

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION  
HELD TUESDAY, JULY 2, 2024, 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 Shawn Newell, Council Member Suzanne Hyland, Council Member Matt Holton, Council Member Ellen Birrell (via Zoom)

**Staff Present:** City Manager, Tim Tingey; City Attorney, Shane Topham; Records, Culture, and HR Director/City Recorder, Paula Melgar; Community and Economic Development Director, Michael Johnson; Unified Fire Authority Assistant Chief, Riley Pilgrim; Police Chief, Robby Russo; Administrative and Financial Services Director, Scott Jurgens; Public Works Director/City Engineer, Matt Shipp, Senior Planner, Samantha DeSeelhorst

**1.0 WELCOME**

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

**2.0 REVIEW OF BUSINESS MEETING AGENDA**

The Business Meeting Agenda was reviewed. Mayor Weichers reported that there are four Legislative Items. The first Action Item was consideration of an agreement with Schmidt Graphics and Signs for installation of public art. HR Director/City Recorder, Paula Melgar, stated that the contract is with Schmidt Graphics for the design and installation of public art vinyl wraps on eight of the Utah Power boxes. The contract cost was estimated at \$5,000 and was included in the budget.

The next Action Item was entry into a Lease/Purchase Agreement with Zions Bancorporation, N.A. to lease police and Public Works vehicles and associated equipment. It authorizes the execution and delivery of all related documents and the taking of all required actions. Administrative and Financial Services Director, Scott Jurgens, reported that this item is for the purchase of 51 vehicles used daily predominately by individuals in the Police and Public Works Departments. Equipment add-ons will also be included to complete the 45 police vehicles with the remaining designated for Public Works Department use. The Agreement consists of the buyback from Garff Enterprises, Inc. at the end of the two-year lease period.

The next Action Item was entry into a Vehicle Repurchase Option Agreement with Garff Enterprises, Inc. for Police and Public Works vehicles and associated equipment. Mr. Jurgens reported that the total buyback will total \$2,315,000 at the end of the two-year period. City Attorney, Shane Topham, stressed the importance of sequencing the two contracts. Before the Lease Purchase Agreement is returned to Zions Bancorporation, N.A., the Garff Enterprises, Inc. Agreement must be signed and in hand. Mayor Weichers noted that several municipalities are following suit and see the value in the process.

The last Action Item involved accepting requests for indemnification. The City, the Chief of Police, and a Cottonwood Heights Police Department (“CHPD”) Officer were named as defendants in a lawsuit that was recently filed concerning an October 2021 arrest. Police Chief, Robby Russo reported that a call came in involving a suspicious vehicle on a dead-end street where vehicle burglaries had previously taken place. Officers responded and confronted the driver of the vehicle who had cans of whipped cream and appeared to be disoriented and incoherent. The driver was removed from the vehicle and officers obtained a warrant to take blood and urine assigned by a judge. Subsequent to the arrest, officers found heroin and methamphetamine and the driver was booked into jail. Chief Russo reported that the case was continued due to the officer missing court and then dismissed after the officer missed a second time. He was unaware of the dismissal and was not advised of the proceedings. The defense attorney waited for the expiration of the statute of Limitations and filed a lawsuit claiming that the defendant’s Civil Rights were abused. The defense described the incident and believed officers responded with excessive force.

Mr. Topham clarified that the dispute will be presented in court where the City will be presented with a resolution. Two City employees have filed a Request for Indemnification pursuant to the Governmental Immunity Act of Utah.

### **3.0 VALLEY EMERGENCY COMMUNICATIONS CENTER (“VECC”) – Ivan Whitaker, Executive Director.**

Mayor Weichers reported that Executive Director, Ivan Whitaker, was not present. The matter was to be addressed at a later date.

## **4.0 STAFF REPORTS**

### **4.1 Tavaci Annexation Update – Community and Economic Development Director Mike Johnson.**

Community and Economic Development Director, Michael Johnson, presented the Tavaci Annexation Update and stated the development is a 43-lot single-family subdivision. The 50-acre parcel to the north is owned by the same owners as the adjacent gravel pit. The Tavaci Development access road, bridge maintenance, road system, emergency services, development code differences for Building Permits, and tax projections have been discussed at length. A property rendering was displayed. Among the topics discussed, it was learned that Tavaci is currently in process with Salt Lake County for a minor Subdivision Plat Amendment to relocate an existing Secondary/Utility Access Easement on the site. A Secondary Access and Utility Access Easement platted into the subdivision along the west side was not believed to be a viable access of any sort. Tavaci has applied to vacate the easement and dissolve the access way into two lots adjacent on the north and south and become part of the existing lots. The easement will be relocated to the north of the property along an existing Salt Lake City Public Utilities Access Easement used to access the water tank. It was reported that all reviewing entities for Salt Lake County have reviewed the proposed amendment with the exception of Salt Lake City Public Utilities which is the culinary water provider.

