

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION  
HELD TUESDAY, AUGUST 16, 2022, AT 4:00 P.M. IN THE COTTONWOOD HEIGHTS  
CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD**

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

**Staff Present:** City Manager Tim Tingey, City Attorney Shane Topham, Community and Economic Development Director Michael Johnson, Police Chief Robby Russo, Public Works Director Matt Shipp, Finance and Administrative Services Director Scott Jurgens, Assistant Fire Chief Riley Pilgrim, Systems Administrator Alex Earl, Deputy City Recorder Heather Sundquist

**1. WELCOME – Mayor Weichers.**

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

**2. REVIEW OF BUSINESS MEETING AGENDA – Mayor Mike Weichers.**

The Business Meeting Agenda items were reviewed and discussed. With regard to Ordinance 387 involving the vacation and consolidation with adjoining City-owned roads, Public Works Director, Matt Shipp, reported that there are setback requirements for building in the Public Works Yard. They have a very tight spot on which to place a building. They are making adjustments to the property line accordingly with respect to the right-of-way on 3000 East, which is not changing in width. An imaginary line will be shifted to provide the required building setback from the property line.

Resolution 2022-42 will also be considered, which involves approving entry into a construction contract with Peck Striping, Inc. for the 2022 City-Wide Striping Project. Mr. Shipp explained that this is a carry-over from last year when the City had difficulty getting paint due to a shortage. They were ultimately able to find a contractor who has the needed materials. They are combining two fiscal years to make up for lost time. It was noted that no striping was done last year but the funds were carried forward and expanded to include more items than they normally would.

Resolution 2022-43 pertained to an Interlocal Agreement with the Canyons School District for bussing services. Mr. Johnson stated that it is part of the City's participation with the Big Cottonwood Marathon and making sure that they protect the life, health, and safety of individuals by not having so many go up the roads and come back down. The Resolution will allow the City to enter into an Interlocal Agreement for bussing services. It is necessary because the school district's policy requires that they work with an Interlocal Entity. Insurance is provided as part of the agreement. Staff recommended approval.

Resolution 2022-44 involved an Expense Reimbursement Agreement with Brooksee, LLC concerning the 2022 Big Cottonwood Marathon. Mr. Johnson stated that it is ongoing and has

been done for the past several years. It involves the reimbursement of costs incurred including the bussing services for the marathon. Staff recommended approval.

**3. UTAH TRANSIT AUTHORITY (“UTA”) – Board Chair Carlton Christensen.**

Mayor Weichers was honored to have UTA Board Chair, Carlton Christensen present to provide an update to the Council. Mr. Christensen was present with Darren Robinson, UTA's Acting Planning Director and Director of Innovative Mobility. Mr. Christensen provided a list of ways to enhance transit service in Cottonwood Heights. He commented on propensity, which is how the agency looks as equitably as possible at demographic and population densities and attributes. For example, zero-car households have a higher propensity to use transit because they have no other choice. In addition, lower-income households tend to use transit more often. Density was also an issue. Mr. Christensen explained that propensity helps UTA determine where the service should be.

In late 2019, UTA began a new service called UT on Demand, which is a micro-transit service. It was likened to an Uber or Lyft type of service. The biggest difference is that it is limited to a geocoded area and there may be other passengers on the vehicle. The ride may also require a user to walk a short distance to be picked up. The cost of the service is \$2.50, which allows for transfers. They have found that in service areas where there is coverage but where there are inadequate densities to justify fixed route service, there is often a better level of service. In many cases, it offers a much better alternative to a fixed route bus. The pilot area is in the south end of the valley and includes some of South Jordan and Sandy and all of Herriman, Riverton, Bluffdale, and Draper. The drop-in service was introduced for the first time in May 2019. They also discovered that while transit locations for TRAX or FrontRunner are frequent destinations, certain prominent locations are also beneficial. In those communities, research has shown that people are trying to get essential services.

Mr. Christensen stated that they typically use a van or similar vehicle to provide the service, many of which are wheelchair accessible and have created opportunities for people who previously did not qualify for paratransit service. It was noted that the vans that accommodate wheelchairs have about six seats. The maximum distance a rider would have to walk to be picked up would be one-quarter mile. A rider who calls can expect to be picked up within 15 to 20 minutes.

Mr. Christensen described examples of where they have deployed the service recently. On the west side of Salt Lake City, the service is subsidized to enhance north-south movement. They are using the same service, which is available to anyone in the area. Changes were made in August to some of the bus routes and they were worried that there will be limiting factors. The service has been in place for just over one year and is growing in popularity. A map of the valley was displayed and showed transition areas. In August they continued routes in South Davis County. The decision was made to eliminate a few fixed bus stops in specific locations.

Mr. Christensen reported that they recently introduced a program in Tooele County where they repurposed a few existing bus routes. He noted that having a transfer or connection point within a community allows for different transportation modes to come into play. Mr. Christensen was asked if UTA is considering offering express bus service there. He explained that there is bus

service but it requires a transfer to get to Salt Lake City. He stressed the importance of having a transfer or connection point within a community where different modes of transportation can come into play.

Mr. Robinson described the process of introducing various services. In 2020, they analyzed their entire service area and found that in Cottonwood Heights there is a greater potential for on-demand/micro-transit service. Mr. Christensen explained that they likely will not eliminate underperforming routes. The two that exist in Cottonwood Heights are solid and meet their service standards. That is one challenge to offering new service areas in that financially they will not have a route to swap out the operating dollars. If, however, there was an interest in the City day partnering or considering it at least initially, if ridership reaches a certain level there may be a long-term commitment.

