

Staff Report Memo



To: Mayor Weichers and City Council	From: Tiffany Janzen, City Recorder
Date: September 2, 2025	
Re: Staff Memos for the City Council meetings scheduled for the 2nd day of September 2025	
Meeting Requested:	Business Meeting <input type="checkbox"/> Work Session <input checked="" type="checkbox"/> Other <input type="checkbox"/> _____
Public Hearing Needed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undetermined <input type="checkbox"/>
CM Approval or Denial	Denied <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Continued <input type="checkbox"/> CM Signature: _____ <i>[Signature]</i>

Appendix 1 – Agendas for September 2, 2025, City Council Work Session and Business Mtg.

Appendix 2 – Meeting Minutes for City Council Meetings on 8/19/2025

Appendix 3 – Staff Report/ Pet Licensing and Off-Leash Penalties *Jared Gerber*

Appendix 4 – Staff Report/ Civil Code Enforcement Discussion *Jared Gerber*

Appendix 5 – Staff Report/ Employee Appeals Board Appointment *Jared Gerber*

Appendix 6 – Staff Report/ Curfew Discussion *Jared Gerber*

Appendix 7 – Staff Report/Flash Vote Discussion *Jared Gerber*

Appendix 8 – Staff Report/Action Items *Shane Topham*

CITY COUNCIL BUSINESS MEETING

Attachment 1 – Resolution 2025-64

Attachment 2 – Resolution 2025-65

Attachment 3 – Resolution 2025-66



Appendix 1

September 2, 2025

**City Council Work Session and
Business Meeting Agendas**



NOTICE OF COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION AGENDA

Notice is hereby given that the **Cottonwood Heights City Council** will hold a **Work Session** at approximately **4:00 p.m.**, or soon thereafter, on **Tuesday, September 2, 2025**, in the Cottonwood Heights City Council Work Room located at 2277 East Bengal Boulevard, Cottonwood Heights, Utah. The public may remotely view the open portions of the meeting through live broadcast by connecting to <https://www.youtube.com/@CottonwoodHeights/streams>, the city's YouTube channel.

- 4:00 p.m.**
1. **WELCOME** – *Mayor Mike Weichers*
 2. **REVIEW OF BUSINESS MEETING AGENDA**
Mayor Mike Weichers (10-15 min.)
 3. **STAFF REPORTS**
(Each week the city council and staff provide informational reports as a method of keeping up on the day-to-day activities of the city. This agenda item is set aside to allow council members to ask questions or for staff to bring the council up to date regarding any changes since the report was made).
 - a. Pet Licensing and Off-Leash Penalties Discussion
City Manager Jared Gerber (20 min.)
 - b. Civil Code Enforcement Discussion
City Manager Jared Gerber (20 min.)
 - c. Employee Appeals Board Appointments
City Manager Jared Gerber (20 min.)
 - d. Curfew Discussion
City Manager Jared Gerber (20 min.)
 - e. Flash Vote Discussion
City Manager Jared Gerber (20 min.)
 4. **REVIEW OF CALENDARS AND UPCOMING EVENTS***
 - a. Friday, September 12th at 3:00 p.m. – Mural Ribbon-Cutting & Commemoration of Park Founder Edy Wright at Golden Hills Park
 - b. Friday, September 26th from 5:00 p.m. to 7:30 p.m. – Community Block Party at Hillside Plaza
 - c. Friday, October 10th from 6:30 p.m. to 9:00 p.m. at City Hall – Special Effects Halloween Makeup Workshop
 - d. Friday, October 24th – Monster Mash from 5:00 p.m. to 7:00 p.m. at CWH Rec Center
 - e. Monday, December 1st from 5:00 p.m. to 7:30 p.m. at City Hall – Light the Heights

- f. Saturday, December 6th from 7:30 p.m. to 9:00 p.m. at Butler Middle – Christmas Concert with Eclipse 6

**For more information, please visit CH.UTAH.GOV and click [Community Calendar](#)*

- 5. **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**

- 6. **ADJOURN CITY COUNCIL WORK SESSION**



NOTICE OF COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING AGENDA

Notice is hereby given that the **Cottonwood Heights City Council** will hold a **Business Meeting** beginning at approximately **7:00 p.m.**, or soon thereafter, on **Tuesday, September 2, 2025**, in the Cottonwood Heights City Council Chambers located at 2277 East Bengal Boulevard, Cottonwood Heights, Utah. The public may remotely view the open portions of the meeting through live broadcast by connecting to <https://www.youtube.com/@CottonwoodHeights/streams>, the city's YouTube channel.

Persons physically attending the meeting in the City Council Chambers may make verbal comments to the City Council when invited to do so, after completing a speaker comment card. Citizen comments may also be submitted in writing to the city recorder at cityrecorder@ch.utah.gov by noon, on the meeting date. In the interest of time and those attending the meeting live, however, **submitted written comments** will be entered into the record and distributed to the City Council, but **will not** be read at the public meeting.

Civility and decorum should be applied in all discussions and debates. Difficult questions, tough challenges to a point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. Public officials and the public are encouraged to refrain from making belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments.

- 7:00 p.m.**
- 1.0 **WELCOME** – *Mayor Mike Weichers*

 - 2.0 **PLEDGE OF ALLEGIANCE**

 - 3.0 **CITIZEN COMMENTS**
During each regular city council meeting (specifically excluding work sessions), there will be a period not to exceed sixty minutes for citizen comment." (Cottonwood Heights Code of Ordinances 2.30.160 (B)) Persons physically attending the meeting in the City Council Chambers may make verbal comments to the City Council when invited to do so by the meeting chair. Persons attending the meeting remotely may not make verbal comments to the City Council during the meeting. Persons attending the meeting remotely, or who do not attend the meeting either physically or remotely, are invited to submit written comments to the City Recorder before Noon. on the meeting date. Written comments that are timely submitted will be admitted into the record of the meeting and distributed to the City Council but will not be read at the public meeting.

 - 4.0 **ACTION ITEMS**
 - 4.1 Consideration of **Resolution 2025-64** Approving an Appointment to the Parks, Trails, and Open Space (PTOS) Committee.
(This resolution will approve the manager's appointment of Scott Simonsen to the city's Parks, Trails and Open Space advisory committee).
 - 4.2 Consideration of **Resolution 2025-65** Approving the Employee Appeals Board.
(Utah Code Ann. §10-3-1106 requires each Utah city to provide an appeal

authority to hear appeals by city employees concerning certain specified employment actions by the city, with the appeal authority's number of members, procedure for conducting appeals, etc. prescribed by city ordinance. Cottonwood Heights Code §2.180.020(A) provides that the city's appeal board for any specific appeal shall consist of an individual selected by the city manager and approved by the city council. To facilitate the timely appointment of an appeal authority for each future employee appeal, by this resolution the council will approve a roster of qualified individuals to hear any such future appeals and will delegate to the manager the power to select from that pre-approved roster a specific individual to act as the city's appeal board for each such future appeal).

4.3 Consideration of **Resolution 2025-66** Approving a Grant Agreement with the Utah Division of Arts and Museums for FY 2025-2026.

(This resolution will approve the city's entry into an agreement whereunder the Utah Division of Arts and Museums will grant \$3,800 to the city's Arts Council for its use during the current fiscal year).

5.0 **CONSENT CALENDAR**

5.1 Approval of the minutes for the City Council Work Session and Business Meetings of August 19, 2025.

6.0 **ADJOURN CITY COUNCIL BUSINESS MEETING**

PUBLIC COMMENT PROCEDURE

During each City Council business meeting (specifically excluding work sessions), there will be a period not to exceed 60 minutes for citizen comment. (Code of Ordinances 2.30.160 (B)). Any person wishing to comment on any item not otherwise on the agenda for public comment may address the City Council during the Public Comment period. Any person wishing to comment during the Public Comment period shall request recognition by the Mayor and upon recognition, approach the microphone and state their name, state if they are a resident of Cottonwood Heights and either provide their address or their Council district; and then address the City Council. Any person wishing to comment shall limit their comments to no more than three (3) minutes unless more or less time is specified by the Mayor. Citizen groups who are present will be asked to appoint a spokesperson, who shall limit their comments to no more than five (5) minutes unless more or less time is specified by the Mayor. All comments shall be directed to the City Council. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate or dialogue with the Mayor, City Council or City Staff during the meeting.

The City Council may choose to limit the amount of time allotted to public comment on a specific issue. In such cases, special procedures for determining who will be allowed to speak and the order of such speakers will be determined by the Council. In the interest of time and those attending the meeting live, submitted written comments will be entered into the record, distributed to the City Council but not read at the public meeting.

On Thursday, August 29, 2025, a copy of the foregoing notices was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was sent to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the city, by the Office of the City Recorder. The agendas were also posted on the City's website at www.ch.utah.gov and the Utah Public Notice website at <http://pmn.utah.gov>.

DATED this 29th day of August 2025

Tiffany Janzen, City Recorder

The city building for this meeting is accessible. In compliance with the Americans with Disabilities Act, people with disabilities may make requests for reasonable accommodation or assistance by notifying the City Recorder at 801-944-7021 or recorder@ch.utah.gov, at least two business days before the meeting, or by calling Relay Utah at 711.



Appendix 2

MEETING MINUTES

City Council Meetings for 8/19/2025

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, AUGUST 19, 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 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, Jim Spung; IT Manager, Matt Ervin; Assistant City Engineer, Ben Nelson; Unified Fire Authority, Riley Pilgrim; Public Works Director, Matt Shipp

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 the new Community and Economic Development Director, Jim Spung, followed by City Council Committee Reports and the Citizen Comment Period. Item 5 would be recognition of Carol Woodside. Item 6 would be the Public Works Quarterly Report from Public Works Director, Matt Shipp.

There were five legislative items on the agenda. Items 7.1, 7.2, and 7.3 were continued from the last City Council meeting. City Manager, Jared Gerber, reported that the Applicant is in the process of acquiring the access easement to the east and is now in agreement with all elements of the original Development Agreement. Item 7.1 would approve the General Plan Amendment. Item 7.2 would approve the rezone to R-2-8, Residential Multifamily. Item 7.3 would approve the Development Agreement.

Item 7.4 would be Consideration of Resolution 2025-62 Approving Disposal of Unclaimed Property or Former Evidence. Police Chief, Robby Russo, reported that the resolution was regarding weapons that were seized as evidence in criminal actions but are no longer needed. If the owner cannot be located or was convicted and can no longer own a firearm, the items are eligible for disposal. The Police Department requested permission to destroy some weapons and sell others to weapons dealers. Chief Russo stated that the City is not required to have a Federal Firearms License (“FFL”). The weapons are sold to licensed FFL dealers, who are responsible for completing background checks and filling out the appropriate forms to complete the transaction.

Item 7.5 was Consideration of Resolution 2025-63 Approving an Interlocal Cooperation Agreement with Salt Lake County and Greater Salt Lake Municipal Services District for Processing and Transferring pre-1 July 2025 Applications for the Tavaci Development.

Mr. Gerber reported that the agreement was related to inspections, bonding, etc., performed by the District prior to annexation.

The final agenda item would be the Consent Calendar.

3.0 **REPORTS**

3.1 **Planning Department Land Use Amendment and Rezone at 3425 East Bengal Boulevard. Community and Economic Development Director, Jim Spung.**

Mr. Spung reported that the request was for a General Plan Map Amendment and Zone Text Amendment for the subject property. The Applicant proposed amending the Land Use Map from Neighborhood Commercial (“NC”) to Residential Medium Density and rezoning from Neighborhood Commercial (“NC”) to Residential Multifamily (“RM”). The current owner indicated that they were unsuccessful in finding potential developers or tenants for a commercial use on the property. They also believe that residential would be better received, as most of the north side of Bengal Boulevard is residential. Amending the Land Use to Residential Medium Density would bring it into alignment with the rest of the area.

An aerial photograph of the former bank property was displayed, as well as a Concept Plan and renderings indicating six proposed townhomes to be accessed from Oak Shadow Circle. The Planning Commissioner recommended approval of both requests.

In response to a question raised by Council Member Hyland, Mr. Spung stated that, as proposed, the townhomes should fit on the parcel, but Staff would need to verify that there is enough room for the entrance stairs and two-car garages.

