

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

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 4:00 p.m. and welcomed everyone present.

City Council Present: Mayor Heidi Franco
Council Member Yvonne Barney - arrived at 4:03 p.m.
Council Member Aaron Cheatwood
Council Member Mike Johnston
Council Member Sid Ostergaard
Council Member Scott Phillips - arrived online at 4:03 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
Planner Jacob Roberts
Chief of Police Parker Sever
IT Director Anthon Beales
Finance Director Sara Jane Nagel

Staff Participating Remotely: Finance Director Sara Jane Nagel, IT Director Anthon Beales, Engineering Tech Desiree Muheim, Assistant City Manager J. Mark Smedley, Engineer Kyle Turnbow, Deputy Recorder Robin Bond, Public Works Director Matthew Kennard, City Engineer Russ Funk, Human Resources Director Cherie Ashe, Accounts Payable Technician Kelli Silcox, Planning Manager Jamie Baron, Public Works Administrative Assistant Missy Luke, and Wendy Anderson.

Also Present: Ashley Walker, Lexi Varrilaros, Jon Kwong, Darby Carroll, Breana Bricero, Easton Stauffer, Mokie Scott, Kenzie Manguin, Branden Christensen, Elmer Colon Munez, Auri Mathie, Keila Hermansen, Joseph Logan, Rylee Guile, Chloe Johnson, Hadley Sanders, Lavron Howe, Hallee Reidhead, Xinera Vega, Jake Togisala, Kassidy Rindlisbache, Farah Sanders, Cindy Cassairt, Kelleen Potter, Tom Reed, Cherie Reed, Adam Killpack, Luke Kennard, Brad Ehlert, Brian Balls, Erik Rowland, Pam Patrick, Cliffie Johnson, Merry Duggin, Tracy Taylor, Lindy Reioux, Denise Harris, Tracy Stratton, Oscar Covarrubias, Patty Sprunt, Greg Whitehead, Stephen Rather, Gaye Lynn Latimer, Susan Mantyla, Bean Thompson, Mattie Kirby, Dan Moon, Bruce Zollinger, Josh Daniell, Matthew Williams, Ashley Fry, Kendall Crittenden, Jean Hooper, Deb Stengs, Tori Broughton, Joe Coombs, Phil Jordan, Mike Glenn, Marianne B. Allen, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) TMT, SRH, Shorty5, S, Pat Kohler, Nickolas Carter, Mike, Marianne B Allen, Larie, L. Dinga, Kim Dickerson, Joey, JF, Jen, Hyrum Johnson, Hyrum Holm, Grace Doerfler KPCW, Gina Luke, Eric Bunker, Doug Smith, DM, Darin Bunker, Clara Hatcher, Chris Geiger, Catherin Dalton, CAMS, Brad Ehlert, BBK, Muir, Logan Stefanich, J, April, Missy Maughan, B, Phil Jordan, PM, and Stephen Clark.

1. Utah Valley University Students Affordable Housing Campaign (Farah Sanders, UVU Students) - *20 min*

Doctor Farah Sanders introduced the four Utah Valley University (UVU) student groups that would be sharing presentations regarding affordable housing opportunities as included in the meeting materials. Heber City had been chosen for the study based on its designation as the fastest-growing micro-city in the nation. Group one, Summit Strategies PR, focused on CRA education and opportunities. The second group, the Press Room, shared their goals and objectives. They wished to increase awareness of the affordable housing options available. The group had also created a hashtag: #affordable4all. Group three was called the Urban Vision Collective: Heber Better. Their strategy was to help educate renters looking to buy homes through civic engagement. The final group, Heber Housing Helpers, focused on obtaining more single-family homes that were affordable. They proposed an update to the Moderate Income Housing Plan section of the Heber City Code.

2. The Views on Main MDA Term Sheet (Tony Kohler, Community Development Director) - *45 min*

Community Development Director Tony Kohler reviewed important issues the City had identified with the proposed development as outlined in the Staff Report. City Attorney Jeremy Cook recognized the disagreement regarding development vesting rights of the property. Council and the petitioner discussed the intent for the property, issues Council wished to negotiate, and issues Council was unwilling to negotiate.