After several months, Mr. Johnson reported the plat amendment has still not progressed. Recommended options for the Council to consider were as follows:

1. Continue to wait for the plat amendment process to resolve prior to voting on annexation.
2. Schedule a vote for annexation, acknowledging that an unfinished Subdivision Plat Amendment may need to be restarted if annexation is approved prior to the Plat Amendment being complete.

Mr. Johnson requested additional direction from the Council on next steps for the Tavaci annexation process. Unified Fire Authority (“UFA”) is the reviewing entity for Salt Lake County and has approved the subdivision without secondary access. Homes are fire-sprinkled with Building Code requirements associated with the development. He reported that secondary access is not mandatory but Staff recommended that as Tavaci continues to work on the easement, even understanding that the UFA does not require a secondary access, it should be designed in a way that could be viable should there be an opportunity.

Council Member Birrell reported that constituents from District 4 have expressed concern with the inception of the Tavaci Development with potential damage to the bridge and singular access. It was suggested the existing singular access be more practical. She was concerned that residents would be trapped on the plateau if the bridge requires repair and that the Homeowners Association (“HOA”) lacked adequate funding and will become a liability for the City.

Mayor Weichers reported that the Tavaci Development has requested that the County dissolve or vacate the secondary access requirement from the subdivision. It was the City’s preference that the issue be resolved and preferred that they not pursue the access vacation. The development is in the process of acquiring a new secondary access to be located on the north side of the subject property.

Council Member Holton stated that many of the past discussions have focused on City liability should there be damage or issues with access. It was noted that there are multiple private roads in the City and it was determined that they would not be responsible for management. He considered this to be a legislative decision and should the need arise, the Council will determine whether to step in and provide financial assistance. If residents are able to leave safely in the event of an emergency, he had no issue.

Council Member Hyland felt that the magnitude of the cost should be considered when making calculations. Council Member Birrell stated it is not acceptable to have 150 people stranded for an extended period of time while a singular roadway is repaired.

Council Member Holton believed the issue comes down to residents not being able to access their homes and is a liability the community must address collectively. When a resident purchases a home in a community such as Tavaci, they believe they should understand that getting to and from their community is their responsibility.

Mayor Weichers reported that in an emergency, the Federal Emergency Management Agency (“FEMA”) and the Federal Government are instrumental in providing access to emergency funds. Council Member Birrell felt it was her role as a Council Member to look ahead and ensure the viability and allegiance of existing residents. She was opposed to the proposed annexation.

Council Member Newell wanted to better understand the life span of the Tavaci Development Bridge. He also appreciated knowing that the UFA found no issues with the existing access.

Staff requested direction regarding the desire of the City Council to schedule this item for consideration. Mayor Weichers discussed the status of the easement with Executive Director of Public Utilities, Laura Briefer and was awaiting their resolution. He was in favor of communicating with the City Council that this item be placed on the agenda should the easement correction be resolved. It was confirmed that the City will defer consideration until the resolution is finalized.

#### **4.2 Hillside Plaza Event Discussion – Community and Economic Development Director, Michael Johnson.**

Council Member Hyland reported that she was contacted by a constituent who expressed interest in holding events at the Hillside Plaza. She felt that doing so would generate interest and provide a preview of future events once the public space is complete.

Mr. Johnson reported that Staff will recommend utilizing as much or as little of the area as desired. All of the tenant spaces are vacant and the plaza space could be used for such events. A property rendering was displayed. While using the existing indoor spaces for events is not recommended due to the poor condition of some of the larger vacant storefronts, outdoor events are feasible and can be organized relatively easily. In addition, hosting events on the site could help raise awareness and provide a public outreach opportunity to share the City's vision for the future Town Center development. He was opposed to using any interior space until a later date.

Culture Director, Ann Eatchel, suggested a Monday night food truck round-up. She remarked that if the focus is on a grab-and-go food truck experience, restrooms may not be necessary. However, if the City plans to include live music and provide signs or information about the new Hillside development, which would encourage people to stay for a while, then restrooms would be essential. Otherwise, people will try to use the restrooms of existing businesses. Funding would be minimal if restrooms with handwashing stations were needed. If there is a consensus to move forward with an event on the site, Staff proposed hosting it in lieu of the annual Community Block Party as attendance has decreased in recent years. In such a case, Staff time could be diverted to a Hillside Plaza event instead.

