

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
City Council Meeting
July 20, 2021

4:00 p.m. Combined City Council/Planning Commission Meeting
7:00 p.m. Regular Meeting

I. COMBINED CITY COUNCIL/PLANNING COMMISSION MEETING AND TRAINING - 4:00pm

Present: Mayor Kelleen Potter
Council Member Heidi Franco - remotely
Council Member Wayne Hardman
Council Member Mike Johnston
Council Member Rachel Kahler

Absent: Council Member Ryan Stack

Planning Commissioners:
Commission Chair Dennis Gunn
Commission Vice-Chair Oscar Covarrubias
Commissioner Sid Ostergaard
Commissioner Darek Slagowski
Commissioner Phil Jordan - remotely
Alternate Commissioner Robert Wilson
Alternate Commissioner Rick Kellogg - remotely

Staff Present: City Manager Matt Brower
City Attorney Mark Smedley
Police Lieutenant Jim Moore
City Planning Director Tony Kohler
City Engineer Bart Mumford
City Planner Jamie Baron
City Recorder Trina Cooke
IT Specialist Anthon Beales
Building Official Wes Greenhalgh
Airport Manager Travis Biggs

Staff Participating Remotely:
City Engineer Bart Mumford
Assistant Engineer Russ Funk
City Finance Manager Wesley Bingham
Public Works Director Matthew Kennard

Also Present: Senator Ron Winterton, John Janson, Marcie Jones, Megan Ryan, Dallin Checketts, Jordan Cullimore, Lance Higgs, Patricia Thompson, Douglas Thompson, and others who did not sign in or whose signatures were illegible.

Also Joining Remotely: (names listed are as they appeared in the virtual meeting sign-in) Scott Burnett, John Zimmerman, Ann Zimmerman, Sandi Brower, Jeffrey Kuhn, and Dave.

Mayor Potter called the meeting to order at 4:04 p.m. and welcomed everyone present.

1. Legislative Versus Administrative Decisions (Jordan Cullimore, Office of the Property Rights Ombudsman) - 90 min

City Planning Director Tony Kohler introduced the guest presenters and provided an overview of the agenda.

Jordan Cullimore, Lead Attorney with the office of the Property Rights Ombudsman for the State of Utah explained their office was available to both the citizen property-owners and governmental entities for help understanding property-rights. The office offered advisory opinions for property disputes between the two. Mr. Cullimore provided a table of common legal issues in land-use. He reviewed which issues fell under legislative decision-making and considerations to take when making legislative decisions. He reviewed which issues fell under administrative decision-making, considerations to take when making them, as well as basics of applying the law.

Council Member Kahler shared an example of a developer interpreting single-family homes as attached homes which conflicted with the City's interpretation of single-family homes being on individual lots. Mr. Cullimore recommended the City choose to decide in the property-owners favor in the instance of a dispute and tighten the code there-after in order to eliminate varying interpretations. Council Member Hardman inquired whether the City Council should be picking apart administrative decisions. Mr. Cullimore advised the Council was within their right to try to negotiate additional amenities not otherwise required by code. Planning Commissioner Covarrubias shared a situation from the developer's perspective and asked how liable the City was to process applications timely and continue progress by negotiating with the applicant. Mr. Cullimore advised there was nothing in State law providing a timeline but there was a provision available to applicants indicating the developers could submit a letter to councils and the council had 45 days to make a decision and either approve the application or cite code for denial. Discussion continued, touching upon impact fees, developer rights, affordable housing, property-owner rights, and public opinion and input.

Commissioner Covarrubias clarified the Planning Commissioners did not represent the public but rather were an appointed body tasked with forwarding an educated recommendation to the Council for a decision. Council Member Franco expressed concern that the Planning Commission held the Public Hearings rather than the City.

Mr. Brower inquired whether the City could impose a preservation fee with an annexation development agreement. Mr. Cullimore explained if it was a negotiated term, the fee would need to comply with exaction law and impact fee law. The City would want to avoid the appearance of coercion. Discussion continued, touching on group homes, affordable housing requirements, impact fee law and imposition, and illegal lots.

2. State Code and Ordinance Simplification (John Janson) - 45 min

Megan Ryan noted she worked for the League of Cities and Towns but she was present representing People plus Place, consultants for the City.

Ms. Ryan stated she would be asking Council for direction on part two of the Envision Heber process to update the land-use/development code. She shared the objectives for the initial review of the Code were state law compliance and simplification of use for the City and public. The initial review found policy issues, discretionary statements, State Code issues, chapters that could be consolidated, and the need for a more defined work plan. She explained the State recommended plain-language for city codes.

