

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, MARCH 2, 2021, AT 5:00 P.M. THE MEETING WAS HELD
ELECTRONICALLY, WITHOUT A PHYSICAL LOCATION, AS AUTHORIZED BY
UTAH CODE ANNOTATED §52-4-207(4).**

Members Present: Mayor Mike Peterson, Council Member Scott Bracken, Council Member Tali Bruce, Council Member Christine Mikell, Council Member Douglas Petersen

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

1. Welcome and Determination – Mayor Peterson.

Mayor Mike Peterson called the meeting to order at 5:00 p.m. and welcomed those listening. He read in its entirety the declaration giving the Council the authority to hold the meeting electronically, without a physical location, pursuant to Utah Code Annotated §52-4-207(4).

2. Central Wasatch Commission Presentation.

Mayor Peterson reported that he represents the City as a member of the Central Wasatch Commission (“CWC”), which has been in existence for four years. He was involved in the first meetings and creation. CWC Deputy Director, Blake Perez, had been leading the efforts to explore a Mountain Transportation System (“MTS”). Mayor Dan Knopp from the Town of Brighton was also present and serves as the Chair of the CWC’s Transportation Committee. In the coming months, the Commission will attempt to build a consensus on the recommendation for an MTS that will tie into the Utah Department of Transportation’s (“UDOT”) Environmental Impact Study (“EIS”) process. For the last two years, they have gone through a thorough process of looking at various alternatives.

Mayor Knopp stated that it had been a pleasure to work with Mayor Peterson. He understands what is going on and protects the interests of the City of Cottonwood Heights. The CWC has worked to address long-standing issues and aspirations for the Central Wasatch Mountains. Members include all of the adjacent cities and jurisdictions of the canyons as well as Park City and Summit County. The Utah Transit Authority (“UTA”) also has an ex-officio member, Carlton Christensen who addresses bus issues. The project timeline for this year was described. A Visitor Use Study was also to commence later in the month and give an idea of the capacity of the canyons. The CWC will soon release a call for short-term projects to be implemented this summer.

By year-end, the expectation was that they will have finished the environmental dashboard, which will provide real-time feedback on the health of the various ecological components of the mountains. In 2020, they embarked on a journey to provide a framework for a comprehensive year-round transportation system. Over the course of the year, they have developed scoping

reports and during several public comment periods they prepared draft alternatives as part of an online game called “Design Your Transit System”. Participants invested in options they felt would meet the goals.

Since the beginning of the year, the CWC Board has immersed itself in learning more about the various modes. The next step was to arrive at a consensus recommendation for the Regional Mountain Transportation System. The Commission has the knowledge but they need facts to make an educated decision. Mayor Peterson has been very involved. Mayor Knopp stressed that the situation needs to be looked at as a 50-year model. They have focused on Little Cottonwood Canyon where the money is from the Legislature and is UDOT’s focus.

Mr. Perez described the Little Cottonwood Canyon EIS and how the MTS plan meshes together. He reported that the EIS alternatives are focused on winter season mobility along Wasatch Boulevard and SR-210. It is a combination of modes and demand management strategies that are being suggested. They call for tolling, reduced parking, and a combination of busses or a bus feeder system to cog rail or aerial system. The focus is 30 years in the future and trying to shift approximately 1,000 people per hour onto a transit option. In 2050, they anticipate just over 3,200 people per hour on the 30th busiest day. They want to ensure that approximately one-third are moving onto transit.

The MTS and CWC’s approach is for a much broader, regional alternative that builds and augments the EIS. Their values are part of the Mountain Accord. The key component to what would be recommended by the CWC is a year-round service that meets the varying needs of those who are accessing the mountains. The CWC has taken a strong position of trying to improve upon and scale up the number of people per hour that will be accessing the canyons 30 years from now. There was some question as to whether 1,000 people per hour is sufficient and what can be done to reduce the number of vehicles while still allowing for visitors into the canyons.

There will be a comprehensive package including transportation solutions and demand management strategies as well as land use policy. This is where the National Conservation Recreation Area (“NCRA”) Act comes into play. A package was being prepared that a consensus could be built around. It will meet the goals of both the EIS alternatives and the CWC MTS initiative.

