

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
January 20, 2026**

DRAFT Minutes

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

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

Mayor Franco called the meeting to order at 4:01 p.m. and welcomed everyone present.

City Council Present: Mayor Heidi Franco
Council Member Yvonne Barney
Council Member Aaron Cheatwood
Council Member Mike Johnston
Council Member Morgan Murdock
Council Member Sid Ostergaard

Staff Present: City Manager Matt Brower
Assistant City Manager Mark Smedley
Community Development Director Tony Kohler
Airport Manager Travis Biggs
City Engineer Russ Funk
Finance Manager Sara Jane Nagel
City Attorney Jeremy Cook
City Recorder Trina Cooke
Chief of Police Parker Sever
Human Resources Manager Cherie Ashe
Public Works Director Matthew Kennard

Staff Participating Remotely: Human Resources Manager Cherie Ashe, Engineering Technician Desiree Muheim, IT Director Anthon Beales, Planning Manager Jamie Baron, Public Works Director Matthew Kennard, City Engineer Russell Funk, Engineer Ross Hansen, Finance Director Sara Jane Nagel, Deputy City Recorder Robin Bond, and Accounting Technician Wendy Anderson.

Also Present: Wade Hansen, Lorrie Hansen, Randy Christ, Cannon Taylor, Randy Bird, Andrea Clayton, Naomi Kisen, Wyatt Woolley UDOT, Tori Broughton, Carol Johnson, Gabe Gubler, Tom Johnson, T. Jared Johnson, Jason Glidden, Jake Meibos, Ben Atwood, Nathan Jarvis, Michaela Jarvis, Maren Meibos, Heidi Atwood, Cole Sorenson, John McDonald, Mia Yue, Casey Lewis, Amber Sorenson, Kim Dickerson, Gaylen Latimer, Andrew Bernstein, Ryan Pratt, Mallory Pratt, Kylee Richards, Scott House, Seth Plaizier, Cheryl Fox, Kate Sattelmeier, Jason Wooton, Jentry Hardman, Rachelle She, Sara Tuney, Kerry Tuney, Paul Water, Jason Olsen, John McDonald, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) Anna Simons, Cody W, Jami Hewlett, Kirk Langston, Lori Rutland, Michael Simons, Mike Bradshaw, Neil Richards, Nick Lopez, B, Brian W, Catherine, Dave B, Denna, Grace Doerfler KPCW, Guest, Jen, John, Laurel Bevans, Lindsay Letzelter, Matt W., Observer, Phone, Ramts78, Robert Madsen, S, Sara Turley, Sheriff Rigby, Shortcake5, Shorty5, Steph, and Tom & Tera Nye.

1. Strength, Weakness, Opportunities and Threat (SWOT) Presentations: - 35 *min*

- Airport SWOT - 5 *min*
- Public Works SWOT - 5 *min*
- Engineering SWOT - 5 *min*
- Police Department SWOT - 5 *min*
- Human Resources SWOT - 5 *min*

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Airport Manager Travis Biggs presented the SWOT (Strengths, Weaknesses, Opportunities, and Threats) Analysis for the Heber Valley Airport as included in the meeting materials. He explained that the Airport was self-funded and did not rely on taxpayer subsidization. The Airport provided services for small aircraft including gliders, small private planes, hot air balloons, and private jets.

Public Works Director Matthew Kennard presented the SWOT Analysis for the Public Works Department as included in the meeting materials.

City Engineer Russ Funk presented the SWOT Analysis for the Engineering Department as included in the meeting materials.

Chief of Police Parker Sever presented the SWOT Analysis for the Police Department as included in the meeting materials.

The meeting moved forward to agenda item three and returned to the Human Resources SWOT Analysis presentation after the UDOT presentation.

Human Resources Manager Cherie Ashe shared the SWOT Analysis for her one-person department as attached to the meeting materials.

