

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
April 2, 2024**

APPROVED Minutes

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

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

Mayor Heidi Franco called the meeting to order at 4:01 p.m. and welcomed everyone present.

City Council Present: Mayor Heidi Franco - departed at 5:36 p.m.
Council Member Yvonne Barney
Council Member Aaron Cheatwood - acting Mayor Pro-Tem
Council Member Mike Johnston
Council Member Sid Ostergaard
Council Member Scott Phillips - remotely until 4:16 p.m.

Staff Present: City Manager Matt Brower
Assistant City Manager Mark Smedley
Community Development Director Tony Kohler
Planning Manager Jamie Baron
Parks and Cemetery Director Mark Rounds
City Engineer Russ Funk
Public Works Director Matthew Kennard
City Attorney Jeremy Cook
City Recorder Trina Cooke

Staff Participating Remotely: City Engineer Russ Funk, Public Works Foreman Chris Pederson, IT Director Anthon Beales, Human Resources Manager Cherie Ashe, Engineering Technician Desiree Muheim, Assistant City Manager Mark Smedley, Planning Manager Jamie Baron, Planner Jacob Roberts, Engineer Kyle Turnbow, Public Works Director Matthew Kennard, Engineer Ross Hansen, Engineering GIS Tech Shiona Howard, and Finance Director Sara Nagel.

Also Present: Rod Riddle, Brim Thayer, Kendall Crittenden, Todd Anderson, Christi Judee, Mesia Swan, Lynn Baum, Pam Patrick, Jill Snyder, Katie Wilking, Chelsea Wall, Arian Cresley, Thomas Coleman, Shelly Ryan, Linda L Middleton, Travis Biggs, Melissa McMillan, Tori Broughton, Lane Lythgoe, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed in online) Megan McKenna, Andrea, Angelica Espinoza, Bingo, BM, H I, J, Kamen Goddard, Kevin Lythgoe, KPCW, MK, and Nate Jardine.

1. Celebration Workforce Housing MDA (Jamie Baron, Planning Manager) - 45
min

Planning Manager Jamie Baron provided the information as included in the attached Staff Report. He stated that the Planning Commission had reviewed the application and forwarded a positive recommendation. The development plan proposed 230 units on 8.75 acres and was located within the airport's runway protection zone. City Engineer Russ Funk emphasized concern with the traffic impact the proposed project would impose on the area and stated that a traffic impact study would need to be performed. Council Member Johnston disclosed that the applicant was a client of his employer. He stated that he did not have a conflict but wanted the connection to be known.

Applicant Russ Watts explained the project's intent to provide affordable housing for local government workers and first responders. He reviewed meetings with the School District Superintendent Paul Sweat and Housing Authority representative Kendall Crittenden who had both expressed an urgent need for the type of housing the proposed project would offer local workers.

Council Member Phillips did not believe the traffic impact would be a big concern and expressed support for the project. Council Member Ostergaard supported the project while acknowledging Mr. Funk's traffic concerns. Mr. Watts explained that his company would manage the rental units in partnership with the Wasatch County Affordable Housing. Council Member Cheatwood wished to see fewer units, less density, more amenities, and felt more parking was needed. Council Member Phillips noted that in order for the units to remain affordable, the higher density was necessary. Council Member Barney expressed her original support for the project but did not approve of the increased density. She questioned the purpose of a long-term stay hotel. Mr. Watts explained the workers that would need long-term stay housing in Wasatch County. Council Member Johnston was an advocate of Accessory Dwelling Units (ADU's) and mixed-use housing. He felt the City needed to get creative and widen their vision in order to provide housing for the essential workers. Mayor Franco was concerned with the request for decreased impact fees, she provided additional suggestions and proposed added parking.

Addison Hicken shared the history of the property that had been in his family for generations. He explained that his family was partnering with the Watts' in order to fill a need of the community and provide a benefit.

Wasatch County Affordable Housing representative Kendall Crittenden expressed support for Mr. Watts and his projects. He noted that he had raised ten kids in a home under 900 square feet.

General consensus of the Council was for the City to continue negotiations for the project to proceed.