People plus Place consultant to the City John Janson continued the review of the process for the code update. He explained the most comprehensive effort considered consolidation of zones with similar standards without significant changes to the permitted uses and property rights. They recommended eliminating some chapters by moving the applicable standard to the zone in which it applied, thereby making standards easier to find. Mr. Janson provided recommendations of chapters to consolidate, to consider moving, or to combine.

Mr. Janson shared conversations held with the Planning Commission regarding storage facilities and the high demand for storage units in Heber City. Mayor Potter noted much of the demand was from outside the community. City Planning Director Tony Kohler asked for direction from Council to proceed. Council Member Johnston felt new storage units should be built vertically rather than taking up prime real-estate with sprawling garage-style units.

Council Member Kahler was opposed to consolidating zones. Council Member Johnston expressed the Council did not wish to see additional industrial zones. Mr. Janson continued the review of recommended code modifications. Mr. Janson provided alternate option two: To fix the State Law deficiencies and address minor policy issues, but not consolidate chapters and leave the code sections as they were. Option three was the least comprehensive with selective consolidation of priority chapters and included State Code review and change chosen chapters. He stated option one would cost the most but would render the most comprehensive solution.

Council Member Johnston supported option one and felt the return on investment worthwhile. Council Members Kahler and Hardman agreed. Mr. Brower agreed to work with Ms. Ryan and Mr. Janson in order to get a budget amendment compiled for their contract. Council Member Franco expressed her support as well.

3. Council Priorities and Vision - 30 min

Mr. Brower reviewed Council policy and budget priorities as attached in the agenda meeting materials. He reviewed the several ongoing steps in the Envision Heber 2050 Master Plan process. He noted the recent creation of the Community Reinvestment Agency (CRA) and the ongoing process of meeting with the six affected taxing entities to work towards inter-local agreements.

Mr. Brower provided an updates of the old-town infrastructure replacement project, and ongoing pressurized irrigation metering project. He noted the real property tax increase was proceeding with a special City Council Meeting, scheduled for the Truth in Taxation process, to be held August 11, 2021 at 7:00 p.m. The strategy to purchase strategic properties continued to move forward. Staff continued to strategize on a storm water master plan. Transportation focus was ongoing. Mr. Brower stated the preceding list of priorities was established by Council for the previous fiscal year and the following were for the current year: Purchase strategic properties. He noted the three properties currently under negotiations with the City. Mr. Brower provided brief updates for the status of the storm water plan, transportation focus, eastern bypass, City staffing budget amendment, affordable-housing plan progress, the process and implementation of a Recreation Arts and Parks (RAP) tax, and construction of a new cemetery administrative building.

Council Member Kahler inquired whether the elimination of the fee-in-lieu option for developer's affordable housing obligation was only for Heber City. Mayor Potter explained that surrounding towns had not implemented affordable housing plans and the burden of the provision had historically fallen to Heber City. Council Member Johnston described the ongoing assistance of the Wasatch County Housing Authority for affordable and workforce housing.

Mr. Brower asked the Council and Planning Commissioners to utilize the remaining five to ten minutes for discussion of mutual issues or concerns.

Council Member Kahler asked the Planning Commissioners to share their biggest frustration with Council. Chairman Gunn stated there were no current issues other than he asked them to remain consistent and for the Council to not overturn the Planning Commission's recommendations. He stated the Commissioners put a lot of thought into their recommendations.

Commissioner Covarrubias thanked Council for bringing the resort area north of town into the Annexation Policy Plan. He asked what the Council intended to allow to develop in the area. Mayor Potter shared the recent discussion with the current owner of the land and felt the land-owners were willing to work with the City.

Chairman Gunn asked Council to provide an explanation, in order to provide perspective, when returning applications and other items to the Planning Commission. He proposed the two groups meet more often for training and discussion. Commissioner Jordan asked Council to include "legislative intent" when returning items to the Planning Commission in order to understand Council's thoughts and intentions.

Commissioner Covarrubias asked to understand Council's vision. Mr. Brower stated that everything the City did was in order to align with the goals and vision outlined in the Envision Heber 2050 Master Plan. Roundtable discussion continued.

BREAK - 15 min

II. REGULAR MEETING-7:00 P.M.

1. Call to Order

Mayor Potter called the meeting to order at 7:11 p.m. and welcomed everyone present.

