

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD TUESDAY, FEBRUARY 3, 2026, AT 4:00 PM IN THE COTTONWOOD HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

**Present:** Mayor Gay Lynn Bennion, Council Member Matt Holton, Council Member Ellen Birrell, Council Member Suzanne Hyland (via Zoom), Council Member Shawn Newell

**Staff Present:** City Manager, Jared Gerber; City Attorney, Shane Topham; Finance Director, Scott Jorges; Police Chief, Robby Russo; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; Community and Economic Development Director, Jim Spung; Planner III, Sheldon Howa; Assistant City Engineer, Ben Nelsen; IT Manager, Matt Ervin; Unified Fire Authority, Riley Pilgrim

**1.0 WELCOME – Mayor Gay Lynn Bennion.**

Mayor Gay Lynn Bennion called the City Council Work Session to order at 4:00 PM.

**2.0 REVIEW OF BUSINESS MEETING AGENDA – Mayor Gay Lynn Bennion.**

Mayor Bennion reviewed the Meeting Agenda and stated that the Pledge of Allegiance would be led by Council Member Birrell, followed by the Citizen Comment Period. The United Fire Authority and Finance Quarterly Reports would be next.

Item 5.1 was consideration of Resolution 2026-10 Approving an Agreement with Perkins Engineering, Inc. for Engineering Services. Assistant Chief Engineer, Ben Nelsen, reported that the Agreement is for mill and overlay design on Highland Drive from Bengal Boulevard to the Starbucks and from Dan’s to the La Cresta Drive intersection. It does not include the Fort Union Boulevard intersection. They will also identify any necessary Americans with Disabilities Act (“ADA”) improvements within the project area.

Mayor Bennion remarked that it also includes looking at additional striping for a third lane. Mr. Nelson confirmed that striping considerations are part of the contract. It will not add a full lane on Highland Drive, as that study is still in process. As part of the agreement, Perkins Engineering will evaluate the roadway to determine if it would be feasible to allow the third lane to continue slightly farther north to maximize the existing road space and mitigate some of the congestion caused by decreasing from three lanes to two. In response to a question raised by Mayor Bennion, Mr. Nelsen confirmed that the agreement does not include construction to add a third lane.

Council Member Birrell stated that as she read it, the contract was based on Phases II and III of the Highland Drive project. Mr. Nelsen clarified that it is a separate project. The scope of this project includes road maintenance and considering how far the third lane can be extended with striping changes. It does not include any widening.

Council Member Holton stated that he previously raised a question regarding costs. At the time, Public Works Director, Matt Shipp, reported that if the maintenance is not complete now, it will be considerably more expensive to repair at a later time. The Council could make a decision on the potential third lane once that study is complete. Mr. Nelsen confirmed that the grant-funded widening project would not be funded for four to five years, and by that time, Highland Drive would have deteriorated to the point where a full rebuild is necessary.

Council Member Birrell referred to the diagrams included in the Meeting Packet and stated that she was surprised to see it on the agenda, as she believes it is related to the larger project. She and Council Member Hyland have expressed concerns about Phases II and III of the Highland Drive project. Instead of considering a third lane, they were interested in looking at ways to use the existing asphalt to make the roadway safer. She did not understand why the contract was being presented. Mr. Nelsen clarified that Highland Drive needs mill and overlay whether or not the trail is constructed. It is a pavement preservation project similar to the one that was recently completed on Fort Union Boulevard. The road is milled, and a new layer of asphalt is placed to preserve the life of the existing pavement. This work is necessary to prevent a full rebuild. Council Member Birrell stated that it is a perfect example of looking for efficiencies. She believes this would be the time to add islands or shift lanes, and she did not want the agreement to advance without a shared vision.