Council Member Johnston asked for a larger map, upon the petitioner's return, reflecting the utility locations for the area being discussed. It was determined that the item would return to a future Council Meeting for additional discussion.

3. Red Rock Annexation Term Sheet (Jamie Baron, Planning Manager) - *45 min*

The Red Rock Annexation agenda item was postponed to a future meeting.

4. Review of Ordinance 2025-02 Amending the Heber City Standard Specifications and Drawings, Storm Water Design Manual, and Standard Plat (Kyle Turnbow, Engineer) - *time permitting*

This agenda item was skipped due to time constraints.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the meeting to order at 6:24 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Heidi Franco, Mayor)

Mayor Heidi Franco led the recitation of the Pledge of Allegiance.

3. Prayer/Thought by Invitation (Sid Ostergaard, Council Member)

Council Member Ostergaard wished to share a tribute to Mark Rounds to celebrate Mark's service to Heber City. Mark had been the City's Parks and Cemetery Director. He had been with the City for 29 years and would be retiring that month. Council Member Ostergaard had gotten to know Mark during a two and a half day road trip in Mark's truck. He felt the City had been lucky to have him for 29 years. Council Member Ostergaard had observed that no matter what was ever thrown Mark's way, Mark would never say "no, we can't do that." Mark had always exhibited a positive outlook.

IV. CONFLICT OF INTEREST DISCLOSURE:

Council Member Ostergaard disclosed that the developer for Action Item two was Philo who had been a previous client but was no longer and had not been for two and a half years. He did not have a conflict of interest.

Council Member Johnston disclosed that Philo was a client of the company he worked for but he was not on the project and did not have any financial gain. He did not have a conflict of interest.

V. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Proclamation for the Observation and Celebration of Arbor Day (Heidi Franco, Mayor)

Mayor Franco read a Proclamation for the Observation and Celebration of Arbor Day on Thursday, May 15, 2025.

VI. CONSENT AGENDA:

1. Approval of January 21, 2025, City Council Meeting Minutes, and February 18, 2025, City Council Meeting Minutes (Trina Cooke, City Recorder, Robin Raines, Deputy Recorder)

Motion: Council Member Cheatwood moved to approve the Consent Agenda consisting of the two meeting minutes for January 21 and February 18, 2025.

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.**

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

Lindy Reioux, Heber City resident, was opposed to the cell tower location and felt it should not be placed in the Valley Hills neighborhood's backyard.

Bruce Zollinger proposed using the 500 acres of the Sewer District farm for the lower-income and affordable housing density, and to transfer the land credit to protect the North Fields.

Ashley Fry, worked with the new Hale Center Theater in Orem (called the Ruth for short), extended an invitation to the Council and department heads, plus one, to attend the theater's Jersey Boys performance. She presented Mayor Franco with vouchers to exchange for tickets.

Greg Whitehead, Philo Development representative, had been working on the Wasatch Highlands area development that wished to petition to be annexed into Heber City. He had been working with the project for several years, which had initially begun with negotiations with the County. The County had recommended the project representatives work with the City. He clarified he had never advocated for three to five thousand homes. He asked the City to work with them towards creating something to be proud of.

Beau Thompson, working for the Christensen property owners, noticed the Memorandum of Understanding (MOU) on the agenda indicated the Council would not consider the area for annexation into the City. He wanted to understand the Council's reasoning and indicated that it felt targeted.

Jami Hewlett stated that she had been in the meeting when the Wasatch Highlands development had requested five thousand units. She said she was also at the County meeting when the County had told the developer they were not interested in allowing more density. She said that she had a letter from the County that emphasized the traffic issues that would arise, the inability to provide sewer and water, and the density listed as one house per 160 acres. She stated that annexing into the City made everything more unaffordable. Ms. Hewlett said the SITLA lands had been granted in 1895 by the Federal Government for their children. She felt it was making it more unaffordable for the children to live in the Valley due to the increased electricity rate of 13%. There was not enough sewer infrastructure to provide for the increased density, not to mention Police, Fire, and Animal Control. Ms. Hewlett also said that Ranked Choice Voting (RCV) had been a disaster in the previous election and her elderly neighbors had no idea how to fill out their ballots, everyone was confused, and she watched the majority of the ballots go in the garbage.

