

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, JANUARY 17, 2023, AT 4:00 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD,
COTTONWOOD HEIGHTS, UTAH**

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

Staff Present: City Manager Tim Tingey, City Attorney Shane Topham, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Administrative and Financial Services Director Scott Jurgens, Police Chief Robby Russo, Public Works Director Matt Shipp, IT Manager Matt Ervin

1. WELCOME – Mayor Weichers.

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

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

The Business Meeting Agenda items were reviewed and discussed.

Mayor Weichers reported that consideration of Amended Code Chapter 19.72, Sensitive Lands Evaluation and Development Standards (“SLEDS”) will be postponed to the first Business Meeting in February.

City Manager, Tim Tingey, reviewed Resolution 2023-05 consenting to an Appointment of Zachery Geiger to the Cottonwood Heights Parks, Trails, and Open Space Committee (“PTOS”). He reported that Mr. Geiger is passionate about serving and has attended prior to his appointment. Mr. Tingey felt he would add value to the Committee and has a strong desire to be involved. He recommended approval of the appointment.

Mr. Tingey presented Resolution 2023-06 approving a three-year contract with Brown’s Amusements, Inc. for the Butlerville Days Carnival. The contract is the as in previous years with the City receiving an upfront base fee of \$20,000 and a portion of any amounts in excess of \$75,000. He confirmed that Brown’s Amusements, Inc. is responsible for funding the games and food vendors.

Mr. Tingey next addressed Resolution 2023-07 approving an Interlocal Sales Tax Pledge Agreement and the issuance of the City’s obligation of \$14.5 million and other related matters. The matter was to be discussed at the Community Development and Renewal Agency (“CRDA”) meeting. Specifics regarding the Bond Parameters Resolution will be reviewed and look at the CDRA Bond with sales tax revenue. The agreement will create the Interlocal Arrangement between the two entities. He stated that more details of the bond parameters will be forthcoming.

3.0 **STAFF REPORTS**

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

Administrative Services Director, Scott Jurges reported that there are a number of items requiring budget adjustments with the main item focusing on the possible purchase of property. Adjustments were as follows:

The General Fund:

- Transfer to the CDRA Fund to cover expenses related to the potential purchase of Hillside Plaza.
- Utah Division of Museums and Art Grant. This item is included in the budget and recognizes the revenue.
- The sale of two police vehicles as surplus. These funds will be utilized to purchase additional vehicles to be added to the current budget in the amount of \$29,500.
- Contribution from the Cottonwood Heights Police Department Honorary Colonel (“CHPDHC”) for an employee Police Department Christmas event in the amount of \$3,919.
- State of Utah DUI overtime reimbursement in the amount of \$3,130.
- Cottonwood Heights Recreation Center's contribution for overtime related to the Thanksgiving 5K in the amount of \$1,950.
- The Cottonwood Heights Police Department assistance to provide security overtime at the Senator Mike Lee event in the amount of \$900.

The Capital Projects Fund:

- Central Utah Water Conservancy District Grant for Ferguson Park in the amount of \$45,545.

CDRA Fund:

- The Hillside Plaza purchase up of to \$14 million with estimated closing costs of \$160,000 and will be covered by bond funds. It is currently listed as bond funding at \$13,160,000 with \$1 million in grant funds although awaiting full clarification from the State.
- \$100,000 from the General Fund to cover due diligence, legal, survey, and other related items.

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

- a. **January 21 at 4:30 p.m. – Film Festival at Butler Middle School Auditorium.**
- b. **February 4 Arts Council Presents Culture Hip Hop Event “They REM” – 7:00 p.m. at Butler Middle School - \$10.00.**

