

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
April 21, 2026

APPROVED Minutes

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

I. CLOSED MEETING - 4:00 p.m.

Mayor Pro-Tem Aaron Cheatwood called the meeting to order at 4:06 p.m. and welcomed everyone present.

City Council Present: Council Member Yvonne Barney
Council Member Aaron Cheatwood - Mayor Pro-Tem
Council Member Mike Johnston
Council Member Morgan Murdock
Council Member Sid Ostergaard

City Council Absent: Mayor Heidi Franco

Staff Present: City Manager Matt Brower
City Attorney Jeremy Cook

Motion: Council Member Ostergaard moved to enter a Closed Meeting for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

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.**

1. Discuss the character, professional competence, or physical or mental health of an individual

Motion: Council Member Murdock made the motion to adjourn the Closed Meeting.

Second: Council Member Ostergaard made the second.

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

Voting No: None.

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

The Closed Meeting adjourned at 5:25 p.m.

II. WORK MEETING - 5:15 P.M.

Mayor Pro-Tem Aaron Cheatwood called the Work Meeting to order at 5:30 p.m. and welcomed everyone present.

City Council Present: Council Member Yvonne Barney
Council Member Aaron Cheatwood - Mayor Pro-Tem
Council Member Mike Johnston
Council Member Morgan Murdock
Council Member Sid Ostergaard

City Council Absent: Mayor Heidi Franco

Staff Present: City Manager Matt Brower
Community Development Director Tony Kohler
City Engineer Russ Funk
City Attorney Jeremy Cook
City Recorder Trina Cooke
Deputy Chief of Police Branden Russell
Public Works Director Matthew Kennard
Officer Zac Hendrickson
Officer Travis Price

Staff Participating Remotely: Deputy City Recorder Andrew Conley, Human Resources Manager Cherie Ashe, Executive Assistant to the City Manager Laine Meyers, City Engineer Russ Funk, Public Works Director Matthew Kennard, and Finance Manager Sara Nagel.

Also Present: Lauren Schevets - Volker, Debbe Carlin, Adrian Hager, Bill Tew, Jonelle Fitzgerald, Jeff Mabbutt, Christine Trullanger, Sarah Cummings, Bonnie Vance, Tabatha Benzler, Maya Biggs, Travis Biggs, Shawn Taylor, Paul Berg, Cannon Taylor, Jami Hewlett, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) Auggie Wasmund, J, James Stout, Jami Hewlett, JS, AB, CAMS: Rachel Kahler, Cannon Taylor, Catherine, D, Dhenley, Grace KPCW, Jami Hewlett, Jason Talley, Jen, Jon Galbraith - Element Design, Kelli, Nate Lechtenberg, and Shorty5.

1. Volker senior housing at 1500 South Highway 40 (Lauren Schevets, Tony Kohler, Community Development Director) - 15 min

Community Development Director Tony Kohler introduced the applicant who was proposing an affordable senior housing development in Heber City. The project was seeking a non-obligatory letter of support from the City. Lauren Schevets shared the project overview as included in the meeting materials, as well as community goals, and marketing context. She described the senior housing demand gap in Heber City and

Wasatch County. Ms. Schevets provided possible project design images, the location identified for the project, and reviewed project considerations and challenges. Council discussed the need in the community for affordable senior housing, location, zoning, transit access, and lease terms. Consensus of Council majority identified concerns with the location but expressed interest in the project and hoped to further collaborate with Volker moving forward.

2. Finch Creek Townhomes MDA Amendment (Tony Kohler, Community Development Director) - 15 min

Community Development Director Tony Kohler introduced the proposed development agreement amendment for Finch Creek. The development design plan had been modified to better accommodate the City's Master Transportation Plan. Finch Creek representative Auggie Wasmund shared the previously approved site plan versus the proposed updated site plan design and outlined the proposed changes. The new plan removed the underground utilities from beneath the street to the properties. The size of driveways was smaller to support the utility location change.

Council provided individual feedback and discussed the proposed changes.

III. BREAK - 10 MIN

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

1. Call to Order

Mayor Pro-Tem Cheatwood called the Regular Meeting to order at 7:00 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Aaron Cheatwood, Council Member)

Mayor Pro-Tem Cheatwood led the recitation of the Pledge of Allegiance.