Patty Sprunt, Heber City Resident who had previously served as a County and State delegate, felt RCV was a conflict of interest for the Council Members that had only been elected via because of the RCV system. She thought her vote had been disqualified for omitting candidates from the ranking process that she had been personally opposed to. Her neighbor had said it was not the government's place to tell her who she put on her ballot as she wanted to vote for who she wanted, and no one else. Another neighbor asked her to point out that she thought there was not a way to audit the process. The neighbor said RCV was sold as fair and convenient but felt it was anything but fair. Ms. Sprunt thought that because more than half of the 3,000 ballots had been under-voted that the system had failed. She did not think the elected officials that had been elected to office through the Ranked Choice Voting ballot process should be allowed to vote whether to use the system again.

Brad Ehlert, Wasatch County School Board Member, wished to express his appreciation for the acknowledgment and respect shown by the Council towards the School District during the preceding Work Meeting. He recognized the School Board was also an elected body. He stated he did have an opinion on RCV and asked whether every vote was counted. He felt government functioned best when every voice was heard throughout the process and was the best chance for success.

Jonathan Muir, property owner in the Valley for four or five years, wished to speak on the proposed property development to the east of the Valley. He said that, from what he had heard, development was out of control. He suggested working with the State to address traffic problems before proposing four or five thousand more homes. He felt there was nowhere for the people to work and schools were already being built to navigate the kids. He felt it was not the taxpayer's responsibility to pay additional taxes to support new development.

VIII. GENERAL BUSINESS ITEMS:

1. Ranked Choice Voting (RCV) presentation by the Wasatch County Taxpayers Association (Tracy Taylor, Wasatch County Taxpayers Association) - *20 min*

Tracy Taylor, representing Wasatch County Taxpayers Association, appreciated the opportunity to provide a presentation on Ranked Choice Voting (RCV). She knew public trust in elections mattered. She reviewed the PowerPoint presentation as provided in the meeting materials, citing reasons to not use the RCV system, including several clips from the State's Legislative session.

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

1. Resolution 2025-03 Adopting Ranked Choice Voting (RCV) for the 2025 Heber City Municipal Election (Trina Cooke, City Recorder) - *20 min*

City Recorder Trina Cooke introduced the agenda item and noted that the Ranked Choice Voting (RCV) ballot system had been successfully implemented in Heber City for the two previous elections. She clarified that all ballots could be tracked and accounted for at vote.utah.gov. She then shared a sample ballot from the 2023 municipal election and read the instructions to rank your candidates in order of preference; that you could rank as many or as few as you wanted; and to not vote for more than one candidate in each column. Ms. Cooke introduced the Executive Director for RCV Kelleen Potter, and former Utah County Clerk Josh Daniell, who had administered RCV in two elections for the participating Utah County municipalities. They clarified much of the information regarding Ranked Choice Voting and provided examples of the benefits. Council further discussed the Ranked Choice Voting process's pros and cons.

Mayor Franco opened the discussion for public comment.

Gaye Lynn Latimer shared a story from the previous election when she had told her husband, upon seeing he had only voted for three candidates, that he had to rank all eleven candidates. He had gone to the County to request a new ballot and been told he could only vote in person. He said the machine would not return his ballot to him until he had ranked all eleven candidates.

Tom Reed urged Council to reject Ranked Choice Voting.

Matty Kirby also asked the Council to reject Ranked Choice Voting because she thought it was very confusing. She wanted to vote for only one person. Ms. Kirby had been voting all her life, even when living overseas, and her vote had always been counted in Oregon. She did not know if any of her votes over the last four or five years had been counted. Ms. Kirby questioned the Cure letter she had received on behalf of election security to confirm her signature was her own. She asked for common sense with voting and reiterated that she felt RCV was very complicated

Eric Rowland, Heber City resident and County Council Member, shared that he had recently watched a video regarding the difference between contention and conflict. He looked at the discussion from two sides: as a voter and as an elected official. He reviewed pros and cons he was able to identify from both perspectives and said that he was tired of voting issues.

