

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD WEDNESDAY, MARCH 1, 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, System Administrator Alex Earl

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.

City Manager, Tim Tingey reported that Resolution 2023-10 involves consideration of a Consulting Agreement with Blu Line Designs who will prepare a Conceptual Design Plan for an access trailhead for the proposed Bonneville Shoreline Trail located within the City's boundaries.

Community and Economic Development Director, Michael Johnson, provided an overview and reported that the Consulting Agreement is for a Design Contract to complete a Concept Site Plan for a 26-acre parcel. The property includes an existing parking area and an unimproved dirt lot with trail access acknowledged in the contract. A property rendering was displayed. Mr. Johnson stated that planning for a Shared Use Path will be part of the Design Contract. It will be located along the State Road from Little to Big Cottonwood Canyons. There are line items in the contract that require the review of the City Council, Utah Open Lands, and the Parks, Trails, and Open Space Committee. Shared Use Path language was added as well as an acknowledgment that there is an existing unimproved parking area on the site and will be factored into the design concepts as deemed appropriate.

Mayor Weichers stated this item will be voted on during the Business Meeting.

3. CITY WEBPAGE REVIEW – Communications Manager, Lindsay Wilcox.

Mr. Tingey reported that the City's website has been modified over the years while migrating information to a new site with a new provider. Three individuals on Staff have extensive knowledge of websites and communication.

Communications Manager, Lindsay Wilcox provided a history of the City’s webpage and stated that the City’s former Communications Manager migrated the content from the old website provider to the current platform. When the new provider was 30% through the migration, the City Council submitted additional website preferences that came at a 75% increase above what was budgeted. The cost to migrate the content was \$21,000 and includes the platform, 24/7 service, and housing of the server. Many were frustrated by the migration rather than a redesign.

During her time with the City, they have updated and consolidated outdated unused pages, fixed broken links, updated old PDFs and slider images, added events to the community calendar page, and created new pages. Due to cyber security threats, staff emails have also been removed from the webpages to prohibit scammers from website scanning which results in a blast of spam emails. A dedicated page was created for City Council Zoom links and all public meetings and City events were added to the Community Calendar on the home page. Webpage instructions and hyperlinks were described. It was noted that the Americans with Disabilities Act (“ADA”) requires websites to follow specific guidelines that enable the user to get where they need to within three clicks. It was confirmed that audio recordings take up a large amount of storage and are available upon request through the City Recorder.

Ms. Wilcox reported that the home page is limited to five buttons that can be customized according to the needs of the City. One of the issues with Granicus has been that the \$21,000 package does not include the home page. A call was to be scheduled to explore options. Her understanding was that a redesign would come at a cost of at least \$75,000. The City’s website is essentially a collection of websites that includes all of the different departments within the City. A text system may be added for an additional \$15,000 per year. The following would be required to rebuild the City’s website:

- The IT Team will request a list of items to be changed or retained from the City Council and Staff, and an ADA-compliant design with three clicks or less with limited scrolling;
- Scale to mobile device;
- Three Requests for Proposals (“RFP”) built within the ADA standards;
- Server to be housed off-site;
- Full tech support; and
- Retain the current website while the new one is built and then once it is live, the City would move to the new platform.

Mayor Weichers emphasized the importance of having a well-thought-out home page and thanked Ms. Wilcox and Staff for their efforts.

4. CITY FIBER OPTIONS DISCUSSION – City Manager, Tim Tingey.

Mr. Tingey provided an update on the City’s fiber options and stated that they have been in conversations with UTOPIA Fiber and Google Fiber. Both companies will include a full build-out at one time or within a narrow time frame. The UTOPIA model would include an evaluation of the tape rates and once determined, the City will enter into an agreement with UTOPIA who will then bond for the cost. The City will be required to back the bond with its funding. He

explained that Bountiful City is working through agreements with Google Fiber and are not using the typical Utah Infrastructure Agency (“UIA”) model. They have gone through a two-year RFP process and will bond for the fiber as a City, own the fiber, and select UTOPIA as the organization to run the service at a cost of \$50 million. It was confirmed that UTOPIA provides service by boring as opposed to trenching.

Mr. Tingey reported that the previous City Council was in negotiations with Google Fiber and was working through several documents. The documents included the Franchise Agreement, Right-of-Way Manual, and Code changes that would allow for micro trenching. Tied to those documents was the Indemnification Agreement directly related to the City ordinances. In late 2022, the documents were presented to Google Fiber who requested that the City continue the conversations. Google Fiber returned the documents, primarily the Franchise Agreement, with no reference to the other three documents. Staff emphasized the importance of the three not addressed and asked Google Fiber to review them again. In addition, Google Fiber indicated that they have gone away from what was included in the Indemnification Agreement and were not willing to agree to it at this point. Google Fiber has received the remaining three documents and the City will continue negotiations once they are returned. It was the consensus of the Council to continue discussions and work through the details.

