

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
July 7, 2026**

APPROVED 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 4:02 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
Council Member Morgan Murdock
Council Member Sid Ostergaard

Staff Present:

City Manager Matt Brower
Community Development Director Tony Kohler
City Engineer Russ Funk
Finance Manager Sara Jane Nagel
Public Works Director Matthew Kennard
IT Director Anthon Beales
City Attorney Jeremy Cook
City Recorder Trina Cooke
Chief of Police Parker Sever

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

Also Present: Jason Glidden, Michael Plowman, Russ Watts, Bob McKinley, Grace Doerfler, Phil Jordan, Matt Chipman, Annette McRae, Kelli Cottle, Audrey Linford, Janet Gee, Curtis Leavitt, Linda L. Middleton, Tori Broughton, Tracy Taylor, Don K. Taylor, Dylan Taylor, Kat Lawry, Steve Lawry, La Turnbull, Tom Wynne, Dave Harris, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) TC, A, B, BPollock, CB, Claudia O'Grady, Dallin Koecher, Grace Doerfler, Jen, Keri Smith, Shorty5, SRH, and TMT.

1. Celebration Housing Development Agreement (Tony Kohler, Community Development Director) - *20 min*

Council Member Johnston wished to state that he had no conflict of interest, but wanted to declare that Russ Watts was a client of the company he worked for.

Community Development Director Tony Kohler recalled the City's ongoing negotiations with Celebration Workforce Housing. The hope was to provide affordable housing to the community that would be agreeable to both parties. Parking availability had been a challenge for the project. Project representative Russ Watts further described the project plan and design to the Council. Council discussed parking possibilities, the number of proposed units, phasing, and pricing.

2. Affordable Housing 101: Federal/State Funding Tools-What are Low Income Housing Tax Credits and how are they Used? (Claudia O'Grady (UHC)) - *60 min*

Jason Glidden with Mountainlands Affordable Housing and Claudia O'Grady with the Utah Housing Corporation shared a presentation as included in the meeting recording. Ms. O'Grady covered the understanding of housing needs, rent limits, income limits, and affordable housing needs in Utah housing. She explained the concepts of the housing program offered through Utah Housing Corporation and the tax credits that helped the program work. Ms. O'Grady listed the key participants contributing to the program, outlined the homeownership structure therein, and shared the types of tax credits available. Council discussed both the benefits and concerns with the program and its projects.

3. 1200 S & Mill Rd Roundabout Design Discussion (Russ Funk, City Engineer) - *20 min*

City Engineer Russ Funk recalled the level-of-service anticipated for the future at the intersection of 1200 South and Mill Road. He presented roundabout design options, as included in the meeting materials, to assist with traffic flow. He shared concerns from property owners that would be impacted by the construction of a roundabout at the intersection. Council discussed the size preference for the proposed roundabout, the impacted property owners, whether the County would be willing to partner with the City, and how best to proceed.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the meeting to order at 6:19 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Sid Ostergaard, Council Member)

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

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

Mayor Franco shared a prayer.

IV. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayor's Award to Don Taylor, Retiring MAG Trail Coordinator

Mayor Franco presented Don Taylor with the Mayor's Award and expressed gratitude from the City for his service as the Mountainlands Association of Governments (MAG) Trails Planner. Mr. Taylor thanked the Mayor and Council for the award and spoke briefly about his many accomplishments.

2. Mayor's Contest Awards - Alexis Linford, Bauer Cottle, Esther Linford, Rocky Cottle, Eve Linford

Each of the Mayor's contest award winners read their entries. Eve Linford, Rocky Cottle, Esther Linford, Bauer Cottle, and Alexis Linford. Mayor Franco presented each winner with an award.

V. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts disclosed.

VI. PUBLIC HEARINGS: (Council May Take Action Following Public Comment and Upon Conclusion of the Public Hearing)

1. Public Hearing for proposed Tava-Highlands Public Infrastructure District (PID) (Tony Kohler, Community Development Director)

Community Development Director Tony Kohler clarified that Council was not being asked to take action that night. The agenda item was to hold the Public Hearing only. He provided a brief background of the development project. Project representative Max Martin shared project details and the group's hope to be approved for a PID (Public Infrastructure District) as a funding mechanism for the project. Tom Wynne explained the financing mechanism the PID would provide versus funding through a bank.

