

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION  
HELD TUESDAY, FEBRUARY 18, 2020, AT 5:00 P.M. IN THE COTTONWOOD  
HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL  
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

**Present:** Council Member Scott Bracken, Council Member Christine W. Mikell,  
Council Member Douglas Petersen

**Staff Present:** City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Juges, Communications Manager Tim Beery

**Excused:** Mayor Mike Peterson, Council Member Tali Bruce

In the absence of Mayor Peterson, Mayor Pro Tempore Scott Bracken called the meeting to order at 5:00 p.m. and welcomed those present.

**1. Utah Open Lands: Open Spaces – Ms. Wendy Fisher, Executive Director.**

Utah Open Lands Executive Director, Wendy Fisher reported that Utah Open Lands is a non-profit land trust. They are not affiliated with the State but protect land throughout the State of Utah for recreation, wildlife, farming, and ranching. Ms. Fisher reported that the Bonneville Shoreline Trail is within the Cottonwood Heights city limits and is approximately 26 acres in size. They believe it has tremendous value from a conservation perspective. They are looking at it as a fee title purchase, which means that the entire property will be acquired. Utah Open Lands will retain a conservation easement on the property to ensure its protection in perpetuity. The hope was that Cottonwood Heights will ultimately be the owner of the property.

Ms. Fisher stated that the property is very visible and located along Little Cottonwood Canyon Road and is subject to a Development Agreement with Cottonwood Heights. The property consists of two separate parcels that are owned by two different landowners. The primary concern was the loss of access and additional congestion. Various renderings of the property were displayed. It was noted that the property is currently for sale. Two appraisals were conducted. The first took place in May of 2018 with the value at that time being \$3.675 million. Utah Open Lands applied for funding through the LeRay McAllister Critical Lands Fund. In preparation for pursuing other funding sources, they were able to acquire a Purchase Agreement with the landowners and conducted a second appraisal in December 2019 with the value being \$3.85 million.

Ms. Fisher reported that the landowner is willing to make an \$835,000 contribution. Since February 14, when it was announced that the property was under contract, they had raised \$5,865. They also received \$500,000 from the LeRay McAllister Critical Land Fund. The remaining funding needed was \$2,494,135. Ms. Fisher stated that they will need support from various agencies and requested that Cottonwood Heights contribute \$1 million. They believe this project

is a cornerstone piece to further protect access and other properties associated with the Bonneville Shoreline Trail.

In response to a question raised, Ms. Fisher stated that the main goal of the Conservation Easement is to ensure that the land is not swapped out in the future for development. They would want to negotiate with the City of Cottonwood Heights and other partners with respect to other appropriate uses. Ultimately, the Conservation Easement will prohibit future development on the property.

City Manager, Tim Tingey reported that a grant application was submitted for funding for trail development acquisition in the area. Funding was included in the budget and the Council deliberated on an agreement with the County on funds that were received. The acquisition was determined to meet the parameters of agreements the City has with the County. As long as the majority of the Council wishes to move forward with the commitment, the funds have been budgeted and they can move forward. Mr. Tingey reported that a development application for an 11-unit subdivision on the property is currently under review.

**2. Bonneville Shoreline Trail Access Plan Discussion – Blu Line Design – Mr. Rob Donigan, Senior Landscape Architect.**

Mr. Tingey reported that several months ago, the City contracted with Blu Line Design to perform a Master Plan Study of the Bonneville Shoreline Trail access. He explained that the Bonneville Shoreline Trail alignment has been well studied and in place for a number of years. Access to the trail, however, has never been studied. An open house was scheduled for later in the week. The intent tonight was to update the Council on the study in advance of the open house. The final objective will be to present a formalized Master Plan document to the Council for adoption. Mr. Tingey explained that the U.S. Forest Service prepared an Environmental Impact Statement on the trail corridor and mapped out a proposed alignment. There are, however, a number of challenges with the trail development.