Mr. Perez addressed Cottonwood Heights specifically. He stated that Mayor Peterson is good at reminding the CWC of the benefit of Cottonwood Heights being the City between two canyons and how residents along Wasatch Boulevard in particular are feeling about the impacts of canyon visitors. The CWC is aware of the importance of the Wasatch Boulevard Master Plan and recognizes the resources the City has put into developing it. The CWC’s policy has been to defer and support local jurisdictions on the plans.

Cottonwood Heights also depends on the watershed. The CWC takes into account Salt Lake City’s Department of Public Utilities’ Watershed Management Plan who is updating the plan this year. They will make sure that what is suggested complies with the management plans. In November, UDOT released two new alternatives that had significant impacts on Utah Open Lands. The CWC recognizes the importance of the land and contributed resources to preserving that space near the

mouth of Little Cottonwood Canyon. The City's role is to inform the CWC of their view on the alternatives and transportation solutions and have an influence on those decisions as part of their local jurisdiction planning process. They are also interested in hearing about the preferences of the local jurisdiction within the regional scale.

Mr. Perez next addressed the CWC's role in the EIS process. They are a participating agency and are in regular communication with the EIS team and executive administration and provide feedback. The CWC represents the nine-member jurisdictions in and adjacent to the Central Wasatch mountains. Their MTS approach is broader and they are attempting to build a consensus. When they make a recommendation they hope that it is thoroughly vetted, is something that each member jurisdiction can be proud of, and aligns with their visions and interests.

In the past 24 hours, Mr. Perez stated that they met with the UDOT EIS team and addressed how each of the alternatives fit within the CWC's MTS vision. Over the past few months, CWC staff developed a dynamic evaluation matrix that took each of the values that were important to the CWC and Mountain Accord and applied a grade to each of the alternatives. They will then refine it over the next few weeks with experts and others who have been engaged in the process. The Commissioners Summit is scheduled for Friday, March 19. Time was set aside to see if a consensus can be built on a regional MTS. Mayor Peterson stated that this is one more tool to facilitate the process. He explained that when looking at the alternatives, the direct impact on the City is significant.

Appreciation was expressed to the CWC for representing the City and conducting a more regional review of the issue. Commissioner Mikell struggled with the fact that they are looking at a 2050 transportation solution yet a decision needs to be made on the EIS. She struggled with the lack of long-term solutions and felt that there should also be short-term solutions to alleviate immediate problems. She did not have enough information on the matrix and struggled to see how they can make a determination within the desired timeframe. UDOT's mindset seems to be very narrow, which affects all of her constituents. She did not understand why anyone would oppose short-term solutions.

Mayor Peterson stated that it may take years to implement a system. Mayor Knopp stated that they have been working on it for 30 years and now is the time to move forward with some elements. To him, that means Little Cottonwood Canyon. Commissioner Mikell commented that she has three children who are ski racers at Snowbird and her office is located up Little Cottonwood Canyon. She has lived between the canyons for 15 years and is well aware of the situation. They are looking at the problem and considering spending \$500 million on a solution for peak times. She saw no reason to rush and suggested they do it right the first time.

Mayor Peterson stated that the discussion at the previous day's meeting was an emphasis on the need to not look just at Little Cottonwood Canyon. The MTS needs to take a regional approach and address parking concerns. He appreciated the feedback from the Council so that he can better represent their interests. Council Member Mikell hoped to have an opportunity between now and the Retreat to address the details comparing the various transportation modes. They are being asked to make a recommendation but she wanted to better understand the options. Mayor Peterson stated that they are not taking a position but simply discussing further direction. He noted that

UDOT will not suggest their EIS alternative preference for several months. Mr. Perez stated that they are planning to release the draft EIS this summer and put forward a decision by the end of the year. Mayor Peterson assumed that the intent at the upcoming Retreat is to further vet the information now that they have identified all of the modes.

Council Member Bracken identified the various issues that Cottonwood Heights and UDOT are dealing with. Having a long-term goal that they can apply to correct short-term steps is helpful. Council Member Petersen commented on the rail option and asked if it is something UDOT will consider with an open mind. Mayor Knopp stated that they brought it back and he hoped that they are sincere and will consider it. He considered it to be a very good long-term solution.

