

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
January 2, 2024

APPROVED Minutes

4:00 p.m. Council Member Oath of Office
4:30 p.m. Work Meeting
6:00 p.m. Regular Meeting

I. OATH of OFFICE for THREE CITY COUNCIL SEATS - 4:00 P.M.

Mayor Franco called the meeting to order at 4:02 p.m.

City Council Present: Mayor Heidi Franco
Council Member Yvonne Barney
Council Member Aaron Cheatwood
Council Member Mike Johnston
Council Member Sid Ostergaard
Council Member Scott Phillips

Staff Present: City Manager Matt Brower
Assistant City Manager Mark Smedley
Community Development Director Tony Kohler
Planning Manager Jamie Baron
City Engineer Russ Funk
City Attorney Jeremy Cook
Building Official Wes Greenhalgh
Parks and Cemetery Director Mark Rounds
City Recorder Trina Cooke

Staff Participating Remotely: IT Specialist Anthon Beales, Engineering Technician Desiree Muheim, Planning Manager Jamie Baron, Engineer Kyle Turnbow, Public Works Director Matthew Kennard, Assistant City Manager J. Mark Smedley, Planning Administrative Assistant Meshelle Kijanen, Deputy Recorder Robin Raines-Bond, Engineering GIS Technician Shiona Howard, and Accounts Payable Technician Wendy Anderson.

Also Present: Lauri Wynn - Wave, Terry Diehl, Sheila Johnston, Matt Johnston, Grace Doerfler, Jen Ostergaard, Ashley Farrell, Armand Johansen, Robert McConnell, Tori Broughton, and others who did not sign in or whose writing was illegible.

Also Attending Remotely: (Names listed are shown as signed-in online) Nah, B, Brock M, Grace, Kelli, and Shorty5.

1. Swearing in of Three Newly-Elected City Council Members: Mike Johnston, Aaron Cheatwood, and Sid Ostergaard for Four-Year Term 2024-2028 (Trina Cooke, City Recorder)

City Recorder Trina Cooke swore in the newly elected Council Members to the three City Council Seats:

Seat one: Mike Johnston (re-elected to 2nd term)
Seat two: Aaron Cheatwood
Seat three: Sid Ostergaard

2. Reception ()

The newly elected Council Members Mike Johnston, Aaron Cheatwood, Sid Ostergaard, each shared a few words. A short reception followed.

II. WORK MEETING - 4:30 P.M.

Mayor Franco called the Work Meeting to order at 4:32 p.m., welcomed everyone present, and introduced the newly elected Council Members.

1. Ordinance 2024-01 Highlands MDA Amendment (Denna Woodbury, Planning Consultant) - *50 min*

Planning Consultant Denna Woodbury reviewed the changes to the agreement that had been made at the direction of Council. She explained the hillside topography was creating difficulties for the builder to comply with the North Village Overlay Zone.

Adam Loser, representative of DR Horton and the Highland's development, introduced his colleagues, Craig Haws and Terry Diehl, who were present as well. He shared a PowerPoint and noted there were some conflicts within the City's code. He reviewed their concerns and proposed solutions. Community Development Director Tony Kohler filled in additional details for design concerns within the proposed plan.

Council Member Johnston expressed appreciation for the presentation proposing solutions for the specific challenges faced in the development. Council provided additional feedback and discussion continued.

2. POSTT (Parks, Open Space, Trails, and Trees) Presentation (Scott House, POSTT Co-Chair, Ashley Farrell, POSTT Co-Chair) - *30 min*

Scott House and Ashley Farrell, Parks, Open Space, Trails, and Trees (POSTT) Committee co-chairs, were present to review the committee's work, progress, and past successes for 2023. Mr. House shared the committee's focus and goals for 2024. He shared that the average cost of maintenance for trails was approximately \$1,500 per mile annually.

Council Member Barney asked the Committee to work with Public Works when considering maintenance needs. Mayor Franco asked the Committee to reach out to the City's PIO and create informative videos for the community. She proposed helmet stickers for the bike fair. Council Member Cheatwood referred to the City of Hurricane's trail sponsor partnerships with bicycle shops and other retailers.

III. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the Regular City Council Meeting to order at 6:13 p.m. and welcomed everyone present. She wished everyone a Happy New Year and introduced the three newly elected Council Members.

2. Pledge of Allegiance (Scott Phillips, Council Member)

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

3. Prayer/Thought by Invitation (Heidi Franco, Mayor)

Mayor Franco shared a prayer.

V. CONFLICT OF INTEREST DISCLOSURE:

Council Member Ostergaard recused himself from Action Item 2.

VI. CONSENT AGENDA:

1. Approval of December 19, 2023, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. City Council Board Appointments (Heidi Franco, Mayor)

Motion: Council Member Philips moved to approve the Consent Agenda. **Second:** Council Member Cheatwood made the second. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** none. The **Motion Passed unanimously, 5-0.**

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

There were no public comments.

VIII. GENERAL BUSINESS ITEMS:

1. Planning Commission Presentation (Tony Kohler, Community Development Director) - *20 min*

Community Development Director Tony Kohler provided the Planning Commission Report. Commissioners Dave Richards, Derek Slagowski, Phil Jordan, and Robert Wilson were present. Mr. Kohler reviewed the Planning Commissioner's focus and recommendations. Council discussed a potential downtown parking structure. The Commissioners expressed a desire to meet with the Council more regularly.

2. Airport Advisory Board Presentation (Jason Talley) - *20 min*

Airport Advisory Board (AAB) Chair Jason Talley provided an update of the work and progress of the AAB for 2023. He reviewed the purpose of the AAB and the objectives as included in the attached presentation. City Manager Matt Brower shared an update for the ongoing environmental study and rate fee study at the Airport.