- c. Starting February 9 at 9:00 a.m. and Every Thursday Thereafter until March 2 – Legislative Work Session – Zoom Meeting Only.
- d. The Cottonwood Heights Children’s Choir Free Registration for Grades 3rd – 6th – Rehearsals Start February 15, 2023. For More Information Visit chcityarts.com or contact aatchel@ch.utah.gov.
- e. February 24 the Arts Council Presents Sweetheart Paint Night Starting at 6:30 p.m. at City Hall. The Cost is \$7.00 – Must Preregister/Limited Seating.
- f. March 2 at 6:30 p.m. – Youth City Council Dinner with the Mayor and City Council.
- g. March 8 – General Plan Open House from 5:30 p.m. until 7:30 p.m. at City Hall.
- h. March 17 and 18 – Cottonwood Heights Arts Council *Guys and Dolls* Musical Auditions at City Hall.
- i. April 8 – City Easter Egg Hunt at Butler Park 10:00 a.m.
- j. July 27 through 29 – Cottonwood Heights Butlerville Days (Volunteers and Sponsors Needed. For more information, visit Butlervilledays.com or call Ann Eatchel at 801-550-8225).

5.0 CLOSED MEETING TO DISCUSS THE CHARACTER AND PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; CLOSE THE CLOSED MEETING ONCE IT IS OVER AND OPEN THE CDRA MEETING AND GO IMMEDIATELY INTO A CLOSED MEETING OF THE CDRA MEETING TO DISCUSS PROPERTY ACQUISITION.

MOTION: Council Member Bracken moved to CLOSE the Open Session and OPEN a Closed Session for the purpose of discussing the character and professional competence or physical or mental health of an individual and move to a CDRA Closed Meeting to discuss litigation property acquisition and/or the character and professional competence of an individual. Council Member Petersen seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council was in Closed Meeting from 4:22 p.m. to 5:04 p.m.

6.0 ADJOURN CITY COUNCIL WORK SESSION.

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

The Work Session adjourned at 5:04 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS COMMUNITY DEVELOPMENT AND RENEWAL AGENCY HELD TUESDAY, JANUARY 17, 2023, AT 5:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH

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

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

1.0 WELCOME – Mayor Weichers.

Mayor Mike Weichers called the meeting to order at 5:04 p.m. and welcomed those present.

2.0 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 CDRA Meeting to discuss property acquisition. 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.

The City Council was in Closed Session from 5:04 p.m. to 6:15 p.m.

MOTION: Council Member Bracken moved to close the CDRA Closed Meeting. 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.

The Open Meeting resumed at 6:19 p.m.

3.0 HILLSIDE PLAZA PROPERTY ACQUISITION DISCUSSION – CDRA CEO, Tim Tingey and Community and Economic Development Director, Michael Johnson.

CDRA CEO, Tim Tingey provided a background for the Hillside Plaza property acquisition and stated that the City has entered into an agreement that will be considered later for ratification. He explained the CDRA is charged with the facilitation of redevelopment of underutilized properties or properties for redevelopment purposes. It is in their best interest to facilitate reinvestment of the Hillside Plaza and induce additional investment with the potential possibility of both public and private purposes on the property. Discussions with a developer have not yet been negotiated.

The City will continue with the due diligence process as part of the acquisition, which includes bonding and considering specific options.

Mr. Tingey reported that key elements will include purchasing approximately 10 acres of property for \$14 million. Payment terms require a \$100,000 deposit within three days and \$100 non-fundable with the due diligence process until January 31, 2023. Should they continue to move forward, an additional \$100,000 down payment will be required. He reported that an additional negotiation of the provisions of the Purchase and Sales Agreement will be considered. The project does not include the Walgreens parcel. He confirmed that the due diligence process will include the following:

- Title commitment;
- Existing surveys;
- Rent rules;
- Accounting information;
- Tenant leases;
- Site plans;
- Insurance certificates;
- Property tax statements;
- Warranties;
- Income;
- Utility bills;
- Service contracts;
- Personal property inventory; and
- Tentative stop holds.

4.0 HILLSIDE PLAZA BOND DISCUSSION – CDRA CEO, Tim Tingey and Administrative and Fiscal Services Director, Scott Jurgens.

