

**HEBER CITY CORPORATION  
75 North Main Street  
Heber City, UT 84032  
Heber City Council Meeting  
April 16, 2024**

**APPROVED Minutes**

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

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

Mayor Heidi Franco called the meeting to order at 4:30 p.m. and welcomed everyone present.

**City Council Present:** Mayor Heidi Franco  
Council Member Yvonne Barney  
Council Member Aaron Cheatwood  
Council Member Mike Johnston - arrived at 4:43 p.m.  
Council Member Sid Ostergaard  
Council Member Scott Phillips

**Staff Present:** Planning Manager Jamie Baron  
City Engineer Russ Funk  
City Attorney Jeremy Cook  
City Recorder Trina Cooke  
Heber Valley Airport Manager Travis Biggs  
Public Works Director Matthew Kennard  
Public Works Administrative Assistant Missy Luke  
IT Administrator Anthon Beales  
Police Lieutenant Branden Russel  
Chief of Police Parker Sever

**Staff Participating Remotely:** City Manager Matt Brower, Assistant City Manager Mark Smedley, Finance Manager Sara Jane Nagel, Deputy City Recorder Robin Raines-Bond, Engineering GIS Specialist Shiona Howard, Engineer Kyle Turnbow, Engineering Administrative Assistant Desiree Muheim, Public Works Foreman Chris Pederson, and IT Specialist Anthon Beales.

**Also Present:** Grace Doerfler, Nick Lopez, Terry Diehl, Joshua Jewkes, Marie Rust, Brian Balls, Steve Neal, Michael A. Neider, Tom Bonner, Rudy Riddle, Piper Riddle, Dave Johnson, Farah Sanders, Phil Jordan, Missy Maughan, Tori Broughton, and others who did not sign in or whose handwriting was illegible.

**Also Attending Remotely:** (names are shown as signed in online) Kelli, Aubrey Larsen LDI, Candace, Kamen Goddard, mckay, Pat Sweeney, Mark, and Phil Jordan.

1. Monument of the Americas (Steve Neal) - 30 min

Artist Steven Neal described two sculpture parks the foundation hoped to install in Heber City. The land had been donated by the Jordanelle Ridge development near the location of the future performing arts building. He shared a video presentation, as can be accessed through the link found on the agenda, depicting the process used to craft the statues, similar sculpture installations at alternate locations, as well as a map with the approximate location the monument gardens would be built. Funding for the project was being raised through ongoing private donations. There would be a total of 71 sculptures Mr. Neal intended to create for the project. Eighteen of the sculptures had been created and were prepared for installation. Mr. Neal explained the hope to make the art installation accessible for everyone with no required cost for entrance, but rather a suggestion for donations.

2. Park Standards and Specifications (Aubrey Larsen , Planning Consultant) - 50 min

Planning Consultant Aubrey Larsen provided a project overview, walked through the proposed Minimum Parks Standards Manual, and offered a timeline and objectives for the project as included in the meeting materials. Council discussion followed with each Council Member providing suggestions and feedback.

City Manager Matt Brower explained the importance of a parks guide, the high cost of maintenance for certain park amenities, and the different needs for different parks.

Council direction for Staff was to separate the landscaping from the other park standards and return to Council for landscaping standards approval independently of the remaining parks standards. Council felt the document should be a guideline of minimum standards rather than a requirement and additional amenities for each park should be negotiated during the development agreement process with developers.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the meeting to order at 6:07 p.m. and welcomed everyone present.

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

Council Member Phillips led the recitation of the Pledge of Allegiance.

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

Mayor Heidi Franco shared a prayer.

IV. CONFLICT OF INTEREST DISCLOSURE:

Council Member Johnston explained he did not have a conflict but would recuse himself from the discussion and vote for agenda item four on the Action Items agenda regarding the Dickman Sewer connection request, as he had worked with them in the past.

V. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Proclamation of Public Works Week

Mayor Franco proclaimed Sunday, May 19, through Saturday, May 25, 2024, as Public Works Week. She reviewed the fun activities Public Works would be hosting for the community, including the Back-hoe Rodeo and a Party in the Park.

2. Mayor's Award for IT Director Anthon Beales

Mayor Franco presented IT Director Anthon Beales with the Mayor's Award for his outstanding service to the City by consistently keeping everyone's technology running.