2. Pledge of Allegiance (Council Member Johnston)

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

3. Prayer/Thought by Invitation (Default: Council Member Kahler)

Council Member Kahler offered a prayer.

III. CONFLICT OF INTEREST DISCLOSURE:

There were no conflicts of interest disclosed.

IV. CONSENT AGENDA:

1. Approval of July 6, 2021 City Council Meeting Minutes (Cooke)

Motion: Council Member Franco moved to approve the July 6, 2021 Meeting Minutes as in the agenda but to remove Ordinance 2021-25 from the Consent Agenda as she felt it included policy questions the Council should discuss. Council Member Johnston made the second. **Voting Aye:** Council Members Franco, Hardman, Johnston, and Kahler. Council Member Stack was absent. The motion **Passed 4-0**.

2. Consider Approval of Ordinance 2021-25 Adopting an Administrative Appeal Authority Amending Section 18.112 Non-Conforming Uses (Baron)

Council Member Franco wished to know why 30% of increased floor space determined non-conforming development would need to be brought into conformance as cited in 18.112.07(3)(i). Council Member Johnston shared there were building requirement triggers but this code was in reference to zoning. Council Member Franco proposed 18.112.04 and 18.112.06 indicate a building completion requirement of one year to match that of 18.112.05. She inquired what type of buildings would fall under Planning Director approval as cited in 18.112.05(A)(ii).

Motion: Council Member Franco moved to approve Ordinance 2021-25 for sections 17.18, 17.47.040, and 18.12.100 on the administrative law judge as the new appeal authority. Council Member Johnston made the second. Rollcall Vote. **Voting Aye:** Council Members Franco, Kahler, Hardman, and Johnston. Council Member Stack was absent. The motion **passed 4-0**.

Motion: Council Member Franco proposed, in Ordinance 2021-25, the following changes for chapter 18.112: in 18.112.04 and .06, to change the language from “prosecuted continuously” to “completed within a one-year time period”. In 18.112.05(A)(ii), to add the language “such structures shall be less than the existing square footage of the non-conforming building”. Council Member Johnston made the second. Rollcall Vote: **Voting Aye:** Council Member Johnston, Hardman, Kahler, and Franco. Council Member Stack was absent. The motion **Passed 4-0**.

V. PUBLIC COMMENTS:

Heber City resident Lance Higgs stated he lived in the downtown Main Street area. He felt non-conforming uses was another way for the City to harass the old-town residents. He wanted the City to leave the senior citizens who resided in the area alone. He asked if the City would be doing away with the grandfather clause. His neighbors had thanked him for speaking up on their behalf at the previous meeting. He said, as children, you were taught to trust people but he felt he had a knife in his back. Council Member Johnston asked why he felt that way. Mr. Higgs shared a story of his sewer line replacement and he was not allowed to observe. He said he had wanted to reroute his sewer line and the City Engineer had told him he could not due to lack of a sewer line at the relocation. Mr. Higgs had dug the sewer main up to show there was an existing line. He shared he had an EPA approved pellet burning stove and felt the City would harass him about that as well. Council Member Johnston clarified that all existing homes in Heber complied with their zoning. He reassured Mr. Higgs the zoning would not affect his home. Mr. Higgs hoped he could trust the City. He expressed his respect for Council Member Franco for questioning things.

Heber City resident Patricia Thompson expressed her concern regarding the fate of the homes between 100 East and Main Street.

She read from page 11 part 10 of the CRA plan: “In the event that owners do not wish to participate in the development in compliance with the Plan, or in a manner acceptable to the Agency, or are unable or unwilling to appropriately participate, the Agency reserves the right pursuant to the provisions of the Act to acquire parcels, to encourage other owners to acquire other property within the Project Area, or to select non-owner developers by private negotiation, public advertisement, bidding or the solicitation of written proposals, or a combination of one or more of the above methods”. She felt the section indicated the City could do as they wished with the homes in the area. There were many senior citizens in the area. She thanked the Council Member who had responded to her email but asserted she was not reassured.

Mayor Potter ensured Mrs. Thompson that the CRA did not permit the City the ability to force any resident from their home. Mrs. Thompson referred to the block purchased by Karl Malone and felt the residents had been pressured to sell. Mayor Potter stated the home-owners had all been willing sellers. Adam Long, Counsel for the Community Reinvestment Agency, further clarified the CRA project area plan in no way offered the City the power of eminent domain. He offered further explanation of the language used in the plan. Mrs. Thompson shared that her property taxes had jumped from \$333 to \$2,300 and felt there should be a way to slow the tax increases. Mayor Potter noted Heber City received only eight cents for every dollar paid in property tax. She shared that there were resources, programs, and opportunities available to seniors for assistance.