3. Review of Business Meeting Agenda – Mayor Peterson.

The agenda items were reviewed and discussed.

City Manager, Tim Tingey, reported on proposed appointments to the Planning Commission. He explained that Bob Wilde has served as an Alternate on the Planning Commission. There is now a vacancy and it was recommended that he be appointed to serve as a permanent member. The name of Lucy Anderson was also being put forward. She was excited about the opportunity and will serve as an Alternate. She will attend meetings and vote when another member is not present.

4. Staff Reports.

a. Utah Outdoor Recreation Grant Project Discussion – Community and Economic Development Director, Michael Johnson.

Community and Economic Development Director, Michael Johnson reported that over the last week a recreation grant offered through the Governor's Office of Economic Development was applied for. It is a State-wide opportunity for other recreation improvements. Over the past several years the maximum grant size was up to \$150,000 with a 50/50 match required. Only a portion can be an in-kind match. They are relatively short-term projects with the project needing to be completed within 24 months of the grant award. The application deadline is March 19. A list of the types of projects that are eligible was provided. What is sought are active public recreation and trail facilities. It does not fund new play equipment on playgrounds, sidewalks, or infrastructure repair. It is geared toward new amenities dealing with outdoor recreation. Because there is a deadline associated with the Ferguson Overflow Park Project, staff recommended that a grant be submitted for \$450,000 to help offset the City's cost of the park improvements. The full site improvements were listed and the parking and restroom are already funded through a separate grant. The natural park still needs to be constructed as well as the Bonneville Shoreline Trail Wayfinding and other amenities. The City would pursue \$150,000 to help offset costs.

A contract will be considered during the Business Meeting with Blu Line Design to formally begin engineering and designing the park portion of the site. The match will be used for in-kind work including the preliminary site design and the concept master plan. The remaining funds came forward as a Council priority at the Budget Retreat to complete the project. There are substantial matching funds for the project, which makes it an appealing project to complete this year. The

request was taken to the Parks, Trails, and Open Space (“PTOS”) Committee. They determined that it was the most timely project to complete this year. The Committee also provided a list of other recreation projects, which was provided.

Mayor Peterson clarified that the match and grant are at each \$150,000 for a total of \$300,000 to complete the project. Appreciation was expressed to the PTOS Committee for their list of projects, which can be referenced for future requests.

Council Member Mikell commented that some of the residents above Wasatch Boulevard do not want the Dog Park. She suggested that users be provided with a key fob to ensure that it is utilized only by residents of Cottonwood Heights. Mr. Johnson stated that there are broader concerns with a key fob system in a public park and only allowing some people to use it. He anticipated that because they are using State of Utah grant money they should not consider limiting access. It has to be built as a public park. The PTOS Committee recommended a Dog Park in the City and selected this site. Further input can be provided by the Council on the design and use of the site.

Mayor Peterson commented on issues regarding restricting use for a park that is paid for with State or County funds. He noted that it is not large enough to be a regional amenity and wanted to make sure that it is not overrun by non-residents as a regional attraction. There was a similar problem at Mount View Park with the splash pad. A question was raised about the potential for a pollinator garden and if it would work in conjunction with a community garden. It was noted that no interest was expressed during PTOS meetings.

b. Agreement with Blu Line Designs Corporation for Ferguson Canyon Park Design – Public Works Director, Matt Shipp.

Public Works Director, Matt Ship stated that the above matter involves a contract to move forward with the design of the park. Mr. Tingey confirmed that the project is required to be completed by the end of the year as part of the City’s contract with the County.

5. Review of Calendars and Upcoming Events.

Mayor Peterson reported that the Utah League of Cities and Towns (“ULCT”) is hosting a convention in April in Saint George. There are, however, restrictions with regard to attendance. It will be held both virtually and in person.

a. March 4 – 9:00 a.m. – City Council Legislative Work Session via Zoom.