Council Member Birrell suggested that the next topical survey determine whether the citizens are interested in more transportation alternatives and willing to pay a tax increase. In Salt Lake City, the increase was only \$35 per year for the average homeowner to make significant improvements. Mr. Christensen stated that the regular bus service consists of three routes. Ski bus service is also offered and is much busier on weekends. This year the ski bus service was much busier than last year. They had no plans to reduce that effort and were looking at ways to provide more ski bus service. The increased ridership was attributed to people not wanting to drive up the canyon and the fact that they have entered into a stronger arrangement with the ski resorts and their employees who have passes.

Council Member Birrell, who represents District 4, stated that she rode the bus this winter and canvassed riders on the bus. Two were from Salt Lake County and the rest were from out of state. She commented that people are not staying at the resorts but rather someplace where they can ride a bus to get back and forth. There did not seem to be much enthusiasm from locals.

Mr. Christensen outlined UTA's planning process and explained that this year they are starting a long-range transportation plan, which has never been done by UTA. They are part of the regional transportation plan but it does not include local bus service. It has been a need that they have identified and are commencing the process. It feeds into their five-year plan, which is fiscally constrained. It is implemented annually based on their ability to hire drivers, provide buses, and the availability of maintenance facilities. They also try to limit their changes to three times per year with most being implemented in August. He stated that looking at local long-term service is a great opportunity for the community to be engaged. He strongly encouraged communities to have a good transportation plan in place.

**4. BROOKSEE BIG COTTONWOOD MARATHON REPORT – Director of Operations Alec Fowler.**

Mayor Weichers reported that the Big Cottonwood Marathon is scheduled for September 10. Race Director of Operations, Alec Fowler, wanted to make sure that anyone who is impacted by the events is aware of the date, times, detours, and routes that will be in place during the event. They include Union Park Center, the Old Mill Golf Course, the Post Office, UTA, Fed Ex, and UPS. All have been contacted. Mr. Fowler suggested that Cottonwood Heights businesses can get the

most out of the event. Next Monday, they will be walking Fort Union Boulevard from the mouth of the Canyon to Union Park Avenue to make sure that every manager and/or business owner knows what will be taking place. Last year, 33 businesses took advantage of the opportunity and contributed to runners' grab bags, emails, and social media posts. They also worked closely with Big O Tires and Firestone. The direct mailer went out earlier in the week with over 5,000 having been emailed to residents and businesses that will be impacted by the event. It includes the times, routes, and ways to get around during the race itself.

Mr. Fowler reported that the yellow signs will be posted on August 29, two weeks prior to the event to notify residents and local drivers of what is taking place. "Big Cottonwood Marathon" was added to the signage at the request of the Public Works Department. The finish line will be located on Fort Union Boulevard and will be closed the night before the event at 7:00 p.m. as opposed to 5:00 p.m. in years past to prepare the finish line. He extended an invitation to the Mayor and Council Members to hold the tape for first finishers. A donation would be made to the Recreation Department Foundation based on the number of runners as well as a non-profit organization called "Watch Team" focused on getting kids off the couch.

## **5. STAFF REPORTS.**

### **a. Butlerville Days Wrap-Up – Culture Manager, Ann Eatchel.**

Culture Manager, Ann Eatchel, updated the Council on Butlerville Days and stated that the carnival brought in \$25,000, which will go back to the City. There was \$15,000 in sponsorships, \$9,000 from vendors, \$5,100 from food vendors, for total revenue of \$55,000. Typically, \$110,000 to \$120,000 is spent on the event. 120 participated in Painting in the Park, there were 39 paintings for the chalk art, and 125 participated in the car show. The committee was considering moving the Car Show to Friday nights to avoid parade congestion.

Ms. Eatchel reported that the event included 17 food trucks and 40 retail vendors. She stated that providing the inflatables free of charge was a huge success. Residents expressed parking concerns and it was suggested that incentives be offered to patrons who walk or ride their bikes. She expressed appreciation to the Police Department and for their presence at the event. The Unified Fire Authority ("UFA") reported that there were few incidents. Ms. Eatchel thanked the Public Works Department, Staff, and volunteers. She described it as a successful event overall.

Council Member Birrell hoped to see an increased emphasis on sustainability and fewer plastic bags. Enforcement of the Idling Ordinance was also suggested.

City Manager, Tim Tingey remarked that Butlerville Days is a great event and expressed appreciation to Staff, the Police Department, and Public Works personnel. Ms. Eatchel was recognized for the extraordinary amount of time and effort put into making the event such a success.

**b. Little Cottonwood Canyon Environmental Impact Statement (“EIS”)  
Discussion – City Council Member Ellen Birrell.**

Council Member Birrell led the discussion and stated that the September newsletter will include the current City Council’s statement on the position of the City related to the key elements of the EIS. She understood that the Utah Department of Transportation (“UDOT”) will announce its final EIS in the summer of 2022. Once the formal EIS is announced, all entities will then be allowed to provide formal comments on the final selection. The September newsletter will include the City Council’s statement on the position related to the key elements of the EIS.

Two preferences were provided by UDOT for eight miles of the Cottonwood Canyon. The first would include a gondola with a 1,500-parking stall commercial garage located on the residential border to the east. The second would provide a build-out to a total of six or seven lanes referred to as a two-lane imbalance of their five-lane preference. In a letter dated September 2, 2021, drafted by the City Council to UDOT outlining preferences, the City stated its opposition to the gondola primarily because it would include a parking structure in a residential area. The City preferred the UDOT phase in alternative solutions and did not go with the idea of building out Wasatch Boulevard or the canyon area until there is a consistent level of service of ‘F’ or better. She noted that Alta Ski Resort has converted to a reserved parking system. It was reported that it went well with a reduction in traffic issues.

