

**HEBER CITY CORPORATION**  
**75 North Main Street**  
**Heber City, UT 84032**  
**Heber City Council Meeting**  
**Amended Agenda**  
**May 19, 2026**

**DRAFT 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  
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  
Planning Manager Jamie Baron  
City Engineer Russ Funk  
Finance Manager Sara Jane Nagel  
City Attorney Jeremy Cook  
City Recorder Trina Cooke  
Chief of Police Parker Sever

**Staff Participating Remotely:** IT Specialist Anthon Beales, Public Works Director Matthew Kennard, Human Resource Manager Cherie Ashe, Engineering Tech Desiree Muheim, Assistant City Manager J. Mark Smedley, Engineer Kyle Turnbow, and Finance Director Sara Nagel.

**Also Present:** Jason Glidden (MCHT), Kendall Crittenden (Wasatch County Council Member), Kent Shelton, Rachel Kahler (CAMS), Tori Broughton, Bart Mounteer, Naomi Kisen (UDOT), Craig Hancock (UDOT), Andrea Clayton (UDOT), Wyatt Woolsey (UDOT), Jeremy Smith, Gaylyn Latimer, Richy Wright, Paul Berg, Devin Johnson, Kurt Hoffman, Chad Marsing, Jason Norlen, M Kahler, Dallin Koecher, Muhammad A Muhammad, Cannon Taylor, Sue Waldrip, Dave Harris, Trudy Harter, Clayton Vance, Pat Sweeney, Gene Sweeney, Farah Sanders, Bettina Gese,

Corey Noyes, Phil Jordan, Candy Bonner, and others who did not sign in or whose handwriting was illegible.

**Also Attending Remotely:** (Names are printed as signed-in online) Cannon Taylor, Catherine, Jami Hewlett, kks, Mike Plowman, Patrick, TMT, A, Bob Brandt, Bridget Whiting, D. Harris, Dallin K, Deb, DK, Grace Doerfler KPCW, Jen, JS, K Anderson, Kamen Goddard, Lori Rutland, Louise, Me, Michael, Nick Lopez, Phil Jordan, Shorcake5, and SHORTY5.

1. Affordable Housing 101: Introduction to Affordable Housing (Jason Glidden)  
- 60 min

Executive Director of Mountainlands Community Housing Trust and Heber City Consultant Jason Glidden provided the presentation as included in the meeting materials. He explained the housing demand and the challenges faced, including the impact of short-term rentals on affordable housing locally, as well as additional contributing factors driving up housing costs in the Wasatch Back. Mr. Glidden reviewed common terms used in affordable housing discussions and provided definitions for each. He shared the recommendation that housing should not be more than 30% of a household income and provided a chart of AMI (Area Median Income) based on the number of people in the household. He then outlined a monthly schedule of educational housing meeting presentations planned for the Council. Council discussion included employee housing assistance, and how to better create affordable housing options in the community.

2. Status Update from Animal Policy Ad Hoc Committee (Morgan Murdock, Council Member) - 5 min

Assistant City Manager Mark Smedley shared the recommendations from the Animal Policy ad-hoc committee as included in the Staff Report and meeting presentation. The committee proposed dogs be allowed in certain parks if on-leash, to prohibit dogs in other parks, and to install more off-leash parks for dogs. Council Member Johnston asked that the Council return to the discussion at the end of the meeting during the Communication Items, if time permitted.

Mayor Franco moved the meeting forward to agenda item four of the Work Meeting.

3. Review State-Level Water Declarations and Heber City's Water Shortage Plan (J. Mark Smedley, Asst. City Manager) - 15 min

Mayor Franco moved Work Meeting Agenda item three to the General Business section of the Regular Meeting agenda.

Assistant City Manager Mark Smedley stated that the past year had been the lowest water accumulation in recorded history. He read the water restriction recommendations from the Water Shortage Plan that the City had adopted in 2023.

Council Member Johnston noted that the City water use would be dictated by the Wasatch Irrigation Company. City Engineer Russ Funk met with the Central Utah Water Conservancy District monthly. He said the current recommendation for water conservation was voluntary reduction. He added that the more water the City could conserve, and dependent upon the natural precipitation received, the longer the irrigation would be extended for community use. Consensus of Council majority wanted to be proactive and ask the community to use water more conservatively.

