

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, FEBRUARY 21, 2023, AT 4:00 P.M. IN THE COTTONWOOD
HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

Members Present: Mayor Mike Weichers, Council Member Scott Bracken, Council Member Douglas Petersen, 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, Administrative and Financial Services Director Scott Jorges, Police Chief Robby Russo, Public Works Director Matt Shipp, IT Manager Matt Ervin

1. WELCOME – Mayor Weichers.

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

2. CRIME PREVENTION TECHNOLOGY – Chief Russo.

Police Chief, Robby Russo introduced Hector Soliman-Valdez and Kraig Gardner from Flock Safety. He first became familiar with crime prevention technology during a traffic accident where a car fled the scene. Midvale City notified the Cottonwood Heights Police Department (“CHPD”) moments later with the car’s location and photos. They reported that cameras are strategically placed throughout the State for the sole purpose of capturing license plates.

Flock Safety Community Engagement Manager, Hector Soliman-Valdez, stated that their company was established in 2017 in Georgia after their Chief Executive Officer (“CEO”) and neighbors were repeat victims of crime. He researched license plate technology with the intent of identifying the offender and making it available to neighborhoods. Flock Safety uses the same level of technology as police departments but has software as a service-type model with camera installation and maintenance at \$2,500 per camera. The camera identifies the vehicle and license plate without facial recognition or personally identifiable information. The information allows police to search by make, model, and color and provides an investigative lead. Flock Safety has a unique 30-day standard of attention that they believe provides adequate time for a report and investigation. It is automatically deleted after 30 days.

Mr. Soliman-Valdez reported that the software is proactive in that any time a vehicle on a wanted list enters the City, the Police Department is notified within 20 seconds along with the vehicle’s location. This type of technology also provides protection and safety to the community. Unlike legacy providers, Flock Safety has and will never sell the data associated with the camera. The data is owned by the City and may only be shared within the Police Department and its system for legal law enforcement purposes. The data is stored in an Amazon Web Services (“AWS”) Government cloud with the highest level of encryption with Amber Alerts automatically tied in.

Mr. Gardner reported that there are multiple cameras throughout the State ranging from Salt Lake City to Nephi and the majority of Weber County. He described recent recoveries utilizing the Flock Safety cameras with the Police Departments having shared information and connectivity. Flock Safety cameras are currently operating in 1,400 communities nationwide. The Cottonwood Heights Police Department would have access to that data when working on a larger scale. The transparency portal allows the City to provide a link detailing the Flock Safety technology, searches performed, hotlist alerts, and provide real-time data.

With regard to data retention, Mr. Gardner reported that the evidence that is in the custody of the department would be part of an ongoing investigation. The department will download the data into its evidence system to which evidence policies apply. Anything else the department has not received would be deleted within 30 days.

Council Member Newell expressed concern with the State of Utah having an issue several years prior with similar technology. He asked how Flock Safety will provide a level of confidence to ensure that the City will not have similar concerns. Mr. Gardner explained that the previous issues were with private cameras with no oversight.

Mr. Soliman-Valdez was familiar with the law of 2012 and is an expert in License Plate Reader (“LPR”) Technology. The law was pointed at private companies collecting mass data on people and sharing or tracking the data. Flock Safety has taken a stance to retain a limited amount of retention time with no personally identifiable information and provide the police with the tools they need to solve crime in real-time without collecting data on the community. Their focus is to protect people’s privacy but still have access to the immediate needs of the community when something dangerous is happening. The retention policy was reviewed. Mr. Soliman-Valdez confirmed that information may be accessed with a case number or a reason to search the information from a hot list from the National Crime Information Center (“NCIC”). Flock Safety acts as a Custodian of the data and it automatically purges itself over time unless the Police Department pulls the information in. Instances of vehicle recovery were shared. Mr. Soliman-Valdez confirmed that the cost is \$2,500 per year per camera with a \$350 installation fee that includes permitting, installation, maintenance, and software. The cameras can be strategically placed to cover six lanes in the same direction.