Council Member Birrell asked that the Council consider requiring an alleyway at the rear of the townhomes instead of the garages fronting on Oak Shadow Circle. That would lessen the impacts on Oak Shadow Circle. She also suggested requiring a larger setback on the residential side and a smaller setback adjacent to the church parking lot, as that would make the development more palatable to current residents who are disappointed that the property may be rezoned from NC.

Council Member Newell noted that other residents’ garages front on Oak Shadow Circle. He did not believe the parcel was large enough to accommodate an alleyway.

Mayor Weichers stated that the Concept Plan indicates a 10-foot setback on the north side and 30 feet on the south side. As a result, the lot closest to Bengal Boulevard would have a large side yard, and the northernmost lot would have a small side yard, which did not make sense. He suggested sending the item back to the Planning Commission to consider a Zone Text Amendment to allow for 20-foot setbacks on each side. Mr. Spung agreed that the Concept Plan reflected current setbacks for the RM Zone, and a Zone Text Amendment would be an option to change those setbacks.

In response to a question, Mr. Spung clarified that both the Bengal Boulevard and Oak Shadow Circle frontages require a 30-foot setback for the corner property.

Council Member Hyland stated that she spoke with the developer, who indicated that a rear alley would require an exit onto Oak Shadow Circle and a radius large enough for a hammerhead. He did not believe there was enough available space, which could trigger the need for fire sprinklers in every unit, which would increase the cost by \$16,000 per door. However, he indicated a willingness to increase the width of Oak Shadow Circle by six feet and move the townhomes six feet to the east. She did not think it was in the residents' best interests to retain the NC zoning because it could result in a worse outcome than rezoning for multifamily. If the lot were empty and a bank was proposed for it, she believes residents would be equally upset. No solution was optimal, so the Council needed to consider what was the best solution for the lot. She agreed with Mayor Weichers that changing the setbacks would benefit the northern neighbor, as a 10-foot setback is very close.

Council Member Hyland asked for more information on the specific requirements for an alleyway and whether that is feasible. Mr. Spung stated that he would ask the developer to explore that option. The developer had indicated that a desirable outcome of the proposed configuration was that all townhomes would have a backyard, and an alleyway would remove that private space. Staff would explore draft language for a Zone Text Amendment to require a larger setback for parcels adjacent to single-family homes or other options to limit any potential negative outcomes in other areas of the City.

Council Member Hyland stated that the developer also mentioned a non-monetary homeowners' association. The units will be independent, which she believes will reduce the burden on the homeowners. She believes the yards are an important aspect of that. Council Member Newell agreed and stated that yards could help people come to and stay in the community.

Council Member Birrell disagreed because she believes that the homes could still have a garden and porch in the front yard. She mentioned the challenges in Giverny, where the homes have very small front and back yards with no privacy. She believes that having an alleyway behind the house would create a sense of walkability and neighborliness in front of the homes and allow space to store trash cans and park cars in the rear.

Council Member Newell expressed concern about blind spots in alleyways and their effect on security. Council Member Birrell suggested that they could install motion sensor lights to mitigate those dangers.

After discussion, it was decided that Mr. Spung would draft a Zone Text Amendment on the setback issue to present to the Planning Commission. He would also verify whether six units will fit on the parcel.

3.2 Employee Handbook Training – Records, Culture, and HR Director Barbara Higgins.

Records, Culture, and HR Director Barbara Higgins indicated that all City employees receive training and sign a form acknowledging that they understand the policies outlined in the Employee

Handbook. A later training would cover the State Ethics Act, and Disclosure Forms would be required yearly per State law.

The Employee Handbook is broken down into six sections for easy reference:

- Part 1 discusses the history of Cottonwood Heights, so employees are familiar with the City. It also outlines the mission and values that all employees are expected to uphold.
- Part 2: Employment Policies
 - Cottonwood Heights is an Equal Opportunity Employer and has a zero-tolerance policy for discrimination or harassment of protected classes under Title 7 of the Civil Rights Act. Employees can report issues to human resources, their supervisor, or department heads without fear of retaliation.
 - Sexual harassment is regarded as a very serious matter and is prohibited in the workplace or among the workforce by any person and in any form. The following behaviors are prohibited:
 - Unwelcome sexual flirtations, advances, propositions or touching;
 - Verbal or written abuse of a sexual nature;
 - Graphic verbal comments about an individual's body;
 - Sexually degrading words used to describe an individual;
 - Display in the workplace of sexually suggestive objects or pictures;
 - Other conduct of a sexual nature which is inappropriate for the workplace.
 - The "grandma filter" should be applied: If you can say it in front of your grandma, it is probably safe.
 - Medical examinations are required for certain positions, and refusal may result in discipline. The addresses of approved exam locations are included in the handbook.
 - Employment of relatives: Anti-nepotism rules restrict hiring or supervising relatives.
 - Employees can review their files at any time. Medical information is stored separately per Health Insurance Portability and Accountability Act ("HIPAA") requirements.
 - Termination of employment: Employees are encouraged to provide two weeks' notice of resignation. An exit interview is offered, and a separation form must be completed.
 - Unreported absences may result in disciplinary action including termination. In the case of an emergency, the employee or their representative should contact a supervisor.
- Part 3: Compensation Policy
 - The payday schedule and related information is included.
 - Working hours and breaks are outlined, including the new 4/10 pilot program and remote work expectations.
 - Overtime pay is explained, including the premium pay for Butlerville Days and emergencies.
 - Overtime is paid after 80 hours for sworn and 40 hours for non-sworn employees.
 - Any non-exempt employee who is deemed a disaster worker is eligible for overtime.

- Salary programs: Cottonwood Heights is committed to maintaining competitive wages and regularly conducts wage and benefit surveys of comparable entities. The Budget Committee then reviews the information and recommends changes as appropriate.
- Pay for performance is based on annual evaluations and implemented yearly on July 1. Employees at the top of their pay range may be eligible for a longevity bonus.
- Part 4: Leave
 - The City's 11 paid holidays are listed, and employees are paid for 10 hours of work on those days. The floating holiday was removed.
 - Accruals for non-sworn employees were decreased and are outlined in the handbook.
 - Paid time off ("PTO") cash-outs are explained.
 - For employees with at least 120 hours of PTO, up to 100 hours may be cashed out at the end of the fiscal year and will be paid out at 50%.
 - At separation, PTO is paid out at 100% for employees who have worked with the City for at least one year. Employees who separate with less than one year of service will receive 50% of the accrued PTO.
 - Non-sworn personnel receive 80 hours of personal leave that must be used within the calendar year and is not paid out at separation.
 - Short-term medical leave is also available to non-sworn employees. They receive 40 hours each year and can accrue up to 480 hours. Employees must meet Family and Medical Leave Act ("FMLA") requirements to use this leave.
 - Sworn employee vacation leave and sick leave is also outlined.
 - There is no maximum sick leave accrual for sworn employees.
 - If less than 32 hours of sick leave are used, a portion of the unused leave can be converted to vacation leave.
 - Some sworn employees can have sick leave paid out at 25% at termination of employment or retirement.
 - Americans with Disabilities Act: The Human Resources Department is available to work with any employee on the application process for an accommodation.
 - Pregnant Workers Fairness Act: Affected employees can apply for an accommodation under this new Federal law regarding pregnancy, childbirth, or related medical conditions.
 - Family Medical Leave Act: Employees must work with the City for at least 12 months and have 1,250 hours to be eligible for 12 weeks of job-protected, unpaid leave for themselves or to care for an immediate family member. Military caregivers are eligible for 26 weeks of leave.
 - Non-sworn employees can use short-term medical leave for FMLA.
 - Sworn employees can use sick leave for FMLA.
 - Bereavement leave is available to employees who experience the death of a family, including through miscarriage or stillbirth.
 - Up to three days of leave are allowed for the death of siblings, grandparents, or grandchildren.

- Up to one week of leave is allowed for the death of a spouse or domestic partner, parents, or children.
 - Jury duty leave is paid.
 - Military leave is provided for up to 120 hours per year. If the military pay is lower than the employee's salary, the City will pay the difference.
 - Donation of up to 10% of vacation or PTO leave is allowed and will be converted to sick leave or short-term medical leave for the employee in need. Only one donation is allowed per illness, injury, or approved condition.
 - Unpaid leave is discouraged, but specific circumstances where it is allowed are outlined in the handbook.
- Part 5: Benefits
 - A summary of all benefits is provided.
 - A new Wellness Program will have a representative from each department and offer wellness challenges in various areas such as physical, emotional, social, and financial.
- Part 6: Employee Conduct
 - Employees are expected to accept responsibility, adhere to acceptable business principles, and behave respectfully toward themselves and others both on and off duty.
 - Guidelines include the duty to act lawfully, be ethical and loyal to the City, promote work efficiency and morale, and service to the general public.
 - The State Ethics Act applies to all elected and appointed officers, and regular, part-time, and seasonal employees. It prohibits the following:
 - Sharing confidential City information for personal or others' gain.
 - Using your position for person benefit or special treatment.
 - Accepting gifts that could improperly influence you or reward official action.
 - Using City property for personal use without prior approval
 - Conflicts of interest: Any situation where personal interest could influence official decisions or actions.
 - Employees have a duty to act in the City's best interest.
 - Public disclosure is required annually and in other situations as listed on the handbook.
 - Information reporting and whistleblowing:
 - Employees are expected to report suspected waste of public funds, property, manpower, or violations of law.
 - Employees should not spread malicious, false, or frivolous information, or share confidential information for personal use or gain.
 - It is all employees' responsibility to participate in City investigations, hearings, or reviews.
 - Outside employment is secondary to City employment and must be approved by the department head. If denied, the decision can be appealed to the City Manager.
 - Employment references can only be shared by the appropriate personnel. Personal references may be given, and the City is not responsible for the content of those references.

- Facts can be verified like date of hire or whether an employee gave notice, but no opinions can be expressed on things like job performance.
- Computer and network usage policies are detailed, including the email policy.
- Workplace violence will not be tolerated and should be reported.
- Tobacco and e-cigarette use is prohibited.
- The drug policy is outlined, including triggers for requiring a drug test.
- The workplace search policy is detailed.
- Healthy and Safety is discussed, including safe practices for all employees, emergency guidelines, and hazardous condition reporting.
- Vehicle use detailed, including use of both City and personal vehicles.
- The cellular phone policy is outlined.
- Romantic relationships between employees are discouraged, and relationships between supervisors and subordinate employees are prohibited.
 - A supervisor or the City Manager must be notified of relationships in writing.
- The complaint resolution procedure is detailed. The City takes allegations of harassment or discrimination very seriously. Employees facing disciplinary action have the right to appeal.

Council Member Birrell asked if any of the items were new to the handbook. Ms. Higgins reported that personal leave and short-term medical leave were new. Mr. Gerber added that a lot of the language in the book was new because the previous manual was specifically a human resources manual, and this is an Employee Handbook that outlines policies and procedures in more detail.

In response to a question from Council Member Hyland, it was clarified that the City does not offer specific paid maternity leave, but FMLA allows 12 weeks and the Pregnant Workers Fairness Act allows up to nine months of unpaid leave. Ms. Higgins reported that a few cities have begun offering paid family leave.

Mr. Gerber thanked Ms. Higgins and her team for their work on the updated handbook. Policies had been interpreted differently by different departments, and the new Employee Handbook would ensure that all employees were treated the same.

Ms. Higgins reported that the disclosure form would be emailed to the City Council.

3.3 Short-Term Rental Software Discussion – Council Member Hyland.

Council Member Hyland stated that the Council had previous discussions about obtaining short-term rental (“STR”) software to bring eligible properties into compliance with existing policy and use the software’s real-time data to inform future policy. At the Council’s request, she asked Granicus for an estimate of the number of unlicensed properties in allowed zones. They estimate that there are 140 short-term rentals in allowed zones, approximately 50 of which are unlicensed and can be brought into compliance. At \$520 per license, that will generate over \$25,000 in revenue. The annual subscription to Granicus is \$22,600.

Council Member Hyland asked for consent for a Budget Amendment to purchase the software for one year and implement an annual license fee that could potentially be in place by ski season. She believes it will make it easier for Staff to coordinate between departments and identify unlicensed STRs. When police respond to nuisance calls, they will know if it is an STR.

