

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, APRIL 16, 2024, AT 4:00 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD,
COTTONWOOD HEIGHTS, UTAH**

Members Present: Mayor Mike Weichers, Council Member Suzanne Hyland, Council Member Matt Holton, Council Member Ellen Birrell

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

Excused: Council Member Shawn E. Newell

1.0 WELCOME – Mayor Mike Weichers.

Mayor Mike Weichers called the meeting to order at 4:04 PM and welcomed those present.

2.0 REVIEW OF BUSINESS MEETING AGENDA – Mayor Mike Weichers.

The Business Meeting Agenda was reviewed. Mayor Weichers reported that there are eight Legislative Action Items. The first item was consideration of Ordinance 413 amending Code Chapter 2.30. City Attorney, Shane Topham reported that HB-36 was enacted during the last Legislative Session and involves changes to the Open and Public Meetings Act. Modifications included clarification of the definition of what constitutes a meeting to state that anything that pertains to the public’s business must occur in a public meeting rather than in discussions outside the meeting. Chapter 2.30 of the City Code was reviewed where changes were made to conform the Ordinance to the new State law that goes into effect on May 1, 2024. HB-36 also eliminated a chance at social meetings previously included in the Open and Public Meetings Act. Mayor Weichers noted that the Public Comment provision in Section 2.30.160 of the Ordinance clarified that persons who are physically present in the meeting room may address the Council verbally but that the City Council will no longer take remote public comments following an experience that took place at a previous meeting.

The second Action Item was consideration of Ordinance 414 adopting an Amended Budget for Fiscal Year 2023-2024. Administrative and Financial Services Director, Scott Jurgas stated that the City recently became aware of a Utah Department of Transportation (“UDOT”) Teen Afterschool Prevention (“TAP”) Grant that will be utilized toward the 1700 East Sidewalk Project. The intent is to commit the funds prior to the end of the current fiscal year. The TAP Grant totaled \$300,000 in revenue and \$300,000 in expenses with no impact to the City.

The third Action Item was consideration of Ordinance 415 adopting a Comprehensive Emergency Management Plan. Assistant Chief Paul Brenneman recommended approval of an Updated Plan as presented at the last City Council Meeting.

The fourth Action Item was consideration of Resolution 2024-26 for an Independent Contractor Agreement for Land Use Hearing Officer services. City Manager, Tim Tingey, reported that the City has received an Appeal for a land use decision made regarding the Golden Hills Subdivision lot consolidation. The Appeals Hearing Officer had a conflict identified with the person who appealed to the decision. He reached out to Murray City who suggested using Scott Finlinson who has agreed to step in for the application as the Hearing Officer.

Council Member Birrell asked if Mr. Finlinson has ever been employed by Salt Lake County. Mr. Tingey's understanding was that Mr. Finlinson worked as an attorney for Onset Financial and was unaware if he had ever worked as an attorney for Salt Lake County. Mr. Topham stated that to his knowledge, Mr. Finlinson was in private practice and then went in-house with a leasing company.

The fifth Action Item was consideration of Resolution 2024-27 for an Independent Contractor Agreement with Motts Landscaping, LLC for the Mountview Park Landscaping Pollinator Garden. Mr. Tingey stated the Agreement outlines the amount which may total up to \$97,030, however, the City only has \$30,000 identified for this project to be located between Fort Union Boulevard and Mountview Park. Staff will collaborate with Motts Landscaping to get the work done for \$30,000. If there is future funding, they will work together to install additional elements. Staff recommended approval of the Agreement.

The sixth Action Item was consideration of Resolution 2024-28 for an Interlocal Agreement with Salt Lake County Tourism, Recreation, Culture, and Convention ("TRCC") funding. Public Works Director, Matt Shipp reported that the City applied for the TRCC funding in 2023, which was specifically dedicated to the west side of Highland Drive from Fort Union Boulevard north. This project was for the design of the trail, bike trail, pedestrian trail, and improvements to the entrance to the City.

The next Action Item was consideration of Resolution 2024-29 consenting to reappointments to the Architectural Review Commission ("ARC"). Mr. Tingey reported that it was proposed that Scott Chapman, Scott Peters, and Zara Hasanpour be reappointed. Staff recommended approval.

The final Action Item was consideration of Resolution 2024-30 approving an Agreement with Modern Display Services, Inc. for the design and construction of the Butlerville Days Parade float. Mr. Tingey stated this was the same group that constructed the float previously.

