

**HEBER CITY CORPORATION  
75 North Main Street  
Heber City, UT 84032  
Heber City Council Meeting  
March 11, 2025**

**Approved 04.08.2025**

**6:00 p.m. – Regular Meeting**

**1. Regular Meeting:**

I. Call to Order

Charman Phil Jordan called the Planning Commission Meeting to order at 6:00 p.m. and welcomed everyone present.

II. Roll Call

**Planning Commission Present:**

Chairman Phil Jordan  
Vice-Chair Tori Broughton  
Commissioner Dave Richard  
Commissioner Darek Slagowski  
Commissioner Robert Wilson  
Commissioner Greg Royall  
Commissioner Robert Mckinley

**Planning Commission Absent:**

Commissioner Dennis Gunn  
Commissioner Josh Knight

**Staff Present:**

Planning Manager Jamie Baron  
Planner Jacob Roberts  
Planning Office Admin Meshelle Kijanen

**Staff Participating Remotely:**

City Attorney Jeremy Cook  
It Specialist Anthon Beales

**Also Present:**

N/A

**Also Attending Remotely:**

Den and Kevin Hom

III. Pledge of Allegiance: By Invitation

Chairman Broughton led the recitation of the Pledge of Allegiance.

IV. Prayer/Thought by Invitation N/A ()

V. Recuse for Conflict of Interest N/A

**2. Consent Agenda:**

I. VZW 14911047 - Heber City~Telecommunications Application, located at 99

North 600 West. (Jacob Roberts)

**Motion:** Commissioner Wilson moved to approve the items on the Consent Agenda. Board Member Broughton made the second.

**Discussion: N/A**

**Voting Yes:** Planning Commission Chairman Jordan, Vice Chair Broughton, Commissioner Richards, Commissioner Slagowski, Commissioner Wilson, Commissioner Royall, Commissioner McKinley, **Voting No:** None. The Motion Passed 7-0.

II. Amsource 6th and Main, 4th Amended Plat Amendment, located at 72 East 600 South. (Jacob Roberts)

**Motion:** Commissioner Wilson moved to approve the items on the Consent Agenda. Board Member Broughton made the second.

**Discussion: N/A**

**Voting Yes:** Planning Commission Chairman Jordan, Vice Chair Broughton, Commissioner Richards, Commissioner Slagowski, Commissioner Wilson, Commissioner Royall, Commissioner McKinley, **Voting No:** None. The Motion Passed 7-0.

3. **Action Items: N/A**

4. **Work Meeting: N/A**

5. **Administrative Items:**

*This item was discussed after item II.*

City Attorney Cook directed this portion of the meeting. City Attorney Cook began by reading through the purpose of the Municipal Officers and Employees Ethics Act, which essentially was to ensure there was proper disclosure about possible conflicts of interest on the part of City employees. He defined that Planning Commissioners would be considered both 'appointed officers' and 'elected officers' for the purposes of the act. He then stated that the goal of the Act was to ensure that the office was not used for personal benefit to officers or City employees, and he then read through several definitions outlined in the Act and provided some examples of what 'personal benefit' might look like.

City Attorney Cook explained the '\$50' limit, which basically assumed that any gift worth less than \$50 was permissible since the value was considered to be low enough to not influence an officer's position. He shared some examples of gifts that would be considered acceptable or not, and added that although the \$50 rule generally applied, there were circumstances in which it was still inappropriate to accept a gift worth less than that. He urged the Commissioners to reach out to him directly if there was ever a question as to if they could accept a gift.

City Attorney Cook then stated that officers could not agree to receive compensation for

offering assistance in any transaction that involved a municipality. He also provided some examples in which this scenario might arise, and he explained that the officer would have to disclose the information to all members of the given municipal body and also disclosed to the mayor in a public meeting. He also explained the timeline in which those disclosures would need to be made was ten days.