2. North Village Crossings Annexation (aka Harvest Village) (Tony Kohler, Community Development Director, Neil Goldberg) - *60 min*

Community Development Director Tony Kohler provided information regarding the proposed annexation as included in the attached Staff Report. He shared images of the area map including the annexation petitioners' land. The annexation would create an island of landowners who did not wish to be included in the annexation into Heber City. The annexation petition had been filed with the City, and accepted by the City Council, in 2020, but the project had been on pause since then. Mr. Kohler recommended that the City hold another public hearing due to the length of time the project had been dormant. Petitioner Neal Goldberg provided additional information and indicated the desire to provide a mixed-use village. They wished to move forward negotiating a Master Development Agreement (MDA) with the City.

The petitioner asked Council for the following:

- expediency
- to continue the discussion regarding density and usage
- consider a Public Infrastructure District (PID)

Justin Keys, representing the applicant, clarified the future bypass routes were likely to align closer to Heber City. The overall density granted by the County was higher than what the petitioners were proposing with the development plan to annex into Heber City. Mayor Franco asked how the bypass bisecting the land would affect the proposed density. Mr. Keys advised that the Utah Department of Transportation (UDOT) would need to compensate property owners for lost density.

Mayor Franco departed the meeting at 5:36 p.m. and Council Member Cheatwood took over as chair of the meeting acting as Mayor Pro-Tem. Council discussion proceeded.

Council Member Johnston referred to Park City as an example of having not annexed their surrounding land and losing out on the impact fees and sales tax revenues. City Engineer Russ Funk shared the challenges faced regarding the storm water master plan. He asked for the development agreement to include language to prevent development on the land where potential bypass alignment options were located until the final location was determined by UDOT. Rich Wolper, developer in Wasatch County, was assisting with the storm water plan and other concerns. Consensus of Council majority wished to continue with the MDA negotiation process.

II. BREAK - 15 MIN

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

1. Call to Order

Mayor Pro-Tem Aaron Cheatwood called the Regular meeting to order at 6:17 p.m. and welcomed everyone present.

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

Mayor Pro-tem Cheatwood led the recitation of the Pledge of Allegiance.

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

Council Member Phillips shared that he had read a book by Abraham Lincoln who he felt was arguably one of the best presidents of the United States. He shared this quote from Abraham Lincoln: "The best way to predict your future is to create it." Council Member Phillips thanked the Staff that had helped to navigate the adoption of the Envision 2050 general plan and noted that the vision of City Manager Matt Brower had helped guide the process.

IV. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts of interest disclosed.

V. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayor's Award Presented to Officer Travis Price

Mayor Pro-tem Aaron Cheatwood presented Officer Travis Price with the Mayor's Award for exemplary Code Enforcement service in the City. Public Works Director Matthew Kennard had forwarded the nomination to the Mayor and felt there was no other position in the Police Department that could positively impact the jobs of the Public Works Department as much as Code Enforcement.

2. Proclamation of Arbor Day Celebration May 17, 2024 (Aaron Cheatwood, Council Member) - 5 min

Mayor Pro-tem Aaron Cheatwood proclaimed May 17, 2024, as Arbor Day in Heber City and read a statement.

VI. CONSENT AGENDA:

1. Approval of March 19, 2024, City Council Meeting Minutes (Trina Cooke, City Recorder)

Motion: Council Member Phillips moved to approve the Consent 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.**

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

Lynn Baum and Mesia Swan wished to have the remaining four acres of their land included in the annexation into Heber City. Community Development Director Tony Kohler clarified that the City's current annexation policy plan had not captured the four acres of the Baum's property. Mr. Kohler described the annexation policy plan process beginning with Staff meeting with the County Council for discussion. He asked for Council direction to include the Baum property in the policy amendment as well.

Linda Middleton wanted to preserve the local home-town vibe and wished to know if there was a well on the Baum property and whether they had the water and mineral rights. Council Member Phillips clarified that the landowners still owned the property when they annexed into the City but added that the public comment period was not intended as a question/answer session. Ms. Middleton felt the property needed to comply with City Code when they annexed. She thanked the Code Enforcement Officer for giving her a warning rather than a citation. She was pleased about the upcoming City clean-up and noted a sofa located on the side of the road she hoped would be removed. She hoped the City would focus on investing in what they had for affordable housing and infilling. She thanked the Council for Arbor Day, the Code Enforcement Officer, and all the things the City provided.