Blu Line Design Senior Landscape Architect, Rob Donigan reported that the first step was to conduct a needs assessment. They also performed a comparative analysis with other municipalities along the Wasatch Front with access to the Bonneville Shoreline Trail. Possible locations for access points were identified. One would be local with minimal improvements for neighborhood use. There would also be a regional access point with a parking lot, restroom, and signage.

Mr. Donigan explained that in working with the Committee, they developed preliminary goals and objectives. The next step would be to identify where the access points could be located and present that information to the public for feedback. Ultimately, they will finalize the plan and look at specific locations. A rendering of the Bonneville Shoreline Trail alignment was displayed. Mr. Donigan suggested there be one local access point every two miles and one regional trailhead access point every four miles. The proposed amenities and draft goals and objectives were reviewed.

Mr. Donigan described the format to be followed at the upcoming open house. Information would be available for the public to view. No formal presentation was to be made. Comments the public would like to be documented would need to be submitted in writing on comment forms provided.

### **3. Review of Business Meeting Agenda – Mayor Pro Tempore.**

The Business Meeting agenda items were reviewed and discussed.

With regard to agenda items 4.3 and 4.4, Mr. Tingey reported that the City applied for grant funding for two projects. One is on the Big Cottonwood Canyon Trail for wayfinding. The second was to install a root barrier system and make improvements to the Big Cottonwood Canyon Trail. The grant amounts were \$43,000 and \$83,000. The proposed resolutions were formal agreements to receive the funds and proceed with the projects.

### **4. Staff Reports.**

#### **a. Road Improvement Plan Discussion – Public Works Director, Matt Shipp.**

Mr. Tingey reported that the above matter was on the agenda in anticipation of next year's budget. He pointed out that a number of projects were extended beyond one or two years. Staff thought it would be important to look at what has been accomplished, present the five-year plan, and address recommended funding for the upcoming budget process.

Public Works Director, Matt Shipp stated that in addressing the Five-Year Maintenance Plan, each of the roads is highlighted with a color that corresponds to a fiscal year. Every road in the City will receive a service treatment or reconstruction depending on the severity of the stress on the road. He noted that the plan was adopted and accepted by the City Council as part of the 2018-2019 budget. Mr. Shipp indicated that the City Council approved the Pavement Plan Update and a committee was formed to guide development of the plan. The original plan that was presented to the Council took all potential costs into account and was estimated at \$3.5 million per year for the next 20 years. It was a high number because it referenced a Pavement Condition Index ("PCI"), which grades the pavement from F to A. Mr. Shipp explained that a C-grade road of 55 or above is not in bad condition, however, it needs work and could quickly go downhill if not properly maintained. The original study included improving all roads to a rating of 88 or above but was determined to not be achievable based on the budget.

Mr. Shipp reported that in 2008, the average PCI for City roads was 78. That year the City spent about \$1.1 million on overlays and other improvements. That amount had steadily decreased. The intent was to maintain an overall average in the City. In 2018, the City spent roughly \$1.1 million on roadwork. That amount leveled out and began to slowly increase based on staff's projection that the Council was asked to budget each year. Next year, Mr. Shipp would present the updated five-year rotation plan to see how the plan will continue going forward. He stressed the importance of investing in road maintenance. \$1.7 was being sought annually.

Mr. Shipp reported that 3000 East has been reconstructed. \$167,000 was budgeted with the actual cost being \$163,000. A bid was to be opened the following Thursday for the Scottish Drive neighborhood, for which the Council allotted an additional \$180,000 for stormwater work. In March, the intent is to put down approximately four million square feet of slurry and crack seal for various residential neighborhoods, which was double the amount done last year. The projects were

all being done at the end of the budget year. Last year \$1.6 million was allotted and the costs would remain in that range. Mr. Shipp reported that the 2019-2020 work was to be bid out next month. \$1.7 million was being sought.