Council Member Holton agreed that the road needs improvement and indicated that he is looking forward to any solutions suggested by the study. However, Mr. Shipp made it very clear that the current agreement does not change anything. It is purely a maintenance issue, and there is not enough money in the budget to do any other work on the road. City Manager, Jared Gerber, stated that it would be a longer process because it must be budgeted for in future years. The road is not being expanded, only maintained. If the Council wanted to add anything to the road, that would require a more comprehensive study.

Council Member Birrell stated that the City needs to figure out to more efficiently and effectively maintain the City's roads. She would not be able to vote in favor of advancing the project without considering ways to avoid Highland Drive Phases II and III. She was in favor of tabling the item.

Mayor Bennion asked if postponing for two weeks would affect the project. Mr. Nelsen stated that the agreement is for Perkins to create a set of bid documents so that Highland Drive can be milled and overlaid in the summer. There are time constraints because it will take several weeks to complete the design and then several weeks for proposals to come in.

Council Member Hyland asked how the project would overlap with Phases II and III and when that study will be completed. She hoped to postpone it so that she could better understand the project. Mr. Nelsen stated that the City does not have funds to add improvements to the project. Phases II and III are based on a grant that will be funded in four to five years. The Public Works Department is trying to maintain Highland Drive so it does not fall into disrepair and require a complete rebuild.

Mr. Gerber remarked that in most communities, this type of decision does not come before the City Council. Regular road maintenance is usually covered under a city's capital projects fund and approved at the administrative level.

Council Member Holton stated that if the Council wanted to address potential investments and improvements for Highland Drive, it was probably worth delaying the project. If the funds or vision were not in place to be able to install those improvements, the item probably should advance.

Council Member Newell expressed concern that waiting to perform the road maintenance will put the City in a bad position. He believes the issue needs to be addressed.

Mayor Bennion stated that if additional scope cannot be added within two weeks, the project should advance. She does not want to hold the item for two weeks without cause.

Council Member Birrell stated that it would be a majority decision. She would familiarize herself with the Public Works Department's capital investment schedule. Her interest is in efficiency and safety, and she sees safety as an investment rather than an expense. Mr. Gerber clarified that Staff does not disagree, but the budget is not available to add to the maintenance project. The City barely has the budget to maintain its roads, but this project was already planned.

Council Member Hyland expressed her appreciation for the discussion. The project scope indicated that it would determine if there is enough width for the third lane, so she conflated it as part of the study that was already approved. If it were truly maintenance, she was in favor of advancing the item. Mr. Nelsen reported that the City has received a lot of complaints about the efficiency of the northbound lane, so they were trying to find a way to optimize that transition. If the Council was not comfortable with that proposal, it could be removed from the scope. There is not enough asphalt on the north side of the intersection to add a third lane, so any changes would not extend through the intersection.

Item 5.2 would be consideration of Resolution 2026-11 Ratifying Revised Council Committee Assignments. The Consent Calendar would be the final agenda item.

### **3.0 STAFF REPORTS**

#### **3.1 Flash Vote Discussion – City Manager, Jared Gerber.**

Mr. Gerber reviewed the results of the Spending Priorities survey. There were 342 participants, 309 of whom were part of the existing 615-member voter pool. An article was included in the February newsletter encouraging more residents to sign up. A total of 33 people found the survey through other means.

In response to Question 1, the majority of respondents knew that the City received less than 50% of their total property tax bill, but did not realize it was below 15%. Approximately 22% of respondents knew that it was less than 15%.

Question 2 asked how respondents feel about the level of service the City provides for the average \$586 per home that it receives in property taxes. A total of 68% believe they receive a good value.

Question 3 asked about spending priorities, and respondents were able to choose five priorities. Roads, sidewalks, trails, and open space all received over 50% of the votes.

Question 4 asked how the respondent would spend \$100 across a list of projects. Repair and repaving existing streets and adding or repairing sidewalks were identified as priorities, followed by adding bicycle lanes.

Question 5 was for individual responses, 165 of which were received.