Public Works Director Matthew Kennard proposed a training for the EyeOnWater app that allowed utility account customers to view their water usage.

4. Heber Valley Corridor EIS (Environmental Impact Statement) Project Update  
(Craig Hancock) - 15 min

Craig Hancock and Naomi Kisen provided the update for the Utah Department of Transportation (UDOT) Heber Valley Corridor Environmental Impact Statement (EIS). The public comment period had closed. The UDOT team continued to review a pedestrian crossing at Midway Lane, added a sidewalk and signal for the crossing, as well as a bike lane on the shoulder. They were evaluating a possible shift in alignment at 1300 South, there would be a potential shift in the North Fields alignment to the east. The UDOT Team continued responding to the public comments received and considering additional refinements. With the final stage of the EIS, there would be an environmental evaluation provided as well as the results from the Army Corps of Engineers study.

Mayor Franco opened the discussion for questions from the public.

Cannon Taylor asked how far to the East that UDOT was considering to shift the bypass route. Ms. Kisen explained that the process to try to minimize the impact on the wetlands in the area would have to be considered.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the Regular Meeting to order at 6:06 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Yvonne Barney, Council Member)

Council Member Barney led the recitation of the Pledge of Allegiance.

3. Prayer/Thought by Invitation (Sid Ostergaard, Council Member)

Heber City resident Devin Johnson shared a prayer.

**IV. AWARDS, RECOGNITION, and PROCLAMATIONS:**

**V. CONFLICT OF INTEREST DISCLOSURE:**

Council Member Murdock shared that he owned a pet service company and was serving on the Dogs in Parks ad-hoc committee. He clarified that there was no financial gain for his service on the committee.

**VI. CONSENT AGENDA:**

Planning Manager Jamie Baron explained the purpose for the proposed temporary ordinance on Consent Agenda item two was to remove the requirement to bury existing above-ground utility poles in all zones.

**Motion:** Council Member Barney moved to accept the Consent Agenda.

**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.**

1. Approval of May 5, 2026, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Temporary Ordinance 2026-10 establishing temporary regulations pertaining to the requirement for existing above-ground utilities to be buried underground upon development/redevelopment. (Tony Kohler, Community Development Director)

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

Devin Johnson introduced himself as Mo's business partner and part owner of the Hub and One Stop. He was hoping to visit with Council to discuss alternative options for the intersection at 1200 south and Highway 40. He had met with the City Engineer Russ Funk and hoped to have more discussion with Council. Mr. Funk responded that he had heard back from enough of the Council to slow the intersection improvements. He agreed to pursue additional options for the intersection.

Chad Marsing owned property at approximately 205 North 600 West. He wanted the City to allow the lot to be included in the CHOZ (Central Heber Overlay Zone). There was an existing tri-plex on the lot that bordered the new high school under construction behind his property. It was currently considered a non-conforming use in the existing zone and rezoning it to be in the CHOZ would bring it into conformity and allow him to consider alternate uses for the property in the future. He felt the planning application fee of \$5,300.00 was an unreasonable amount for what he was requesting. Mayor Franco asked staff if there was potential for an exemption.

Planning Manager Jamie Baron explained that the fee consisted of an administrative fee and an escrow fee. Any unused portion of the escrow fee was returned to the applicant upon project completion. He confirmed the request was a smaller zone change than general and Council could approve a fee waiver. Mr. Baron and Mr. Marsing agreed to work together towards a more appropriate fee and return to Council at a future meeting for approval.

Heber Valley Tourism and Economic Development Director Dallin Koecher thanked the Council for supporting the Wasatch Back Economic Summit. It had been a very successful event.

Catherine Moore stated that she had tried to submit her comment by email but that it was rejected. She read her statement as follows: "I strongly urge the City Council to stop the proposal for the plaza/park redesign and keep our park as open, usable green space. The current plan to cram too many features into the small area will eliminate the simple free play that families and children now enjoy running, kicking a ball, and using the play equipment. Residents of Heber City have spoken, preserve the open field, don't overbuild the plaza/park. Make only targeted improvements, repair paths, update play equipment, resurfacing a bench or two, improve the lighting, keep the park family-friendly and accessible. Don't trade our neighborhood's heart for a congested design that serves nobody. And just a side note: today was really cool because the school buses came to the park. First thing the kids did was run across the park, played on the equipment, played Frisbee, and had a great time. When you cram all this crap in, they will not be able to run across that thing. There'll be too many obstacles to run and have fun."