Council Member Birrell asked for Mr. Spung's thoughts on the software. Mr. Spung stated that he was aware of the Council's previous discussions but had not researched Granicus. Taylorsville did not allow STRs anywhere.

Mayor Weichers stated that he is very interested in compliance and enforcement. If the software could help bring STRs operating in allowed zones into compliance, he was in favor of moving forward. Council Member Newell agreed. His primary concern was the budgetary impact, and the numbers indicate that it will pay for itself. He was still concerned about how much Staff time would be required, but he was comfortable moving forward.

Council Member Birrell stated that there was no guarantee of how many unlicensed STRs would be brought into compliance, but they were only committing to the software for one year. There were many benefits to STRs operating legally. She expressed her appreciation for Council Member Hyland's time and efforts on the topic.

Council Member Hyland noted that the City will also receive additional transient room tax ("TRT") revenue. In response to her question, Mr. Gerber stated that he will verify that a Request for Proposals ("RFP") will not be required.

3.4 Arts District Discussion – Mayor Weichers.

Mayor Weichers stated that he and Council Member Birrell toured the city of Carmel, Indiana. He presented a photograph of the entry to their Arts and Design District. He was very impressed with the pillars and signage that let people know they were entering a different part of town where Carmel honors art and design. He also attended a placemaking conference in Arkansas, where they discussed different districts and ways that cities can create places people want to go and that provide a sense of identity. He hopes that the Town Center will create an identity for Cottonwood Heights.

Photographs from around the Carmel Arts and Design District were displayed. The lamp posts have a unique design, and flowers are hung from the posts. Statues around the district are of people doing everyday things like walking their dogs, sitting on benches, and shopping. Once they defined the district's purpose, galleries began opening there. Mayor Weichers then presented photographs of signs for other cities' arts and cultural districts.

Mayor Weichers had spoken with Arts Council Chair, Laura Garcia, about creating an arts district in Cottonwood Heights, and she was very excited about the idea. He first considered Fort Union Boulevard but realized that it would need to be an area where cars drive more slowly. He suggested Bengal Boulevard beginning at City Hall through to Root'd, which already has murals. The south side of Bengal Boulevard near Root'd has several buildings with cinderblock walls, and he believes those property owners would be amenable to having murals painted on them. They could expand

the sidewalk, perhaps with pavers to announce that it is a different place, add benches, and build a wall for murals or other art pieces. Although it would be on a smaller scale, it could be a way to create that sense of space.

The City is not in the position to spend a lot of money on an arts district. However, at the Budget Retreat, they discussed creating a 501(c)(3) foundation specifically for art that could solicit donations, and that money could then be used to accomplish this goal. The Arts Council would be closely involved. They could create signage to let people know they are in a different area. Mayor Weichers believes people would be willing to travel at a slower speed through the area, and it would inspire visitors from the City's sister city and other places. Multiple residents have painted murals and other art pieces for the City in the past. Everyone he has spoken with has expressed interest in the idea, and Mayor Weichers asked for the Council's interest in pursuing it.

Council Member Birrell stated that a challenge with Fort Union Boulevard is the large transmission poles, and she agreed that the arts area would need to be on a narrower street. She stated that some plots of land along Bengal Boulevard could be used for the goal of affordable housing. The City could use form-based code to determine what it wants in this section of Bengal Boulevard, similar to what Midvale has done with its Main Street. The area could be used to meet the City's affordable housing and walkability goals. She was in favor of exploring the idea.

Council Member Newell stated that the amenities are what draw people to an arts district, and the Council needed to consider what types of amenities would fit in the area. He liked the idea, and the park could be incorporated into the district and it would be great to have a place for cultural events.

Council Member Hyland noted that the Council had previously discussed the fact that Bengal Boulevard should be the City's most walkable and cyclable road due to the schools, park, and recreation center. She supported the idea and believed it could spur additional development on the vacant lots to the east near Majestic Ridge Drive and Danish Road. Council Member Birrell had pointed out to her that the open area east of the Shell station could be used to increase active transportation. Council Member Hyland was in favor of placemaking like they did with the Cedros Design District in Solano Beach, California. Visitors park their cars and walk through the area, and it is the primary destination for that city.

Mayor Weichers asked for Mr. Gerber's thoughts on forming a foundation. Mr. Gerber stated that as long as the funds are used on public property and for the public good, he was in favor of a foundation. His concern during previous discussions was in regard to how the City could avoid being arbitrary in the assignment of funds and who would benefit from them.

Council Member Birrell stated that Herriman has a nonprofit organization that handles most of the City's cultural events. She attended a presentation on it and was very impressed. She recommended that Mayor Weichers speak with Mayor Palmer about the idea. Mr. Gerber stated that he had spoken with Herriman staff. The foundation is a 501(c)(3) nonprofit organization that is separate from the city, but a city staff member does provide some support. Council Member Birrell expressed support for a citizen-driven foundation.

City Attorney, Shane Topham, explained the process for forming a foundation. He cautioned that city-formed 501(c)(3) organizations can sometimes move away from the city's initial goals but noted that there could be ways to mitigate that risk. Mr. Gerber noted that budgeting and auditing could be more complicated as they would need to ensure that everything is separate.

Council Member Newell stated that he was unsure of the repercussions to the City if the foundation was transitioned from City control to another entity. If a nonprofit entity is dissolved, its remaining resources belong to the state.

In response to a question, Mr. Gerber stated that, to his understanding, Herriman started their foundation and then transitioned it to a separate entity with its own board. The city provides a grant to the foundation each year. Conversely, Sandy City absorbed a 501(c)(3) that was previously a separate entity.

Council Member Birrell indicated that she needed more time to consider the matter before moving forward with an action step, but she was fascinated with the idea.

Council Member Hyland expressed support for Staff determining the requirements for forming a 501(c)(3) foundation. Mayor Weichers and Council Member Newell agreed.

3.5 Bike Safety Updates – Council Member Birrell.

Council Member Birrell discussed the benefits of bike lanes as presented by Bike Utah at the recent Wasatch Front Regional Council ("WFRC") Active Transportation Committee quarterly meeting.

Bike lanes:

- Reduce vehicle-cyclist collisions by 30% to 49%.
- Reduce confusion and improve traffic flow.
- Reduce vehicle speeds by narrowing the road.
- Increase bicycle commuting.
- Lower emissions and improve air quality.
- Cyclists shop and spend more than drivers.

Cottonwood Heights uses the following types of bike lanes:

- Buffered bike lanes (two types: with and without parking near the curb)
- Standard bike lane (two types: with and without parking near the curb)
- Shoulder: No bike lane is demarcated, so cyclists ride on the shoulder outside of the solid white line.
- Shared lane: Sharrows are marked to alert motorists that there is no separate bike lane.

Council Member Birrell reported that loose gravel and other types of debris can sometimes force cyclists to move into the vehicle lanes.

House Bill 290 was reviewed next. The legislation prohibits parking or driving within a bike lane (with exceptions) and requires that obstructions be minimized or detours provided during road construction. The bill was intended to encourage better design, inform drivers about bike lane safety, and provide liability protection for cyclists when forced into traffic because of parked vehicles. The goal of HB 290 is to encourage safe street design, not ticketing or surveillance.

Council Member Birrell showed an example of bike lane obstruction on 2300 East, where three vehicles were parked in the bike lane. She reported that in a meeting with Mayor Weichers, Bike Utah provided three potential solutions for 2300 East. The vehicle lanes are currently 12 feet wide. All three suggestions included decreasing the width of those lanes.

- Option 1 would provide parking on one side of the street with the bike lane between the parking and travel lanes.
- Option 2 would also provide parking on one side, but the parking lane would be a physical barrier between the travel and bike lanes.
- Option 3 would be similar to Option 2 but would have dual-direction bike lanes.

Council Member Newell asked how they would determine which side of the street would allow parking. Council Member Birrell recommended that a representative from Bike Utah be invited to a future work session to answer that and other questions.

Council Member Hyland stated that only allowing parking on one side of the street could create a safety hazard for pedestrians who have to park on one side and cross the road to their residence. Council Member Birrell clarified that currently no parking is allowed on 2300 East.

Council Member Hyland stated that there are many different configurations and the Council did not know enough about the subject. However, she did not believe the City should have so many different types of bike lanes. For example, Draper has one type of bike lane. Council Member Birrell is of the opinion that the lanes should be contextual and appropriate for the different roadways. Driveways, businesses, traffic speed and volume, etc. needed to be considered. She did not believe Draper's decisions should color the Council's decision-making.

Mayor Weichers stated that Draper Mayor, Troy Walker, contacted him after the WFRC Active Transportation Committee meeting to discuss issues unique to Cottonwood Heights. His opinion was that it would be difficult to get residents and visitors to understand three or four different bike lane configurations. Draper has one configuration, and everyone recognizes it. Mayor Walker is a proponent of biking, but he believes that too many configurations can confuse people. The most common configuration is two lines on the side of the travel lane.

Council Member Hyland was concerned about creating another safety hazard by allowing parking on only one side of 2300 East. She advocated for uniformity.

Council Member Birrell stated that a leveled buffer is superior to a painted buffer, but a painted buffer is superior to a single line. A tenet of the Safe Systems for All approach is that all humans use poor judgment at some point, whether they are driving, cycling, or walking. She believes the design needs to put those tenets at the forefront. She also believes that Cottonwood Heights is different from Draper, as it is more suburban, and Draper has more open spaces. She urged the Council to review the Safe Systems for All information.

Council Member Newell stated that everyone thinks there is one rule for crosswalks, but the rules are different based on how they are painted. He believes the different bike lane configurations create the same situation, and a deeper discussion was needed to determine what will work best for the City. Mayor Weichers agreed that the Council needed to discuss how best to keep cyclists and pedestrians safe and what configurations motorists would respect and adhere to.

Council Member Birrell stated that she believes human life is sacred, and it is the City Council's obligation to do everything it can to put safety first. She did not believe it should be a matter of what is convenient for motorists.

Police Chief, Robby Russo, stated that bike lanes were designated for safety reasons, but they were not intended to prevent residents with disabilities from parking in front of their own homes. He asked for guidance on the Council's priorities in that area. Council Member Birrell asked if the homeowner who was complaining was using their garage for a purpose other than parking their vehicle. Chief Russo stated that there is more than one example of the problem, and in many cases, it is more convenient for the disabled resident to enter and exit the vehicle on the street. Other residents are also affected because they cannot have visitors or park in front of their home at any time, and he did not believe that was the intent of the legislation.

Bike Utah offered the following four implementation tips:

1. Start with education.

Council Member Birrell reported that Mr. Gerber and Communications Manager, Beatriz Mayorga, have worked to educate citizens on bike safety via social media. Mr. Gerber stated that there was also an email campaign informing residents about the new legislation, as well as an article from Chief Russo in the July newsletter.

2. Install targeted signs.
3. Design for self-enforcement. Avoid placing bike lanes directly against the curb without a physical buffer so drivers do not mistake the bike lane for parking.
4. Redesign problem areas.

Council Member Newell stated that Cottonwood Heights is not a blank slate like many other municipalities and does not have a lot of space on its streets. He did not want to restrict residents from parking on the street because that could cause more problems, including potential legal issues. He looked forward to continued conversations on the topic.

Council Member Birrell reminded the Council that Utah State law requires motorists to give cyclists three feet of room on the road. She looked forward to the Council's continuing dedication to making the City's streets safer and helping educate the public on how to be safe and reduce injuries.

Mayor Weichers indicated that Bike Utah was doing an assessment on City roads and would be making specific recommendations.

3.6 Pergolas, Gazebos, and Other Open-Air Accessory Structures – Community and Economic Development Director, Jim Spung.

Mr. Spung presented the item and asked for the Council's direction on the best path forward regarding open-air accessory structures in residential zones.

City Code currently requires detached structures to be set back a minimum of three feet from property lines and six feet from any other structure. The Giverny Homeowners Association requested an amendment to its Planned Unit Development ("PUD") because the small yards in the community make it impossible to meet the six-foot setback from the house. The Planning Commission denied the request on July 16, 2025, because they believe it would be unfair to grant an exception to this specific PUD. They asked that the City Council consider a Text Amendment that would apply citywide.