6. Adjourn to CDRA Meeting.

MOTION: Council Member Bracken moved to adjourn the Work Session and reconvene in a CDRA Meeting. The motion was seconded by Council Member Bruce. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 6:04 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS COMMUNITY DEVELOPMENT AND RENEWAL AGENCY MEETING HELD TUESDAY, MARCH 2, 2021, AT 7:00 P.M. THE MEETING WAS HELD ELECTRONICALLY, WITHOUT A PHYSICAL LOCATION, AS AUTHORIZED BY UTAH CODE ANNOTATED §52-4-207(4).

Members Present: Chairman Mike Peterson, Board Member Scott Bracken, Board Member Tali Bruce, Board Member Christine Mikell, Board Member Douglas Petersen

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

BUSINESS MEETING

1.0 WELCOME

1.1 The Chair will Read the Written Determination Concerning an Anchor Location for this Electronic Meeting During the Current Pandemic, Pursuant to Utah Code Annotated §52-4-207(4).

Chairman Mike Peterson called the meeting to order at 6:06 p.m. He read in its entirety the determination giving the Council the authority to hold the meeting via Zoom, pursuant to Utah Code Annotated §52-4-207(4).

2.0 Canyon Centre Development Discussion – City Manager, Tim Tingey, and Canyon Centre Capital, LLC’s Chris McCandless.

Chair Peterson welcomed Chris McCandless from Canyon Centre Capital, LLC. City Manager, Tim Tingey stated that initially, he and Community/Economic Development Director Michael Johnson met with Mr. McCandless regarding a proposal to amend the Development Agreement. He noted that the CDRA Board will not make a decision tonight on the proposed amendment; rather, they are seeking input and direction. Chair Peterson commented that the Board does not have any authority to make any decision on this proposal without the approval of all of the taxing entities.

Mr. McCandless presented a brief history of the project from November 2019. The parking structure was completed and encompassed most of the site work. He commented that the work they have completed makes the project and office pad site work better. He noted that as part of their grading operations, they left granite rocks to landscape the park.

Approximately one year ago hotel construction commenced along with the restaurant. He stated that the restaurant is complete and open for business. The hotel will likely open in March 2021. He stated that an additional restaurant will likely be added along with a Shell station, which will

be under construction in the next two to three weeks. Once those elements are finished, the plaza will be complete.

The office podium was under contract to sell but the sale fell through. He noted that litigation ensued that resulted in a settlement with the prospective purchaser. They have had possession of the office podium for six to nine months and have been diligently trying to figure out what to do with it, including trying to build an office building.

Mr. McCandless presented a rendering of the building that was approved with a Conditional Use Permit. Part of the settlement with the previous buyer was that they were able to keep the work that was performed prior to the breach. One challenge was the impact of COVID-19 on the office market. He stated that his company owns buildings elsewhere and while the office market might not be dead, it has become extremely difficult with decreasing rates and increased costs.

Given the foregoing, Mr. McCandless stated that they would like the Board to consider and approve a modification to the office building. They proposed to include an office on the main level only, with three levels of luxury condominiums. The design reduced the size of the building in terms of height. Mr. McCandless acknowledged the concerns of the community with regard to the height of the building, so making the conversion as presented addresses those concerns. Mr. McCandless presented the floor plan of the proposed office level, which mirrors what was previously approved. He next presented the types of condominiums that are proposed for the upper levels. The exterior of the building will remain the same as previously approved, although they would make modifications to include patios off of each of the units.

Mr. McCandless commented that each level of condominiums will be similar. The roof level will be very close to what was previously approved. He stated that the rooftop gardens will benefit both the office and the residential units. The amenity/clubhouse area will be a meeting place to gather and utilize the rooftop garden.

The parking structure had been completed and from the street level, it is camouflaged well. They designated 270 stalls for the office space, with most of the residential parking on the third level and exclusive to the building. They made a slight change to the configuration to allow everyone in the building to have two parking stalls. They may be able to increase the public parking in the garage as needs arise.

Mr. McCandless addressed traffic impacts resulting from this proposed change. Hales Engineering was retained to prepare a traffic study that concluded that the 570 stalls already constructed for the project would be more than adequate to cover the required 381 stalls. Hales Engineering also concluded that the change would not overwhelm the surrounding streets.