3.0 STAFF REPORTS

a. Budget Session – City Manager, Tim Tingey and Administrative and Fiscal Services Director, Scott Jorges.

Mr. Jorges presented the proposed budget for 2024-25 in anticipation of the Tentative Budget

scheduled to be adopted at the May 7, 2024, Business Meeting. Adoption of the Final Budget was scheduled for the second Business Meeting in June. Budget items included the following:

General Fund

The projected ending fund balance in the General Fund was \$7,711,080, which was a decrease of \$1,763,195 over the beginning fund balance or \$1,095,286 better than the current year's adopted budget. The City is required by State Statute to hold 5% (\$1,285,000) and an additional \$257,100 by City Ordinance at 6%. There was a reserve for Compensated Absences at approximately \$739,629 each year leaving \$5,428,852 available for appropriation at the beginning of the 2024/2025 budget year.

Revenues

- Property Taxes are budgeted at \$8,274,455, which includes a new growth projection of \$50,000.
- 2022/2023 FY received \$9,088,069 in sales tax revenue and in the current year anticipated \$9,300,000 for the 2023/2024 FY. Based on the growth trend it was estimated \$9,700,000 for the 2024/2025 budget year.
- County Option Highway Sales Tax is budgeted at \$810,000, which is approximately \$12,500 more than received in 2022/2023 and \$10,000 more than the 2023/2024 budget.
- The Energy Use Tax built into the budget was \$2,580,000 or \$280,000 more than the current budget.
- The fee in Lieu of Property Tax (Vehicles) built into the budget was \$325,000. This matches current projections.
- The Franchise Tax (Cable TV) built into the budget was \$300,000. This matches current projections.
- The Transient Room Tax was budgeted at \$180,000. This matches current projections.
- The Telecom Franchise Tax was being considered but is not included in the current budget. It was anticipated that it would generate \$300,000 annually.

Mr. Jurges reported that all of the mentioned tax-type revenue changes totaled \$570,000 over the current year budget or 2.6% in overall increase.

Other Revenue changes

- Class C Road Funds were budgeted at \$1,480,000, which was an increase of \$80,000 over the current budget.
- The budget for the last payment of \$2,002,670 in the American Rescue Plan Act ("ARPA") State and Local Fiscal Recovery Funds grant was removed.
- An increase of \$200,000 in Interest Revenue was due to a full year of projected increase in interest rates.
- An increase of \$5,400 in revenue for the Early Intervention Protocols Grant for the Police Department. This will be offset by \$5,400 in expenses.

Total revenues budgeted are \$26,158,605, which represents \$855,400 or a 3.1% overall increase.

Expenditures

Employee cost changes have been reviewed with the Compensation Subcommittee and include the following:

- Market – There is no market adjustment included.
- Cost-of-Living Adjustment (“COLA”) - The current COLA was included at 3.0%. The overall impact was \$325,620.
- Merit – The current recommended merit increase would average 3.62% or 1 step in the new salary structure for all employees. When all employees are considered, the average is 2.66%. The overall impact was \$231,773.
- The health care cost increase of 5% included a 5% overall health increase of \$50,000. The cost of Dental coverage did not change due to reduced utilization by employees over the past year.
- Utah Retirement Systems (“URS”) has imposed a 1% decrease for non-sworn employees and a 0.3% increase on sworn employees. The overall impact was a \$27,433 decrease.
- The Year-over-year annualization of the current employee base shows a savings of \$77,409 over what was budgeted for the current year.

Total employee cost changes result in an increase of \$502,551 from the current budget.

Other Department of Division items that have an impact on the recommendation would include:

- Elections – Bi-Annual City elections. A reduction of \$40,000 was included to cover the City elections from the last budget year.
- City Attorney – There was a cost increase of \$7,500 for an inflationary increase tied to COLA (3%).
- Cottonwood Heights Recreation Contributions included a reduction of \$60,000 for tennis court refinishing, a reduction of \$62,000 for playground equipment upgrades, and an increase of \$60,000 for other park improvements tied to TRCC Grants from Salt Lake County.
- Mayor and Council – The \$12,000 overall increase included the following:
 - The addition of \$5,000 for South Valley Chamber Membership for a total of \$25,000 for this partnership.
 - A reduction of \$15,000 for travel and training.
 - The addition of \$12,000 to match the Lobbyist contracts that are currently in place.
 - The addition of \$10,000 to cover the Utah League of Cities and Towns (“ULCT”) and other membership increases.
- City Manager – \$35,000 overall increase:
 - \$35,000 to cover liability insurance premiums and deductible increases.
- Finance and IT – Proposed cost increase of \$208,500:
 - Add in a \$67,500 increase related to the Public Works Building.
 - Add in \$15,000 for software and hardware for three police officers in October 2023.