The current definitions for gazebos, pergolas, and residential accessory buildings were displayed, and it was noted that the current Code does not specify separate setbacks for open-air structures versus detached garages or sheds. Photographs of existing structures in the Giverny community were reviewed. At the Council's direction, Staff could draft an amendment modifying the setback between houses and these types of open structures in residential zones. The Building and Fire Departments were in favor of the amendment for open structures only.

In response to a question raised by Mayor Weichers, Mr. Spung reported that the current ordinance was focused on enclosed structures like detached garages and included building code regulations to minimize hazards like fire spreading to another structure. The amendment would apply to open-air structures only, so that risk would be lessened. Many cities exempt decks and other open-air structures from specific setback standards.

Council Member Birrell stated that she had spoken with residents of Giverny. The lots are as small as 0.10 acres. The houses were built over an eight-year period, and the grade varies considerably within the community. Without a pergola-type structure, some residents would have no privacy. A Planning Commissioner she spoke with indicated that they believed it lacked equity to allow for a special exception within Giverny and the rule should be applied citywide. Mr. Spung clarified that the Planning Commission specifically referenced the R-1-8 Zone because that is the most compatible with the Giverny development, but the change could be considered for all residential zones.

In response to a question from Council Member Birrell, Mr. Gerber confirmed that the three-foot setback would need to be maintained because the Building Code requires a fire-rated wall for structures closer than three feet from the property line.

Council Member Hyland stated that she listened to the entire Planning Commission meeting and agreed with their conclusion that the rule should be applied more broadly. Open-air structures should be treated differently from sheds or accessory dwelling units. Mayor Weichers agreed.

In response to a question raised by Council Member Birrell, United Fire Authority Assistant Chief, Riley Pilgrim, stated that open-air structures are a fairly low risk.

Mr. Spung reported that the Text Amendment would help most affected homeowners in the Giverny PUD, but some existing structures will have to be removed. It would also allow other homes in the City to have these types of amenities. In response to a question from Council Member Hyland, he confirmed that the setback between the primary and accessory structures would be changed, not between the structure and fence.

Council Member Birrell asked if the material composition of the pergola would matter. It was concluded that the materials did not matter.

Council Member Newell stated that structures with roofs or other elements could cause concern, but he did not see an issue with standard pergolas.

After discussion, it was decided that Mr. Spung will draft a Text Amendment to present to the Planning Commission.

4.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.

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

Council Member Hyland reported that Assistant Police Chief, Paul Brenneman’s, retirement party would be held on Friday, September 12 from 1:00 p.m. to 3:00 p.m. Mr. Gerber will notify the Council of the date for City Treasurer, David Muir’s, retirement party.

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 Hyland moved to ADOURN the Work Session and move into a Closed Meeting to Discuss Potential Litigation. The motion was seconded by Council Member Newell. The motion passed with the unanimous consent of the Council.

The City Council was in Closed Session from 6:00 PM to 6:50 PM.

6.0 ADJOURN CITY COUNCIL WORK SESSION.

The Work Session adjourned at 6:50 PM.

DRAFT

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, AUGUST 19, 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 Ellen Birrell, Council Member Suzanne Hyland, Council Member Shawn Newell

Staff Present: City Manager, Jared Gerber; Police Chief, Robby Russo; Finance Director, Scott Jorges; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; Community and Economic Development Director, Jim Spung; IT Manager, Matt Ervin; Public Works Director, Matt Shipp; Assistant City Engineer, Ben Nelson; Unified Fire Authority, Riley Pilgrim

1.0 WELCOME

Mayor Weichers called the meeting to order at 7:00 PM.

2.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Community and Economic Development Director, Jim Spung.

3.0 CITY COUNCIL COMMITTEE REPORTS

3.1 Committee Reports by Council Member Matt Holton.

Council Member Holton was excused.

3.2 Committee Reports by Council Member Suzanne Hyland.

Council Member Hyland sits on the Emergency Management Committee, and she encouraged citizens to be extra vigilant of the Wildland-Urban Interface in the hot, dry conditions. She is also a member of the Health in the Heights Committee, which has applied for a grant to display advertising to prevent underage drinking at the Recreation Center. She has seen the draft advertisements and is excited to see them at the Recreation Center. Registration for the Thanksgiving 5K Race will begin in September. It is a popular event that sells out quickly, so interested residents should register as soon as possible. A ribbon cutting for the mural at Golden Hills Park will be held on September 12 at 3:00 p.m.

Council Member Hyland and Council Member Birrell, along with two residents, met with Salt Lake County Aging and Adult Services Director, Paul Leggett, to talk about the senior services they would like to see offered in Cottonwood Heights as the Town Center is developed and the Whitmore Library is rebuilt. Cottonwood Heights does not have a county-supported recreation

center or senior center despite having the oldest average age in Salt Lake County, and it is important that services be provided for the City's seniors.

She is also on the South Valley Chamber of Commerce Women in Business Committee and attended a lunch with Gail Miller, who spoke about how to be better mentors to assist women in starting businesses and launching careers. Ms. Miller talked about having an open heart policy and leading with empathy. It was remarkable to see how the Chamber is impacting and supporting Cottonwood Heights businesses.

Council Member Hyland is a member of the Utah League of Cities and Towns ("ULCT") Legislative Policy Committee's Housing Advisory Subgroup. They are working on accessory dwelling unit ("ADU") policies and balancing the impact when a city allows additional units to add density but not additional infrastructure, which is a big concern. They identified five "Ls" of affordable housing challenges: land, labor, lumber, lending, and law. Cottonwood Heights is limited in what it can do about any of those items except the law. It is a very complex topic, and she is grateful that ULCT is talking with cities about what can be recommended for policy changes at the State level.

3.3 Committee Reports by Council Member Shawn Newell.

Council Member Newell is a member of the South Valley Chamber of Commerce Board of Directors. They will be holding a "Business Bootcamp" event for human resources professionals on August 20, and an "In the Know" event on August 21 to discuss the Big, Beautiful Bill.

He is the Cottonwood Heights Arts Council liaison. Local artists have been painting electric boxes throughout the City, and more boxes will be available to paint soon. He encouraged any residents who are interested in adding their art to an electric box to contact the Arts Council. There will be a moulage special effects makeup workshop on October 10. The instructor creates realistic wounds for first responder trainings and will be teaching residents how to apply similar makeup for Halloween.

Council Member Newell serves on the Canyons Education Foundation Board of Directors. Last week, they held an event for new teachers who were either transferring into the district or beginning their teaching careers. He also participated in their red carpet event: the first day of elementary school. It was great to see how excited the students were to start school. Butler Elementary School has 604 students this year.

3.4 Committee Reports by Council Member Ellen Birrell.

Council Member Birrell stated that the end of summer is a time when many people are out walking and rolling in the community. Many of her efforts over the last month were related to roadway safety. She reminded everyone that what makes the roads safer for pedestrians and cyclists also makes them safer for motorists, and that is largely tied to slower speeds. She attended the Bike Utah Summit at Utah Valley University, which was very informative. She also attended the Wasatch Front Regional Council ("WFRC") Active Transportation Committee quarterly meeting. They are advancing better practices for active transportation.

The School Community Councils (“SCC”) make recommendations on safe routes for students, and Council Member Birrell believes more work can be done to keep them safe all the way from their home to school. She looks forward to seeing another bike bus at Butler Elementary School this year.

Council Member Birrell gave a presentation about the recent bike lane legislation during the Work Session. The City will continue to educate citizens about the legislation that prohibits motor vehicles from blocking bike lanes.

In addition to the ribbon cutting for the mural, the City will also honor community matriarch Edy Wright on September 12 at 3:00 p.m. at Golden Hills Park. Ms. Wright was instrumental in bringing the park to the community.

Council Member Birrell reported that she has met with residents and Staff regarding blight around the City as a result of the hot, dry conditions due to climate change. The Great Salt Lake is also drying up, which poses air quality hazards. Many responsible homeowners are turning their sprinklers off, which can inadvertently kill trees in addition to grass.

3.5 Committee Reports by Mayor Mike Weichers.

Mayor Weichers encouraged citizens to follow Cottonwood Heights on social media. In conjunction with Canyons School District, the City has been publishing information on pedestrian and school safety. Children are back in school and will be on the streets more. Residents should drive safely and be on the lookout for pedestrians.

City flags were at half mast in honor of the Tremonton police officers who lost their lives. Cottonwood Heights stands with the community and its police officers. The Council’s thoughts are prayers were with them, and with the City’s officers as well.

Two long-term City employees will be retiring in September. Assistant Police Chief, Paul Brenneman, and City Treasurer, David Muir, have been with the City since its incorporation and will be missed. Mr. Muir reported to him that the City had saved \$75 million by having its own police department and being a member of the United Fire Authority instead of the United Fire Service Area, which proves that Cottonwood Heights incorporated at the right time and made the right decision.

4.0 CITIZEN COMMENTS

Chase (last name unknown) stated that he lives on Creek Road and was concerned about the intersection of Creek Road and Danish Road. Cars do not yield to pedestrians at that intersection. He has also expressed his concerns to a Cottonwood Heights police officer. Last winter, 10 minutes after he checked his mail, a reckless driver demolished his mailbox. The speed monitoring sign did not work, and he believed the City needed to take action. There are a lot of pets and children in the area, and he wanted to avoid a tragedy. He asked that officers patrol the road regularly to help resolve the problems with speeding and loud mufflers.

Alan Mark stated that six weeks previously, he and his daughter were driving on Bengal Boulevard at approximately 25 miles per hour when a vehicle passed on his right. His front and rear cameras verified his speed, and the other vehicle was driving approximately 50 miles per hour. The next morning, he spoke with a police officer who indicated that he could not issue a ticket based on the video. However, he obtained the license plate number from the video and called the person, who apologized.

The previous Sunday, while walking his dog through the intersection of Creek Road and Danish Road, a car sped through the intersection and almost hit him. He always videos the intersection on his phone because of the number of times he has experienced similar situations. He called 911. An officer did not come to the location, but Mr. Mark texted him the video and photographs. He did not hear from the officer that day or the following day. He visited the police station again earlier that morning, but the officer told him there was not enough information to proceed. He asked that something be done to add traffic calming measures to the area.

Audrey Pines stated that the updated website looks great. She provided the Council with the originally approved maps for the ballpark at Dover Hill Park. She approved of the plans for the Wells Fargo property because people want yards, and she hoped the Council would help that developer in any way they could. Ms. Pines thinks an arts district is a great idea, and private funding is attainable. People bike and walk on Bengal Boulevard, and she would love to see a basketball hoop, ice skating rink, and pizza or ice cream restaurants in the area. Near the liquor store and below Highland Drive are areas that need attention and would be great for an arts district, but she did not believe Bengal Boulevard was the right place for it.

Maggie Mills provided updates on the Whitmore Library. The nonfiction book club meets every third Wednesday, and the next meeting will be on August 20 at 7:00 p.m. to discuss *Forager* by Michelle Dowd. The produce swap will be held on Thursdays, Fridays, and Saturdays through September. Preschool story times begin in September. The five-week “Stay Connected with Your Teen” workshop series for caregivers of teens will begin on October 1 at 6:00 p.m. Food will be provided. A link to register for the event with Salt Lake County Youth Services is available on the library website.

Troy Ripplinger expressed concern about bike lanes. He drives in Cottonwood Heights every day, and the driving lanes have been narrowed to accommodate the bike lanes. He sees responsible cyclists, but he also sees them riding in the middle of the road or side-by-side in pairs or groups of four that do not yield to vehicles. He has also seen cyclists running red lights and doing other things that make him wonder if they know the rules of the road. He asked that the City Council consider requiring a license to operate a bicycle. He understands motorists’ responsibilities to make the roads safer for cyclists, but cyclists also have a responsibility, and there is no non-confrontational way to hold them accountable without a license.

5.0 RECOGNITION

5.1 Carol Woodside – Mayor Weichers.

Mayor Weichers read a proclamation honoring Carol Woodside for her volunteerism and history of service on the Historic Committee. She was then presented with a plaque and flowers. Council Member Birrell expressed her appreciation for Ms. Woodside and the Historic Committee.