Mr. Martin shared the cost benefit to the homeowner with a PID versus without a PID for the housing products they intended to offer. He reviewed the potential City amenities the PID could provide. Council further discussed details of the PID.

Randall Larson with Gilmore Bell provided further details of the financial benefits of using a PID for the development.

Mayor Franco opened the Public Hearing at 7:24 p.m.

Annette McRae said she was running for Utah State Senate. She expressed appreciation for the Council's discussion of the proposed PID and said the Council had brought up many of the concerns she had with PIDs as well. She wanted to see more solid accountability and transparency. She broke down the numbers for a homeowner with the cost of a PID and felt it was not a wash. She felt it was trading a lower upfront cost for a longer long-term burden placed on the homeowner rather than the developer. Ms. McRae cited the ongoing PID lawsuits in Park City.

Linda Middleton had been researching the issue ever since she had cared for her father who had perfect hearing. She needed a single level but they had built three-story homes. Assisted living cost \$5,000.00 per month. She did not think anyone could control insurance costs in the future. She had to replace her roof due to a hail storm and insurance rates had gone up. She did not know what the cost was but knew we would be paying. The developments would scrape off the topsoil, then a windstorm would come through, and she would be breathing the dust and the soot from the fires, and had to wash her car every day, which she said we did not have the water for. She felt the environment and air quality were under attack. She could not imagine where we would get the water.

Russ Funk, speaking as a Wasatch County Resident, explained that he did not generally care for PIDs but felt that in this case, where the developer was offering an affordable product, he supported the plan. He wanted to see language that held the developer to the affordable product. City Attorney Jeremy Cook did not know that a PID governing document could contain the proposed language that would be enforceable.

Annette McRae read that the State Auditor had counted at least 24 PIDs in Summit and Wasatch Counties since 2019, carrying up to \$3.9 billion in debt, which was four times the general obligation bond in the entire state of Utah combined. She said if the Council approved the PID, they would be locked in for three decades. She felt the developer should bear the cost of the infrastructure and thought the PID would create a snowball of problems. She understood the proposed amenities were appetizing but said she generally did not like PIDs.

The Public Hearing was closed at 7:45 p.m.

Mr. Martin clarified that the developers could not pay themselves for their board participation but were allowed to cover the administrative costs. Council felt the item should return to a future meeting to continue the discussion.

VII. PUBLIC COMMENTS: (2 min per person/30 min max)

Mayor Franco opened the Public Comment Period at 7:50 p.m.

Linda Middleton wanted to thank everyone that had made the Utah 250 event happen. She also loved the car event prior to the free concert at the park and felt the car event was wonderful. She loved the summer in the park and said it was a joy for her. She expressed appreciation for the free music and loved maintaining the residential hometown feel. She felt Heber City was Heaven.

Annette McRae, running for Senate District 20, wished to discuss the Maverick Mine. She was concerned about groundwater contamination. She read the Utah Code surrounding groundwater rules for protecting the water. She asked if the rule was adequate and felt there was a discrepancy in the project documents. The mines air permit capped production at 900 tons per year but the operations plan described extracting one million tons annually. She had emailed the Council her research packet. She asked the Council to look into it and said once the water was contaminated, there was no putting it back in the toothpaste tube.

Council Member Barney read a public comment emailed to her from Steve Phillips. The email is included at the end of these meeting minutes.

The Public Comment period was closed at 8:03 p.m.

VIII. CONSENT AGENDA:

Mayor Franco asked for clarification of the dollar amount of Consent Agenda item two, which was provided by the City Engineer Russ Funk. He had received additional information for the cost of the project since the Staff Report had been uploaded.