- Add in \$60,000 for equipment replacement for increased costs of equipment and software.
- Add in \$1,000 for PowerBi software for the Police.
- Add in \$65,000 to replace the camera systems at City Hall. Next year there should be a reduction of \$30,000 in Cloud storage costs.
- City Hall Maintenance – no changes recommended.
- Community and Economic Development (“CED”) – A cost decrease of \$4,000:
 - \$15,000 decrease in Community Renewable Energy program noticing costs.
 - \$5,000 increase for Staff training.
 - \$6,000 increase for GIS Enterprise license upgrade. Reside in the IT budget.
- Police – A cost increase of \$415,242:
 - The addition of three officers added in October 2023. The addition of \$328,000 in October and the overall cost needed for the three officers at a cost of \$360,000.
 - Butlerville Days overtime for the third day of the event including a Parade time change of \$5,000.
 - The Valley Emergency Communications Center (“VECC”) Versaterm Dispatch Fee increased by \$18,665.
 - VECC/Versaterm Records Management Fee increased by \$16,050.
 - EZ Streets software purchase increase of \$8,737.
 - Taser body-worn camera licenses at a cost of \$8,000.
 - Chairs in Conference Room \$8,400.
 - Dynamic Early Intervention Protocols grant expenses related to SB-125 of \$5,400.
 - Spillman records conversion overtime reduction of \$15,000.
- Ordinance Enforcement – No changes recommended.
- Fire – Increase of \$224,878 placeholder of 5%.
- Public Works – Increase of \$15,190.
 - Reduction of rent for the old office trailer \$44,810.
 - The addition of cots for utility and operational increases due to the larger facility including \$60,000 for water, sewer, power, natural gas, and cleaning/maintenance.

Overall expenses are recommended in the amount of \$22,889,930, which is an increase of \$1,314,861.

Transfers out of the General Fund:

- Capital Projects Fund \$3,000,000 for Public Works Capital Projects.
- Debt Service Fund of \$2,201,588.
- Community Development and Renewal Agency (“CDRA”) Fund \$956,001 for Hillside Plaza Debt Service. This will be approximately \$1,130,000 annually starting the next budget year.
- Storm Water Fund
 - \$200,000 to cover the difference between the fee and \$1,600,000 in overall funding needed in this fund.

The overall impact of the changes outlined on the General Fund is the use of fund balance of \$3,178,914. The current ending Fund Balance will be \$4,532,166.

Capital Improvements Fund

The Capital Improvements Fund was projected to have a \$90,192 beginning fund balance available for appropriation.

Revenues:

- Transfers from the General Fund total \$3,000,000.
 - County Option Sales Tax Funding for Transportation in the amount of \$810,000 and \$400,000 from the ¼ of the ¼ funds.
 - Additional transfer of \$1,790,000 from the General Fund revenues.
- Projecting \$3,542,666 in financing proceeds related to the purchase of Police and Public Works vehicles.
- \$100,000 in interest revenues budgeted.

Expenses:

- Overall Public Works Capital Improvements Fund \$3,150,000:
 - Overall Street Funding included of \$2,915,000:
 - City Striping – \$200,000.
 - Roadway Capital Projects – \$2,715,000.
 - Overall Sidewalk Projects Funding of \$235,000.
 - Sidewalk 50/50 Program – \$50,000.
 - Hazard Mitigation – \$35,000.
 - 1700 East Sidewalk Project additional cost – \$150,000.
- Police and Public Works vehicle replacement expenses – \$3,542,666.
- Total Expenses – \$6,692,666.

The overall impact on the Capital Projects Fund balance would reflect a decrease in Fund Balance of \$50,000 with \$40,192 available for appropriation at the end of the budget year.

Storm Water Fund

Mr. Jorges reported that they will limit spending to retain around \$500,000 for a minimum fund balance at any given item to allow flexibility with any potential future bonding and/or emergency repairs and issues that may surface. There was projected to be a \$340,000 beginning fund balance available for appropriation. They plan to allow the fund balance to return to \$500,000 at the end of the current budget year.

