

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
August 4, 2026

DRAFT Minutes

5:00 p.m. Work Meeting
6:00 p.m. Regular Meeting

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

Council Member Aaron Cheatwood, acting as Mayor Pro-Tem, called the meeting to order at 5:06 p.m. and welcomed everyone present.

City Council Present: Mayor Heidi Franco - arrived 5:48 p.m.
Council Member Yvonne Barney
Council Member Aaron Cheatwood - remotely
Council Member Mike Johnston - arrived 5:37 p.m.
Council Member Morgan Murdock
Council Member Sid Ostergaard - arrived 5:15 p.m.

Staff Present: City Manager Matt Brower
Assistant City Manager Mark Smedley
Community Development Director Tony Kohler
City Engineer Russ Funk
City Attorney Jeremy Cook
Deputy City Recorder Andrew Conley
Chief of Police Parker Sever
Code Enforcement Officer Travis Price
IT Director Anthon Beales

Staff Participating Remotely: Finance Director Sara Nagel, Engineering Technician Desiree Muheim, Accounting Technician Wendy Anderson, Assistant City Manager J. Mark Smedley, IT Director Anthon Beales, Administrative Assistant to the City Manager Laine Meyers, City Engineer Russ Funk, Engineer Kyle Turnbow, Public Works Director Matthew Kennard, and Finance Director Sara Jane Nagel.

Also Present: Richard Cook, Dade Rose, Bryan Williamson, Cannon Taylor, Jason Glidden, Julie Franklin, Rhett Welch, Jokka Marsh, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) Craig Hancock (UDOT), Dan Cable EDA Land Planning, A, Andrea Clayton, B, Catherine, Grace Doerfler, Jen, Michael Miller, Naomi Kisen (UDOT), Phil Jordan, Shorty5, and Wyatt Woolley.

1. Villa 2 and Regal Homes amendment to Sawmill Phase 4B Development Agreement (Tony Kohler, Community Development Director) - 25 min

Community Development Director Tony Kohler introduced the petitioners and recalled they had previously been before Council. The two petitioners had purchased the same piece of land from the previous property owner and were trying to negotiate a development agreement to fairly resolve the issue. Council was being asked to provide feedback to the petitioners based on the proposed development agreement. Project representatives reviewed the proposed development design as included in the meeting materials and described the compromises negotiated on either side. They hoped to include six additional single-family homes in the development plan. Council discussed private versus public parks and expressed general support for the proposed developer's collaboration for the project.

2. Celebration Workforce Housing (Tony Kohler, Community Development Director) - 25 min

Community Development Director Tony Kohler reviewed the City's efforts to collaborate with Russ Watts on the Celebration Workforce Housing affordable housing development project. Staff and Mr. Watts were seeking Council's feedback for the proposed development agreement and impact fee deferment. City Manager Matt Brower further explained the terms of the impact fee deferment and Mr. Kohler shared a chart displaying additional fee financing and waivers to assist with financing the project. City Attorney Jeremy Cook explained the State Code regarding impact fee waivers. Council discussed the need for workforce housing in the community, the benefits of the proposed project, as well as the Council's previously established priority for affordable housing.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the meeting to order at 6:26 p.m. and welcomed everyone present.

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

Mayor Franco led the recitation of the Pledge of Allegiance.

3. Prayer/Thought by Invitation (Morgan Murdock, Council Member)

Council Member Murdock shared a prayer.

IV. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayoral Proclamation for the Commitment to Volunteerism

Mayor Franco explained that the Mayoral Proclamation for the Commitment to Volunteerism was the first step for Heber City to be designated as a "Just Serve" city. She described her previous efforts to recognize volunteerism in the community and the benefits the Proclamation would bring. She described the act of a citizen that she intended to nominate for one of the first awards for pulling over 1000 invasive thistle plants located on City property.

V. CONFLICT OF INTEREST DISCLOSURE:

Council Member Morgan Murdock expressed a potential future conflict of interest due to his participation in the local production of the play "Whimsey". He said he would be compensated for his time and wanted to disclose that part of the funding for the play was through the TAP tax grant from Heber City. He had updated his conflict of interest form that was posted online.

VI. CONSENT AGENDA:

1. July 21, 2026, City Council Meeting Minutes (Trina Cooke, City Recorder)

Motion: Council Member Ostergaard moved to approve the Consent Agenda with the one item listed.

Second: Council Member Barney made the Second

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

Voting No: None.

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

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

Mayor Franco opened the Public Comment period at 6:35 p.m.

Julie Franklin lived on 100 West 600 South. Current construction had blocked the sidewalk and made it unsafe. She said the Department of Federal Highways had determined that any construction site with a public right of way had to provide a solid surface with no obstructions, with ADA (Americans with Disabilities Act) accessibility. She said there was no accessible walkway and was concerned for the many people in wheelchairs and the school children that traveled that route. She proposed installing no-parking signs along the road to reserve the shoulder for those in wheelchairs and schoolchildren.

City Engineer Russ Funk agreed to have his staff look at the situation and report back to Council. He did not believe that any of the "Safe Routes" to the surrounding schools included 100 West on the route.

