

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
June 2, 2026

APPROVED Minutes

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

I. CLOSED MEETING: 4:00 P.M.

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, Cheatwood, and Murdock.

Voting No: None.

Council Members Barney and Johnston were absent.

The **Motion Passed, 3-0.**

City Council Present: Mayor Heidi Franco

Council Member Yvonne Barney - arrived remotely at 4:35
p.m.

Council Member Morgan Murdock

Council Member Sid Ostergaard

City Council Absent: Council Member Johnston

Staff Present:

City Manager Matt Brower

City Attorney Jeremy Cook

Airport Manager Nominee Adam Bunker

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

Motion: Council Member Ostergaard moved to end the Closed Meeting.

Second: Council Member Murdock made the second.

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

Voting No: None.

Council Member Johnston was absent.

The **Motion Passed, 4-0.**

The Closed Meeting adjourned at 5:20 p.m.

II. WORK MEETING - 5:00 P.M.

Mayor Franco called the Work Meeting to order at 5:24 p.m. and welcomed everyone present.

City Council Present: Mayor Heidi Franco
Council Member Yvonne Barney - remotely
Council Member Aaron Cheatwood
Council Member Mike Johnston - arrived remotely at approximately 6:38 p.m.
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
Deputy City Recorder Andrew Conley
Chief of Police Parker Sever
Airport Manager Adam Bunker

Staff Participating Remotely: IT Director Anthon Beales, Public Works Director Matthew Kennard, Human Resource Manager Cherie Ashe, Engineering Technician Desiree Muheim, Planning Administrative Assistant Michelle Kijanen, City Engineer Russ Funk, Finance Manager Sara Jane Nagel, and Accounting Technician Wendy Anderson.

Also Present: Randy Birch, Mia Yue, Hillary Keel, Eric Stritter, Tori Broughton, Preston Hicken, Kenady Sullivan, Rachel Kahler - CAMS, Tanya Elander, Brent Burnham, Carri Wellner, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) A, B, Brent Burnham, Cannon Taylor, Chad Marsing, CP, Grace Doerfler KPCW, Jason Talley, Jones, Kim, Lori Rutland, Michael Simons, MTN, Nick Lopez, Patrick, S, and Shorty 5.

1. Justice Court Consolidation (Jim Peters, Justice Court Administrator for the State of Utah, Parker Sever, Chief of Police) - 30 min

Jim Peters, with the Utah Judicial Council, was present to answer questions from Council regarding the proposed consolidation of the Heber City and Wasatch County Courts. He provided reasons to consolidate separate court systems including better customer service and cost efficiency, then offered examples of other Cities that had done so. Mr. Peters discussed pros and cons of combining the two courts, adding that he was unsure if one court could handle the increased caseload.

Mr. Peters noted the ideal time to consolidate was when a judge was up for reelection, which was the case in Heber City that year. Council further discussed whether the proposed consolidation would benefit the citizens and how customer service could be improved.

2. Wasatch Trails Foundation Presentation (Mia Yue) - 20 min

Executive Director for the Wasatch Trails Foundation, Mia Yue, provided a presentation for the 2025 year-end TAP (Trails, Arts, and Parks) report as included in the attached PowerPoint. She introduced the foundation's Trail Crew Foreman Eric Stritter and outlined the Foundation's hours dedicated to and cost of trail maintenance for the year, including volunteer hours dedicated. She outlined major accomplishments, reviewed the trail areas maintained by the Foundation, and offered additional data to support the need for the trail system's ongoing maintenance, including the large number of trail users. Ms. Yue asked Council to defer the Fiscal Year 2026 TAP tax grant award money to 2027. She also asked for standardization of the TAP funding for distribution to support the trails in the entire valley for the whole community. Council recognized the importance of the trail system and supported the requests from the Wasatch Trails Foundation.

III. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the meeting to order at 6:25 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Mike Johnston, Council Member)

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

3. Prayer/Thought by Invitation (Aaron Cheatwood, Council Member)

Council Member Cheatwood shared a prayer.

V. AWARDS, RECOGNITION, and PROCLAMATIONS:

VI. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts disclosed.