3. Prayer/Thought by Invitation (Mike Johnston, Council Member)

Council Member Johnston shared that he had recently been thinking about change. Changes in life, with family, in the City, with jobs - change happened. He attributed the following quote to Socrates: "The secret of change is to focus all your energy not on fighting the old, but on building the new." He suggested that if we all focused on the new things in our lives, we could be happier. Council Member Johnston asked everyone to remember what Helen Keller had said: "The bend in the road is not the end of the road unless you fail to make the turn." He felt it was good for everyone to assess change, to change our change, and to consider how we all addressed things.

V. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayor's Award Presentation to Airport Manager Travis Biggs

Mayor Pro-Tem Cheatwood presented the Mayor's award to former Airport Manager Travis Biggs. Council Member Murdock read the employment history for Mr. Biggs as well as a special tribute written by Chandra Gremler regarding the former Airport Manager's work ethic as included in the meeting materials.

2. Mayor's Award for Debbie Carlin

Deputy Chief of Police Branden Russell read the Mayor's Award nomination of Crossing Guard Debbie Carlin for her actions and dedication while on duty as included in the meeting materials.

3. Proclamation of National Day of Prayer: May 7, 2026

The Proclamation for the National Day of Prayer was postponed to the next meeting.

VI. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts disclosed by the Council.

Motion: Council Member Murdock moved to bring the Public Comment period forward on the agenda, before the Consent Agenda.

Second: Council Member Ostergaard made the second.

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

Voting No: None.

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

VII. CONSENT AGENDA:

Motion: Council Member Barney moved to accept Consent Agenda items one, three, and four, and to remove item two from the Consent Agenda approval for further discussion.

Second: Council Member Murdock made the second.

Voting Yes: Council Members Barney and Murdock.

Voting No: Council Members Ostergaard, Johnston, and Cheatwood.

The **Motion Failed 3-2.**

Council Member Barney felt that the City should not extend the CAMS contract without going through the RFP process.

Motion: Council Member Johnston moved to approve the Consent Agenda as listed.

Second: Council Member Ostergaard made the second.

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

Voting No: Council Members Barney and Murdock.

The Motion Passed 3-2.

1. April 14, 2026, Special City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Ratification of CAMS Agreement (Jeremy Cook, City Attorney)
3. Contract Award to JL Concrete for construction of the West 300 South Trail Project (Russ Funk, City Engineer)
4. Mayor's Nominations to the Historic Preservation Commission and the Airport Advisory Board (AAB) (Heidi Franco, Mayor)

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

Airport Advisory Board (AAB) Vice Chair Bill Tew said that, number one, he thought he could speak for the entire board, that they were very much in favor of establishing a committee to look at the AAB bylaws to make them more efficient. He said there had been a lot of talk about conflict of interest, and when Mayor Franco had asked him to join the Airport Advisory Board, it was specifically because he had a conflict. He was an aircraft owner and a hangar owner, and thought it was valuable for the Council to hear from those who were invested in the airport. He said that, in many ways, the airport users relationship with the Council was kind of like his with his children. Every one of them had grown up with a well thought out plan that when they turned 16, he needed to buy them a car, and it was up to him as the adult in the room to decide whether that was in their best interest. His feeling was, and he felt he could speak for some other AAB members, the issue in the AAB bylaws about conflict of interest was really the focus that needed to be addressed so the board could continue to represent the interests of the airport users who had invested in the airport and continued to do so. He had been flying around the valley for 20 years. He had turned 80 in April, so felt he did not have 20 more years, but hoped he had a few more years to enjoy it.

Sean Taylor wanted to speak on the park event contract. He worked in the event production industry and listed the entities he held contracts with. He felt the type of contract the City had signed with CAMS (Community Alliance for Main Street) was not transparent. He felt the contract should have been granted through an RFP (Request for Proposals) process. He thought a public procurement process built credibility within the community and focused on transparency and accountability.

Jami Hewlett read a prepared statement saying that she wanted to get back to the basics to determine whether the CAMS contract met even the most fundamental standards of good government. She felt it did not. She said we were being asked to ratify a \$40,000 per year agreement with CAMS after a complaint to the State Auditor claimed there were issues with procurement. She questioned conflict of interest disclosure and claimed that Matt Brower had never publicly stated his ownership of CAMS or the Red, White, and Blue Festival. She felt that claim alone should give the Council pause, but said it went deeper than that. She wanted to talk about what was

actually in the agreement. She said there was no clear scope of work and the broad language, like event planning coordination support, did not provide measurable deliverables.