Council Member Birrell felt that the addition of lanes to Little Cottonwood Canyon would bring more cars to an already overburdened location. Both of UDOT’s preferences were found to be problematic. It was the consensus of surrounding municipalities that UDOT use a phased-in approach of adding items that will meet UDOT’s original goal as stated in its EIS. The goals involved reducing the number of cars in Little Cottonwood Canyon on peak mornings by 35% and were opposed to the proposed gondola. Many leaders supported employing more practical solutions rather than the nearly \$600 million cost of the gondola or lane expansions, which are invasive and offer no flexibility. Construction was expected to last for years and produce additional dependence through the nearby neighborhoods.

The discussion encouraged the City to make a firm statement advocating for flexible and preferably electric bus service and transportation on a year-round basis. Viable alternatives during peak times were discussed. Council Member Birrell explained that key items include a 35 MPH maximum speed design for Wasatch Boulevard. She expressed concern with very little movement on UDOT’s part to acknowledge any of the reasonable requests made by the City since the September 2, 2021, letter. Safety regarding pedestrian walkways was a focus and although UDOT claimed to be an advocate of active transportation, it has yet to be included in the EIS. Current data was requested.

Mayor Weichers asked if was possible to support pedestrian bridges and active crossings. Council Member Birrell stated that crosswalks are a safer option as they make motorists aware of potential pedestrians. She objected to pedestrian bridges because they imply that motorists are on a high-speed roadway. Ground crossings were encouraged. All graphics she had seen show a highway design with a non-landscaped median or gestures toward a 35 MPH speed limit.

Council Member Bracken reported that the UDOT design renderings show a landscaped median. Mr. Tingey stated that UDOT has committed to working with the City on the design and Cottonwood Heights will be included in the process.

Community Development Director, Michael Johnson, stated that UDOT prepared a document called Wasatch Boulevard Corridor Aesthetics Plan, separate from the EIS and the Cottonwood Heights Master Plan. It was noted that a UDOT document, dated November 2020, included a diagram of sound walls. Mayor Weichers reported that the only way UDOT may construct a sound wall is if the adjacent residents are in favor by way of a majority vote.

Council Member Bracken stated that population growth does not equate to induction or inducing demand. Growth is happening and by putting in an additional lane, the people are already there and UDOT is often playing catch up. He believed planning and design can always be improved but was not in a position to legislate or purposely ignore growth or other issues.

Council Member Birrell emphasized the need to focus on transit to move people and refrain from putting more cars in areas such as Little Cottonwood Canyon. It was her opinion that Staff should work on making changes with the Region 2 Director to implement crossings and traffic calming while working toward a speed of 35 MPH.

First-class transit was next discussed. Council Member Birrell stated that Cottonwood Heights does not have continuous safe bike lanes, sidewalks, or easements that make a community fully walkable. She believed there was a chance now within the Transportation Plan and five-year plan to design and operate more strategically. Mobility was a focus and all users should have access despite socioeconomic status.

Mayor Weichers thanked Council Member Birrell for her dedication and passion. He believed there were multiple issues residents were agreeable to with slower roads being an emphasis. The Council would continue to work over the next week to come up with a consensus. Staff reminded the Council that Wasatch Boulevard remains a State Road and the statement sent should confirm the City's symbiotic relationship and willingness to work together. Mr. Tingey confirmed that the 2021 letter to UDOT is in the packet and will be resent to the Council along with Council Member Birrell's PowerPoint for their review.

c. **General Plan Process Discussion – Community and Economic Development Director, Mike Johnson.**

Mr. Johnson reviewed the various phases as set forth on the City's website. Staff proposed the review of the Y2 Analytics Survey results and prepare and administer the topical surveys as determined by the City Council. The next step would tentatively identify and host four District specific Town Hall Meetings where every resident from every District would be notified via postcard. Staff proposed the events are hosted by a consultant well versed in public engagement events and moderating town hall meetings. He explained prior to each meeting, Staff would meet with Council Members to propose the outline and content before scheduling. Feedback was encouraged.

Council Member Birrell was unsure of her support for a Consultant and Moderator but was in favor of agreeable content. She felt that interaction with the public was vital and looked forward to understanding the third-party procedure prior to giving her approval.

**6. REVIEW OF CALENDARS AND UPCOMING EVENTS.**

- a. **Community Block Party will be on August 25 from 5:00 p.m. to 8:00 p.m. at City Hall Parking Lot.**
- b. **Planning Commission will Meet on September 7 at City Hall Starting at 5:00 p.m.**
- c. **Bark in the Park will be on September 17 from 10:00 a.m. to 1:00 p.m. at Mountview Park (1651 Fort Union Boulevard).**
- d. **Future City Council Meetings will be held on September 6 and 20, October 4, and 18, November 1 and 15, and December 6 and 20, 2022, at City Hall Starting at 4:00 p.m. Unless Otherwise Noticed.**

**7. 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 Bracken moved to CLOSE the Open Session and OPEN the Closed Session to further discuss litigation. The motion was seconded by Council Member Newell. The motion passed with the unanimous consent of the Council.

