

**HEBER CITY CORPORATION  
75 North Main Street  
Heber City, UT 84032  
Heber City Council Meeting  
July 15, 2025**

**APPROVED Minutes**

**5:00 p.m. Work Meeting  
6:00 p.m. Regular Meeting**

**I. WORK MEETING - 5:00 P.M.**

Mayor Franco called the meeting to order at 5:00 p.m. and welcomed everyone present.

**City Council Present:** Mayor Heidi Franco  
Council Member Yvonne Barney  
Council Member Mike Johnston  
Council Member Sid Ostergaard  
Council Member Scott Phillips

**City Council Absent:** Council Member Aaron Cheatwood

**Staff Present:** Assistant City Manager Mark Smedley  
Planning Manager Jamie Baron  
City Engineer Russ Funk  
City Attorney Jeremy Cook  
City Recorder Trina Cooke  
Assistant Chief of Police Branden Russell  
Public Works Director Matthew Kennard  
Public Works Foreman Rance Echols

**Staff Participating Remotely:** IT Director Anthon Beales, Public Works Director Matthew Kennard, Engineer Kyle Turnbow, Deputy City Recorder Robin Bond, Finance Director Sara Jane Nagel, City Engineer Russ Funk, and Accounting Tech Wendy Anderson.

**Also Present:** Lane Lythgoe, Josh Lythgoe, Rachel Kahler, Ryan Bunnell, Kasey Plourde, Ralph Stanislaw, John McDonald, Greg Bird, Sylvia White, Carolyn Fisher, De Fisher, Scott House, Morgan Murdock, Lori Rutland, Kierstin Eldridge, Jordan Eldridge, Tori Broughton, Grace Doerfler, James Medina, Jalayne Bassett, Jessie Frazer, John Frazer, Todd Anderson, Sean Frazer, Pat Sweeney, Steve Swisher, Kendall Crittenden, Phil Jordan, Jason Glidden, Eric Rutland, Mike Bradshaw, Cody Winterton, and others who did not sign in or whose handwriting was illegible.

**Also Attending Remotely:** (names are shown as signed-in online) Ann Horner, Dalon, Tim | Avid Trails, Tom Horner, Tracy Taylor, B, Brandi, Brandon, Brianna Bates, Claire Hassett, Grace Doerfler KPCW, Jared, Jen, JH, Josh (LDG), Kaden, Kesia Waters, Laurie Lythgoe, Lonny, Mia Yue, MK, Phil Jordan, SRH, Stephen, and Todd Anderson.

1. Housing Options Presentation by Josh Lythgoe (Josh Lythgoe) - 20 min

Josh Lythgoe shared his capstone project he had done in architecture school for an affordable housing community. He proposed smaller units with simple designs and minimal amenities. Mr. Lythgoe provided a site plan design concept, as well as case study materials, as shown in the presentation included in the attached meeting materials.

2. Plourde Annexation MDA Discussion (Jacob Roberts, Planner) - 30 min

Planner Jacob Roberts, applicant Casey Plourde, and her father Ralph Stanislaw were in attendance to provide the annexation information. The Plourde Annexation wished to develop an event center north of Heber City to host weddings and events. Mr. Roberts reviewed the annexation process to date. The Planning Commission had forwarded a positive recommendation to the Council. Ms. Plourde outlined the challenges she had faced and solutions either found or proposed. Mr. Roberts listed zoning exception requests for the development agreement. Ms. Plourde shared the site design and images of the proposed structures. There would be 32.85 acres dedicated as a conservation easement. Mr. Roberts reviewed the policy questions for which he needed direction and Council provided feedback.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Franco called the meeting to order at 6:25 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 (Aaron Cheatwood, Council Member)

Mayor Franco shared a prayer as Council Member Cheatwood was absent.

IV. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts disclosed.

## V. CONSENT AGENDA:

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

**Second:** Council Member Ostergaard made the second.

**Voting Yes:** Council Member Barney, Council Member Johnston, Council Member Phillips, Council Member Ostergaard.

**Voting No:** None.

Council Member Cheatwood was absent.

The **Motion Passed 4-0.**

1. Approval of July 1, 2025, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Amending Resolution 2025-11 to clarify that to determine annual performance review dates for evaluations, the employee's full-time equivalent hire date shall be considered their initiating anniversary date (Cherie Ashe, Human Resources Manager)
3. Fee Waiver Request for South Field Park Pump Track (Jamie Baron, Planning Manager, Wasatch Trails Foundation)

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

Mayor Franco opened the Public Comment period at 6:30 p.m.

Rachel Kahler, Executive Director of CAMS (Community Alliance for Main Street), shared the 100 Years Project for which CAMS had received a TAP (Trails, Arts, and Parks) tax grant. The project highlighted key elements in Heber City for each decade from 1925 through 2025. She showed posters that had been created for each decade and informed that the project would be on display at the Wasatch County Library through September 2nd, 2025. She quickly reviewed the highlights from each decade over the last 100 years in the Heber Valley and invited everyone to view the project at the library.