Council Member Newell suggested holding a Farmers Market and other health services such as the Food Bank. Organizing opportunities for the community to patronize the Hillside Plaza was also recommended. Council Member Birrell supported creating a space for community involvement. Scooter and e-bike safety training opportunities were discussed. Mayor Weichers was enthusiastic about creating a place to gather and bringing residents to the Hillside Plaza. He asked Staff to move forward with the Block Party event.

#### **4.3     Form-Based Code - Community and Economic Development Director, Michael Johnson.**

Mr. Johnson reported that the Form-Based Code application represents a City-initiated request to implement a Code for a portion of the Fort Union Boulevard corridor. The City, in conjunction with a Consultant, has spent several years drafting an Ordinance. This draft process has included review and feedback from the Planning Commission and City Council and a community open house was held in March 2024. At the June 2024 meeting, the Planning Commission unanimously recommended approval of the Form-Based Code to the City Council. A final draft has been prepared that incorporates feedback heard as well as minor technical edits from Staff.

VODA Landscape Design Principal Architect, Mark Morris, reported that Form-Based Code is a unique way to regulate land development and is applied in a very context-specific process. The draft is only applicable to three intersections along Fort Union Boulevard. The Code allows for a variety of uses and property owners are afforded more flexibility in uses the City will permit. He explained that the focus is on how the building is situated on the property and how the form brings activation to the public realm. This would not require changes to existing businesses and is applicable to when redevelopment takes place.

Mr. Morris reported that the three areas the Form-Based Code would be applied to are those located along Fort Union Boulevard. All areas are currently zoned Mixed-Use and may be easily transitioned to the Form-Based Code zone. An area map was displayed. It was reported that surrounding municipalities are using Form-Based Code in some regards. Benefits to current and future property owners are flexibility of use and markets and demand continues to change over time. A Form-Based Code looks to create built forms of the City that are infinitely reusable. In these particular nodes, the use is secondary but would be required to meet specific requirements.

Council Member Holton questioned how the aesthetics of the City will be different if a Form-Based Code had been implemented decades earlier. Mayor Weichers believed Home Depot and Target would be placed up against the street with parking behind and out of view. Mr. Morris added that should development have been built under Form-Based Code, an emphasis would have been on connectivity. With the “park once” mentality, the area would be designed so that a patron would be able to access all nearby businesses while reducing traffic. Access issues were discussed.

Senior City Planner, Samantha DeSeelhorst reported that Staff has taken great care with respect to the design of parking requirements. She believed that Form-Based Code is very customized in the community and still gives consideration to required parking. Mr. Johnson noted that Form-Based Code allows complimentary uses and shared parking to allow successful strip malls to continue to thrive. This would also prevent rigid regulation that does not allow for creative change over time.

Council Member Birrell shared communication from a constituent who voiced concern with the transition of the community. The overlay areas are limited and designed to improve the experience along Fort Union Boulevard. Mr. Morris confirmed that the Form-Based Code is applied to commercial areas with a high likelihood of redevelopment. Should particular parameters cause issues, details may be calibrated.

Staff and the Planning Commission have spent a great deal of time working on the idea of how the Form-Based Code process will work. Mr. Morris stated that the Code is graphic and requirements and parameters are spelled out to make it easier for Staff to review and for property owners to understand those parameters. A fast-track approval process was reviewed. He confirmed that those within the Residential Transition District will have to go through a more rigorous process. With architectural guidance, the benefit is that uses are far more flexible than they are currently.

Mr. Johnson reported that the Form-Based Code is not in the hands of the City Council until consideration. Staff recommended that the Planning Commission forward a recommendation for approval to the City Council for the proposed Form-Based Code. He pointed out that this is a legislative item and the City Council will be the final approval authority for this project.

#### **4.4 Lobbyists Agreement Discussion – Interim City Manager, Scott Jurges and City Attorney, Shane Topham.**

Administrative and Financial Services Director, Scott Jurges reported that the City currently contracts with Brian Allen from Evviva Enterprises who represents the City's interests with the State Legislature. The cost of this agreement is \$3,000 per month or \$36,000 annually. The City also contracts with Greg Curtis for lobbyist services. The current agreement is for \$30,000 annually; however, Mr. Curtis has submitted a memorandum requesting an increase to \$36,000.

Mr. Topham stated that the original contract for Brian Allen was \$42,000 and reduced to \$36,000 in 2018. The original contract for Greg Curtis was for \$36,000 and reduced in 2018 to \$30,000. Mr. Curtis has requested an increase to the \$36,000 he was previously paid under the 2017 contract. Council Member Holton felt it was decent practice to pay both lobbyists the same salary to avoid a disparity.

Mayor Weicher supported the increase. It was the consensus of the City Council to move forward with the request.