Jami Hewlett wished to reiterate the comment made by Ms. Moore. She lived a block away from the park and loved to visit the park with her children. She said it was a historic park and the Founding Fathers had designated that area as a park. She felt the spending was out of control. She did not want to see the park redesigned again. She was against raising taxes. She said the whole town said they had to leave because they could not afford to live in Heber anymore. She did not feel that developers or Dallin Koecher should be allowed to use public comment time.

Maddie Kirby had moved to Heber City approximately 20-years ago. She felt that everyone who moved to Heber City wanted to keep it the way it was. She had tried to do the park survey online but had been unable to complete it. She agreed with the two previous comments made about the park and did not want all the things the City was proposing. She hoped the Council would listen to the people and not change the park.

Patrick Saucier wished to chime in for the corn-hole community. He felt the City could do as they pleased with the park as long as there was a place to play corn-hole.

Council Member Barney said there were six emailed public comments and she read a portion from Katie Studdert's email as included at the end of the meeting minutes. Council Member Aaron Cheatwood read the email from Bridget Whiting as included at the end of the meeting minutes.

#### VIII. GENERAL BUSINESS ITEMS:

1. Market on Main Event Plan and Summer Event Schedule (Rachel Kahler, CAMS Executive Director) - *10 min*

Rachel Kahler, Executive Director of CAMS (Community Alliance for Main Street), said the planning of the Heber Market on Main (HMOM) was going well. She reviewed the 2026 programmed events for the park. She said the different events were drawing a diversity of crowds from the community. Ms. Kahler was assisting with the planning of the Back to the 50's car show as well as the Red, White, and Blue Festival. She listed several other events planned throughout the summer, as included in the attached presentation. She informed of coming changes for the HMOM in the 2026 season. She shared historic preservation initiatives. Ms. Kahler hosted a historic bus tour for the senior citizens at the Wasatch County Senior Center. She noted the success gained through utilizing social media channels. CAMS had applied for the seventh art installation grant and hoped to see it completed that summer.

2. Proposed Development at 850 East 1200 South (Tony Kohler, Community Development Director) - *20 min*

Community Development Director Tony Kohler introduced Paul Berg and Austin Arellano who wished to propose an affordable housing development project. Mr. Berg shared a presentation as included in the meeting materials proposing a small lot development. The petitioners felt it added another housing option for the community. Mr. Arellano added that the proposed cottage lots would provide opportunity for young families looking to own a home. He noted the ability for internal ADUs (Accessory Dwelling Units) that could subsidize a house payment. He further explained the benefit to those seeking home ownership. Mr. Kohler described the conceptual community plan as provided in the attached presentation materials. The price range would be mid-\$500,000.00 to \$750,000.00. Council discussed more appropriate locations for the proposed project, alternate locations for the play area, the cost of missing middle housing, and provided feedback for their preferences at the proposed location.

Mayor Franco returned the Work Meeting agenda item three that had been previously bypassed.

3. Monthly Development Report (Jamie Baron, Planning Manager) - *10 min*

The Monthly Development Report was postponed to the next meeting scheduled for June 2, 2026.

4. Finance Director Statement of Proposed Property Tax Increase and Presentation of the Proposed Property Tax Impact Schedule (Sara Nagel, Finance Manager) - *10 min*

Finance Director Sara Nagel explained the new State Code required this agenda item to be included on all meetings or public hearings at which the budget was to be discussed.

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

1. Resolution 2026-11 Acknowledging the City's Intent to Increase Property Tax Revenue and Setting a Hearing Date for the August Truth in Taxation Public Hearing (Sara Nagel, Finance Manager, Matt Brower, City Manager) - *15 min*

Finance Director Sara Nagel said the Council needed to select a date in August to continue the conversation about Truth in Taxation (TNT). Council determined to schedule the TNT meeting at 7:00 p.m. on Wednesday, August 5, 2026.

Mayor Franco opened the meeting for public comment at 8:05 p.m.

Jamie Hewlett asked if the Council could schedule the meeting for the following week after the schools were back in session.