Kiersten and Jordan Eldridge stated that they hoped to find a resolution. Mrs. Eldridge described a situation that had taken place on July 14, 2025. Her husband had been rushing out the door to a doctors appointment and was approach by a public works employee who informed her husband that the City would be replacing a portion of the sidewalk through the home's driveway. She explained that the driveway had been newly poured on July 1, 2025, and the couple had not been previously informed by the City of the need to tear out a portion of their new driveway. Mrs. Eldridge described, and shared images of, the damage done to the driveway. She stated that the City workers had informed them that much of the repairs would be the responsibility of the homeowners. She did not feel the City had handled the situation well. She described their interactions with employees of the engineering and public works departments. The Eldridges hoped to see acknowledgment and resolution to the damage caused by the City, and wanted the driveway restored to its new condition.

Caroline Fisher was a neighbor of the Eldridges and wished to speak on their behalf. She attested to the hard work the couple had put into property improvements. The home had been very dilapidated when the Eldridges had purchased it. She described her perception of the situation, the City's claim that the sidewalk was not ADA compliant, and wished to be a witness for the Eldridges. She felt what the City had done was incompetent and foolish. Ms. Fisher wished to express support for her neighbors and said they were wonderful people.

James Medina, another neighbor of the Eldridges, had been a facilities worker for 40 years, had been a general contractor, and done a lot of construction. He provided his professional observation of what Mr. Eldridge had done when he poured the driveway versus what the City had done. He felt the job done by the City had shown incompetence. He explained the need for consistent slopes and provided examples of how that could have been accomplished without tearing up the Eldridges new driveway. He noted there was re-bar extending out of the torn-up driveway and asked who would be responsible if someone were to get hurt. He said the job had not been professional. He questioned why there was not a sidewalk on both sides of the road. Mr. Medina observed that the majority of residents affected by the sidewalk project on the one side of the road were minorities.

Sylvia White, also a neighbor of the Eldridges, stated that she had met with Engineer Ross Hansen. She lived with her handicapped husband and expressed her gratitude for the BHI construction crew accommodating her husband. She stated that the construction had caused far more damage to their property than the City had agreed to repair. She had been told she would be responsible to repair approximately half the damage on her own. She had gotten a bid for the cost to repair her half of the asphalt driveway of \$2,600.00. She indicated she was willing to work with the City but said she had been promised the drive would be restored to pre-construction condition.

**Motion:** Council Member Phillips moved to extend the Public Comment period.

**Second:** Council Member Barney made the second.

**Voting Yes:** Council Member Barney, Council Member Johnston, Council Member Phillips, Council Member Ostergaard.

**Voting No:** None.

Council Member Cheatwood was absent.

The **Motion Passed 4-0.**

Tom Homer was the brother of Kierstin and brother-in-law of Jordan Eldridge. He had assisted with pouring the new driveway and explained the lengths they had taken to pour it properly and well. He had worked in public utilities in the valley for eight years and was astounded to see the family had not been given written notice of the intended work. He had yet to see an engineer allow exposed re-bar and considered it a compromised driveway. He wanted to see the City make reparations for the destruction caused to the Eldridges driveway and hoped to see a good resolution.

Ann Homer, Kierstin's mother and Jordan's mother-in-law, wanted to see the City make whole the damages that were done. She encouraged the Council to look into it further and see the sidewalk the Eldridges had replaced and improved upon. She was concerned about water accumulating and creating a mud-hole with the slope the City had created. She thanked Council for their time and hoped the City would make it right.

The public comment period was closed at 7:00 p.m.

City Engineer Russ Funk expressed apologies for the situation. He explained that the City was in the process of a sidewalk replacement project to replace damaged or unsafe sections of the City's sidewalks. He described the permitting process required by the City that provided the standard for work done in a City encroachment area. He explained the ADA slope requirement that the sidewalk poured by the homeowner did not meet and described the efforts City staff had made to compromise with the homeowner to rectify the situation. He reminded Council of the City's policy that stated when property owners built driveways over culverts, the culverts belonged to the property owner and were not the responsibility of the City. Public Works Director Matthew Kennard apologized for the family's frustration and described staff's efforts to make contact and inform them of the work in advance.

**Motion:** Council Member Barney moved to allow the Eldridges three more minutes to respond.

**Second:** Council Member Johnston made the second.

**Voting Yes:** Council Member Barney, Council Member Johnston, Council Member Phillips, Council Member Ostergaard.

**Voting No:** None.

Council Member Cheatwood was absent.