Mr. Tingey led the bond discussion and stated that with regard to the purchase, a bond will be issued to the CDRA as part of its responsibility to facilitate the redevelopment of the property. This will include the backing of sales tax revenue through an Interlocal Agreement that will be decided on. If a bond resolution is passed by the CDRA, a hearing will be held on February 7, 2023, followed by the issuance of the bonds should the City Council and CDRA Board wish to proceed.

5.0 ACTION ITEMS

5.1 Consideration of Resolution 2023-01 Approving and Ratifying a “Shopping Center Purchase Agreement” and Related Documents for Realty within the Town Center at 2300 East Fort Union Community Reinvestment Area.

MOTION: Council Member Newell moved to approve Resolution 2023-01. The motion was seconded by Council Member Petersen.

Council Member Bracken expressed reservations with the agreement but was aware of the positive response from the citizens when news of the negotiation was initiated.

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.

5.2 Consideration of Resolution 2023-02 Authorizing the Issuance and Sale of Not More than \$14.5 Million Aggregate Principal Amount of Sales Tax and Tax Increment Revenue Bonds, Series 2023, and Related Matters.

City Attorney, Shane Topham, recommended the Council Members sign the Acknowledgement, which is a required component of the agreement.

MOTION: Council Member Bracken moved to APPROVE Resolution 2023-02 Authorizing the Issuance and Sale of Not More than \$14.5 Million Aggregate Principal Amount of Sales Tax and Tax Increment Revenue Bonds, Series 2023, for no more than \$14.9 million. 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.

6.0 APPROVAL OF MINUTES

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

7.0 ADJOURN

MOTION: Council Member Bracken moved to ADJOURN. 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.

The Meeting adjourned at 6:34 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, JANUARY 17, 2023, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD,
COTTONWOOD HEIGHTS, UTAH**

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

Staff Present: City Manager Tim Tingey, City Attorney Shane Topham, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Administrative and Financial Services Director Scott Jurgens, Police Chief Robby Russo, Public Works Director Matt Shipp, IT Manager Matt Ervin

1.0 WELCOME

Mayor Mike Weichers called the meeting to order at 7:03 p.m. and welcomed those present.

2.0 PLEDGE OF ALLEGIANCE

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

3.0 CITY COUNCIL COMMITTEE REPORTS

3.1 Committee Reports by Council Member Shawn Newell.

Council Member Petersen reported that he serves on the Arts Council who has a film festival scheduled for January 21 followed by a Sweetheart Paint Night event on January 24. After working with areas of safety, individual resident training for Neighborhood Watch was encouraged. He also serves alongside Mayor Weichers and City Manager, Tim Tingey on the Legislative Committee.

3.2 Committee Reports by Council Member Doug Petersen.

Council Member Petersen reported there are many issues taking place in the City. He looked forward to helping find solutions to those concerns. He serves on the Parks, Trails, and Open Space Committee where efforts are being made to connect the Bonneville Shoreline Trail. The Business Board welcomes new business and believes it is vital to the growth of the City's tax base. He expressed appreciation for citizen participation within the City and those involved in the Hillside Plaza.

3.3 Committee Reports by Council Member Ellen Birrell.

Council Member Birrell reported that she is working alongside residents and the Cottonwood Heights Police Department to mitigate cut-thru traffic on snowy days. There are 11 intersecting

streets along Wasatch Boulevard where access can be challenging during high-traffic hours. The results of the Horrocks Traffic Study were considered as they work through the various issues. The Utah Transit Authority (“UTA”) has reported a lack of bus operators with ski routes having been diminished. She thanked the Wasatch Back Country Alliance and others in Salt Lake County who are working to enhance bus service for both locals and visitors. She continues to serve on the UTA Local Advisory Council to influence transit. The Wasatch Front Regional Council (“WFRC”) has put in for the Safe Systems 4 All (“SS4A”) which will financially benefit the region for safer active transportation.

