

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
February 4, 2025**

APPROVED Minutes

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

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

Mayor Franco called the meeting to order at 4:08 p.m. and welcomed everyone present.

City Council Present: Mayor Heidi Franco
Council Member Yvonne Barney
Council Member Aaron Cheatwood - arrived at 4:12 p.m.
Council Member Mike Johnston
Council Member Sid Ostergaard
Council Member Scott Phillips - remotely until 4:48 p.m.

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
City Recorder Trina Cooke
IT Director Anthon Beales
Finance Director Sara Jane Nagel
Engineer Ross Hansen
Airport Manager Travis Biggs
Parks and Cemetery Director Mark Rounds

Staff Participating Remotely: Human Resources Manager Cherie Ashe, IT Director Anthon Beales, Engineering Technician Desiree Muheim, Planner Jacob Roberts, Assistant City Manager Mark Smedley, City Engineer Russ Funk, Engineer Kyle Turnbow, Deputy City Recorder Robin Bond, Community Development Director Tony Kohler, Wendy Anderson, and Public Works Director Matthew Kennard.

Also Present: Devin McKrola, Rachel Kahler, Phil Jordan, Paul Kruger, Julie Franklin, Oakley Franklin, Elisha McKenzie, Mike Glenn, Tori Broughton, Lonny Reed, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) J, Grace Doerfler KPCW, Missy Maughan, Pat Sweeney, Roger Brooks, Dave Driggs Heber Valley Arts, Jen, John, Michael Plowman, Phil Jordan, S, and SRH.

1. Termination of Agreement Between Heber City and WWET (Wasatch Water Efficiency Team) Inc. - Secondary Water Management (Ross Hansen) - *30 min*

Engineer Ross Hansen introduced Devin McKrola with Central Utah Water Conservancy District representing WWET. Mr. McKrola provided background on the agreement between Heber City and WWET Inc to provide secondary water services to the City residents before the City had the resources to manage the provision of the secondary water services in-house. The agreement was no longer necessary nor was it being utilized. Mr. Hansen then described the content of the agreement and the details for the process of terminating the agreement. The termination of the agreement would be approved with the Council's approval of the Consent Agenda. City Attorney Jeremy Cook proposed offering a mutually agreeable dissolution of the agreement. Council discussion followed.

2. Review of Recommended Parking Strategies for Downtown Heber (Tony Kohler, Community Development Director, Roger Brooks) - *60 min*

Downtown Community Vibrancy Consultant Roger Brooks provided the projections for downtown parking needs. He noted the existing public parking available that the public was mostly unaware of. Mr. Brooks recommended way-finding signs for existing public parking and offered additional parking strategy solutions. Discussion included the potential for shared parking, a designated parking district, establishing a parking fee-in-lieu for new businesses unable to provide their own parking, and the recommendation of angled parking.

3. City Council Strategic Planning Priorities 2026 (Matt Brower, City Manager) - *20 min*

City Manager Matt Brower shared the final version of the Council Budget and Policy Priorities as established at the 2025 Annual Council Retreat and presented the Staff execution strategy to achieve the prioritized goals. Council discussed the details of the document and plans for the future Olympics scheduled to be in Utah in 2035. Council Member Johnston expressed appreciation for the vision and proposed that Council give Staff the leeway to progress with the priorities listed.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Heidi Franco called the meeting to order at 6:31 p.m. and welcomed everyone present.

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

Council Member Phillips asked that everyone present participate in singing Happy Birthday to the Heber City Manager Matt Brower. He then led the recitation of the Pledge of Allegiance.

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

Mayor Franco shared a prayer.

IV. AWARDS, RECOGNITION, and PROCLAMATIONS:

V. CONFLICT OF INTEREST DISCLOSURE:

Council Member Johnston disclosed a conflict with Action Item number one and stated he would recuse himself from the discussion of the item. Mayor Franco then read the Conflict of Interest Disclosures filed by Council Member Johnston as found on the City website: www.heberut.gov.

VI. CONSENT AGENDA:

Mayor Franco shared that item two on the Consent Agenda needed to be approved with a change to the Resolution language. The Resolution needed to read that authorization could be given by the City Manager or the Finance Manager. Item four on the Consent Agenda needed to be approved with the changes discussed by the Council during the Work Meeting.

Moved: Council Member Cheatwood moved to approve the Consent Agenda with the changes described for item two and item four. **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.**

1. Approval of December 17, 2024, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Resolution 2025-02 Adopting a Tax Compliance Procedure (Sara Nagel, Finance Manager)
3. Termination of Agreement Between Heber City and WWET (Wasatch Water Efficiency Team) Inc. - Secondary Water Management (Ross Hansen)
4. City Council Strategic Planning Priorities 2026 (Matt Brower, City Manager)

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

Julie Franklin wished to address the law prohibiting tattoo parlors in Heber City. She stated her daughter wished to open a tattoo parlor and had discovered she could not obtain a business license because it was not permitted in the zone. She proposed the Council reconsider the zoning law that prohibited tattoo parlors everywhere in Heber City. She felt the demographic that obtained tattoos had changed significantly over the years. Tattoos were now considered body art and people expressed themselves through the art. The State Code referred to tattoo parlors as body art facilities. Planner Jacob Roberts explained the City Code prohibited tattoo parlors in commercial zones, but there was no zone in the City that listed tattoo parlors as a permitted use. Council further discussed.

