

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
August 6, 2024**

APPROVED Minutes

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

I. WORK MEETING - 4:00 P.M.

Mayor Heidi Franco called the meeting to order at 4:04 p.m. and welcomed everyone present.

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

City Council Absent: Council Member Mike Johnston

Staff Present: City Manager Matt Brower - departed at 5:45 p.m.
Assistant City Manager Mark Smedley
Community Development Director Tony Kohler
City Engineer Russ Funk
Engineer Kyle Turnbow
City Attorney Jeremy Cook
City Recorder Trina Cooke
Police Lieutenant Blaine Rigby
Public Works Director Matthew Kennard
Parks and Cemetery Director Mark Rounds
Human Resources Manager Cherie Ashe

Staff Participating Remotely: Finance Manager Sara Nagel, IT Director Anthon Beales, Engineer Ross Hansen, Deputy City Recorder Robin Raines-Bond, City Engineer Russ Funk, Engineering Technician Desiree Muheim, Planning Manager Jamie Baron, Human Resources Manager Cherie Ashe, Assistant City Manager Mark Smedley, Engineer Kyle Turnbow, and Community Development Director Tony Kohler.

Also Present: Planning Commissioners Dave Richards, Phil Jordan, Tori Broughton, Darek Slagowski, Josh Knight, and Chairman Dennis Gunn; Chamber of Commerce Executive Director Dallin Koecher, CAMS (Community Alliance for Main Street) Executive Administrator Rachel Kahler, Kent Shelton, John Janson, Mesia Swan, Kirt Michaelis, Ann Moulton, Clint Neerings, Catherine Moor, Eric Hales, Grace Doerfler, Jace Woolstenhulme, Rex McGuire, Matt Anderson, Travis Stolk, Christen Thompson, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) Russ Bishop, Denna Woodbury, S, Jami Hewlett, Andrew Dudik, Jason Glidden, Keri K. Smith, Roger Brooks, Michael Dixon, Cody, DW, Berg Engineering, BR, Christen Thompson, D, Kelli, Kelly Stone - MTech, and Mike Bradshaw.

1. Discussion with Roger Brooks and others regarding Maintaining Strength and Vitality of Downtown and Lessons Learned from Caldwell, Idaho (Matt Brower, City Manager) - 60 min

Downtown Revitalization Specialist Roger Brooks presented. He shared the number one killer of a downtown was a highway through the middle. Highway 40 doubled as Heber City's Main Street. Having the right business mix was an important factor for a successful downtown. Mr. Brooks felt that downtowns should be an intimate, walkable, beautiful place for community gathering. Parking for events was essential. Keri Smith, from Caldwell, Idaho, shared the success of the downtown revitalization in Caldwell. Discussion followed regarding challenges faced by Heber City. Planning Commissioners and Chamber of Commerce representatives were in attendance to participate in the conversation.

City Manager Matt Brower closed by sharing observations of recent changes to Heber City's downtown that were positively affecting the area and increasing the number of visitors. He was actively working towards adopting inter-local agreements for the Community Reinvestment Agency (CRA) with Wasatch County and the School District.

2. Presentation of the Draft Central Heber Overlay Zone Code in a Joint Council/Planning Commission Discussion (Tony Kohler, Community Development Director, John Janson, Planning Consultant) - 60 min

Planning Consultant John Janson presented the draft for the proposed Central Heber Overlay Zone as outlined in the attached meeting materials. He recommended one overlay with three sub-districts. Mr. Janson shared proposed new or revised land-use concepts and architectural standards. The Heber City Council and the Planning Commission discussed the necessary process and timeline, including holding the required public hearing and hosting an open house for the affected community members, as well as notification to be provided to the community.

II. BREAK

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

1. Call to Order

Mayor Heidi Franco called the meeting to order at 6:34 p.m. and welcomed everyone present.

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

Council Member Aaron Cheatwood led the recitation of the Pledge of Allegiance.

3. Prayer/Thought by Invitation (Scott Phillips, Council Member)

Council Member Phillips shared the following poem he wrote:

What is it to serve?

