

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting
July 1, 2025**

APPROVED Minutes

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

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

Mayor 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
Council Member Aaron Cheatwood
Council Member Mike Johnston
Council Member Sid Ostergaard
Council Member Scott Phillips

Staff Present: Assistant City Manager J. Mark Smedley
Community Development Director Tony Kohler
Planning Manager Jamie Baron
City Engineer Russ Funk
City Attorney Jeremy Cook
City Recorder Trina Cooke
Chief of Police Parker Sever

Staff Participating Remotely: City Manager Matt Brower, Finance Manager Sara Jane Nagel, Engineering Administrative Assistant Desiree Muheim, IT Director Anthon Beales, Assistant City Manager J. Mark Smedley, Planner Jacob Roberts, Engineer Kyle Turnbow, Public Works Director Matthew Kennard, Planning Manager Jamie Baron, and Accounting Technician Wendy Anderson.

Also Present: Planning Commission Chair Phil Jordan, Planning Commission Vice Chair Tori Broughton, John and Charlotte Scheid, Kenneth Davis, Kohl Kravat, Clint Allen, Greg Royall, Grace Doerfler, Todd Anderson, Kari McFee, Laurie Wynn, Paul McFee, and others who did not sign in or whose handwriting was illegible.

Also Attending Remotely: (names are shown as signed-in online) Tracy Taylor, Ann, B, Carl Nielson, Grace Doerfler KPCW, Jen, Ken Davis, and S.

1. Scheid Setback Request and Potential Development Agreement (Jamie Baron, Planning Manager) - 15 min

Planning Manager Jamie Baron explained the setback request of three feet on 500 North for the purpose of expanding an outbuilding on the Scheid property to store farm equipment as well as to help mitigate the impact of the new high school construction on Sheid's residence. Property owner John Sheid explained their property was across the street from the new Deer Creek High School that was currently under construction. The school had raised the ground six feet across the street from his home and had effectively blocked most of their view of Mount Timpanogos. The Scheid's were asking for the set-back exception as they needed a walk-through between their shed and a wall. The Sheid's hoped to enter into a development agreement with the City to allow their accessory dwelling unit to extend three feet into the City's right of way. Staff was seeking Council direction to proceed. Council Member Johnston proposed the City waive the escrow and charge half of the application fee to cover the cost of staff's time. Consensus of Council majority was for Staff to work with the Scheids to negotiate a development agreement and return to Council at a future meeting date for review and approval.

2. Red Ledges Park, Trails, and Open Space (Tony Kohler, Community Development Director) - 25 min

Work Meeting agenda item two was postponed to a future meeting in September.

3. Ordinance 2025-08 adopting the Central Heber Overlay Zone (CHOZ) (Tony Kohler, Community Development Director) - 10 min

Planning Consultant John Janson reviewed the proposed changes to the working CHOZ (Central Heber Overlay Zone) draft ordinance as outlined in the attached meeting materials and Staff Report. Council discussed the fire code requirements; twin-homes and duplexes versus town homes and which should and should not be permitted in the CHOZ zone; home-height maximum; where to specify residences need to be owner-occupied; design criteria and permitted colors; and the curb, gutter, and buried power-line requirements. Staff agreed to return to a future meeting with additional updates to the proposed CHOZ ordinance for further discussion.

II. BREAK - 10 MIN

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

1. Call to Order

Mayor Heidi Franco called the meeting to order at 6:05 p.m. and welcomed everyone present.

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

Council Member Aaron Cheatwood led the recitation of the Pledge of Allegiance.

3. Prayer/Thought by Invitation (Mike Johnston, Council Member)

Council Member Mike Johnston wished to recognize the Fourth of July holiday celebrating the country's independence. He invited the community to the Red, White, and Blue festivities on Friday, July 4, 2025, and listed the activities to be expected at the celebration. He expressed concern with the direction the country was taking politically and did not care for the partisanship. He read the lyrics from America the Beautiful by Katharine Lee Bates, written in 1895 as a poem and put to music in 1910. He felt Heber Valley was being described in the first lines of the opening verse "O beautiful for spacious skies, for amber waves of grain, for purple mountain majesties above the fruited plain!"

IV. AWARDS, RECOGNITION, and PROCLAMATIONS:

1. Mayor's Youth Contest Winners to Celebrate the 250th Anniversary of the Battle of Lexington and Concord

Mayor Franco had hosted a youth essay contest in remembrance of the Battle of Lexington. She presented a certificate and a Mayor's challenge coin to each of the winning entrants. The essay contest was to select a favorite presidential quote and tell their thoughts on it.

- The winning entrant for the 8-10 year old category was Esther Linford
- Addy Brock won in the 11-14 year old category
- Abby Ragozine had won the 15-17 year age group

Photos were taken of the City Council, the winners, and each of their families.

V. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts disclosed.

VI. CONSENT AGENDA:

Motion: Council Member Phillips made the motion to approve the Consent Agenda, with the removal of a sentence the Mayor had not said, and to enter the public comments received by email into the record.