Mike Hewlett asked to know the ramifications for Council Members who violated the code of conduct. He shared his extensive internet research of Ranked Choice Voting. He claimed that the election officials could not explain it to him and had argued about the process on election night. He felt it violated the Constitution of the United States and said there should be one vote for one person and claimed that RCV ballots counted a vote multiple times. He said it disenfranchised voters who did not know what the outcome would be because they put their first choice first, their ballot could get exhausted awfully quick, and voters would not know how their vote would be affected based on their first rounds of voting, and their vote could be irrelevant based on the way the voting went. He proposed RCV could be equated to literacy tests that were designed specifically to confuse voters, to disenfranchise voters, to make it impossible for them to know how to vote, and prevent voter turnout. He stated that he had spoken to dozens and dozens of voters in the 2023 election cycle that had told him specifically that they had thrown their ballots away because they did not understand how it worked. He noted that all of the current elected officials had been elected by Ranked Choice Voting but asked they please give the people their elections back. He noted that Council Member Mike Johnston had received the most last place votes and had still been elected. Council Member Johnston clarified he had been elected because he had received the most first place votes of any other candidate.

Jami Hewlett disagreed with Aaron Cheatwood that RCV was not confusing or that the voters had not done their due diligence. She had been a candidate in the previous election and her mother had said she had not been able to watch all of the interviews. She felt it was extremely complicated if you did not know the eleven candidates beforehand. She said some people were saying you didn't have to vote for everyone, other people were saying if you did not vote for everyone that your ballot was thrown in the trash, and others said you could vote for whoever you wanted. Ms. Hewlett claimed Kelleen Potter had said there could be ten candidates on a ballot and there had been eleven in the 2023 election, which was one more than the system was capable of processing, so she did not know how that worked.

Council Member Aaron Cheatwood clarified that he felt the onus fell to the voter to be informed. He felt Ranked Choice Voting was a good idea but did not feel the City should move forward with it if it was causing confusion.

Council Member Mike Johnston did not accept that the RCV system caused confusion. He explained the benefits further. He felt more candidates was a better option. He acknowledged that he was a Republican but that the Republican party had spent the last four years sowing distrust and confusion in the election process. He felt RCV would resolve election process issues. He fully supported the RCV system and expressed his appreciation for the public's opinion but respectfully disagreed.

Council Member Yvonne Barney recognized she had been elected due to the Ranked Choice Voting system. She had received 12 emails against RCV and four in favor of RCV. She felt the Council needed to listen to the constituents that came to the meetings to be heard. She acknowledged that there were good qualities of RCV, but the frustration was apparent. She said she would vote the way the citizens asked.

Council Member Sid Ostergaard asked the City Recorder Trina Cooke how many election cycles she had been through and the ballots system employed. Ms. Cooke explained this would be her fourth election cycle as an election official. The first in 2019 had utilized the standard mail-in ballot and there had been a primary and general election. The following two elections had employed the RCV ballot method, resulting in a 50% cost savings by eliminating a primary election. She felt the candidates had exhibited a polite camaraderie throughout the RCV process and had received positive feedback for the Ranked Choice Voting system. Council Member Ostergaard felt the instructions on the ballot had been clear. He wanted more time to look into some of the claims that had been made that evening.

Motion: Council Member Barney moved to delay the vote for Ranked Choice Voting and give it the full time extent. If Council Member Ostergaard wanted to look into further information, she would like to wait until the April 15, 2025, meeting to vote.

Second: Council Member Cheatwood made the second.

Discussion: Council discussed how to provide further education information for the citizens. County Council Member Eric Rowland recommended offering an education component. Council Member Barney wished to comment that the Council was there to speak for the community. She proposed more education for the citizens.

Amended Motion: Council Member Barney wanted to include in her original motion that a citizen survey would be sent to the community.

Second Withdrawn: Council Member Cheatwood withdrew his second in order to keep the survey separate from the motion to delay the vote.

Alternate Motion: Council Member Cheatwood moved to continue the Ranked Choice Voting Conversation until the last meeting in April.

Second: Council Member Ostergaard made the second.

Motion Withdrawn: Council Member Barney withdrew her original motion and the amendment.

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

Voting No: None.

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

Council Member Cheatwood asked staff to return with the feasibility of a survey. He wanted to see more education provided on RCV. Council Member Barney asked for the survey to be as non-biased as possible. Council Member Phillips proposed the Council revisit previous surveys by the City. He felt it was the Council's responsibility to do their homework and look at the facts.