Long meetings, hard fought decisions'
Digging through zoning laws and studying provisions.
Concern for the well being of the people of our town
How come all the hard work we do makes so many people frown.

Airports, sewer, water boards
Assignments not a few.
If you have a problem, I'd be happy to solve it with you

Social media blasting, from people who seem to care
But when we have our meetings, there is hardly anyone there

Believe me, when you run for office, you can leave all the roses behind
It's hard to find the true support or people that are kind.

This is not an easy job and I have often wondered why
I have dedicated 4 years of life to even start to try
I need to remind myself that what we do in the council can truly change
We have our sights set forward building a great community for the long-range

I want to thank the staff and Matt for all of their support
And catching on the vision when the balls been in their court
I want to thank the council for the very difficult work they do
In building a great community, improved for me and you

As we continue improving community lets never lose sight
Of always seeking common goals and make decisions that are right!

IV. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts disclosed.

V. CONSENT AGENDA:

1. Approval of July 16, 2024, City Council Meeting Minutes (Trina Cooke, City Recorder)

Motion: Council Member Ostergaards made the motion to approve the Consent Agenda as presented. **Second:** Council Member Cheatwood made the second. **Voting Yes:** Council Members Ostergaard, Cheatwood, and Barney. Council Member Phillips abstained as he was absent from the meeting for which the minutes being voted on were taken. **Voting No:** None. Council Member Johnston was absent. The **Motion Passed 3-0.**

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

Christen Thompson commented on the Red Ledges trail that remained incomplete. He shared his efforts to contact Red Ledges and City officials to push the trail completion forward. Mr. Thompson suggested, in the future, the City require trails to be finished before permitting development.

Council Member Cheatwood read the following public comment received by email:

Dear City Council

I was pleased to hear on KPCW about Heber City's desire for public engagement regarding the central city improvements. I would like to attend, but am unable to attend as I have other commitments at 4pm on Tuesday the 6th of August. I am curious however as I own the home at 256 West 100 South that is directly affected by weekly festivals, I would like to know what plans Heber City has for parking improvements and if any street improvements are being planned for 100 West with the proliferation of park activity that subjects property owners to parking, road closures and vendors using the street for staging purposes. My front yard setback is very limited and would like to know how I will be impacted. Thank you for your time and consideration.

Sincerely,

Kent Shelton

Katherine Moore stated that she lived across the street from the City's Main Street Park and was deeply upset by the negative impact caused by the parking at Heber Market on Main and other park events. She claimed that event attendees consistently blocked her and her neighbor's driveways. She was disappointed with the growth and the City's lack of historic preservation.

Police Lieutenant Blaine Rigby described the enforcement efforts made by the Police Department's Code Enforcement to try to mitigate event parking violations. To date, citations were the only action taken against violators. Council suggested possible solutions such as booting or posting signs indicating that parking violators would be towed. The Council wished to see the homeowners rights protected.

VII. GENERAL BUSINESS ITEMS:

1. JustServe National Day of Service in Heber Valley: September 7, 2024 (Ann Moulton) - 5 min

Ann Moulton, representing the National Day of Service, shared the scheduled itinerary and projects for the event scheduled to take place on Saturday, September 9, 2024, at 9:00 a.m. Council Member Phillips recommended highway clean-up along SR189 by the Airport and on Midway Lane, especially after Swiss Days.

2. Red Ledges Community Update (Travis Stolk) - 15 min

Matt Anderson, new COO of Red Ledges, introduced himself, the Red Ledges Senior Vice President of Development Rex McGuire, and Vice President of Development Travis Stolk. Mr. Anderson shared a presentation as included in the meeting materials. The presentation provided an overview of the private community and the amenities offered therein, including a golf course, tennis and pickle-ball courts, horseback riding, a clubhouse with two restaurants and a bar. Mr. Anderson shared an infrastructure update for existing roads, roads being constructed, and future road plans. Council discussion followed regarding the trail system and land between the park and Red Ledges with the proposal to build a bicycle pump track.

The meeting was moved forward to item 5 regarding the MTech annexation on the General Business agenda.

