

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, AUGUST 5, 2025, AT 4:00 PM IN THE COTTONWOOD HEIGHTS
CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD,
COTTONWOOD HEIGHTS, UTAH**

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

Staff Present: City Manager, Jared Gerber; City Attorney, Shane Topham; Police Chief, Robby Russo; Finance Director, Scott Jurgens; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; Community and Economic Development Director, Michael Johnson; IT Manager, Matt Ervin; Assistant City Engineer, Ben Nelson; Unified Fire Authority, Riley Pilgrim

1.0 WELCOME – Mayor Mike Weichers.

Mayor Weichers called the meeting to order at 4:00 PM.

2.0 REVIEW OF BUSINESS MEETING AGENDA – Mayor Mike Weichers.

Mayor Weichers reviewed the Meeting Agenda and stated that the Pledge of Allegiance would be led by Records, Culture, and Human Resources Director, Barbara Higgins, followed by the Citizen Comment Period.

Items 4.1, 4.2, and 4.3 will be continued to the August 19, 2025, City Council Meeting. City Manager, Jared Gerber, reported that the applicant, Adam Nash, had requested a reduced setback of 15 feet on the western property line and was instructed by the Council to reevaluate the matter to determine if he could work with the approved 25-foot setback. Mr. Nash was out of town and requested that the items be continued to the next meeting.

Item 4.4 was Consideration of Resolution 2025-59 Declaring Certain Property Surplus. Police Chief, Robby Russo, reported that the items are firearms that have been in the armory since 2008, and they would like to trade them with a local dealer for modern weapons with better sighting systems or a different caliber.

Item 4.5 was Consideration of Resolution 2025-60 Approving an Appointment to the Health in the Heights Advisory Committee. Mr. Gerber reported that Eva Chan attended the previous evening's Health in the Heights meeting and was very excited to be involved with the committee.

Item 4.6 was Consideration of Resolution 2025-61 Approving an Appointment to the Historic Committee. Mr. Gerber reported that he interviewed Hazel Peterson and believes she will be a great addition to the committee. She is a member of the Daughters of the American Revolution, Daughters of Utah Pioneers, and other historical organizations.

Item 5.1 would be approval of the minutes for the City Council Work Session and Business Meetings of July 15, 2025.

3.0 REPORTS

3.1 Historic Committee Report – *Historic Committee Chair, Jim Kichas.*

Historic Committee Chair, Jim Kichas presented the 2025 update. The committee had more turnover this year than in previous years, but the members who stepped down continue to answer questions and share their knowledge of the City's history, and new committee members are bringing new energy and fresh perspectives. He then discussed the areas they have focused on in 2025 and their plans for 2026.

In 2025, the Historic Committee conducted an inventory of historic signs that identified 46 areas where old signs need to be replaced or new signs should be installed. A phased project was proposed that would allow for 12 signs to be replaced each year. Mr. Kichas presented the new sign design and indicated that the committee will also be working to add contextual information to the City website so people can find out more about specific locations.

The Historic Committee has also been working on the Butlerville Monument that will be installed at the intersection of Fort Union Boulevard and 2700 East. Funding was received from the Utah Department of Transportation ("UDOT") and Rocky Mountain Power to support the project, and the committee worked with the Canyons School District to select the location. They are currently working with the City to finalize the design. The sign will focus on the history of the Butler area, including the school, church, and dormitory building. The committee has discussed including a time capsule at the rear of the monument.

The 2025 Butlerville Days exhibit focused on the idea of building community and the City's 20th anniversary. The exhibit will be repurposed for the fall exhibit at City Hall. There was a lot of community engagement this year, and the committee sold more books than in previous years.

The Historic Committee is continuing work on the digital archive of historic materials. In 2025, their focus has been on the 20th anniversary. Incorporation records were added to the archives, as well as community council records dating to 1993.

In 2026, the committee will be researching the following:

- Interstate 215 construction history
- Property ownership and building history of Hillside Plaza
- The City's water and irrigation history

Mr. Kichas reported that the Historic Committee continues to collaborate with the Parks, Trails, and Open Space Committee and other history groups in the Salt Lake Valley.

Council Member Birrell stated that the Butlerville Days exhibit was wonderful, and she appreciated that it had ways to keep her grandchildren entertained while she viewed the exhibit. She also attended the historic walk, which included a lot of great information. She appreciated the efforts of Gayle Conger and everyone on the Historic Committee.

Mayor Weichers thanked Mr. Kichas and the Historic Committee for their time and efforts.

3.2 Cottonwood Canyon Cove Park Naming Discussion – City Manager, Jared Gerber.

Mayor Weichers introduced Jim and Jan Peters. Mr. Peters stated that they built their home near the park in 1967. At the time, the area was mostly sagebrush. They have seen a lot of growth and change over the years, and he appreciated the opportunity to speak about the original park and its significance to the community.

The Church identified several locations in the Butler Hill area that would be suitable for future building sites, as well as adjacent potential recreation sites, adjacent to the Doverhill Chapel and Nutree Chapel. They determined that the property adjacent to Nutree Chapel was ideal because it was flat and required very little grading, and a developer had approached them with a proposal to purchase the Doverhill property. Members of the Church and community made a case for the Doverhill property even though it involved significant design, grading, and surveying work.