2. Annual Open Public Meeting Act (OPMA) Training and Conflict of Interest Disclosures (Jeremy Cook, City Attorney) - *30 min*

It was determined to hold the training either later in the meeting or by asking the Council to visit the State Auditor's website for an online training.

3. Utah Department of Transportation (UDOT) Environmental Impact Statement (EIS) Update (Craig Hancock) - *45 min*

Wyatt Woolley, Naomi Kisen, and Andrea Clayton, UDOT (Utah Department of Transportation) representatives, were present to deliver the EIS (Environmental Impact Statement) study results. They shared a presentation as included in the meeting materials. Ms. Kisen explained that the public comment period for the proposed bypass route was ongoing and members of the public, including the Heber City Council Members, who wished to submit a formal comment should visit the website for the [UDOT Heber Valley Environmental Impact Statement study](https://hebervalleyeis.udot.utah.gov/). The public comment period was open from January 9, 2026, through March 9, 2026, at <https://hebervalleyeis.udot.utah.gov/>. State law did not allow for, or require, compensation be given to impacted neighbors unless land was being taken. The UDOT representatives invited the public to visit the website for more comprehensive information. There would be two public meetings hosted by UDOT: a virtual meeting was planned on January 27 from 6:00 p.m. to 7:30 p.m. and an in-person meeting on January 28 from 5:30 p.m. to 8:30 p.m.

4. Discussion on Text Amendment for Rear-Yard Setbacks (Mike Johnston, Council Member) - *10 min*

This item was pushed to the General Business agenda for later discussion.

Council Member Johnston referenced an email sent to each Council Member from a resident who was prevented from extending the kitchen in his home due to the City's rear-yard set-back regulations. He felt it would be more appropriate for the Council to have a public discussion regarding the rear-yard setback variance request. He suggested exploring a broader policy approach that could apply uniformly, noting similar situations experienced by other residents. It was proposed that, rather than changing the rear-yard setback requirement, the Council consider a code amendment allowing limited exceptions for certain additions. Staff confirmed that would require a text amendment to the zoning code. Council directed staff to proceed with options for a code amendment for Council consideration.

Mayor Franco returned the meeting to Action Item two.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Heidi Franco called the meeting to order at 6:14 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 (Morgan Murdock, Council Member)

Council Member Morgan Murdock expressed gratitude for his new granddaughter being born in this free country where every child began life with God-given rights. He reflected upon the words of the Declaration of Independence indicating the right to "life, liberty, and the pursuit of happiness." He shared the following about the pursuit of happiness:

Jeff Rosen, CEO Emeritus of the National Constitution Center, explained that the founders viewed the pursuit of happiness as making wise choices and exercising self-mastery in order to achieve the wisdom and harmony necessary for true freedom.

Martin Luther King, Jr., taught that happiness was most often found not by seeking it for ourselves, but seeking it for others.

Dale Carnegie wrote: "Remember happiness doesn't depend upon who you are or what you have. It depends solely upon what you think."

Council Member Murdock noted the different perspectives about the elusive pursuit of happiness and felt that no matter what challenges and setbacks we faced in life, we could learn from the Founding Fathers, leaders, and writers, some important lessons about the pursuit of happiness. The following were lessons that he'd gathered: Cultivate a positive attitude, become more resilient, work hard, find strength in family, serve others, improve one's character, and most importantly, maintain a sense of humor. He hoped when his granddaughter was older, he would have the opportunity to share some of these ideas with her. He believed that, as we applied these principles, each of us could discover more happiness and fulfillment in our daily lives.

IV. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayor's Award for Sergeant Brayden Powers

The Mayor's Award for Brayden Powers was postponed to the next City Council meeting on February 3, 2026.

V. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts disclosed.

VI. CONSENT AGENDA:

Mayor Franco asked City Engineer Russ Funk to share the safety improvements being proposed for the intersection of 980 South and Mill Road. Mr. Funk described the proposed curb bulb-outs intended for traffic slowing and pedestrian visibility. There would also be flashing lights to warn of the upcoming cross-walks. He shared diagrams of the improvements as included in the meeting materials.