VII. PUBLIC HEARINGS:

Mayor Franco moved forward on the agenda to number five for the Finance Director Statement of Proposed Property Tax Increase and Presentation of the Proposed Property Tax Impact Schedule, as required by new State Legislation.

1. Public Hearing for the Proposed FY 2027 Fiscal Year Budget (Sara Nagel, Finance Manager)

Finance Director Sara Nagel provided a budget process snapshot as included in the presentation attached to the meeting materials. The Public Hearing being held was the next step in the process to conclude on August 5th, 2026, with the Truth in Taxation meeting scheduled for 5:00 p.m. She reviewed the changes to the Fiscal Year 2027 Tentative Budget as approved by Council and included in the presentation.

Mayor Franco asked to have the proposed changes to the tentative budget posted online. Ms. Nagel agreed to have a list of tentative budget changes posted on the website with the official Fiscal Year 2027 Tentative Budget document. She then shared the Capital Project Deferral List of the projects not approved by Council for the 2027 Fiscal Year Budget.

Mayor Franco opened the Public Hearing at 6:53 p.m. With no one from the public coming forward to comment, the Public Hearing was closed at 6:54 p.m.

2. Public Hearing on Unbilled Services for Culinary Water, Sewer Water, Stormwater, and Pressurized Irrigation Funds (Sara Nagel, Finance Manager)

Finance Director Sara Nagel presented the unbilled services practice that the City did not pay itself for the water utility services it used. The State requirement was to hold a Public Hearing and ask if the Council wished to proceed with the practice. Council Member Johnston reminded Council that the usage by the City was not covered by property tax but rather through the water utility service bill, which encompassed users exempt from property tax such as the school district.

Mayor Franco opened the Public Hearing at 6:59 p.m. With no one from the public coming forward to comment, the Public Hearing was closed at 7:00 p.m.

3. Public Hearing UT Code 10-3-818 Salaries in Municipalities Ordinance 2026-12 (Cherie Ashe, Human Resources Manager) -

Human Resource Manager Cherie Ashe described the salaries in municipalities requirement outlined in the Utah State Code for Cities to annually disclose compensation increases for the appointed officers prior to the budget adoption. She clarified that it was not necessary to adopt the ordinance. She further explained the pay scale increases currently followed by the City.

Mayor Franco opened the Public Hearing at 7:04 p.m. With no one from the public coming forward to comment, the Hearing was closed at 7:05 p.m.

4. Public Hearing and Possible Adoption of Ordinance 2026-13 Amending the Consolidated Fee Schedule (Sara Nagel, Finance Manager)

City Finance Director Sara Nagel presented the proposed changes for the Consolidated Fee Schedule as outlined in the meeting materials and presentation. Council discussed the proposed advance time requirements and cleaning deposit for the park reservations. Chief Sever reviewed the proposed changes to the animal control fees. Building Official Curt Davis clarified the proposed updates to the building and plan review fees. CAMS (Community Alliance for Main Street) Executive Director Rachel Kahler reviewed the updates for the Heber Market on Main (HMOM). Public Works Director Matthew Kennard clarified the proposed changes to the fees for after-hours inspections for non-emergency situations. Community Development Director Tony Kohler explained the purpose of the plan-review minimum lot size was to charge small businesses a lower fee than large developers for redevelopment. City Manager Matt Brower said the Fee Schedule would be returned to the next meeting agenda for Council approval to reflect the additional changes proposed. City Attorney Jeremy Cook recommended that another public hearing be held at the time of approval.

Mayor Franco opened the Public Hearing at 7:35 p.m. With no one from the public coming forward to comment, the Public Hearing was closed at 7:36 p.m.

Motion: Council Member Cheatwood made a motion to continue the item and bring it back for discussion at a future date, including another public hearing.

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.**

5. 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 requirement by the State for the City to provide the attached Statement of Proposed Property Tax Increase and Presentation of the Proposed Property Tax Impact Schedule at every City Council Meeting at which the budget was discussed prior to adoption.

The meeting returned to Public Hearings agenda item number one.