Based on the aesthetics of the Doverhill property and the community's commitment and determination, the Church elected to build the park at the Doverhill location. The park would not have existed without that commitment from community members. Okland Construction re-leveled over 9,000 cubic yards of soil, and Savage Brothers Excavation hauled it away at no cost. Soil for the infield, final grading, park and irrigation design, surveying, and landscaping services were also provided at no cost. The Church constructed the bleachers, flagpole, maintenance shed, and pavilion. In 1976, after each stake was instructed to contribute to a bicentennial project, the park was named Bicentennial Park. Even though it was owned and maintained by the Church, it became a central gathering location for the entire community.

In 2021, an arsonist set fire to the chapel. The Church then determined to liquidate the entire six acres. In order to protect the asset, they constructed a fence around the property, which split the community. Over 1,500 members of the community signed a petition asking that Cottonwood Heights be given first right of refusal. Mayor Peterson approached the Church based on the premise that the community had an equity interest in preserving a portion of the property as open space. They agreed, which is why there is a park in that location. The park has its own history, but it is also part of the history of the Brighton Point area. Mr. Peters suggested that the park name reflect that history by being called Brighton Point Park or Heritage Park. The preservation of a portion of the area as open space has already begun to reestablish the feeling of community.

Mayor Weichers stated that he had not been aware that the park came about because of the community. Mayor Peterson was instrumental and securing the land, and one of the first decisions made by Mayor Weichers, Council Member Birrell, and Council Member Newell was to purchase the property. He was grateful to the Church and Ivory Homes for their partnership.

Council Member Hyland stated that donation was a recurring theme in Mr. Peters' presentation, and two recommendations were made to name it Merrill Park after the gentleman who originally donated the land. Mr. Peters clarified that Mr. Merrill donated a very small portion of the property. Council Member Hyland stated that she preferred a name that tells where the park is as well as its history. In response to her question, Mr. Peters stated that he believes Brighton Point Park would accomplish that goal. Mayor Weichers suggested naming the pavilion or another feature after Mr. Merrill.

Council Member Birrell stated that constituents have spoken to her about their connection to the park and asked that it be named Summer Hill Park or Doverhill Park. She suggested that the item be tabled to provide other residents time to make suggestions. Mayor Weichers clarified that the current list of 54 names was too large. After the City Council narrowed the list down to a few choices, the community would then vote on the name.

Mr. Peters stated that it was previously called the Bicentennial Park by the Church, but residents referred to it as Doverhill Park because of the chapel and road names. However, that no longer made sense because the park could no longer be accessed from Doverhill. He did not believe it should be named after a specific person, as it will be a focal point in the City.

Mayor Weichers expressed his appreciation for the time residents put into considering and submitting names and stated that he would be reaching out to them personally to thank them for their great ideas. He believes that place needs to be considered in the name, and one of his favorite suggestions was Wasatch Vista Park.

Council Member Newell stated that he appreciated all the suggestions. He believes it is important to consider the area's history and community when choosing a name and agreed that the park should not be named after an individual.

Council Member Hyland stated that many of the suggestions were not specific to Cottonwood Heights. She prefers Brighton Point or Doverhill. Mayor Weichers expressed concern about naming the park after an adjacent street. Brighton Point speaks to the area's history, and he advocated that it be one of the options. The Council discussed the appropriate number of options that should be provided.

Council Member Birrell remarked that she believes Doverhill Park should be included because that is what it was historically called by residents. There were also several submissions for Canyon Cove Park. It was noted that residents had requested that Doverhill Park not be considered because there is no access to the park from Doverhill Drive. The park is addressed as 7650 South. Council Member Hyland expressed understanding for that concern but noted that the Doverhill Chapel and stake were in that area, and it has always been known as Doverhill Park. She did not believe the option should be stricken unless there were safety concerns. Mr. Gerber stated that the concern was regarding traffic driving on Doverhill Drive trying to access the park, but he did not believe it was a safety issue. Council Member Birrell suggested Summer Hill Park, as the park will be accessed from 3500 East via Summer Hill Drive.

Council Member Newell asked why the Council was hesitant to keep the name Bicentennial Park. Council Member Hyland stated that, as Mr. Peters mentioned, the community never referred to the park by that name. Mr. Gerber added that there is a Bicentennial Park in Sandy, and some other suggestions have also been used for parks in nearby cities.

In response to a question from Mr. Gerber, Mr. Peters confirmed that the park was referred to as Doverhill Park after the Doverhill Chapel, not “Dover Hills.” It was designed as a neighborhood park for the Brighton Point area and does not have parking. It was not designed as a city park. In response to a question from Mayor Weichers, Mr. Peters stated that his preference is that the park not be named after a person or a street. He believes the name should evoke curiosity about the area’s heritage.

The list of suggested names was reviewed and further discussed. In response to a comment from Council Member Birrell, Mayor Weichers clarified that the purpose of the discussion was not to decide on a name. The Council would narrow the list of options, and then residents would vote on the final name. Council Member Holton suggested providing three options and a blank space for write-ins.

After further discussion, the following options were chosen:

- Brighton Point Park
- Doverhill Park
- Summer Hill Park
- Write-in suggestions

Mr. Gerber reported that the options would be broadcast on social media, and the item would be added to the September 2, 2025, meeting agenda.