6.0 STANDING QUARTERLY REPORTS

6.1 Public Works Report – Matt Shipp.

Public Works Director, Matt Shipp, presented the Quarterly Report on recently completed, current, and pending Public Works projects.

Current Projects

- Steffensen Heights reconstruction: This project is underway. The road has been milled, and curb and gutter are being installed. The storm drain infrastructure is also being upgraded to help alleviate issues with runoff, a project that is funded by the Storm Water Fee. Some street lights have been replaced, and conduit is being run to locations for future additional lighting.
- City striping: Approximately 50% of planned striping has been completed.
- Kings Hill storm drain: Concrete pipe and wing walls are being installed to direct water and resolve issues with spring runoff in the area. This project is being funded by the Storm Water Fee.
- Creek Road sidewalk: A grant was received to cover 60% of the costs for this project to connect two sections of sidewalk on the north side of Creek Road, and construction was scheduled to begin on September 2.

Completed Projects

- Fort Union multiuse path: The project to connect the paths from Brookhill Drive to 1700 East was completed in early summer.
- Nye Drive sidewalk: The project corrected trip hazards in several locations in this neighborhood. Curb, gutter, and sidewalk were replaced. A similar project in another neighborhood was nearing completion, and a third would begin soon.
- City entrance beautification: Work in the medians on Union Park Avenue from Interstate 215 to Creek Road included removal of weeds and dead vegetation, installation of new irrigation, planting of trees and plants, and new mulch. Many of the trees were left over from the tree sale. Mr. Shipp commended the Public Works staff for their commitment to beautifying the medians. Redevelopment Agency (“RDA”) funds were being used for some sections of the project. Mayor Weichers stated that he has received positive comments about the project from 20 citizens.

Projects in Design

- Staker Way drainage: A sump pump is being designed to resolve drainage issues and will be installed when 1700 East is repaved. This project is also being funded by the Storm Water Fee.

- Highland Drive and Fort Union Boulevard intersection improvements: A \$2 million grant was received from the WFRC to improve this intersection, and it is now in 30% design. Impact Fee funds are being used for the City's portion of the design.
- Highland Drive Phase 3: The multi-use trail on the west side of Highland Drive from Interstate 215 to Fort Union Boulevard is in design. Mr. Shipp expected to present options to the City Council at a September meeting.

Studies

- Fort Union Boulevard and 2300 East Traffic Study: This has been completed and presented to the City Council.
- Storm Drain Master Plan: The update is in process and approximately 60% complete. Staff is working in the field to camera the system and provide system-specific information to the consultant.

Outside Projects

- Cottonwoods Connection: Work will be completed on Fort Union Boulevard in mid-September. Pipe placement on Danish Road will occur in the fall or winter.
- Utah Department of Transportation ("UDOT") Project 21798 for Fort Union Boulevard and Wasatch Boulevard: This project was postponed due to budget restraints.
- UDOT Project 21844 for Bengal Boulevard and Wasatch Boulevard: This project is pending property acquisition.
- Bengal Boulevard projects: The project across the street from the school on Bengal Boulevard is to repair a broken water line. The center lane has been reopened. The project to the east is to relocate a sewer line. The project farther to the east is a gas line replacement. Those are not City projects, but Mr. Shipp is keeping track of them.

7.0 ACTION ITEMS

- 7.1 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).

Mayor Weichers reported that this item was discussed in previous sessions and during the Work Session.

MOTION: Council Member Newell moved to APPROVE 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. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Hyland-Yes; Council Member Newell-Yes; Mayor Weichers-Yes. The motion passed unanimously.

- 7.2 **Consideration of Ordinance 442-A Approving the Rezone of .95 Acre of Real Property Located at 3526 East Fort Union Boulevard 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).**

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

MOTION: Council Member Hyland moved to APPROVE Ordinance 442-A Approving the Rezone of .95 Acre of Real Property Located at 3526 East Fort Union Boulevard from R-1-8 (Residential Single Family) to R-2-8 (Residential Multi-Family) and Amending the Zoning Map. The motion was seconded by Council Member Newell. Vote on Motion: Council Member Newell-Yes; Council Member Hyland-Yes; Mayor Weichers-Yes. The motion passed unanimously.

- 7.3 **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 this item was discussed during the Work Session. Council Member Hyland thanked Mr. Nash for considering the nearby residents and working with the City to reach an agreement.

MOTION: Council Member Hyland moved to APPROVE Resolution 2025-54 Approving a Development Agreement with Land Development, LLC. The motion was seconded by Council Member Newell. Vote on Motion: Council Member Newell-Yes; Council Member Hyland-Yes; Mayor Weichers-Yes. The motion passed unanimously.

- 7.4 **Consideration of Resolution 2025-62 Approving Disposal of Unclaimed Property or Former Evidence. (This resolution will authorize disposal of unclaimed property and/or property no longer needed as evidence).**

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

MOTION: Council Member Newell moved to APPROVE Resolution 2025-62 Approving Disposal of Unclaimed Property or Former Evidence. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Hyland-Yes; Council Member Newell-Yes; Mayor Weichers-Yes. The motion passed unanimously.

7.5 Consideration of Resolution 2025-63 Approving an Interlocal Cooperation Agreement with Salt Lake County and Greater Salt Lake Municipal Services District for Processing and Transferring Pre-1 July 2025 Applications for the Tavaci Development. (The Tavaci development was annexed into the City effective 1 July 2025. This Resolution will approve the City's entry into an Interlocal Agreement with Salt Lake County and the Greater Salt Lake Municipal Services District, whereunder the parties will cooperatively process and transfer development applications affecting realty within Tavaci which were filed before the annexation's effective date).

Mayor Weichers reported that this item was discussed during the Work Session. In response to a question from Council Member Hyland, it was clarified that the agreement allows Salt Lake County to finish any permits that were applied for prior to annexation.

MOTION: Council Member Hyland moved to APPROVE Resolution 2025-63 Approving an Interlocal Cooperation Agreement with Salt Lake County and Greater Salt Lake Municipal Services District for Processing and Transferring Pre-1 July 2025 Applications for the Tavaci Development. The motion was seconded by Council Member Newell. Vote on Motion: Council Member Newell-Yes; Council Member Hyland-Yes; Mayor Weichers-Yes. The motion passed unanimously.

8.0 CONSENT CALENDAR

8.1 Approval of the Minutes for the City Council Work Session and Business Meetings of August 5, 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.

9.0 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 8:01 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 on Tuesday, August 19, 2025.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____

DRAFT




Appendix 3

STAFF REPORT

Pet Licensing and Off-Leash Penalties

Jared Gerber

To: Mayor and Council	From: Jared Gerber, City Manager
Date: 09/02/2025	
Re: Pet Licensing	
Meeting Requested:	Business Meeting <input type="checkbox"/> Work Session <input checked="" type="checkbox"/> Other <input type="checkbox"/> _____
Public Hearing Needed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undetermined <input type="checkbox"/>
CM Approval or Denial	Denied <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Continued <input type="checkbox"/>
	CM Signature: _____ 

Background

There was a request to look at whether or not there is still a need for pet licensing in the City, and if so, if our fees are adequate for the expended effort in maintaining licensing. A memo from Chief Russo is attached to this memo, helping to explain the reasoning for these licenses.

Additionally, there have been an increasing number of concerns reported regarding off-leash pets. This discussion will help clarify the penalties and determine whether changes to the ordinance might be warranted to help deter the number of incidents in the community.

Request

Staff is looking for direction from the council regarding the future of pet licensing and off-leash penalties.



TO: Mayor and City Council
FROM: Chief Russo
DATE: August 26, 2025
SUBJECT: Advantages of Maintaining a Dog License Program

Synopsis

Maintaining a municipal dog licensing program provides significant advantages for public safety, fiscal management, and community well-being. The program ensures compliance with rabies vaccination requirements, allows Animal Control to quickly identify and return pets, and supports enforcement of leash and dangerous dog ordinances.

Licensing also generates a dedicated revenue stream that offsets the cost of animal control services, sheltering (currently contracted with Sandy City), and public education, while providing accurate data for planning and budgeting. For residents, licensing reduces impoundment costs, encourages responsible ownership through vaccination verification and spay/neuter incentives, and strengthens awareness of animal welfare programs.

From a legal and liability standpoint, licensing offers proof of ownership in disputes and demonstrates the City’s proactive commitment to public health and safety. Additionally, the licensing process serves as an opportunity to share information on microchipping, spay/neuter services, and animal care, while building partnerships with local shelters, rescues, and veterinarians.

Fee Comparison and Recommendation

The Cottonwood Heights Police Department supports a modest increase in licensing fees to align more closely with neighboring jurisdictions while remaining affordable for residents. Current fees and comparisons are as follows:

- **Cottonwood Heights**
 - Unsterilized: **\$25.00**
 - Sterilized: **\$5.00**
- **Murray, Holladay, Salt Lake County**
 - Unsterilized: **\$50.00**
 - Sterilized: **\$25.00**
- **Sandy**

- Unsterilized: **\$45.00**
- Sterilized: **\$6.00**

Cottonwood Heights' sterilized fee is significantly lower than surrounding communities, and unsterilized fees are roughly half of neighboring averages. Adjusting our fee structure would improve cost recovery for animal control services while still offering a competitive and responsible rate for residents.

Conclusion

A municipal dog license program is a cost-effective, practical tool that protects residents, assists pet owners, supports fiscal responsibility, and upholds community standards of animal welfare. Maintaining the program—along with a fee adjustment—will ensure sustainability, increase fairness with surrounding municipalities, and continue to provide clear benefits for the City, the community, and pet owners alike.

/s/ ERR




Appendix 4

STAFF REPORT

Civil Code Enforcement Discussion

Jared Gerber

To: Mayor and Council		From: Jared Gerber, City Manager	
Date: 09/02/2025			
Re: Civil Code Enforcement			
Meeting Requested:		Business Meeting <input type="checkbox"/> Work Session <input checked="" type="checkbox"/> Other <input type="checkbox"/> _____	
Public Hearing Needed?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undetermined <input type="checkbox"/>	
CM Approval or Denial		Denied <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Continued <input type="checkbox"/> CM Signature: 	

Background

There is a desire to explore the use of civil enforcement for property code violations. Staff will present various options and summarize the pros and cons of both civil and criminal enforcement, then lead a discussion to determine if changes are warranted to the code to achieve better compliance among property owners who are in violation of the code. Below is a quick summary of what other cities in the county are utilizing:

City Enforcement model (property violations)

Salt Lake City	Civil/Administrative in code (with daily civil fines); criminal remains available in some provisions
West Valley City	Civil/Administrative (formal hearing program); may still criminally prosecute other offenses
West Jordan	Hybrid (civil administrative path + criminal option)
Sandy	Civil/Administrative (hearing officer + admin citations); criminal still exists for some offenses
Draper	Hybrid (admin citations used + judicial/criminal)
Riverton	Civil/Administrative (explicit admin citation & hearing)
Taylorsville	Civil/Administrative (explicit program)
Herriman	Hybrid (civil fines and criminal penalties; ALJ for admin hearings)
Holladay	Hybrid (admin enforcement program + city can choose civil or criminal)

City Enforcement model (property violations)

South Salt Lake	Hybrid (criminal default + admin citation option)
Millcreek	Civil/Administrative in practice (ALJ/hearing for city enforcement actions)
Midvale	Civil/Administrative (explicit admin citations; staff issue warnings/citations)
Murray	Hybrid (civil remedies + criminal prosecution via justice court)
Bluffdale	Civil/Administrative (uses administrative citations; also criminal for some offenses)

Criminal enforcement remains available almost everywhere (usually class B/C misdemeanors) and may be used for egregious or repeated violations or where the code specifies.

Request

Staff is looking for direction from the council regarding a possible implementation of civil fines for certain code violations and the utilization of and Administrative Law Judge in these cases.