5. SALT LAKE CITY PUBLIC UTILITIES – Department of Public Utilities Director, Laura Briefer.

Mayor Weichers introduced Laura Briefer who serves as the Director of the Salt Lake City Department of Public Utilities. She reported that they have undertaken multiple initiatives and are involving Cottonwood Heights residents in their service area. In addition to being a department of Salt Lake City, they are a municipal water, sewer, stormwater, and street lighting utility. Their water service area includes areas outside of the City's boundaries. A map was displayed. Ms. Briefer reported that the infrastructure includes several water treatment plants coming primarily from the Central Wasatch Mountain streams into a vast distribution system.

The water supply outlook was discussed. Ms. Briefer reported that they are engaging the public and community in the Watershed Management Plan Update. They plan to engage the public in new regulations surrounding lead in water pipes and how it is reported. Although there is a strong snowpack and water supply, drought conditions are persistent. She reviewed the most recent drought monitor from the Intermountain West Climate dashboard which shows that 99% of the State remains in some level of drought with the Salt Lake Valley remaining in a severe drought. Several years’ worth of average snowpack will be needed to remove the drought status. She reported that the Great Salt Lake also remains in critical condition and residents are being asked to remain thoughtful with regard to water use and conservation. She thanked the City for its conservation efforts.

The Watershed Management Plan has been in place since 1989 and continues to be the guiding document in protecting drinking water sources in the local canyons. The plan addresses pollution risks and strategies to reduce those risks to drinking water. Ms. Briefer reported that the combination of Big Cottonwood, Little Cottonwood, Parleys, and City Creek Canyons provide 50% to 60% of the drinking water supply to their service area. Salt Lake City is the direct holder

of water rights in these systems and as such, has more control over their allocation. They will be finalizing the outcome of their vulnerability assessments and engagement received into a final report that will be presented to the Salt Lake City Council for adoption during the Summer of 2023. Prior to going to the Council, it will go before the Public Utilities Advisory Committee which includes Cottonwood Heights resident, Ted Boyer.

Ms. Briefer next addressed the issue of federal and state regulations concerning lead in service lines. Following the crisis in Flint, Michigan, the Environmental Protection Agency (“EPA”) made it a priority to update the Federal Lead and Copper Rule. The major water mains in Salt Lake City have been replaced with post-lead requirements and refer to the service lines themselves. New revisions require all water systems to inventory every line in the system and specify whether there is lead in the piping or any components. If lead is found, a plan will be put in place to remove and replace the lines. Residents are encouraged to participate in a Service Line Inventory to assist with the requirements to know definitively if a service line has lead. The process moving forward will include working with the City. The responsibilities of the water service line were reviewed. Ms. Briefer reported that the survey will include the age of the home to help them determine the age of the water lines as well as kits to test the water coming into the home. Mayor Weichers confirmed that Cottonwood Heights was willing to participate and assist in this process.

Ms. Briefer stated that water quality is reported on an annual basis. The report includes sources of drinking water, the water system itself, and water quality results that monitor more than 90 water contaminants covered by the Safe Drinking Water Act. She confirmed that their Water Quality Reports have not found any concerns in the past and she expected the 2023 report to reflect the same.

Salt Lake Public Utilities works together on development review, road maintenance and rehabilitation, and coordinating waterline rehabilitation. They have been working with City Staff on the upcoming reconstruction of the Big Cottonwood Water Treatment Facility. Ms. Briefer reiterated that they are available to work through any coordination issues or identify opportunities for coordination that may have been overlooked. It was reported that the annual budget process is underway and will focus on drought, aging infrastructure replacement, regulatory requirements, and operations. Ms. Briefer invited any residents or Staff to participate.

6. STAFF REPORTS.

a. *Doverhill Development Agreement – Community and Economic Development Director, Mike Johnson.*

Mr. Tingey reviewed the Doverhill Development Agreement and stated that the subdivision was approved on January 4, 2023, and was forwarded to the Parks, Trails, and Open Space Committee (“PTOS”) for review as well as the Architectural Review Commission (“ARC”) who provided recommendations. The City has been working with the property owner and developer to review and negotiate to keep the cost as originally proposed. The Church has agreed to reduce the price of the property for park improvements of roughly \$380,000. He explained that a Development Agreement will be the next step in consideration. The agreement will ensure that all requirements

from the PTOS Committee and ARC have been incorporated or requested while establishing acceptable timelines to complete the park construction.

Mr. Tingey reported that both the ARC and PTOS Committee have recommended that parking to the north be removed to provide better visibility of the park and relocated to Doverhill Drive and 7650 South. A site plan rendering was displayed. He asked for input from the City Council input regarding the parking component. Staff agreed with the recommendation put forward by the ARC and PTOS. Staff will shape the Development Agreement and return it to the City Council for consideration at a future Business Meeting. Input from the City Council was invited. Mr. Tingey confirmed that Staff will work with the developer and bring back the Final Park Design to be incorporated into a Draft Agreement for City Council review and consideration.