3. Central Heber Replacements Project Update (Russ Funk, City Engineer) - 10 min

Motion: Council Member Phillips moved to push item three on the General Business agenda to the next meeting. **Second:** Council Member Ostergaard made the second.

Discussion: Council Member Cheatwood felt there was important information to be shared with the Council before school started.

Amended Motion: Council Member Phillips amended his motion to allow for the one piece of information to be shared. **Second:** The second stood.

City Engineer Russ Funk explained that, in spite of best efforts, 500 East would not be opened before school started. It would open approximately one week after school began. He was meeting with the principal of the school and the road construction team to get a plan in place for the first week of school, including a pick-up and drop-off plan for school traffic. The road would be completed as soon as possible.

4. Discussion regarding Contract Negotiations with the City of Midway for Law Enforcement Services (Parker Sever, Chief of Police) - 10 min

Lt. Blaine Rigby shared that in order for the Police Department to contract daytime law enforcement services with Midway, the department would need to hire two new employees. The new employees would be paid for by Midway.

The meeting was moved forward to item seven on the General Business agenda.

5. MTECH Annexation (Denna Woodbury, Planning Consultant) - 20 min

Planning consultant Denna Woodbury reviewed the Mountainland Technical College (MTech) annexation process and timeline. MTech would be located next to the new high school that was currently under construction. City Engineer Russ Funk provided additional information, shared the location of a traffic signal, and said UDOT (Utah Department of Transportation) had decided not to install a roundabout at the location. The School District Engineer Paul Berg provided additional information regarding the street design and expected traffic flow based on the traffic study performed. Council further discussed traffic, road infrastructure, and safety.

Kirt Michaelis with Mountainland Technical College expressed the schools excitement to come to Heber City and invited Council to a ceremonial groundbreaking the next Friday, August 16, 2024.

6. Street Standards Review (Russ Funk, City Engineer) - 30 min

City Engineer Russ Funk reviewed the City's current street standards. Based on comments from Council Members during the Annual Retreat in January that year, he was seeking feedback for possible changes to update and finalize the City's Standard Drawings and Specifications for the cross-sections of major and minor collector roads. He described future roads planned for the Jordanelle Ridge development area and concerns with road width, emergency fire department access, and whether a sidewalk was needed on both sides of the road. He clarified the feedback from Council that the roads needed to accommodate emergency access, a sidewalk was necessary on only one side of the road, and that curb and gutter did not need to be installed outside the designated business district.

The meeting was returned to item three on the General Business agenda.

7. Jordanelle Ridge Open Space Agreement (Jeremy Cook, City Attorney) - 20 min

Motion: Council Member Barney asked to postpone item seven to a future meeting as she felt it was too large of a discussion for that night. **Second:** Council Member Cheatwood made the second.

Discussion: City Attorney Jeremy Cook explained he was seeking Council feedback before taking the proposed open space agreement to the County. He wanted to ensure Council approved of the language in the agreement before discussing it with the County. Mayor Franco was concerned with the section regarding grazing and hunting. She noted the City did not permit hunting in the city limits. Consensus of the Council majority felt the County should be allowed to review the agreement prior to City approval. Mr. Cook agreed to present the agreement to the County Council then return to the City Council for approval.

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

1. Public Hearing for Ordinance 2024-16, adopting proposed modifications to the City's Annexation Policy Plan Expansion Area Map (Tony Kohler, Community Development Director) -

Community development Director Tony Kohler shared the information and location of two proposed annexations. The Annexation Policy Plan boundary needed to be amended in order to the City to be able to annex.

Mayor Franco opened the Public Hearing at 9:13 p.m.

No one from the public came forward to comment.

The Public Hearing was closed at 9:14 p.m.

Motion: Council Member Phillips moved to accept Ordinance 2024-16 to adopt the proposed modifications to the City's Annexation Policy Plan. **Second:** Council Member Cheatwood made the second. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, and Barney. Council Member Johnston was absent. **Voting No:** None. The **Motion Passed 4-0.**

2. Heber C. Kimball Legacy Foundation Donation Agreement (Jeremy Cook, City Attorney , Matt Brower, City Manager) - 10 min

City Attorney Jeremy Cook explained the proposed agreement was to formalize the donation that the Council had previously agreed to verbally.