Revenues \$1,426,430:

- \$1,406,430 in Storm Water Fee revenue. Monthly billing at \$7.50 per Equivalent Residential Unit (“ERU”). The City currently utilizes Rocky Mountain Power to collect revenues.
- \$20,000 in interest revenue.

Transfers in \$200,000:

- Transfer of \$200,000 to get the City to approximately \$1,600,000 in total annual funds available to cover expenses.

Expenses \$1,466,430:

- Operational and Maintenance costs of \$729,000, which included about \$610,000 in personnel costs.
- \$500,000 for the Supernal Way storm drain reconstruction.
- \$237,430 for flushing out stormwater manholes and inlets and raising buried Storm Drain manholes and any random capital expenses.

The overall impact on the Storm Water Fund balance would maintain the same \$500,000 ending fund balance. This targeted ending fund balance would allow flexibility with any potential future bonding and/or any emergency repairs and issues that may surface.

Mr. Shipp stated that current projects are the result of an old, decomposing stormwater system. Pipers Hill has an inadequate system design with broken underground pipes. He considered this to be a necessary fee.

Community Development and Renewal Agency (“CDRA”) Fund

The CDRA Fund has a projected beginning fund balance of \$1,592,320 for the 2024/2025 budget year. This will be the fourth year for the Tax Increment Financing (“TIF”) for the Canyon Center Parking Project. Mr. Jurges stated that they included the Hillside Plaza shopping center operations in the expenses and revenues.

Revenues:

- \$50,000 in interest on the fund balance.
- \$750,000 in property taxes related to the Canyon Center Project.
- \$550,000 in operational revenue from the Hillside Plaza shopping.

Transfers in:

- \$956,001 transfers in to cover the Debt Service payments related to the Hillside Plaza shopping center due during the fiscal year. The overall annual impact is approximated at \$1,130,000 in future years.

Expenses:

- \$50,000 in miscellaneous professional fees related to CDRA projects.
- \$750,000 in total costs related to the Canyon Centre Project. Adjusted with official Property Tax distribution.
- \$550,000 in operational expenses related to the Hillside Plaza shopping center.
- \$956,001 in Debt Service payments related to the Hillside Plaza shopping center due during the fiscal year. The overall annual impact will be approximately \$1,130,000 in future years.

The projected ending fund balance in the CDRA Fund was \$1,592,320 available for the Fort Union (\$1,226,086) and Cottonwood Corporate Center (\$366,234) redevelopment areas.

Debt Service Fund

The Debt Service Fund was projected to have a \$12,922,750 fund balance at the beginning of the 2024/2025 budget year. This amount includes escrow funds to be used to pay off the 2014 and 2016 building bonds on July 1, 2024.

Expenses \$17,024,969:

- Police Vehicle Annual financing of \$487,683
- Public Works light duty vehicle financing of \$37,592.
- The payoff for the Police and Public Works vehicle lease of \$1,810,500.
- Public Works heavy-duty vehicle financing of \$275,348.
- Building Bonds (2014, 2016, & 2021) of \$969,280.
- Building Bonds (2014 & 2016) payoff from escrow funds of \$12,922,750.
- Public Works Building Bond of \$521,316.
- \$500 Miscellaneous

Revenues and Transfers in \$4,102,588:

- Transfer in of \$2,291,588.
- Proceeds from the Police and Public Works vehicle lease return of \$1,810,500.
- \$500 Miscellaneous.

The overall impact on the Debt Service Fund Balance would be a decrease of \$12,922,381 in escrow funds. This would push the fund balance to \$370 at the year's end. Note of special interest,

the 2014 and 2016 bonds originally used to finance the City Hall and the Public Works Yard will be paid off and are currently serviced by the 2021 refunding bond issued in October 2021.

Mr. Jurges reported that by State Statute, the City is required to adopt a Tentative Budget at the first Business Meeting in May and then put it out for public review and comment. The budget is required to be adopted by June 22, 2024, but is scheduled to be adopted at the June 18, 2024, Business Meeting.

Items not included:

- Property tax increase. For each 1% of property tax increase, approximately \$82,750 will be generated.
- Telecom Franchise Tax generates approximately \$300,000.
- Transportation Fee. No current estimate of what may be generated.

b. Emergency Manager Discussion – Police Chief, Robby Russo.