3.3 CDRA Project Area Discussion – City Manager, Jared Gerber.

Mr. Gerber reported that two old Redevelopment Agency (“RDA”) project areas, the Fort Union RDA and Cottonwood Corporate RDA, were still generating tax-increment revenue but would sunset within the next few years, so the funds must be spent. In response to a question from Council Member Birrell, he clarified that the projects were created by Salt Lake County and have a 30-year sunset period. The funds include a total of \$1.6 million, approximately \$1.1 million of which is in the Fort Union RDA. All monies must be spent within or to enhance the economic viability of the project areas. Enhancements on Union Park Avenue were paid through this RDA.

Mr. Gerber indicated that one element of the Moderate Income Housing Plan requires adding funds to the regional Housing Investment Fund. In response to a question from Council Member Birrell, he clarified that rezoning is not required; the requirement will be met by adding money to the regional fund. No set percentage was identified in the plan.

Mayor Weichers stated that it had been determined that some road improvements had been completed but not yet reimbursed. Finance Director, Scott Jurges, confirmed that \$75,000 could

be reimbursed from the Cottonwood Corporate RDA and \$273,000 from the Fort Union RDA, resulting in a balance of approximately \$290,000 in the Cottonwood Corporate RDA and \$952,000 in the Fort Union RDA. In response to a question from Council Member Birrell, Mr. Gerber confirmed that approximately \$1.6 million is currently available between the two funds. Staff reviewed road projects that have been completed over the last few years and determined that the General Fund could be reimbursed approximately \$349,000 from those funds. Mr. Jorges reported that the amount is not reflected in the current Budget; the transfers will be addressed in a future Budget Adjustment.

Public Works Director, Matt Shipp presented a list of potential projects that could be paid through the RDA funds. The Council directed Staff to beautify the medians on Union Park Avenue from I-215 to Creek Road, and some funds are being used for beautification. Midvale made improvements to their side of Union Park Avenue approximately three years previously, but it was not a joint project. The Cottonwood Heights portion needs milling, overlay, and reconstruction in some locations. A contractor who is working on another City project has agreed to honor their current unit price for this project and provided a rough estimate of \$875,000 to reconstruct the east side of Union Park Avenue from Interstate 215 to 1300 East.

A second potential project is to enhance the Big Cottonwood Trail crossing at 3000 East and add an enhanced crosswalk at the intersection of 3000 East and Big Cottonwood Canyon Road to make the crossings safer for pedestrians. Mr. Shipp provided a rough estimate of \$50,000 to \$75,000 per crossing.

Council Member Birrell stated that she does not believe the area of Union Park Avenue from Fort Union to the freeway is ugly or in need of enhancement in comparison to other problem areas of the City. She believed that the funds must be used for specific purposes, but the recommended improvements on 3000 East seemed to be general and active transportation improvements, not economic development improvements. She stressed that the Council needed to prioritize improvements and identify why those improvements are warranted, but she felt that the suggestions were arbitrary. Mayor Weichers clarified that RDA funds can only be used in specific areas, and 3000 East is in the Cottonwood Corporate RDA.

In response to a question from Council Member Hyland, Mr. Shipp confirmed that the median improvements are a joint project with Midvale, and Cottonwood Heights' portion of the project is being paid through the Fort Union RDA. The east side of Union Park Avenue needs to be reconstructed, but RDA funds can only be used for reconstruction to 1300 East because that is the RDA boundary. A Google street view of the road was presented, indicating the poor condition of Cottonwood Heights' section of the road.

The second project is in the Cottonwood Corporate RDA. There are a limited number of projects in that area that meet the RDA requirements, and enhancing the crosswalks would meet the City's pedestrian safety goal. Council Member Newell stated that the crosswalks are critical. He sees pedestrians dash across the road, and vehicles often travel very fast through the area. In response to a question raised by Mayor Weichers, Mr. Shipp stated that Staff had looked at rough ideas for bump-outs, narrowing the lanes, enhancing visibility, and possibly adding a safety island. A raised

crosswalk would likely not be practical for the intersection. Council Member Newell stated that his preference would be to install the safest possible crosswalk.

Council Member Hyland read a citizen comment card proposing a City ordinance requiring homeowners to have intentional landscaping and stated that she has noticed more blight in Cottonwood Heights. She did not advocate for landscaping restrictions on private property, but blight creates blight and beauty creates beauty. She supports efforts to beautify and raise the standard of what is expected in the City without breaking the bank, and the work on the Union Park Avenue medians is an example of that. Council Member Newell agreed that it is sometimes disheartening to see poorly maintained lawns, but noted that it can be difficult to mandate upkeep on private property. Council Member Hyland clarified that she was not in favor of such a mandate.

Council Member Birrell stated that constituents are concerned about the Great Salt Lake and are limiting watering as a result. Grass die-off can be ugly and a fire hazard, but people also are not watering their trees. She believes a citizen sustainability committee should be formed, and that the City should take the lead in how it landscapes. She was in favor of using the RDA funds as recommended and suggested that medians be considered to further enhance pedestrian safety on 3000 East.

Council Member Hyland thanked Mr. Shipp for being mindful of the City Council's priorities and considering beautification, safety, and maintenance in his proposal.

In response to a question raised by Mayor Weichers, Mr. Shipp stated that he did not know if enough funds would be available to address the problem areas of Big Cottonwood Trail. The portion of the trail that was rebuilt on the west side of 3000 East was included in the reimbursements, but improvements east of 3000 East would not be eligible for RDA funds.