With no one further coming forward to comment, Mayor Franco closed the public comment at 6:43 p.m.

VIII. GENERAL BUSINESS ITEMS:

1. Heber Valley Corridor EIS (Environmental Impact Statement) Project Update (UDOT) - 30 min

Utah Department of Transportation (UDOT) EIS (Environmental Impact Statement) representative Craig Hancock described the progress of the Heber Valley Corridor bypass project, including the completion of the public comment review and preparation of responses to the comments. They had requested additional funding from the Transportation Commission to help them provide additional field surveys for wetlands and cultural resources, and update the traffic analysis and engineering designs for the potential revisions. With the additional information being sought for the study, and comment responses still underway, the EIS study results were projected to be released in the spring of 2027. Mayor Franco expressed appreciation to the UDOT team for considering the redirection of the Legacy Trail so that it could maintain more of a straight direction across the Midway interchange, for considering the 1300 South shift to be further south as she felt it was important to the commercial and residential properties in the area, and she felt it was critical to be able to move traffic freely on Southfield Road to the north and south as it was a major collector for the residents and appreciated consideration of the re-engineering there to allow Southfield Road to have a northbound on ramp.

2. General Engineering Project Updates (Russ Funk, City Engineer) - 20 min

City Engineer Russ Funk shared an aerial image of, and described, the Deer Creek High School intersection road and signal improvements as included in the meeting materials. He reminded Council the intersection was not located on a City road but was under UDOT's jurisdiction and explained all changes must be approved by UDOT. Mr. Funk then presented the Mill Road school crossing updates. Both school's intersection crossing improvements were expected to be complete before school returned to session. He provided context for the proposed debris detention basin project in Coyote Canyon, as well as ongoing improvements to streets and the proposed Mill Road roundabout, parks and dog parks, trails, pressurized irrigation, and safe sidewalk projects, as listed in the Staff Report. A pedestrian and traffic stop light was intended to be installed at the railroad crossing at the train depot. Council discussed additional Muirfield Park design improvements for the boardwalk, seating, and bridges as well as seating overseeing the pond; proposed dog park amenities and improvements; and improved pedestrian crossing safety surrounding Main Street Park to accommodate the increase in planned events.

3. Cemetery Master Plan Update (Matthew Kennard, Public Works Director) - 30 min

Public Works Director Matthew Kennard explained that the Cemetery Master Plan adopted in 2020 no longer reflected the improvements and updated plan for the Cemetery. Dan Cable of EDA Land Planning had prepared an updated Master Plan to incorporate the completed and intended additions including the realignment of Heritage Farms Parkway to accommodate the adjoining property owners, the new Cemetery Admin Building with columbariums, the potential Temple Har Shalom area, proposed changes to the maintenance yard including an area intended for the construction of the Atlas Tower cellular facility east of the maintenance shop as outlined in the attached Staff Report and PowerPoint presentation. Mr. Kennard asked for Council feedback to modify the proposed update prior to presenting for Council approval. Council discussion followed regarding design preference, a proposed cremation garden, weed abatement, ongoing maintenance, and funding for the Cemetery.

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

1. Ordinance 2026-14 Amending Section 10.16.010 in the Heber City Code: Unlawful to Disobey Parking Regulations (J. Mark Smedley, Asst. City Manager) - 30 min

Assistant City Manager and City Prosecutor Mark Smedley presented the ordinance and explained the proposed changes for disobeying parking regulations from a Class C misdemeanor to a minor infraction and increasing the fine amount from \$25.00 to \$50.00 as outlined in the attached Staff Report and proposed ordinance. He explained the administrative workload that would be prevented by reducing the infraction from a Class C Misdemeanor to a minor infraction by eliminating an appearance in court. The fee was proposed to increase with delay of payment. He detailed the committee that had been compiled of staff from multiple departments to review the existing code and was proposing the updated ordinance to amend the City Code to meet best practices.

Code Enforcement Officer Travis Price explained that he had found himself giving warnings and tickets to the same individuals on a regular basis. He added that they had improved curb painting and markings around Main Street Park had reduced the amount of tickets issued during the Heber Market on Main. He further explained the penalty escalation for repeat offenders of the proposed parking policy.

Mayor Franco asked that the information be included in the next Heber City Newsletter to educate the community. She asked Mr. Smedley about the location for the proposed new code language and felt it should be first, listed as A of the section, with the remaining code pushed through G. Mr. Smedley indicated that it could be done.

Mayor Franco opened to public comment at 8:31 p.m. With no one coming forward to comment, the public comment period was closed.

Motion: Council Member Ostergaard moved to approve Ordinance 2026-14 as presented with the code location update suggested by the Mayor.

Second: Council Member Barney made the Second.

Voting Yes: Council Member Barney, Council Member Cheatwood, Council Member Johnston, Council Member Ostergaard, Council Member Murdock.

Voting No: None.