Appendix 5

STAFF REPORT

Employee Appeals Board Appointment

Jared Gerber

To: Mayor and Council	From: Jared Gerber, City Manager
Date: 09/02/2025	
Re: Employee Appeal Board	
Meeting Requested:	Business Meeting <input checked="" type="checkbox"/> Work Session <input checked="" type="checkbox"/> Other <input type="checkbox"/> _____
Public Hearing Needed?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Undetermined <input type="checkbox"/>
CM Approval or Denial	Denied <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Continued <input type="checkbox"/> CM Signature: 

Background

Title 2.180 of the Cottonwood Heights Municipal Code outlines the requirement for an Employee Appeal Board, in accordance with Utah State Code 10-3-1106. The appeal board consists “of one individual selected by the city manager, with advice and consent of the city council, for purposes of a specific appeal.” As part of the code, the manager is allowed to keep a roster of qualified individuals to pull from as needed.

There is no current appeal before us, however, there is no current list approved by the City Council for the Appeal Board. State and Federal law requires us to provide a response to any appeal within 10 days of the filing of an appeal. In order to be prepared, staff has interacted with several people qualified to act in this capacity and is asking for the council's advice an consent to create this list.

Request

Staff is requesting approval of a resolution approving a list of eligible people to use as an Employee Appeals Board as necessary




Appendix 6

STAFF REPORT

Curfew Discussion

Jared Gerber

To: Mayor and Council	From: Jared Gerber, City Manager
Date: 09/02/2025	
Re: Curfew Discussion	
Meeting Requested:	Business Meeting <input type="checkbox"/> Work Session <input checked="" type="checkbox"/> Other <input type="checkbox"/> _____
Public Hearing Needed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undetermined <input type="checkbox"/>
CM Approval or Denial	Denied <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Continued <input type="checkbox"/> CM Signature: 

Background

There have been a number of recent violations of the City’s curfew ordinance, particularly on the Brighton High School property. This will be a discussion regarding the issues reported and possible action to be taken by the City. In addition to curfew, violation of nuisance laws (especially noise) are also part of the problem.

Title 10.6 of the Cottonwood Heights Municipal Code outlines the curfew ordinance:

10.60.010 Definitions

1. *“Care and custody”* means the legal authority of a parent or guardian to supervise or otherwise be responsible for a minor, or the express authority given from such parent or legal guardian of a minor to a responsible adult to supervise or otherwise be responsible for the activities and care of the minor.
2. *“Emergency errand”* means any errand or travel undertaken to directly and immediately seek to prevent or reduce the consequences of an illness or injury, criminal or potentially criminal activity, or fire or other accident and shall include the seeking of aid and assistance from medical or emergency response personnel or the purchase of medications.
3. *“Minor”* means any unmarried, unemancipated person who is not a member of the armed forces of the United States and who is under the age of 16 years for the purposes of section 10.60.020 of this chapter or who is under the age of 18 years for the purposes of section 10.60.030 of this chapter.
4. *“Public places”* means any place open to the public, whether publicly or privately owned, including but not limited to, parking lots and the interiors and exteriors of commercial establishments such as restaurants, stores or places of entertainment.

10.60.020 16-Year-Old Curfew

It is unlawful for any minor under the age of 16 years to remain or loiter upon any of the sidewalks, streets, alleys or public places in the city, between the hours of 11:00 p.m. and 5:00 a.m. the following morning.

10.60.030 18-Year-Old Curfew

It is unlawful for any minor under the age of 18 years to remain or loiter upon any of the sidewalks, streets, alleys or public places in the city, between the hours of 1:00 a.m. and 5:00 a.m.

10.60.040 Parental Liability

It is unlawful for any parent, guardian or other person having care and custody of any minor to allow or permit the minor to violate the provisions of this chapter. Violation is a misdemeanor.

10.60.050 Business Liability

No person owning or operating a business as defined by this code of ordinances shall knowingly permit any minor to remain on the premises of such business in violation of the provisions of this section. Any such violation shall be a misdemeanor. This section, however, shall not apply to any minor who is lawfully employed on the premises.

10.60.060 Exceptions

The provisions of this chapter shall not apply to any circumstances in which the minor is:

1. Accompanied by a parent, guardian or other responsible adult having care and custody of such minor;
2. Engaged in legitimate trade, employment or occupation which requires the minor's presence in or on the sidewalks, streets, alleys or public places while working at or traveling to or from such employment;
3. Engaged in an emergency errand directed by the minor's parent, guardian or other responsible person having care and custody;
4. In a motor vehicle engaged in a normal interstate travel beginning in, traveling through, or ending in the city;
5. Attending or engaged in traveling between the minor's home or place of residence and a place where any religious, municipal, social, entertainment, sporting, political, library or school function is occurring; or
6. Within the immediate vicinity of the minor's place of residence.

10.60.070 Enforcement

1. Any minor who is in violation of the provisions of this chapter is subject to arrest and citation.
2. Upon arrest, the minor shall be returned to the custody of the parent, guardian or other person charged with the care and custody of the minor.

3. It is unlawful for any parent, guardian or other person charged with the care and custody of a minor who is in violation of this chapter to refuse to appear and take custody of the minor within a reasonable time after being ordered to do so by a peace officer.
4. Any violation of this chapter is a misdemeanor.




Appendix 7

STAFF REPORT

Flash Vote Discussion

Jared Gerber

To: Mayor and Council	From: Jared Gerber, City Manager
Date: 09/02/2025	
Re: Flash Vote Discussion	
Meeting Requested:	Business Meeting <input type="checkbox"/> Work Session <input checked="" type="checkbox"/> Other <input type="checkbox"/> _____
Public Hearing Needed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undetermined <input type="checkbox"/>
CM Approval or Denial	Denied <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Continued <input type="checkbox"/>
	CM Signature: 

Background

The City Manager will lead a short discussion on the topics proposed for the remaining survey topics, looking for a decision on which topic should be included in the next survey.

Request

Staff is requesting direction on the next survey topic to be generated.



Appendix 8

STAFF REPORT

Action Items

Shane Topham

From: [Shane Topham](#)
To: [Jared Gerber](#); [Tiffany Janzen](#)
Subject: [EXT:]Legislation for September 2nd City Council Meeting
Date: Tuesday, August 26, 2025 8:38:52 AM
Attachments: [WST-Cottonwood Heights-Resolution 2025-64 Approving PTOS Committee Appointment.pdf](#)
[WST-Cottonwood Heights-Resolution 2025-65 Approving Employee Appeal Board and Authorizing Appointments.pdf](#)
[WST-Cottonwood Heights-Resolution 2025-66 Approving Arts Council UDAM Grant Agreement with State of Utah.pdf](#)
[State Grant Contract \(Cottonwood Heights Arts Council\) APP-025883.pdf](#)

Greetings—

Drafts of the following items of legislation scheduled for consideration at the September 2nd city council business meeting are attached for your review and comment:

1. *Resolution 2025-64*. This resolution will approve the manager's appointment of Scott Simonsen to the city's Parks, Trails and Open Space advisory committee.
2. *Resolution 2025-65*. *Utah Code Ann.* §10-3-1106 requires each Utah city to provide an appeal authority to hear appeals by city employees concerning certain specified employment actions by the city, with the appeal authority's number of members, procedure for conducting appeals, etc. prescribed by city ordinance. *Cottonwood Heights Code* §2.180.020(A) provides that the city's appeal board for any specific appeal shall consist of an individual selected by the city manager and approved by the city council. To facilitate the timely appointment of an appeal authority for each future employee appeal, by this resolution the council will approve a roster of qualified individuals to hear any such future appeals and will delegate to the manager the power to select from that pre-approved roster a specific individual to act as the city's appeal board for each such future appeal.
3. *Resolution 2025-66*. This resolution will approve the city's entry into an agreement whereunder the Utah Division of Arts and Museums will grant \$3,800 to the city's Arts Council for its use during the current fiscal year. A copy of the proposed agreement also is attached.

Please contact me as soon as possible if there are any questions or concerns regarding the attachments.

Best regards—

Shane

WM. SHANE TOPHAM | *Attorney* | TOPHAM LEGAL
4930 Fairview Drive, Holladay, UT 84117
[tel+801.808.6325](tel:+801.808.6325) | [Bio](#)

CONFIDENTIALITY NOTICE: The content of this e-mail is confidential and proprietary and may be attorney-client privileged. If you are not the intended recipient, please destroy it and notify: wst@tophamlegal.com.



CITY COUNCIL BUSINESS MEETING

Attachment 1

Resolution 2025-64

This resolution will approve the manager's appointment of Scott Simonsen to the city's Parks, Trails and Open Space advisory committee.

COTTONWOOD HEIGHTS

RESOLUTION NO. 2025-64

A RESOLUTION CONSENTING TO AN APPOINTMENT TO THE COTTONWOOD HEIGHTS PARKS, TRAILS AND OPEN SPACE COMMITTEE

WHEREAS, Part 7 of Chapter 2.140 of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the “Code”), comprising Code Sections 2.140.701 through 2.140.705, establishes the Parks, Trails and Open Space Committee (the “Committee”) as one of the advisory committees for the city of Cottonwood Heights (the “City”); and

WHEREAS, Code §2.140.703(B) provides that the Committee shall consist of up to 15 members, of which at least 13 are City residents, with a demonstrated interest, competence or knowledge concerning parks, trails and open space; and

WHEREAS, Code §2.140.104 provides that members of the Committee shall be appointed and removed by the city manager (the “Manager”) with advice and consent of the city council (the “Council”), and that the terms of office shall be three years so that the terms of approximately one-third of the members expire each year; and

WHEREAS, the Council met on 2 September 2025 to, among other things, (a) consider approving the appointment of **Scott Simonsen** to the Committee, and (b) ratify and consent to the current composition of membership of the Committee; and

WHEREAS, the Manager has nominated the aforementioned person to serve on the Committee commencing immediately and ending on 30 June 2028 or until their successor is approved; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City and its residents to give advice and to consent to such appointment to the Committee as proposed by the Manager;

NOW THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that the Council hereby gives advice and consents to the appointment of the aforementioned person to the Committee, and hereby ratifies and gives advice and consents to the status of the following individuals as all of the current members of the Committee for the terms of office set forth opposite each name or until their successors are approved:

<u>Name</u>	<u>District</u>	<u>Term Expires</u>
Ronna Cohen	2	30 June 2028
Matthew Dominesey	2	30 June 2028
Melissa Fields	4	30 June 2028
Aline Longstaff	2	30 June 2028
Scott Simonsen	1	30 June 2028
Jennifer Cottam	1	30 June 2026

Elise Graham	4	30 June 2026
Ben Hill	(CH Rec. Serv. Area)	N/A
Bruce Jorgensen	4	30 June 2026
Michael Menssen	1	30 June 2026
Chris Owens	2	30 June 2026
Brad Buswell	2	30 June 2027
Zachery Geiger	2	30 June 2027
Jennifer Follstad Shah	4	30 June 2027
Chelsea Voss	3	30 June 2027

This Resolution, assigned no. 2025-64, shall take effect immediately upon passage.

PASSED AND APPROVED effective 2 September 2025.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By: _____
Tiffany Janzen, Recorder

By: _____
Michael T. Weichers, Mayor

VOTING:

Michael T. Weichers	Yea ___	Nay ___
Matt Holton	Yea ___	Nay ___
Suzanne Hyland	Yea ___	Nay ___
Shawn E. Newell	Yea ___	Nay ___
Ellen Birrell	Yea ___	Nay ___

DEPOSITED in the office of the City Recorder this 2nd day of September 2025.

RECORDED this ___ day of September 2025.



Attachment 2

Resolution 2025-65

Utah Code Ann. §10-3-1106 requires each Utah city to provide an appeal authority to hear appeals by city employees concerning certain specified employment actions by the city, with the appeal authority's number of members, procedure for conducting appeals, etc. prescribed by city ordinance.

Cottonwood Heights Code §2.180.020(A) provides that the city's appeal board for any specific appeal shall consist of an individual selected by the city manager and approved by the city council. To facilitate the timely appointment of an appeal authority for each future employee appeal, by this resolution the council will approve a roster of qualified individuals to hear any such future appeals and will delegate to the manager the power to select from that pre-approved roster a specific individual to act as the city's appeal board for each such future appeal.

