

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
Amended Agenda
October 1, 2024**

APPROVED Minutes

**4:30 p.m. Work Meeting
6:00 p.m. Regular Meeting**

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

Mayor Franco called the meeting to order at 4:31 p.m. and welcomed everyone present.

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
Community Development Director Tony Kohler
Planning Manager Jamie Baron
City Engineer Russ Funk
City Attorney Jeremy Cook
City Recorder Trina Cooke
Chief of Police Parker Sever
IT Director Anthon Beales

Staff Participating Remotely: Assistant City Manager Mark Smedley, IT Director Anthon Beales, Public Works Foreman Chris Pederson, Planner Jacob Roberts, Engineer Kyle Turnbow, Public Works Director Matthew Kennard, City Engineer Russ Funk, Engineer Ross Hansen, City Treasurer Mindy Kohler, Deputy City Recorder Robin Bond, Finance Manager Sara Jane Nagel, Police Sergeant Josh Weisher, and Wendy Anderson.

Also Present: UDOT (Utah Department of Transportation) Representatives Craig Hancock and Wyatt Woolley, Ryan Bunnell, Shannon Wilson, Tori Broughton, Pam Patrick, Jeff Harris, Andy Dorobek, Grace Doerfler - KPCW, Mark Wilson - North Fields/River View Incorporation, Jami Hewlett, Bruce Neibaur, Mike Kohler, Jason Glidden, D Mauer, Blake Wilky, Tosh Rymer, Erin Merryweather, Elva Merryweather, Bill Merryweather, Karl Merryweather, Richard Breitenbeker, Lori and Les Thompson, Jim and Judy Quance, Colleen Hewlett, Valerie and Gary Roadfiss, Elora Van Haren, Kirt Michaelis - MTech, Debbie Misbach, Alan Misbach, Shelley Ryan, Angela Matthews, Jack Nelson, Heather Mayou, Melisa Davis, Kendra Wyckoff, June Rusoe, Gaylyn Latimer, M. Crosby, Robert John Hicken, Toni Brown, Michael Munteer, Mark Brown, Mark Harris, Cindy

Delano, Katherine Majosbey, Jordan Knight, Tammy Clewes, Jenn Knudsen and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed in online) JB, Jill Snyder, John, Jonathan Jackson, Josh Barnes, Julie Button, Juan Lee, Kelli, Kendall Crittenden, Kirt Michaelis - MTECH, Kristi Heisterman, Lindsay Egan, Lisa, Lisa Dinga, Luke S, Mark, Maxx Cohen, Nick Lopez, Paul Berg, Phil's cellphone, Richard Breitenbeker, Ryan, Ryan and Tom Bailey, Shauna Kieffer, Stefanie, T, Tom and Ryan Bailey, and Trever Kreutzer - Crews and Associates.

1. Utah Department of Transportation (UDOT) Environmental Impact Statement (EIS) Study update for the Heber Valley Corridor (Wyatt Woolley, Craig Hancock - UDOT) - 30 min

Utah Department of Transportation (UDOT) representatives Craig Hancock and Wyatt Wooley, shared a presentation. They offered to provide the City Council with monthly updates both at Council Meetings and via email. UDOT had paused the Environmental Impact Statement (EIS) study to await the findings of the Natural Resources Conservation Service (NRCS). Mr. Hancock agreed to return with a travel demand model for the Council. Council expressed frustration with the lack of updates provided by UDOT to openly communicate with the public. Council Member Phillips stressed that the proposed North Village Crossings annexation would not trigger the federal lands preservation delays for the EIS study that the conservation easement had caused. Council further discussed with the UDOT representatives the future of the bypass, factors affecting progress, a timeline for completion of the EIS, and whether farm-land versus developed land would be easier to obtain through eminent domain for bypass construction.

City Engineer Russ Funk wanted to know whether moving forward with the proposed annexation would delay the bypass. Mr. Hancock answered that it had the potential to cause delay.