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

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. May 19, 2026, City Council Meeting Minutes, June 2, 2026, City Council Meeting Minutes, and June 25, 2026, Special City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Authorization to approve a Final Design and Construction Services Agreement with Sunrise Engineering for the Public Works Salt Storage Structure Repair/Replacement Project (Russ Funk, City Engineer)
3. Mayoral Nominations for the Arts Advisory Committee: Phil Jordan, Janet Gee, Laurie Turnblom (Heidi Franco, Mayor)

IX. GENERAL BUSINESS ITEMS:

1. Report on Atlas Towers Location of Lease in Cemetery (Tony Kohler, Community Development Director)

Community Development Director Tony Kohler recalled Council's approval for a cell tower to be located at the cemetery. He updated Council on further discussion with Atlas Towers and the Public Works Staff to outline the plan for installation. Atlas had provided initial design drawings with the tower built to resemble a pine tree. The process would require a zone change that would need to go to the Planning Commission for a recommendation to Council for approval. The proposed code change would remove the max tower height of 35 feet that was currently in place. Council further discussed the tower design.

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

1. Authorization to Commence Main Street Plaza Schematic (30%) Design & Utilization of a Construction Management/General Contractor (CM/GC) (Tony Kohler, Community Development Director, Lars Erickson) - *40 min*

Community Development Director Tony Kohler recalled the previous discussions with Council regarding the proposed park design updates. Terracon was proposing a step-by-step plan beginning with 30% of the proposal phasing to ease Council into the updates at the park and make them more comfortable with the costs. Mr. Kohler proposed onboarding a Construction Manager/General Contractor (CMGC) with the first phase. He reviewed the proposed process as outlined in the attached Staff Report. Dave Harris with Terracon provided additional clarification of the proposed plan to move forward with a list of services that would be included in the first 30% phase. He suggested bringing in Susie Becker with Zions Public Finance to provide the City with an economic impact study. Mr. Kohler shared a letter of cost estimate from Ms. Becker for the proposed study. The attached presentation provided costs for the reduced scale phase, a task list, and reviewed the team's talent. Council discussed their preferences regarding how to proceed, as well as moving forward with plans for C Street.

Mayor Franco opened the discussion for public comment at 9:15 p.m.

Linda Middleton said she loved the park and used it often. She loved the car show, the music, and the walkability. She expressed appreciation for the newly placed monument. She was concerned with the multiple events in the valley competing on the same night as the Heber Market on Main. She felt that was how families showed up with their kids for the free events. She did not feel the park should be used to make money. She had gone to Midway to see the symphony but she loved the rock and roll. Ms. Middleton felt the "no parking" signs were obnoxious. She said there were homes around the park that were year-round businesses and needed the parking in the winter. She appreciated the maintenance workers who kept the park clean and said if dogs were allowed in the park they would be peeing everywhere. She wanted to know why the City was trying to fix something that wasn't broken. She thought the park worked as it was. She suggested speaking with the business owners. She wanted the park to remain free for the citizens.

Phil Jordan had developed projects for thirty years. He acknowledged the process was messy. He felt the 30% phase was a good way forward and that the City had an amazing team with Terracon. He felt these projects had been very successful elsewhere. He noted the tough decisions the Council would have to make along the way. He suggested implementing more than one cost-estimator as well as a stakeholder committee. He proposed a design contingency and described it as a useful tool to move forward.

The public comment period was closed at 9:27 p.m.

Motion: Council Member Johnston made the motion to authorize Terracon to commence with the Main Street Plaza Schematic, which is 30% design with the utilization of a construction management general contractor going through phase A as described with a budget of three hundred seventy four thousand dollars.

Second: Council Member Cheatwood made the second

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

Voting No: None.

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

XI. RECESS AS THE HEBER CITY COUNCIL AND CONVENE AS THE CRA BOARD:

Motion: Council Member Cheatwood made the motion to recess as the Heber City Council and Convene as the CRA (Community Redevelopment Agency) Board.