Records, Culture, and Human Resources Director, Paula Melgar, reported that the retention schedule for body camera videos specifies that they will be retained until the issue is resolved at which time the records are destroyed.

Council Member Birrell stated that when reviewing the CHPD heat map, officers spend the greatest amount of time where cameras already exist. She did not support spending an abundance of resources helping big box stores with petty crime. She considered spending \$30,000 annually toward crime management in an area that is already receiving the majority of time and resources to be unnecessary.

Council Member Peterson asked if the CHPD has ever put a dollar amount to the cost of crime in the City. Chief Russo responded that when an officer takes a report, they enter an estimated dollar amount of the loss of value for property crimes. Mr. Soliman-Valdez added that the City of

Springville is a Flock customer and one of their cameras was recently able to identify and capture someone stealing packages off of porches.

Mayor Weichers thanked Flock Safety for their report and efforts to keep the City safe.

3. **FORM-BASED CODE UPDATE – Community and Economic Development Director, Michael Johnson, and Mr. Mark Morris with VODA Planning.**

Community and Economic Development Director, Michael Johnson, reported that he has been meeting weekly with Mark Morris from VODA Planning to develop the Form-Based Code for Cottonwood Heights. He reminded the City Council that funding to develop the Form-Based Code was awarded along with the funding for the General Plan. Both are being developed together.

Mr. Morris led the Form-Based Code discussion and stated that the Code is expandable and they have focused implementation into three specific nodes within the City. The intent is to implement some of the goals and objectives during the General Plan process. The three goals included the following:

- Update the City Code to better align with the City’s vision for development along Fort Union Boulevard;
- Support implementation of existing City Master Plans along the corridor; and
- Goals from the draft of the General Plan to provide clarity and support in the Code.

Mr. Morris reported that a Form-Based Code first establishes a place type. They have focused on three particular nodes along a very specific route in the City. For clarity and simplicity, they reviewed the Fort Union Boulevard community type and identified the three different nodes and the difference in scale, which is defined by the boulevard. The next level of definition will focus on District types. He explained that the structure of the Code is made to be widely applicable. They are not fundamentally changing any of the City’s street grid but are trying to improve the internal circulation.

Council Member Birrell stated when reading the Master Plan, there was a desire to see a transformation of Fort Union Boulevard while creating a main street feeling ultimately reducing the number of vehicular lanes. Mr. Morris reported that those types of items are being discussed with Staff and at this point have included the boulevard type. He stated that there is not a lot of change between the boulevard scale and interior redevelopment scale.

Mr. Johnson explained that the degree and applicability are determined by the City Council and as the Code is developed, they will decide how it is implemented. As Planned Development District (“PDD”) is an option, it does not have to be followed or go through that process and the Council can use standard zoning. Typically, a Form-Based Code will be the only option so the developer will know exactly what they are getting along the redevelopment corridor. How it is implemented is ultimately determined by the City Council.

Mr. Morris stated that they are trying to make decisions in advance and determine the type and intensity of development as well as circulation. When development is presented, the City will already have a Code that will detail the requirements and how the development will look. These are not architectural standards but a focus on how the built-in environment contributes or makes it feel less like a town center. He noted that the Code is about context and additional place types that may be brought in in the future. Building types were reviewed.

Non-conformity was discussed. Mr. Morris stated that the intent is never to require every property owner to change to meet the Form-Based Code. Triggers are included in the Code to identify if certain thresholds are met. Certain requirements must be included. He clarified that this is where the Codes will impasse access and easement issues as changes take place. The focus remains on the form bringing items to the street making the area feel like the center of the City where aesthetics may be changed but the location or layout may not.

Mr. Johnson reported that the Code is being developed based on some of the goals in the general plan and essentially becomes an implementation step. It adds more predictability as to how the redevelopment of Fort Union will take place and codifies what is in the General Plan and Master Plan. He referenced the Canyon Center and townhomes at 1700 East and Fort Union Boulevard that were developed in the same zone. The same rules apply to both developments but they look very different from one other. The Code may change further east or west but adds more predictability up front and is calibrated to fit the location.