Mr. McCandless addressed a question regarding the tax increment modification resulting from a change to residential. Their consultant, Jason Burningham modified the original Tax Increment Study ("TIS"). He noted that the Eight Settlers Restaurant is considerably larger than anticipated and the hotel is nicer than expected. The conversion of three levels of the office building to residential would result in an additional \$3.3 million in tax increment compared to the 2018 numbers approved by the CDRA Board.

If they continue with only the office building, he expects it to take five to 10 years before they get anything done. Currently, he cannot rent the office space for what it costs to construct the building. That, coupled with the infusion of office space available throughout the area due to COVID-19 downsizing, would result in it taking a long time to construct the building as 100% office space. He stated his belief that the community would like something there now, along with residential ownership opportunities.

Mr. McCandless highlighted the additional parking the proposal will create, the decreased height, and the additional Tax Increment Funds (“TIF”).

In response to a question from Board Member Bracken on the impact on the project budget, if the project remains an office building only, Mr. McCandless stated that the \$17,286,283 in office space value, as presented in 2018, would not be realized for five to 10 years. Board Member Bracken commented that the 2018 number for the office building only comprises 25% to 33% of the TIF, which would have a long-term impact on the overall budget.

Chair Peterson inquired about the expected use of the proposed condominiums. Mr. McCandless reported that they have an offer from someone who wants to construct the condominiums and they are aware that only 10 of the units could be used for any type of rental. When the hotel purchased the property, a deed restriction was incorporated on the office building that prevents the building from being offered as short-term rentals.

Mr. Tingey addressed a question regarding whether affordable housing codes impact the proposal and stated that the CDRA area was not created with an affordable housing component. Mr. Johnson confirmed that the area is not within the Planned Development District (“PDD”) and is solely within the mixed-use ordinance.

Board Member Petersen questioned the configuration of the parking with respect to weekend hours when the office area will be closed. Mr. McCandless explained that the preliminary structure will result in an additional 100 available stalls. They may restructure the Shared Parking Plan based on the various uses in the area to increase the number of stalls available to the public.

Mr. Tingey explained that the next step will be to work with Mr. McCandless to prepare a draft of the proposed Amended Redevelopment Agreement and present it to the Board. They will also need to renegotiate the Interlocal Agreements with the taxing entities, provided the CDRA Board wishes them to move in that direction. It was clarified that the \$3.3 million in additional TIF is in addition to the 2018 numbers previously approved. Board Member Bracken suggested running a pro forma budget on keeping just the office space with a 3-year/5-year/7-year delayed build and showing how that impacts the budget.

Chair Peterson requested more information on the parking and traffic impacts. Mr. Tingey noted that a full, updated Traffic Study and Planning Commission process would be part of the amendment to the Conditional Use Permit.

Mr. Tingey confirmed that staff has reviewed the presented numbers to understand the impacts. As the matter comes before the CDRA Board and taxing entities, all of the numbers will be outlined including the multi-year TIF projections. Board Member Bruce was comfortable moving forward.

Board Member Christine Mikell asked if the numbers could be broken down by taxing entity and compare what was previously approved with the new calculations. Mr. McCandless indicated that he would do that. Board Member Mikell also raised the prospect of a Cost Recovery Agreement to require the developer to pay for some of the entity's legal and consulting costs. Mr. McCandless was agreeable to a Cost Recovery Agreement.

Mr. Tingey confirmed that staff will come back with a complete Redevelopment Agreement with the proposed modifications. They would then proceed with the taxing entities. Chair Peterson confirmed that the Board was agreeable to moving forward conceptually subject to review of the documents. Board Member Mikell clarified that the presentation to the Board will also show a comparison of what was approved versus what is being proposed.

3.0 Project Prioritization for Canyon Centre Project's Tax Increment Funds – CDRA CEO, Tim Tingey, and CDRA Attorney, Shane Topham.

Mr. Tingey reported that in 1990 and 1997, the Fort Union and Cottonwood Corporate Center CDRA project areas were created. The plans for the project areas cover everything that was to be accomplished with the use of taxing and financing. In 2015, the funds were provided to the CDRA and delineated from the amounts in each of the areas. He provided an example of the Fort Union area, which comprises approximately \$1.5 million of the tax increment amount. Approximately \$450,000 was generated in the Cottonwood Corporate Project Area.