### **5.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.**

- 5.1 Cottonwood Heights Arts Council Play: *Beauty and the Beast*, July 12, 13, 15, 18-20, Performances at 7:00 p.m. and 2:00 p.m. Matinees, at Butler Middle School.**
- 5.2 Biology Makes the Water – July 13 from 5:00 p.m. to 6:40 p.m.**
- 5.3 Butlerville Days – July 25th, 26th and 27th at Butler Park.**
- 5.4 Bark in the Park at Mountview Park on August 24th from 9:30 a.m. to 11:30 a.m.**

**6.0     POSSIBLE CLOSED MEETING TO DISCUSS LITIGATION, PROPERTY ACQUISITION, AND/OR THE CHARACTER AND PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL.**

**MOTION:** Council Member Hyland moved to CLOSE the Work Session and open the Closed Session to discuss litigation, property acquisition, and/or the character and professional competence or physical or mental health of an individual. The motion was seconded by Council Member Holton. The motion passed with the unanimous consent of the Council.

The City Council was in Closed Session from 5:22 p.m. to 5:40 p.m.

**7.0     ADJOURN CITY COUNCIL WORK SESSION.**

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

The Work Session adjourned at 5:40 PM.

**MINUTES OF THE COTTONWOOD HEIGHTS COMMUNITY AND DEVELOPMENT  
RENEWAL AGENCY WORK SESSION HELD TUESDAY, JULY 2, 2024, AT 5:30 PM IN  
THE COTTONWOOD HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277  
EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

**Members Present:** Mayor Mike Weichers, Council Member Shawn Newell, Council Member Suzanne Hyland, Council Member Matt Holton, Council Member Ellen Birrell (via Zoom)

**Staff Present:** City Manager, Tim Tingey; City Attorney, Shane Topham; Records, Culture, and HR Director/City Recorder, Paula Melgar; Community and Economic Development Director, Michael Johnson; Unified Fire Authority Assistant Chief, Riley Pilgrim; Police Chief, Robby Russo; Administrative and Financial Services Director, Scott Jurges; Public Works Director/City Engineer, Matt Shipp

**1.0 WELCOME – Chair Mike Weichers**

Board Chair Mike Weichers called the meeting to order at 5:30 p.m. and welcomed those present.

**2.0 HILLSIDE UPDATE AND FUNDING DISCUSSION – Interim CDRA CEO, Scott Jurges and Community and Economic Development Director, Michael Johnson.**

Community and Economic Development Director, Michael Johnson provided a brief introduction of the Hillside Plaza update and funding discussion. He reported that MGB+A Studio has been hired as the Project Consultant and is in charge of developing the Master Plan in collaboration with the City and Advisory Committee.

MBG+A Studio Principal Architect, Greg Boudrero reported that they have held a series of productive meetings with the Citizen Advisory Committee and continue to work on several options. The approach involved a number of concepts based on feedback and desires for the space. Currently, there is 130,000 square feet of retail space in the design. There are two concept options, both with similar square footage. They have not focused on uses with the exception of a corner where a potential grocer may be located.

Mr. Boudrero reported that when considering the first option, they questioned its connection to the corner and a way to build off of it. The plan included the creation of a central street that would be very pedestrian and event-friendly. A project rendering was displayed. Within the center of the space stretching to the corner is where they would navigate the grade change with a flat space on the upper end near the street. Parallel on-street parking and a generous sidewalk will be located between the end of the street and the façade of each building. This option will create opportunities for smaller gathering spaces and diverse ways to engage and activate with 2300 East.

The second option includes similar characteristics with the primary difference being a central parking garage located along the rear of the property. The front façade of that garage will be screened. Mr. Boudrero reported that this option would bring a meandering road to the center with



a more direct line of sight from the corner. This would create an abundance of visibility from the corner as well as views from the upper terrace out toward the west. Both options include characteristics with the way the buildings are broken up along 2300 East. With the second option, buildings were divided to create the central square with the opportunity to cover the area creating a more friendly winter market.

Mr. Boudrero reported that when working through options the goal is to find a balance with the views. Building height will not exceed the maximum 35 feet as allowed in all zones throughout the City. They have studied at a prominent level to determine how angled parking might work with one travel lane in each direction and a median. Should the City wish to additionally encroach on the site, there is the ability to accommodate on-street parking angled again on the other side of the street. He noted that there is a subtle difference in the amount of parallel parking between the two. Preliminary studies reflect pushing the corner area down from existing grades would work well although requiring the exportation of material from the site. He emphasized the importance of implementing Cottonwood Heights's special connection to the mountains.