Mr. Shipp was instructed to move forward with obtaining bids on the two proposed projects.

3.4 LaCresta Drive Discussion – Public Works Director, Matt Shipp.

Mr. Shipp presented an aerial view of the LaCresta Drive area and stated that residents have reported issues with cut-through traffic on Greenfield Way and LaCresta Drive. Speed studies indicate that the 85th percentile speed is approximately 28 miles per hour, but the traffic volume is very high.

The City received a grant for Highland Trail Phase 3 from Interstate 215 to Fort Union Boulevard, and the 30% design is currently in process. The design will consider options to discourage cut-through traffic in this area. Mr. Shipp expects to present 30% design options at a September City Council meeting. As part of the study, they are currently collecting traffic movement data for La Cresta Drive and Greenfield Way to determine the traffic source.

Mr. Shipp reported that the neighborhood is scheduled for slurry seal or resurfacing. One option would be to restripe Greenfield Way at that time. There is currently a dedicated bicycle lane on both sides of the road, but no sidewalk. Cars are allowed to park on the shoulder. This option would narrow the lanes, create a bike sharrow lane, and increase the shoulder width to provide

more room so pedestrians and bicyclists can more effectively use the shoulders even when cars are parked on them.

The second option would be to institute a traffic circle pilot program and remove the three-way stop at the intersection of LaCresta Drive and Greendale Road. Mr. Shipp indicated that the intersection does not warrant a stop sign; Greenfield Way should be a through road. He observed 15 cars in the intersection, only three or four of which paused before driving through. Residents have also indicated that cars do not stop at the intersection. When pedestrians expect cars to stop at stop signs but drivers do not stop, that creates a conflict.

Mr. Shipp reported that over the last 36 days, approximately 26,000 cars traveled southbound on Greenfield Way, which equates to approximately 730 per day between the hours of 2:00 p.m. and 5:00 p.m. Approximately 34,000 vehicles traveled northbound. LaCresta Drive data for eastbound traffic was unreliable due to a glitch, but westbound traffic included approximately 23,000 vehicles, or 630 per day. There is an issue with cut-through traffic. Staff believes that the intersection redesign will solve the problem, and improvements can be made in the interim to enhance pedestrian and bicycle safety.

In response to a question from Mr. Gerber, Mr. Shipp reported that the 30% design is funded, and the City Council approved the study proposal. Once the 30% design is finalized, with the Council's approval, he will apply for funding for the next phase. There is currently no construction funding.

In response to a question raised by Mayor Weichers, Mr. Shipp reported that a traffic circle is being considered for the intersection of Greendale Road and LaCresta Drive. Traffic counts for nearby roads will be included in the study to provide a better idea of the traffic source.

Council Member Newell stated that the area was discussed previously, and one issue that was brought up was the learned behavior from the businesses along the frontage road. He believes a lot of the cut-through traffic is generated by those businesses. Mr. Shipp stated that they were considering ways to push that traffic to Highland Drive rather than through the neighborhood.

No sound/Council member speaking off mic 1:41:30 to 1:43:27.

Mr. Shipp reported that the City needed to take action on stop signs that are not in appropriate areas. Several stop signs were recently removed with no negative impacts. In response to a question from Council Member Holton, he stated that the stop signs would be removed from any intersections where traffic circles are installed.

Mayor Weichers suggested a traffic circle be installed on Greenfield Way near the liquor store to slow traffic as it enters the neighborhood.

Council Member Hyland stated that she is looking forward to the pilot program because the intersection of Oak Creek Circle and Oak Creek Drive in her district has an unnecessary three-way stop.

Mr. Shipp stated that the Safe Streets and Roads for All (“SS4A”) Grant agreement had been finalized. It should be signed within one month, and the funds will be available at that time. He will bring a proposal for the citywide safety program shortly thereafter.

3.5 Short-Term Rental Discussion – Council Member Hyland.

Council Member Hyland reported that she participated in a four-hour short-term rental (“STR”) training with Julie Davies. The training is required by many cities for people who want to be licensed as STR operators. She thanked Council Member Birrell and Lieutenant Ricks for attending the training as well. It was enlightening to learn about the different terms, but disheartening to learn about the ways various platforms are trying to get around municipal code.

At its last meeting, the City Council discussed the following:

- Adopting a Budget Amendment to purchase and implement the Granicus Host Compliance Software with the purpose of bringing existing non-licensed STRs that are allowed in the City into compliance.
- Potentially eliminate existing whole-home STRs in single-family residential zones.
- Utilizing the Granicus dashboard to inform the STR Committee and City Council on where owner-occupied listings are, which could guide policy.

Council Member Birrell stated that she listened to most of the STR training, and it was reported that the most compliant STR operators are the ones who rent their whole home. Council Member Hyland agreed and stated that if the Council only allows owner-occupied STRs, they will be limiting the City’s most affordable housing, internal accessory dwelling units (“ADUs”).

The Council’s directive on STRs was to:

- Incentivize compliance.
- Target enforcement.
- Create a scalable policy.
- Do its best to enforce owner occupancy.

In Washington County, owner-occupied STRs are allowed in unincorporated county areas. To qualify as owner-occupied, the owner’s primary residential exemption must be claimed on that parcel. If the residential exemption is lost, the STR license is terminated.