They looked at the proposed projects and requested input from the CDRA Board. He referenced the Kyle Fielding Report that stated that if they were looking to spend funds outside of these project areas, they would be required to go back to the Taxing Entity Committee ("TEC") for approval of spending. Mr. Tingey commented that based on his experience with the TEC, he can assume that they would want the projects to be tied closely with the designated project areas, along with the inclusion of an affordable housing component. Additionally, they would likely focus on how the project enhances economic development and the tax base.

Mr. Tingey presented the recommended projects to the Board. He stated that they would propose an affordable housing set aside for both areas. The total amount available is \$1.7 million and they have broken that figure out by area. They have allocated approximately 77% to the Fort Union area and 23% to the Cottonwood Corporate area. Additionally, they have included an affordable housing set aside. He noted that there are a number of things they can do to enhance affordable housing in the community. One is to partner with non-profit housing organizations for repairs. He highlighted two areas in the Fort Union area that would provide reimbursements to the City's General Fund for work that has already been completed. Other options include the Union Park Hillside Trail that would require TEC approval, a Park Center multi-use path in the project area, and a mid-block pedestrian crossing. Each is very close to the project area and would fit within the plans as originally approved. They also proposed administrative costs and a Property Area Improvement Fund.

For Cottonwood Corporate Center, Mr. Tingey recommended looking at a reimbursement of some of the work completed in the Big Cottonwood Canyon Trail and infrastructure and right-of-way, which total \$105,000 and \$187,000 respectively. Mr. Tingey stated that the total reimbursement to the General Fund from both areas would be approximately \$400,000. The Council could then decide how the funds are utilized. The reimbursement could happen quickly without the need for TEC approval. With the recommended projects, they would have an affordable housing component, a trails, and recreation component, an infrastructure component, property improvement funds, and project administration.

Mr. Tingey confirmed that the cost of the projects adds up to the approximately \$1.7 million in funds that are available. Chair Peterson noted that one of the conditions of approval of the Canyon Centre project was that the money would come to the City for use within the City. Mr. Tingey recalled that the funds were initially designated to go toward the Canyon Centre, but that was pulled out. He verified the amounts available and what the project area defines as “projects.” He stated that if the Council wants to proceed, they would present it to the TEC to make sure they are comfortable with how they propose to spend the funds.

In response to an inquiry, Mr. Tingey reported that they have spent some of the funds in the past few years and the amount originally received was not the amount they presently have. It was added by CDRA Attorney, Shane Topham that a study was commissioned to show the benefit of the Canyon Centre project to these two project areas, which might have been the basis for expenditures from these funds. Mr. Topham further stated that the study showed enough of a tie between the Canyon Centre project and these two project areas to support the expenditure out of these funds.

Board Member Mikell echoed the understanding that the funds reimbursed to the City could be used for anything within the City and that if they use the funds for projects outside the project areas they would need approval from the taxing entities. She asked about the improvements they have made in the Canyon areas that could be reimbursed. Mr. Tingey confirmed that the reimbursements total approximately \$400,000 for work done in both areas. Board Member Mikell was not fully supportive of using the funds for the projects presented at this meeting.

Chair Peterson commented that it makes sense to put the reimbursement funds into the General Fund, which would give them more discretion in spending for the City. A question was raised about the \$187,000 reimbursement for the overlay at 3000 East. Mr. Tingey noted that this reimbursement was the City’s portion of that project.

Board Member Bracken suggested that it might be helpful to look at the infrastructure improvements along Hollow Mill Drive. Mr. Tingey stated that the amounts they have identified as reimbursements are the amounts that they feel can be reimbursed based on what they spent in those areas.

Board Member Mikell asked about project enhancements, specifically park restrooms or the shade structure at Mountainview Park. It was suggested that the shade structure will likely require a match from the City. It was clarified that the projects funded by the City that are located within

the project area could be immediately reimbursed into the General Fund and that money could then become available to use at the City's discretion.