Motion: Council Member Cheatwood moved to approve the Consent Agenda as presented.

Second: Council Member Barney made the second.

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

Voting No: None.

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

1. Approval of January 6, 2026, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Contract Award to Woodward Co for Construction of the 980 South Mill Road Intersection Improvements (Russ Funk, City Engineer)

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

Kim Dickerson, President of the Wasatch County School District, wished to thank the Council for their efforts to improve safety for the children on the school routes. She congratulated the newly elected and reelected City officials.

Ben Atwood was representing the neighbors of the proposed Garbett homes project. He read a prepared statement listing the concerns of the neighbors. The group opposed changing the zoning and respectfully asked the Council to stick to the established zone. He noted there were already too many cars lining the streets and felt spot zoning for high-density housing would create a burdensome impact on the existing home-owners. Several of the neighbors had submitted comments by email that are attached to the end of the meeting minutes.

Tom Johnson stated that he was an adjoining property owner with the proposed Garbett Homes project and described an ongoing property line dispute with another neighbor. He was concerned that the project was unaware of the dispute. He shared that as a contractor, one of the largest concerns faced was offering enough parking, driveways, and garages.

Seth Plaizier said that he was not against development in general, as a resident, but he

agreed with previous comments made. He felt there was ample space in the appropriate locations for the high-density housing proposed. He was opposed to the zone exception that he felt went against the Master Plan that the Council had adopted.

Jami Hewlett asked if the proposed Garbett homes was an Ivory homes project. It was not.

Neil Richards wished to be on record in support of the comments made by Ben Atwood.

Josh Hardman opposed rezoning for the reasons provided in Ben's statement. There were many children in the area and Center Street traffic was already a large concern. He understood the need for affordable housing but did not feel the proposed project property was the appropriate location. His primary concern was regarding the traffic and safety for the children.

Mike Simons was the father of a special needs child and expressed concern with the existing traffic on Center Street. He hoped smart decisions were being made and cited the zoning code that did not permit the requested density in the area.

VIII. GENERAL BUSINESS ITEMS:

1. Consolidation of Justice Court Discussion (Parker Sever, Chief of Police) - 30 *min*

Chief of Police Parker Sever provided a PowerPoint presentation as included in the meeting materials. He reviewed the pro's and con's of combining the local Heber City Justice Court with the Wasatch County Justice Court. He shared the benefits of retaining the Justice Court system within the City as well as the benefits of the two courts consolidating. He walked through the process and timing of consolidation. Concerns included the loss of employment for current staff but he proposed the possibility that the existing City Court staff could be absorbed by the County. He proposed alternative uses for the current Justice Court space such as converting the courtroom into a future Council Chamber and additional offices.

Heber City Justice Court Judge Randy Birch stated that Utah evaluated courts based on workload, determined by the number and types of cases filed, which were driven by enforcement actions and not controlled by the court. He reported that the City Justice Court was currently assessed at approximately 0.41 of a full-time court, while the County court was assessed at approximately 0.5 to 0.6. He cautioned that combining these caseloads could exceed the equivalent of one full-time court and might require additional judicial resources. He noted the Heber City Court Clerk would be retiring that year.

City Prosecutor Mark Smedley felt there were both advantages and disadvantages to consolidating prosecution and court services with the County. He cautioned that doing so would reduce local control and could diminish the personal, community-based

approach inherent in a local justice court and prosecution system, which often represented a citizen's first interaction with government in lower-level matters. He emphasized that a local prosecutor and justice court allowed for stronger working relationships with law enforcement and greater personal engagement with the public, which he felt could be lost if cases were handled by the County.

Mayor Franco asked how the funding would transpire. Chief Sever advised he had yet to receive the numbers for the cost from the County, but he had been communicating with them regarding drafting a memorandum of understanding (MOU).