In Sandy, the fee title owner may be an individual or trustee with 50% or more ownership of the proposed STR. They do not allow owners to be a corporation, partnership, limited liability company (“LLC”), or similar entity. Council Member Hyland noted that most STR owners create an LLC for liability protection and suggested that Cottonwood Heights allow LLCs as long as the member is the primary resident of the property.

Sandy also requires that the owner reside in the property for a minimum of 183 days per year and provide copies of Utah tax returns, their government-issued identification, and an affidavit. Only

one rental is allowed per parcel, with a maximum occupancy of eight people. There is a one-night minimum and a 29-night maximum. Some municipalities prefer a minimum of two nights. Per Utah State law, anyone staying over 29 nights is a tenant, not a guest, and has substantial rights and a strict eviction process. Sandy allows whole-home rentals of 182 nights per year and ADU rentals up to 365 nights. Council Member Hyland noted that the compliance software companies indicated that a 182-night limit can be difficult to enforce.

Murray prohibits vacation rentals and unhosted sharing within the city. According to Julie Davies, who is considered a STR expert, hosted sharing can be a liability because it essentially allows a short-term roommate. In Nevada, a short-term roommate went into the owner's bedroom and raped her. Another short-term roommate then intervened. A lawsuit ensued, and the person who stopped the rape was found liable. The City was also found partially liable because they condoned hosted sharing. Council Member Hyland did not suggest that the Council consider hosted sharing but wanted to present Murray's definition of an owner as "any person who has legal or equitable title to the dwelling unit." Owner occupancy means that they "shall reside in the dwelling as their primary residence." They also define living on site as "a natural person in the dwelling unit in which they are an owner of the dwelling unit and use that dwelling unit as their primary residence." They require 50% ownership, a copy of government identification, and an affidavit, and prohibit corporations, partnerships, and LLCs.

Council Member Hyland indicated that the Council does not currently know where STRs are in the City, and therefore, they do not know what the policy should be. She acknowledged that Mr. Gerber and Code Enforcement had expressed concerns about going after the 500 to 600 STRs in Cottonwood Heights with the limited available resources. The first step is to determine where the STRs are. To Council Member Birrell's point, she did not believe requiring owner occupancy would meet Council objectives because ADUs are renters' most desirable alternative to large apartment complexes.

Council Member Birrell stated she has spoken with council members in other cities who indicated that ADUs have not had an appreciable impact on affordable housing. She does not believe ADUs will solve the affordable housing dilemma because there is a difference between having a STR during ski season and the noise and other issues of long-term renters. Council Member Hyland appreciated Council Member Birrell's perspective but noted that most ADUs are not licensed and traceable, so their impacts are unknown. Council Member Birrell stated that Staff should be directed to speak with Salt Lake City on the matter. Mayor Weichers disagreed with the narrative because supply affects affordability, and ADUs create supply. He agreed with Council Member Hyland that very few ADUs are reported.

Council Member Hyland presented the map provided by Granicus, indicating the estimated number of STRs in Cottonwood Heights. She recommended that the compliance software be put in place first. The City could then use the address verification module to target STRs that are eligible for licensing and identify ineligible STRs, which could then guide the Council's decisions. Granicus has indicated that the dashboard will identify owner-occupied and whole-home rentals separately.

Mayor Weichers stated that, to his understanding, owner occupancy results in fewer nuisance complaints. Council Member Hyland stated that that is not the case in Sandy or in Ms. Davies' experience. The Council shared that assumption in the beginning because it makes sense that an on-premises owner would be more aware of what is happening on the property. Council Member Birrell stated that in the STR training, Ms. Davies reported that cities like Las Vegas that have a sophisticated approach to STRs have found that those who rent their whole home tend to use a professional manager and become licensed, and they do a more professional job than owners who rent out a room or portion of their home.

Council Member Hyland clarified that she was not advocating allowing whole-home rentals at that time because they did not have the required data. They could potentially create an overlay zone and only allow them in certain areas, or only allow whole-home rentals on arterial roads. She believed the correct approach was to bring as many STRs into compliance as possible, look at where the demand is, and then decide what to do about that demand.

Council Member Birrell noted that only 10% of multifamily housing in Las Vegas can be STRs, whereas Cottonwood Heights only allows STRs in condominium complexes. She suggested reviewing ordinances from other cities with a large number of STRs.

Council Member Holton stated that he wants Cottonwood Heights to be a place where people want to live. They are dealing with issues with schools closing, affordability, and supply, and residents he has spoken with are opposed to allowing STRs in their neighborhoods. He understood that they did not have the data, but he needed to feel more comfortable before moving forward.

Council Member Newell expressed concern about enforcement and cost, especially when comparing Cottonwood Heights to cities with much larger budgets. Council Member Hyland agreed but noted that STR bans do not work, and the City is currently chasing its tail because the demand is there, and they are doing nothing to incentivize a black market. Compliant properties are currently being punished because they are playing by the rules and paying taxes. There are over 500 STRs in the City, and only 110 are licensed. The compliance software was the only option she was aware of to reduce the burden on the Police and Community, and Economic Development Departments. Recent changes to State law allow cities to use listings as proof as long as they have another piece of evidence, such as a screenshot of a review. The process cannot be orchestrated in the City without creating a burden unless the compliance software is in place.

To Council Member Holton's point, Council Member Hyland referred to the STR policy objectives the Council originally discussed. However, the City is allowing a black market to exist. Most people do not even know that there are STRs in their neighborhoods. She believed they needed to determine the level at which STRs can be allowed without interfering with a neighborhood's character.