Council Member Birrell stated that she recently met with nine constituents, four of whom had signed up for FlashVote. She was the only person who had received the survey, and the other three citizens did not. Mr. Gerber stated that FlashVote has provided their contact information for anyone with that issue to reach out to them. At least 309 out of 615 people received it and responded. Council Member Hyland stated that she received the survey, but her husband's survey went into the spam folder on his Android phone. That may be why some people did not receive a survey. In response to a question from Council Member Birrell, she clarified that Android phones have a spam filter for text messages. Mr. Gerber stated that if anyone has issues, they should contact FlashVote so their individual account can be checked.

Council Member Birrell stated that the only reason the three citizens knew a survey was open was that she mentioned it. She believes it is a serious issue that FlashVote should explain. Mayor Bennion suggested mentioning surveys on the website and newsletter.

Council Member Birrell stated that she believes citizen feedback is needed on several matters. Each Council Member had identified a subject that they wanted to cover, and her selection was intersections. Because the decision on whether to stay in the Utah Renewable Communities ("URC") program is time sensitive, she requested that her topic be changed to surveying residents on whether they want Cottonwood Heights to stay in that program. Council Member Hyland remarked that the City does not know the parameters of the URC yet because the Public Service Commission has not approved the program. She requested that the survey be postponed until those parameters are known. Mayor Bennion agreed and noted that the City will have at least 90 days after the ruling to make a decision.

The survey schedule was discussed. In response to a question, Council Member Hyland stated that she would like to postpone the short-term rental survey until Granicus data is available on the number of unlicensed short-term rentals and how much compliance can be expected. Mr. Gerber stated that he and Community and Economic Development Director, Jim Spung, will meet to discuss the timing of the General Plan survey.

Mayor Bennion asked how many residents are on the City mailing list. Mr. Gerber reported that it depends on the topics selected when they sign up.

### **3.2 General Plan Update – Community and Economic Development Director, Jim Spung.**

Mr. Spung reported that all the materials that were created by the subcommittees had been delivered to Sam Taylor at Landmark Design. The consultant will review the information and return with a

new scope and budget to complete the project. The next step will be public engagement. Once a general consensus is reached, they will then update the draft with supporting images and graphs.

In response to a question raised by Council Member Birrell, Mr. Spung confirmed that the draft was updated based on feedback from the last meeting, and that version was sent to the consultant. He will forward the document to her for review. The version created for public engagement will also be presented to the Council prior to scheduling any public meetings. Council Member Birrell stated that her primary concern is the importance of valuing various generations and providing for aging in place, which she believes was part of the amended land use mission statement. Mr. Spung confirmed that the updated mission statement was included in the version forwarded to the consultant.

### **3.3 Blue Sky Program Discussion – Council Member Shawn Newell.**

Council Member Newell stated that his goal is to achieve clarity on the Blue Sky and Utah Renewable Communities (“URC”) programs. From his research, the URC program is mirrored by the Blue Sky program that already exists through Rocky Mountain Power. He asked why the City would initiate a program for all residents when they already have the ability to participate without any additional cost to Cottonwood Heights. He has heard from a lot of residents who want to be part of the program, but they did not know that the Blue Sky program exists. It has the same parameters, except there is no cost to the City.

He is also concerned that if residents opt out, it may affect those who stay in the program by increasing their rate. If everyone is in the program, the highest estimated cost per resident is \$48 per year. If 50% of residents opt out, that cost increases to \$96 annually. If another 25% opt out, the cost will be \$192 per resident per year. To his understanding, as new renewables come on board, the cost is calculated by Rocky Mountain Power and added to the Rocky Mountain Power tariff rates paid by program participants. He does not support subjecting residents to additional costs without being clear about them. Rather than asking residents to involuntarily take something on that they must voluntarily opt out of, he believes it would be better to make them aware of the existing program they can opt into without a concern about escalating rates.