The **Motion Passed 4-0.**

Jordan Eldridge explained he was a licensed contractor and had searched the City's website for a concrete permit and had been unable to locate a concrete pouring permit requirement. He felt all damages caused by the City's project to a private residence should be repaired and paid for by the City. He explained the way it had been presented to him was a statement that a portion of the damaged area would need to be paid for by him. Mrs. Eldridge explained that the City had poured the new sidewalk section connecting to their driveway in May and the couple had aligned the driveway slope with the sidewalk previously installed by the City.

Council discussion concluded with a general consensus that the City would fully repair the Eldridges driveway. Public Works Director Matthew Kennard and City Engineer Russ Funk agreed to work with the Eldridges to repair the sidewalk and driveway at no cost to the property owners.

Mayor Franco moved the meeting forward to General Business Agenda item two.

## VII. GENERAL BUSINESS ITEMS:

### 1. Way Finding Signs (Ryan Bunnell) - 20 min

City consultant and PIO (Public Information Officer) Ryan Bunnell shared the proposed Wayfinding signs for the City. The project was intended to create cohesion, connection, and character in Heber City. He provided images of proposed signs for the City's entry points, parks, venues, and public parking areas, as well as Wayfinding signs for the City as included in the meeting materials. The proposed signs featured the updated City-branded logo. Mr. Bunnell asked the Council to email feedback to him.

### 2. 400 West 400 North Muirfield Area House Flooding Update (Matthew Kennard, Public Works Director) - 20 min

Public Works Director Matthew Kennard provided an overview of the recent water seepage into certain residences in the Muirfield area. He shared an aerial image depicting the homes that had water damage and provided a presentation as attached in the meeting materials. The presentation offered extensive background and details of the groundwater in the area; sump-pumps used by residents to prevent the rising water from getting into homes; the City's storm-water drain system; and a water main break on June 13 where the water had risen to the surface and flowed into the storm drain. Mr. Kennard did not believe the water main break could be the cause of water seeping into any of the residences. He further described the department's investigation results of the pressurized irrigation, culinary water, and underdrain systems. He provided a history of water leaks in the area, reviewed the investigation of the water leaks into the residences, and explained the groundwater observations made. A summary of findings indicated that the water seepage into the homes was not caused by the pressurized irrigation or a culinary system failure. Mr. Kennard reviewed the actions taken by staff and provided future recommendations such as all homes in the area installing sump-pumps inside their basements. The homeowners had been directed to contact the City to file a claim with the City's insurance company (the Trust) and informed that an independent investigation would be performed by the Trust.

Jillene Basset owned one of the homes that had been flooded. She described a previous flood in her basement during a 2024 storm which had led them to install a sump-pump to prevent future flooding. She described the recent water seepage into her home that had flooded her basement once again. The sump-pump had not been activated, which she felt meant that the water had not gone the two feet into the ground needed to trigger activation. She said the water had stopped flowing into the homes within approximately ten minutes of the public works department turning off the pressurized irrigation. She felt this strongly suggested the flooding had been caused by the City's pressurized irrigation system.

John Frazer had also received water seepage and flooding in his home. He explained that his home, built in 1971, had never flooded before. He asked that the City recognize the age of the system. He knew that the more questions that went unanswered, the less likely the insurance company was to cover their claims. He mentioned that he and his wife had just finished remodeling their basement at 7:00 p.m. the night before the flooding. He was asking for City support for the Trust to cover damages.

Assistant City Manager Mark Smedley explained the process for the affected homeowners to file the insurance claims with the City to be processed through the Trust.

The meeting returned to General Business Agenda Item one.

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

1. Annexation Petition for Blue Sign Team LLC/Cilander LLC (Jamie Baron, Planning Manager) - *20 min*

Planning Manager Jamie Baron explained that the Council's decision to accept or reject the annexation petition was the first step in the annexation negotiation process. Annexation petition sponsor Greg Bird was present to address Council questions.

Mayor Franco opened the discussion for public comment at 8:48 p.m. The comment period was closed with no one from the public coming forward to comment.

**Motion:** Council Member Phillips moved to accept the petition for annexation into Heber City.

**Second:** Council Member Ostergaard made the second.

**Discussion:** Mayor Franco observed that the petition showed four UDOT (Utah Department of Transportation) right of ways from Highway 40. Mr. Bird explained that UDOT preferred just one road access to Highway 40 in order to maintain the traffic flow. There was also a fire road.

**Voting Yes:** Council Member, Council Member Johnston, Council Member Phillips, Council Member Ostergaard.

**Voting No:** Council Member Barney.

Council Member Cheatwood was absent.

The **Motion Passed 3-1.**

2. Fourth Amendment to the Development Agreement for the Upper Jordanelle Ridge Master Planned Community (Jeremy Cook, City Attorney ) - *20 min*

Heber City Attorney Jeremy Cook provided the background for the discussion at hand. The City had been discussing better utilization of the affordable housing dedication that Jordanelle Ridge was committed to providing to the City as outlined in the development agreement.