Heber City resident Doug Thompson shared that he understood the CRA was a mechanism to increase value in the area. He appreciated the assurance that the CRA did not allow for eminent domain. He was concerned with the escalating property taxes and their continued ability to afford to pay them, or remain in Heber City, after retirement.

VI. ACTION ITEMS:

1. Public Hearing Regarding Grant Application to the LeRay McAllister Fund (Brower)

City Manager Matt Brower stated the public hearing was a requirement of the grant application. He shared a presentation he had previously given to the Wasatch Open Lands Board (WOLB). Mr. Brower displayed the location of three parcels the City was attempting to acquire for the expansion of Muirfield Park. The reason for the expansion was to preserve the natural ecosystems, streams, and natural beauty of the wetland area. He provided the results of the property appraisals and the projected costs of the property acquisitions. The City had submitted grant applications to the WOLB as well as the LeRay McAllister Land Conservation Fund and had received a grant from the Summit Land Conservancy.

Mayor Potter opened the Public Hearing at 7:51 p.m. With no one from the public coming forward to comment, the Public Hearing was closed at 7:51 p.m.

2. Review of Heber City Investment Portfolio with Zions Bank (Bingham) – 15 min

City Finance Manager Wes Bingham introduced Scott Burnett with Zions Bank to present an update of Heber City’s Investment Portfolio. Mr. Burnett displayed a spreadsheet reflecting Heber City’s investments, current market values, accrued interest, and overall yield. He noted interest rates remained at record lows due to the current economy. He provided job indicators for June, an economic forecast projecting when the job market was expected to return to full employment, and the stated the unemployment rate remained high. Mr. Burnett noted the job openings continued to skyrocket. The Gross Domestic Product (GDP) were nearing pre-recession levels but supply had been unable to reach demand levels.

Projections indicated economic growth to continue accelerating as pandemic vaccinations increased and markets continued to open. Utah and Idaho were leading the nation in economic recovery.

Council Member Franco asked for clarification of whether the City investment bonds were adjustable rate investments or were equity investments. Mr. Burnett explained that due to Utah Money Management Guidelines and State Code, the only public investments allowed were fixed income investments. Brief discussion regarding investment preferences followed.

City Manager Matt Brower shared the cost of an average home in Heber continued to increase substantially thereby adversely affecting City employees ability to obtain housing in the valley.

Motion: Council Member Kahler moved to recess as the Heber City Council and convene as the Community Reinvestment Agency. Council Member Hardman made the second. **Voting Aye:** Council Members Franco, Hardman, Johnston, and Kahler. Council Member Stack was absent. The motion **Passed 4-0**.

**RECESS AS HEBER CITY COUNCIL, CONVEENE AS HEBER CITY COMMUNITY
REINVESTMENT AGENCY (CRA) BOARD**

The Community Reinvestment Agency (CRA) Board Meeting convened at 8:10 p.m.

3. Consider Approval of Agency Resolution 2021-06 Adopting the Project Area Plan for the Heber City Downtown Community Reinvestment Project Area (Brower) - 30 min

Heber City Manager Matt Brower explained the presentation would cover agenda items three, four, and five of the CRA meeting and agenda items six and seven of the City Council Meeting. He described the CRA Project Area Plan adoption process, as well as the CRA Project Area Budget adoption process, through both the CRA and the City Council. There were three discrepancies on the Project Area Plan map, pointed out by Mr. Brower, that needed correction. He asked if Council were to adopt the Project Area Plan and Budget that evening, they note the corrections to the map in the motion.

Council Member Franco proposed the map extend to 200 East and 200 West. Council Member Johnston proposed including the Main Street frontage around the Kneaders location. Mr. Brower indicated the intent of the map was to designate a critical mass and to realign the map at that point would require they restart the process.

Council Member Franco asked whether the notices sent to residents within the proposed Project Area Plan had included reference to State Code 17C-5-107(2), which indicated that if 51% of property owners within the area were to object to the CRA, the City could not proceed. CRA Counsel Adam Long stated the notices had invited the affected residents to the Public Hearing. Council Member Franco felt Council should not proceed without residents being fully aware of the Code. Mr. Long read the section of the notice that invited objections and feedback from affected property-owners. Council Member Kahler felt the fear from residents arose from lack of understanding. She felt the City, including herself via social media, had been very transparent and pro-active in educating and responding to community concerns. Mr. Long clarified there was nothing in the plan that would supersede the State or Municipal Codes. Discussion continued regarding government transparency.