2. Heber City Annexation Policy Plan Amendment for Wasatch Highlands (SITLA Lands) (Tony Kohler, Community Development Director) - *30 min*

Community Development Director Tony Kohler described the City's Annexation Policy Plan. SITLA had approached the City to request an expansion of the City's Annexation Policy Plan boundary to allow their property to annex into Heber City. He reviewed the recommendation from the Planning Commission to expand the annexation boundary with the strong collaboration of the County. The County had requested that the City not expand the boundary as requested by the petitioner. Mr. Kohler said the vote from Council that was needed was not to amend the annexation boundary map but rather whether staff should continue to work with the petition on the annexation process. He outlined the next steps if Council decided to continue with the annexation process.

Council Member Ostergaard clarified that he represented the community and was not sitting on the Council for any personal or monetary gain. Council Member Cheatwood shared the negative effects he had encountered owning a local business and sitting on the Council. Council Member Barney expressed appreciation for the Planning Commission's recommendation but felt the land needed to remain in the County.

County Council Member Eric Rowland had been a Heber City Council Member approximately 10 years prior. The City and the County had not worked well together then. He hoped the City and County would continue to work together amicably going forward.

Cindy Cousart lived in the area that would be directly affected by the proposed Wasatch Highlands annexation. She recognized the water, sewer, and roads had already been talked about, but felt people who moved into the area would need bus transportation as well. She felt that a lot of people living in the area were unable to get fire insurance.

Merry Duggin, resident of Daniel and previous Council Member there, did not want to see the Heber City Council be attacked and defamed by residents. She felt Council could stop the accusations by residents if the Council were to decide to not approve the proposed Annexation Policy Plan expansion. She felt the County's current zoning was strategic. She also noted the difficulty the fire district would have fighting fires in the area if it were to be developed.

Kendall Crittenden, Heber City resident and Wasatch County Council Member, echoed what County Council Member Eric Rowland had said. He appreciated the City Council Members that had been working with the County on the amendment to the Annexation MOU. He read from the proposed MOU, as attached in the meeting materials, that stated the City agreed to not annex the proposed area.

Joe Coombs noted the difference between the County residents and City residents. County residents wanted ruggedness, land, horses, individuality, and freedom. He was a good neighbor and had installed fences to contain his horses and his dogs. He felt the City was moving in all at once and questioned the 4,000 acres proposed to be added. He was displeased that his water was being adjudicated. He described the process and felt his water was being taken to install further development. He was concerned about incoming developers not possessing the water rights needed to develop.

Greg Whitehead rejected the idea that he would not have the integrity to work with someone if they did not vote the way he wanted and wished to go on record to say that was not right.

Council Member Phillips asked the County to please ensure public access by way of trails and open spaces in the area that the City intended to agree to not annex when entering into the MOU with the County.

Council Member Johnston had learned in his 30-plus years of experience that the final development projects often did not come to completion as they were originally planned. He appreciated the County representatives but felt it was short-sighted to not allow a local family and landowner to sell or develop 4,000-plus acres of land. He questioned how the City and County could support the legacy family landowners keeping their land when few of them ran cattle or other livestock any longer and had lost greenbelt status. He wished to advocate for the family property owners that owned thousands of acres and were prevented from building any homes due to the zoning restrictions. Council Member Johnston felt something needed to be done to help these families before they lost their land.

Motion: Council Member Aaron Cheatwood moved to exercise alternative two listed in the Staff Report which was to halt the Annexation Policy Plan amendment process and to proceed with the MOU process with Wasatch County.

Second: Council Member Yvonne Barney made the second.

Discussion: Council Member Phillips asked if the proposed MOU would prevent future annexation negotiations with the County. City Attorney Jeremy Cook said the proposed MOU was being agreed to by the current City Council and felt it would not be legal for an MOU to bind future Councils. The proposed MOU was an indication of the current City and County Councils' intention to work within the terms of the MOU. Council Member Ostergaard indicated his vote was for the people. It would not be for him.

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

Voting No: None.

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

3. Memorandum of Understanding (MOU) Wasatch County and Heber City 2025 Annexation Issues (Matt Brower, City Manager) - *15 min*

City Manager Matt Brower read the proposed MOU with the County regarding annexation issues as found in the attached meeting materials. Mayor Franco asked that the City and County representatives include Heber Light and Power as well as the Special Service Districts in future discussions.