Ms. Hewlett felt there were no defined performance standards, no accountability metrics, no way for the public or the Council to evaluate whether the City would get what it paid for. She felt there was no defined return on investment (ROI). She had asked vendors if they would be willing to give a bid on the project and they had asked her why she was even doing this and what was the ROI? She said there had to be an ROI in order to go into a contract. She said we were spending taxpayer dollars year after year, but where was the analysis showing an economic impact, increased revenue to the city, and measurable benefits to the community. She said it was not in the agreement. She said that we were being asked to approve a contract where we didn't clearly define the work, didn't measure the results, and didn't track the return. She felt that was not responsible government. She said the contract wasn't openly bid and qualified local companies in the valley were never given the opportunity to compete. She said that after concerns arrayed, the City tried to label the contract as a sole source. Ms Hewlett said that, even though other vendors were contacted, that was not how sole source worked. She suggested it was trying to justify a decision after it had already been made. She said that, while all of this was happening, CAMS was not just being paid by the City, they were also being given the ability to sell sponsorship, run events, and retain revenue. She said the City was paying CAMS and giving them income opportunities under a contract that lacked clear scope, measurable outcomes, and a competitive process. She said that was not good for the public and it raised serious questions. She asked who the agreement was really benefiting, because she felt it was not structured to protect the taxpayer. Ms. Hewlett said the Council had a responsibility to demand better. She added that it wasn't about being against events or downtown programming, it was about doing the right thing; clear scope, clear metrics, open bids, bidding, full transparency. She said that until those things existed, the agreement should not move forward. She asked that the Council not ratify the contract that night. She also wanted to say that the people who voted for Matt Brower's contract while he was under a State Auditor investigation, that it said more about them than it did him. Ms. Hewlett said she was also having a hard time getting GRAMA (Government Records Access Management Act) reports. She had her check for \$100 so so she could get GRAMA reports because the City did not answer her calls or return her voice messages. She put the check in front of the City Attorney Jeremy Cook and said that maybe he could take care of that.

IX. GENERAL BUSINESS ITEMS:

1. Wasatch County Health Department Annual Report (Jonelle Fitzgerald) - 10 min

Wasatch County Health Department Director Jonelle Fitzgerald provided the annual report from 2025 as included in the meeting materials.

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

1. Acceptance of Riverhawk Road Annexation Petition, Located approximately at 1000 West SR 113 (100 S) (Jamie Baron, Planning Manager) - *10 min*

Community Development Director Tony Kohler shared the proposed annexation request for Riverhawk Road, connecting the new High School, Mountainlands Technical College, and the religious seminary building. He advised that the road annexation would not bring any new businesses or residences, but would clarify the boundary. Petition Engineer Paul Berg further explained the need to annex the road.

Motion: Council Member Barney made the motion to accept the Riverhawk Road Annexation Petition, located at approximately 1000 West State Road 113 (100 South).

Second: Council Member Ostergaard made the second.

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

Voting No: None.

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

2. Resolution 2026-01 AI Policy (Lainee Meyers, Executive Assistant to the City Manager) - *10 min*

Executive Assistant to the City Manager Lainee Meyers shared the updates made to the proposed AI policy based on feedback previously provided by the Council.

Motion: Council Member Ostergaard made a motion to approve Resolution 2026-01 to adopt the proposed Artificial Intelligence (AI) policy.

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. Discussion on Public Works Salt Shed Failure & Path Forward (Russ Funk, City Engineer, Matthew Kennard, Public Works Director)

City Engineer Russ Funk described the structural failure of the salt shed located at Public Works. The shed was used to store salt for the snowplows during winter. He described Staffs efforts to have the builder of the shed repair or replace the shed, which had ultimately resulted in the City filing a lawsuit to have the shed replaced. He explained a budget amendment would be needed to begin the repairs or replacement of the shed. He recommended Council approve Staff moving forward to have the shed repaired or replaced prior to the next winter. Mr. Funk said an initial budget amendment of \$50,000.00 would allow Staff to begin seeking design bids.