**8. ADJOURN CITY COUNCIL WORK SESSION.**

The Work Session adjourned at 5:49 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, AUGUST 16, 2022, AT 6:30 P.M. IN THE COTTONWOOD HEIGHTS  
CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD**

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

**Staff Present:** City Manager Tim Tingey, City Attorney Shane Topham, Community and Economic Development Director Michael Johnson, Police Chief Robby Russo, Public Works Director Matt Shipp, Finance and Administrative Services Director Scott Jurgens, Assistant Fire Chief Riley Pilgrim, Systems Administrator Alex Earl, Deputy City Recorder Heather Sundquist

**1.0 WELCOME – Mayor Weichers.**

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

**2.0 PLEDGE OF ALLEGIANCE.**

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

**3.0 ACKNOWLEDGEMENTS**

**3.1 Beautification Awards – Community and Economic Development Director, Mike Johnson.**

Mayor Weichers reported that the Beautification Awards recognize landscape beautification within the City. Winners were selected in each district and there was one commercial business as well. Mr. Johnson explained that this was the fifth year that the Landscape Beautification Awards had been presented. It was a program sponsored by the Cottonwood Heights Business Association. Residents throughout the City were able to nominate others for the award. Once the nominees were submitted, the Council Members selected the winners. All of the award winners present at the City Council Meeting were nominated by their neighbors, peers, and fellow residents. Mr. Johnson congratulated the winners, nominees, and nominators for recognizing the residential and commercial properties that exemplify a higher standard of care, attention, and environmental stewardship. All of the properties added to the beautification of Cottonwood Heights.

The winner in District 1 was Misty Hobbs who resides at 7115 South 1700 East. Mr. Johnson shared a photograph of the property. Council Member Petersen stated that it had been a difficult decision to make. In District 2, the winners were Michelle and Matthew Parker, who live at 2764 East Banbury Road. Council Member Bracken noted that there were some very impressive nominees in District 2. The winning property had a nice balance. Mr. Johnson informed the Council that each of the winners received a yard sign from the City. This allowed the properties to receive additional public recognition. The winners in District 3 were Caitlin and Colin Cassidy, who reside at 2199 East 7110 South. Council Member Newell congratulated the winners. In



District 4, the winners were Julee and Jules Weaver, who live at 8745 South Rustler Road. Council Member Birrell appreciated their efforts and applauded the details. The commercial winner was Sandy Rudolph Insurance Agency located at 1399 East Fort Union Boulevard. Mayor Weichers noted that the property is very inviting.

Mayor Weichers reported that along with a certificate, each winner will receive a \$50 gift certificate to Home Depot. Mr. Johnson recognized all of the nominees and winners on behalf of the City Staff, Cottonwood Heights Business Association, the Mayor, and the City Council.

#### **4.0 CITY COUNCIL COMMITTEE REPORTS**

##### **4.1 Reports by Council Member Doug Petersen.**

Council Member Petersen reported that there had been a lot of animal control issues down by the creek. One of the Committees he worked with was the Business Committee. He reminded those present to be mindful of where they shop. The City receives tax revenue from local entities. He explained that Cottonwood Heights wants to continue to bring in new businesses as a way to receive additional tax revenues and create conveniences for residents. Council Member Petersen discussed the Parks, Trails, and Open Space Committee. There had been a tour of Little Cottonwood Creek and there were discussions about how to enhance the area. He discussed sharing water and the issues associated with that. Council Member Petersen informed the Council that District 1 has three of the major parks in Cottonwood Heights. Work was being done on Antczak Park for the new tennis court and pickleball court.

##### **4.2 Committee Reports by Council Member Scott Bracken.**

Council Member Bracken reported that he serves on the Butlerville Days Committee. He also serves on the CH2 Committee, which was where the City and the Recreation Center Board crossed over to make sure that the parks, trails, and maintenance efforts were coordinated. Council Member Bracken reported that he has also worked with the Youth Council. The Council had done a lot of service during Butlerville Days and members cleaned tables and helped with the information booth. The previous week there was a social activity at the pool, where Youth Council Members were able to socialize. The next meeting would take place later in the week. The K9 Unit from the Police Department would be present. Council Member Bracken also participated with Wasatch Front Waste and Recycling. Postcards were distributed with information about bringing a dumpster out so residents could throw away items.

##### **4.3 Committee Reports by Council Member Shawn Newell.**

Council Member Newell reported that he has served on a number of committees, such as the Arts Council. He hoped those present had taken advantage of some of the Arts Council events. For instance, there was a photography contest earlier in the summer. The Arts Council also provided residents with entertainment, which included productions and movies in the park. Council Member Newell explained that he served on the Emergency Preparedness Committee. That Committee looked at ways to mitigate occurrences in the City. He started speaking to neighbors

in his immediate neighborhood about developing a neighborhood watch program. This was something that could be considered in other neighborhoods as well.

Additionally, he serves on the Legislative Policy Committee, which does a lot of work with the Utah League of Cities and Towns (“ULCT”). Council Member Newell worked with the Mayor and City Manager directly on that and had begun to take on some additional tasks. He explained that this included work with the Utah Economic Opportunity Commission. The intention was to mitigate barriers to doing business with the State Government. The Commission was looking into issues that small businesses had obtaining permits or Business Licenses.