Catherine Moore asked for confirmation of the meeting date and time.

**Motion:** Council Member Johnston moved to adopt resolution 2026-11 acknowledging the City's intent to increase property tax revenue setting a hearing date for Wednesday, August 5, at 7:00 p.m.

**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. Children's Justice Center Presentation and Donation Request (Kurt Hoffman) - *10 min*

Director of the Children's Justice Center (CJC) Kurt Hoffman shared the services provided at the CJC and requested continued support from Heber City with a contribution of \$11,000.00. He added that the program was statutorily required by the State in every County. The intent was to protect children that were the victims of abuse as they traversed through the investigation process in the justice system. Chief of Police Parker Sever shared the great partnership the Police Department had with the CJC program. Mr. Hoffman commended the officers that worked with the CJC.

**Motion:** Council Member Cheatwood moved to issue the same financial commitment to the Children's Justice Center as the year prior.

**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.**

3. Final Recommendations for the 2026 TAP Arts Grants (TAP Tax Advisory Committee) - *30 min*

Assistant City Manager Mark Smedley shared that the City had received far more requests for TAP (Trails Arts and Parks) Tax grants for the arts than revenue that was allotted. He recalled that the Council had allotted 10% of the TAP tax revenue for the arts. He shared that the total request from the POSTT (Parks, Open Space, Trails, and Trees) Committee was less than their proposed projects. He proposed that the Council observe the presentation then discuss how to proceed with the grant money awards. Co-Chairs of the TAP Tax Advisory Committee for the Arts Farah Sanders and Phil Jordan reviewed the qualification process and evaluation criteria used to determine eligible recipients, using the PowerPoint presentation included in the meeting materials. Council discussion followed regarding appreciation for the arts and raising the arts allotment of TAP tax funds. Consensus of Council majority agreed that the allotment should be raised for the arts going forward, and to fund all the requests forwarded by the TAP Tax Advisory Committee for the Arts.

**Motion:** Council Member Johnston moved to fund all the applications and raise the TAP allotment for the arts to 15% in the future.

**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.**

4. High Valley Arts Performing Arts Center (Tony Kohler, Community Development Director, Stu Waldrip) - *30 min*

Sue Waldrip had founded the High Valley Performing Arts in 2009 and the group had been performing plays and musicals for the Valley for the past 17 years. She described the group's desire to build an additional location for performing arts in Heber City. She shared the proposed building design and location as seen in the meeting presentation, and described the business model.

Mr. Waldrip reviewed the concept plan and shared the group's intent to include additional landscaping and picnic tables to preserve the London Spring area located in a corner of the proposed parking area. He felt the added arts center was much needed in the community. It would be a self-funded project, but the group was asking for feedback from the Council on the proposed project.

Mr. Waldrip said land was under contract but the group would wait until the final alignment of the bypass to be constructed in the area was established before proceeding. Council discussed the protection of the London Spring, the fire station expected to be constructed in the area, and potential solutions.

Concept Designer Paul Berg felt the design could be altered to accommodate the proposed fire station by cutting out some of the parking. Mayor Franco observed the amount of trees surrounding London Spring that would be lost to parking in the design.

Mayor Franco opened the discussion for public comments.

Maddie Kirby asked how the water would support the proposed theater with 600 people flushing toilets. She said that as long as the City continued to annex land into the City, she was going to water her garden as much as she could. She asked why another arts center was needed. She suggested the performers use the high school.

President of the Wasatch Arts Council Pat Sweeney thanked the Council for their TAP Tax support for the Arts. She had been working for 11 years with designers to create a community arts center. She did not think the proposed project could fill a 600-seat theater and felt it would be empty. She said she had tried to join forces previously and had been turned down by the High Valley Performing Arts group. Ms. Sweeney questioned the follow through of the High Valley Performing Arts group and said she was confused by the apparent turn about. She said there was a vibrant arts community in the Valley and it needed a place to live.

**Motion:** Council Member Cheatwood moved to hear back from the High Valley Performing Arts group, with direction to talk to the fire department and to work with the other performing arts groups to come together.

**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.**

**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 moved the meeting forward to agenda item seven.

5. Main Street Park (aka Trailhead Plaza) Survey Results and Design Tenets for Preferred Master Plan for the Plaza (Lars Erickson) - 60 min

Terracon representatives had returned to receive Council feedback for the proposed park design presented at the previous Council meeting as included in the meeting materials.