A map of the area was displayed. Mr. Johnson reported that the Union Park District is the furthest west node being discussed. The Highland Drive node will be established with a different type of district while the third would include the 2300 East district which is being defined as Town Center. The district type closely resembles traditional zoning while identifying the differentiation that may be built. He explained that the Union Park Center will have its own definition and be unlike any other part of the City with the level of intensity or development that is currently taking place. The Fort Union Boulevard area will include parcels that abut the major corridors. The last is the Residential Transition District which determines the areas they are trying to buffer and be defined differently. This area will potentially define civic buildings, schools, and churches. A use table was referenced.

4. REVIEW OF BUSINESS MEETING AGENDA – Mayor Mike Weichers.

The Business Meeting Agenda items were reviewed and discussed.

Mr. Johnson reviewed consideration of Ordinance 394 Amending the PDD-2 Zoning Ordinance enacted under Ordinance 364-A. This zone specifically applies to the development of the northern gravel pit and does not modify any other ordinance, requirement, or process. The amendment clarifies that the provision is based on the City's Sensitive Lands requirements and development codes. Any studies resulting in a significant change to what has been approved must go back through the public process. This does not allow for a substantial reduction or increase in any intensity without the full public process. It would, however, allow for minor 10% reductions in the building measurements as a result of ongoing engineering and study of the site.

Council Member Bracken was in favor of providing flexibility to make minor adjustments. He suggested considering future PDD zones to include something similar when reviewing a reduction in unit counts.

Council Member Birrell stated that the first step of the Sensitive Lands Evaluation and Development Standards (“SLEDS”) Ordinance rewrite should determine what land is compliant. She believed that having buildable land sites in sensitive lands should be legislatively approved with due diligence in the approval and decision-making process.

5. STAFF REPORTS.

a. Little Cottonwood Design Contract – Community and Economic Development Director, Mike Johnson.

Mr. Johnson reported that the Little Cottonwood Design Contract will consist of a Trailhead Design Concept for the City-owned 26-acre parcel near the mouth of Little Cottonwood Canyon. Utah Open Lands purchased the property through a fundraising process using substantial City contributions in 2020. Ownership was turned over to the City and the property includes a conservation easement. He confirmed that this has always been identified as a potential Bonneville Shoreline Trail trailhead access location. The proposal is for \$3,000 development of a concept site plan and allows the City to seek future outside funding. Access was identified.

Council Member Birrell was opposed to the creation of additional parking lots and emphasized the need to consider traffic reduction. Mr. Johnson stated that the primary parking lot, final design, and circulation will accommodate all modes of transportation. A Contract Resolution will be before the City Council at the next meeting with the Project Kickoff to follow.

b. Budget Calendar Discussion – Administrative and Fiscal Services Director, Scott Juges.

Administrative and Fiscal Services Director, Scott Juges presented the Budget Calendar discussion and stated that forms were distributed to individual department heads allowing them to review their budget and changes. Items currently included were highlighted. A Budget Committee Meeting was proposed for March 14 with an Alternate Compensation Committee Meeting scheduled for March 16. City Manager, Tim Tingey, confirmed that they have flexibility in meeting times and will be reaching out to committee members. The May 2 meeting requires the adoption of a Tentative Budget providing a framework for what they anticipate at the beginning of the next fiscal year. The public hearing will take place on June 6 with the final property tax rate and adoption of the Budget on June 20.

c. Parade Parameters Discussion – City Manager, Tim Tingey and Records, Culture, and Human Resources Director, Paula Melgar.

Ms. Melgar presented the Parade Parameters discussion and stated that the Butlerville Days Committee met recently to review safety guidelines. Handing out candy was allowed as well as

participation for candidates seeking a seat or who are already serving. Public forums were discouraged.