Council Member Birrell asked if an estimate was available to determine the approximate amount of revenue that would be generated by the \$22,616 annual software cost. Council Member Hyland stated that an estimated 40 new licenses at \$520 each would be required to cover the cost. Those STRs would also generate Transient Room Tax ("TRT") revenue, which can also be collected on illegal STRs that are verified through the address verification module. Council Member Birrell

was in favor of purchasing the software if its cost is covered by licensing fees as it would improve the safety and quality of the City's neighborhoods. She is not in favor of STRs and is concerned about schools closing, but she believes they can support homeowners and ensure that affordable housing is attainable for families.

Mayor Weichers encouraged the Council to provide their availability for a Granicus software demonstration. In response to his question, Council Member Hyland clarified that the initial contract could have a one-year term. Mayor Weichers was in favor of a one-year trial period.

Council Member Holton stated that he would prefer a guarantee from Granicus about how many STRs are eligible for licensing so the Council can have a firm idea of the amount of revenue that could be generated. Council Member Hyland suggested asking that question during the demonstration.

Council Member Newell asked how the City would enforce regulations if compliant properties become noncompliant. He was in favor of a one-year trial period if the enforcement process and any associated burden on Staff was identified. Mayor Weichers stated that Granicus will send letters to STRs operating in eligible zones, so they will handle the initial enforcement step. Council Member Hyland clarified that Granicus has a history of bringing 90% of eligible STRs into compliance just by sending letters. The most egregious cases must be prosecuted, which Granicus has found to be two to three cases annually. Multiple surrounding communities in resort areas have indicated that they have achieved great success using the compliance software in conjunction with an Administrative Law Judge. Some prosecution is necessary, but it is not a burden on Code Enforcement in those cities.

In response to a question from Council Member Newell, Council Member Hyland stated that the estimate of 40 homes came from Jim Rock, president of the Canyon Racquet Club Condominium, who stated that at least half of the STRs in the complex are not licensed. That would be at least 40 units. Mr. Rock stated that some residents move out of their condominiums during ski season and rent their properties for those three months, which pays their mortgage for the year.

Council Member Holton stated that he needed to feel more comfortable with the policy decisions that would be made because he wanted to make sure that he could support those policies. Mayor Weichers stated that the policy is a separate issue. Residents want the City to enforce its STR regulations. If they enforce first, that will give the Council the data to determine policy. Council Member Hyland stated that the annual licensing fee could be determined by the number of STRs, so the software could always be a revenue-neutral investment. However, the software is the only way to bring the noncompliant STRs into compliance without overwhelming City Staff. Council Member Holton appreciated those points but noted that policy and the software had been discussed holistically every time STRs were discussed. Council Member Hyland indicated that a policy change may not be necessary. Council Member Holton stated that he would be in support of bringing people into compliance without changing the current policy.

Council Member Hyland requested that all Council members complete the emailed poll so the software demonstration could be scheduled as soon as possible.

3.6 Conflict of Interest Discussion – Mayor Weichers.

Mayor Weichers stated that all City Council members sign a Conflict of Interest Disclosure once each year. In that Disclosure, each member affirms that they will inform the Council of any topics in which they have a personal involvement or from which they must recuse themselves. He believed that it was in poor form to accuse a Council member of a possible conflict of interest at the previous meeting. If the Council has questions about other members, those should be addressed in a private setting.

Council Member Hyland stated that at the beginning of each Planning Commission meeting, the Commissioners are asked if they have a conflict of interest or ex parte communications to disclose. She found it interesting that they remind themselves about possible conflicts of interest. That does not mean that the member cannot vote, but it gives them the opportunity to publicly disclose anything that is relevant to the topic. Mayor Weichers stated that he reached out to other cities, and none of those cities' Planning Commissions asked that question. He believes it is a redundant question because everyone signs a Disclosure affirming that they will disclose conflicts of interest.

Council Member Birrell stated that Mayor Weichers was referring to her question regarding a possible need for recusal. Because many people who hold public office are also actively working as lobbyists and representing their industries at the State legislature, she believes it is fair to emphasize the question beyond the legal minimum. She realizes that Cottonwood Heights meets the minimum legal requirement of signing a form indicating that you will be mindful of conflicts of interest, but she believes it would be helpful for the Council to have a Code of Ethics like Murray City. She believes that would aid the public in feeling comfortable that representatives are mindful of their obligation as public servants to ensure that they are as objective as possible.

Council Member Hyland stated that she was impressed that the Planning Commission would ask the question. Everyone signs the Disclosure, but it is not made apparent to citizens to attend meetings. As an elected official, she wants to be forthright and transparent.

Council Member Holton stated that all Council members have a duty to be transparent about any conflicts of interest. He appreciated Mayor Weichers for clarifying that it is not appropriate to question one's colleagues in a public meeting, but he did not have a strong opinion on how conflicts are disclosed as long as they are disclosed.

City Attorney, Shane Topham, reported that the requirement for an annual filing of a Conflict Disclosure Statement is a new addition to State statutes. Provisions of the Municipal Officers and Employees Ethics Act may also require that if a Council member is being paid to do something that will be affected by a matter before the Council, that conflict must be disclosed verbally during the meeting. Council Member Holton stated that the State legislature does not ask the question in every meeting, but people will recuse themselves or make a disclosure statement in the moment. If there is a conflict in the moment, he agreed that the Council members have an obligation to make that known. Mr. Topham stated that it is not required that the question be raised before every meeting, but he believes individual members are obligated to disclose conflicts of interest with agenda items during the meeting.