A key element when considering options was monumentation and how that may frame views. A clock tower or similar element was suggested. Reference points were identified. Mr. Boudrero stated that the parking garage landscaped area use could be explored based on the desire of the City. With the current approach, the design looked at the garage as a green roof as opposed to a program space. He believed the area could be used as a passive space for views and trails. The concept plans were discussed.

Council Member Birrell commended the Hillside Advisory Committee for their efforts. She asked for clarification on the proposed intersection and how it fits with the idea of encouraging rocking and rolling into the site. Mr. Morris described the priorities of having open space on the corner designed for the future growth and redevelopment of the block. Crosswalks and bike lanes were being considered to understand the different loads of arrival.

Council Member Newell appreciated the idea of residential space having its own designated parking. The concept would also alleviate development. Mr. Morris reported that the concepts work well with having the housing corner with its own structure while including public parking. Concept B would involve the question of housing preference and its connection to the parking.

Council Member Holton asked if there was a specific use in mind when considering the layout of the buildings. Mr. Morris commented that they have made each building flexible to accommodate multiple uses whether retail, business, or residential. Many of the smaller buildings could potentially be a destination restaurant with rooftop dining. The issue becomes having them adequately sized to accommodate the use and allow the development partner to determine the use. He believed the concept includes 50 to 60 parking spaces.

Hillside Plaza Advisory Committee Chair, Randy Whitehead, expressed appreciation for those involved with the Hillside Plaza Project. The Committee Members have spent numerous evenings discussing, planning, and listening to residents. He stated that they have strived to incorporate the residents' ideas and the benefits the development would offer. Resident suggestions included the following:

- Destination restaurants;
- Local restaurants;
- Grocery store;
- Gathering place;
- Open space and gardens;
- Space for informal performances;
- Shops;
- Bbars;
- Senior center;
- View preservation;
- Safe walkability;
- Trail connectivity;
- Parking structure garden views;
- Water conservancy gardens;
- Rooftop seating and sidewalk dining;
- Regularly scheduled events;
- Large gathering place;
- Farmers markets on Saturdays ;
- Christmas market;
- Movies;
- Host events;
- Arts and crafts fair;
- Local artisan shops; and
- Fire pit and seating areas in the winter.

Mr. Whitehead stated that the City lacks sidewalks conducive to walking with many areas having none. He envisioned streets that connect parks and schools to enable residents to walk safely. He believed that the result will be to create a sense of connection and love for the community.

Council Member Hyland remarked that there is a suburban mountain lifestyle in Cottonwood Heights. She commented that the mountains capture a desire for recreation and she appreciated the focus on maintaining the mountain views.

Interim City Manager/Administrative and Financial Services Director, Scott Juges, reported that the City currently has \$13 million in debt associated with the purchase of the Hillside Plaza. There will be additional funds should the City purchase the Walgreens site. Funds will also be needed to demolish the existing property and begin the public space build-out. The responsibility for the parking garage construction will be determined at a later date. He reiterated that there are funds to complete the project. With a beginning placeholder of \$25 million and an estimated 4% interest rate over the course of 20 years, the annual payment will be approximately \$1.8 million. The property tax rate for 2023 was .001422% with an average assessed home value of \$717,400 and a taxable value of \$394,570. The average home annual tax was \$561 and the combined tax generated was \$8,824,455. He explained that by utilizing those funds and backing into the tax needed, the

percentage of the current tax base will be between 19.5% and 21.3% of the current property tax base and accumulate to pay a General Obligation (“GO”) Bond. The additional home tax needed will be between \$110 to \$120 annually or \$9 to \$10 per month.

Mr. Jurgens reported that the City has paid \$560,762 in interest in January 2024. An additional \$580,895 was recently paid for a partial interest and principal payment. An interest payment of \$375,105 will be paid in January 2025. The total payments were \$1,516,000. It is possible that the City may potentially repay itself from bond funds for incurred expenses. Discussions were in the beginning stages of that phase and will require further consideration. He explained that the GO Bond has requirements from a calendaring perspective that must be addressed prior to the November vote.

Mayor Weichers raised a question regarding the criteria for the older payments. Mr. Morris believed there would need to be something built into the election language that would allow the City to be reimbursed for those payments. Should the GO Bond not pass, the City would move toward a more housing-centric project. Mr. Jurgens confirmed that GO Bonds are the most inexpensive way to finance a City project.

Council Member Birrell reported that the proposed GO Bond will need to be in mailboxes in early October. The City would only have two months to create something that messages the public. Mr. Jurgens noted there are general time frames when the City Council would need to pass a Resolution by the second meeting in August.

