

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, MARCH 1, 2022, AT 4:00 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD**

Members Present: Mayor Mike Weichers, Council Member Douglas Petersen, Council Member Scott Bracken, Council Member Shawn E. Newell, Council Member Ellen Birrell (via Zoom)

Staff Present: City Manager Tim Tingey, City Attorney Shane Topham, Records Culture and Human Resources Director Paula Melgar, Culture and Human Resources Culture Manager Ann Eatchel, Community and Economic Development Director Michael Johnson, Community and Economic Development Senior Planner Andrew Hulka, Finance and Administrative Services Director Scott Jurgens, Public Works Director Matt Shipp, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim

1. Welcome – Mayor Weichers.

Mayor Mike Weichers called the meeting to order at 4:00 p.m. and welcomed those present.

2. Y2 Analytics Community Survey Discussion – Ms. Kyrene Gibb, Partner – Vice-President of Research.

Y2 Analytics Vice President of Research, Kyrene Gibb, introduced their Director of Research, Emily Schill, and stated that together they will be working closely with Cottonwood Heights. She reported that Y2 Analytics previously conducted this survey in 2016, 2017, and again in 2019 with an effort to accumulate data regarding residents' attitudes and priorities regarding City services and timely issues during each of those cycles. Their focus was to continue that baseline for the current survey while incorporating potentially timely issues and items helpful to the City.

Ms. Gibb stated that moving forward, they will take the City's research objectives and transpose them into a survey question while ensuring that they are adhering to industry best practices. Once the survey instrument is designed, they will send printed mail invitations to a random sample of residents throughout the City relying primarily on the registered voter list for that address-based representation. Once completed, Y2 Analytics will compile a full visual report and present a completed report before the City Council. She confirmed that Y2 Analytics will conduct the survey as an independent third-party research group to obtain a statistically valid read on residents' priority for the community.

High-priority research questions and topics were discussed. The City Council suggested the following topics be included in the survey:

- Housing;
- Development;
- Traffic;

- City Council engagement and response;
- How the City disseminates information;
- General satisfaction to living in Cottonwood Heights;
- Traffic calming;
- Active transportation options;
- Shuttles; and
- Senior center.

City Manager, Tim Tingey, reported that the City Council will review the survey instrument prior to it being sent to residents and will be allowed to provide additional input. Ms. Gibb added that with regard to the general questions, they are particularly helpful in getting residents into the right frame of mind prior to diving into specifics. They are used as warm-up questions allowing residents to focus on their overall quality of life and more contextual issues. She recommended that the survey be conducted no more than four times per year out of concern for relative fatigue and two being an acceptable number.

3. Review of Business Meeting Agenda – Mayor Mike Weichers.

Mayor Weichers reviewed the Business Meeting Agenda.

The public hearing for the proposed budget amendment for fiscal year 2021-2022 was to be led by Administrative and Fiscal Services Director, Scott Jurgens.

The first action item will include consideration of Ordinance 376 granting a Telecommunications Franchise to Vaix, Inc. dba Senawave Communications. Public Works Director, Matt Shipp, reported that it is a Franchise Agreement with a communications company where easements in the City's right-of-way are granted. For a communications company to perform work in the City, they must first obtain a Franchise Agreement. Vaix, Inc. has requested work be completed coming out of the canyon. He confirmed that the agreement will grant access to the right-of-way. They are required to go through the right-of-way process when access is almost always underground.

The next agenda item was consideration of Ordinance 377 approving an amendment to the 2021-2022 budget. The discussion was to be led by Mr. Jurgens.

The third agenda item was consideration of Resolution No. 2022-15 approving a Consulting Agreement with VODA Landscape and planning for the Mountain View Park Pollinator Gardens. Community and Economic Development Director, Michael Johnson, reported that this item involves the pollinator garden, which was one of the three Parks, Trails, and Open Space Committee's priority projects presented to the Council in late 2021.

The last agenda item was consideration of Resolution 2022-16 regarding speed on Wasatch Boulevard.

4. **Staff Reports.**

a. **Proposed Budget Adjustment for Fiscal Year 2021-2022 – Administrative and Fiscal Services Director, Scott Jurges.**

Mr. Jurges presented the proposed budget adjustment for fiscal year 2021-2022. The first item involved the 2014 to 2016 building bonds.