Shelly Ryan owned Chick's Cafe and wanted to know how many parking places would be taken by the City's Park project on Main Street. She stated on Thursday nights during Heber Market on Main, Chicks Cafe did not have any parking. City Manager Matt Brower offered to meet with Ms. Ryan offline. He noted the importance of the Main Street Park project and indicated the City would be working on the parking issue simultaneously. There might be as many as 10 diagonal parking spaces lost on 200 South for the project but the City hoped to provide up to 130 additional parking spaces with the project plan. Staff would be meeting with all the business owner's in the area to keep them updated on the project's progress. Council Member Barney confirmed the lack of parking for Cafe.

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

1. Resolution 2024-06 Amending the Heber Valley Airport (HVA) Fees Schedule by Updating Definition for Based Aircraft and Landing Fees Max Take Off Weight (MTOW), and Updating Ground Lease Rates (Travis Biggs, Airport Director) - 20 min

Heber Valley Airport Manager Travis Biggs provided the information regarding the proposed changes to the associated section of the Consolidated Fee Schedule as included in the attached Staff Report and proposed Resolution 2024-06. The Airport had contracted with Vector System to take over the tracking and collection of landing fees. Vector System had asked for a few clarifications of definitions and language within the Consolidated Fees Schedule. Council Member Phillips shared the positive recommendation forwarded from the Airport Advisory Board (AAB) for the proposed updates and provided additional details driving the proposed amendments.

Motion: Council Member Phillips moved to approve the proposed changes within Resolution 2024-06 to amend the Heber Valley Airport Consolidated Fees Schedule. **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.**

2. Spring Community Cleanup and Unity Event (Matt Brower, City Manager) - 5 min

Heber City Manager outlined the tentative schedule of activities for the City's Spring Clean-up and Unity Event as included in the attached PowerPoint. The Heber Leadership Academy had chosen the landscaping surrounding the water-feature for their class project and would be prepping the site. He listed additional cleanup activities and the tentative date for the rededication of the Tabernacle once renovations were complete as well as a ribbon-cutting for the water-feature. Council discussed the possibility of adding signs by the dumpsters or adding additional dumpsters to prevent the trash from overflowing; better community outreach for involvement; and volunteer enlistment. Public Works Director Matthew Kennard agreed to address the overflowing dumpster issue.

Motion: Council Member Phillips moved to approve the activities for Unity Week with a change to the date of the Tabernacle rededication and Water Feature Ribbon Cutting to June 8, 2024. To reach out to the Community Alliance for Main Street (CAMS) and the Chamber to encourage more community participation and helping neighbors. **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.**

3. Review and Options for Cemetery Administration Building Bids (Mark Rounds, Parks and Cemetery Director, Matt Brower, City Manager) - 20 min

Heber City Manager Matt Brower provided the background and context of the Cemetery's administrative building project bid. He shared that the four bids received were significantly higher than the City had budgeted for. The bids received for the project were between 2 and 2.5 million dollars over budget. He outlined several options for the Council to consider as listed in the attached PowerPoint presentation. Architectural Designer Lane Lythgoe further explained the large cost discrepancy between the City's estimate versus the bids received. Mr. Lythgoe explained the option of condensing the same number of niches into a smaller area. He called it a "smallumbarium". City Parks and Cemetery Director Mark Rounds had hoped to focus on the administration building first and the columbarium niches would be an additional revenue generator to help pay for the construction of the administration building. Council discussed options to build and finance the project.

Mr. Brower pointed out that the City also wished to apply funds towards potential downtown property acquisitions for parking and the Envision Central Heber Plan. He proposed Staff regroup, look into additional alternatives, and return to Council with more creative options to propose.

IX. COMMUNICATION:

Council Member Johnston asked Public Works Director Matthew Kennard what steps the City was taking to maintain the flood channels. Mr. Kennard shared the ongoing measures of weed and debris removal from the City's flood channels. The Public Works Department had built the efforts into the budget for twice-a-year flood channel clearing. They would also be performing ditch burning. City Engineer Russ Funk was working on building into the budget a request for proposals (RFP) to contract with an engineering firm to perform a study regarding the issue of snow run-off and to provide a recommendation for a plan to the City. Public Works Foreman Chris Pederson provided historic troubles faced with floodwaters in the valley and felt the study proposed by the Engineering Department would be very useful.

Matt Brower shared images of possible art installations for the City's roundabouts. Consensus of Council majority was to keep local representation for the subjects of the art installations.

X. ADJOURNMENT:

Motion: Council Member Phillips moved to adjourn. **Second:** Council Member Barney made the second. The Heber City Council Meeting adjourned at 8:15 p.m.



Trina No Cooke

Trina Cooke, City Recorder