Mr. Tingey clarified that prior to tonight's discussion, the wording in the Parade Guidelines did not allow or intend to serve as a political forum for discussing political issues. The proposed changes would now allow candidates to be an official part of the Parade. Political entry into the Parade was discussed. Ms. Melgar stated that participation will include candidates walking in the Parade and not stopping to interact. They will not be allowed to engage in discussion or debate. Only candidates who are running for office in Cottonwood Heights City will be allowed to be an official part of the parade. She confirmed that all members of the Butlerville Days Committee were in favor of the recommended changes.

6. REVIEW OF CALENDARS AND UPCOMING EVENTS.

- a. **February 15 – May 31, 2023 – Cottonwood Heights Children's Choir Rehearsals will be held Weekly on Wednesdays. Free Ongoing Registration for School Grades 3rd – 6th, 2023. For More Information Visit chcityarts.com or contact aeatchel@ch.utah.gov.**
- b. **February 23 at 9:00 a.m. – Legislative Work Session – *fully remote via Zoom.***
- c. **February 24 the Arts Council Presents – "Sweetheart Paint Night" Starting at 6:30 p.m. at City Hall. The cost is \$7.00. Preregistration is required due to limited seating.**
- d. **March 2 at 6:30 p.m. – Youth City Council Dinner with the Mayor and City Council.**
- e. **March 17 and 18 – Cottonwood Heights Arts Council *Guys and Dolls* Musical Auditions at City Hall.**
- f. **April 8 – City Easter Egg Hunt at Butler Park 10:00 a.m.**
- g. **July 27 through 29 – Cottonwood Heights Butlerville Days (Volunteers and Sponsors Needed. For more information, visit Butlervilledays.com or call Ann Eatchel at 801-550-8225).**

7. 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.

8. ADJOURN CITY COUNCIL WORK SESSION.

MOTION: Council Member Bracken moved to ADJOURN the City Council Work Session. The motion was seconded by Council Member Peterson. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 5:55 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (“CDRA”) WORK SESSION HELD TUESDAY, FEBRUARY 21, 2023, AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH

Members Present: Mayor Mike Weichers, Council Member Scott Bracken, Council Member Douglas Petersen, 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, Administrative and Financial Services Director Scott Jurges, Police Chief Robby Russo, Public Works Director Matt Shipp, IT Manager Matt Ervin

1.0 WELCOME – Board Chair Mike Weichers.

Board Chair Mike Weichers opened the meeting and welcomed those in attendance.

2.0 HILLSIDE PLAZA DISCUSSION – CEO Tim Tingey and Community and Economic Development Director, Mike Johnson.

City Manager, Tim Tingey presented the Hillside Plaza discussion and stated that since approval of the Amendment to the Purchase and Sale Agreement, Staff has been working on several different issues. The Codes, Covenants, and Restrictions ("CC&Rs") have been revised and issues addressed.

City Attorney, Shane Topham, reported that the City has come to terms with the seller on an amendment to the CC&Rs. He believed the amendment was acceptable and addresses the main concerns. Because the 2006 CC&Rs also encumber the Walgreens parcel, moving forward will require approval of the owners and lenders. He confirmed that the City is still waiting for approval from the property owner.

Community and Economic Development Director, Michael Johnson, stated that staff met with one of the tenants to receive direction on what they will and will not consider. Additional information and details will be available after the next City Council Meeting and may be discussed during a Closed Meeting as it pertains to a real estate transaction.

3.0 BOND DISCUSSION – Administrative and Economic Services Director, Scott Jurges.

Administrative and Economic Services Director, Scott Jurges, led the bond discussion and stated that there are two components related to the purchase of the Hillside Plaza property. The first is a grant received from the State of Utah to go toward the purchase price. It must be used within six months of receipt of the funds. The City will need to bond for the remaining portion including closing and title costs that may go into the purchase. He anticipated the total to be \$13.3 million of bonding with an annual payment of \$1.1 million, depending on current interest rates. The total

purchase price including closing costs would be \$14.3 million with an authorized increase of up to \$14.9 million if needed.