VI. CONSENT AGENDA:

1. Approval of April 2, 2024, City Council Meeting Minutes (Trina Cooke, City Recorder)

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

**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)

Heber City Resident and Marine Veteran Nick Lopez shared his passion for remembering, recognizing, and honoring fallen Veterans in the community. He described the Veteran Banner program he had begun to honor fallen local veterans by lining Main Street with a banner with a picture of each of them and their names. He explained he was having trouble securing the three weeks in May due to competing banners for alternate community events. He wanted the banners to hang between Memorial Day and Armed Forces Day.

Mr. Lopez was asking Council to ensure the Veteran's banners would not be bumped for other community events.

City Manager Matt Brower explained the conflict with competing interests from multiple entities that wanted to promote events during the same time frame. Council majority expressed support to return the item to Council in May for approval to block the dates requested to honor Veterans.

## **VIII. GENERAL BUSINESS ITEMS:**

### **1. Board Updates from Council (City Council Members) - 5 min (each)**

Council Member Ostergaard provided an update of the Wasatch County Housing Authority Board he served on. The AMI (average median income) in the Heber Valley had gone up to \$137,000.00 per household in the past year. He also served on the Heber Light and Power Board (HL&P). The City had asked HL&P to give the City first right of refusal for the purchase of their existing administration building as the company was building a new administration building. HL&P indicated a willingness to negotiate if the City's offer was fair market value.

Council Member Phillips provided the update from the Airport Advisory Board (AAB) including the updated landing fees. The AAB had also been addressing the impact to the airport when the Olympic games returned to Utah. He shared the amendments proposed for the Personnel Policy by the Personnel Policy Committee including tuition reimbursement; second language compensation; domestic partner benefits; cell phone reimbursement; and new employee referral compensation.

Council Member Barney served on three boards: the North Village Special Service District (NVSSD); the Parks Open Space, Trails, and Trees Committee (POSTT); and the Sewer Board. She indicated NVSSD were discussing the impending growth in the Valley. She had the opportunity to tour the underground mine and was impressed with the water sources. The POSTT Committee worked constantly to create a better environment for the community by ensuring amenities were provided. The Sewer Board was working on solutions to mitigate the smell of the sewer farms. Jim Goodly was the new Director of the Sewer District.

Council Member Cheatwood served on the Timpanogos Irrigation Board but the annual meeting had not yet been held. The Historic Preservation Committee was working to preserve the old railroad depot buildings. The Committee was also working to digitally preserve written histories in the Valley. HL&P had provided board training for new members. The Board worked to hedge the rates for the consumer by seeking to obtain energy at lower rates. They were working to understand future demands and being better stewards for the consumer.

Council Member Johnston served on the Wasatch County Regional Planning Committee. The Weed Board worked to mitigate invasive weed species.

County Weed Manager Quinton Lewis had expressed concern with the City's incoming developments not containing their on-site weeds. Council Member Johnston explained the weed bond required by the County to help with weed mitigation. The Wasatch Irrigation Company maintained ditches and flood channels. The Sewer Board had a civil engineer versed in sewer treatment.

A zoning map can be found on the Wasatch County website with different layers that shows all the designated conservation easements and agricultural protection areas throughout the county.

Mayor Franco served as the Chair of the Heber Light and Power. The new substation on Southfield Road would soon be functioning, providing additional power for the Valley. The new HL&P administration building had been issued a building permit by the City. Rates were expected to increase. The Heber Valley Special Service District (HVSSD) served Heber, Midway and Charleston and would be proposing an updated Memorandum of Understanding (MOU) soon. Wasatch Animal Control was working on an updated MOU for the entities it contracted services with.

Council agreed to provide bi-annual updates for the boards on which they served.

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

1. Wasatch County Parks Development Agreement (Tony Kohler, Community Development Director) - *30 min*

Planning Manager Jamie Baron reviewed a list of concerns with the County's new Cowboy Village RV rodeo campground. Wasatch County Parks and Recreation Director Tom Bonner described the ongoing efforts being made by the County to address the concerns of the City and shared the County's tree-planting intentions for the area. He stated the County was willing to sign the proposed Development Agreement contract that night.

**Motion:** Council Member Phillips moved to approve the Development Agreement for the County Event Center Grounds with the addition of language to indicate that with the construction of the sidewalk, adequate lighting would be provided on the wall. **Second:** Council Member Cheatwood made the second.

**Discussion:** City Engineer Russ Funk wanted clarification for the parking plan along the road for the area in question. He felt parking was needed. Council Member Barney asked for the motion to include that the County would work with Heber City Staff on a parking strategy.