Council Member Newell stated that residents who already have solar panels will have to pay the same rate unless they opt out. He understands that residents will be notified, but he questioned how many people would read their bills to find that out. He believes it would put both the City and residents in a precarious situation. He is also concerned about the additional renewable energies that are being proposed. For example, Rocky Mountain Power customers will pay for the nuclear plant planned for northern Utah. He wants residents to know about the Blue-Sky program in addition to the URC program, and he does not want to be responsible for putting them into one program when another is available to them right now via opt-in. He will likely opt in because he agrees with the program goals, but he does not want to put that burden on all residents without complete clarity on how the program.

Mayor Bennion thanked Council Member Newell for the discussion and noted that everyone on the City Council wants to review all positive and negative aspects of each option. She welcomed URC representative, Emily Quinton, to the discussion. Ms. Quinton is the Summit County Sustainability Director. Summit County is part of the URC, along with Cottonwood Heights and 17 other

communities. She has served as the URC Board Secretary and been involved in the process since its inception.

URC is a coalition of 19 communities working to develop the program in partnership with Rocky Mountain Power. Under the proposed program, participating homes and businesses would have a new option for where their energy comes from. The clean energy in the program is proposed to come from both existing clean energy resources and new utility-scale projects built to serve URC customers. The URC has the potential to be transformative in the development of significant clean energy resources and was made possible by the Utah Community Renewable Energy Act passed in 2019. That legislation and subsequently adopted rules defined the program as one where participants are automatically enrolled with the option to opt out. Ms. Quinton remarked that Cottonwood Heights is not the first community to express concerns about that aspect of the program.

The URC program will create an additional choice for clean energy. They understand that not all 19 communities will remain in the program, but those 19 communities represent approximately 25% of Rocky Mountain Power's electricity sales in Utah.

Ms. Quinton provided an overview of the program.

- Upon program launch, customers in participating communities:
  - Remain Rocky Mountain Power customers receiving reliable power.
  - Will be automatically enrolled in the URC program with the choice to opt out. As proposed, there will be no cost to opt out initially. After that, there will be a fee to terminate participation.
- The program cost is anticipated to be less than \$4 per month for the average household and will be added to the customer's bill.
- The follow additional components were proposed:
  - Qualifying low-income customers will receive a monthly bill credit to offset the additional cost to participate. If they choose to leave the program, the termination fee will be waived.
  - Rocky Mountain Power will send two notices to each customer to alert them of the program before a charge begins. The notices must be separate from the monthly bill.
  - Additional education and outreach to be provided by the URC Communications and Low-Income Plan Committees.

After the Community Renewable Energy Act was passed in 2019, communities became eligible to participate in the program by adopting a renewable energy goal. That requirement had since been removed from the legislation. Nineteen communities signed a Governance Agreement in 2021. A Utility Agreement was also drafted outlining the roles and responsibilities that will take effect upon program approval and launch. The negotiation process between URC and Rocky Mountain Power was lengthy. URC originally expected to piggyback off of PaciCorp's systemwide solicitation for renewable resources, but that was cancelled in 2024, and a new solicitation had to be developed. The next step is program approval, which is expected at any time, followed by adoption of the program by participating communities within 90 days of approval.

The URC filed a draft ordinance with the Public Service Commission as part of the program application, and they are currently working with participating communities to adapt the ordinance to each municipality. Program members will be responsible for reimbursing Rocky Mountain Power for noticing costs. Ms. Quinton reported that URC officers and other board members are available to speak with the City Council, and additional information is available on their website.

In response to a question raised by Council Member Newell, Ms. Quinton confirmed that the Board is in place. Most of the turnover was from council members who did not run for reelection and communities choosing to change the participating council member each year. Council Member Newell asked why a household would choose to participate in an involuntary program for which the cost is uncertain. Ms. Quinton clarified that the cost cannot be determined until the Public Service Commission approves the program. Their order will specify the initial rate, so that information will be provided at the start of the 90-day adoption window.