3.4 Committee Reports by Council Member Scott Bracken.

Council Member Bracken reported that he serves on the CH2 Committee where coordination takes place between the City and Cottonwood Heights Recreation Center District. They are represented on the Parks, Trails, and Open Space Committee where they are working to map urban trails and bypasses. He noted that the Wasatch Front Waste and Recycling did not hold a December Board Meeting and will provide an update at a later date. The Youth City Council will be attending a State Legislative Session and participating in a mock debate at the Capital Building. They were able to meet with Community and Economic Development Director, Mike Johnson, who presented information and educated the youth on the General Plan.

3.5 Committee Reports by Mayor Mike Weichers.

Mayor Weichers reported that Council Member Newell serves as a Member of the Salt Lake Chamber of the National Association for the Advancement of Colored People (“NAACP”) and as a Council, they were able to attend the Salt Lake Chamber Event honoring Martin Luther King, Jr. The Chamber also honored a Cottonwood Heights Police Department Officer. The Mayor is a member of the Legislative Policy Committee along with Council Member Newell and Mr. Tingey who meet once a week with the Utah League of Cities and Towns (“ULCT”). Legislative updates are provided and although there are good intentions with the bills submitted, many fail to look at their impact on surrounding cities. The ULCT’s responsibility is to lobby on the City’s behalf and provide education with regard to the various bills. He expressed concern with the Governor and Legislature having stated their intent to minimize the land use and zoning authority of cities. This year, they are trying to propose legislation that would minimize the number of public hearings that are allowed within the City. He emphasized the importance of staying involved and letting their Legislators know that the ability to control land use is possibly their most important function.

4.0 CITIZEN COMMENTS

Jared Vanstaveren, a six-year resident, expressed concern with restrictions on short-term rentals. He understood that the Ordinance was established in 2005 and submitted two amendments to Council Member Newell involving stipulations requiring a homeowner to reside in the property intended for use as a short-term rental. He believed that issues regarding parking and disturbances should be addressed rather than expressly prohibited. He wished to discuss the issue further and allow residents to earn extra income through short-term rentals during these challenging times.

Randy Whitehead stated that he and others appreciate the City Council's efforts and action regarding the Hillside Plaza. He sensed that there is a change in residents' feelings toward the City Council and believed they are being heard. He supported their willingness to purchase the property and create a controlled development for public and private use. He felt that as they consider Wasatch Boulevard, it can be turned into something special.

Kim Watts reported that he built his home in 1978 at the intersection of Bridgewater Drive and Corey Hills Circle. They have dealt with inadequate entry and have had issues with garbage collection in the winter months. Delivery trucks often get stuck in the dangerous slope, which creates an access issue for residents. He urged the City to increase its priority in addressing safety concerns in the area.

Jordan Clements lives along the creek and is prohibited from using fertilizer in the backyard, which creates a challenge for growth. Many who live along the creek have experienced exceptionally increased property values. He stated that when a prospective buyer discovers that they are unable to build a home similar to those that exist due to the new Ordinance requirements, there will be a tremendous devaluation in property values. He urged the City to consider evaluating what he believes is an Ordinance to solve a problem that does not exist. The lack of proper notification was of concern.

John Adams was present to request a process reflecting clarity in the City's goals. He was aware that the City website provides planning documents but he found them to be cumbersome for the average citizen. This adversely impacts resident participation in planning and envisioning. Visibility of goals and providing a way to measure the City's progress against those goals were recommended. He referenced options for providing a clear presentation of the goals and encouraged the City to enlist residents to help provide the needed information and allow for active participation.

Micki Harris was enthusiastic about the Hillside Plaza Project and believed it was what the citizens want and meets the needs of the City. She concurred with Mr. Adams and encouraged resident participation on committees to help resolve problems. She expressed concerns about traffic and safety and encouraged the City to find funding to create natural traffic calming. She commented that when the weather reaches 47 degrees, the number of skiers and cyclists increases. It was suggested that the safety of cyclists be mitigated.

Matheson Harris reported that he recently lost his sister-in-law who was riding her bike on a road similar to Wasatch Boulevard. He frequently rides his bike to LDS Hospital and commutes to the West Valley Surgery Center. He urged the City to give more attention to safety for those trying to minimize road traffic. He commented that they have the opportunity to reject the existing car-centric society and create a more livable and safe place.