VIII. CONSENT AGENDA:

Council Member Cheatwood inquired whether Staff had been able to lower the estimated cost for the 100 West improvements outlined in the Consent Agenda item three. City Engineer Russ Funk informed that the final cost had been \$52,000.00 less than originally projected. He provided additional clarification on the contract requirements. City Attorney Jeremy Cook offered clarification for the 60-day deadline to propose a different use of PID (Public Infrastructure District) funds, as outlined in item six on the Consent Agenda.

Motion: Council Member Cheatwood made the motion to approve the Consent Agenda with the exception the May 19, 2026, Meeting Minutes, which he wanted to capture a more robust outline of the comments made by Council regarding the TerraCon presentation.

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.**

1. May 6, 2026, City Council Meeting Minutes - Budget Workshop #1, May 8, 2026, City Council Meeting Minutes - Budget Workshop #2, and May 19, 2026, City Council Meeting Minutes (Trina Cooke, City Recorder)

The May 19, 2026, Meeting Minutes were removed from the Consent Agenda approval pending the inclusion of additional Council commentary.

2. Heber City-Fire District MOU for land dedication in Fitzgerald Farms (Tony Kohler, Community Development Director)
3. Approval of the Engineering Final Design & Construction Services Agreement to Horrocks Engineers for the 100 West Improvements (Russ Funk, City Engineer)
4. Contract Award to C&B Asphalt for construction of the Heber City 2026 Road Maintenance Project (Russ Funk, City Engineer)
5. Temporary Ordinance 2026-11 establishing temporary regulations pertaining to regulation of overnight food truck parking on Plaza Street (200 South) and Main Street Park (Tony Kohler, Community Development Director)
6. Resolution 2026-12 Amending the Agenda Section Order in the Rules of Order and Procedures (Jeremy Cook, City Attorney)
7. PID Cooperation Agreement for Jordanelle Ridge PID No. 3 (Jeremy Cook, City Attorney)

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

Mayor Franco asked whether Resolution 2026-12 modifying the time for Public Comments should be in effect immediately for that night. City Attorney Jeremy Cook advised that he felt it would be best that the Resolution go into effect at the next meeting.

Mayor Franco opened the Public Comment period at 8:01 p.m. With no one coming forward to comment, the Public Comment period was closed at 8:02 p.m.

X. GENERAL BUSINESS ITEMS:

There were no General Business items to discuss.

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

1. City Council Approval of Airport Manager Nominee (Heidi Franco, Mayor) - *10 min*

Mayor Franco shared feedback from the previous evening's open house to meet the Airport Manager nominee Adam Bunker. She shared public comments received, noting that all feedback had been positive and there had been no negative comments. Adam Bunker thanked the Council and expressed his appreciation for all involved in the search process, including the time and effort applied. Council Member Cheatwood acknowledged Mr. Bunkers's qualifications, noting his commitment to implement technology at the airport. Council Member Murdock felt the search had been thorough and was grateful to have been part of the process.

Motion: Council Member Cheatwood moved to approve the Mayor's Airport Manager nominee, Adam Bunker.

Second: Council Member Morgan Murdock made the second.

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

Voting No: None.

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

2. Amended Contract with Atlas Towers for Cemetery site (Tony Kohler, Community Development Director) - *30 min*

Community Development Director Tony Kohler summarized the background of Atlas Towers attempts to find a location in Heber City to install a cell tower. Multiple locations had been rejected. The most recent site proposed was the hospital well site that, due to public outcry from neighbors, Planning Commission was forwarding a negative recommendation and asking Council to consider an alternate location at the City Cemetery for the cell tower installation. Mr. Kohler recalled the contract between the City and Atlas Towers to install the cell tower at the Hospital well site.

The City would need to vacate that contract and enter into a new contract for the Cemetery site. Atlas Towers hoped the Council would allow an 80-foot tower for better service, which would require another public hearing to change the zoning ordinance for the location. Carrie Wolner, representing Atlas Towers, was present to comment and confirmed that Atlas was willing to install a tower that resembled a pine tree. Mr. Kohler shared aerial images of the cemetery location, noting the distance from the nearest residents and the surrounding pine trees that would help camouflage the tower.