Council Member Hyland gave the example of the landscaping contract for the pollinator garden. Although she did not have a financial interest in the matter, she disclosed at the meeting that she is friends with Jeff Mott. She likes the reminder at the Planning Commission meetings and hopes that the Council would seriously consider adding it to their meetings as a reminder and to show constituents that they are being mindful.

Mr. Topham will research the matter and follow up with a memo to the Council.

4.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.

- 4.1 **Saturday, August 16, from 11:00 AM to 1:00 PM – 4th Annual Autism BBQ at City Hall.**
- 4.2 **Wednesday, August 20 at 1:30 p.m. – Senior Social at City Hall.**
- 4.3 **Saturday, August 23, from 9:30 a.m. to 11:30 a.m. – Bark in the Park at Mountview Park.**
- 4.4 **Friday, September 12 at 3:00 p.m. – Mural Ribbon Cutting at Golden Hills Park.**
- 4.5 **Friday, September 26, from 5:00 p.m. to 7:30 p.m. – Community Block Party at Hillside Plaza.**
- 4.6 **Friday, October 24 – Monster Mash from 5:00 p.m. to 7:00 p.m. at CWH Rec Center.**

5.0 POSSIBLE CLOSED MEETING TO DISCUSS LITIGATION; REAL PROPERTY PURCHASE OR LEASE; THE CHARACTER AND PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; AND/OR ANOTHER PERMITTED PURPOSE UNDER UCA 52-2-205.

Motion: Council Member Newell moved to ADJOURN the Work Session and move into a Closed Meeting to Discuss Character and Professional Competence. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Council.

The City Council was in closed session from 6:33 p.m. to 7:00 p.m.

6.0 ADJOURN CITY COUNCIL WORK SESSION.

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

The Work Session adjourned at 7:00 PM.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, AUGUST 5, 2025, 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 Matt Holton, Council Member Ellen Birrell, Council Member Suzanne Hyland, Council Member Shawn Newell

Staff Present: City Manager, Jared Gerber; City Attorney, Shane Topham; Police Chief, Robby Russo; Finance Director, Scott Jurgens; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; Community and Economic Development Director, Michael Johnson; IT Manager, Matt Ervin; Assistant City Engineer, Ben Nelson; Unified Fire Authority, Riley Pilgrim

1.0 WELCOME

Mayor Weichers called the meeting to order at 7:04 PM.

2.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Records, Culture, and Human Resources Director, Barbara Higgins.

3.0 CITIZEN COMMENTS

Scott Bracken stated that he was present during the conflict of interest discussion. He has always expected elected officials to have a default position of integrity and honesty, and he believed that was a good default expectation until someone demonstrates otherwise. He and his wife are advisors to the Youth City Council. At the 2025 Butlerville days, service officer Orion Ehrhart helped coordinate with the Youth Council to set up and clean up after the fireworks, work in the information booth and food tents, and participate in the parade. The Youth City Council spent 174 hours working on Butlerville Days. He appreciated Ann Eatchel's efforts on the event. A number of people who visited the information booth told him that they prefer Butlerville Days to similar activities in other cities because it is organized and feels safe and well done. Butlerville Days has become a family tradition for many people. He thanked the Cottonwood Heights Police Department and United Fire Authority for their presence. He appreciates how smoothly the event goes now because that was not the case in its first few years. The Youth City Council will be participating in Bark in the Park in September, the Monster Mash in October, the Thanksgiving 5K Run, and Light the Heights in December. They hoped to schedule a dinner with Mayor Weichers the following week.

Mayor Weichers thanked Mr. Bracken for his efforts and asked him to communicate to the Youth City Council that the Council is aware of how much they do for the City and thank them for their

volunteerism and support. People have commented about the cleanliness of Butlerville Days, which is a credit to the Youth Council.

Council Member Birrell stated that she is amazed at Mr. and Mrs. Bracken’s dedication to Cottonwood Heights. The City owes them its gratitude for the leadership they provide its youth.

Charlie Higgins stated that he is 10 years old. He really loves animals and is very good at taking care of them. He has been helping take care of his neighbors’ chickens, feeding them and collecting eggs, almost every day. They are very calm and friendly, and he has grown attached to them. His neighbors are moving and have offered to let him have the chickens. The problem is that the City has a rule requiring chicken coops to be 40 feet away from neighboring properties, which makes it very hard to keep chickens even if you have a large yard like his family does. They researched 10 surrounding cities, and they only required 20 to 25 feet, not 40. He thinks the City should update the Code to match those nearby cities. Chickens do not take up a lot of space, are quiet, and help children like him learn responsibility and where food comes from. He would love the chance to keep taking care of the chickens he has already bonded with and asked that the City Council consider changing the rules so more families can have chickens too.

Bridget Higgins stated that she and her son looked at regulations for Sandy, Midvale, Holladay, Millcreek, Draper, Salt Lake City, West Jordan, Murray, South Salt Lake, and Taylorsville. Half of them have a 20-foot requirement and the other half require 25 feet, which is significantly less than the 40 feet required by Cottonwood Heights.