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.**

1. Approval of June 3, 2025, City Council Meeting Minutes (Trina Cooke, City Recorder)
2. Richard and Boni Losee Family Estate Right to Burial Amended Agreement (J. Mark Smedley, Asst. City Manager)
3. Resolution 2025-11 Nine-step pay scale and policy adjustment for Heber City Public Employees (Cherie Ashe, Human Resources Manager) -
4. Mayor's Nomination of Carl Nielson to the POSTT Committee (Heidi Franco, Mayor)

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

Mayor Franco opened the Public Comment period at 6:22 p.m. With no one from the public coming forward to comment, the comment period was closed.

VIII. GENERAL BUSINESS ITEMS:

1. Statewide Stage 1 Firework Restrictions (Clint Neerings) - *10 min*

Wasatch County Battalion Chief and Fire Warden Troy Morgan described the extremely dry conditions in the valley currently and provided a map image of the extended fireworks restrictions proposed. Council majority expressed strong support for the proposed restrictions and directed staff to post the map in the firework restriction areas.

2. Central Heber Water and Sewer line Replacement Project Update and Update on Other Miscellaneous Engineering Projects (Russ Funk, City Engineer) - *10 min*

City Engineer Russ Funk provided project updates for the following ongoing projects:

- the Central Heber Water and Sewer Line Replacement project continued to make progress
- the ongoing metering project for pressurized irrigation was approximately 75% complete

Mr. Funk informed that, while it was not a City project, the Coyote Parkway intersection with Highway 40 would be getting a traffic signal soon. Mayor Franco wanted Staff to work with UDOT to perform a traffic study and consider lower speeds or a center lane barrier for safety purposes.

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

1. Ordinance 2025-16 Updating Heber City's Purchasing Policy (Wendy Anderson) - *10 min*

Accounting Technician Wendy Anderson shared the proposed changes to the Purchasing Policy as included in the meeting materials. She explained that proposed updates recommended purchasing thresholds be raised to align with the market increases, redundancies had been removed from the policy, and an appendix added.

Council Member Johnston did not agree with rewarding volunteers with City-branded merchandise and felt gift cards would be more appreciated by the committee volunteers. Council Members Cheatwood and Phillips agreed. City Manager Matt Brower explained the decision to not offer gift-cards was based on the IRS (Internal Revenue Service) tax requirements and fraud risk. Additional discussion regarding the proposed changes followed.

Motion: Council Member Phillips moved to accept the changes as proposed except for the gift card policy with volunteers; he proposed to increase the annual gift for volunteers to \$200.00 per volunteer per year, to allow the volunteers to choose from five different vendors, through an automated system, to show the City's appreciation; and to keep the as-needed contracts at \$200,000.00.

Second: Council Member Johnston made the second.

Discussion: Council Member Johnston wished to keep the vendor gift cards local. Council Member Phillips noted the sales tax revenue the City received from Amazon. Council continued to discuss various ideas to reward the committee volunteers. City Manager Matt Brower proposed that Staff work on the reward system further and return to Council with a proposal. Ms. Nagel felt the language in the Staff Report may have been confusing but did not want to enter into the gray area of gift-card giving with the IRS.

Amended Motion: Council Member Phillips amended his motion to withdraw any discussion of volunteer compensation until another meeting and for the rest of the changes in the motion to stand.

Second: Council Member Johnston's second stood.

Motion: Council Member Cheatwood moved to allow public comment before the vote.

Second: Council Member Phillips seconded the motion.

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

Voting No: None.

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

Mayor Franco opened the discussion for Public Comment at 7:10 p.m.

Greg Royall described a point system used by UDOT and the store-redemption amenities available to purchase with points earned. He felt the program worked well.

Human Resources Manager Cherie Ashe felt such a program would not be manageable by the staff on hand. Ms. Nagel said there were thresholds to the value of the gifts that could be given. She proposed the departments that managed the volunteers should be responsible for the gifts. Mr. Brower reiterated that staff would take time to vet a plausible reward system.

Vote for the Amended Motion by Council Member Phillips as stated above.

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

Voting No: None.

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

2. Quiet Zone Study Results & Council Direction (Russ Funk, City Engineer, Clint Allen) - 30 min

City Engineer Russ Funk described the railroad quiet zone study performed by Horrocks Engineers to evaluate potential improvements along the railroad route crossings located at 650 South, Southfield Road, and 1200 South. He introduced the Horrocks Engineers Clint Allen and Kohl Kravat, who had performed the quiet zone study and were there to present the findings. Mr. Allen outlined the Federal Quiet Zone Requirements as included in the attached study presentation. He stated the requirement to install gates and flashing lights at every intersection to have a quiet zone designated. He reviewed the quiet zone calculations and crossing improvement plans for the identified intersections, as well as cost estimates for each. 650 South had existing arms and lights and would only need to be painted, and have signs and medians added.

Mr. Funk shared the results from a previous 2022 analysis indicating the thresholds that needed to be met in order to trigger the proposed improvements had not been reached. As the City continued to grow, and Southfield Road became a major collector road, the proposed improvements would meet the required UDOT thresholds for quiet zone design improvements. He reviewed the estimated costs for improvements for each intersection. The City had applied for a grant but the grant had not been awarded.