Mr. Topham asked if the grant is contingent on the property ultimately being used as residential as contemplated by the grant. Mr. Johnson stated that the grant requires residential use. The City will need to show a plan they are developing that reflects the residential component. Once the grant contract is signed, they have six months to encumber the funds and until 2025 to show substantial progress toward the use of the funds.

Stifel Institutional Managing Director, Matt Dugdale, presented information on the Municipal Market Update and stated that they are well underway in the bonding process. They will be in communication with the bank to review interest rates. The market continues to be volatile and they will continue to monitor them since banks are hesitant to hold the rate longer than 30 days. Market data was presented. He felt that the City will fare well and stated that financials are strong. The plan was to reach out to one lender and compare that with the market. Tax-exempt rates range from mid 3% to low 4% with taxable rates closer to 5.5%.

Mr. Jurgens reported that if the City is holding a tax-exempt property and were to sell more of that property, it immediately becomes due upon its sale if sold to a developer. If they overestimate and finance half on a tax-exempt bond, immediately half of the bond would then come due and payable. He recommended going to a taxable bond, holding the property for a short period of time until the development intentions become clear, and then trimming and refinancing the portion they intend to retain for a long period of time. Risk options were discussed.

4.0 APPROVAL OF MINUTES.

The minutes of this meeting will be approved through the following process: The Agency's Secretary promptly will circulate a draft copy of the minutes to the Board Members, who then will have three business days to provide any proposed corrections to the secretary. The Secretary will then circulate a revised draft of the minutes to the Board Members and the same review process will continue until no corrections to the draft minutes are received within the three business days review period, whereupon that draft of the minutes will be deemed approved and will become the final minutes of the meeting.

5.0 ADJOURN.

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

The Community Development and Renewal Agency Work Session adjourned at 6:25 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, FEBRUARY 21, 2023, AT 7:00 P.M. IN THE COTTONWOOD
HEIGHTS CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

Members Present: Mayor Mike Weichers, Council Member Scott Bracken, Council Member Douglas Petersen, 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, Administrative and Financial Services Director Scott Jurgens, Police Chief Robby Russo, Public Works Director Matt Shipp, IT Manager Matt Ervin

1.0 WELCOME

Mayor Weichers called the meeting to order at 7:00 p.m. and welcomed those present.

2.0 PLEDGE OF ALLEGIANCE

The Pledge was led by Community and Economic Development Director, Michael Johnson.

3.0 CITY COUNCIL COMMITTEE REPORTS

3.1 Committee Reports by Council Member Doug Petersen.

Council Member Petersen reported that he has been actively working on the Sensitive Lands Evaluation and Development Standards (“SLEDS”) Ordinance and thanked those present at the previous week’s Town Hall Meeting. He also serves on the Parks, Trails, and Open Space Committee (“PTOS”) and has been working with volunteers to become stewards and guardians of the parks. He works with the Business Committee to promote businesses in the City and has had the privilege of attending recent ribbon cuttings. He encouraged communication should residents have questions or concerns.

3.2 Committee Reports by Council Member Scott Bracken.

Council Member Bracken reported that the recent Town Hall Meeting regarding the Riparian Ordinance provided clarity and received positive resident communication. He believed the Ordinance would serve the City well. He serves on the Wasatch Front and Recycling Board and will be discussing the Trailer Reservation System to better serve the City. The Youth City Council continues its service. Applications were available online for high school-age students for the 2023-2024 school year. He stated that the CH2 Committee meets monthly to discuss grants and various recreational activities in the City.

3.3 Committee Reports by Council Member Shawn Newell.

Council Member Newell reported that he serves on the Arts Council, the Legislative Council, the Emergency Preparedness Council, Budgeting Council, and the Canyons School District Foundation Board.

- The Arts Council brings arts and entertainment to the City and encourages volunteers to assist in activities.
- The Legislative Committee is involved in the current Legislative Session and works closely with the Utah League of Cities and Towns (“ULCT”) to have conversations that may impact Cottonwood Heights.
- The Emergency Preparedness Council provides residents with training and opportunities to lead in the event of an emergency and represent their neighborhood.
- The Cottonwood Heights Police Academy is scheduled to take place on February 22 followed by the Great Shakeout on April 27th from 9:00 am to noon.