David Berry sent an email to the City Council and wished to address the SLEDS Ordinance with respect to the portion that addresses riparian areas. He was concerned that the Little Cottonwood Creek area is essentially all residential with only a few lots remaining. Residents own the property to the middle of the creek with water shares and believed the City is taking their property rights and ability to do what feel is best. They cherish the creek and believe that as property owners, they

know what is best. He referenced Riparian Section 19.72.060 of the Riparian Ordinance and was frustrated by the lack of clarity. Should the City extend the prohibitions, he will have grass that he cannot grow and be forced to deal with restrictions on tree removal and fertilization. He urged the City Council to postpone its vote and allow for additional discussion. He stated that if his home was partially destroyed and insurance pays to rebuild it, he would be subject to the Ordinance. He recommended separating out the Riparian area and voting on the remaining items to address definitional problems.

Mayor Weichers confirmed that the SLEDS Ordinance will not be voted on tonight. He stressed the importance of protecting the creek while listening to the residents.

Sahil Obesoi appreciated the Council for listening to the residents with regard to Hillside Plaza. Allowing input and being willing to participate and providing a platform to conduct separate conversations have allowed the residents to feel included in the process.

Mary Ellen Johnson stated that she has lived in Apple Valley since 1990. She thanked the City Council for listening to the residents with respect to Hillside Plaza. She was frustrated by the increase in ski traffic on Winesap and asked for speed mitigation. The ‘Do Not Block Intersection’ signage was appreciated. She hoped residents would be allowed to give input on Wasatch Boulevard.

Maddie Melini was present representing ‘Save Not Pave’ and thanked the City Council for listening to their concerns. They felt heard and were grateful for the steps taken by the City. She agreed that the City can turn Wasatch Boulevard into something special with regard to walkability and access. She asked that the City revisit the Wasatch Boulevard Master Plan and ensure that there are actionable benchmarks that focus on safety, design, and accessibility. A review of the Vision Zero action plans was suggested and include designs for complete streets.

Cynthia Blair thanked the Council for listening to the citizens with regard to Hillside Plaza. She has been greatly impacted by traffic on Wasatch Boulevard and the implementation of signage has been helpful. With the increase in ski traffic, she appreciated the Council Members who are addressing the issues.

Council Member Birrell recognized Mr. Tingey and Public Works Director, Matt Shipp, for their efforts in preparing and moving forward with signage and mitigation of congestion prior to the start of ski season.

Dan Kovach introduced his therapy dog, Lela, who is training to assist Parkinson's patients and women and children in shelters. He previously worked for Boeing and wished to address safety by design within the City. He opposed the 50 MPH speed limits along Wasatch Boulevard and suggested that traffic cameras be installed to mitigate safety issues.

Nancy Hardy stated that the adopted and special plans were prepared using citizen input. She asked if the City intends to implement them. She suggested that someone be assigned to each plan to create a summary as opposed to the lengthy documents that are available online. She worked on the Fort Union Plan in years past and understood that I-215 was designed for speed. The purpose

of Fort Union Boulevard was to bring people to shop and eat. She asked that the Council comment on their intent to implement the proposed plans.

Leslie Kovach, a Prospector resident, thanked the Police Department for restricting cut-through traffic over the weekend. Without their presence, access would have been blocked. They were also present along Wasatch Boulevard near the Canyon Racquet Club to slow traffic where some are making U-turns. She considered connectivity within the City to be important and asked that drivers be prevented from making U-turns in the middle of traffic. She suggested that the City Council redesign Wasatch Boulevard and improve safety and connectivity throughout the communities.

Runar Boman was present at the January 3, 2023, City Council Meeting where a vote was taken to nominate a particular individual to serve on the Planning Commission. One of the Council Members disapproved of the nominee due to lack of diversity and to rectify the situation recommended a female be appointed. He stated that appearance does not make for a better outcome and that diversity should come from thoughts, knowledge, experiences, and talent. He asked if the Council has a policy of diversity requirements when hiring individuals. He believed the Council Member's disapproval implied that all men think alike when they have different beliefs, skills, and perspectives.