Regarding how URC compares to existing renewable energy options, it is anticipated to cost approximately 50% less per unit of energy than the Blue Sky program. The Blue-Sky program provides grants for community projects like the solar panels on the roof of the Cottonwood Heights City Hall. Summit County also benefited from the program and intends to continue to support it while pushing for the larger, utility-scale change that URC has the potential for. Rocky Mountain Power also has the Utah Subscriber Solar program, which had limited enrollment and is not currently open for subscriptions. That program built one solar plant but has no expansion plans. Residents can also install their own rooftop solar systems. Depending on their situation, homeowners and businesses have those different options available to them. Summit County's interest in URC is based on its potential to create community-scale renewable energy.

Council Member Newell pointed out that 60% of the cost burden will be placed on businesses. Cottonwood Heights does not have much commerce, and he was concerned that those costs would be borne by residents. Ms. Quinton reported that there will be administration and startup costs, but the primary expenses will be in creating the new renewable energy facilities. Those costs will be distributed across customers by rate class and on a per-kilowatt-hour basis, not by municipality. To avoid the worst-case scenario of mass opt-outs, they plan to bring new renewable energy sources online incrementally. They are negotiating contracts with four potential providers and intend to start with one resource. That will not be enough to meet the program's total goal, but it will keep the rate as low as possible so the program can stabilize during the initial opt-out period. This should prevent any rate shock.

Mayor Bennion stated that she has heard that the program is flexible, and URC's goal is to keep the program cost between \$3 and \$4. To do so, they may choose not to start a new project until the program can support it without increasing cost. Salt Lake City has a lot of low-income residents who might not be in the low-income program. They do not want it to be an expense for those residents. However, there are environmental costs. If the airshed can be improved through this program, it will decrease health and other costs that cannot be quantified.

Council Member Newell expressed concern about the unknown issues on top of the many existing issues that Cottonwood Heights needs to solve. All residents would need to be made aware of the program. They count on the City to educate them. Cottonwood Heights has a poverty rate of over

7%, and those residents must be considered as well. He appreciated the clarity but was unsure about requiring people to join a program when another program with the same parameters is already available if they choose to participate in it.

Council Member Birrell stated that Utah Renewable Communities is different from Blue Sky because it is transformative and can bring about the kind of projects that Rocky Mountain Power has been unwilling or unable to do over the last 10 years at half the cost of the Blue Sky program. The average household consumes 1,770 kilowatt-hours of electricity per month, so Blue Sky would cost twice as much. It would also have relatively little effect because the percentage of the population that participates in Blue Sky is likely very minimal. This transformative opportunity is something that she would like to see nudged along. Cottonwood Heights Resolution 2019-03 passed “a plan to pursue a goal of achieving 100% renewable electricity supply for the City operation by 2022 and within the entire City by 2032.” Additionally, Cottonwood Heights Resolution 2021-43 adopted an interlocal agreement in conjunction with Millcreek and Holladay that cites “sustainability goals and suggestive practices, including energy use, is something that we are going to focus on.” There have been amazing strides made by the City, and she advocated for continuing the momentum. Fifty percent of the energy produced worldwide is from solar. The worst-case scenario is that energy could get more expensive, but going solar opens the door to seeing it be less expensive because that is what is happening around the world. Nuclear is still 15 years away, and the state needs renewables, which the URC can advance.

Council Member Newell asked how home-based businesses would be rated. Ms. Quinton stated that it will be based on their Rocky Mountain Power rate schedule, and she was unsure if home-based businesses are on business or residential rates. She will follow up with that information.

Council Member Hyland stated that she understands the URC wants to keep the cost to \$3 to \$4 per month. At its December meeting, the Public Service Commission argued the details of the proposed 10% cap. To her understanding, the charge to customers will reset yearly. It could start at \$3 to \$4 per year, but the more people who opt out, the higher the cost to those who stay in the program. She recently read an article about how Virginia committed \$10 billion for wind power, but now their taxpayers are on the hook for \$20 billion due to extensive unanticipated program costs. There also appears to be no termination opportunity for the community if the costs become too burdensome for participating citizens.