City Manager Matt Brower described the administrative and financial reasoning for seeking alternatives for the City's Court system, including increased efficiency. Council Member Johnston felt it was better for the community to keep a local justice court and did not believe that consolidating the courts would save the City any money. Chief Sever agreed to return with additional information, including cost comparisons.

2. Jordanelle Ridge Open Space (Matt Brower, City Manager) - 30 min

Cheryl Fox and Kate Sattelmeier, with Summit Land Conservancy, Mia Yue, with the Wasatch Trails Foundation, and Mike Bradshaw and Cody Winterton, with Jordanelle Ridge were present to participate in the discussion. City Manager Matt Brower provided the background of the annexation, including the total acreage, and acreage in the annexation agreement that would be dedicated as open space. The County and City had been negotiating a tri-party agreement with Jordanelle Ridge for an open space and recreation designation. The proposal was to have a designated third party included for additional oversight, such as the Summit Land Conservancy. He provided the points that Jordanelle Ridge was seeking to have in the agreement, in order to allow a conservation easement.

City Attorney Jeremy Cook read the State Code that defined a conservation easement. He detailed the background of the negotiations to date, and reviewed the current agreement. He noted that the property owner had maintained the trail system for over 20 years. He felt the area could be more accurately described as a park than a conservation easement. Mr. Cook explained that with the current structure of the agreement, the HOA would own, maintain, and care for the trails, the City would provide enforcement, and the County would provide backup enforcement. He proposed an agreement that could potentially be changed in the future, if the change was deemed beneficial, contingent upon the agreement of all parties. He acknowledged that allowing the potential flexibility came with some risk. One of the benefits of the HOA owning the land was tax revenue to the City.

Jordanelle Ridge representative Mike Bradshaw explained the land calculations to arrive at the total number of dedicated open space acreage. Discussion continued regarding forthcoming developments with open space and parks dedication, as well as HOA versus City ownership, and the seven points requested by the Jordanelle Ridge development.

Summit Land Conservancy representative Cheryl Fox described the purpose of the protections provided by a Land Conservancy. The Conservancy held many easements that included recreation space. Their protections allowed for change within certain parameters. Kate Sattelmeier explained the collaborative community effort the Conservancy attempted to facilitate. Discussion continued.

Mia Yue advised that the Wasatch Trails Foundation would continue to advocate for trails as long as the trails remained open to the public. She recognized Heber City's support for the trail maintenance crew by granting funding through the TAP (Trails, Art's, and Parks) tax.

Consensus of Council majority was to proceed with seeking a mutually beneficial agreement and to include a third-party land trust protection for added future oversight.

Mayor Franco moved the meeting back to discuss Work Meeting agenda item four.

3. Affordable Housing University: Topics for Future Affordable Housing Discussions (Matt Brower, City Manager) - *10 min*

This item was postponed to a future meeting.

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

1. North Village Views MDA (Denna Woodbury, Planning Consultant) - *20 min*
2. Garbett Homes potential zone change at 811 East Center (continued from January 6, 2026, Council meeting) (Tony Kohler, Community Development Director, Jacob Ballstead) - *15 min*

Community Development Director Tony Kohler provided background for Garbett Homes negotiations working towards an equally beneficial development in effort to provide a more affordable housing option in the community. If Council supported proceeding, the proposed project would begin the City process, starting by going before the Planning Commission and holding a public hearing. Mr. Kohler clarified that the project did not need Council support to begin the process, but staff felt it would be appropriate to gauge Council's interest prior to embarking on the complete process required. Mr. Kohler shared the updates to the proposal that had been made based upon Council feedback from the previous meeting. Project representative Jacob Balstaedt thanked the Council and advised that he had tried to implement all the Council's requests into the updated design model.

Council Member Johnston wished to address the public comments made earlier in the meeting. He shared the Council's previous discussions that addressed residents' concerns brought forth that night. Council had held lengthy discussions to reduce building height, increase parking, protect existing trees, and promote tenant ownership.