#### **4.4 Committee Reports by Council Member Ellen Birrell**

Council Member Birrell reported that the Introduction to E-bikes event on July 21, 2022, was well attended. There were approximately 65 attendees. Four demo bicycles were provided and attendees enjoyed learning more about e-biking and its tie-in with active transportation. Council Member Birrell stated that she had been working to save the mature pine trees. There was a program in Cottonwood Heights where an Arborist looked at the parks. The Arborist had done excellent work to ensure that the mature trees in the parks were being protected from the beetles. However, she expressed concerns about the health of trees on the east side of Wasatch Boulevard. Council Member Birrell would continue to work with City Staff to address the trees in the park and the trees on the edges of the roadways throughout the City. She informed those present that Ferguson Park appeared to be on schedule to open, at least in part, later in the year.

Council Member Birrell noted that in her district there is a lot of trail access and a desire for clarification regarding the access and preservation of sensitive lands. She reported that there was construction taking place at Deaf Smith Canyon. Since there had been a lot of questions from concerned citizens, she hoped it would be possible to receive more clarification on the legalities of building there to the east. It was important to preserve access. Council Member Birrell stated that she had also been focused on housing, which is an important issue throughout Salt Lake County. Additionally, she was focused on motorist noise, speed, and safety, and had been working with City Staff and with the Utah Transit Authority (“UTA”) Local Advisory Council. Council Member Birrell discussed the General Plan, which normally focuses on:

- Land Use;
- Growth and Development;
- Housing;
- Transportation;
- Economic Development;
- Parks, Trails, and Open Space;
- Water; and
- Sustainability.

Council Member Birrell believed that public health and City infrastructure should be significant parts of the General Plan in the future. It is important to maintain what Cottonwood Heights has and look after the health and well-being of citizens. She wanted to focus on the people. As for

infrastructure, Planning Commissioner, Jessica Chappell, previously brought up the importance of disaster resiliency within the General Plan. It was important to look at the condition of older houses and determine whether there were seismic concerns. There were a lot of areas that needed to be explored, including the diversity of the housing market and walkability.

Council Member Birrell believed the Council needed to shift from the more consumptive practices of the 20<sup>th</sup> century into practices that preserve green space and mature pine groves, protect the soil and airsheds, and meet housing demand with smart and strategic planning that keeps housing attainable, transit-oriented development, and movability within the City.

#### **4.5 Committee Reports by Mayor Mike Weichers.**

Mayor Weichers reported that he serves on the Legislative Policy Committee. During the last Legislative Session, House Bill (“H.B.”) 440 was passed. This allocated funding for some of the cities that currently have homeless resource centers. The Bill also required every city within Salt Lake County to meet with the Conference of Mayors (“COM”) and submit a location that can be considered for an overflow facility for the homeless. Mayor Weichers and City Manager, Tim Tingey, submitted a location but it was not chosen. Mayor Weichers explained that Cottonwood Heights does not have the required transit, so the proposed location was eliminated early on in the process.

Mayor Weichers is also a member of the Central Wasatch Commission (“CWC”). There had recently been discussions about the U.S. Forest Service, which was proposing changes to recreation fees under the Federal Lands Recreation Enhancement Act. This included the Uinta-Wasatch-Cache National Forest lands. The fee changes included increases and decreases at several fee sites. The Forest Service was seeking public comments on the fee changes. All of that information had been posted on the City website. Mayor Weichers provided some background information and explained that the Uinta-Wasatch-Cache National Forest has operated a Recreational Fee Program since 1997. The program funds contribute to the operation of the recreation program, allow the Forest Service to meet public expectations, and ensure that deferred maintenance needs are addressed. The revenue derived from fees is a critical component but only part of a more comprehensive funding strategy, which includes appropriated dollars, grants, and other volunteer support. The forest encompasses 2.2 million acres and the forest receives 13 million visitors on an annual basis. It is an intensely used year-round destination. One of the proposals related to the fee program was three-day, seven-day, and annual passes.

#### **5.0 CITIZEN COMMENTS**

*Micki Harris* discussed Wasatch Boulevard. She explained that it was difficult to hear comments that indicated there was a desire to wait to make a decision. She lived against Wasatch Boulevard and wanted to understand what the Council required before speaking to the Utah Department of Transportation (“UDOT”). Ms. Harris felt that improvements needed to be made on Wasatch Boulevard for the safety of the residents. She informed the Council that it is often difficult for residents to feel heard. Additionally, she asked that the Council look into data related to growth and share it with UDOT. It was important to consider the future. Ms. Harris asked the Council to spend time on Wasatch Boulevard and notice how people move through the area.

*Jim McGauley* lives near Wasatch Boulevard and sees the traffic there every day. He described the map included in the UDOT Little Cottonwood Canyon Environmental Statement ("EIS"). On the left, there was a map from 2015, and on the right, there was a projection for 2050. The map showed the volume of traffic on Wasatch Boulevard during the peak PM period, which was between 4:00 p.m. to 7:00 p.m. Mr. McGauley reviewed some of the data and projections. After speaking to some neighbors there was uncertainty about the numbers provided. Mr. McGauley purchased a hand clicker and every day for the last week he had counted the cars in one section of the road. The 2015 data included 14,000 vehicles while the projection in 2050 was for 19,000 vehicles. Based on the data, there should be 15,000 vehicles in that section currently during the peak PM period. In actuality, there were 4,700. There was something wrong with the data.

Mr. McGauley reached out to Josh Van Jura from UDOT and had spoken to him on the phone. Mr. Van Jura recognized that the volume was down but did not know by how much. Mr. McGauley explained that he also sent several questions via email and he received a response earlier that day. Through that response, he learned that the 2015 study was based on observed traffic counts. He believed there was a discrepancy with the traffic numbers being used and asked that Cottonwood Heights approach the issue proactively. The widening of the road should be based on the volume of traffic. If the traffic volumes were off, this needed to be explored. Mayor Weichers offered to look into this. Council Member Birrell noted that UDOT was factoring in commuter traffic and this was not a ski-driven expansion of Wasatch Boulevard.