Ms. Quinton stated that an annual rate adjustment had been proposed. To her understanding, it is different from a reset and will only be a very small adjustment to account for things like increased administrative costs. She will research the matter further and follow up with Council Member Hyland. Regarding termination, her understanding is that the no-cost termination period will begin 60 days before customer billing begins and extend an additional 180 days. After that point, customers can still opt out at any time, subject to a proposed termination fee. She does not believe the ordinance contemplates cities leaving the program, but she will verify that with the URC attorney.

Council Member Hyland stated that she spoke with a council member from another city who indicated that at least 20% of customers are expected to opt out. Her concern is that if a lot of citizens opt out, it creates a burden for the remaining citizens if the City cannot exit the program. The City Council is committed to renewables, clean air, and the planet. It is not a matter of “if” but “how”, and the debate

is whether URC is the best plan. Blue Sky currently has a higher cost per kilowatt hour, but it has a predictable cost for participation. The costs will not reset or be determined by how many people opt out.

The Council is concerned about opting everyone in involuntarily as well as the unknown costs. Listening to the Public Service Commission meeting did not assuage Council Member Hyland's fear that the costs could be much higher than anticipated. Data centers and other business demands mean there will be a lot of competition for existing energy. She hopes that means more people will consider renewables, but it might be to the City's detriment. She also does not like that the ordinance does not include a termination clause for the City.

Mr. Gerber asked how new growth and ownership changes would be handled. Ms. Quinton stated that the only time there would not be a notice and termination period would be if the person was in the program in another city prior to moving to Cottonwood Heights. If someone moves from a non-participating community, it triggers the noticing and termination period.

Ms. Quinton will forward the draft ordinance for review. She will also confirm whether an offroad will be available for communities post-ordinance, the scale of annual rate adjustments, and how home-based businesses are billed.

In response to a question raised by Mayor Bennion, Ms. Quinton confirmed that the estimated cost based on the goal URC program pricing is 50% of the cost of Blue Sky. It will also create new renewable energy sources for the state. It is the only planned resource solicitation through 2030.

Mayor Bennion stated that she supports the program for those reasons. She served in the legislature for five years and understands the impact of the bill passing with a two-thirds majority. She then read from Resolution 2019-66, which restated Cottonwood Heights' sustainable energy policy. Cottonwood Heights has already given \$21,000 to the program, and the \$18,000 additional commitment is probably less than the City's Arbor Day program. What she hears in natural resources meetings at the State Capitol and summits about the Great Salt Lake is that the current winter is not an anomaly; it is the future. Environmental sciences students at the University of Utah are required to have counseling available because the future is dire. This is why City leaders signed the resolution and joined the URC in 2019, and she believes it is vital that Cottonwood Heights stay involved. She is happy that residents can opt out, and the City can make that fact very clear, but it is important to take the opportunity to create more clean energy for the grid.

### **3.4 URC Discussion – Mayor Gay Lynn Bennion.**

This discussion occurred concurrently with Item 2.3.

### **3.5 Budget and Citizen Committee Update – City Manager, Jared Gerber.**

Mr. Gerber reported that the Council decided to create a Citizens Budget Committee at the recent Budget Retreat. Because the budget planning process had already begun, applications were only accepted for one week. One member will be selected from each district, with three at-large members. He had reviewed the applications and identified eight to nine strong candidates with budget

experience. Mr. Gerber asked for the Council's direction on next steps. He could recommend members or there could be an interview process, but Staff hoped to hold an educational meetings the following week.

Mr. Gerber provided a quick overview of the applicants' backgrounds.

District 1 applicants were Mike Shelton and Brian Nordberg. Mr. Shelton is a member of the Planning Commission and a former City Council Member. Mr. Nordberg has 25 years of experience in data warehousing and analytics.