In response to a question raised, Mr. Shipp stated that no new roads were being built. The current intent was to maintain what they already own.

**5. Review of Calendars and Upcoming Events.**

**Council Member Schedules for the Next Week – 2020 Calendar:**

- a. March 14 – Cottonwood Heights Film Festival – Butler Middle School Auditorium.
- b. April 21 – Approximately 5:00 p.m. – Council Budget Work Session – City Council Workroom.
- c. April 22 – 24 – Utah League of Cities and Towns (“ULCT”) Mid-Year Conference in St. George.
- d. May 5 – Approximately 7:00 p.m. – Proposed Budget and Adopt Tentative Budget – City Council Chambers.
- e. June 2 – Approximately 7:00 pm. – Public Hearing for Budget and Adoption – City Council Chambers.
- f. June 16 – Approximately 7:00 p.m. – Adopt Final Budget – City Council Chambers.

**6. 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 Mikell moved to close the Open Meeting and open the Closed Meeting to discuss litigation. Council Member Petersen seconded the motion. Vote on motion: Council Member Petersen-Aye, Council Member Mikell-Aye, Mayor Pro Tempore Bracken-Aye. The motion passed unanimously.

The City Council was in Closed Meeting from approximately 6:10 p.m. to 6:49 p.m.

**7. Adjourn City Council Work Session.**

The City Council Work Session adjourned at 6:49 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, FEBRUARY 18, 2020 AT 7:00 P.M. IN THE COTTONWOOD  
HEIGHTS CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL  
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

**Present:** Council Member Scott Bracken, Council Member Christine W. Mikell,  
Council Member Douglas Petersen

**Staff Present:** City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jorges, Communications Manager Tim Beery, Senior City Planner Matt Taylor, City Planner Andrew Hulka, Assistant Police Chief Paul Brenneman

**Excused:** Mayor Mike Peterson, Council Member Tali Bruce

**1.0 WELCOME/PLEDGE**

In the absence of Mayor Peterson, Mayor Pro Tempore Scott Bracken called the meeting to order at 7:00 p.m.

**2.0 ACKNOWLEDGMENTS**

**2.1 Introduction of UFA Assistant Chief, Riley Pilgrim.**

City Manager, Tim Tingey introduced Unified Fire Authority (“UFA”) Assistant Chief, Riley Pilgrim. Chief Pilgrim spent time in the community earlier in his career and worked in the Wildland Fire Division based at Camp Williams. He recently served as a Liaison in Herriman.

Assistant Chief Pilgrim reported that he worked in Herriman for three years and considered working in Cottonwood Heights to be a unique change in terms of community dynamics and demands. The first few years of his career he worked between the Holladay and Cottonwood Heights and was familiar with many of the intricacies of the community. His passion is wildland fire prevention and mitigation and he hoped to continue to ensure that citizens get the best service possible. Assistant Chief Pilgrim would be working primarily from Station 116 and occasionally from Station 110.

**3.0 CITIZEN COMMENTS**

Lisa Bartlit gave her address as 7956 South Forest Oaks Court was present representing her family and her neighbors. She reported that one week ago their car was stolen out of their garage and has not been recovered. She subsequently discovered that their next-door neighbor was robbed in broad daylight between 8:00 a.m. and 9:00 a.m. a few weeks prior. Two days later, another car was broken into and a bike was stolen. Ms. Bartlit asked what was being done to address crime in

her neighborhood. She commented that she felt safe and secure in her neighborhood until the crime occurred. Police Chief, Robby Russo did not consider the situation described to be normal and stated that statistically, the area near Ms. Bartlit's home is a very low crime area. He offered to contact her to discuss the matter further.