2. River View Incorporation (Jeremy Cook, City Attorney) - 15 min

City Attorney Jeremy Cook shared the application for incorporation as a town called River Views that had been submitted to the Wasatch County Clerk and the Lt. Governor's Office. The proposed incorporation conflicted with the North Village Crossings annexation application.

Mr. Cook shared an image of the proposed boundary for the River Views incorporation. A second Public Hearing was scheduled later in the meeting for the North Village Crossings annexation to allow the affected property-owners the opportunity to speak.

State Representative Mike Kohler said he had been speaking with UDOT representatives at the State level. He hoped to get the entities to work together to avoid further delays for the construction of the bypass.

3. Temporary Zoning Ordinance regulating Short Term Rentals (Tony Kohler, Community

City Attorney Jeremy Cook provided the findings from the short-term rental code research as requested by Council. He described the purpose of the proposed temporary ordinance and reviewed the suggested updates as included in the attached Staff Report. Regulations for short-term rentals needed to be better defined in the code to permit better enforcement. Council provided suggestions, preferences, and feedback. Mr. Cook indicated the conversation would continue during another agenda item later in the meeting.

Council Member Phillips wished to inform members of the public that were present on behalf of Winston Lee that Mr. Lee had not composed the letter that had been posted to social media in his name. The letter had been written by a member of the community on Mr. Lee's behalf without his authorization. Mr. Lee had contacted Council Member Phillips directly to let him know he was not the author of the letter.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the Regular City Council Meeting to order at 6:15 p.m. and welcomed everyone present.

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

Council Member Mike Johnston led the recitation of the Pledge of Allegiance.

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

Elora Van Haren stepped forward to share a prayer.

IV. CONFLICT OF INTEREST DISCLOSURE:

Council Member Johnston recused himself from the Action Items agenda item two as he was friends with Robert Hicken and was helping navigate the annexation process.

Council Member Cheatwood disclosed that he had worked with Red Rock in the past but had no financial incentive from the annexation and therefore would not recuse himself.

V. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayor's Award Nominations

City Engineer Russ Funk shared the joint efforts of the staff he had nominated to implement a new software to streamline City processes. He had nominated Shiona Howard, Candace Bufton, Desiree Muheim, Meshelle Kijanen, and Jamie Baron for their significant contributions to get the software program up and running. Mayor Franco presented each of them with an award.

2. Proclamation to designate October as Domestic Violence Awareness Month in Heber City
Mayor Franco read the proclamation to designate October as Domestic Violence Awareness Month in Heber City as included in the attached meeting materials.

VI. CONSENT AGENDA:

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

1. Approval of September 17, 2024, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Mayoral Nomination for Parks, Open Space, Trails, and Trees (POSTT) Committee - Max Stirling (Heidi Franco, Mayor)

VII. ACTION ITEM|PUBLIC HEARINGS: (Public Comment and Possible Council Action)

1. Public Hearing for Resort-Crossings (aka Harvest Village) Annexation, located at the intersection of Highway 40 and Highway 32 (Tony Kohler, Community Development Director) -

Community Development Director Tony Kohler reviewed the details and map of the proposed North Village Crossings (aka Harvest Village Resort) annexation. He provided images of the possible bypass routes. Mr. Kohler explained the purpose of the public hearing was to allow the public to provide feedback to the Council in support of, or against, the proposed annexation.

Annexation petition representative Niel Goldman further described the proposed resort development for the annexation area. He shared the group's intent to provide a product that would bring pride to the valley and shared images for the proposed design concept. Annexation development representative Russ Scousen described the proposed development on the east side of the highway including a large-footprint gas station to accommodate RV's, a minimum service hotel, and stacked flat dwelling units.

Mr. Kohler clarified that the proposed development held entitlement to the high-density that had previously been granted by the County zoning. Heber City's annexation negotiations with the developer had resulted in design concepts that proposed less density than would be permitted if the applicants chose to remain in the County to develop.

Council explained the ERU (Equivalent Residential Units) measurement used to describe the density allowed in developments and the purpose for multiple property owners petitioning for annexation together.

Mayor Franco opened the Public Hearing at 7:00 p.m.