Motion: Council Member Kahler moved to approve agency Resolution 2021-06 adopting the Community Reinvestment Project Area Plan with the map amendments as indicated by Mr. Brower. Council Member Johnston made the second. Rollcall Vote: **Voting Aye:** Council Members Kahler, Hardman, and Johnston. **Voting Nay:** Council Member Franco. Council Member Stack was absent. The motion **Passed 3-1**.

4. Consider Approval of Agency Resolution 2021-07 Adopting the Project Area Budget for the Heber City Downtown Community Reinvestment Project Area (Brower) - 30 min

Mr. Brower explained the Project Area Budget was based primarily on the financial projections of the agency's expectations for future development within the area. Inter-local agreements with affected taxing entities would determine the share of tax increment redirected to the CRA.

Motion: Council Member Johnston moved to approve Resolution 2021-07 adopting the Project Area Budget for the downtown CRA as written. Council Member Hardman made the second. Rollcall Vote: **Voting Aye:** Council Members Hardman, Johnston, and Kahler. Council Member Franco **Abstained**. Council Member Stack was absent. The motion **Passed 3-1**.

5. Consider Approval of Agency Resolution 2021-08 Approving an Interlocal Agreement Between the Community Reinvestment Agency and Heber City (Brower) – 10 min

Mr. Brower explained the majority of funding for redevelopment came from taxing entities sharing a portion of the tax increment generated within the project area. In order to receive the tax increment the Community Reinvestment Agency needed inter-local agreements with the affected taxing entities. There were six taxing entities including Heber City. As the Council was acting in the capacity of the CRA Board, they were being asked to vote on a CRA specific resolution to approve the inter-local agreement with Heber City on behalf of the CRA Board. Mr. Brower stated the County had asked the City not enter into inter-local agreements with the recreation district and fire district as their budgets were capped.

Motion: Council Member Hardman made the motion to approve Resolution 2021-08 as presented. Council Member Kahler made the second.

Council Member Franco asked for clarification of 10.e. "in lieu of such illegal, invalid, or unenforceable provision, the Parties hereto shall use commercially reasonable efforts to negotiate in good faith a substitute, legal, valid, and enforceable provision that most nearly effects the Parties' intent in entering into this Agreement". Mr. Long explained the goal was to allow the removal or replacement of a provision if, in the unlikely case a single provision was found to be illegal or unenforceable, without nullifying the entire agreement.

Rollcall Vote: **Voting Aye:** Council Members Franco, Kahler, Hardman, and Johnston. Council Member Stack was absent. The motion **Passed 4-0**.

Motion: Council Member Kahler move to adjourn as the CRA Board and reconvene as the Heber City Council. Council Member Hardman made the second. The CRA Board Meeting adjourned at 8:39 p.m.

ADJOURN AS HEBER CITY CRA BOARD, RECONVENE AS HEBER CITY COUNCIL

The Heber City Council reconvened at 8:39 p.m.

6. Consider Approval of City Ordinance 2021-28 Adopting the Project Area Plan for the Heber City Downtown Community Reinvestment Project Area (Brower) - 5 min

Mr. Brower noted the Council was now acting in the capacity of the Heber City Council. In order to finalize the implementation of the CRA Project Area Plan, the City needed to adopt it by ordinance.

Motion: Council Member Hardman moved to approve City Ordinance 2021-28 adopting the Project Area Plan for the Heber City Downtown Community Reinvestment Project Area. Council Member Kahler made the second. **Voting Aye:** Council Members Kahler, Hardman, and Johnston. **Voting Nay:** Council Member Franco. Council Member Stack was absent. The motion **Passed 3-1**.

7. Consider Approval of City Resolution 2021-11 Approving an Interlocal Agreement with the Heber City Community Reinvestment Agency for the Heber City Downtown Community Reinvestment Project Area (Brower) – 5 min

Mr. Brower explained the Council was now asked to consider approval of a City specific resolution to approve the inter-local agreement with the CRA for the Heber City Downtown Community Reinvestment Project Area on behalf of the City. Council Member Franco inquired the projection of funds directed to the CRA from the project area plan. Funds would be determined by the tax revenue and there were no projections to provide at that time. Council Member Franco felt it was important to get said projections.