Since the original agreement had been drafted, there had been significant changes to the housing market. Mr. Cook reviewed the proposed elements in the amendment. Staff's recommendation to Council was to approve the amendment. Council Member Johnston wanted to change the language to read "Council *may* require a fee in lieu," in order to not bind future City Councils. Jordanelle Ridge representative Mike Bradshaw confirmed the developer's willingness to follow through with their affordable housing obligation. Council discussion followed.

Mayor Franco opened the discussion for public comment at 9:19 p.m.

Kendall Crittenden, County Council Member and Chair of the Wasatch County Housing Authority, referred to Ordinance 2025-09 that had been adopted by the Heber City Council on May 20, 2025. He read from the ordinance the intent of the City to retain fees-in-lieu collected if the City had the opportunity to apply the money towards the provision of affordable housing. The action would take the fee-in-lieu money from being dedicated to the Housing Authority. He said it was interesting that the Council had approved two million dollars to purchase the Buys property before the Council had approved Ordinance 2025-09. Mr. Crittenden observed that the Staff Report had changed the term from "fee-in-lieu" to "an alternative housing fee." He observed that the amendment allowed a density bonus for the developer and pointed out discrepancies within the Staff Report that gave oversight of the affordable housing to the Housing Authority while not giving the money to them.

Tracy Taylor agreed with Mr. Crittenden and felt that the City was taking seven million dollars from the Jordanelle Ridge fee-in-lieu while asking the Wasatch County Housing Authority to deal with the cost of managing the units. She did not see where the document committed the proceeds to go solely to affordable housing. She felt the City could use the affordable housing funds to subsidize the CRA (Community Reinvestment Agency). She felt the money should be entirely used for affordable housing, which the Valley was in dire need of. Ms. Taylor felt there were two issues: first, the City taking the money from the Housing Authority; and second, how the City was going to use it. She did not think the tax payers in the City and County would approve of the money being used solely at the City's discretion.

Jason Glidden with the Mountainlands Housing Trust reflected on the changing housing market. He did not feel the City could provide 200 units with seven million dollars. He felt a lower AMI (Area Median Income) was not the only solution. He recommended offering for-rent units as well as deed-restricted units to own. Council discussed affordable housing options and different scenarios.

Todd Anderson was on the Affordable Housing Board and thanked the City for trying to get something done. He felt people wanted to know what was going on and deserved an explanation of the conclusions the City Council made.

The Public Comment period was closed at 9:38 p.m.



Mr. Cook wanted to clarify that there were many other projects in the City that would be paying fees-in-lieu to be dedicated to the Wasatch County Housing Authority. The City had negotiated a significant fee-in-lieu with the Crossings and Harvest Village that would be dedicated to the Wasatch County Housing Authority. The City's intent was to seek an alternate method to make progress towards the provision of affordable housing. Council discussion continued.

**Motion:** Council Member Phillips moved to approve the amendment, removing the Housing Authority from any obligation.

City Attorney Jeremy Cook clarified that the City had always designated the Housing Authority to manage affordable housing and deed restricted projects. If the Housing Authority was to decline the oversight or management of Heber City's housing units, Heber City could then take on the management roll.

**Motion:** Council Member Phillips moved to extend the meeting for ten minutes.

**Second:** Council Member Ostergaard made the second.

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

**Voting No:** None.

Council Member Cheatwood was absent.

The **Motion Passed 4-0.**

**Restated Motion:** Council Member Phillips restated his motion to approve the amendment to the agreement with Jordanelle Ridge development, but to continue having conversations with the Housing Authority to solidify the relationship and clarify oversight of the deed-restricted and affordable housing units.

**Second:** Council Member Ostergaard made the second.

**Discussion:** Council Member Barney felt the City needed to have the discussion with the Housing Authority before approving anything. Council Member Phillips felt the agreement allowed that to happen after approval of the amendment. Mr. Cook read the section in the amendment addressing the concern.

**Voting Yes:** Council Member Johnston, Council Member Phillips, Council Member Ostergaard.

**Voting No:** Council Member Barney.

Council Member Cheatwood was absent.

The **Motion Passed 3-1.**

## **IX. COMMUNICATION:**

Mayor Franco shared that if the Council wished to proceed with the Well-Being survey, it would cost the City \$1,500.00. She asked the Council to think about it.

## **X. CLOSED MEETING: as needed**

No Closed Meeting was held.

**XI. ADJOURNMENT:**

**Motion:** Council Member Phillips made the motion to adjourn.

**Second:** Council Member Ostergaard made the second.

The meeting adjourned at 10:06 p.m.



*Trina Cooke*

Trina Cooke, City Recorder