County Council Member Kendall Crittenden looked forward to working with the City moving forward. He was unsure what would come. He referred to the conservation district that was selling lots for three million dollars and felt it could work for the legacy family land-owners. He wished for the City to consider the language in the last sentence of the MOU that allowed the City to be involved in County street infrastructure decisions as it would impact the City. He proposed the reverse language as if the County were requesting the City to allow them to sit in on the City's infrastructure decision-making process. Council Member Johnston agreed with County Council Member Crittenden that the language referred to should be changed.

Mayor Franco opened the discussion for public comment.

Jami Hewlett asked why the MOU would eliminate the language that the City would not annex east of Mill Road. Mayor Franco clarified it had been a long-standing gentleman's agreement between the City and the County but was now written into the City's current Annexation Policy Plan.

Greg Whitehead spoke for the Christensen family and asked what recourse the family would have if the County did not wish to work with them. Council Member Cheatwood stated that his understanding of the agreement was that the County would agree to work with the developers and if they did not, the City would be able to step in at that point. City Attorney Jeremy Cook clarified that it was always best for cities and counties to cooperate.

County Council Member Eric Rowland said the County intended to work with the land-owners but it would be a negotiation process. Mayor Franco noted the County was in the midst of updating a twenty-year-old General Plan.

Motion: Council Member Barney moved to extend the meeting to 10:30 p.m.

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.**

Council Member Johnston felt the County appreciated the MOUs but he did not agree with certain language cited in the MOU and proposed alternate language for the section previously mentioned by County Council Member Crittenden as well as for other sections of the MOUs. County Council Member Crittenden proposed getting together and rewording the MOU before approval.

Motion: Council Member Johnston made the motion to replace section A. "Annexation of Properties by Heber City," in the MOU, with the following statement: "Heber City has received a request to amend Heber City's annexation policy plan to include the SITLA and Christensen Mountain Properties Located east of the current Heber City boundary. The Heber City Council agrees to indefinitely suspend discussions on changing the annexation policy plan for those properties in order to facilitate Wasatch County working with the property owners on a very low density development plan. Wasatch County commits to work with Heber City on a future transportation plan that encourages traffic from the eastern county to move to the north and south around Heber City's downtown."

Second: Council Member Cheatwood seconded the motion.

Motion: Council Member Ostergaard moved to continue until the City had further discussion with the County.

The **motion failed** for lack of a second.

Withdrawn Motion: Council Member Johnston withdrew his original motion.

Motion: Council Member Johnston moved to continue the approval of the MOU and have further discussion with the County on a final Memorandum of Understanding regarding Heber City annexation issues east of Red Ledges, with the edits to the language that was presented to the City Council, and the language that he had proposed and texted to County Council Members Eric Rowland and Kendall Crittenden, and for the MOU to return to the City Council in a couple of weeks for final decision.

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.**

4. Memorandum of Understanding (MOU) Wasatch County and Heber City Property Sale Intent (Matt Brower, City Manager) - *10 min*

City Manager Matt Brower read the proposed Memorandum of Understanding (MOU) as attached to the meeting materials.

Motion: Council Member Cheatwood moved to adopt the County Property Purchase MOU as set forth in the agenda.

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.**

Mayor Franco moved the meeting forward to item six on the agenda.

5. Contract Award to Perco Rock Co for Construction of the Coyote Springs Park Project (Russ Funk, City Engineer)

City Engineer Russ Funk shared the design for the Coyote Ridge Park. He provided the recommendation from the POSTT (Parks, Open Space, Trails, and Trees) committee for the trail design connection including a bridge. There was an alternate bid included in the Staff Report for the trail connection and a bridge that would require a future budget amendment. The City had received a bid from a single contractor. Staff recommendation was to award the contract to the single bidder, Perco Rock.

Motion: Council Member Cheatwood moved to approve the contract award to Perco Rock for the Coyote Springs project, including the base amount of \$1,705,234.20 and the bid alternate of \$290,626; as well as Ordinance 2025-02 Amending the Heber City Standard Specifications and Drawings, Storm Water Design Manual, and Standard Plat (agenda item seven); and to adjourn the meeting.