*Leslie Kovach* shared comments related to Wasatch Boulevard. She had been a resident of Cottonwood Heights for 38 years and as the City has grown, there have been a lot of changes in the traffic patterns. It was her understanding that a Traffic Study was requested for the Canyon Center that was completed by Horrocks Engineering. Ms. Kovach wondered if there had been any information gathered about the number of accidents that have taken place on Wasatch and Fort Union Boulevards. She felt that data should be factored into the study, and as a result, she contacted the Utah State Department of Public Safety – Highway Safety Office. According to their response, there were 19 accidents at the intersection of Wasatch and Fort Union Boulevards between June 1, 2021, and June 30, 2022. Two of the reported accidents involved possible injuries and one involved a possible minor injury. Two of the crashes were speed-related and 14 involved other vehicles. The data was important to consider when discussions were had about how to improve road design in the City.

*Jennifer Cottam* reported that a few weeks earlier she had requested a map that outlined the ability to bicycle in Cottonwood Heights. When she received the map it was clear that it is not a bicycle-friendly City. On the map, it was difficult to tell where complete bicycle lanes were and to find neighborhood bypass routes. She wants to be an avid biker but explained that it would be dangerous to use a bicycle in many areas of the City. Ms. Cottam noted that she previously lived in Europe and was used to walking and bicycling everywhere. After moving to Cottonwood Heights, she realized that it was difficult to bicycle or walk to different locations. She reported that bicycle infrastructure needs to be in place before residents will feel comfortable biking. Additional bicycle lanes will draw people to the City and increase real estate values. There are many health benefits to bicycling as well and she asked the Council to consider this.

*Fritz Wood* had been a resident of Cottonwood Heights since 1980. He appreciated everything the Council was doing to make the City a better place to live. This was a time of climate crisis and he did not believe Cottonwood Heights was doing much to address the issue. Salt Lake County approved an Idle Free Ordinance in 2011, which limited idling to two minutes or less. Last year, he contacted the Cottonwood Heights Police Department after multiple encounters with the snow removal crew hired by his neighbor. Those crews left their vehicles running for 30 minutes or more. It took the Police Department six weeks to return his phone call. During the phone call, the Officer stated that he was unaware of the Ordinance. Mr. Wood asked that the Council educate the community about idling and how it contributes to poor air quality. There could also be Idle Free signage at banks, grocery stores, and drive-thru locations. It was also important to call on the ski resorts to discourage idling and publish information in the newsletter. Mr. Wood also asked that Cottonwood Heights Police Officers enforce the Ordinance.

*Will McCarvill* reported that several of his neighbors in the Top of the World neighborhood had concerns about digging in Deaf Smith Canyon. It appeared that there were several building foundations or basement excavations taking place in Deaf Smith Canyon. That was happening in areas shown on several sensitive land overlay maps, so the existing version of the Sensitive Lands Evaluation and Development Standards ("SLEDS") Ordinance was applied. He wanted assurances that the SLEDS Ordinance was being followed correctly and asked for a meeting with City Staff.

Mayor Weichers asked Mr. Tingey to share information about Deaf Smith Canyon. Mr. Tingey reported that lots were approved prior to Cottonwood Heights becoming a City. Those lots were entitled. Part of what was happening currently was the geotechnical work in preparation for submitting future permits. There was currently no building taking place. The digging had been seen as part of the geotechnical process. The Design Review Committee ("DRC") provided details about the SLEDS Ordinance and how this would be applied. City Staff would speak to residents with concerns but there was no building taking place currently.

*Randy Whitehead* appreciated the Beautification Awards and felt that that type of recognition was impactful. It sent a wonderful message out to the community. Mr. Whitehead noted that he used to live where Danish Road comes through the intersection of Wasatch Boulevard. He lived there for two years and understood many of the comments and concerns shared by others. There were a lot of accidents and he felt safer when he moved away from that specific area. It was important to influence UDOT to make decisions that will improve safety along Wasatch Boulevard.

Mr. Whitehead shared comments related to the City Council Work Meeting that took place the previous month. There were discussions at that time about involving the Citizen Group in District 3 with the Planning Commission. The Citizen Group wanted to assist with the General Plan updates. However, there had been a comment made that it would be unfair to allow one Citizen Group to participate in the discussions. It was suggested that a town meeting be held with each of the districts instead. In the latest Work Meeting, there was a comment about a third-party consultant who would structure the town meeting discussions. He believed that was the result of a comment made by Planning Commissioner Dan Mills, who was not supportive of hearing from the citizens. Mr. Whitehead did not want there to be a one-sided process. He felt it should be collaborative.

*Nancy Hardy* understood that the City wanted public engagement for the General Plan update. Over the years, various plans had been crafted with a lot of citizen feedback. She hoped that some of those plans and studies would be incorporated into the General Plan. There were some great ideas in the documents and a lot of citizen time was dedicated to them. Ms. Hardy referenced the Fort Union Master Plan and explained that there were several worthwhile ideas presented that would not require widening the street. She noted that some of the plans were very long and detailed and she suggested that a summary of each be created. This information could be shared on the City website so residents could read all of the plans within a shorter timeframe.

Mayor Weichers reported that the General Plan update process had been slowed down. One of the reasons the decision had been made to hold town hall meetings was to ensure that there was adequate input from residents about the process and the plan. The details were still being determined.