COTTONWOOD HEIGHTS

RESOLUTION NO. 2025-65

A RESOLUTION APPROVING EMPLOYEE APPEAL BOARD AND AUTHORIZING APPOINTMENTS

WHEREAS, UTAH CODE ANN. §10-3-1106 requires each Utah city to provide an appeal authority to hear appeals by city employees concerning certain specified employment actions by the city, with the appeal authority's number of members, procedure for conducting appeals, etc. prescribed by city ordinance; and

WHEREAS, §2.180.020(A) of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the "Code") provides that the appeal board of the city of Cottonwood Heights (the "City") for any specific employee appeal shall consist of a single individual selected by the city manager ("Manager") and approved by the city council (the "Council"); and

WHEREAS, the Manager has determined that each of attorneys **J. Richard Cattan, Ryan Loose, and Frank M. Nakamura** (collectively, the "Roster") are qualified to serve as the City's appeal authority in any future employee appeals and has requested the Council to approve each of such individuals to serve as the City's appeal authority in any future specific employee appeal; and

WHEREAS, to facilitate the timely appointment of an appeal authority for each future employee appeal, the Manager also has requested the Council to delegate to the Manager the power to select from that among those on the Council's pre-approved Roster a specific individual to act as the city's appeal board for each such future appeal as provided in Code §2.180.020 without further authorization by the Council; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City's residents to so act;

NOW THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that the Council hereby (a) consents to the above appointments to the Roster effective immediately, and (b) delegates to the Manager the power to select from among those on the Roster a specific individual to act as the City's appeal board for each such future employee appeal as provided in Code §2.180.020 without further authorization by the Council.

This Resolution, assigned no. 2025-65, shall take effect immediately upon passage.

PASSED AND APPROVED effective 2 September 2025.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By: _____
Tiffany Janzen, Recorder

By: _____
Michael T. Weichers, Mayor

VOTING:

Michael T. Weichers	Yea	___	Nay	___
Matt Holton	Yea	___	Nay	___
Suzanne Hyland	Yea	___	Nay	___
Shawn E. Newell	Yea	___	Nay	___
Ellen Birrell	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 2nd day of September 2025.

RECORDED this ___ day of September 2025.



Attachment 3

Resolution – 2025-66

This resolution will approve the city's entry into an agreement whereunder the Utah Division of Arts and Museums will grant \$3,800 to the city's Arts Council for its use during the current fiscal year.

COTTONWOOD HEIGHTS

RESOLUTION NO. 2025-66

A RESOLUTION APPROVING AND ACCEPTING A GRANT FROM THE
UTAH DIVISION OF ARTS AND MUSEUMS FOR FY 2025-26

WHEREAS, section 2.140.401 of the COTTONWOOD HEIGHTS CODE (the “Code”) establishes the “Cottonwood Heights Arts Council” (the “Arts Council”) for the city of Cottonwood Heights (the “City”); and

WHEREAS, following application (the “Application”) by the City on behalf of the Arts Council, the Utah Division of Arts and Museums (the “State”) awarded a \$3,800 grant (the “Grant”) to the City for use during FY 2025-26 by the Arts Council in connection with the project(s) specified in the Application; and

WHEREAS, the City desires to approve and accept the Grant on behalf of the Arts Council; and

WHEREAS, the City’s municipal council (the “Council”) met in regular session on 2 September 2025 to consider, among other things, (a) approving and accepting the Grant as proposed, and (b) authorizing the City to execute and deliver the grant agreement (the “Agreement”) required by the State before releasing the Grant funds to the Arts Council; and

WHEREAS, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve and accept the Grant and to authorize the City to execute and deliver the Agreement to the State as proposed;

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that (a) the Grant is hereby accepted and approved, (b) the City’s mayor and recorder, and (as necessary) any appropriate officer of the Arts Council, are authorized and directed to execute and deliver the Agreement and any related documents and instruments on behalf of the City and the Arts Council, and (c) any prior execution and delivery of the Agreement by the mayor and recorder is hereby ratified and confirmed.

This Resolution, assigned no. 2025-66, shall take effect immediately upon passage.

PASSED AND APPROVED this 2nd day of September 2025.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By: _____
Tiffany Janzen, Recorder

By: _____
Michael T. Weichers, Mayor

VOTING:

Michael T. Weichers	Yea	___	Nay	___
Matt Holton	Yea	___	Nay	___
Suzanne Hyland	Yea	___	Nay	___
Shawn E. Newell	Yea	___	Nay	___
Ellen Birrell	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 2nd day of September 2025.

RECORDED this ___ day of September 2025.



STATE OF UTAH - CONTRACT AGREEMENT

- 1. PARTIES: This grant is between the following agency of the State of Utah:
 Department Name: Utah Dept of Cultural and Community Engagement Agency Code: 710 Division Name: Arts and Museums, referred to as (STATE), and the following GRANTEE:

Cottonwood Heights City,
Cottonwood Heights Arts Council

2777 East Bengal Blvd
 Cottonwood Heights, Utah 84121

Contact Person: Ann Eatchel
 Phone Number: (801) 944-7040
 Email: aeatchel@ch.utah.gov
 Federal Tax ID # 202154375
 Vendor # VC0000107970 Commodity Code #99999

LEGAL STATUS OF GRANTEE:

- Sole Proprietor
- Non-Profit Corporation
- For-Profit Corporation
- Partnership
- Government Agency

- 2. GENERAL PURPOSE OF GRANT: This grant is to be used as outlined in the approved FY26/27 SIMPLIFIED General Operating Support (GOS) Grant.
- 3. GRANT PERIOD: Effective Date: 07/01/25 Termination Date: 06/30/26 unless terminated early or extended in accordance with the terms and conditions of this grant. Renewal options (if any) N/A. All payments under this grant will be completed within 90 days after the Termination Date.
- 4. GRANT COSTS: GRANTEE will be paid a maximum of **\$3800** for costs authorized by this grant.
- 5. ATTACHMENT A: Division of Purchasing's Standard Terms and Conditions
 ATTACHMENT B: Scope of Work and Reporting Requirements
 ATTACHMENT C: Payment Schedule
 ATTACHMENT D: Utah Division of Arts & Museums Certification and Statement of Assurances

Any conflicts between Attachment A and other Attachments will be resolved in favor of Attachment A.

- 6. DOCUMENTS INCORPORATED INTO THIS GRANT BY REFERENCE BUT NOT ATTACHED:
 - a. All other governmental laws, regulations, or actions applicable to the goods and/or services authorized by this grant. IN WITNESS WHEREOF, the parties sign and cause this grant to be executed.

GRANTEE

Grantee's signature

8/22/2025

Date

STATE

Agency's signature

8/22/2025

Date

Mike Weichers

Type or Print Name and Title

PROCESSED BY FINANCE

Division of Finance

Attachment A: Standard Terms and Conditions for Grants (Nonprofit Organizations)

1. **DEFINITIONS:** The following terms shall have the meanings set forth below:
 - a. "**Contract**" means these terms and conditions, the Contract Signature Page(s), and all other attachments and documents incorporated by reference.
 - b. "**Contract Signature Page(s)**" means the cover page(s) that the State and Grantee sign.
 - c. "**Grantee**" means the individual or entity which is the recipient of grant money from the State. The term "Grantee" includes Grantee's agents, officers, employees, and partners.
 - d. "**Non-Public Information**" means information that is deemed private, protected, controlled, or exempt from disclosure under the Government Records Access and Management Act (GRAMA) or as non-public under other applicable state and federal laws. Non-public information includes those records the State determines are protected after having properly received a written claim of business confidentiality as described in Utah Code § 63G-2-309. The State reserves the right to identify additional information that must be kept non-public under federal and state laws.
 - e. "**State**" means the State of Utah Department, Division, Office, Bureau, Agency, or other state entity identified on the Contract Signature Page(s).
 - f. "**Grant Money**" means money provided by the State to a Grantee.
 - g. "**SubGrantees**" means persons or entities under the direct or indirect control or responsibility of the Grantee, including, but not limited to, Grantee's agents, consultants, employees, authorized resellers, or anyone else for whom the Grantee may be liable at any tier, including a person or entity providing or performing this Contract, including the Grantee's manufacturers, distributors, and suppliers.
2. **GOVERNING LAW AND VENUE:** This Contract shall be governed by the laws, rules, and regulations of the State. Any action or proceeding arising from this Contract shall be brought in a court of competent jurisdiction in the State. Venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County.
3. **LAWS AND REGULATIONS:** At all times during this Contract, Grantee and all acts performed under this Contract will comply with all applicable federal and state constitutions, laws, rules, codes, orders, and regulations, including applicable licensure and certification requirements.
4. **REQUIRED ACCOUNTING:** Grantee agrees that it shall provide to the State accounting for all Grant Money received by the Grantee as required by the terms of the grant or, if not expressly provided, the following accounting, at least annually and no later than 60 days after all of the Grant Money is spent:
 - a. a written description and an itemized report detailing the expenditure of the Grant Money or the intended expenditure of any Grant Money that has not been spent; and
 - b. a final written itemized report when all the Grant Money is spent.
 - c. **NOTE: If the Grantee is a non-profit corporation,** Grantee shall make annual disclosures pursuant to the requirements of Utah Code § 51-2a-201.5.
5. **RECORDS ADMINISTRATION:** Grantee shall maintain or supervise the maintenance of all records, receipts and any other documentation necessary to properly account for payments made by the State to Grantee under this Contract, Grantee's performance of the Contract terms and milestones, and outcomes reported to the State by the Grantee. These records shall be retained by Grantee for at least six (6) years after final payment, or until all audits initiated within the six (6) years have been completed, whichever is later. Grantee agrees to allow, at no additional cost, State and federal auditors, State Entity staff, and/or a party hired by the State access to all records necessary to account for all Grant Money received by Grantee as a result of this contract and to verify that the Grantee's use of the Grant Money is appropriate and has been properly reported.

6. **CONFLICT OF INTEREST:** All grant applications were reviewed following a conflict of interest policy that was reviewed by the Utah Arts & Museums Boards. Grant application reviews are also subject to the Department of Utah Public Officers' and Ethics Act, Utah Code, § 67-16.
7. **INDEPENDENT GRANTEE:** Grantee and SubGrantees, in the performance of this Contract, shall act in an independent capacity and not as officers or employees or agents of the State.
8. **INDEMNITY:** Both parties to this agreement are governmental entities as defined in the Utah Governmental Immunity Act (Utah Code Ann. 63G-7-101 et. seq.). Nothing in this Contract shall be construed as a waiver by either or both parties of any rights, limits, protections or defenses provided by the Act. Nor shall this Contract be construed, with respect to third parties, as a waiver of any governmental immunity to which a party to this Contract is otherwise entitled. Subject to and consistent with the Act, each party will be responsible for its own actions or negligence and will defend against any claims or lawsuit brought against it. There are no indemnity obligations between these parties.
9. **EMPLOYMENT PRACTICES:** Grantee agrees to abide by federal and state employment laws, including: (i) Title VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e) which prohibits discrimination against any employee or applicant for employment or any applicant or recipient of services, on the basis of race, religion, color, or national origin; (ii) Executive Order No. 11246, as amended, which prohibits discrimination on the basis of sex; (iii) 45 CFR 90 which prohibits discrimination on the basis of age; (iv) Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990 which prohibits discrimination on the basis of disabilities; and (v) Utah's Executive Order, dated December 13, 2006, which prohibits unlawful harassment in the work place. Grantee further agrees to abide by any other laws, regulations, or orders that prohibit the discrimination of any kind by any of Grantee's employees.
10. **AMENDMENTS:** This Contract may only be amended by the mutual written agreement of the parties, which amendment will be attached to this Contract. Automatic renewals will not apply to this Contract even if listed elsewhere in this Contract.
11. **INSURANCE:** Grantee shall at all times during the term of this Contract, without interruption, carry and maintain insurance from an insurance company authorized to do business in Utah. Grantee shall maintain insurance with industry standards as is reasonably appropriate for the type of events, programs and operations grantee conducts.
12. **NONAPPROPRIATION OF FUNDS, REDUCTION OF FUNDS, OR CHANGES IN LAW:** Upon thirty (30) days written notice delivered to the Grantee, this Contract may be terminated in whole or in part at the sole discretion of the State, if the State reasonably determines that: (i) a change in Federal or State legislation or applicable laws materially affects the ability of either party to perform under the terms of this Contract; or (ii) that a change in available funds affects the State's ability to pay under this Contract. A change of available funds as used in this paragraph, includes, but is not limited to, a change in Federal or State funding, whether as a result of a legislative act or by order of the President or the Governor.
13. **PROHIBITED DISCRIMINATORY PRACTICES:** Grantee understands that, under Utah Code 67-27, no portion of this grant may be used to support activities that promote discriminatory practices as defined in [Utah Code 53B-1-118](#).
14. **DISCLOSURE OF OTHER STATE FUNDS:** The Grantee agrees to disclose a comprehensive list of all state funds received, including funds received through direct awards, competitive grants, pass-throughs, partnerships, memorandums of understanding, etc.
15. **LEGISLATIVE APPROPRIATION:** Disbursement of grant funds is subject to legislative appropriation. Appropriations, including grant funds, are subject to legislative action on a year-to-year basis.

