housing options for both the people already living downtown and those looking to live downtown. She recognized the details that needed to be worked out but felt it was exciting that there were others in the State watching to see what Heber City would accomplish. She echoed Jason Glidden's statement that it was very cutting-edge.

With no one further coming forward, the comment period was closed at 7:51 p.m.

The Council further discussed allowing tandem parking as was proposed for flag lots and whether it would cause potential obstructions to emergency vehicles.

**Motion:** Council Member Phillips moved to approve Ordinance 2025-08 with the changes discussed.

**Second:** Council Member Johnston made the second.

**Discussion:** Community Development Director Tony Kohler reviewed the changes to the proposed zoning ordinance as follows:

- change the utility easement requirements
- delete the height reference in the table and replace with a 35-foot maximum for all other primary buildings
- clarify the 600-foot distance between fire hydrants with the fire department
- delete section E.4. regarding the utility easements

- delete the car parking turnaround requirement for flag lots
- porches and balconies size requirement would be 40-feet instead of 60-feet

City Engineer Russ Funk questioned whether the flag-lot turnaround requirement was for fire department access. Mr. Janson clarified the fire department requirement was that no structure be further than 150 feet from a hydrant. Council discussed whether it would be better to wait to approve the ordinance until the changes had been implemented, a discussion could be held with Heber Light and Power, and clarification of the fire department requirements. Mayor Franco and Council Member Barney felt the changes should be implemented in the ordinance before Council voted. Council Member Cheatwood felt the vote should wait until staff could have a conversation with Heber Light and Power and the Fire Department for clarification.

**Motion:** Council Member Barney moved to wait until there was more clarity on the Heber Light and Power issue and clarity from the fire district for the flag-lot turn around requirement. The **Motion failed** for lack of a second.

Council Member Ostergaard felt the fire department requirement had been clearly established by the department itself. Council Member Phillips noted the code would defer to the original zone requirements regarding utility easements and did not need to be addressed in this zone. Mr. Funk clarified that the current code required the provision of utility easements in subdivisions. Utility easements were not required outside the definition of subdivisions such as for accessory dwelling units. Mr. Funk felt comfortable that the removal of the utility easement language in the proposed document would defer to the underlying zone requirements. He recalled that the requirement in place was adopted the previous year by the sitting Council

**Vote on original motion by Council Member Phillips:**

**Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, and Johnston.

**Voting No:** Council Member Barney.

The **Motion Passed, 4-1.**

**IX. COMMUNICATION:**

City Manager Matt Brower shared the following communication items:

- An image for the revised roundabout design with an eagle to be placed at the Daniel Road location.
- He had been working with CAMS (Community Alliance for Main Street) for the seasonal celebration at the Main Street Plaza. He was seeking Council support to enter into a contract with CAMS, to pay \$30,000 for their services. The CRA fund had \$50,000.00 that would cover the cost, and he would return to a future City Council meeting with a budget amendment for formal approval.
- He and the City Council representatives, Mike Johnston and Sid Ostergaard, had met with the County CRA (Community Reinvestment Agency) subcommittee who had agreed to meet with the remaining County Council members to further discuss an agreement with the City. The City representatives felt it had been a very successful meeting.

- The Cemetery Columbarium construction was almost complete. There would be a ribbon cutting ceremony, open house, and time capsule placement. Staff would be working to retool the administrative position at the cemetery to more actively promote sales of the cremation niches.

Council Member Cheatwood asked if the ice-ribbon could be removed from the RFQ (Request for Qualifications) for the park. Mr. Brower informed that the bids had already been received by the City. Staff would review the bids and the top three or four bids would be presented to Council for a final decision.

Council Member Cheatwood state he had a note from the preceding year to readdress the discussion on fuel-flowage cost changes for the Airport. Mr. Brower shared the study of costs at other airports had been done and staff was still negotiating with the FBO (Fixed Base Operator) at the Heber Valley Airport. The City had not yet missed their window of opportunity to increase fees.

**X. CLOSED MEETING: (As Needed)**

There was no Closed Meeting held.

**XI. ADJOURNMENT:**

**Motion:** Council Member Phillips moved to adjourn.

**Second:** Council Member Johnston made the second.

The meeting adjourned at 8:41 p.m.



  
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Trina Cooke, City Recorder