Council Member Bracken was unaware of any policies that require diversity in hiring. Mayor Weichers confirmed that there are no diversity requirements and they strive to hire the most qualified person for each job.

Steven Olsen lives along Cottonwood Creek and invited the City Council to walk along the creek and observe the stewards and their preservation efforts. He commented that the creek bed is deeper than when he originally moved in due to erosion but has been preserved with their own funding to maintain the bank with no government involvement. He appreciated the Council postponing the SLEDS Ordinance item along with opposition to the UDOT gondola proposal. He expressed concern with the reduction of the northbound lane at 2000 East and Fort Union Boulevard. He believed the bottleneck could be rectified by controlling the timing of the lights.

Mark McDonald was concerned with the riparian area and the restrictions. He was frustrated by the City taking steps to remove a dead tree that included hiring an expert to confirm the tree's condition and prohibiting the use of a chainsaw for fear of polluting the creek. As a property owner, he felt that the City was imposing on his property rights and overmanaging the issue.

Council Member Petersen remarked that much of what has been said regarding the riparian issue is not factual. One of the reasons they have delayed voting on the Ordinance was to ensure clarity. He encouraged all with questions to visit with Mr. Johnson to ensure the accuracy of the details.

Mayor Weichers stated that every voice is important and he appreciated the citizen involvement. He was grateful for the respect shown when residents express their opinions.

Mr. Tingey indicated that written public comments will be admitted to the record as long as they are submitted to the City Recorder prior to 4:00 p.m. on the meeting date.

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

5.0 PUBLIC HEARING

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

Administrative and Fiscal Services Director, Scott Jurges presented the proposed Budget Amendment for Fiscal Year 2021-2022. The adjustments were grouped by fund and included the following:

The General Fund:

- The transfer of \$100,000 to the CDRA Fund to cover expenses related to the potential purchase of Hillside Plaza.
- The Utah Division of Museums and Art Grant to go toward paying an FTE. This item is included in the budget and recognizes the revenue.
- The sale of two police vehicles declared as surplus. These funds will be utilized to purchase additional vehicles to be added to the current budget in the amount of \$29,500.
- Contribution from the Cottonwood Heights Police Department Honorary Colonel (“CHPDHC”) to go toward an employee Police Department Christmas event in the amount of \$3,919.
- State of Utah DUI overtime reimbursement in the amount of \$3,130.
- Cottonwood Heights Recreation Center contribution for overtime related to the Thanksgiving 5K in the amount of \$1,950.
- The Cottonwood Heights Police Department assistance to provide security overtime at the Senator Mike Lee event in the amount of \$900.

The Capital Projects Fund:

- Central Utah Water Conservancy District Grant for Ferguson Park in the amount of \$45,545.

The CDRA Fund included:

- Hillside Plaza purchase up to \$14 million with estimated closing costs of \$160,000. He has received recent information that closing costs may be closer to \$200,000 and will be covered by bond funds. It is currently listed as bond funding at \$13,160,000 with \$1 million in grant funds although they are awaiting full clarification from the State. Possible adjustments may be made as they receive clarification.
- Various expenses related to the Hillside Plaza recognizing the transfer of \$100,000 from the General Fund to cover due diligence, legal, survey, and other related items.

Mayor Weichers opened the public hearing. There were no public comments. The public hearing was closed.

6.0 STANDING MONTHLY REPORTS

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

Mr. Jurges presented the Monthly Financial Report and stated that the current revenues include the following:

- Collected sales tax through October 2022 totaled \$2,884,000 or \$182,000 higher than in 2022.
- The County Option Sales Tax to be utilized for transportation including trails is \$256,000 year to date and is tracking 6.5% ahead of the previous year. It was anticipated this would be near \$800,000 by year-end.
- The Municipal Energy Tax revenues are applied to power, electricity, and metro gas sales throughout the City and are at \$863,000 through November, or \$61,000 ahead of 2022.
- The Cable TV Franchise Tax is charged on all cable tv sources and is currently \$4,000 behind 2022 and anticipated a total of just above the budgeted amount of \$300,000.
- Class C Road Funds are collected from May through April and have received funds for May through October for a total of \$746,000 or \$38,000 ahead of 2022. The budget was set at \$1,250,000 and expected a total of \$1,500,000 in terms of overall revenues received on the year.
- The General Fund Expenditure trend reflected expenditures of \$10,051,000 through December and is continuously evaluated by the City and each department.