Oakley Franklin explained home tattoo operations were unsanitary. She proposed allowing tattoo artists to operate within salons.

VIII. GENERAL BUSINESS ITEMS:

- 1. Public Safety Update (Parker Sever, Chief of Police) - 10 min

Deputy Chief of Police Branden Russell presented an update on recent public safety occurrences. He described the upcoming Easter Event the department would be hosting. He shared the department's research into utilizing artificial intelligence and had found body camera software that would write police reports saving officers hours of time.

- 2. Engineering Projects Update (Russ Funk, City Engineer) - 10 min

City Engineer Russ Funk provided an update on the ongoing Engineering projects around the City.

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

- 1. Public Hearing for Ordinance 2025-01 Wellberg - Kruger Annexation (Jamie Baron, Planning Manager) - 20 min

City Planning Manager Jamie Baron provided the background for the proposed 302.72 acre annexation, noting the applicant intended to build only two residential units on the land. The development agreement would hold future landowners to the two unit limit. He shared the Planning Commission and Staff's positive recommendation for approval of the annexation. Petitioner Paul Krueger clarified the trail would be dedicated to the Red Ledges trail system. He described the agreement with Red Ledges to allow access to his property through their gated community.

Mayor Franco opened the Public Hearing for Public Comment at 7:20 p.m.

Jamie Hewlett asked if the zone that permitted two homes per acre would supersede

the development agreement that only allowed two homes. She questioned whether it would hold up in court. Mayor Franco said the City Attorney had advised that the development agreement would hold any future land owner to the two-unit max.

With no one further coming forward to comment, the Public Hearing was closed at 7:21 p.m.

Motion: Council Member Cheatwood made the motion to adopt Ordinance 2025-01 approving the Wellberg (Kruger) Annexation as outlined in the Staff Report with the findings and conditions listed.

Second: Council Member Phillips made the second.

Discussion: Council Member Phillips wanted it to be confirmed that the 30 acres dedicated to Red Ledges for the trail system would remain open space.

Voting Yes: Council Members Phillips, Ostergaard, Cheatwood, and Barney.

Voting No: None.

Council Member Johnston had recused himself.

The **Motion Passed 4-0.**

2. Pro-Forma and Term Sheet for Operations and Programming of the Amphitheater (Matt Brower, City Manager, Phil Jordan) - 30 min

President of the Heber Valley Arts Center Phil Jordan introduced himself, Missy Maughn, Pat Sweeney, and Mike Glenn. He shared a PowerPoint presentation as included in the meeting materials outlining the plan to construct an amphitheater in the designated arts district, the plans for programming, and a ticketing plan to avoid fraud and maximize sales. Council discussion followed.

3. Approve Transfer of General Fund Revenues to the Heber City Community Reinvestment Agency Fund in the Amount of \$876,000.00 to Support the Agreement For Sale and Purchase of Real Property with Heber Light and Power (Matt Brower, City Manager) - 30 min

City Manager Matt Brower described the connection between this agenda item, and the two items to follow on the Community Reinvestment Agency (CRA) agenda. He stated the City's desire to purchase the property of the existing Heber Light and Power (HL&P) administration building to integrate into the City's downtown redevelopment plan through the CRA.

Motion: Council Member Phillips moved to transfer the money as described.

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.**

X. RECESS AS THE HEBER CITY COUNCIL AND CONVENE AS THE CRA

BOARD: Amended Agenda

Motion: Council Member Phillips moved to recess as the Heber City Council and convene as the Community Reinvestment Agency (CRA) board.

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.**

The CRA meeting convened at 8:12 p.m.

1. Agreement for Sale and Purchase of Real Property and Lease Agreement Between Heber Light and Power (HL&P) and Heber City Community Reinvestment Agency (CRA) for the Purchase and Lease Back of the HL&P Administration Building Located at 31 South and 100 West (Matt Brower, City Manager) - *10 min*

Motion: Council Member Phillips moved to accept both agenda items for the purchase Agreement and the Lease Agreement.

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.**

City Manager Matt Brower noted the Council's approval to transfer the funds would require a budget amendment that would return for Council's approval in March.

2. Lease Between Heber City and HL&P (Matt Brower, City Manager)

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

Motion: Council Member Phillips moved to adjourn the CRA meeting and reconvene as the Heber City Council.

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.**

The CRA board adjourned at 8:15 p.m.

XII. COMMUNICATION:

Mr. Brower reminded Council of a meeting the following day at the Capitol. Staff would be carpooling if any of the Council Members wished to join. City Attorney Jeremy Cook reminded Council of the Open and Public Meetings Act restrictions.

The County wanted to meet with two City Council Members to discuss the possible purchase of the County administrative building and the fire station. Mayor Franco and Council Member Phillips volunteered.

Mr. Brower informed Council that unhealthy levels of radon had been found in the basement conference room and meetings would not convene downstairs until it returned to a safe level.

Parks and Cemetery Director Mark Rounds had announced his retirement after 29 years with the City.

XIII. CLOSED MEETING:

- 1. As Needed (Council)

The Heber City Council did not enter a Closed Meeting.

XIV. ADJOURNMENT:

Motion: Council Member Phillips made the motion to 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 8:20 p.m.



Trina Cooke
Trina Cooke, City Recorder