- The fiscal year savings for the current year was \$200,000. Details were to flow in the Debt Service Fund.
- The State of Utah Arts and Museums for \$4,500 was to be used to help offset a portion of an FTE.
- An \$8,520 Zoo, Arts, and Parks (“ZAP”) Grant for the Arts Council was received with more to come as ZAP distributions are made twice throughout the year.
- \$16,800 was received from Brooksy Marathon to cover the Police Overtime Reimbursement, \$6,235 for reimbursement of insurance for buses used to transport runners, and other costs of \$706 for a total of \$23,741.
- A \$5,719 Police Justice Assistance Grant to be utilized for training.
- Police cell phone auction proceeds in the amount of \$950.
- Evidence and unclaimed cash in the amount of \$263. A contribution would be made to the Cottonwood Heights Parks and Recreation Foundation from those funds.
- \$3,270 for the Canyons School District event for police overtime.
- Reimbursement for Police Driving Under the Influence (“DUI”) shift Highway Safety Overtime in the amount of \$17,928 was received. They are requesting it be added back into the Police Overtime budget.
- Click It or Ticket overtime of \$3,946.
- Restitution was received that typically results from damage done to items.
- Antczak Park improvements to complete capital improvements.
- Parks and Maintenance in the amount of \$47,400.
- Transfer to the Capital Improvements Fund for design funding of the Public Works Building. The funds will be reimbursable from bond proceeds.

Mr. Jurges reported that there was an increase in the General Fund of \$400,000 in expenses or transfer and a revenue increase of just under \$70,000. The net impact to the General Fund was \$331,572.

The Debt Service Fund reflected the following:

- An increased interest expense of \$71,548. It was recognized that investment revenue income of \$175,000 is related directly to the Escrow Account.
- Bond proceeds totaling \$77,031 were related to the closing of the bond that came from bond funds. \$14,171,000 million in proceeds would come into that bond, much of which would go into an Escrow Account. The funds would be utilized to service payments prior to the 2024 balloon payment.

- Reduction in transfer from the General Fund to service the debt in the amount of \$200,828 as a result of financing.
- PTOS projects include \$10,000 for the pollinator garden, \$2,400 for the Golden Hills hammock posts, and \$35,000 for Ferguson Canyon upgrades for a total of \$47,400.
- Capital Improvements Public Works Design Funding.

Mayor Weichers stated this item will be up for a vote during the Business Meeting.

b. Proposed Reclassification Discussion – Public Works Director, Matt Shipp.

Mr. Tingey reported that this is a follow-up from the last Work Session where the City Council directed staff to prepare a resolution for consideration of the proposed reclassification. The direction was focused on speed elements and design components along Wasatch Boulevard, cognitive of impacts on adjacent neighborhoods, and the City’s efforts to influence the Utah Department of Transportation (“UDOT”) in the process.

Council Member Birrell thanked staff for their preparation. She hoped the resolution would allow UDOT to clearly understand that traffic calming is needed along the 2.6 miles from Fort Union Boulevard south to the high-T intersection. UDOT’s preference is for both the large commercial parking garage associated with their gondola to be located in Cottonwood Heights. A map was displayed. Council Member Birrell stressed the importance of maintaining a single lane. She was opposed to UDOT’s plan to send commuters to the City’s eastern section.

Mr. Johnson reported that in the City’s formal comment to UDOT, they were critical of the gondola option since their proposal does not resolve the local impact. Opposition to a five-lane priority on the Wasatch Front Regional Transportation Plan was shared. Speed issues were discussed.

Mayor Weichers confirmed that this item will be voted on during the Business Meeting.

c. Road Classification Discussion – Public Works Director, Matt Shipp.

Public Works Director, Matt Shipp, reported that this item is a follow-up from the previous meeting where road classification and design speeds were discussed. Staff was in the process of finalizing the Transportation Master Plan and including them as subsections for contextual classifications. Arterial roads, collectors, and local road issues were identified. Mr. Shipp explained that the plan will include typical cross-sections with lane widths, park strips, sidewalks, and trails. Bike and trail elements will also be included with various right-of-way options. Modifications will be addressed, and the draft will return for review and approval at the second Business Meeting in April. Adoption was anticipated at the end of May.

5. Review of Calendars and Upcoming Events.

- a. **March 3 – 9:00 a.m. – Legislative Work Session – Zoom Meeting.**
- b. **March 8 – General Plan Open House from 5:30 p.m. to 7:30 p.m. at City Hall.**

- c. March 11 and 12 – Cottonwood Heights Arts Council Willy Wonka Musical Auditions at City Hall.
 - d. The Cottonwood Heights Children’s Choir Free Registration for School Grades 3 thru 6. Ends March 25, 2022 – For more information please visit chcityarts.com or contact Aeatchel@ch.utah.gov.
 - e. July 28-30, 2022 – Cottonwood Heights Butlerville Days (Volunteers and Sponsors needed. For more information, visit butlervilledays.com or call Ann Eatchel at 801-550-8225.
6. Possible Closed Meeting to Discuss Litigation, Property Acquisition and/or the Character and Professional Competence or Physical or Mental Health of an Individual.