3.4 Committee Reports by Council Member Ellen Birrell.

Council Member Birrell reported she held a Town Hall Meeting with 35 in attendance. Residents expressed frustration with winter traffic. She encouraged the City and Cottonwood Heights Police Department (“CHPD”) to assist residents with difficulties in accessing their neighborhoods. She stated that the Utah Department of Transportation (“UDOT”) currently has its Zero Fares promotion that includes taking the bus, train, or TRA free of charge. Residents are interested in the Canyon Center and whether the public space can be developed sooner than later. She stated there have been two developments with the UDOT Environmental Impact Statement (“EIS”) Gondola Project. The Wasatch Front Regional Council (“WFRC”) has agreed to let UDOT have its \$1.4 billion gondola in the 2050 Regional Transportation Plan. UDOT announced that they are postponing their Record of Decision until the summer of 2023.

3.5 Committee Reports by Mayor Mike Weichers.

Mayor Weichers reported that Cottonwood Heights hosted the Conference of Mayors (“COM”) Meeting that involves all mayors in Salt Lake County. A promotional video of the City was presented and will be available to the City in the near future. He serves on the United Fire Authority Board and is in the beginning stages of the budgetary process. He serves on the Legislative Policy Committee alongside Council Member Newell and City Manager, Tim Tingey. They involve themselves with the ULCT to ensure that bills presented on the Hill are taken into account. Infrastructure Districts are being considered and the Legislature is considering allowing developers to create their own infrastructure district with their own eminent domain authority and bypass the role of the City.

4.0 CITIZEN COMMENTS

Nancy Hardy asked if the property designated for the Bonneville Shoreline Trail is designated as open space or as a parking lot. She was in favor of a small shuttle similar to the ones in Zion

National Park and believed a parking lot could be constructed at a later date. It was suggested that the Park and Ride at the entrance of the Little Cottonwood Canyon Parking Lot also be used for trail parking. She appreciated Council Member Birrell's efforts to reach out to residents and making herself available.

Will McCarvill gave his address as 3608 Golden Hills Avenue and expressed support for the Ordinance 394 amendment. He believed that all hazards had not been identified prior to investing time and effort into developing PDD-2. The SLEDs process is determined by the buildable area so development can happen and be successful. It should be applied to PDD-2 only and not establish a precedent for future development on sensitive lands. He asked that the City Council approve the proposed amendment as only a one-time fix to PDD-2. He did not think it should become standard operating procedure to make up for the failure of SLEDs to identify all hazards before developments are approved. He thanked Council Member Birrell for her informative emails.

Claire Geddes reported that she has worked on Capitol Hill with two organizations with an emphasis on utility regulation. A previous bill was written by Questar Gas, which would have changed regulations in their favor. It was supported by the ULCT. Although the bill was later repealed she was opposed to the relationship between the ULCT and the utility companies. She urged the Council to use caution when reviewing bills.

Allen Nielson reported that his family has resided in the area since 1928 and owns property on Cottonwood Cove Lane. He would like to see something done with the regulation against chickens. They currently own 20 chickens and one rooster and raise organic eggs. He asked the City Council for direction in reducing the restrictions in the zoning for residents who own farm animals on one acre and larger lots. He is involved in a lawsuit with Cottonwood Heights to determine his ability to keep animals under grandfather laws.

Clarence Zitting owns a one-acre lot on Cottonwood Cove Lane and has chickens. He would like to increase the size of his flock and emphasized the need to include a rooster to protect the hens. He was in favor of a change in zoning regulations for property owners with one acre or more.

Mr. Tingey admitted to the record written public comments submitted to the City Recorder prior to 4:00 p.m. on the date of the meeting. They were as follows:

Suzie Ellison applauded the City for the roundabout and for maintaining the character of the City by fighting against the gondola and the widening of Wasatch Boulevard.