The current budget was reviewed. Mr. Jurgens reported that the 2024-2025 fiscal year budget was adopted and they have added a projection of \$200,000 from the Utah Department of Transportation (“UDOT”) for additional traffic officers. He took the current budget and moving forward, used a modest sales tax increase of \$300,000 to \$400,000 annually, which translates into a 3% to 4% increase. Contribution to roads was reduced from \$3 million to \$2 million with a possible intent to implement a Transportation Fee. He stated that the City will remove the debt service funding for the current \$13 million bond for the Hillside Plaza where they would transfer money from the General Fund to the CDRA Fund to make that payment. Mayor Weichers added that if the residents vote in favor of the GO Bond, the initial outlook will not include an increase in property taxes. There would be an increase with the GO Bond but the regular property tax mill rate would not be adjusted according to the current forecast.

Council Member Birrell asked if the GO Bond is approved and if there would be a need to do an additional annual bond to realize the funding required to complete the Hillside Plaza project. Council Member Holton felt it was important to create an additional diversified revenue base so they are not just relying on the taxing of residents. Mayor Weichers confirmed that the \$25 million would be adequate to fulfill the City’s purpose. In working with Zions Bank, the revenue earned from the land leasing may be used to cover the GO Bond payment.

Mr. Morris reported that Zions Bank was willing to prepare a tailored calendar of events that follows the timeline for the Bond election. Steps would include the following:

- Resolution adopted by the Legislative body calling for a Bond election by the 21<sup>st</sup> of August.
- Identify the amount proposed to be borrowed.
- Determine what funds would cover and identify tax-exempt eligible financing versus taxable financing.
- Zions Bank would review the estimated interest rate the City would receive on those kinds of bonds and project the tax impact to be included in the Resolution.
- A detailed description of what the City is proposing that would be on the ballot provides a clear understanding.

He emphasized the urgency of educating the residents in understanding the vision and its importance.

The comment was made that with a shortened timeline, there are advantages to having the Advisory Committee, 500 who have completed a survey, and hundreds having attended the public meeting. The project has been reviewed in two phases. Prior to August 20, the City can support and discuss why the project is good for the City for a variety of reasons. After August 20, the City will focus on presenting facts. The importance of reengaging with the community around this project was stressed. The City should position the project in terms of what the residents will get from the space. In presenting two options, it was felt that this was a positive way to continue to engage the public and give them a choice and the opportunity to take part in the decision-making. The City should also begin educating residents about why public financing is beneficial.

After August 20, the City will begin demonstrating the purpose and benefits of the Town Center while still focusing on experience. The public will also be educated on the GO Bonds and the proposed increase of \$9 to \$10 per month. The sharing of successful experiences and projects and how that would translate to Cottonwood Heights was suggested. It was felt that utilizing the Community Advisory Committee and holding meetings in each area will build support. Social Media and the City website should be updated in addition to a mailer to be sent out to residents in early September. When in discussions with the focus groups, it is important to understand what will put residents over the top.

Council Member Birrell requested examples of materials that address the financial aspects of the project. An outline was provided of all elements and are awaiting direction to move forward with more detailed planning. It was noted a Voter Information Pamphlet (“VIP”) would be sent out near the timeframe of the ballot and include the financial breakdown.

Mr. Johnson confirmed that the City Council directed Staff to move forward with an outreach campaign.

### **3.0 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 such time as 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.

#### **4.0     ADJOURN**

**MOTION:** Council Member Holton moved to ADJOURN the CDRA Meeting. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Agency.

The Meeting adjourned at 6:52 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, JULY 2, 2024, AT 7:00 PM IN THE COTTONWOOD HEIGHTS CITY  
COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD,  
COTTONWOOD HEIGHTS, UTAH**

**Members Present:** Mayor Mike Weichers, Council Member Shawn Newell, Council Member Suzanne Hyland, Council Member Matt Holton, Council Member Ellen Birrell (via Zoom)

**Staff Present:** City Manager, Tim Tingey; City Attorney, Shane Topham; Records, Culture, and HR Director/City Recorder, Paula Melgar; Community and Economic Development Director, Michael Johnson; Unified Fire Authority Assistant Chief, Riley Pilgrim; Police Chief, Robby Russo; Administrative and Financial Services Director, Scott Jurgens; Public Works Director/City Engineer, Matt Shipp

**1.0 WELCOME**

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

**2.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Administrative and Financial Services Director, Scott Jurgens.

**3.0 CITIZEN COMMENTS**

*Maggie Mills* was present representing the Whitmore Library and reported that the Library is halfway through its Summer Reading Program where finishers receive a complimentary book. A puppet show was scheduled for Friday, June 12 at 11:00 a.m., a Magic Show for Friday, June 19 at 11:00 a.m., and Kim's Coldblooded Creatures was scheduled for Saturday, June 20 at 5:00 p.m.