He hoped to keep communication open with the concerned residents. Council Member Ostergaard added that Heber City was in need of the "Missing Middle" housing for essential workers within the community. Council Member Barney conceded the need for "Missing Middle" housing, but reiterated her hesitancy to support any high-density housing. Council Member Murdock lived a few blocks from the proposed project and shared the concern for the safety of the children. He too, liked the trees. Mayor Franco expressed concern with the short driveways. Mr. Balstaedt advised the short drives would not be utilized for parking. Mayor Franco recalled the large number of town-homes that had been approved in the North Village. She felt the City should keep the R1 zone. She felt if the Council wished to up-zone the property, the General Plan should be updated. Council discussion continued regarding the lack of, and need for, affordable housing in the community, parking, the trees and trail on the property, existing zoning, and the concerns expressed by the neighboring residents.

Motion: Council Member Barney made the motion to extend the meeting to 10:30 p.m.

Second: Council Member Cheatwood made the second.

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

Voting No: None.

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

Mayor Franco opened the ten-minute public comment period at 9:39 p.m.

Jake Meibos said that the property was literally in his back-yard. He recognized Council Member Ostergaard's vision but did not feel that the proposed design met the expectation. He had looked at the plans and did not see how two to three bedrooms could fit into the proposed two-story units. He acknowledged the two parking stalls per unit but asked how many people could fit two cars in their own two-car garage with all their stuff. He did not feel the design or location was appropriate for the area or the type of family Heber wanted to bring into the community.

Maren Meibos wished to add perspective. There were already cars lining streets in the neighboring cul-de-sac. Her neighbor was a single family that had six cars and parked in front of her home. She appreciated the comments regarding the trees and canal. She wanted to reiterate that they were a special, natural feature that the neighbors all enjoyed.

Carol Johnson's property bordered the property on the side of the open space shown on the image of the proposed project. She felt fewer units would hold less of a shock value for the neighbors. She proposed there should be two entrances and exits for emergency response and questioned access for the response vehicles if the streets were lined with cars on both sides. She recalled debris build-up within the canal and water breaching the debris. She was concerned with water management. She did not feel \$500,000.00 was an affordable option. She had a son who could not afford that amount and said that if he could, he would want his own piece of property, not a townhome.

Gabe Gubler had previously worked for Heber City and pointed out that public utility trucks could not be parked in any of the units shown in the design. He noted that any first responder or public utility worker that was on-call would not be able to take their work vehicle home to park at any of the proposed units. He stated that he was friends with the Johnsons. He said that there were multiple families living in single-family homes in the community and asked how the City could tell him that would not happen in the proposed units as well.

Someone who did not give their name asked how snow removal vehicles, garbage trucks, and delivery vehicles would be able to access the proposed development.

Thomas Johnson had been pre-approved for \$335,000.00 for a home. He worked as a diesel mechanic and could not afford a town-home in Heber. He had friends that had left Heber because they could not afford housing. He did not feel the proposed housing would be good for anyone. He felt the housing and land value in Heber should be re-assessed and revised.

Motion: Council Member Cheatwood moved to extend the public comment for ten more minutes.

Second: Council Member Murdock made the second.

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

Voting No: None.

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

Cole Sorenson thanked the Council for listening and said he was completely opposed to any zone change, or spot-zoning, on the proposed property. He felt the zone should remain as it was listed in the City's master plan. He felt that he and his neighbors had worked hard to afford to live in the area they did, hoping they had found their forever homes. He understood the need for high-density but did not feel that the proposed location was appropriate.

Kylee Richards wanted to give a mom's perspective. She wanted to address the trail that currently ended at her neighbor's house across the street. Her kids were little and played in the cul-de-sac. She agreed with the zoning and traffic concerns previously mentioned. She was concerned about the fast electric bikes and scooters on the trail and did not wish to see the trail extended.

Seth Plaizier confirmed the granted parking requirements in the existing zone. He acknowledged that there were many large vehicles driven by residents and recognized that he was asking Council to not build in his back yard but he felt there were many other areas in the community that were more appropriate for the high-density proposed. He did not feel the proposed project would solve the issue, nor did it meet the City's long term goals.