Di Ann Duke Turner had attended the Envision 2050 open house process and felt the community had

not been asked, but rather told, what to put on the plan boards. She said she had asked the Community Development Director Tony Kohler why the City was initiating the Envision Heber 2050 plan and he had told her it was because the Valley was growing. She explained there had been more than 450 dairy farms back in the day and the State had determined in the 1970's that Wasatch County was not economically viable and would need to develop. She shared a story of her son returning from his mission where he had witnessed a murder. Upon returning home, her son had indicated that he felt the Valley made him feel safe. Her son told her that it felt like the Valley had given him a hug when he returned. She felt the only people benefiting from the ongoing development was the developers. She told of her encounter earlier that evening when she turned to the man next to her and said she was tired of the developers raping the Heber Valley. She had not known he was a developer. She had spoken with people from outside the Valley that said they couldn't stand to visit Heber Valley anymore because they had "peopled" it. She felt it was a direct result of Envision 2050 and the community did not want what the City had outlined.

David Anderson was a Wasatch County resident residing on Moulton Lane. He wanted to know what the traffic plan would be if Moulton Lane was closed. He asked if there would be a different tax structure if his land was annexed. Would Heber plow their road and provide garbage service? Would the residents on Moulton Lane be forced to use city water? Would their packages be brought to their homes rather than left at the end of the lane? Would there be additional tax increases? Would there be a bypass on the east side? City Engineer Russ Funk outlined the traffic plan for the area. He confirmed additional roads would be constructed, a second and third lane would be added, and a traffic signal would be installed.

Ray Holt listed the community and legislative boards he had served on. He shared the bypass was originally intended to be constructed on the east side of town but too much development had been installed. The new bypass routes were proposed to be on the west side of the valley through the north fields. He had four children and 19 grandchildren in the valley. He felt it did not make any sense to approve the annexation with the unsurety of the bypass route and possible overpass.

Mark Wilson with the North Fields Irrigation Board was present representing the proposed River Views incorporation that had applied for township. He provided the reasons for the petition to incorporate including protecting their existing rivers and streams. The application to incorporate currently sat with the County for certification. He stated the proposal met all the requirements to create a township and described the process. The County had until October 21 to make the determination of eligibility. The petition would then be returned to the Lieutenant Governor's office. He intended to gather the landowners and water-users in the proposed town and would propose to UDOT what they determined to be the best route for the bypass. He had several concerns and expressed his intent to work with the surrounding entities including Heber City, Wasatch County, UDOT and developments.

Mark Vance felt the entry into town should not be called New Heber as that was the entry to Park City. He thought the City was trying to revitalize the downtown and felt the large development on the far side of town would draw people away from downtown.

Jami Hewlett felt there was a conceived notion that a developer that had previously worked with the county should be given the same density as granted by the County when applying to be annexed into the City. She said it was a blank slate when the developer came to the City. She had attended a sewer meeting in Midway and they said they were maxed out. The City was maxed out with traffic. Ms. Hewlett stated there were 6,000 now homes being developed. She said the sewer needed to be

replaced and it would fall on taxpayers. She did not know anyone that supported the proposed annexation. She asked why the annexation was being considered before the bypass route was established. She had a small lot in town and had to meet with the board of UDOT who told her she could not build on the road and wondered why the large annexation development was permitted by UDOT. Deer Valley was putting hotels in their parking lot and she felt there was nowhere to grow. She felt the valley was maxed out.

Maxx Cohen, after experiencing technical difficulties with the City's virtual connection, was able to get through on Council Member Cheatwood's phone to make a public comment. He felt that working together as a town was part of what made Heber great. He agreed with a previous comment that coming into the Heber Valley was like getting a big hug from the Mountains, the North Fields, and the community. He lived on Moulton Lane and had reached out to Staff and Council to try to garner more information regarding what was happening around his property with the ongoing development. He had not received a response to his inquiry. He did not want his property included in annexations into the City.