Police Chief, Robby Russo led the Emergency Manager discussion and stated that Chief Paul Brenneman is expected to retire by September 1, 2025, leaving a 14-month window for the City Council to recruit and train his successor. The position is responsible for developing, implementing, and maintaining Comprehensive Emergency Management Plans and Protocols for the City. The three recruitment options would include hiring someone from outside the City, entering into a contract with the Unified Fire Authority (“UFA”) and Salt Lake County who are willing to provide the service or implement the position with the Federal Transit Administration (“FTA”) in conjunction with the full-time responsibilities of a police officer.

The proposed budget would include the following:

Salaries Full-Time	\$ 99,695-\$114,379
Retirement & Benefits	\$ 40,000-\$50,000
Equipment & Supplies	\$ 20,300
Training	\$ 4,000
Travel	\$ 3,000
Department Supplies	\$ 5,000
Total	\$162,200 approximately

Chief Russo reported that although providing training and planning may be beneficial, he emphasized the importance of having an Emergency Manager to provide direction and organization, network, build relationships, conduct drills, and tasking control and command of an emergency. He noted that the position would cost the City \$27,000 per year for one day per week or the equivalent of \$135,000 full-time.

Chief Brenneman stated that his philosophy has been *if you prepare, you do not need to provide*. The City has done an excellent job of educating, preparing, and organizing citizens. He believed they could do better organizing, preparing, and establishing Memorandums of Understanding

("MOU"), and details of emergency management. If and when a large-scale event takes place, he emphasized the need to have someone who will commandeer resources, identify relationships built, and acquire the items needed. He emphasized the importance of establishing relationships. He reported that the previous part-time employee, although very competent, had multiple irons in the fire and was not given the resources needed to succeed. It would require a full-time position to attract someone with the desired skill set.

Chief Russo reported that a potential candidate is currently employed as a full-time Traffic Officer and is in the process of completing his degree in Emergency Management. He believed the officer has obtained the skills needed and has the personality to engage and teach citizens. Chief Brenneman stated that in the case of a large event, emergency management must be scalable. He emphasized the need to have someone who is committed and invested full-time.

Mr. Tingey stated that consideration of an Emergency Manager has not yet been included in the budget, but he wished to have the conversation with the City Council. He felt there was sufficient crossover time for training. Council Member Hyland stated that citizens are expected to take care of themselves for the first three to seven days of an emergency, her biggest concern was with the management of volunteers. She felt that managing the volunteers could become as much of a burden to manage as the disaster itself. Long-term management was discussed.

c. **Telecom Tax Discussion - City Manager, Tim Tingey and Administrative and Fiscal Services Director, Scott Jurges.**

Mr. Jurges reported that the proposed Telecom Franchise Tax must be implemented with 90 days' notice provided to the Utah State Tax Commission. Four months prior to implementation, the City will draft an Ordinance to be adopted with a copy submitted to the Utah State Tax Commission. They will then send a notice to tax collectors to allow for the proper tax collection. He noted that the 3.5% rate will be set by the State and a decision will be made from an administrative standpoint. It was confirmed most established cities are taking part and would total \$8.50 per line annually.

Council Member Hyland's understanding was that Cottonwood Heights is the only municipality that does not charge the Telecom Tax but she was hesitant with the knowledge that once imposed it never goes away. She stated that with the tax being minimal, it would be required regardless. It was Mr. Jurges' understanding that the money will be required to come into the General Fund. Mr. Tingey noted the intent may be stated but the determination is made annually as to where that revenue source goes.

Council Member Birrell was reminded by a constituent living on a fixed income that every dollar matters. She stated that the proposed Telecom Tax involves taxing something that is essential and she was not comfortable supporting the increase. With such a sizable percentage of the population of Cottonwood Heights being elderly and on a fixed income, it made it difficult for her to impose a fee that would be permanent.

Mayor Weichers questioned the ability to apply for hardship regarding a fee charged. Mr. Jurges believed hardship may be considered for property taxes and some portions of the Stormwater Tax. The Telecom Tax, however, is charged by the phone service provider and cannot be waived.

Mr. Topham was of the understanding that a hardship would not be considered with this type of tax. The process of declaring hardship was discussed.

Council Member Holton commented that if he had to choose, he would be more favorable to transparency and imposing a property tax increase rather than adding a new tax. He was reminded by a neighbor of the reason Cottonwood Heights was incorporated, which was to allow citizens to control their destiny and what was implemented.