16. **RECOUPMENT OF FUNDS:** Per State law (Utah Code 63G-6b-201(4)(e)), Grantee consents to follow-up audits and acknowledges that grant funds are subject to clawback if an audit shows that the grant funds were inappropriately used. If state audit findings determine that any funds expended by the Grantee violate the terms of this Agreement, the Grantee shall provide funds to the state sufficient to meet such repayment request(s). The Grantee assumes responsibility for ensuring compliance of all subgrantees. The Grantee is to be held responsible for the repayment of funds expended by any subgrantees which violates the terms of this Agreement. If the Grantee is unwilling or unable to repay the funds, the repayment request amount will become a past due obligation of the Grantee to the State and may be collected as such. See Utah Code 63G-6b-201(4)(e) & (5).
17. **PUBLIC INFORMATION:** Grantee agrees that this Contract and invoices will be public documents, and may be available for distribution in accordance with the Utah Government Records Access and Management Act (GRAMA). Grantee gives the State express permission to make copies of this Contract, related documents, and invoices in accordance with GRAMA. Except for sections identified in writing by Grantee and expressly approved by the Utah Division of Purchasing and General Services, all of which must be in accordance with GRAMA, Grantee also agrees that the Grantee's Proposal to the Solicitation will be a public document, and copies may be given to the public as permitted under GRAMA. The State is not obligated to inform Grantee of any GRAMA requests for disclosure of this Contract, related documents, or invoices.
 - a. **Grantee** may designate certain business information as protected under GRAMA pursuant to Utah Code Section 63G-2-305 and 63G-2-309. It is Grantee's sole responsibility to comply with the requirements of GRAMA as it relates to information regarding trade secrets and information that should be protected under business confidentiality.
18. **REVIEWS:** The State reserves the right to perform reviews, and/or comment upon the Grantee's use of the funds set forth in this Contract. Such reviews do not waive the requirement of Grantee to meet all of the terms and conditions of this Contract.
19. **ASSIGNMENT:** Grantee may not assign, sell, transfer, subcontract or sublet rights, or delegate any right or obligation under this Contract, in whole or in part, without the prior written approval of the State.
20. **OWNERSHIP IN INTELLECTUAL PROPERTY:** The State and Grantee each recognizes that each has no right, title, interest, proprietary or otherwise in the intellectual property owned or licensed by the other, unless otherwise agreed upon by the parties in writing.
21. **ATTORNEY'S FEES:** In the event of any judicial action to enforce rights under this Contract, the prevailing party shall be entitled its costs and expenses, including reasonable attorney's fees, incurred in connection with such action.
22. **DISPUTE RESOLUTION:** Prior to either party filing a judicial proceeding, the parties agree to participate in the mediation of any dispute. The State, after consultation with the Grantee, may appoint an expert or panel of experts to assist in the resolution of a dispute. If the State appoints such an expert or panel, State and Grantee agree to cooperate in good faith in providing information and documents to the expert or panel in an effort to resolve the dispute.
23. **FORCE MAJEURE:** Neither party to this Contract will be held responsible for delay or default cause by but not limited to earthquake, fire, riot, pandemic, and/or war which is beyond the party's reasonable control.
24. **ENTIRE AGREEMENT:** This Contract constitutes the entire agreement between the parties and supersedes any and all other prior and contemporaneous agreements and understandings between the parties, whether oral or written.

25. **GOVERNMENTAL IMMUNITY; CONFLICT IN TERMS:** The State is entitled to broad immunity under the Utah Governmental Immunity Act (Utah Code Ann. 63G-7-101 et. seq.) and certain state and federal constitutional provisions. Nothing in this Contract shall be construed as a waiver by the State of any rights, limits, protections, or defenses under the Act or any applicable rule, regulation, or constitutional provision. Any conflict between the terms of this Contract and any applicable statute, rule, regulation, or constitutional provision shall be resolved in favor of the applicable statute, rule, regulation, or constitutional provision.

STATE OF UTAH
Attachment B

Organization: Cottonwood Heights Arts Council

Attachment B: Scope of Work and Reporting Requirements

This grant is to be used for expenses as outlined in the FY26/27 SIMPLIFIED General Operating Support (GOS) Grant application. The Utah Division of Arts & Museums (UA&M) is a state agency involved in public funding for arts and museums. As a public entity, it reserves the right to make final decisions on the use of public funds for projects, programs, acquisitions, commissions, or other activities deemed appropriate by the Division and/or Board. Funding from the State of Utah may not be used for anything that would be considered objectionable or obscene under Utah Code Section 32B-1-504.

UA&M reserves the right to revoke awarded public funds (current, multi-year, and/or future) as deemed necessary. The revocation of any public funds will be taken under consideration by the appropriate state board.

As per state law, all grants from the state of Utah must provide reporting of performance metrics.

Unless otherwise notified in writing, a final report must be submitted by **June 1, 2026**, and all grant funds must be spent by **June 30, 2026**. Reports will be submitted through the Community Grants Portal.

STATE OF UTAH
Attachment C

Attachment C: Payment Schedule (July 1, 2025 – June 30, 2026)

Pending availability of state funds, **Cottonwood Heights Arts Council** will receive **\$3800** as follows:

All grants will be paid in two payments unless the intent language provides a different disbursement schedule, as outlined in UCA 63G-6b-301(2).

First Payment (after July 1, 2025)

Payment of **\$3420** will be paid upon receipt of finalized contract from the Utah State Division of Finance.

Second Payment (April 1 – June 30, 2026)

Payment of **\$380** will be paid upon receipt of a final report that demonstrates the project/program has been completed, an itemized budget, and a narrative that details how the funds have been spent by the organization.

PAYMENT: The acceptance by Grantee of final payment, without a written protest filed with the State within ten (10) business days of receipt of final payment, shall release the State from all claims and all liability to the Grantee. The State's payment shall not be deemed an acceptance of the Services and is without prejudice to any and all claims that the State may have against Grantee. Funding amount is subject to change based upon actions of the Utah State Legislature.

**STATE OF UTAH
(Nonprofit Version)
ATTACHMENT D: UTAH DIVISION OF ARTS & MUSEUMS
CERTIFICATION AND STATEMENT OF ASSURANCES**

The Utah Division of Arts & Museums (UA&M) is a state agency involved in public funding for arts and museums. The Division and its governing board reserve sole discretion to award funds for projects, programs, acquisitions, commissions, or other activities. The Division's award of funds to a recipient for a project does not guarantee funding for that recipient for any future project. Funding levels are contingent on many factors, including available resources and number of applications. The Division reserves the right to revoke or recapture all or part of a recipient's awarded funds as deemed necessary in the Division's sole discretion and as permitted by applicable law. Funding from the State of Utah may not be used for anything that would be considered objectionable or obscene under Utah Code Section 32B-1-504.

UA&M reserves the right to revoke awarded public funds (current, multi-year, and/or future) as deemed necessary. The revocation of any public funds will be taken under consideration by the appropriate state board.

The grantee certifies, represents and warrants to the Utah Division of Arts & Museums (hereinafter referred to as Utah Arts & Museums) that it meets all eligibility requirements set forth by Utah Arts & Museums, including:

1. The information contained herein and in all attachments and supporting material is true and correct; the filing of the application has been duly authorized by the governing body of the grantee, and the undersigned has authority to execute this application on behalf of the Grantee.
2. The grantee accepts in advance any grant awarded by Utah Arts & Museums, agreeing: a) that any funds received as a result of the application will be expended solely for the described programs, in accordance with the State of Utah Terms and Conditions; b) to such other restrictions, conditions, and changes as Utah Arts & Museums may impose, unless the grantee objects within 30 days of mailing the award letter setting forth the terms of the grant in writing.
3. The grant cannot be used to pay for anything that is specified against in the grant guidelines or transferred without prior written approval of Utah Arts & Museums.
4. The financial accounts shall be subject to reporting and/or audit by appropriate agencies of the State of Utah and/or the Federal Government. The Grantee will be responsible for the safekeeping and identification of records maintained to account for funds awarded herein. Said records must be kept in the Grantee's files for a period of six years after completion of the project and submission of the final expenditure report.
5. Recipient agrees to acknowledge the Utah Division of Arts & Museums in writing and orally, including acknowledging the gift as follows:
 - a. Grantees must use the Utah Arts & Museums logo. Up to date electronic versions of the logos can be found on the website, artsandmuseums.utah.gov/logos/. Please note that our current UAM logo has changed from red to purple.
 - b. It is recommended, but not required to send copies of programs or other printed material acknowledging Utah Arts and Museums to the grants manager at 3760 South Highland Drive, Millcreek, Utah 84106 or uamgrants@utah.gov.

- c. It is acceptable to provide tickets to any non-fundraising event (that has a monetary value of \$50 or less) without charge and within reason to UA&M staff or board members in order for UA&M associates to review and evaluate grantee's organization and programs. Grantees may request site visits by UA&M staff during the year.
6. All grantees will promote their events on www.nowplayingutah.com (NPU). This arts and cultural calendar was created to benefit Utah's arts and cultural community and individuals interested in attending arts and cultural events. Grantees shall post their event information to NPU in a timely manner and shall promote the NPU website among its constituents, patrons, audiences, etc. Exceptions are made for K-12 schools and organizations providing services to at-risk individuals.
7. It is mutually agreed that all parties shall comply with Title VI of the Civil Rights Act of 1964; Fair Labor Standards under Section 5(j) of the National Foundation on the Arts and Humanities Act of 1965; Section 504 of the Rehabilitation Act of 1973; and Title IX.
8. The Grant Period will be effective **July 1, 2025 to June 30, 2026**. These dates will be considered the formal payment schedule.
9. The Grantee hereby assures and certifies that it will report on the expenditure of public funds by completing a Utah Arts & Museums Final Report, which Utah Arts & Museums shall provide to Grantee.
10. In agreement with federal regulations, the signed contract is an attestation that no member of the organization's leadership, board or key financial employees have been debarred or suspended prior to the award payment of federal funds. Debarred and suspended means that due to actions of a person or organization, that person or organization has been determined to be ineligible to receive federal funds for a determined amount of time. The suspension and debarment process protects the federal government from fraud, waste and abuse by using a number of tools to avoid doing business with non-responsible contractors.
11. The Grantee hereby assures and certifies that it will comply with state and federal statutes, regulations, policies, guidelines, and requirements for nonprofit entities. Specifically, UCA 51-2a-102(6)(f) and 51-2a-201.5 require that nonprofit organizations annually disclose the amount of pass through or grant money received from state, federal, and local governments each fiscal year. Additional reporting is required by law to the State Auditor and will vary, depending on the amount of combined federal, state and local funding received from all sources during a nonprofit organization's fiscal year.

I certify that **Cottonwood Heights Arts Council** met or exceeded or anticipates meeting or exceeding the following dollar threshold in combined revenues of federal pass-through, state or local money for fiscal year 2026.

NA	more than \$25,000 but less than \$100,000
NA	more than \$100,000 but less than \$350,000
NA	more than \$350,000 but less than \$1,000,000
NA	more than \$1,000,000
MW	I certify that Cottonwood Heights Arts Council will not or does not expect to meet or exceed the \$25,000 threshold in combined revenues of federal pass-through, state or local money for fiscal year 2026.

Signature:

 Mike Weichers

Grantee's signature

Date of Application: 8/12/2025 12:46:28 PM (Last Modified Date)
 Application #: APP-025883 (Letter of Agreement)