Mr. Cohen had spoken with the Wasatch County Planning Director Doug Smith who had informed Mr. Cohen that the County did not wish to approve high density which was why developer's wished to annex into Heber City. He was concerned with apartments being constructed and obstructing his view of the North Fields. He was concerned with a gas station being built and affecting his well water. He felt Heber was a special place and the City should not rush into annexations and developments and felt the plan needed to be well thought out. Mr. Cohen was opposed to the proposed annexation.

Kelly Gomez agreed with previous comments. She felt the NVOZ (North Village Overlay Zone) had been a bait-and-switch and the whole hillside was being developed. She felt there had been much more open space promised in the ongoing development on the hillside. Ms Gomez felt it was deceiving that the County and the City calculated ERU's (Equivalent Residential Units) differently. She opposed the proposed annexation and did not think the City should allow higher density than was previously granted by the County. She hoped the City would be careful allowing stacked flats that would affect the view.

Judy Quance expressed concern about the traffic. She felt traffic had increased five to ten-fold at the intersection of Highway 40 and River Road since the Smith's grocery store had opened. She was concerned about the increased traffic that would result from the Deer Valley development. She felt there would be hundreds, if not thousands, more people coming to Heber City for their groceries and services such as dental and medical. She described the traffic concerns at the intersection and felt the grid-lock would be very bad. She did not oppose wonderful new developments but felt more consideration was needed for the proposed annexation and development at that intersection.

Mark (no last name given) agreed with many of the comments made. He stated he had a phone for memories and could make his own s'mores and did not need a new development to do so. He did not realize there was a gas station planned for the intersection and felt people could drive a mile further to go to the Maverik. He expressed concern with ruining the beautiful entry into the Valley. He wished there was a means to buy the land and preserve it as open space.

Wasatch County Council Member and Heber City resident Luke Searle expressed appreciation for

the City Council and inviting UDOT to present earlier in the meeting. He wished to review the annexation application and for the City and the County Councils to work together. He felt it was an important place as the entry to the Valley. He hoped the bypass would not be delayed by development.

Lisa Bayhash felt the boat had sailed on the majority of the area in the Wasatch Back. She hoped the Valley would not turn into the ugly Wasatch Front cement city. She wished to see strict appearance requirements imposed by the County and the City.

The public hearing was closed at 7:55 p.m.

Mayor Franco moved the meeting forward to the Public Comments section to allow 20 minutes for the public to comment. Minute 3:11:45.

2. Public Hearing for Ordinance 2024-22, approving proposed MTech Annexation and MDA, for property located at approximately 950 West Midway Lane (Denna Woodbury, Planning Consultant) -

Planning Consultant Denna Woodbury reviewed the details for the MTech (Mountainland Technical College) Annexation as included in the attached Staff Report and meeting materials. Mayor Franco clarified that, as a school, compliance with the City standards would be voluntary. Staff and MTech representatives would continue to negotiate a Development Agreement.

Mayor Franco opened the Public Hearing at 9:11 p.m.

Paul Berg, representing the annexation, listed technical edits he felt needed to be made to the Agreement. Mayor Franco asked to have the outdoor lighting plan and dark-sky compliance addressed at the next meeting.

Jami Hewlett stated that she was confused why the project was going through the City to annex rather than the County. Mayor Franco advised the project could develop in the County. Ms. Hewlett expressed concerns with the traffic pressure from of Midway Lane to the college. City Manager Matt Brower advised that MTech would not observe the regular school travel hours as a high school would, therefore, traffic would be dispersed throughout the day.

Cindy Delano asked if the project would be built regardless of whether or not it was annexed into the City. She felt that anything the community could do to help further education was a benefit to the residents.

With no one further coming forward to comment from the public, Mayor Franco closed the Public Hearing at 9:20 p.m.

3. Public Hearing to receive input from the public with respect to (a) the issuance of the

Series 2024B Irrigation Revenue Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2024B Bonds may have on the private sector (Marcus Keller)

Crews and Associates Financial Consultant Marcus Keller explained the purpose of the two bond Public Hearings was to obtain public comment as required by the bonding process. The irrigation bond on this agenda item was for two million dollars to be repaid by the City over 32 years. He noted Council approval had already been given when they had voted to approve the Parameters Resolution during a preceding Council Meeting.