Council Member Hyland indicated that they were not the only residents who had requested that the Council consider revising the ordinance to allow families to raise their own food. Council Member Birrell stated that the current ordinance requires a single-family residence; multifamily residences are not allowed to have chickens.

Maggie Mills provided an update on the Whitmore Library. The “Mad Science” children’s program will be held on Friday, August 8, 2025. A Produce Swap will be held every Thursday, Friday, and Saturday in August. The Stressbusters program being conducted in association with Salt Lake County Youth Services is a 10-week program designed for children and tweens aged nine to 12 with the goal of teaching them how to feel better, solve problems, and manage emotions. It is held on Thursdays at 6:00 p.m. The adult nonfiction book club will meet on August 20, 2025, at 7:00 p.m. to discuss “The Forager” by Michelle Dowd, which is a memoir about resilience and healing.

Mayor Weichers reported that one public comment was submitted online and had been distributed to the City Council.

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

4.0 ACTION ITEMS

- 4.1 **Consideration of Ordinance 441-A Approving a General Plan Amendment for .95 Acre of Realty at 3526 East Fort Union Boulevard from Residential Office to Residential Medium Density.**
(This ordinance will approve amending the city's general plan to change the land use map designation of the referenced parcel of realty from Residential Office to Residential Medium Density. This approval is conditioned on the prior execution, delivery and recording of the development agreement contemplated by proposed Resolution 2025-54).
- 4.2 **Consideration of Ordinance 442-A Approving the Re-zone of .95 Acre of Real Property Located at 3526 East Fort Union Blvd. from R-1-8 (Residential Single Family) to R-2-8 (Residential Multi-Family) and Amending the Zoning Map.**
(This ordinance will approve rezoning the referenced parcel of realty from R-1-8 to R-2-8 and will amend the zoning map accordingly. Approval of this ordinance will only be appropriate if Ordinance 379-A approving a general plan amendment for the subject realty is approved. Further, this approval is conditioned on the prior execution, delivery and recording of the development agreement contemplated by proposed Resolution 2025-54).
- 4.3 **Consideration of Resolution 2025-54 Approving a Development Agreement with Land Development LLC.**
(This resolution will approve the City's entry into a development agreement with Land Development LLC imposing certain limitations on the proposed development of approximately .95 acre of realty located at 3926 Fort Union Boulevard in the City).

Mayor Weichers reported that items 4.1, 4.2, and 4.3 were discussed during the Work Session.

MOTION: Council Member Birrell moved to TABLE Ordinance 441-A, Ordinance 772-A, and Resolution 2025-54 to the August 19, 2025, City Council Meeting. The motion was seconded by Council Member Newell. The motion passed unanimously.

- 4.4 **Consideration of Resolution 2025-59 Declaring Certain Property Surplus.**
(By this resolution, the council will declare surplus and designate the method of disposition of certain unneeded CHPD firearms and similar personal property owned by the City).

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

MOTION: Council Member Hyland moved to APPROVE Resolution 2025-59 Declaring Certain Property Surplus. The motion was seconded by Council Member Birrell. Vote on Motion: Council Member Hyland-Yes; Council Member Newell-Yes; Council Member Birrell-Yes; Mayor Weichers-Yes. The motion passed unanimously.

4.5 Consideration of Resolution 2025-60 Approving an Appointment to the Health in the Heights Advisory Committee.
(This resolution will approve the city manager’s appointment of Eva Chan to the City’s Health in the Heights advisory committee to fill a vacancy).

Mayor Weichers reported that the above item was discussed during the Work Session, and the City Council was excited to welcome Eva Chan to the committee.

Council Member Hyland stated that Ms. Chan has jumped in with both feet. She was a policy advocate in New York, and she contacted the City to inquire about volunteering. They are looking forward to having Ms. Chan on the committee and in the community.

MOTION: Council Member Hyland moved to APPROVE Resolution 2025-60 Approving an Appointment to the Health in the Heights Advisory Committee. The motion was seconded by Council Member Birrell. Vote on Motion: Council Member Newell-Yes; Council Member Birrell-Yes; Council Member Hyland-Yes; Mayor Weichers-Yes. The motion passed unanimously.

4.6 Consideration of Resolution 2025-61 Approving an Appointment to the Historic Committee.
(This resolution will approve the city manager’s appointment of Hazel Peterson to the City’s Historic Committee to fill a vacancy).

Mayor Weichers reported that the above item was discussed during the Work Session, and the City Council was excited to welcome Hazel Peterson to the committee.

City Manager, Jared Gerber, stated that Ms. Peterson is very excited to be involved with the Historic Committee.

MOTION: Council Member Newell moved to APPROVE Resolution 2025-61 Approving an Appointment to the Historic Committee. The motion was seconded by Council Member Birrell. Vote on Motion: Council Member Birrell-Yes; Council Member Hyland-Yes; Council Member Newell-Yes; Mayor Weichers-Yes. The motion passed unanimously.

5.0 CONSENT CALENDAR

5.1 Approval of the Minutes for the City Council Work Session and Business Meetings of July 15, 2025

MOTION: Council Member Newell moved to APPROVE the Consent Calendar, as presented. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Council.

6.0 ADJOURN

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

The City Council Meeting adjourned at 7:29 PM.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session and City Council Business Meetings held Tuesday, August 5, 2025.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____