Motion: Council Member Phillips made the motion to accept the contract for the donation in the amount of \$50,000 to the said foundation for the purchase of property. **Second:** Council Member Ostergaard made the second.

Discussion: Mayor Franco questioned the signature line with City Manager Matt Brower's signature instead of the Mayor's. City Attorney Jeremy Cook said he would look into the requirements to ensure the proper signature was obtained.

Voting Yes: Council Members Phillips, Ostergaard, Cheatwood, and Barney. Council Member Johnston was absent. **Voting No:** None. The **Motion Passed 4-0.**

3. Resolution 2024-14 Amending the Personnel Policy (Cherie Ashe, Human Resources Director) - 20 min

Human Resources Manager Cherie Ashe presented the proposed updates to the Personnel Policy as recommended by the Personnel Policy Committee and included in the attached Staff Report.

Motion: Council Member Phillips moved to adopt Resolution 2024-14 amending the Personnel Policy. **Second:** Council Member Cheatwood made the second. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, and Barney. Council Member Johnston was absent. **Voting No:** None. The **Motion Passed 4-0.**

4. Amendment to City Manager Contract Section 6: Automobile - Monthly Vehicle Allowance (Cherie Ashe, Human Resources Director, Jeremy Cook, City Attorney)

Human Resource Manager Cherie Ashe stated that the vehicle allowance increase was proposed to be added to the City Manager's contract in order to align with the approved changes in the Personnel Policy. Council Member Phillips asked to have an agenda item added to the first meeting in September to discuss the City Manager's salary in order to ensure he was being properly compensated. Ms. Ashe shared that the City was currently undergoing a wage study that would be completed in time to present at the first meeting in September.

Motion: Council Member Phillips moved to accept the amendment to Matt Brower's employment agreement. **Second:** Council Member Ostergaard made the second.

Discussion: Mayor Franco asked whether the wage adjustments would need to be postponed as the budget had already been approved. Council Member Cheatwood pointed out the wage study provided information but would not require Council action.

Voting Yes: Council Members Phillips, Ostergaard, Cheatwood, and Barney. Council Member Johnston was absent. **Voting No:** None. The **Motion Passed 4-0.**

IX. COMMUNICATION:

Council Member Phillips shared that the Chamber of Commerce Tourism Board, on which he served, had held their golf tournament that day. He recognized the hard work put into the event and noted that it had been well-planned and well-attended. He added that the board had asked for focus to be placed as much on local businesses as on tourism.

Council Member Ostergaard noted that he had spoken with the City's Code Enforcement Officer Travis Price and asked that he provide Council with a report on the City's Parking Code.

Council Member Barney shared community concerns with the chip-seal process. She asked what could be done to improve the process and described unpleasant experiences she and other community members had during the project. Council Member Cheatwood shared a comment from a resident who felt the contractor was taking advantage of the City. City Engineer Russ Funk apologized and noted that it had been a challenging project and that it was nearing completion. He explained the remaining steps and timeline for completion. He added that the Mill Road roundabout was nearing completion as well. Discussion regarding the ongoing projects continued.

Assistant City Manager Mark Smedley felt the Council was good and accommodating to take the community complaints but asked for patience from the community.

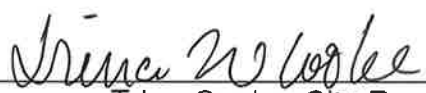
Additional dates and events to remember:

- Tuesday, September 24 at 5:00 p.m. would be the next CRA (Community Redevelopment Agency) discussion with the School Board at the Wasatch County School District Office.
- Monday, September 9, from 5:30 p.m. to 7:00 p.m. would be the Wasatch County Health Department's annual Dinner in the Park that the City would participate in.
- The next City Council Meeting, August 20, 2024, would need to end before 7:00 p.m. in order for the Truth in Taxation meeting and public hearing to take place.

X. ADJOURNMENT:

Motion: Council Member Phillips moved to adjourn. **Second:** Council Member Cheatwood made the second. The meeting adjourned at 9:44 p.m.




Trina Cooke, City Recorder