Doug Gangee expressed concern about not having access to fiber cable within the community.

Mike Keeney shared comments related to mother-in-law and basement apartments.

Julien DuPont expressed support for the Riparian Protection Standards.

There were no further public comments.

5.0 PUBLIC HEARING

5.1 Public Hearing to Allow Public Input Regarding (A) the Sales Tax Agreement to be Entered into by and Between the City and the Cottonwood Heights Community Development and Renewal Agency, Utah for the Repayment of Agency's Sales Tax and Tax Increment Revenue Bonds, Series 2023 and (B) any Potential Economic Impact that the Project Described therein to be Financed with the Proceeds of the Bonds Issued Under the Act May Have On the Private Sector; and Related Matters – Introduction By Administrative And Fiscal Services Director Scott Jurges.

Mayor Weichers reported that the above matter allows public input regarding the Sales Tax Agreement to be entered into by and between the City and the Cottonwood Heights Community Development and Renewal Agency (“CDRA”) for the repayment of the Agency’s Sales Tax and Tax Increment Revenue Bonds, Series 2023.

Administrative and Fiscal Services Director, Scott Jurges reported that the City is planning to purchase the land for \$14 million with an additional \$300,000 in closing-related costs. \$1 million would be financed through a grant from the State of Utah with the remaining \$13.3 million being financed utilizing a bond over 20 years with an interest rate of 5% to 5.5%. The annual payment would be approximately \$1.1 million depending on the interest rate that is locked in.

Mayor Weichers opened the public hearing.

Claire Geddes was opposed to the proposed bond and understood that the property is being purchased for millions and the City has yet to contract with a developer. She was opposed to the use of tax dollars to guarantee private industry and investment and considered this to be outside the City Council’s purview. She was frustrated by the City purchasing the property without a developer.

Randy Whitehead was in favor of the Hillside Plaza Property purchase and represents just under 200 residents who share his support. The committee has come up with several proposals and submitted them to the City Council. Many residents are willing to fundraise for some of the development and do a portion of the work. He was overwhelmed by the support from residents throughout the City.

Stuart Browne asked if the City is in the business of purchasing land for development. He asked about the City’s reasoning for the purchase and believed they should have a profit in mind. As current valuations are declining, interest rates are increasing with the federal forecast interest rate at 5%. He understood that this is a long-term program and was opposed to the development.

Larry Larsen, a Timberline Drive resident, believed the business should stand on its own and not be subsidized. He was frustrated with the Canyon Racquet Club residents being exempt from paying property taxes for 25 years and considered it unfair to the rest of the residents.

Claire Geddes stated there are 32,000 people in the City and asked the City to conduct a poll and

allow the residents to vote on the issue.

There were no further public comments. Chair Weichers closed the public hearing.

6.0 ACTION ITEMS

6.1 Consideration of Ordinance 394 Amending the PDD-2 Zoning Ordinance Enacted Under Ordinance 364-A.

Council Member Birrell reported that she spoke with Mr. Johnson and understood that this is to be a one-time exception for the North Gravel Pit PDD Project. She was concerned with the amendment setting a precedent and felt that they need a strong SLEDs document that clarifies the requirements on the front side to developers. She asked that the Council postpone taking a vote.

MOTION: Council Member Bracken moved to APPROVE Ordinance 394. 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-Nay, Mayor Mike Weichers-Aye. The motion passed 4-to-1.

7.0 CONSENT CALENDAR

7.1 Approval of the City Council Work Session and Business Meeting of February 7, 2023.

MOTION: Council Member Petersen moved to APPROVE the City Council Work Session and Business Meeting of February 7, 2023. The motion was seconded by Council Member Newell. The motion passed with the unanimous consent of the Council.

8.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

MOTION: Council Member Bracken 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 7:52 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session, Community Development and Renewal Agency Work Session, and Business Meeting held Tuesday, February 21, 2023.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: March 21, 2023.