Mayor Franco opened the Public Hearing at 9:23 p.m. With no one from the public coming forward to comment, the Public Hearing was closed 9:24 p.m.

4. Public Hearing to receive input from the public with respect to (a) the issuance of the Series 2024 Sewer Revenue Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2024 Bonds may have on the private sector (Marcus Keller)

Mayor Franco explained that this Public Hearing was for the sewer revenue bonds in the amount of 6.5 million dollars to be paid back over 32 years. She opened the Public Hearing at 9:25 p.m.

Jami Hewlett said she did not know anything about the what the bonds were for and asked why the City needed to bond. Mayor Franco explained the ongoing extensive infrastructure replacement project. City Engineer Russ Funk wished to clarify the additional bonds were not going to result in utility rate increases. There were utility increases scheduled but it was not due to the bonding process. Mr. Funk added that the interest rate the City was able to get for the bonds was much lower than current market rates available. The approved Parameter Resolutions were for a higher amount than was expected to be needed for the project's completion.

With no one further coming forward from the public, Mayor Franco closed the Public Hearing at 9:29 p.m.

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

Douglas Thompson thanked the Council and prior Councils for the Heber City Sewer and Water Line Replacement Project. The consequence was that 100 East had become a highway and cars were going 50-plus miles per hour on the road. He asked if he could post his own speed limit sign. He was concerned about the safety at a school bus stop. Mr. Douglas asked if a bike-lane could be installed. He hoped the City would find a solution. Mayor Franco asked Mr. Douglas to speak with the Chief of Police regarding his speeding concerns.

Jeff Harris shared the concerns expressed by Mr. Douglas. He owned two vacation rentals and a vacation rental property management company in Heber City. He agreed with short-term rental regulations but recognized that vacation rentals were self-regulating by the reviews. He was a founding member of groups such as "Rent Responsibly" that was formed in California to help establish responsible regulations. He had met with the Planning Manager Jamie Baron and he felt the problem was not lack of regulation but lack of enforcement in Heber City.

Mr. Harris said there was no data to support that property values would drop to allow affordable housing if vacation rentals were banned. Five out of five thousand reservations had resulted in damage to the home. He did not feel it was appropriate that a second offense could result in a criminal record and suspension of a license.

Mr. Harris noted the unfairness of the treatment of vacation rental operators compared to other businesses in town. Vacation rentals was their business, they had families, and they employed people. He shared that a group of vacation rental owners in Anaheim had joined forces to sue the City and won, and he did not wish to see that happen in Heber. He hoped to work with the City to guide appropriate regulations.

Elora Van Heron managed seven properties in Heber as vacation rentals. She had been in the business since 2018 and had hosted over 4,000 rentals in Heber. She also managed homes in St. George and Arizona and felt she offered a lot of expertise. The home owners were family-oriented and provided family-centered amenities. The homes had hosted family reunions and mission farewells. She felt Heber was one of the best places to host. She had researched the parking issue and proposed a solution. McCall and Cascade were small ski-towns in Idaho that in 2022, had offered an education program by existing vacation home owners for new vacation rental owners. Ms. Van Heron stated that the properties she managed in Heber housed more than 18 people. Her research had shown that 90% of the homes with more than four bedrooms in Heber could house 18-45 people. She felt that vacationers did not care about the rules but felt an education system would be the best solution. She shared that the majority of properties she managed could house six plus cars in the garage and driveway.

Cindy Delano felt the owners need to be educated as well. She felt the codes would preserve the families and neighborhoods. She felt the vacation rental owners took advantage of loopholes and blatantly disregarded City Code.

Michelle Mounter had lived in the community for 32 years. She held two large nightly rentals that could house 12 people each. She wanted the Council to consider allowing three vehicles for homes that could host 12 people. She asked how many of the Council had held a family reunion with only 12 people. She asked the Council to consider the size of the home and the number of bedrooms. One of her rentals was 6 bedrooms and 7000 sq feet. The vacationers were also supporting other businesses and providing revenue to the City. She felt through education, there could be much more accomplished. She volunteered to work with the City to form a committee to help the vacation rental home owners become responsible home-owners and self-police.