Motion: Council Member Johnston moved to direct the City Engineer to solicit requests for design and construction plans for a new salt storage shed. To budget up to \$50,000

now, then budget what was needed for construction at a later date.

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.**

XI. COMMUNICATION:

Council Member Cheatwood asked whether the budget process could be done within the two meetings established. Council determined to notice a third Budget Workshop meeting to be held on Saturday, May 9th, beginning at 9:00 a.m.

City Engineer Russ Funk shared the cause of the holdup for the Muirfield Park expansion project. He explained that the project required permitting through the Army Corps of Engineers due to the wetlands in the area. The Army Corps of Engineers was hesitant to sign off on the project due to the delineation having been performed prior to their approval. The consultant was currently working through concerns with the Army Corps of Engineers. Staff would need to wait until the issue was resolved to proceed with the project.

Unity Week was forthcoming. Mr. Brower described the past events of Unity Week and was seeking Council's feedback regarding the desire to continue the event. There would be dumpsters, spring cleanup, and Council was invited to hand out ice cream during the season opener of the Heber Market on Main event. Council Member Johnston proposed the event cover two weekends. Public Works Director Matthew Kennard informed Council of the large amount of over-time that had resulted the first year the City had hosted Unity Week over two weekends. Council discussed details for the event, and proposed placing signs on dumpsters informing what waste was and was not allowed.

Mr. Brower recalled that the Council had approved a monument to celebrate the America 250 event. He shared the design and location for the monument. TAP tax funds would be dedicated for the monument. Council Member Murdock felt a flat cement pad with a flagpole would work better for flag-raising ceremonies. Council discussed design options. Mr. Brower agreed to return to the design team to provide additional concepts.

The County had provided the City with a purchase sale agreement for the fire station building. The City Attorney had reviewed it, and Mr. Brower would review to make final changes. The next Jordanelle Ridge payment for the monetization of affordable housing would be in December, 2026. Mr. Brower hoped it would be possible to delay the approval of the purchase agreement until July to have both items in the same fiscal year.

Next week would be the tabernacle square meeting with the County to review design

concepts. The designer had been instructed to include the entire block in the concepts.

Council Member Murdock wanted to comment on the renewal of the City Manager contract. He clarified he was not speaking on behalf of the Council. He said he had approached the vote to renew the contract very seriously and had devoted a lot of time to the matter. He was grateful to the Council for agreeing to take additional time for the performance evaluation. The Council had received many emails from Staff and residents expressing appreciation for Mr. Brower's commitment, hard work, and leadership qualities. Some of the communications received had expressed various questions and concerns. He appreciated all the emails and public comments made and had taken all the feedback into account. In making his final decision, he had also considered his own interactions with, and observations of, Mr. Brower, as well as feedback from the City Council evaluation process, and Council discussions. Part of the evaluation process had included identifying various growth goals and directives for Mr. Brower and requesting that he update the City Council on progress toward those goals and directives. Throughout Council Member Murdock's campaign, and when he was elected, he had committed to do his best to help improve communication and collaboration. He believed the performance evaluation process had reinforced the expectation for clearer and more consistent communication between the City Manager and the City Council. He was confident it would improve mutual understanding, build more trust, and help to ensure that the City Manager more effectively carried out the City Council's policies, priorities, and vision. He also thought it was very important to note that the role of the City Manager was a very demanding one, serving as the chief administrative officer of the City to whom all employees of the City reported, and that was from the Heber City Municipal Code. The position carried significant responsibility overseeing a large and complex organization while balancing operational, financial, and community priorities. Supervising and evaluating the City Manager was a very important role for the City Council, and he was glad the Council was taking steps to strengthen the process.

Council Member Johnston asked for an update regarding the dust at the airport. Mr. Brower advised that Staff had been meeting to discuss a strategy to handle the issue. Code Enforcement Officer Travis Price had met with each of the offenders and provided a letter listing the City's expectations for dust control. Staff would bring forth suggestions to council for code amendments in the coming months. The City would enforce dust control through its nuisance code.

XII. ADJOURNMENT:

Motion: Council Member Barney made the motion to adjourn and be done.

Second: Council Member Johnston made the second.

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

Voting No: None.

The **Motion Passed Unanimously, 5-0.**
The Meeting adjourned at 8:59 p.m.





Trina Cooke, City Recorder