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.**

The **CRA board convened at 9:33 p.m.**

1. Leveraging CRA (Community Reinvestment Agency) Owned Properties to Advance Envision Central Heber Long Range Plan (Tony Kohler, Community Development Director) - *45 min*

Community Development Director Tony Kohler reviewed the City-owned properties and the properties under contract in the CRA area. The City had acquired the Wasatch Wave building and an outbuilding used for printing located behind it, the Heber Light and Power (HL&P) building, and was under contract to purchase the former fire station. Staff had recently interviewed realtors and property management firms to discuss potential uses. He was seeking Council direction for the possible uses of the buildings. City Manager Matt Brower proposed that the former Wave building and the printer press building be converted into commercial retail or dining to help revitalize downtown. The Heber Light and Power building was in disrepair and the recommendation was to raze it for additional parking. Council considered possible tenants, length of lease options, remodeling, and costs involved.

Mr. Brower informed Council of the status of negotiations with Wasatch County to purchase the former fire station. He hoped to lease the space within the buildings for commercial uses and to have the tenants pay for the improvements. He listed the following decisions needed from Council:

1. get a realty firm under contract to load the vacant buildings for commercial use
2. continue forward with the purchase of the Fire Station
3. next steps for the HL&P building

Motion: Council Member Cheatwood moved to extend the meeting to 10:30 p.m.

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.**

Council discussion continued regarding potential uses for revitalization of the downtown block and recently acquired, or soon-to-be acquired, building space. Mr. Brower agreed to return to a future meeting with more numbers, information, and a timeline.

XII. ADJOURN AS THE CRA BOARD AND RECONVENE AS THE HEBER CITY COUNCIL:

Motion: Council Member Cheatwood made the motion to adjourn as the CRA Board and reconvene as the Heber City Council.

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 CRA meeting was adjourned at 10:11p.m.

XIII. COMMUNICATION:

Mr. Brower shared the success of the City-sponsored Red, White, and Blue Festival that had drawn more than 16,000 visitors over the weekend. He had been contacted by several business owners that had chosen to remain open over the weekend and had banner sales. He thanked the Council for sponsoring the Red, White, and Blue Festival. He commended Mayor Franco for her essay contest.

Mayor Franco asked about the monument placement and design. Council Member Johnston volunteered to design the monument stand. Council further discussed the design and location for the monument stand.

Mayor Franco proposed Council provide board reports during the coming Council meetings

Council Member Murdock asked for an update on the Jordanelle Ridge conservation easement. Mr. Brower agreed to push for the meeting needed with the County.

Mayor proposed using the POSTT (Parks, Open Space, Trails, and Trees) committee to draft the preservation fee ordinance.

XIV. CLOSED SESSION (As Needed by City Council)

There was no closed meeting held.

XV. ADJOURNMENT:

Motion: Council Member Ostergaard made the motion to adjourn.

Second: Council Member Cheatwood 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 Heber City Council Meeting adjourned at 10:23 p.m.




Trina Cooke, City Recorder

PUBLIC COMMENTS RECEIVED BY EMAIL:

From: Tracy Taylor [REDACTED]
Sent: Tuesday, July 7, 2026 4:37 PM
To: CC Public Comments <ccpublic@heberut.gov>; Heidi Franco <hfranco@Heberut.gov>
Subject: (EXTERNAL) Highland PID concerns- Auditor Alert 2025-05

Hi Heber City Council-

Please explain tonight what the FINANCIAL benefit to Heber City Citizens/ Taxpayers is, if you try to justify approving this PID for Highlands. Not a future benefit in price of a home, that does NOT benefit the citizens. Not a future benefit to some random public building or amenity that the developer promises to the public, THAT does not financially benefit the Taxpayers. If you cannot name a single FINANCIAL benefit, I would say this approval is not justified. And the State Auditor below, has already determined MAJOR possible liability to citizens. Please do not approve this PID.

Tracy Taylor

With another PID application on your work meeting today, I feel compelled to remind you of the State Auditor's concerns and ask you to have a more wide-ranging discussion (and appropriate research) FIRST of whether PIDs are in the public's best interest. If PIDs fail, the state auditor has weighed in that the public entities that approved them will be on the hook. This may create negligence, on your part, to protect your CURRENT citizens if you choose to move forward on any more PIDs.