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.**

6. Pro-Forma and Term Sheet for Operations and Programming of Sunset Ridge Amphitheater (Phil Jordan) - *30 min*

President of the Heber Valley Arts Center Phil Jordan introduced himself, Cody Winterton, and Mike Glenn, who were before Council to share the future Sunset Ridge Amphitheater presentation as included in the meeting materials.

Mr. Jordan explained the wish to begin the project using the Sorenson development area's PID (Public Infrastructure District) money and private fundraising. Mr. Jordan outlined the intended process for the launch of the project, provided images and the amenities of a base design for the amphitheater as well as proposals for enhanced designs and amenities. The project representatives were asking Council's permission to reallocate PID funds from Villages one, three, four, and five, to Village two for the amphitheater. Council discussion followed with Council majority expressing support to proceed with the enhanced design version of the project.

Motion: Council Member Cheatwood moved to extend the meeting until 11:00 p.m.

Second: Council Member Johnston made the second.

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

Voting No: None.

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

7. Ordinance 2025-02 Amending the Heber City Standard Specifications and Drawings, Storm Water Design Manual, and Standard Plat (Kyle Turnbow, Engineer) - *30 min*

See combined motion made with Action agenda item five.

X. COMMUNICATION:

There were no communication items.

XI. CLOSED MEETING:

1. Strategy Discussion for the Purchase, Exchange, or Lease of Real Property (Council)

No Closed Meeting was held.

XII. ADJOURNMENT:

The meeting adjourned at 11:03 p.m.




Trina Cooke, City Recorder

VII. PUBLIC COMMENTS (received via email):

For RCV:

-----Original Message-----

From: Dr. Jon Wojciechowski
Sent: Tuesday, March 4, 2025 8:02 AM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Ranked choice voting

As I'm unable to attend the meeting discussing this I'd like my opinion to be heard.

As a resident of Wasatch County and Heber City, I STRONGLY SUPPORT Ranked Choice voting and mail in ballots.

Without linking studies, as all on the board know, there is significant benefit to both of these which allow those in the community to vote with confidence and security.

Please ensure these available options continue for residents of the county.

Dr Jon Wojciechowski, D.C.

From: Jan Judd <janjuddpiano@gmail.com>
Sent: Monday, March 3, 2025 10:49 PM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Ranked choice voting

I'm all for ranked choice voting! Let's keep it!

Jan Judd

-----Original Message-----

From: Jamie Prevedel
Sent: Monday, March 3, 2025 6:18 PM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Constituent opinion on ranked choice voting

Hello!

I would like to voice my opinion that I am FOR the use of ranked choice voting in all possible elections.

Thank you,

Jamie Prevedel Bowen

Sent from my iPhone

-----Original Message-----

From: Tina Moore <tinagentrymoore@icloud.com>

Sent: Saturday, March 1, 2025 7:36 AM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) ranked choice voting

Yes on ranked choice voting for our elections this year.

Kind Regards,

Tina M. Moore

Heber City Citizen

Sent from my iPhone

Against RCV:

-----Original Message-----

From: Bradley Bacon

Sent: Tuesday, March 4, 2025 2:56 PM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) Ranked voting is anti democracy!

This is a Democracy where one person gets one vote. This IS NOT a Junior High School popularity contest where everyone gets a reward.

Ranked voting is right in up there with Trickle Down Economics aka VOODOO ECONOMICS!

Have a Great Day,

Brad Bacon

Sent from my iPhone

From: DONNA FENRICH

Sent: Tuesday, March 4, 2025 2:44 PM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) RCV

To our council members here in Heber.

I wanted to have my voice heard that I am extremely opposed to Rank Choice Voting. I'm shocked it is even a topic being discussed here in Utah. RCV is nothing more than a scheme to steal elections from the people and create outcomes that the people would never vote for.

Let's clean up elections, one person, one vote. Stop insulting the people with these schemes.

Sincerely,

Donna Kuzmiski

Sent from my iPhone

-----Original Message-----

From: Deb STENGER

Sent: Tuesday, March 4, 2025 2:10 PM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) Rank Choice vote

Please for the love of god get rid of RANK CHOICE VOTING!!!

I vote NO on this format.

It's confusing to new voters (18+)

It's confusing for senior voters -

And frankly it's confusing to all voters!!!!