Toni Brown owned a vacation rental and their neighbors loved them. She felt the other rental home-owners were the same. She had successfully hosted a young adult cross-country ski team with no trouble. Ms. Brown felt there should not be a limit to the number of cars permitted when her driveway could hold six.

Jami Hewlett also owned vacation rentals in Utah. and felt there needed to be regulations. She felt there needed to be exceptions to the rules for homes that could accommodate more people and parking. She recognized the lack of accountability for renters who were not friends with the neighbors.

Dan Mauer expressed appreciation for the job that the Council did. He had moved to Heber from Chicago in 1995, was a real estate agent, and mortgage loan officer. He had owned both long-term and short-term rentals all over the State. He expressed appreciation that the Council not try to over-reach. He noted there were noise ordinances in place as well as parking regulations that applied to everyone. Not just short-term rentals. He said that the Airbnb and VRBO nightly rental platforms had a zero tolerance policy for party houses and a complaint directed to the rental platform would be the best enforcement. Mr. Mauer also noted the large amount of tax revenue generated annually by the nightly rentals.

Assistant County Manager Richard Breitenbeker wished to thank the City's Public Works and Engineering Departments for their work at the Wasatch County Courthouse. Water service to the hospital had been affected creating the potential for the project to go very poorly. The departments had done an excellent job and everything went smoothly.

Mayor Franco skipped ahead to item three on the Action Items agenda. Minute 3:44:30.

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

1. Peace House Annual Report and Funding Request (Kendra Wyckoff, Executive Director; Emma Zevallos, Director of Prevention and Education) - *10 min*

Executive Director of Peace House Kendra Wyckoff was present to provide an update of the services provided by Peace House to the community. Peace House offered a safe haven for victims of domestic violence.

Motion: Council Member Phillips moved to approve the City contribution of \$10,000 to Peace House for providing 24-7 care for the most vulnerable members of the community. **Second:** Council Member Johnston made the second.

Discussion: Council Member Barney shared the story of her mother having been a victim of abuse and that she wished there had been a resource such as Peace House for her mother. She felt the service was needed for women and men alike. Council Member Cheatwood proposed future requests from Peace House be brought forward at the beginning of the budget cycle.

Voting Yes: Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** None. The **Motion Passed Unanimously, 5-0.**

2. Red Rock Annexation Petition (Jamie Baron, Planning Manager) - *10 min*

Planning Manager Jamie Baron provided an overview of the process for the Council to either accept or deny the Red Rock annexation petition. It consisted of 30-plus acres where Delta Stone was located in the County.

Robert Hicken, with Red Rock Holdings, described the plan to add another building on the land to grow and develop the business. He was not seeking to change the industrial zone designation. Mr. Hicken noted the company currently employed 150-200 employees.

Moved: Council Member Phillips moved to accept the annexation petition. **Second:** Council Member Ostergaard made the second. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, and Barney. **Voting No:** None. Council Member Johnston had recused himself. The **Motion Passed 4-0.**

3. Ordinance 2024-23 Adopting a Temporary Zoning Regulation for Short Term Rentals (Tony Kohler, Community Development Director, Jeremy Cook, City Attorney) - 30 min

City Attorney Jeremy Cook explained the temporary ordinance would only be in effect for 180 days. He reviewed the criminal citations and felt they were a powerful tool to maintain compliance. The potential fines could be assessed for the property owners as well as the renters. Council provided individual feedback and suggestions, discussed the pros and cons of the proposed regulations, how to not over-regulate, and how to proceed. Consensus of Council majority was to not take action that night.

Motion: Council Member Cheatwood moved to continue the item and return the discussion to Council in two meetings at a Work Meeting. **Second:** Council Member Ostergaard made the second.

Discussion: Council Member Barney did not feel the Council should make the concerned full-time residents wait that long to enact the proposed protections in the temporary ordinance. Mayor Franco listed key concerns the Council needed to consider: size of home and the number of guests, and parking.