Council Member Birrell stated that she believes the City has an amazing community, and she is interested in allowing people who have an interest in being more involved to do so. She is very appreciative of the people who continue to serve year after year, but she would like others to have the opportunity to serve. She has met Mr. Nordberg and knows his background, and she would like the City to give him serious consideration.

In response to a question raised by Mayor Bennion, Mr. Gerber clarified that a resolution had not yet been established for this committee. Candidates are appointed or apply through the website and are typically appointed by the City Manager after interviewing them and bringing a recommendation to the City Council. It would be helpful to have the members in place prior to the educational meeting.

Mr. Gerber reviewed the applications based on the following qualifying criteria:

Must be a resident of Cottonwood Heights; Have a basic understanding of municipal budgeting and finances (revenue sources, expenditures, service requirements, trends, etc.); Have a willingness to act in an advisory capacity, to review and comment on the budget as well as make suggestions to be considered by the City Council; Have a commitment to attend regular weekly meetings (during the work day) through February and make the time commitment necessary to fully understand the budget; Possess the ability to collaborate with the committee, possibly putting aside personal or special interests, for the betterment of the city and represent the needs of the community as a whole; Be willing to consider past budgets for educational purposes, but able to focus on solutions for future years rather than past actions that cannot be changed.

Mr. Gerber stated that Council Member Holton indicated he would like to put Mike Shelton forward for the district, as he has the background and experience on the City Council. Council Member Birrell stated that Mr. Shelton already serves on the Planning Commission and the General Plan Update Land Use Subcommittee. Mayor Bennion pointed out that the City Council had agreed that each Council Member would approve their district's appointee. Mr. Gerber remarked that other candidates could be at-large members.

Council Member Hyland stated that she removed eight applicants because they did not have budget experience. The candidates she is interested in interviewing are Jonathan Owens and Elizabeth Benson.

Mr. Gerber reported that Mr. Owens is a senior financial analyst for the Utah Transit Authority ("UTA") and has also worked with other agencies in a budget capacity. Carmen Preece worked at the City for four years as a permit technician and has a marketing background. Ms. Benson has been a business executive for 25 years with expertise in continuous improvement, operations, change management, merger and acquisitions, budget fidelity, and project leadership. Lynn Kraus is an information technology professional with experience in developing and maintaining software in multiple industries, primarily healthcare.

Council Member Birrell remarked that Ms. Kraus has studied the budget since the City's incorporation, and her husband is a certified public accountant. Council Member Hyland stated that she is on the list to be interviewed for an at-large position. However, for her district, she is only interested in the two referenced candidates.

Mr. Gerber continued reviewing the applicants for District 2. Brad Buswell has experience in engineering and wastewater. He is also a member of the Parks, Trails, and Open Space Committee. Council Member Birrell added that he is a project manager, so he has budget experience. Steven Jones is a senior project manager with 25 years of experience in software development, sales, and management.

Randy Prazen was a candidate for the District 3 City Council seat in the last election. He has worked as a call center director of operations and in retail management. Eva Chan has been heavily involved since moving to the City in 2025 and has a background in finance and risk management. Garry Barnes serves on the Planning Commission and has a background in finance. Tyler Carruth is a finance manager at Republic Services and has worked as an accountant for several years. Lisa Fluty is a real estate agent and was previously a pharmacist.

District 4 candidates include Dennis Magaro, who was present at the meeting. Mr. Magaro stated that he might have an issue with the commitment due to his wife's upcoming surgery. He would like to be a part of the committee because he believes it is important for citizens to be involved in the budget process, but he may not be able to attend every meeting.

Mr. Gerber continued reviewing the applicants for District 4. Robert Warther has experience as a project and operations director for environmental and nuclear projects, as well as a Bachelor of Science degree in mechanical engineering from Cornell University. Kayla Lengyel was on the Town Center Envisioning Committee and is a financial manager for the Department of Health and Human Services. Eric Kraan has been involved in various community initiatives and is a local small business owner with a Master of Business Administration degree. Wesley York is an operations support manager for Maverik and has done a lot of project management. He is also Six Sigma certified. Christopher Pitcher is a sales account executive. Mayor Bennion stated that she met with Mr. Pitcher during her office hours the previous week. Gerry Fede is a financial operations manager and consultant who was previously a chief financial officer.