There was no closed meeting.

7. Adjourn City Council Work Session.

MOTION: Council Member Newell moved to adjourn the Work Session and move to the Community Development and Renewal Agency (“CDRA”) Meeting. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 5:09 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (“CDRA”) BUSINESS MEETING HELD TUESDAY, MARCH 1, 2022, AT 5:15 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD

Members Present: Mayor Mike Weichers, Council Member Douglas Petersen, Council Member Scott Bracken, Council Member Shawn E. Newell

Staff Present: City Manager Tim Tingey, City Attorney Shane Topham, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Finance and Administrative Services Director Scott Juges, Public Works Director Matt Shipp, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim

Excused: Council Member Ellen Birrell

1.0 WELCOME

Mayor Mike Weichers called the meeting to order at 5:20 p.m.

2.0 CONSIDERATION OF RESOLUTION 2022-01 ELECTING OFFICERS AND APPOINTING STAFF.

City Manager, Tim Tingey, presented the Staff Report and stated that as part of the State Code under Redevelopment Agencies, the governing body elects City Council Members to the Board of Directors. With changes in the recent election and with Mayor Weichers present, there is a need to consider Resolution 2022-01. Consistent with the City’s bylaws, this resolution would name Mayor Mike Weichers as Chair, Scott Bracken as Mayor Pro Tempore, Tim Tingey as Chief Executive Officer, Scott Juges as Finance Director, Paula Melgar as Secretary, along with Tric Mayorga.

MOTION: Board Member Bracken moved to APPROVE Resolution 2022-01. The motion was seconded by Board Member Petersen. Vote on motion: Board Member Petersen-Aye, Board Member Bracken-Aye, Board Member Newell-Aye, Chairman Weichers-Aye. The motion passed unanimously.

3.0 INTRODUCTION TO THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (“CDRA”) – CDRA CEO, TIM TINGEY, AND COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR, MICHAEL JOHNSON.

Mr. Tingey provided a background of the Community Development and Renewal Agency (“CDRA”). He explained that redevelopment agencies are governed by Title 17 (c) of the State Code and are entirely separate entities. It is defined as a board consisting of the legislative body with key powers including entering into contracts, bonds, and acquiring, holding, or operating personal property among a variety of other functions. Once an area has been defined and goes through the approval process, any new increase in property taxes in those areas can be collected.

It is also called Tax Increment Financing (“TIF”) once the area is created. Funds can be utilized for redevelopment or economic development purposes. The four types of areas include the following:

- Urban Renewal Area. Requires a blight finding and the need for a catalyst to initiate redevelopment and remove blight. There is limited use of eminent domain and determinations of whether Tax Increment Financing can be used upon the creation of an area by a Taxing Entity Committee. There often is a need for housing to be set aside and designated for low to moderate-income housing.
- Economic Development Area. Focuses on job creation and influencing the tax base based on job creation, economic activity, and preserving or creating jobs. These economic development areas must be approved by a taxing entity.
- Community Development Area. A hybrid of both the Urban Renewal Area (“URA”) and the Economic Development Area (“EDA”). No taxing entity committee was created, and negotiation was through the Taxing Entity Committees who voluntarily participate in these areas through Interlocal Agreements.
- Community Reinvestment Area. Initiated through a process to approve a Project Area Plan, adopt a survey or area resolution that designates the area. It contains a statement that the survey area requires study to determine whether project development is feasible.

Mr. Tingey reported that there are two areas where the City has adopted an Area Resolution Plan. They are in the process of working with taxing entities to determine if those areas will be approved. The approval process was reviewed. Mr. Tingey reported that there are two older project areas consisting of the Cottonwood Corporate Center Project Area, which was created in 1997 as originally an Economic Development Area. The Fort Union Project Area was created in 1990 as an Urban Renewal Area Plan. The Canyon Center Community Development Area was more recently approved through Interlocal Agreements with the required taxing entities. Any amendments or changes to the plan would be required to return to the CDRA and the Interlocal Agreement process to amend the plan with each of the taxing entities.

The resolution was approved for the two proposed developments. Negotiations with the taxing entities will move forward. A map of the area of the Town Center was displayed. Mr. Tingey reported that Salt Lake County is not supportive of the proposal and changes were anticipated at the legislative level relative to retail incentives. The area was described as 73 acres located at Fort Union Boulevard and 2300 South. The issues included a focus on creating a Town Center as defined in the Fort Union Master Plan.