Amended Motion: Council Member Cheatwood moved to amend his motion to continue the item to the next Work Meeting and Action Items agendas. **Second:** Council Member Ostergaard's second stood. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** None. The **Motion Passed Unanimously, 5-0.**

Mayor Franco returned the meeting to the Action Items|Public Hearings agenda item two. Minute 4:17:10.

4. Branding for Pedestrian Pathway, Bandshell, and Festival Street (Ryan Bunnell) - 30 min

PIO (Public Information Officer) and Branding Consultant Ryan Bunnell described the direction previously provided by Council to gather additional information for establishing architectural standards and return with the findings.

Planning Manager Jamie Baron had met with Midway's Planning Manager to discover how their town had successfully implemented the Swiss and European theme. He described Midway's efforts to guide desirable development and architectural design for the community rather than outline what they did not want. He detailed design standards and provided images from Midway as included in the meeting materials.

Council discussed establishing architectural standards, the added cost to consumers, adding density to maintain affordability, and how best to proceed. Council Member Ostergaard volunteered his expertise and knowledge. City Manager Matt Brower asked Council to provide specific direction or instruction in order for Staff to proceed. Mr. Bunnell felt it was important to preserve the historic homes in the downtown area. Council Member Cheatwood asked Staff to discover how Midway had incentivized revitalization of the original historic buildings and homes in their downtown. Mr. Bunnell shared a state program he had used that deferred taxes for his property on Main Street to encourage a remodel rather than tear-down.

Motion: Council Member Phillips moved to extend the meeting for 15 more minutes. **Second:** Council Member Barney seconded the motion. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** None. The **Motion Passed Unanimously, 5-0.**

Mayor Franco opened the discussion for public comments.

Vaughn Hokanson thanked the Council for their hard work. He felt naming the street was an indication of intent and felt it had the potential to be detrimental to the community and its history. He was opposed to naming the pedestrian corridor unless there was a tremendous amount of outreach to the community. He strongly advised against adopting the name of C Street.

Jamie Hewlett did not feel the public had been involved at all and several people had reached out to her asking what was going on. She said there were a lot of issues with C Street such as it would intersect a State Road that would eventually be four lanes and cross the road into a parking lot. Ms. Hewlett said planning 101 indicated you don't put a pedestrian corridor opening into a parking garage. She referred to Park City that had a cute walking area on one side and the parking and garbage on the next street over. She said there were several people that had been present that evening to oppose C Street including Chick's Cafe who would lose parking if a pedestrian corridor was installed. She felt the city should do little things to make large impacts rather than build large buildings, creating no place for snow removal, added density with no safety, no place for the garbage, and historic buildings would be torn down. Her main concern was that the public did not know what was going on.

Mayor Franco closed the public comment period for the branding discussion.

Motion: Council Member Phillips moved to name the pedestrian corridor "C street", even though it was not currently there but would hopefully one day be realized. He invited anyone from the public that did not understand it to have a conversation. And to name the bandshell "Main Stage."

Second: Council Member Johnston made the second.

Discussion: Mayor Franco stated the Council was not talking about the Festival Street but only the stage and pedestrian corridor. City Manager Matt Brower clarified that 200 South would be considered the festival street and the potential pedestrian corridor would be named C Street. Council Member Cheatwood indicated he was not prepared to name C Street as there was not yet any action being taken to install or construct the envisioned pedestrian corridor. Council Member Johnston felt that the Council was setting a vision that they wished for the City to achieve. Council Member Barney said she would vote against naming C Street and the Council was jumping ahead of themselves. She shared that she had recently read an article that claimed communities with a five or ten-year plan was achievable but anything beyond was unattainable due to unforeseen changes. She cited the example of World War II eliminating European countries plans for their future. Council Member Phillips did not know of an example where progress was made without a vision and felt it was important to begin with a vision toward the future.

Motion to call the question: Council Member Phillips called the question. Mayor Franco called for a vote. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, and Johnston. **Voting No:** Council Member Barney. The **Motion Passed 4-1.**

Discussion: Mayor Franco felt the Council should postpone consideration of C Street in order to achieve further public outreach from the business owners lining the potential pedestrian corridor. She wished to ensure the public fully understood the vision and considered the pedestrian corridor a positive acquisition for the community. Council Member Ostergaard wished to clarify that the public outreach had been extensive but agreed that the Council could hold off on naming C Street. He noted that he did feel the City had to plan for the future.