Council Member Johnston felt the issue was not safety but rather a loud train-horn issue. He noted the neighbors had moved in around the train, and he did not feel the City should put 1.5 million dollars toward the project at this time. Council majority agreed and discussion continued regarding future improvements and ideas to bring the railroad into the discussion as a contributing partner.

Staff agreed to take the plan to Mark Nelson at the Heber Valley Railroad to discuss the possibility of dividing the cost of the quiet zone installations between the railroad and the City.

Motion: Council Member Phillips moved to continue with the planned upgrades of Southfield Road, not incorporating the quiet zone at this time, and to proceed with the intersection road improvements, not including the quiet zone improvements.

Second: Council Member Cheatwood made the second.

Discussion: Council Member Johnston asked if the conduit installation should be done at this time.

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

Voting No: None.

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

Mayor Franco advised that the Council would move into the Closed Meeting prior to convening as the CRA (Community Reinvestment Agency) board.

X. RECESS AS THE HEBER CITY COUNCIL AND CONVENE AS THE CRA BOARD:

Motion: Council Member Phillips moved to recess as the Heber City Council and convene as the CRA (Community Reinvestment Agency) board.

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.**

The CRA board convened at 8:11 p.m.

City Council Present:

Mayor Heidi Franco
Council Member Yvonne Barney
Council Member Aaron Cheatwood
Council Member Mike Johnston
Council Member Sid Ostergaard
Council Member Scott Phillips

Staff Present:

Assistant City Manager Mark Smedley
Community Development Director Tony Kohler
City Engineer Russ Funk
City Attorney Jeremy Cook
City Recorder Trina Cooke

Staff Participating Remotely: City Manager Matt Brower

Also Present: Grace Doerfler, Paul McFee, Kari McFee, and Laurie Wynn.

Also Attending Remotely: Tracy Taylor, Ann, B, Carl Nielson, Grace Doerfler KPCW, Jen, Ken Davis, and S.

1. Buys Purchase Agreement and Lease Agreement (Matt Brower, City Manager) - 20 min

City Manager Matt Brower reviewed the details of purchase and lease-back agreement as included in the meeting materials. The location of the property housed the local newspaper, the Wasatch Wave, which would be ceasing its publication. The family intended to continue its printing business from the same location.

Mayor Franco opened the discussion for public comment at 8:15 p.m.

Todd Anderson, member of the Wasatch County Housing Authority, felt that two million dollars was a lot to spend for a parking lot that he thought the City intended to install at the location. He felt the revenue lost by tearing down buildings was not worth the cost. He questioned whether it was the best use of City funds.

No one further came forward from the public to comment.

Mr. Brower recalled the Envision Central Heber plan. He stated the reinvestment of downtown Heber needed more parking in the area but he could not confirm that the property would be turned into parking. There were many considerations.

Council Member Johnston explained the cost was a transference of money to property.

Motion: Council Member Phillips moved to approve the purchase sale and leaseback agreement with the Buys family.

Second: Council Member Cheatwood made the second.

Discussion: Council Member Barney thanked the Buys family for their service to the community with the publication of the Wasatch Wave over the years. She thanked Mr. Anderson for his comments. Council Member Johnston also thanked the Buys family for approaching the City with the opportunity to purchase the property.

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

Voting No: None.

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

Mr. Brower advised that the Buys family and the City would be releasing a joint press release statement in the morning to inform the community of the transaction.

XI. ADJOURN AS THE CRA BOARD AND RECONVENE AS THE HEBER CITY COUNCIL:

Motion: Council Member Ostergaard moved to adjourn as the CRA (Community Reinvestment Agency) board and reconvene as the Heber City Council.

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.**
The CRA board adjourned at 8:20 p.m.

XII. COMMUNICATION:

Mr. Brower asked for Council volunteers to serve lunch for the community at the 4th of July Red White and Blue Festival that Friday. He was expecting approximately 800 people. All Council Members indicated they would attend to help.

Mayor Franco shared the first 2034 Olympic Committee meeting had been held the previous day. The committee would continue to meet and would be sharing best practices and plans. Mayor Jenny Wilson of Salt Lake City had proposed a toolbox.

XIII. CLOSED MEETING: (As Needed)

Motion: Council Member Phillips moved to enter Closed Meeting for the purpose of discussing the purchase, exchange, or lease of real property.

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.**

The Heber City Council entered Closed Meeting at 7:52 p.m.

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

Staff Present: Assistant City Manager Mark Smedley
City Attorney Jeremy Cook
City Recorder Trina Cooke

Staff Participating Remotely: City Manager Matt Brower

Motion: Council Member Phillips moved to adjourn the Closed Meeting and return to the Regular Meeting.

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.**

The Closed Meeting adjourned at 8:10 p.m.

XIV. ADJOURNMENT:

Motion: Council Member Phillips moved to adjourn.

Second: Council Member Cheatwood made the second.

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

Voting No: None.

The meeting adjourned at 8:30 p.m.




Trina Cooke, City Recorder