Mr. Tingey suggested that they could receive the known reimbursements and then look at other potential sources to be discussed another time. He commented that they tried to look at projects that are fairly close to the project area. He invited feedback and ideas from the Board. Chair Peterson stated that it makes sense to get the known reimbursements into the General Fund.

With respect to the recommendation of the affordable housing set aside, Mr. Tingey stated that the set aside is not necessarily a requirement but is based on his experience with the Committee that always requests attention to affordable housing. He suggested that it makes sense to at least have some funds available to look at different programs to assist people with affordable housing needs. He clarified that affordable housing expenditures are not limited to the project areas and confirmed that the 20% set aside could be reduced to 10%.

Board Member Mikell questioned the use of the affordable housing funds. Mr. Tingey stated that he has seen the funds applied to working with a non-profit housing provider to provide rehabilitation work as needed. Examples were provided of building ADA access ramps for low-income housing. It was suggested that further discussion take place as part of the budget process. Mr. Tingey suggested tentatively planning on the reimbursement in the budget process that could be discussed as part of that process. Mr. Tingey was asked to review the numbers again to see if there are other projects that could be included in the reimbursement as well as projects on the Park, Trails, and Open Space ("PTOS") list to become more creative with potential projects.

4.0 APPROVAL OF MINUTES

The above matter was tabled.

5.0 ADJOURN CDRA MEETING.

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

The CDRA meeting adjourned at 7:04 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, APRIL 6, 2021, AT 7:00 P.M. THE MEETING WAS HELD
ELECTRONICALLY, WITHOUT A PHYSICAL LOCATION, AS AUTHORIZED BY
UTAH CODE ANNOTATED §52-4-207(4).**

Members Present: Chair Mayor Mike Peterson, Council Member Scott Bracken, Council Member Tali Bruce, Council Member Christine Mikell, Council Member Douglas Petersen

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

1.0 WELCOME AND DETERMINATION

1.1 Mayor Peterson, as Chair of the City Council, will Read the Written Determination Concerning an Anchor Location for this Electronic Meeting During the Current Pandemic, Pursuant to Utah Code Annotated §52.4-207(4).

Mayor Peterson welcomed those present and read in its' entirety the determination giving the Council the authority to hold the meeting via Zoom, pursuant to Utah Code Annotated §52-4-207(4).

2.0 PLEDGE AND ACKNOWLEDGEMENTS

Council Member Scott Bracken led the pledge.

3.0 CITIZEN COMMENTS

Timothy Hallbeck expressed appreciation for the closed captioning on Zoom meetings. He has traveled extensively over the past six weeks and highlighted the cities of Evanston, Wyoming, and Cottonwood Heights, Utah. They were the only two cities where the City Council and Mayor have not gone power crazy with COVID-19. He provided an example from his visit to Nashville where citing COVID-19, it is against the law to stand and watch a live band and it is illegal to dance. He added that when a waitress comes to your table to take an order they must be allowed to sit down to take the order. He expressed thanks to the City for not enacting similar laws. He also referenced people who serve as temperature checkers in other cities who have gone overboard and tell the public what they can and cannot do.

The following written comment was submitted:

Skip Walden serves on the Canyon Cove HOA Board and is well versed on the AJ Rock Gravel Pit Development off of SR-190. He has seen the PDF file of the slide deck shown at the last City

Council Work Meeting and asked that the following comments be read into the record:

- A. The view looking to the east (slide 2) is significantly in error (or egregiously deceptive) by showing the curb of the condo complex running into the park and ride, cutting off the north part of Wasatch Boulevard. This shows more greenery and eliminates the appearance of major roads coming together right at two closely spaced intersections (the existing Wasatch/6200/SR190, and Wasatch to the AJ Rock development).
- B. The Google Earth slides (views from Canyon Cove) are effective but misleading and show trees that are too tall (Slides 36, 40, and 41), hiding the views of the condominium complex.
- C. I know what they were doing to show scale, but comparing a development to a Walmart, Target, or Home Depot parking lot is not a great sales approach.

In an attempt to be constructive, here are a few suggestions.