The final proposed plan was a Community Reinvestment Plan for the 263-acre gravel pit area. Mr. Tingey stated that this is looked upon more favorably by the taxing entities and negotiations were ongoing.

4.0 FUNDING DISCUSSION FROM PREVIOUS SALT LAKE COUNTY PROJECT AREAS - CDRA CEO TIM TINGEY, CDRA ATTORNEY SHANE TOPHAM, AND COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR, MICHAEL JOHNSON.

Mr. Tingey presented the Staff Report and stated that there are two older areas identified as Cottonwood Corporate and Fort Union, which were created in 1990 and 1997 respectively. \$1.7 million was transferred as part of the two areas to the City of Cottonwood Heights. After discussions with the CDRA Board, projects were identified for consideration using available funds. The Council provided direction and agreed to provide reimbursement for all projects allowed under the existing plans in the plan area categories. Projects included road chip reimbursement, Fort Union Park intersection improvements, Big Cottonwood Trail reimbursement, and the 3000 East right-of-way improvement. The reimbursements totaled \$395,000. The following additional projects were identified that could be potentially funded with the remaining \$1.3 million:

- 20% set aside for affordable housing in the amount of \$340,000;
- Fort Union Project Areas:
- Development of a Housing Fund to assist homeowners in the low to moderate-income categories;
- Trail and recreation element;
- Multi-use path within the project area; and
- Mid-block pedestrian crossing.

The proposed enhancements were described. Mr. Tingey stated that discussion would continue. Council input was invited.

5.0 APPROVAL OF MINUTES.

There were no minutes to be approved.

6.0 ADJOURN.

MOTION: Board Member Newell moved to CLOSE the CDRA Meeting. The motion was seconded by Board Member Bracken. The motion passed with the unanimous consent of the Board.

The CDRA Business Meeting adjourned at 5:49 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, MARCH 1, 2022, AT 6:30 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD**

Members Present: Mayor Mike Weichers, Council Member Douglas Petersen, Council Member Scott Bracken, Council Member Shawn E. Newell, Council Member Ellen Birrell

Staff Present: City Manager Tim Tingey, City Attorney Shane Topham, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Finance and Administrative Services Director Scott Jorges, Public Works Director Matt Shipp, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim

1.0 WELCOME – Mayor Weichers.

Mayor Mike Weichers called the meeting to order at 6:30 p.m. and welcomed those present.

2.0 PLEDGE OF ALLEGIANCE.

The Pledge was led by City Manager, Tim Tingey.

3.0 CITIZEN COMMENTS

Nancy Hardy stated that there are jersey barriers around the City that look like a temporary construction zone. She asked if they are permanent and requested that they be beautified or replaced with something that is more aesthetically pleasing. She questioned the location of short and long-term projects within the City. Public Works Director, Matt Shipp, stated that the jersey barriers on Bengal Boulevard will be changed out with the project.

City Manager, Tim Tingey, stated that one public comment was received via email from *Diane Forster-Burke* and will be made part of the record.

John Adams commented on the Y2 Analytics Survey and suggested that the City get feedback from citizens as to the types of questions they want to be raised. He recognized that growth is of concern. He referenced the Between the Canyons Newsletter and stated that the lead story is an opinion section rather than news. He recommended it be moved to the back of the newsletter and news placed in front.

There were no further citizen comments.

4.0 PUBLIC HEARING

4.1 Proposed Budget Amendment for Fiscal Year 2021-2022 – Administrative and Fiscal Services Director, Scott Jurges.

Administrative and Fiscal Services Director, Scott Jurges, presented the proposed budget amendment for Fiscal Year 2021-2022. The first item was the 2021 bond that refinanced the 2014 and 2016 bonds. The average savings will be \$85,000 per year.