7. REVIEW OF CALENDARS AND UPCOMING EVENTS.

- a. **February 15 – May 31, 2023 – Cottonwood Heights Children’s Choir Rehearsals will be held Weekly on Wednesdays. Free Ongoing Registration for School Grades 3rd – 6th, 2023. For More Information Visit chcityarts.com or contact aeatchel@ch.utah.gov.**
- b. **March 2 – 9:00 a.m. – Legislative Work Session – Fully Remote via Zoom.**
- c. **March 2 at 6:30 p.m. – Youth City Council Dinner with the Mayor and City Council.**
- d. **March 17 and 18 – Cottonwood Heights Arts Council *Guys and Dolls* Musical Auditions at City Hall.**
- e. **April 8 – City Easter Egg Hunt at Butler Park 10:00 a.m.**
- f. **April 17 – 6:30 p.m. to 7:30 p.m. – Aspen Winds Family Concert – Barnyard Shenanigans at City Hall.**
- g. **April 22 – from 9:00 a.m. to noon – Cottonwood Heights Shakeout.**
- h. **June 2 – 9:00 a.m. to 1:00 p.m. – Free Shredding Event at the City Hall Parking Lot.**
- i. **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).**

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

There was no Closed Meeting.

9. ADJOURN CITY COUNCIL WORK SESSION.

MOTION: Council Member Newell 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 5:52 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS COMMUNITY DEVELOPMENT AND RENEWAL AGENCY WORK SESSION HELD WEDNESDAY, MARCH 1, 2023, AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH

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

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

1.0 WELCOME – Board Chair Mike Weichers.

Board Chair Mike Weichers welcomed those in attendance.

2.0 HILLSIDE PLAZA UPDATES.

City Manager, Tim Tingey provided an update on the Hillside Plaza and stated that they are currently within the due diligence period. Staff has been working on a number of items that include leasing issues, easement areas, and agreements.

City Attorney, Shane Topham reported that he has reviewed the Hillside Plaza Covenants, Conditions, and Restrictions (“CC&Rs”) from 2006 and a number of the purchase parcels and the Walgreens parcel. There were problematic portions of the CC&Rs that need to be addressed through an amendment. The City has come to terms with the seller on a proposed Amendment Agreement to address the issues. The seller has tried to get approval from the lender and owner of the Walgreens parcel, which is a related but separate entity. He confirmed that prior to the meeting, the lenders verbally agreed to the Amended Agreement.

Mr. Tingey suggested that the leasing issues be addressed in a Closed Session.

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

MOTION: Council Member Bracken moved to close the Open Session and open a Closed Session for the discussion of property acquisition. The motion was seconded by Council Member Newell. The motion passed with the unanimous consent of the Board.

The CDRA was in Closed Session from 6:03 p.m. to 6:58 p.m.

4.0 APPROVAL OF MINUTES.

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

5.0 ADJOURN.

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

The Community Development and Renewal Agency Work Session adjourned at 6:59 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD WEDNESDAY, MARCH 1, 2023, AT 7:00 P.M. IN THE COTTONWOOD
HEIGHTS CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

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

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

1.0 WELCOME

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

2.0 PLEDGE OF ALLEGIANCE.

The Pledge was led by Public Works Director, Matt Shipp.

3.0 CITIZEN COMMENTS

City Manager, Tim Tingey admitted to the record written public comment from Nancy Hardy which was submitted to the City Recorder prior to 4:00 p.m. on the meeting date.

There were no further public comments.

4.0 ACTION ITEMS

4.1 Consideration of Resolution 2023-10 Approving Entry into a Consulting Agreement for Trailhead Design Services.

Mayor Weichers reported that the above item involves consideration of a Consulting Agreement whereunder Blu Line Designs will prepare a Conceptual Design Plan for an access trailhead for the proposed Bonneville Shoreline Trail that is located within the City's boundaries.

Council Member Birrell stated that as they move toward an open design, Utah Open Lands would be interested in a gravel path versus asphalt. She appreciated the work of Staff to amend the scope of work. It now more clearly relates to the multi-use trail along the western edge of the property.

MOTION: Council Member Bracken moved to APPROVE Resolution 2023-10. 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.

5.0 CONSENT CALENDAR

5.1 Approval of the City Council Legislative Work Session Minutes of February 16, 2023.

MOTION: Council Member Newell moved to APPROVE the City Council Legislative Work Session of February 16, 2023. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

6.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

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

The City Council Meeting adjourned at 7:08 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session, Community Development and Renewal Agency Work Session, and Business Meeting held Wednesday, March 1, 2023.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: March 21, 2023.