Council Member Ostergaard wanted to see all existing trees preserved. He supported the proposed design, including the ice-skating ribbon with roller-skating in the summer.

Council Member Johnston expressed his support of the proposed design. He liked the splash-pad, and the ice-skating ribbon with roller-skating, but did not care for the elevated play-area over the ice ribbon.

Council Member Barney did not support the added businesses on Main Street as she felt they would compete with the existing businesses. She did not support the ice ribbon but did support a smaller roller rink, a larger splash pad, and an improved playground.

Council Member Cheatwood supported the skate ribbon. He liked the proposed game area, raised berm in the lawn, the jewel box boutique kiosks, and an all-abilities play area, as well as bathroom improvements and more drinking fountains. He wanted to know the added cost of the ice-ribbon, and suggested seeking donors for added features in a splash pad such as the one located in Orem.

Council Member Murdock felt restrooms and drinking fountains were very important and needed. He hoped to retain as many of the legacy trees and as much grass as possible, and liked the berm. He supported an all-abilities playground with traditional equipment, and was open to the proposed roller-rink and splash-pad, but was concerned about the funding sources and what the City would need to subsidize.

Mayor Franco felt there were too many ideas and the cost was incredible. She felt the public would appreciate the City starting small with bathroom and drinking fountain improvements, wider sidewalks, and fixing the pavilion to use for multiple purposes, including a possible ice cream or sandwich space, or a year-round market. She felt the playground could be moved further from Main Street and rebuilt larger. Mayor Franco proposed starting simply with what the City could afford. She did not think bonding for the project was a good idea and did not support the tax increase. She felt it was important for Council to try to make it affordable for the community. She did not support the proposed commercial areas.

Terracon would return to a Council meeting in June, with an updated design plan implementing Council feedback, including phasing, and preliminary pricing.

6. Temporary Ordinance 2026-11 establishing temporary regulations pertaining to regulation of overnight food truck parking on Plaza Street (200 South) and Main Street Park (Anthony L. Kohler)

Community Development Director Tony Kohler explained the request from CAMS (Community Alliance for Main Street) to allow overnight parking for food trucks on Festival Street through the event season. It was a six-month ordinance would allow staff time to establish a fully vetted, more permanent ordinance. Council discussed the impact to the brick pavers where the food trucks would be parked, the potential impact to neighbors, noise restrictions, lighting restrictions, a curfew, and whether additional security would be needed.

Executive Director of CAMS Rachel Kahler described the investment in Festival Street that the City had made to bring people downtown. She explained there were two plug-in stations for the food trucks, eliminating the need for generators. There would be two food trucks that would be parked on Festival Street, as an experiment, to see if they could draw the public to the downtown area. She felt that parking the trucks overnight would cause less damage than having them come and go. Mr. Kohler proposed implementing the Council's suggestions into the ordinance and returning with an updated temporary ordinance at the next meeting.

**Motion:** Council Member Barney moved to continue the temporary ordinance to allow food trucks to park overnight on Festival Street to the June 2, 2026, City Council Meeting.

**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.**

Mayor Franco moved to agenda item five.

7. Main Street Stage Back Drop Structure Procurement (Phil Jordan) - 10 min

Phil Jordan described the team effort to obtain three bids for the Main Street stage backdrop project, but explained that they had only been able to get two. City Attorney Jeremy Cook felt the City had met its procurement requirement by making the effort to obtain three bids.

**Motion:** Council Member Cheatwood moved to authorize staff to move forward with the lowest bidder of the respondents within the project budget approved the last time Council talked about the item.

**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.**

Mayor Franco returned to agenda item six.

**X. COMMUNICATION:**

City Manager Matt Brower shared that the Chief Tabby artist had suffered an accident and the statue installation would not take place over Memorial Day weekend as originally planned.

City Engineer Russ Funk shared the delays of certain equipment delivery for the Mill Road traffic-slowing improvements and the project was exceeding the budget. He would need to present Council with a change-order and anticipated that the project would be complete before school was back in session at the end of summer.

**XI. ADJOURNMENT:**

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

**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 meeting adjourned at 10:44 p.m.

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Trina Cooke, City Recorder