Each candidate GETS ONE VOTE!!!

Stop the madness!!

Deb Stenger

Heber resident / voter

Sent from my mini secretary, iPhone

From: Sue Mantyla

Sent: Tuesday, March 4, 2025 11:36 AM

To: CC Public Comments <ccpublic@heberut.gov>; Sue Mantyla <suemantyla@gmail.com>

Subject: (EXTERNAL) RCV

Hi,

Thank you for holding a meeting tonight, where we can discuss Ranked Choice Voting. I'm excited to join you in the meeting tonight.

In one of our Wasatch County Elections, RCV was used and believe me, it was so confusing to so many of our friends and myself. We were never instructed on how it worked and how to use it. I've read more negative about it. We don't get to hear from the candidates. Making voting more convenient, when in reality, it isn't because it's hard for the voting volunteers to know how to interpret a person's vote, many days spent in counting, becoming very confusing, dictating many problems. I didn't even know if my vote counted.

Similar to universal mail-in-voting. I don't know if the person reading the signatures decided mine doesn't match and just throws out my ballot, without even telling me. I tried to find my name on the register to see if my vote counted, and it was not there. Other friends had their vote recorded and found it. We need to get rid of RCV, early voting, drop boxes, require ID, one day voting, illegals cannot vote, machines, and go back to the way we use to vote. Who decided to monkey around with how we vote? It creates too many ways of cheating.

88% of Utah voters support in-person voting in local precincts, ballots, with the candidate names, not trying to figure out a popular method of a candidate.

We never even got to vote on it. We were just told that's how we were going to be voting.

So, thank you! Excited to hear from the citizens of Wasatch County.

Sincerely, Sue

From: Stephanie Lytle
Sent: Tuesday, March 4, 2025 10:50 AM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) NO to Rank Choice Voting

Hi,

I hope the council decides to cancel RCV. It is confusing and often leads to unexpected and unintended outcomes. Many cities have reversed their decision to use RCV.

Stephanie Lytle

From: Pamela Stevenson
Sent: Tuesday, March 4, 2025 7:50 AM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) Ranked voting

I wish to express my support for Ranked Voting

If it is simply explained and not overcomplicated prior to the election by the election officials, (NOT political candidates) and explained SIMPLY on the ballot, it can be understood by ANYONE.

This has been proven in tests even among High Schoolers!

Also: Alaska has used this for many years with success

Ranked voting means that 'outlier candidates' who dont have support cant progress. It means that those who progress to the 'final' election are supported by MORE constituents, with greater satisfaction.

Please adopt ranked voting and bring Wasatch into a better, more representative future.

Thank you,

--

Pamela E Stevenson

From: Sara Mammadova

Sent: Tuesday, March 4, 2025 7:37 AM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) Public Comment: Rank Choice Voting

My husband and I implore the City Council to vote NO to rank choice voting in the upcoming election.

Thank you,

Sara Mammadova

From: Sara Mammadova

Sent: Tuesday, March 4, 2025 7:27 AM

To: CC Public Comments <ccpublic@heberut.gov>

Subject: (EXTERNAL) NO to Rank Choice Voting

As a resident of Heber Valley, me and my husband are AGAINST rank choice voting in the upcoming election and implore the City Council to vote against its use.

Appreciate your time.

Mamamdov Family

Valley Hills Residents

From: Cindy Cossairt
Sent: Tuesday, March 4, 2025 6:50 AM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) Ranked Choice Voting

Please vote to DISCONTINUE Ranked Choice Voting. It should be one person, one vote!

Unless you are able to vote for the same person every column, it makes no sense to have to vote for people you absolutely don't want.

You tried this experiment, people are unhappy, so stop it now!!

Best regards,

Cindy Cossairt

Heber City

From: maestrandt
Sent: Sunday, March 2, 2025 7:18 PM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) RC voting

I am against this type of voting. I believe the premise is good, but it can be very confusing to some. Voting is something everyone needs to feel confident in as they participate. Thank you.

From: Ronda Donica <donica1202@gmail.com>
Sent: Saturday, March 1, 2025 11:02 AM
To: CC Public Comments <ccpublic@heberut.gov>
Subject: (EXTERNAL) RCV

I oppose the ranked choice voting. Never should be used.