Council Member Cheatwood further described the discussions held by, and the thought processes of, the Planning Commission as they had reviewed and considered the future of cell towers in the valley. Council discussed tower height limitations, style, and other locations, including rooftops along Main Street.

Mayor Franco opened the discussion for public comment.

Brent Burnham, 30-year resident, acknowledged the challenges faced by the City Council. He noted research that reflected the negative impact cell towers had on property values. He supported the proposed cemetery site for the tower. He had attended the Planning Commission meetings and expressed his appreciation for the process and for the feeling of being heard by the Planning Commissioners.

Tonya Elander seconded the statements of Mr. Burnham. She had family in Nevada, where they had been very creative with tower designs, such as one styled like an old-fashioned water tower. She wanted Council to push for more aesthetically pleasing towers. She agreed with Council Member Ostergaard's suggestion to build the towers where development was coming and let the homes be built around the tower rather than imposing towers on residents after construction. She thanked the Council for listening and allowing the public to share their views.

Russ Funk, speaking as a resident of Heber Valley, felt there were some tree tower designs that looked very good and thought it was important to let the tower installer know the expectation for a good design. He suggested the Council consider recently acquired City property north of Heritage Farms Parkway for a future tower.

Council discussed additional design options for cell towers with Ms. Wolner who agreed to provide examples of design options.

Motion: Council Member Cheatwood moved to accept the changes to the lease with Atlas Towers as shown in the first amendment to the ground lease Heber Hill and the Heber Hill - Heber City MOL (Memorandum of Lease) ground lease documents.

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. Planning Commission Recommendation on Hospital Well Zone Change (Tony Kohler, Community Development Director) - 25 min

Community Development Director Tony Kohler recalled the discussion prior, in which the Planning Commission forwarded the recommendation to Council to relocate the tower location to the Cemetery site. The Planning Commission was also forwarding a recommendation that Council not rezone the Hospital well site at that time. Staff also recommended a denial of the proposed zone change for the Hospital well area.

Motion: Council Member Ostergaard moved to go with the Planning Commission recommendation and vote no on the proposed zone change.

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.**

4. Chad Marsing Zone Change Fee Reduction (Jamie Baron, Planning Manager) - 15 min

Chad Marsing wished to be allowed a zone change for his property to be included in the CHOZ (Central Heber Overlay Zone). He felt the \$5,300.00 planning fee was too high as he was not a large developer. Community Development Director Tony Kohler explained the planning fee was intended for larger developers and felt staff could process the necessary actions for the zone change at the reduced cost of \$2,000.00. City Engineer Russ Funk expressed concern with the reduced fee based on the amount of staff time the smaller projects tended to take, and asked that Council make this an exception rather than change the rule.

Motion: Council Member Cheatwood moved that the Council reduce the fees for the zone change request to the CHOZ for Mr. Marsing's lot to \$2,000.00 as a one-time exception.

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.**

XII. COMMUNICATION:

City Manager Matt Brower provided information on the following:

- The 28th season of the Heber Market on Main (HMOM) was scheduled to kick off on the coming Thursday, June 4th, 2026. The music headliner for the night would be Jagger Town, beginning at 6:00 p.m. Bank of Utah had been the primary sponsor for all 28 years.

- Unity Week had begun that week. Dumpsters were out for community clean-up and being well-used. The downtown cleanup would be that Saturday, June 6 from 9:00 a.m. - 11:00 a.m.
- The Red, White and Blue Festival would be the weekend of the Fourth of July with the City Council hosting the all-American lunch with hot-dogs, watermelon, and drinks on Saturday, July 4th at the Main Street Park. Mayor Franco recommended bringing in 1000 hot dogs, up from 800 last year, in order to not run out.
- There were two more round-a-bouts coming and Council needed to begin thinking of what they would like the artwork to be in the middle of each.
- The water feature outside of City Hall had been open since Memorial Day Weekend and would remain open until Labor Day.
- The flowerpots had been filled, and the hanging baskets hung, along Main Street.
- A Request for Proposals (RFP) for engineering services had been issued at the request of the Federal Aviation Administration (FAA) to have the runway relocation project at the airport under contract by the end of August. By doing so, the FAA would increase its sponsorship for the project to 95%, decreasing the City's responsibility to two and a half percent.
- The Airport was also planning to issue an RFP for new leases for hangars B and C. The hangars could potentially generate up to 1.5 million dollars to help the City meet its grant requirements.
- Staff was working to ensure parks were not being watered mid-day or when raining, to promote water conservation by the City.