Mayor Weichers confirmed that there was no consensus on the proposed Telecom Tax.

d. Town Center Update - City Manager, Tim Tingey and Greg Boudrero, MGB+A.

Mr. Tingey reported that the Town Center Update included input from the Consultants.

MGB+A representative, Greg Boudrero, provided the Town Center Update and stated that several Town Hall Meetings have been held. He appreciated the tone of those meetings where meaningful feedback was received. That input was passed onto the Advisory Committee with plans and tools to help create their vision of the Town Center. Those plans are then used to create a guideline and craft concepts to be further reviewed with the community and the City Council. He stated that rough concepts have been drafted with the addition of various elements. Preliminary drawings were shared detailing how the area might be developed with options of below-grade and above-grade parking. Randy Whitehead of the Hillside Plaza Committee asked to meet with the Advisory Committee and Consultants in an effort to understand the public's desire, the market realities of what is required, and the investment required by the City to purchase the land. Refinement in determining creative solutions would follow in conjunction with feedback regarding the horizontal configuration of the space. Building massing was reviewed.

Mr. Boudrero stated that the next steps would include taking three to five concepts to the public and allowing them an opportunity to respond to a variety of options. After receiving feedback, they will refine the options into two or three preferred plans and select the preferred plan. Mass modeling would also be provided for review. The draft of the initial concepts being prepared by the Advisory Committee will be ready for public input within one month. The final adoption of the plan was anticipated at the end of summer 2024. He confirmed that a balance regarding the mix of uses would be reviewed not only for a primary gathering space but also for smaller pocket parks or plaza edges.

Mayor Weichers thanked Mr. Boudrero for his efforts in providing input from multiple committees. He stressed that all opinions are important.

Council Member Holton asked if the Committee Members were beginning to coalesce around basic ideas. Mr. Boudrero responded that the Committee Members are in the process of finding a balance. They were provided with relatable square footage for building uses and types. He felt there was an understanding of the need for some development.

4.0 REVIEW OF CALENDARS AND UPCOMING EVENTS.

- a. **Art Exhibit from Utah Arts and Museums Traveling Exhibit – Utah Women Making History – April 1-May 4 at City Hall.**
- b. **The Great Utah Shake Out Earthquake Drill – April 20 at City Hall.**
- c. **Community Tree Sale – April 20 and 21 at City Hall.**
- d. **Town Hall Meeting Regarding Public Trail Access – April 25 from 6-8 PM at City Hall.**
- e. **District 2 Town Hall Meeting Focused on Annexation, May 8 from 6-7:30 PM.**
- f. **Butlerville Days – July 25, 26, and 27th at Butler Park.**

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

MOTION: Council Member Hyland moved to CLOSE the Work Session and open the Closed Meeting for the purpose of discussing property acquisition. The motion was seconded by Council Member Holton. The motion passed with the unanimous consent of the Council.

The City Council was in Closed Meeting from 6:19 PM to 6:59 PM.

6.0 ADJOURN CITY COUNCIL WORK SESSION.

MOTION: Council Member Birrell moved to CLOSE the Closed Meeting and ADJOURN the City Council Work Session. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Council.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, APRIL 16, 2024, AT 7:00 PM IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD,
COTTONWOOD HEIGHTS, UTAH**

Members Present: Mayor Mike Weichers, Council Member Suzanne Hyland, Council Member Matt Holton, Council Member Ellen Birrell

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

Excused: Council Member Shawn E. Newell

1.0 WELCOME – Mayor Mike Weichers.

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

2.0 PLEDGE OF ALLEGIANCE

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

3.0 CITY COUNCIL COMMITTEE REPORTS

3.1 Committee Reports by Council Member Suzanne Hyland.

Council Member Hyland reported that she serves on the Emergency Planning Committee and is the Liaison to the CH2 Committee. The Cottonwood Heights Recreation and Parks District is presently overseeing the resurfacing of pickleball courts in Mountview Park, Mill Hollow Park, Golden Hills Park, and the Recreation Center. It was anticipated that the Splash Pad will open on Friday, May 24. She reported that plans are underway in preparation for Butlerville Days. The Emergency Planning Committee has scheduled the Great Utah Shake Out for April 18 with the Cottonwood Heights Shake Out scheduled for Saturday, April 20. She thanked all of the volunteers. She reported that snow melt is being monitored along with the flow into the creeks.