6.2 Unified Fire Report – Assistant Chief Riley Pilgrim

Assistant Fire Chief, Riley Pilgrim, presented the quarterly Unified Fire Report and stated that they had 540 incidents. Four fire calls were received. EMS calls totaled 78 calls for falls, 50 responder requests, 36 sick person, 21 unconscious, and 21 with seizures. Other calls for service included public service assistance, unintended sensor/alarms, false alarms, detector malfunctions, and spills and leaks. He remarked that Stations 110 and 116 respond to approximately 90% of calls within Cottonwood Heights with Station 126 and other surrounding units responding to 10% of the calls. 50% of emergent call response times averaged 5:23 with 10% of the calls averaging 8:55. He reported they will continue to implement changes and lessen response times. A cluster map of predominant calls was displayed.

7.0 ACTION ITEMS

7.1 Consideration of Ordinance 392 Amended Code Chapter 19.72, Sensitive Lands Evaluation and Development Standards (SLEDS).

The above matter was continued to the February 7, 2023, City Council Meeting.

7.2 Consideration of Resolution 2023-05 Consenting to an Appointment to the Cottonwood Heights Parks, Trails, and Open Space Committee.

Mr. Tingey reported that he and Mr. Johnson met with Mr. Geiger and recommended approval.

MOTION: Council Member Newell moved to approve Resolution 2023-05 consenting to the appointment to the Cottonwood Heights Parks, Trails, and Open Space Committee. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Mayor Mike Weichers-Aye. The motion passed unanimously. Council Member Birrell did not participate in the vote.

7.3 Consideration of Resolution 2023-06 Approving an Agreement with Brown's Amusements, Inc. for the Butlerville Days Carnival.

MOTION: Council Member Bracken moved to approve Resolution 2023-06 approving an Agreement with Brown's Amusements, Inc. for the Butlerville Days Carnival. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Mayor Mike Weichers-Aye. The motion passed unanimously. Council Member Birrell did not participate in the vote.

7.4 Consideration of Resolution 2023-07 Approving the Form of an Interlocal Sales Tax Pledge Agreement and the Issuance of the City Obligation Created Thereunder in the Maximum Aggregate Principal Amount of \$14.5 Million, and Related Matters.

Mr. Tingey reported that the above item involves consideration of an Interlocal Sales Tax Pledge Agreement and was discussed previously in the CDRA Meeting. The City has the Hillside Plaza Property under contract with the Redevelopment Agency and it is within their purview under State Code to facilitate redevelopment. A Bond Parameters Resolution was approved by the CDRA and this item will allow for sales tax, funding, and a pledge to help pay for the bonds to purchase the property. He felt that the issuance was in the best interest of the City and is both a public and private purpose on the site. Staff recommended approval.

MOTION: Council Member Petersen moved to approve Resolution 2023-07 approving the form of an Interlocal Sales Tax Pledge Agreement and the issuance of the City obligation created thereunder in the maximum aggregate principal amount of \$14.5 million for a maximum aggregate principal amount of \$14.9 million. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Newell-Aye, Mayor Mike Weichers-Aye. The motion passed unanimously. Council Member Birrell did not participate in the vote.

8.0 CONSENT CALENDAR

8.1 Approval of the City Council Work Session and Business Meeting Minutes of January 3, 2023.

The above item was continued to the next meeting.

9.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

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

The City Council Meeting adjourned at 8:53 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 Business Meeting held Tuesday, January 17, 2023.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: February 7, 2023