*Nancy Hardy* asked if Cottonwood Heights plans to save or demolish the Old Mill. She emphasized the importance of saving the area if only just the surrounding five acres. She shared concern with the gravel pit having endless space to construct houses and condominiums with no limit on height. The decision to demolish the Old Mill should include resident input and she urged the Council to retain the history and build a fun future.

Mayor Weichers reported the Old Mill is a privately owned historic building. The surrounding property is also privately owned. The City has expressed the intent that the community wants it saved. Whether it is preserved in its current form or more of a historic marker with some type of building façade, the City is favorable and continues to collaborate with the owner and different agencies. He reported that the current zoning is one-half-acre residential and the owner has the right to construct one-half-acre residential homes on all of the properties without going before the City Council.

Administrative and Financial Services Director, Scott Jurgens added an online submission from Audrey Pines related to Form-Based Code to the record.

*Dale Chalmers* reported that he resides at 2918 Bridgewater Drive. He reported that he was riding his bicycle when he noticed the lack of fireworks signage. There were signs above and below his home but none were located nearby. He spoke with the Fire Marshal who stated that a map depicting allowable locations for fireworks was made available on May 1. Salt Lake County recently restricted fires within the County due to elevated risk. He asked why Cottonwood Heights has not put out an updated map. Pollution in the valley was also of concern.

*David Schoeneck* gave his address as 3094 East Banbury Park. His wife worked at the Cottonwood Heights Recreations Center as an Instructor for nearly 20 years and he is employed as an instructor with the adaptive program in the insurance industry. Seven years prior, their home was within minutes of a gas explosion due to aerial fireworks from the adjacent 55-acre field. He reported that the field consists of tinder and sagebrush and he was frustrated with it being deemed Wildland Interface in the middle of a residential neighborhood. Because there are homes surrounding the area with minimal mitigation, he urged the City to increase mitigation efforts.

There were no further comments. The citizen comment period was closed.

#### **4.0 STAFF QUARTERLY REPORTS**

##### **4.1 Police Report – Police Chief, Robby Russo and Support Services Manager/Administrative Assistant, Candie Terry.**

Support Services Manager/Administrative Assistant, Candie Terry presented the June 2024 Statistics Report. She stated that Calls for Service totaled 1,530 with 398 On-View calls. Calls received by District 1 totaled 591, District 2 received 240, District 3 received 342, and District 4 received 229. Response times for Priority 1 calls averaged 3:00 minutes, Priority 2 averaged 5:43 minutes, and Priority 3 averaged 8:00 minutes. The Overall Crime View was next reviewed with a total of 57. Total adult arrests totaled 67 with zero juvenile citations. Traffic citations totaled 322 with 249 warning citations and eight DUIs. There were 23 vehicle accidents with property damage and nine with both damage and injury. Animal Control responded to 96 Calls for Service and issued seven citations. The Traffic Unit issued a total of 427 citations, conducted 389 traffic stops, 12 impounds, five DUIs, 29 accidents, nine arrests, and 38 other reports, and assisted officers with 37 other reports. Deaths included one attended and one unattended.

Police Chief, Robby Russo reported that Cottonwood Heights contracts with the City of Holladay for court services. Prior to that, Cottonwood Heights accounts for 70% of the business going to the City of Holladay. Council Member Holton commented that he was not talking about a revenue-generating source for the City as it is a windfall but with a department being funded specifically for these efforts. He did not want it to be a windfall for a neighboring municipality. He felt those revenues within the City should be able to fund the department allowing them to continue to provide the services.

Mr. Jurgens reported that there are funds that come back to the City along with expenses related to the court. He noted that municipal courts do not make money. The City budgets \$420,000 in expenses and \$420,000 in revenue.

Ms. Terry reported that the Safety Message focused on firework safety tips.

Council Member Birrell reported a resident concern with someone having had their home burned to the ground. She asked if the City could do more to avoid potential disaster. Chief Russo stated that the City has taken steps since the tragedy and the current map is in place and appears to be working. Since its adoption, he did not recall one incident and the potential for disaster is taken very seriously.

Assistant Fire Chief, Riley Pilgrim confirmed that the boundary map may be adjusted as needed. Many of the restrictions were issued by State Statute and the City may implement a more strict map outside of that statute but it may potentially come with consequences. There have been no similar incidents since its implementation. He confirmed that the State of Utah recently placed a statewide restriction on open fires, smoking, and fireworks as previously banned. Precautionary measures are put in place during the summer months with the City placing additional restrictions on the wildland interface.