City Engineer Russ Funk shared an update from Central Utah Project (CUP) regarding the water cuts for first-class irrigation water planned for mid-June. If property owners did not reduce water usage voluntarily, the watering season would be cut short. The goal was for the City to make it to mid-September. Staff would be recommending the City go to phase three water conservation by resolution at the next City Council meeting.

Council Member Barney had been receiving complaints from residents that lived near the park about the loudness of the live music events and hoped the City could do something. She excused herself and left the meeting at approximately 9:15 p.m.

Council Member Ostergaard shared that the main stage backdrop was beginning installation and the City hoped to have it up by the Fourth of July.

Council Member Cheatwood questioned the airport's runway realignment timeline and the impact to airport revenues the shutdown would create. Mr. Brower said the airport consultant estimated a possible four-month shut-down but the FAA wanted it done before the Olympics. He recalled the additional adjoining properties the City was trying to purchase to allow the runway realignment.

Council Member Cheatwood advised there had been some social media chatter about the generator at the hospital. He asked the City to send out an informational notice to inform the community of the purpose of the generator.

Council Member Murdock noted that the contract for the City lobbyist, Dave Stewart, who was contracted through MAG (Mountainlands Association of Governments), would expire on June 30th, 2026. He asked that Heber City look at it before then and request that Mr. Stewart begin delivering quarterly reports to the Council. Mr. Brower recalled that Mr. Stewart was currently lobbying the State Legislature for the airport grant money.

City Engineer Russ Funk informed that a franchisee who had an agreement with Heber City to underground all new communication infrastructure lines, had not done so. Staff had discovered this and made them halt construction. Council further discussed undergrounding utility and communication lines.

XIII. ADJOURNMENT:

Motion: Council Member Cheatwood made the motion to adjourn.

Second: Council Member Ostergaard made the second.

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

Voting No: None.

Council Member Barney was absent.

The **Motion Passed 4-0.**

The meeting adjourned at 9:47 p.m.




Trina Cooke, City Recorder

IX. PUBLIC COMMENTS: (received by email at ccpublic@heberut.gov)

From: Catherine <[REDACTED]>

Sent: Monday, June 1, 2026 5:02 PM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) Food Trucks Festival Street

June 1, 2026

I read the new proposal for temporary permanent food trucks on Festival Street. What is concerning me is the wording of "allowing the food trucks into the new installed electrical outlets onsite." Allowing does not mean they are required to use the electrical outlets instead of their generators.

- Who is going to enforce the food truck vender to use only electrical outlets?
- Who is going to enforce the food truck vendors to shut down at 10pm?
- Will the city be cleaning the park/plaza more often due to the excess food trash?
- I pick up trash from the open ditch after events because people fail to use the trash can. This is an example of something the city council doesn't understand how it truly impacts local residents.
- What about the same standards as the food truck court going in at the corner of 100W& Midway Lane.
- There is no running water to wash your hands.
- There is no accessible bathroom for people in wheelchairs.
- Why are they getting special treatment?
- There are two portable bathrooms with a handwashing area outside. Due to the proximity of my house, I get to see people enter the portable bathrooms and leave without washing their hands! Is that because there is no water at said handwashing station, is there hand sanitizer in said bathrooms or just people being gross?

Food trucks generators make a lot of continued noise & pollution. It is one thing having them during special occasions and/or on market day and another permanently located in the city park. Also, having maximum 8 food trucks at the corner of 100W & Midway Lane, will they be using generators or electricity?

Heber City spent a lot of money to install electrical outlets for said food trucks. Why are they not using said electrical outlets instead of their generators?

Respectfully submitted,

Catherine M.