When Wohali failed last year, the State Auditor sent Coalville a message: <https://www.kpcw.org/state-regional/2026-04-21/summit-county-golf-resort-bankruptcy-ignites-debate-over-development-financing>

Please review the message from the State Auditor, below.

Please do your due diligence on PIDs.

Thank you,

Tracy Taylor

Wasatch Taxpayers Association

cell: [REDACTED]

From: Office of the State Auditor <stateauditor@utah.gov>
Sent: Thursday, March 19, 2026 3:47 PM
To: Tracy Taylor [REDACTED]
Subject: Auditor Alert 2025-05 - Component Unit Report

STATE OF UTAH
OFFICE OF THE UTAH STATE AUDITOR



TINA M. CANNON
UTAH STATE AUDITOR

Auditor Alert 2025-05

FINALIZED

Date: March 19, 2026

Subject: Component Unit Reporting

Introduction

Recently, a developer associated with a Public Infrastructure District (PID) declared bankruptcy. The bankruptcy creates concerns regarding the viability of the project and whether the associated PID will

be able to satisfy bonding requirements. This PID was created by a city that appointed the board and will take ownership of the infrastructure constructed by the PID. Furthermore, the PID was required to report annually to the city, and the city must approve any annexations or withdrawals of property into or from the PID. Governmental Accounting Standards Board (GASB) codification 2100 provides guidance for determining if a government entity, such as this PID, is a component unit of a primary government.

Component Unit Determination

Component units are legally separate organizations for which elected officials of the primary government are financially accountable. In addition, a component unit can be another organization for which the nature and significance of its relationship with a primary government is such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete (GASB 2100.119). A primary government can be any general-purpose government entity such as a state, county, city, or town, or a special purpose government entity such as a college or university, school district or water district, provided they function as their own separate legal entity with their own elected governing body.

The main factors to consider when determining whether a government entity is a component unit of a primary government are:

1. Financial Accountability – See GASB codification 2100.120
2. Control - See GASB codification 2100.121-.124.
3. Imposition of will – See GASB codification 2100.125-.126
4. Financial Benefit or Burden on Primary Government – See GASB codification 2100.127-.133

Component Unit Reporting

Financial statements of the reporting entity should provide an overview of the entity yet allow users to distinguish between the primary government and its component units (GASB codification 2100.144).

Component units can be categorized into discrete component units and blended component units. Discrete component units' financial data must be reported in the primary government's financial statements in one or more columns separate from the financial data of the primary government (GASB codification 2600.107). Blended component units' financial activities are more intertwined with the activities of the primary government and are presented together in the financial statements (GASB codification 2600.112).

Conclusion

Primary governments must determine which government entities qualify as component units. In making this determination, the primary government must consider:

- The appointment of the potential component unit board
- If there is a potential financial benefit/burden relationship that exists between the primary government and the potential component unit
- If the primary government can impose its will on the potential component unit
- If it would be misleading to exclude a potential component unit from its financial statements

Determining if an entity is a component unit should be approached from a perspective of accountability and transparency. Creating entities should account for their actions including the acts of the officials they appoint to operate other governmental agencies. The level of reporting and disclosure should be documented by the creating entity and auditors should provide an opinion on the adequacy of the report.

In the case of most Public Infrastructure Districts, the creating entity will meet the requirements to include the activity of those districts as a discretely presented component unit if they appoint the majority of the board, have a potential benefit or burden relationship, or can impose their will on the entity. Primary governments and external auditors should be mindful of the criteria for including the financial information of component units, including required information in the notes to the financial statements.

Note: several bills from the Utah 2026 General Session were passed that affect PIDs such as HB17, HB475S04, HB492S06, HB507S04, SB39, SB225S03, and SB278S04 and are currently awaiting the governor's action before becoming law, typically on May 6, 2026. The facts and circumstances in place at the end of an audit period must be considered when making a component unit determination. Any changes made to a potential component unit's structure in response to bills enacted from the Utah 2026 General Session or subsequent legislative sessions cannot be applied retroactively. Component unit determinations must follow GASB standards, a nonexchange transaction from a potential component unit to a creating entity constitutes a financial benefit regardless of assertions in statute to the contrary.