3.2 Committee Reports by Council Member Matt Holton.

Council Member Holton reported that Wasatch Front Waste and Recycling has scheduled the Spring Cleanup where residents may reserve a container to be delivered to their home. Cards are scheduled to be mailed on April 19 with a follow-up on April 26. Website reservations start on May 13. Bins went quickly last year and he recommended reserving them early online. Due to staffing issues, there has been difficulty keeping up with demand other than controlling the number of available bins.

3.3 Committee Reports by Council Member Ellen Birrell.

Council Member Birrell appreciated Council Member Holton’s efforts with the Wasatch Front Waste and Recycling District and the curbside service. She serves on the Parks, Trails, and Open Space Committee (“PTOS”) which has been involved in the recent approval of a three-lot consolidation on the eastern edge of the Golden Hills Subdivision. Residents have expressed concern regarding the preservation of public access to the nearby trails. She reported that the Master Plan from 2005, the PTOS Master Plan of 2018-2019, and the Bonneville Shoreline Master Plan adopted in September 2020 recognize the importance of providing safe, controlled, and appropriate access to trail amenities. She encouraged all interested to attend the Town Hall Meeting scheduled for April 25 where questions will be answered by City Staff.

3.4 Committee Reports by Mayor Mike Weichers.

Mayor Weichers reported that as Mayor of Cottonwood Heights, it is his responsibility to serve on the Central Wasatch Commission (“CWC”) Board. The CWC is comprised of municipalities, Metro Water, Salt Lake Utilities, and the US Forest Service. The purpose is to consider environmental impacts, transportation, and recreation in the Wasatch Front mountain areas. He serves as Chair of the Short-Term Projects Committee which awards funding to groups needing assistance repairing trails. He considered it a worthwhile endeavor. He also serves on the Unified Fire Authority (“UFA”) Board with 14 other municipalities/townships and the Salt Lake County Board of Health. It is the middle of the budget season and he was amazed by the inflationary increase of operational costs as opposed to years prior. The City Council takes the budgeting process very seriously and he encouraged citizens to look at the budget and the allocation of funds.

4.0 CITIZEN COMMENTS

Michael Falk has been a Cottonwood Heights resident since 1976 and wished to address the roundabout. As good as it is was for traffic, he did not consider it to be beneficial for pedestrians. He felt that the 35 MPH speed limit on Bengal Boulevard from the east and west was too high. Even with a pedestrian activating the flashing lights, it takes several cars to be able to gain access. He suggested the speed limit from 2700 East to Highland Drive and Bengal Boulevard be reduced to 25 MPH.

Council Member Birrell reported that the City Council is working to obtain funding to redesign the area between 2700 East and Highland Drive. The intent is to slow speeds and make the roundabout and the approach from either direction safer. Mayor Weichers expressed frustration with vehicles that do not stop for the flashing pedestrian lights. Educating residents was suggested.

City Manager, Tim Tingey reported that public comments were received from Mark Lenford and Leslie Renaldi and would be entered into the record.

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

5.0 PROCLAMATIONS

5.1 Consideration of Proclamation 2024-01 Celebrating Arbor Day.

Mayor Weichers reported that in conjunction with the Cottonwood Heights Tree Sale taking place on April 20 and 21, a Proclamation recognizing Arbor Day was proposed. The Proclamation was read in its entirety. To celebrate Arbor Day 2024, the City Council of Cottonwood Heights desires to express its support of Arbor Day and related activities planned to occur in the City including the Community Tree Sale and the planting of 15 additional trees in Ferguson Park. The City recognized Arbor Day as Friday, April 26, 2024. City residents were encouraged to celebrate Arbor Day and support efforts to protect the City's trees and woodlands.

6.0 ACTION ITEMS

6.1 Consideration of Ordinance 413 Amending Code Chapter 2.30.

MOTION: Council Member Holton moved to APPROVE Ordinance 413, Amending Code Chapter 2.30. The motion was seconded by Council Member Hyland. Vote on motion: Council Member Holton-Yes, Council Member Hyland-Yes, Council Member Birrell-Yes, and Mayor Weichers-Yes. The motion passed unanimously.