City Attorney Cook next identified how officers who had a substantial interest in any business that was regulated by the municipality must disclose the position that they held or the nature of their relationship to that business. He added that the officer must announce their involvement in the business at the time of their appointment to office, and any changes after their appointment must also be disclosed. City Attorney Cook noted there was some ambiguity about what exactly constituted 'regulation,' since it could be interpreted that all businesses within Heber City were regulated by the municipality. He summarized that the important element was if regulations by the City substantially impacted the operations or revenue of the business. He also added it was better to err on the side of over-disclosure. City Attorney Cook stated that if an officer who was involved with a company wished to do business with the City, they would need to disclose their position as well.

City Attorney Cook clarified that all of the scenarios that he had outlined required disclosure of involvement, but officers were still permitted to participate and vote on items that involved their business. However, he did recommend that the officers recuse themselves if there was a conflict of interest, although he explained that this was not a legal requirement. He stated that recusal was considered best practice and it avoided any potential backlash.

Commissioner McKinley asked how to navigate a scenario in which someone from an officer's personal life asked for feedback on how to approach the Planning Commission on an issue, or a situation in which someone that the officer knew personally appeared before the Commission. City Attorney Cook said that the main thing to consider was any financial obligation, and he explained that if the officer stood to potentially make any money or other benefit by a proposal, they must disclose that. City Attorney Cook added that officers were not permitted to receive compensation for any advice given.

However, City Attorney Cook explained that if there was no money involved, officers did not have to recuse themselves if they happened to personally know an applicant or a petitioner who came before the Commission, although it would be best practice to disclose their relationship with the individual.

Commissioner McKinley also asked how and to whom the disclosures needed to be made. City Attorney Cook replied that different cities had various rules about how disclosures worked, and he also noted that the rules were different for different types of officials. He said that in Heber City, disclosures were made to the Mayor and City Recorder, and he added that the disclosures were typically made public and posted on the City website as well. City Attorney Cook said that for some kinds of disclosures, there were actual forms that needed to be filled out, although that was not always the case.

City Attorney Cook reiterated that the main takeaway was that most things were a disclosure issue, rather than recusal. He recommended that the officers always

disclose all matters that they felt might be relevant, even if they were not sure.

Chairman Jordan asked if officers could participate in the discussion of an item in which they had disclosed that they had a conflict of interest, but then abstain from the vote. City Attorney Cook said that was an option.

**[The audio cuts out at 34:16]**

I. Conflict of Interest Training (City Attorney Jeremy Cook)

City Attorney Jeremy Cook

Robert McKinley asked question

City Attorney answered.

Follow up question from Robert Mckinley

City Attorney answered

Chairman Jordan followed up to Robert McKinley's question

Robert McKinley made a comment as follow up

Robert Wilson to who and when do the disclosures be made

City Attorney answered

Chairman Jordan asked if there were a form to fill out

Jeremy Cook answered

Chairman Jordan gave an example of a form

Jeremy responded

Chairman Jordan asked an additional question about disclosing and recusing from the vote.

Jeremy responded

Chairman Phillips asks Jamie a question

Jamie Baron responded

Chairman Phillips followed up

Jeremy responded and gave example

II. 2025 PC Training:

The Planning Commissioners will need one hour of training from the link below to fulfill four hours for 2025.

As you complete your training please email Meshelle Kijanen with the Code or Codes where you took your training from:

Any Parts 3 through 6:

[https://le.utah.gov/xcode/Title10/Chapter9A/10-9a.html?v=C10-9a\\_1800010118000101](https://le.utah.gov/xcode/Title10/Chapter9A/10-9a.html?v=C10-9a_1800010118000101)

Planner Manager Jamie Baron summarized the most recent Council meeting.

### III. City Council Communication Item

Jamie Baron explained the Item

Conversation unused after Jamie finished.

The discussion was between Chairman Phil Jordan, Commissioners Dave Richards and Tori Broughton.

Derek Slagowski added a comment

Tori continued

Greg Royall asked about the band shell new stage in park

Jamie responded

Greg Royall commented

### 6. Adjournment:

Meshelle Kijanen  
Meshelle Kijanen, Administrative Assistant