Kristen Collins addressed Golden Hills Park and the amount of snow that has fallen in recent weeks. Her understanding was that there is a sign posted that the park is not maintained in the wintertime; however, after the most recent storm, there was a great deal of snow. Ms. Collins is disabled and goes to the park with her trainer every week along with several others. To get around with snow is very difficult. She commented that clearing the snow after a major storm would be extremely helpful. Mayor Pro Tempore indicated that the City owns the park and maintenance is contracted through the Rec Center. He offered to look at the contract in greater detail and see what can be done.

Mr. Tingey acknowledged that there was a tax increase in the Cottonwood Heights Rec Center District but it does not necessarily relate to the services they provide the City. Additional funding would need to be needed to provide additional maintenance. The Council will be presented with the Rec Center contract in the next few months on ongoing maintenance. The additional cost could be discussed at that time.

Solar Ahmed, an 18-year-old Hillcrest High School senior, raised an environmental issue and explained that it takes years for plastic bags to decompose and they threaten wildlife. In August, he sent an email to Council Member Bruce about imposing a plastic bag tax in the City. In 2018, Council Member Bruce informed Mr. Ahmed that a plastic bag ban was being considered. Mr. Ahmed asked how important the issue was to the City Council and what the timeline might be for implementing a tax or ban on single-use plastic bags. Mayor Pro Tempore Bracken was not sure what is legally permissible and asked that Mr. Tingey research the matter and reach out to Mr. Ahmed.

#### **4.0 ACTION ITEMS**

##### **4.1 Consideration of Ordinance 340 Granting a Telecommunications Franchise to UTOPIA.**

City Attorney, Shane Topham reported that UTOPIA is a Utah interlocal entity formed by other governmental entities and is an internet service provider. UTOPIA has requested a franchise from the City to install and operate a fiber optic cable system within the City's public right-of-way. The ordinance would grant such a franchise on the same terms under which the City has granted similar franchises to other providers over the past few years.

**MOTION:** Council Member Mikell moved to approve Ordinance 340 granting a Telecommunications Franchise to UTOPIA. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Mikell-Aye, Mayor Pro Tempore Bracken-Aye. The motion passed unanimously.

**4.2 Consideration of Resolution 2020-04 Consenting to an Appointment to the Historic Committee.**

Mr. Tingey reported that the above resolution considers the appointment of Jerry Christensen to the Historic Committee. Mr. Christensen was interviewed by Mr. Tingey who was confident that he will be a great asset. He recommended Mr. Christensen be appointed to serve on the Historic Committee.

**MOTION:** Council Member Mikell moved to approve Resolution 2020-04 consenting to an appointment to the Historic Committee. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Mikell-Aye, Mayor Pro Tempore Bracken-Aye. The motion passed unanimously.

**4.3 Consideration of Resolution 2020-05 Approving Entry into an Interlocal Agreement with Salt Lake County for TRCC Funding.**

Mr. Tingey reported that several months ago the City applied for funding through the County TRCC grant funds. Resolution 2020-05 pertains to wayfinding signage on the Big Cottonwood Canyon Trail. The grant was received in the amount of \$43,695. Staff recommended approval.

**MOTION:** Council Member Mikell moved to approve Resolution 2020-05. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Mikell-Aye, Mayor Pro Tempore Bracken-Aye. The motion passed unanimously.

**4.4 Consideration of Resolution 2020-06 Approving Entry into an Interlocal Agreement with Salt Lake County for TRCC Funding.**

Mr. Tingey reported that the above resolution involves a TRCC grant in the amount of \$83,682 to install root barrier systems and other improvements on the Big Cottonwood Canyon Trail. Staff recommended approval.

**MOTION:** Council Member Mikell moved to approve Resolution 2020-06. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Mikell-Aye, Mayor Pro Tempore Bracken-Aye. The motion passed unanimously.

**5.0 CONSENT CALENDAR**

**6.0 ADJOURN CITY COUNCIL BUSINESS MEETING.**

**MOTION:** Council Member Mikell moved to adjourn. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 7:22 p.m.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood Heights City Council Business Meeting held Tuesday, February 18, 2020.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: April 7, 2020