- 1. Slide 2, is very misleading (as detailed above). For accuracy, it needs to be corrected.
- 2. We would like to ask again about the status of the new traffic study. Please make sure this study is completed and the results shared.
- 3. Does the condominium have to be 12 floors? Would 10 or 11 be acceptable? The tallest building in Cottonwood Heights is Old Mill Corporate IV (at eight stories, and is also in our front yard). So, maybe eight would be appropriate. Any compromise would be useful to improve the visual appearance and reduce traffic.
- 4. A compromise on the northern egress would make the traffic flow better north of the development. The compromise has that same entrance on the “Wasatch curve”, but only a right-turn-lane-only for northern bound traffic from the right-hand-turn-lane on SR-190. This means no left crossing in or out of the development at the Wasatch curve”. This would drastically reduce the traffic bind at the “Wasatch curve”, as compared to the current plan.
- 5. There means there still needs to be an entrance south of the complex to allow access to other parts of the development for southbound traffic on SR-190.

4.0 ACTION ITEMS

4.1 Consideration of Resolution 2021-08 Approving Appointments to the Planning Commission. Introduced by City Manager, Tim Tingey.

Mr. Tingey recommended that Lucy Anderson be appointed to serve as the at-large Planning Commission Alternate member. The resolution also indicates that Bob Wilde would fill the position vacated by Sue Ryser. The alternate member is an important position because they attend meetings and vote on occasion. He noted that based on his meeting with Ms. Anderson he was impressed with her desire to serve and be a part of the community. She has a broad, professional background and he recommended approval of the resolution.

Council Member Bruce was also very impressed by Ms. Anderson's resume and expressed appreciation for her willingness to serve.

Ms. Anderson introduced herself and stated that she has lived in Cottonwood Heights for 23 years and is newly retired. She was excited to serve on the Planning Commission and to be involved in the City's growth.

MOTION: Council Member Bruce moved to adopt Resolution 2021-08. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

4.2 Consideration of Resolution 2021-09 Approving and Ratifying a Bid and Awarding a Construction Contract to Granite Construction Company for the Scottish Drive Roadway Reconstruction Project. Introduced by Public Works Director, Matt Shipp.

Public Works Director, Matt Shipp introduced the resolution as Part Two of Scottish Drive that is actually located west of Danish Road. It involves reconstruction of the roadway, curb and gutter work, and the installation of ADA ramps. The project is part of the five-year plan that was delayed due to COVID-19. He confirmed that the cost is actually less than the original budgeted amount for the project.

MOTION: Council Member Bracken moved to approve Resolution 2021-09. The motion was seconded by Council Member Bruce. The motion passed with the unanimous consent of the Council.

4.3 Consideration of Resolution 2021-10 Approving a Consulting Agreement with Blu Line Design Corporation for Planning Services for the Ferguson Canyon Park. Introduced by Public Work Director, Matt Shipp.

Mr. Shipp presented the agreement with Blu Line Design. Part of the agreement is for Blu Line to come before City Council and the PTOS Committee at the beginning of the project to receive input on the elements they are moving forward with and allow for public comment. The contract is for the design of the open space area at the south end of the park.

MOTION: Council Member Mikell moved to adopt Resolution 2021-10. The motion was seconded by Council Member Bracken. The motion passed with the unanimous consent of the Council.

5.0 CONSENT CALENDAR

5.1 Approval of the City Council Legislative Work Session Minutes for February 4, 11, and 18, 2021.

Mayor Peterson invited any questions or comments from the Work Session Minutes for the above meetings.

MOTION: Council Member Bruce moved to approve the consent calendar. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

6.0 ADJOURN THE CITY COUNCIL BUSINESS MEETING AND RECONVENE IN A CLOSED MEETING FOR THE PURPOSE OF DISCUSSING REAL ESTATE TRANSACTIONS

MOTION: Council Member Bracken moved to adjourn the Business Meeting, reopen the Work Session, and move to a closed meeting for the purpose of discussing real estate. The motion was seconded by Council Member Bruce. The motion passed with the unanimous consent of the Council.

At the conclusion of the Closed Session, the City Council Meeting adjourned at 7:27 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work and Business Meetings held Tuesday, March 2, 2021.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: May 4, 2021