[Auditor Alert 2025-05 PDF](#)

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From: Rick Fersch [REDACTED]
Sent: Tuesday, July 7, 2026 10:39 AM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) PLEASE DO NOT RAISE OUR TAXES!

Warning! This message was sent from outside your organization and we were unable to verify the sender.

We moved to Heber from Seattle to avoid high taxes! We are retired on fixed incomes- if you raise property taxes - we will have to cover from our other living expenses! PLEASE reduce expenses- don't raise our taxes!

Rick and patti fersch, [REDACTED]
Sent from my iPhone

From: Steve Phillips [REDACTED]
Sent: Tuesday, 07 July 2026 14:26:54
To: Yvonne Barney <ybarney@heberut.gov>
Subject: (EXTERNAL) Please Stand Firm on Highlands PIDs

Council member Barney,

Thank you for your cautious approach to the Highlands Public Infrastructure Districts. I'm writing to encourage you to continue opposing or delaying this proposal.

You have already noted that PIDs may lower upfront home prices while saddling future buyers with extra fees on top of regular property taxes. That means shifting roughly 40 million dollars in

infrastructure costs onto a relatively small group of Highlands homeowners over decades, which undermines true affordability for “missing middle” and lower-income families.

You also referenced the Utah State Auditor’s strong concerns about PIDs and the problems seen in other Utah communities. Given that experience—and the failed Wohali/Coalville situation—you are right to question whether these districts provide enough transparency and oversight to justify granting a private project special taxing authority.

Please continue to insist on clear, independent analysis of 30-year homeowner costs and on strong safeguards before even considering Highlands PIDs. Your caution reflects good stewardship of both the city and future residents.

Sincerely,

Steve Petersen

From: WELLS BARKER [REDACTED]

Sent: Tuesday, July 7, 2026 3:00 PM

To: Heidi Franco <hfranco@Heberut.gov>; Aaron Cheatwood <acheatwood@heberut.gov>; Sid Ostergaard <sostergaard@heberut.gov>; Mike Johnston <mjohnston@heberut.gov>; Morgan Murdock <mmurdock@heberut.gov>; Yvonne Barney <ybarney@heberut.gov>; Russell Funk <rfunk@Heberut.gov>; Trina Cooke <tcooke@Heberut.gov>

Subject: (EXTERNAL) Round-A-bout at Mill Road and 1200 South.

Dear Mayor, City Council Members, City Engineer, City Recorder, and City Staff,

We are writing regarding the proposed roundabout at or near my property located at 1150 S. Mill Road. Heber, Utah

Unfortunately, we are unable to attend tonight’s City Council meeting due to a family funeral. Because this proposal directly affects our property, privacy, access, businesses, property value, and future use of the property, **We respectfully request that this email be entered into the public record for tonight’s meeting.**

The City Engineer stopped by the property today and informed us that the City is considering placing a large roundabout on the corner of my property. **We are very concerned that this information was provided so close to a City Council meeting and without enough time for us to review the project, understand the scope, ask questions, consult with appropriate professionals, or meaningfully respond.**

We are not opposed to appropriate safety improvements. However, a project of this size and location could have serious long-term impacts on my property, my businesses, access, privacy, property value, and future use of the property. For that reason, **we respectfully request that the City not vote on, approve, fund, acquire right-of-way for, or otherwise advance this project until directly impacted**

property owners have received full information and a meaningful opportunity to respond at a future public meeting.

Before this project moves forward in any way, We are requesting copies of all studies, plans, drawings, reports, records, communications, and supporting information related to this proposed roundabout, including but not limited to the following:

1. Project drawings and right-of-way information

Please provide all concept drawings, engineered drawings, maps, surveys, design plans, right-of-way maps, property-impact maps, and any drawings showing the proposed footprint of the roundabout and how it would affect my property.

2. Property taking, easements, and access changes

Please clarify whether the City anticipates any permanent taking of land, temporary construction easement, utility easement, drainage easement, sidewalk/trail easement, slope easement, access modification, driveway relocation, setback issue, or other encumbrance affecting my property.