Neil Richards asked if there were rentals being proposed. He noted that owner-occupied requirements would not prevent room rentals which would increase the parking overflow into the cul-de-sac. He shared that he and his wife both worked full-time jobs to afford their home in Heber, where they had chosen to live. He called the current proposal very out of touch.

Casey Lewis had reviewed Envision Heber 2050 and did not believe the proposed project fit into the vision. He read an excerpt from the plan as follows: "Envision Heber 2050 is intended to guide development decisions by prioritizing neighborhood compatibility, transportation safety, pedestrian connectivity, and quality of life."

Motion: Council Member Cheatwood moved to extend the public comment period for another five-minutes to allow those participating online an opportunity to speak.

Second: Council Member Murdock made the second.

Voting Yes: Council Members Ostergaard, Barney, Cheatwood, and Murdock.

Voting No: Council Member Johnston.

The **Motion Passed 4-1.**

Nick Lopez, a firefighter, said he was concerned about all high-density developments. He felt that not more than one firetruck would be able to access the proposed development, which could potentially put both residents and firefighters at risk. He thought that a fire-truck would be unable to turn around. He outlined other logistical concerns for firefighting or emergency situations and responders.

Anna Simons owned an adjoining property and had a hearing impaired son. She was very concerned about the traffic. She noted that the master plan zoning had been very intentional. She was concerned about the precedent that a zone exception would set for future developers. She hoped the Council would listen to their constituents. She felt it was not only their neighborhood that would be affected, but the whole community, if the Council were to set a precedent by making a zone exception.

Council expressed appreciation for the constituents in attendance for sharing, provided feedback for the proposed project, considered how to obtain the missing middle housing product needed in the valley, and reviewed the existing or impending multi-unit housing elsewhere in Heber City.

Motion: Council Member Cheatwood moved to continue agenda item one for the North Village Views with the specific guidance to come back with elevations that would answer staff report questions about the overlays and garages; to approve agenda item three for the CAMS agreement for professional services; and for agenda item four for the USU survey questions to be handled by email amongst the Council.

Second: Council Member Ostergaard made the second

Voting Yes: Council Member Ostergaard.

Voting No: Council Member Johnston.

Motion: Council Member Barney moved to continue item three in order to bring it back

for discussion.

Second: Council Member Murdock made the second.

Discussion: Council Member Johnston felt it was wrong for Council to make an applicant sit for four and a half hours and not allow time for a discussion due to Council's inability to manage meeting time. He also did not feel it was appropriate to discuss the survey questions through email. Mayor Franco said there was not a magic wand to keep time and felt everyone needed to be allowed the opportunity to speak. Council Member Cheatwood proposed using some of his time at the Council Retreat, coming up that Saturday, to discuss item three for the CAMS agreement. City Manager Matt Brower advised that item three needed to proceed as there was work that needed to begin.

Motion Withdrawn: Council Member Barney withdrew her motion.

Replacement Motion: Council Member Cheatwood wished to replace his previous motion and continue item one with the direction to return to Council with elevations; to approve item three; and to discuss agenda item four during the Annual Council Retreat scheduled for the upcoming Saturday.

Second: Council Member Barney made the second.

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

Voting No: None.

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

3. Professional Services Agreement with the Community Alliance of Mainstreet (CAMS) (Matt Brower, City Manager) - *15 min*
4. Discussion and approval of extra questions for USU (Utah State University) Wellbeing Survey (Heidi Franco, Mayor) - *20 min*
5. Election of Mayor Pro-Tem (Heidi Franco, Mayor) - *3 min*

Action Item five would return on the next meeting agenda.

X. COMMUNICATION:

XI. ADJOURNMENT:

Motion: Council Member Barney moved to adjourn.

Second: Council Member Cheatwood made the second.

The meeting was adjourned at 10:38 p.m.

Trina Cooke, City Recorder