**Amended Motion:** Council Member Phillips agreed to include the language in section two, Street Parking Restrictions, that the County would work with Heber City Staff on a parking strategy. The second stood.

**Discussion:** Mayor Franco asked what the material on the ground of the RV stalls was; if there would be evergreens included with the trees; and what would be done to prevent the dust blowing under the gap at the bottom of the fence.

Mr. Bonner said the stalls would be gravel and road-base; there would not be evergreens included in the tree plan; and the sidewalk would be installed to the bottom of the fence to prevent dust blowing beneath. Mayor Franco asked whether the City had charged the County an impact fee for the dump-station. Mr. Bonner advised there was not an impact fee and there would be no need for generators as the park would provide full hook-ups.

Council Member Phillips called the question.

City Attorney Jeremy Cook clarified the requested language to be included in the agreement "and the County will install dark-sky compliant low impact lighting for the sidewalk".

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

2. Arts Advisory Committee TAP (Trails, Arts, Parks) Grant Scorecard Final Recommendations (Phil Jordan, J. Mark Smedley, Asst. City Manager) - 45 min

The Trails, Arts, and Parks (TAP) tax approved in the 2023 County-wide election had generated \$44,000.00 in revenue for the City to apply towards the local trails, arts, and parks. The Arts Advisory Committee had been created to promote a grant opportunity to distribute the funds. Co-Chairs Phil Jordan, Farah Sanders, and Missy Maughan presented the information and shared the application process and the scoring system established for the TAP funding applicants as well as the applicant eligibility requirements. Ms. Sanders suggested the City consider developing its own TAP logo in order to be identified as contributors of the funding. The committee shared its recommendations for the TAP fund recipients.

**Motion:** Council Member Phillips moved to approve the items presented for funding. **Second:** Council Member Cheatwood made the second.

**Discussion:** Council Member Ostergaard expressed gratitude to the committee for their efforts. Ms. Sanders suggested that the Council invite the TAP fund recipients to a future Council Meeting to receive the award. City Manager Matt Brower informed that the funds were in the current year's budget and that the City did have a TAP logo. Mayor Franco and the Council expressed their appreciation for the committee's efforts. Mr. Jordan explained the sincerity with which the committee had accepted the responsibility. Mr. Brower agreed to extend an invitation to the TAP grant recipients for the first meeting in May.

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

3. Ordinance 2024-09 School House Academy Development Agreement (Jamie Baron, Planning Manager) - 15 min

Planning Manager Jamie Baron reviewed the City's code requirements outlined in the development agreement. He reviewed the project request to open a commercial daycare and listed the state's requirements.

**Motion:** Council Member Phillips moved to approve Ordinance 2024-09 as presented. **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.**

4. Amended and Restated Sewer Connection Agreement [Dickman Legacy Ranch] (Jeremy Cook, City Attorney ) - 20 min

Council Member Johnston recused himself from the discussion and departed.

City Attorney Jeremy Cook explained the request for additional sewer connections at Dickman Ranch. The proposal had been previously supported by Council. The amended agreement would allow two more sewer connections at a 1.5 times higher rate due to being located outside City limits.

**Moved:** Council Member Phillips moved to approve as presented with the findings and conditions listed in the conclusion. **Second:** Council Member Cheatwood made the second. **Voting Yes:** Council Members Phillips, Ostergaard, Cheatwood, and Barney. **Voting No:** None. Council Member Johnston was recused. The **Motion Passed 4-0.**

## **X. COMMUNICATION:**

Mayor Franco reminded Council of the Main Street Park Bandshell project groundbreaking the following Wednesday, April 24. [this was later changed to Thursday, April 25]

City Manager Matt Brower asked Council to add the following events and dates to their calendars:

- Wednesday, April 23, CRA (Community Reinvestment Agency) presentation to the School Board
- Saturday, May 11, 9:00 a.m. to noon Annual Spring Clean-up on Main Street
- Thursday, May 16, at noon: Graduation of the third Heber Leadership Academy class at Utah Valley University (UVU)
- Jun 3 - 8, Unity Week - Saturday, June 8 Flower planting, HLA Class Project, Rededication of Tabernacle and ribbon-cutting for the water feature

- June 6, 11:00 a.m. - 1:00 p.m. Inaugural Safety Committee Carnival for the City employees

**XI. ADJOURNMENT:**

**Motion:** Council Member Phillips made the motion to adjourn. **Second:** Council Member Cheatwood made the second. The meeting adjourned at 8:03 p.m.



Trina Cooke, City Recorder