3. Eminent domain, condemnation, and acquisition process

Please confirm whether the City anticipates using eminent domain, condemnation, or the threat of condemnation for any portion of this project. Please also provide the City's right-of-way acquisition policy, acquisition timeline, appraisal process, negotiation process, and any documents explaining how affected property owners will be compensated.

4. Property value impact and appraisal

Please provide any study or analysis showing how a large roundabout directly adjacent to my property may affect property value, resale value, marketability, privacy, noise, lighting, access, parking, future use, and overall desirability. If any property, easement, or access right is affected, we request a before-and-after appraisal that evaluates the property before the project and after the project, including damage to the remaining property.

5. Severance damages and damage to the remaining property

Please explain how the City will evaluate severance damages or damages to the remaining property if any portion of the property is acquired or impacted. Any valuation should address not only the value of land taken, but also impacts to access, parking, businesses, privacy, noise, lighting, signage, landscaping, future use, redevelopment potential, and marketability.

6. Business impact

Please provide an analysis of how this project may affect my two businesses, including customer access, parking, deliveries, employee access, vendor access, visibility, signage, safety, traffic flow, and disruption during construction. We also request information about whether mitigation or compensation would be available if access or business operations are negatively impacted.

7. Traffic and safety studies

Please provide the full traffic study used to justify this project, including current traffic counts,

projected traffic counts, turning movements, peak-hour data, crash history, safety concerns, pedestrian safety analysis, bike safety analysis, emergency vehicle access, school bus access, and large truck turning templates.

8. Crash history and safety justification

Please provide the crash history for this intersection for the last 5–10 years, including crash type, severity, date, contributing factors, and whether a roundabout would have prevented or reduced those crashes. Please also provide the engineering justification, warrant analysis, or decision matrix used to determine that a roundabout is necessary at this location.

9. Alternatives analysis

Please provide documentation showing what alternatives were studied before recommending a roundabout, including a traffic signal, 4-way stop, turn lanes, speed reduction measures, smaller intersection improvements, a mini-roundabout, pedestrian improvements, or a no-build option. We would also like to understand why a large roundabout is being recommended over less intrusive options.

10. City bypass impact

Please provide any study or modeling showing how the proposed city bypass will affect traffic flow at this intersection. We would like to understand whether the roundabout is being designed based on current traffic, projected post-bypass traffic, or future development assumptions. It seems premature to advance a permanent design at this intersection without understanding how the bypass will change traffic volumes, turning movements, and safety conditions.

11. Main Street and 12th South intersection impact

Please provide any traffic modeling or analysis showing how the intersection at Main Street and 12th South will affect this proposed roundabout, including backups, queuing, turning patterns, congestion, and peak-hour traffic. This roundabout should not be studied in isolation if nearby intersections will directly affect how it functions.

12. Future development, developer involvement, and project funding

Please provide all information showing whether this project is connected to future development, subdivision approvals, developer agreements, impact fees, grants, UDOT requirements, County requirements, regional transportation plans, or the proposed bypass. Please also provide the funding source for this project, including whether it is being funded by the City, County, UDOT, federal funds, grants, impact fees, developer contributions, or any combination of these.

13. Agency involvement

Please clarify whether UDOT, the County, any regional transportation agency, outside consultant, or private developer is involved in planning, funding, reviewing, requiring, or recommending this roundabout. Please provide all communications and documents involving those parties.

14. Design standards and design vehicle

Please provide the design standards, engineering manuals, roundabout warrants, turning-radius requirements, speed assumptions, lane-width assumptions, and design vehicle used for this roundabout. Please also provide turning templates for passenger vehicles, emergency vehicles, school buses, garbage trucks, trailers, delivery trucks, semis, and any farm or commercial vehicles expected to use the intersection.

15. Pedestrian, bicycle, school-route, and ADA analysis

Please provide the pedestrian, bicycle, school-route, and ADA accessibility analysis, including crosswalk locations, refuge islands, sidewalk impacts, lighting, visibility, and how pedestrians will safely cross near the roundabout.