3. Public Works SWOT Analysis (Matt Kennard, Public Works Director) - *5 min*

Public Works Director Matthew Kennard presented the SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis for the Public Works Department as attached to the meeting materials.

4. Police Department SWOT Analysis (Parker Sever, Chief of Police) - *5 min*

Chief of Police Parker Sever presented the SWOT analysis for the Police Department as attached to the meeting materials.

5. Parks and Cemetery SWOT Analysis (Mark Rounds, Parks and Cemetery Director) - *5 min*

Parks and Cemetery Director Mark Rounds presented the SWOT analysis for the Parks and Cemetery Department as attached to the meeting materials.

6. Human Resources SWOT Analysis (Cherie Ashe, Human Resources Director) - *5 min*

Human Resources Department Manager Cherie Ashe presented the SWOT analysis for the Human Resource department as attached to the meeting materials.

7. Finance Department SWOT Analysis (Sara Nagel, Finance Manager) - *5 min*

Finance Director Sara Jane Nagel presented the SWOT analysis for the Finance Department as attached to the meeting materials.

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

1. Legislative Report from Mountainlands Association of Governments (MAG)
Contracted Lobbyist (Dave Stewart) - 15 min

MAG (Mountainlands Association of Governments) contracted lobbyist for Heber City, Dave Stewart, provided a legislative update. He reviewed the UDOT (Utah Department of Transportation) projects, airports, land use, developers, initiatives, and PIDs (Public Infrastructure Districts). He shared that the State and County election office filing for candidates would take place the first week in January 2024. Mayor Franco described Heber's struggle to provide affordable housing and highlighted issues that she felt the City could use assistance from the State Legislature. Council Member Barney questioned the high volume of water used by golf courses while the State continued to struggle with drought conditions.

2. Ordinance 2024-01 Highlands MDA Amendment (Denna Woodbury, Planning Consultant) - 10 min

Motion: Council Member Johnston moved to adopt Ordinance 2024-01 as presented with the additional conditions: to require windows on the garage doors of single-family detached homes and the garage doors be varying architectural styles; in the single-family small-lot subdivisions, designate the streets as private; and connectivity of the sidewalks to the buildings specifically in the town-homes. **Second:** Council Member Phillips made the second. **Voting Yes:** Council Members Johnston, Cheatwood, Barney, and Phillips. **Voting No:** None. Council Member Ostergaard abstained from voting. The **Motion Passed Unanimously, 4-0.**

3. Agreements for T-hangar Development at the Heber Valley Airport (Steve Osit)
- 40 min

Steve Osit, Airport Counsel, presented background and information for the proposed T-hangar development at the Airport, as included in the attached Staff Report. The proposal had been put before Council four years previously but had been on hold until the airport Master Plan had been approved. Council Member Phillips asked why the proposed leases were non-reversionary rather than reversionary. Petitioner Jeff Peterson explained that non-reversionary leased hangars were better maintained and thereby retained their value better. Council Member Phillips explained to the Council that the current airport hangars were being used for storage other than airplanes and the T-hangar style would be very difficult to store anything more than an airplane. Discussion continued.

Motion: Council Member Phillips moved to approve the lease and project as presented. **Second:** Council Member Johnston made the second. **Voting Yes:** Council Members Johnston, Ostergaard, Cheatwood, Barney, and Phillips. **Voting No:** None. The **Motion Passed Unanimously, 5-0.**

Mayor Franco asked Mr. Peterson for a verbal agreement to provide vehicular access in the parking lot on the east side of the T-hangar construction location.

4. ITN for Sale of Parcel in the Commerce Park (Industrial Lot) (J. Mark Smedley, Asst. City Manager) - 20 min

Assistant City Manager Mark Smedley presented the ITN (Invitation to Negotiate) responses for the option to negotiate the sale of approximately 1.5 acres of City-owned land in the industrial park area. The City had received two proposals as attached to the meeting materials.

Motion: Council Member Barney moved to proceed with negotiations with Utah Peaks, LLC and instruct Staff to return to Council once negotiated. **Second:** Council Member Cheatwood made the second. **Voting Yes:** Council Members Johnston, Ostergaard, Cheatwood, Barney, and Phillips. **Voting No:** None. The **Motion Passed Unanimously, 5-0.**

5. Jordanelle Ridge Bond Agreement (Jeremy Cook, City Attorney) - 15 min

City Attorney Jeremy Cook reviewed the proposed agreement with Jordanelle Ridge. The Agreement was intended to streamline the administrative process of the developer bonding with the City on each individual construction project in the development. It offered a single blanket bond process for the entire development rather than many individual project bonds and releases. Mr. Cook explained the agreement would be beneficial to the City as well as the development project. He further described the bonding process.

Motion: Council Member Phillips moved to approve contingent upon the City's Legal and Engineering Staffs review of the exhibits. **Second:** Council Member Ostergaard made the second. **Voting Yes:** Council Members Johnston, Ostergaard, Cheatwood, Barney, and Phillips. **Voting No:** None. The **Motion Passed Unanimously, 5-0.**

X. COMMUNICATION:

City Manager Matt Brower welcomed Sid Ostergaard and Aaron Cheatwood aboard. He reminded the Council of the 2024 Annual Retreat dates: Thursday, January 18 at 5:00 p.m. and Saturday, January 20 at 8:30 a.m. He noted that grant writer Nancy O'Toole had emailed him to notify him the City had been awarded a quarter million dollar grant award for Muirfield Park.

Mayor Franco asked Staff to discover of the dates for the annual Irrigation Board meetings.

XI. ADJOURNMENT:

Motion: Council Member Phillips made the motion to adjourn. **Second:** Council Member Barney made the second. The meeting adjourned at 9:42 p.m.

Trina Cooke, City Recorder