- The fiscal year savings for the current year was \$200,000. Details were to flow out in Debt Service Fund.
- \$4,500 from the State of Utah Arts and Museums will be used to offset a portion of an FTE.
- An \$8,520 Zoo, Arts and Parks (“ZAP”) Grant for the Arts Council was received with more to follow. It was noted that ZAP makes two distributions per year.
- \$16,800 was received from Brooksy Marathon to cover the Police Overtime Reimbursement, \$6,235 for reimbursement of insurance for buses used to transport runners, and other costs of \$706 for a total of \$23,741.
- A \$5,719 Police Justice Assistance Grant to be utilized for training.
- Police cell phone auction proceeds in the amount of \$950.
- Evidence and unclaimed cash in the amount of \$263. A contribution would be made to the Cottonwood Heights Parks and Recreation Foundation from those funds.
- \$3,270 for the Canyons School District event for police overtime.
- Reimbursement for Police Driving Under the Influence (“DUI”) shift Highway Safety Overtime in the amount of \$17,928 was received. They are requesting it be added back into the Police Overtime budget.
- Click It or Ticket overtime of \$3,946.
- Restitution was received that typically results from damage done to items.
- Contribution to Cottonwood Heights Parks and Recreation District to be utilized on Antczak Park improvements to complete capital improvements funded through the American Rescue Plan Act Funds (“ARPA”). Funds were expected to be received in late spring 2022.
- Transfer of \$47,400 to Capital Improvements Fund to cover new projects and reduce the Parks, Maintenance, and Water budget by \$47,400 resulting in a net-zero impact on the General Fund.
- Transfer to the Capital Improvements Fund to pay for the design of the Public Works Building. The funds would be reimbursed from bond proceeds. The net was an increase of \$353,501 in expense/transfers and \$69,329 in revenue. The total net impact for the use was \$284,000 this fiscal year.

The Debt Service Fund was next reviewed. Mr. Jurges reported this is where accounting for the bond financing is reflected. The 2014 and 2016 bonds are not currently callable but will be callable in 2024. Funds are held in escrow and the funds are utilized while earning interest from a secure investment. After the payoff in 2024, the outstanding refinancing from the 2021 bond is all that will remain.

- Increased interest expense of \$71,548 will be offset by interest earnings of \$175,000.
- The bond proceeds totaled \$14,171,000. \$77,031 was required to be paid relative to the closing of the bond from bond funds.
- The net reduction of the transfer from the General Fund will service the debt in the amount of \$200,828 as a result of financing.
- PTOS projects included \$10,000 for the Pollinator Garden at Mountain View Park, \$2,400 for the Golden Hills hammock post, and \$35,000 for Ferguson Canyon upgrades for a total of \$47,400.
- Capital Improvements Public Works design funding.

Mr. Juges reported that additional adjustments will be made in May 2022 and include the sale of City vehicles and revenue into the CDRA Fund for the Canyon Center Project.

Mayor Weichers opened the public hearing.

Micki Harris appreciated Mr. Shipp and thanked him for his efforts looking into Code 14 to help with speed adjustments throughout the City. She thanked Mr. Tingey for taking the time to meet with the residents and for being forward-thinking with respect to transportation. She appreciated Police Chief, Robby Russo, for his speed enforcement efforts.

There were no additional public comments. The public hearing was closed.

5.0 ACTION ITEMS

5.1 Consideration of Ordinance 375 Granting a Telecommunications Franchise to Vaix, Inc. dba Senawave Communications.

MOTION: Council Member Newell moved to APPROVE Ordinance 376. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Weichers-Aye. The motion passed unanimously.

5.2 Consideration of Ordinance 377 – Approving an Amendment to the 2021-2022 Budget.

MOTION: Council Member Bracken moved to APPROVE Ordinance 377. The motion was seconded by Council Member Newell. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Weichers-Aye. The motion passed unanimously.

5.3 Consideration of Resolution No. 2022-15 Approving a Consulting Agreement with VODA Landscape + Planning for the Mountview Park Pollinator Gardens.

MOTION: Council Member Petersen moved to APPROVE Resolution 2022-15. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Weichers-Aye. The motion passed unanimously.

5.4 Consideration of Resolution No. 2022-16 Concerning Wasatch Boulevard.

Mayor Weichers stated the above item involves consideration of Resolution 2022-16 concerning speeds on Wasatch Boulevard. Council Member Birrell identified two typos. Mr. Tingey stated that the second version included in the packet included changes recommended by Council Member Bracken. It was confirmed that the typos would be corrected.

MOTION: Council Member Birrell moved to APPROVE Resolution 2022-16. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Weichers-Aye. The motion passed unanimously.

6.0 CONSENT CALENDAR

6.1 Approval of the City Council Work Session and Business Meeting Minutes for February 15, 2022, and City Council Legislative Work Session Minutes of February 17, 2022.

MOTION: Council Member Petersen moved to APPROVE the City Council Work Session and Business Meeting Minutes of February 15, 2022, and City Council Legislative Work Session Minutes from February 17, 2022. The motion was seconded by Council Member Newell. The motion passed with the unanimous consent of the Council.

7.0 ADJOURN CITY COUNCIL BUSINESS MEETING

MOTION: Council Member Newell moved to adjourn. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 7:05 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session, CDRA Meeting, and Business Meeting held Tuesday, March 1, 2022.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: March 22, 2022