16. Construction impact and access plan

Please provide the proposed construction timeline, staging plan, road closure plan, detour plan, access plan, business access plan, work hours, utility disruption plan, dust/noise mitigation plan, and emergency access plan. We would also like written clarification that safe and reasonable access to my property and businesses will be maintained before, during, and after construction.

17. Temporary construction easements

Please identify any temporary construction easement needed, the exact area affected, the duration, compensation, restoration obligations, and whether access to the home and businesses will be maintained at all times.

18. Drainage, grading, irrigation, utilities, and snow removal

Please provide grading, drainage, stormwater, irrigation, and utility plans showing that this project will not create runoff, flooding, utility conflicts, irrigation damage, snow-storage problems, or long-term maintenance burdens for my property.

19. Restoration obligations

Please provide the City's restoration plan for fencing, landscaping, trees, irrigation, driveways, parking areas, signage, mailboxes, utilities, drainage, and any other property features disturbed by the project.

20. Environmental, noise, lighting, and visual impacts

Please provide any noise, lighting, air quality, environmental, tree removal, visual impact, or neighborhood character analysis prepared for this project.

21. Privacy, cameras, lighting, and center-island design

If the City ultimately moves forward with a roundabout at this location, We want to be very clear about privacy and design concerns. We do not want any traffic cameras, surveillance cameras, or monitoring equipment installed in a way that faces or records my home, yard, business entrances, parking areas, or private property. We would also oppose a statue, monument, public art feature, sign, or other decorative structure in the center of the roundabout if it would draw additional attention to the area, encourage people to stop or gather, create visual clutter, impact traffic visibility, or further reduce the privacy and quiet

enjoyment of the property. Any lighting, signage, landscaping, or center-island design should be reviewed with directly impacted property owners before final approval.

22. Long-term maintenance plan

Please provide the long-term maintenance plan for the roundabout, including snow removal, landscaping, irrigation, lighting, signage, weeds, trash, repairs, and who will be responsible for ongoing costs.

23. Future use of the property

Please provide any analysis showing how this project may affect setbacks, parking requirements, business licensing, future development, redevelopment, sale of the property, driveway permits, signage, fencing, landscaping, and overall future use of the property.

24. Construction safety, liability, and point of contact

Please provide the construction safety plan, traffic control plan, contractor insurance requirements, liability coverage, and the point of contact for property damage, access issues, or business disruption during construction.

25. Public process and notice

Please provide information about when this project was first proposed, when it was placed on the City Council agenda, what notice was given to directly impacted property owners, whether a public open house has been held, and whether there will be another meeting where affected property owners can review the studies and provide input before any decision is made.

26. Records, communications, and public documents

Please preserve and provide all records, communications, studies, drawings, emails, text messages, meeting notes, staff notes, consultant materials, traffic models, developer communications, agency communications, internal discussions, and public meeting materials related to the proposed roundabout, bypass impacts, property acquisition, design alternatives, funding, affected properties, and this intersection.

Please treat this email as a formal request for all public records related to this project, including but not limited to traffic studies, engineering reports, drawings, right-of-way maps, property-impact analyses, business-impact analysis, cost estimates, funding applications, meeting minutes, staff reports, consultant communications, internal communications, developer communications, agency communications, and any studies involving the city bypass or the Main Street and 12th South intersection.

Again, we are not opposed to safety improvements. However, **We are deeply concerned about the scale, timing, and potential impact of this proposal. A project that directly affects private property, business operations, access, property value, privacy, and future use should not move forward without full transparency, adequate notice, and meaningful participation from the property owners most directly affected.**

Because we cannot attend tonight's meeting due to a family funeral, we respectfully request that this item be tabled or postponed until directly impacted property owners have had the opportunity to review the relevant documents and provide input at a future public meeting. We also request an on-site meeting with the City Engineer, project designer, City Manager, and affected property owners before any design is finalized or advanced.

Please confirm that this email has been received and entered into the public record for tonight's meeting. We would also appreciate confirmation of who will be responsible for providing the requested documents and what the expected timeline will be.

Sincerely,

Wells and Sue Barker

[REDACTED]
[REDACTED]
[REDACTED]