Vote on original motion to approve naming C Street and the Main Stage. **Voting Yes:** Council Members Phillips and Johnston. **Voting No:** Council Members Ostergaard, Cheatwood, and Barney. The **Motion Failed 2-3.**

Motion: Council Member Barney moved to accept the name of the bandshell as "Main Stage" but to separate and wait to name the pedestrian corridor "C Street" to a later date. **Second:** Council Member Cheatwood seconded the motion.

Discussion: Council Member Ostergaard asked whether Council Member Barney would designate a timeline to prevent postponing the naming of the corridor for multiple years. Council Member Barney felt there was still concern within the community over naming the pedestrian corridor and wanted to see further discussions with the community to resolve their concerns. She knew it was something to benefit the community but wanted to see additional efforts made to alleviate community concerns. Council Member Cheatwood proposed additional Q&A with the affected property owners. He wanted to correct factually incorrect information that was being spread throughout the community.

Amended Motion: Council Member Barney wished to include in her motion that community outreach take place for the affected property owners and that Council bring back discussion for the festival street and C Street. **Second:** Council Member Cheatwood's second stood.

Discussion: Council Member Phillips asked for a date for the discussion to return to Council. The City Council Meeting scheduled for November 5, 2024, was selected for the discussions return. Council Member Phillips proposed that the Council Members personally visit the business-owners to correct the misinformation that had been distributed.

Voting Yes: Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** None. The **Motion Passed Unanimously, 5-0.**

X. COMMUNICATION:

Planning Manager Jamie Baron shared that the roof of the Main Stage would be placed on the structure the following week. Staff intended to communicate to Council more precisely when it would take place if Council wished to observe.

City Engineer Russ Funk communicated that 500 North had been paved and was open. He shared the progress expectations for the completion of additional blocks in the Central Heber Replacement Project. He asked Council for direction regarding continuing work into the winter months, and described the plan to minimally impact the residents. He stated the winter work would not cost substantially more.

City Manager Matt Brower reminded Council of the tour planned for that Friday, October 4, at noon. Everyone was to meet at City Hall, then proceed on a walking tour of downtown Heber, followed by site visits in Salt Lake City.

Council Member Phillips did not feel the City needed to have a discussion regarding the proposed North Village annexation with the County. Council Member Barney felt a discussion with the County Council would be the courteous thing to do. Council Member Phillips felt the City need only indicate that a discussion had been held with UDOT and the proposed development would not hinder the installation of a bypass. Mayor Franco shared concerns from the County regarding the potential SITLA/Christensen annexation. Council Member Cheatwood proposed taking the discussion to a future County Council Meeting. Council further discussed how to build trust and collaboration with the County and how to best communicate what needed to be communicated. Mr. Brower proposed the discussion begin at the monthly combined planning meeting. Consensus of Council majority agreed.

Mr. Brower shared the Community Reinvestment Agency (CRA) website that was now publicly available and could be accessed via the City website. The intent was to direct the community to the website to help visualize the Envision Central Heber plan, answer questions, and provide ongoing City project updates.

Mr. Brower invited Council to attend either one of the two sessions for the 5th annual All-Hands Staff training scheduled for October 29, 2024.

XI. CLOSED MEETING:

Motion: Council Member Barney moved to enter Closed Meeting for the purpose of discussing the purchase, exchange, or lease of real property. **Second:** Council Member Ostergaard made the second. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, Barney, and Johnston. **Voting No:** None. The **Motion Passed Unanimously, 5-0.** Council entered a closed meeting at 11:00 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
Planning Manager Jamie Baron
City Attorney Jeremy Cook
City Recorder Trina Cooke

Motion: Council Member Phillips moved to end the closed meeting and adjourn. **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.** The meeting adjourned at 11:16 p.m.



Trina W Cooke

Trina Cooke, City Recorder