Motion: Council Member Johnston made the motion to adopt Resolution 2021-11 approving an inter-local agreement with the downtown CRA. Council Member Kahler made the second. **Voting Aye:** Council Members Hardman, Johnston, Franco, and Kahler. Council Member Stack was absent. The motion **Passed 4-0**.

Mr. Lance Higgs wished to commend Council Member Franco for her courage to stand up for transparency. He felt that he was correct about not trusting the City based upon their not having included in the literature mailed to affected property owners that a 51% objection of residents could prevent a CRA.

8. Consider Approval of Ordinance 2021-07 Accessory Dwelling Units (Kohler) - 20 min

City Planning Director Tony Kohler explained the proposed code amendment would bring the Heber City Municipal Code into compliance with State Code. He reviewed the background of the process and State legislative decision to require municipalities to permit Accessory Dwelling Units (ADUs).

Council Member Johnston felt ADUs were the best way to provide low-cost housing for the lowest paid citizens in the community, without the requirement of any public funding, additional infrastructure, or management, as they were all privately owned. He commended the Ordinance presented by Staff but wished to see two changes made: The first was to remove B. prohibiting the use of ADUs for short-term rentals as the City Code permitted short-term rentals. The second change recommended by Council Member Johnston was to remove the requirement for a separate entrance as listed in L.3. Council Member Johnston expressed concern with over-regulation.

Council Member Kahler expressed concern for the neighbors of ADUs being used as short-term rentals with additional strange cars and not enough parking causing a nuisance. She felt the current requirement in the City Code for a kitchen and separate entrance should remain. Council Member Franco pointed out someone wishing to use an ADU as a short-term rental would need to apply to the City for two permits. One permit to build the ADU as well as a permit to use the ADU as a short-term rental. Discussion continued.

Motion: Council Member Johnston moved to adopt Ordinance 2021-07 amending Heber City Code section 18.108.110, Accessory Dwelling Units, with the removal of B. prohibiting the use of ADUs as short-term rentals and L.3. requiring a separate entrance. Council Member Hardman made the second. Rollcall Vote: **Voting Aye:** Council Members Hardman, Johnston, and Franco. **Voting Nay:** Council Member Kahler. Council Member Stack was absent. The motion **Passed 3-1**.

9. Consider Approval of Resolution 2021-10 Updating the Consolidated Fee Schedule to Amend Building Department Fees (Bingham) - 5 min

City Building Official Wes Greenhalgh explained that, as of June 1, all plan reviews, with a few exceptions, were being done by a third party plan review company. He explained how the third party calculated their fee and the purpose of the requested amendment to the Consolidated Fee Schedule was to cover the expense.

Motion: Council Member Hardman made the motion to approve Resolution 2021-10 to update the Consolidated Fee Schedule amending building fees. Council Member Johnston made the second. Rollcall Vote: **Voting Aye:** Council Members Franco, Kahler, Hardman, and Johnston. Council Member Stack was absent. The motion **Passed 4-0.**

VII. COMMUNICATION ITEMS:

Council Member Kahler expressed concern that the Ivory Homes development was delaying completion of Coyote Lane for better construction access. She asked if the road would be completed by the end of the month as promised. Mr. Brower felt it would be completed and indicated that Staff was monitoring.

Mr. Brower shared the Wasatch Open Lands Board (WOLB) had not agreed to recommend the City's grant request to the Wasatch County Council, as presented at the last WOLB meeting, and had asked the City to return in August.

Motion: Council Member Johnston made a motion to enter a Closed Executive Session for the purpose of discussing the possible purchase, exchange, or lease of real property. Second: Council Member Kahler. **Voting Aye:** Council Members Franco, Hardman, Johnston, and Kahler. The Council entered Closed Executive Session at 9:09 p.m.

VIII. CLOSED EXECUTIVE SESSION

1. Real Estate

Present: Mayor Kelleen Potter
Council Member Heidi Franco - remotely
Council Member Wayne Hardman
Council Member Mike Johnston
Council Member Rachel Kahler

Staff Present: City Manager Matt Brower
City Attorney Mark Smedley
City Engineer Bart Mumford
City Recorder Trina Cooke

IX. ADJOURNMENT

Motion: Council Member Kahler made the motion to adjourn. Council Member Hardman made the second. The meeting adjourned at 9:30 p.m.




Trina Cooke, City Recorder