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

2. Approve Engineering Service Agreement for Ardurra as the Airport Engineer of Record (Adam Bunker, Airport Manager) - *20 min*

City Manager Matt Brower explained the request from the Federal Aviation Administration (FAA) for the City to issue a Request for Proposal (RFP) to engage an airport engineering service of record prior to commencing any work on the capital programs in the new master plan and airport layout plan, as reflected in the staff report. The FAA had advised that City compliance with the request would result in 95% funding by the FAA. He reviewed the three bids received by the City and the staff committee compiled to review and select the best bid. Ardurra had scored the highest in the established rubric and the committee recommended that Council approve Ardurra as the Airport Engineer of Record. Mr Brower further detailed the service agreement proposed, outlining the services to be performed by Ardurra throughout the process. He was asking Council to approve the agreement in order for the Airport runway relocation project to commence.

Motion: Council Member Johnston moved to approve the airport engineering service agreement with Ardurra as the airport engineer of record.

Second: Council Member Ostergaard made the Second.

Discussion: Council Member Cheatwood wished to ensure there was no one from the public that wished to comment. No one from the public came forward to comment. Council Member Barney asked for clarification of the funding from the FAA at 95%. Mr. Brower explained recent legislation allowed the FAA to cover 95% of the cost, UDOT would cover 2.5%, and Heber City would be responsible for the remaining 2.5% of the relocation design cost.

Voting Yes: Council Member Barney, Council Member Cheatwood, Council Member Johnston, Council Member Ostergaard, Council Member Murdock.

Voting No: None.

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

X. COMMUNICATION:

Chief of Police Parker Sever explained that the Flock Cameras were license plate readers utilized by the police department to assist with tracking down criminals. He assured the Council that the Heber City Police Department used the program appropriately. He listed several scenarios in which the department had used the program to solve crimes, recover missing persons, and help people in need.

Chief Sever compared the Flock camera capabilities to the tracking capabilities of cell phones and cars. He advised that abuse of the program would likely result in termination of the abuser. He noted that the information was owned by Heber City and other agencies were only able to access the license plate reader information with permission from the Heber City Police Department. Council discussed concerns with the Flock cameras and with other government agencies accessing or abusing the program.

City Manager Matt Brower shared an update on a Life-Flight response to a choking victim near the intersection of Mill Road and Valley Hills Boulevard. The emergency response team had been able to reestablish a pulse but not breathing. The patient had been declared dead at the hospital.

The Utah League of Cities and Towns Fall Conference would be held in October in Salt Lake City. Mr. Brower asked Council Members interested in attending to contact Laine Meyers to assist with hotel reservations if needed. Council Members should register themselves for the conference.

Mr. Brower informed Council that technical issues experienced during electronic broadcasts of meetings should soon be resolved with a new laptop dedicated to City Council and Planning Commission meetings.

Mr. Brower asked that all Council Members wishing to participate in the trip to Folsom City, and Old Town Sacramento, California, to tour their successful historic downtown, let Tony Kohler know as soon as possible in order to finalize travel arrangements.

Phil Jordan had requested a staff level task force to work with Terracon on the schematic design for phase B of the Main Street Park redesign. He had identified nine stakeholders to assist with working through issues identified. The goal was to offer confidence to Council for the decisions made, knowing there had been a diverse group of people studying it. Community Development Director Tony Kohler clarified that Terracon supported the collaboration, but requested it begin at the next phase.

Mr. Brower reminded everyone about the Truth-in-Taxation Public Hearing, the following night, August 5th, 2026, at 7:00 p.m.

The City had received a \$75,000.00 grant for the interior remodel of the Wave building from the local Heber Valley Tourism and Economic Development.

Council Member Murdock shared that the Chief Tabby monument would be unveiled on Saturday, August 29th, 2026, at 10:00 a.m. at the Columbarium roundabout in the cemetery. Marvin Rust had invited the Council to attend. Council Member Murdock asked that the information be distributed via social media.

Council Member Murdock expressed a safety concern of his with the black curtain placed behind the backdrop of the Main Street Stage. There were no weights at the bottom and the wind had blown the curtain like a sail at a recent event. Mr. Brower informed Council that there was a second black pane on order.

Mayor Franco asked about agenda item three on the following night's agenda that indicated the Council would announce the time and place for the vote of the property tax increase. Clarification was made that the following night's meeting was for the purpose of holding the Public Hearing only and there would be no vote at that time.

XI. CLOSED MEETING:

Motion: Council Member Barney moved to enter a Closed Meeting for the purpose of addressing pending litigation.

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.**

1. For the Purpose of Discussing Pending or Reasonably Imminent Litigation
(Jeremy Cook, City Attorney)

Motion: Council Member Barney motioned to end the Closed Meeting.

Second: Council Member Ostergaard made the Second.

Voting Yes: Council Member Barney, Council Member Cheatwood, Council Member Johnston, Council Member Ostergaard, Council Member Murdock.

Voting No: None.

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

XII. ADJOURNMENT:

Motion: Council Member Barney moved to adjourn the Heber City Council Meeting.

Second: Council Member Ostergaard made the second.

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

Voting No: None.

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

Trina Cooke, City Recorder