#### **4.2     Public Works Report – Public Works Director, Matt Shipp.**

Public Works Director, Matt Shipp presented the Public Works Report and stated that Cape Seals are taking place along Bengal Boulevard and 1300 East. The portion of Fort Union Boulevard from Union Park to 3000 East will begin at the end of July. To date, the Public Works Department has completed approximately 1,100,000 square feet of chip seal and 720,000 square feet of slurry. Cape Seal project renderings were displayed.

Council Member Birrell expressed gratitude to the Public Works Department for their clean-up efforts of chip seal remnants. She appreciated the Cape Seal and the ability to ride her e-bike on the well-kept streets. Mr. Shipp commented that each project contract requires sweeping of the street at least four times and the City will continue sweeping efforts. The Bengal Boulevard Cape Seal is expected to last eight to 10 years. He pointed out that the cost of the seal is \$.70 per square foot versus the \$10 per square foot to rebuild.

Stormwater projects along Creek Road are underway. Mr. Shipp stated that this project was brought about through issues with adjacent homes. Other projects included the following:

- Double hooded inlets are being installed along with 400 plus feet of new 42” pipe. Completion was estimated by the end of July.
- The stormwater sump was installed at the request of residents off Siesta Drive.
- The Kings Hill Place curb and gutter were replaced.
- The Prospector Drive Area project has included 570 tons of asphalt, 5,526 linear feet of curb and gutter replacement, and 2,740 feet of sidewalk.



- Other areas include Prospector, Mineshaft, Comstock, Lost Canyon, Silver King, and Claim Jumper.

Mr. Shipp commended the residents of Prospector Drive for their kindness and patience during the construction process. The waterways causing the dips have been replaced along with the curb and gutter. The crosswalk located at 3500 East adjacent to Smith's has been installed. Rapid reflecting beacons will be installed later in the week in conjunction with striping, signage, and the orange flags. He expressed gratitude to the City and Staff for allowing the Public Works Department to move forward with their new Public Works Building. He reported that the Open House was a success and allowed residents to view the completed construction. Photographs of the completion were displayed.

Other summer projects included the following:

- Towne Drive area reconstruction.
- Cory Hill Circle.
- Continue and finish striping.
- Raised crosswalk by By-Water Park.
- By-way route as proposed by the PTOS Committee on Banbury.
- HAWK signal at Bella Vista Elementary School (under construction).
- 1700 East sidewalk construction (underway).
- Supernal Circle storm drain line (bid opens next Wednesday).

Mr. Shipp reported that the Public Works Department continues to follow the five-year Maintenance Plan and complete projects throughout the City. Council Member Hyland appreciated the effort to keep the project's webpage updated and put information out to the public. Council Member Newell commended the department for mitigating long traffic lines in construction areas.

## **5.0 ACTION ITEMS**

### **5.1 Consideration of Resolution 2024-46 Approving Entry into an Agreement with Schnidt Graphics and Signs for Installation of Public Art.**

**MOTION:** Council Member Newell moved to APPROVE Resolution 2024-46. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Council.

### **5.2 Consideration of Resolution 2024-47 Approving Entry into a Lease/Purchase Agreement with Zions Bancorporation, N.A. for the Lease of Police and Public Works Vehicles and Associated Equipment and Authorizing the Execution and Delivery of all Related Documents and the Taking of All Required Actions.**

**MOTION:** Council Member Holton moved to APPROVE Resolution 2024-47. The motion was

seconded by Council Member Newell. The motion passed with the unanimous consent of the Council.

**5.3     Consideration of Resolution 2024-48 Approving Entry into a Vehicle Repurchase Option Agreement with Garff Enterprises, Inc. for Police and Public Works Vehicles and Associated Equipment.**

**MOTION:** Council Member Hyland moved to APPROVE Resolution 2024-48. The motion was seconded by Council Member Newell. The motion passed with the unanimous consent of the Council.

**5.4     Consideration of Resolution 2024-49 Accepting Requests for Indemnification.**

**MOTION:** Council Member Hyland moved to APPROVE Resolution 2024-49. The motion was seconded by Council Member Holton. The motion passed with the unanimous consent of the Council.

**6.0     CONSENT CALENDAR**

**6.1     Approval of the Minutes of the City Council Work Session and City Council Business Meeting Minutes of June 18, 2024.**

**MOTION:** Council Member Birrell moved to APPROVE the Minutes of the City Council Work Session and City Council Business Meeting of June 18, 2024. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Council.

**7.0     ADJOURN CITY COUNCIL BUSINESS MEETING.**

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

The City Council Meeting adjourned at 8:06 p.m.

*I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session, CDRA, and City Council Business Meetings held Tuesday, July 2, 2024.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: July 16, 2024.