6.2 Consideration of Ordinance 414 Adopting an Amended Budget for FY 2023-2024.

MOTION: Council Member Birrell moved to APPROVE Ordinance 414, Adopting and Amended Budget for FY 2023-2024. The motion was seconded by Council Member Hyland. Vote on motion: Council Member Holton-Yes, Council Member Hyland-Yes, Council Member Birrell-Yes, and Mayor Weichers-Yes. The motion passed unanimously.

6.3 Consideration of Ordinance 415 Adopting a Comprehensive Emergency Management Plan.

Council Member Birrell reported that a Constituent shared information regarding an Emergency Management Meeting in 2023 and expressed her enthusiasm and commitment to the Emergency Management Program. She looked forward to strengthening the management system as it is a collaboration between individuals, members of the Church of Jesus Christ of Latter-day Saints, and City Staff.

MOTION: Council Member Birrell moved to APPROVE Ordinance 415, Adopting a Comprehensive Emergency Management Plan. The motion was seconded by Council Member Holton. Vote on motion: Council Member Holton-Yes, Council Member Hyland-Yes, Council Member Birrell-Yes, and Mayor Weichers-Yes. The motion passed with the unanimous consent of the Council.

6.4 Consideration of Resolution 2024-26 Approving an Independent Contractor Agreement for Land Use Hearing Officer Services.

Council Member Birrell expressed support for the proposed Resolution as it pertains to the Appeal relative to the Planning Commission Meeting of March 6, 2024, regarding the consolidation of lots at the entrance to Deaf Smith’s Canyon.

MOTION: Council Member Birrell moved to APPROVE Resolution 2024-26, Approving an Independent Contractor Agreement for Land Use Hearing Officer Services. The motion was seconded by Council Member Hyland. Vote on motion: Council Member Holton-Yes, Council Member Hyland-Yes, Council Member Birrell-Yes, and Mayor Weichers-Yes. The motion passed unanimously.

6.5 Consideration of Resolution 2024-27 Approving an Independent Contractor Agreement with Mott’s Landscaping, LLC for Mountview Park Landscaping Services.

MOTION: Council Member Holton moved to APPROVE Resolution 2024-27, Approving an Independent Contractor Agreement with Mott’s Landscaping, LLC for Mountview Park Landscaping Services. The motion was seconded by Council Member Hyland. Vote on motion: Council Member Holton-Yes, Council Member Hyland-Yes, Council Member Birrell-Yes, and Mayor Weichers-Yes. The motion passed unanimously.

6.6 Consideration of Resolution 2024-28 Approving an Interlocal Agreement with Salt Lake County for TRCC Funding.

MOTION: Council Member Holton moved to APPROVE Resolution 2024-28, Approving an Interlocal Agreement with Salt Lake County for TRCC Funding. The motion was seconded by Council Member Birrell. Vote on motion: Council Member Holton-Yes, Council Member Hyland-Yes, Council Member Birrell-Yes, and Mayor Weichers-Yes. The motion passed unanimously.

6.7 Consideration of Resolution 2024-29 Consenting to Reappointments to the Architectural Review Commission.

Council Member Birrell commended the three reappointed individuals for their service to the Architectural Review Commission (“ARC”) and their dedication to the City.

MOTION: Council Member Birrell moved to APPROVE Resolution 2024-29, consenting to reappointments to the Architectural Review Commission. The motion was seconded by Council Member Hyland. Vote on motion: Council Member Holton-Yes, Council Member Hyland-Yes, Council Member Birrell-Yes, and Mayor Weichers-Yes. The motion passed unanimously.

6.8 Consideration of Resolution 2024-30 Approving an Agreement with Modern Display Services, Inc. for Design and Construction of a Parade Float.

MOTION: Council Member Hyland moved to APPROVE Resolution 2024-30. Approving an Agreement with Modern Display Services, Inc. for the design and construction of a Parade float. The motion was seconded by Council Member Holton. Vote on motion: Council Member Holton-Yes, Council Member Hyland-Yes, Council Member Birrell-Yes, and Mayor Weichers-Yes. The motion passed unanimously.

7.0 CONSENT CALENDAR

7.1 Approval of the Minutes of the City Council Work Session and Business Meeting Minutes of March 19, 2024.

MOTION: Council Member Hyland moved to APPROVE the Minutes of the City Council Work Session and Business Meeting Minutes of March 19, 2024. The motion was seconded by Council Member Birrell. The motion passed with the unanimous consent of the Council.

8.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

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

The City Council Meeting adjourned at 7:33 PM.

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, April 16, 2024.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: May 7, 2024.