*Tim Jahn* stated that he lives 30 yards from Wasatch Boulevard between Big and Little Cottonwood Canyons. He was aware of at least three bicycle accidents that had occurred in the area as well as three incidents where vehicles left the road and came into the nearby yards. In addition to the safety concerns, he noted that it was becoming more difficult to get onto Wasatch Boulevard due to the high driving speeds. Mr. Jahn reported that some residents were trying to avoid using Wasatch Boulevard and instead using neighborhood streets at very high speeds. He hoped that solutions to enforce lower speeds would be implemented, such as roundabouts or electronic speed monitoring.

*Kevin Dolan* shared comments related to Wasatch Boulevard. He expressed concerns about the bicycle lanes on Wasatch Boulevard. Though he loved to bike, he believed those lanes were dangerous for bicyclists. Anything that could be done to make a dedicated bicycle and pedestrian lane would be beneficial. On Danish Road, there are also certain sections where it is not possible to walk without running into vehicles. He understood that the Council was working to improve safety and connectivity but was also willing to assist in any way possible.

*Melissa Fields* had lived in Cottonwood Heights since 2010. She echoed previous comments from Mr. McCarvill and expressed concerns about Deaf Smith Canyon. She had spoken to Council Member Birrell and had also emailed Mayor Weichers. The level of disturbance in the canyon looked most like foundation excavation rather than a geological survey. Ms. Fields wondered who would be responsible for the remediation of the disturbance if the developer was not granted a Building Permit. She asked the Council to put more urgency behind a vote for a Riparian Ordinance because Deaf Smith Canyon is one of the few waterways within the Cottonwood Heights City limits that is not developed. She felt it was important to make every effort possible to preserve the riparian habitat there and elsewhere in the City. Ms. Fields stressed the importance of maintaining trail access into Deaf Smith Canyon. In addition, she hoped the City would work to preserve the alignment of the Bonneville Shoreline Trail.

Mr. Tingey reported that two written comments were submitted prior to the meeting and forwarded to the Council. One was from Audrey Pines and the other was from John Kennington. Ms. Pines expressed opposition to the gondola and shared concerns about speeding on Wasatch Boulevard. Mr. Kennington asked that Cottonwood Heights maintain opposition to the gondola and expressed

concerns about the enhanced bus alternative. There were also comments related to the Horrocks Traffic Study for the Fort Union and Wasatch Boulevard area. He believed it needed to be fully discussed and vetted with the public before implementation.

There were no further comments. The Citizen Comment period was closed.

## **6.0 STANDING MONTHLY REPORTS**

### **6.1 Monthly Financial Report – Finance and Administrative Services Director, Scott Jurges.**

Finance and Administrative Services Director, Scott Jurges shared the Monthly Financial Report with the Council. A graph was shown that overviewed the sales tax trends. Mr. Jurges clarified that sales tax revenues were received through May and that the June sales tax revenues would be received in approximately one week. From the start of the year to the end of May, there was \$7.9 million in revenue. This was slightly higher than last year at this time. The budget had projected \$8.5 million in sales tax revenue, so the City only needed to receive an additional \$600,000 to meet that projection. Mr. Jurges was confident that the City would be able to meet that number.

The County Option sales tax was reviewed. Mr. Jurges explained that it was a transit-oriented sales tax that started in Fiscal Year 2020. The revenue has a slightly different tax base, so it did not completely mimic the sales tax. The current amount was \$702,000 for the year to date. He was not certain why the numbers were trending upwards, but there was an increase from 2021.

Mr. Jurges overviewed the Municipal Energy tax numbers. He reported that the numbers were hovering at just under \$2 million in 2019 and 2020. There was a rate change that occurred after that and the result was \$2,167,000, which was slightly higher than the initial projections. He noted that the budget for the current year was \$1,950,000 and for the next year, it was \$2,200,000. Council Member Bracken asked about the rate change. Mr. Jurges explained that this was a percentage-driven tax. When there is a rate change, the City receives slightly more revenue.

The Cable Franchise tax was reviewed. Mr. Jurges reported that the tax had been relatively stable over the years. For 2022, the number was \$322,000 for the year to date. The budget was \$310,000 because the City felt the numbers may be on a downward trajectory. He noted that the increase could be related to the COVID-19 pandemic with more residents opting for at-home options.

The Class C Road Fund trends were overviewed. Mr. Jurges explained that the graph showed data through 12 periods. The last revenues received were through April, so when the May and June data was received, those numbers would be added to the current fiscal year. Over the last several years, the numbers had been relatively stable. However, in the current year, the numbers were higher. He explained that gas prices did not impact the amount received. The higher numbers indicated that people were driving more, but he was not sure what had caused the increase.

Mr. Jurges discussed the General Fund Expense trends. After adjustments, the net budget was \$19,822,230 for expenditures. In addition, there were some transfers out. So far to date, the City had spent \$18,954,000. That was approximately \$900,000 less than the budget. From a percentage

perspective, that represented a 4% under expend. Once two outstanding program expenses were taken into account and the under expend would be closer to 3%. He was not concerned about the numbers and explained that 3% was about where the City wanted to be.

Council Member Birrell had a question related to the sales tax trend. She believed the City was on its way to ending the year with well over \$8 million in sales tax and wondered if the trend would continue. Mr. Jurges did not believe the trend would continue at the rate it had over the last two years. There was a 17% growth rate from 2020 to 2021. This year, it was trending in the 13% range. He did not think it would continue at those high levels, but also did not believe it would drop into a recessionary tax rate. Mr. Jurges guessed it would be closer to 6%. Mayor Weichers noted that Cottonwood Heights was lucky to have a few good revenue streams.

## **6.2 Unified Fire Report – Assistant Chief, Riley Pilgrim.**

Unified Fire Authority (“UFA”) Assistant Chief, Riley Pilgrim shared the Quarterly Report with the Council and explained that the report covered the second quarter, which went from April 1, 2022, to June 30, 2022. There had been 518 incidents and 192 emergent incidents. The numbers were fairly consistent for this time of year. Assistant Chief Pilgrim overviewed the call types and stated that there had been eight structure fires. He had looked into this because he felt it was slightly higher than usual. Two were legitimate fires consisting of a kitchen fire and a garage fire. The other six were related to cooking. As a result, he believed some messaging related to cooking safety would be worthwhile to share with the community. For medical calls and EMS dispatches, the top reasons for dispatch were falls and illness. Assistant Chief Pilgrim reported that the most common other reasons for dispatch were related to unintentional detectors and public service assistance.

A recent fire in the community was discussed. Mr. Tingey pointed out that some residents had stated that Sandy was able to get to the fire faster than Cottonwood Heights. Assistant Chief Pilgrim clarified that after speaking to the crews, he confirmed that 116 was there first. Additionally, he had pulled the call to determine all of the data. The crew arrived within 4 ½ minutes of the call coming in. That crew began work as soon as they arrived. Sandy was on the scene later and arrived three minutes after 116 had arrived.

Mayor Weichers asked if a Firefighter was able to go inside a home when there was a three-person crew. Assistant Chief Pilgrim clarified that it was up to the Captain. This was not a practice that was endorsed nationwide, but the Captain sometimes needed to make a life-and-death decision. In some instances, it would not be appropriate to do so and they would not go inside. The first arriving officers would have the knowledge and experience to determine what made sense in each situation. Assistant Chief Pilgrim trusted the judgment call that had been made.

Council Member Birrell asked if revisiting the number of personnel at Station 116 was something that needed to be done. Assistant Chief Pilgrim believed that was always something that should be considered and reexamined. It was important to think about efficiency and safety. There were a lot of calls where an additional person would be beneficial. Council Member Birrell wanted to see statistical information about cities the size of Cottonwood Heights in similar climates. Any additional data for Council consideration would be worthwhile.



Assistant Chief Pilgrim overviewed the emergent total times. The 50<sup>th</sup> percentile was 4:53 and the 90<sup>th</sup> percentile was 7:17. He noted that it was nice to see those times improving. A map was shown to illustrate where the UFA calls were within Cottonwood Heights and what the call types were. There tended to be more calls in the higher-density areas. Some UFA updates were shared, which included a recruitment graduation. 22 new members were sworn in as UFA Firefighters. There had also been some promotions within UFA over the last several months.

## **7.0 ACTION ITEMS**

### **7.1 Consideration of Ordinance 387 – Approving the Vacation and Consolidation with Adjoining City-Owned Realty of a Portion of the 3000 East Right-of-Way.**

Mayor Weichers reported that the above matter was discussed during the Work Session.

**MOTION:** Council Member Bracken moved to APPROVE Ordinance 387 – Approving the Vacation and Consolidation with Adjoining City-Owned Realty of a Portion of the 3000 East Right-of-Way. The motion was seconded by Council Member Birrell. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Mike Weichers-Aye. The motion passed unanimously.

### **7.2 Consideration of Resolution 2022-42 – Accepting a Bid and Approving Entry into a Construction Contract with Peck Striping, Inc. for the 2022 City-Wide Striping Project.**

Mayor Weichers reported that the above resolution was discussed during the Work Session.

**MOTION:** Council Member Newell moved to APPROVE Resolution 2022-42 – Accepting a Bid and Approving Entry into a Construction Contract with Peck Striping, Inc. for the 2022 City-Wide Striping Project. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Mike Weichers-Aye. The motion passed unanimously.

### **7.3 Consideration of Resolution 2022-43 - Approving an Interlocal Agreement with Canyons School District for Bussing Services.**

Mayor Weichers reported that the item was discussed during the Work Session.

**MOTION:** Council Member Birrell moved to APPROVE Resolution 2022-43 – Approving an Interlocal Agreement with Canyons School District for Bussing Services. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Mike Weichers-Aye. The motion passed unanimously.

**7.4 Consideration of Resolution 2022-44 - Approving an Expense Reimbursement Agreement with Brooksee, LLC Concerning the 2022 Big Cottonwood Marathon.**

Mayor Weichers reported that the above resolution was discussed during the Work Session.

**MOTION:** Council Member Petersen moved to APPROVE 2022-44 – Approving an Expense Reimbursement Agreement with Brooksee, LLC Concerning the 2022 Big Cottonwood Marathon. The motion was seconded by Council Member Newell. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Mike Weichers-Aye. The motion passed unanimously.

**8.0 CONSENT CALENDAR**

**8.1 Approval of the City Council and Planning Commission Work Session Meeting Minutes of July 20, 2022, and the City Council Work Session and Business Meeting Minutes of August 2, 2022.**

**MOTION:** Council Member Birrell moved to APPROVE the Consent Calendar. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Council Member Birrell-Aye, Mayor Mike Weichers-Aye. The motion passed unanimously.

**9.0 ADJOURN CITY COUNCIL BUSINESS MEETING.**

**MOTION:** Council Member Bracken 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 8:30 p.m.

*I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session and Business Meeting held Tuesday, August 16, 2022.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: September 6, 2022