In response to a question from Mayor Bennion, City Attorney, Shane Topham, reported that decisions cannot be made in Work Sessions, but the Council could recommend candidates for Mr. Geber to interview. Mr. Gerber added that although they will not be officially appointed, the candidates can attend the educational meeting the following week. If the Council recommended more than seven

people, they could all attend the first meeting prior to a final decision being made. Mr. Topham cautioned that their status should be made clear to each candidate prior to the meeting.

In response to a question raised by Council Member Hyland, Mr. Gerber stated that the Council had discussed each Council Member making a recommendation for a representative from their district. Council Member Birrell stated that she believed the word “appoint” was used. Mr. Gerber clarified that the nominees will be approved by the City Council as a whole on February 17 and will include three at-large members in addition to one from each district who is recommended or appointed by that district’s Council member.

Council Member Holton had indicated that he would like to advance Mike Shelton for District 1. Mayor Bennion joined Council Member Birrell in recommending Brian Nordberg for his community involvement. Mr. Nordberg was one of the 17 people who volunteered to sit on the Council when Doug Petersen passed away and has been trying to be involved in the City for some time.

For District 2, Council Member Hyland stated that both applicants are very strong candidates. She advanced Jonathan Owens as her first choice, with Elizabeth Benson second.

For District 3, Council Member Newell recommended Tyler Carruth. Eva Chan is also a strong candidate, but she is serving on another committee, and he would like to bring new voices into the conversation.

For District 4, Council Member Birrell stated that Eric Kraan would be her first choice, followed by Gerry Fede.

Mayor Bennion agreed with Council Member Newell that more voices should be brought into the process and noted that Mr. Shelton was involved with the last tax increase as a Council Member. Her preference for District 1 would be Mr. Norberg. As a total of eight candidates had been selected, she recommended that seven be appointed and one serve as an alternate. The Council Members agreed. Mayor Bennion suggested that Mr. Shelton be the alternate due to his vast involvement in the City, with Lynn Kraus as a potential second alternate.

Mr. Topham asked about the interview process. Mr. Gerber stated that he would try to speak with each candidate within the week to ensure that they understand the commitment and what is expected of them prior to making a final decision. Mayor Bennion remarked that an email should be sent thanking everyone who applied.

**3.6 Old Mill Discussion – Community and Economic Development Director, Jim Spung.**

Mr. Spung briefed the City Council on the status of the Old Mill property. The Planning Commission received an application to demolish the Historic Structure, and its first public hearing on January 1 initiated the one-year review period required by City Code. Following issuance of a Conditional Use Permit, Demolition of a historic structure requires a Certificate of Appropriateness from the City Council. The Planning Commission’s review must take at least one year, after which the applicant

can apply for the Certificate of Appropriateness. The Council will then have 90 days to make a decision on that item.

Mr. Spung reported that the following studies were available on the structure:

- 2022 Reavely Engineering Structural Condition Assessment;
- 2022 Gilson Engineering Structural Assessment of the Feasibility of Restoration;
- 2024 Gilson Engineering Report on Cost to Mitigate; and
- In 2024, Cottonwood Heights hired Calder Richards to review the above studies. Their findings supported the initial studies.

Staff submitted the Planning Commission’s questions to the applicant and was also working internally to answer questions. Mr. Spung could return periodically with reports on the Planning Commission’s progress, as well as to respond to any questions or concerns raised by the Council.

Council Member Birrell stated that her understanding is the one-year period is for public comment. Mr. Spung clarified that the application must be pending before the Planning Commission for at least one year prior to making a decision. The City has technically fulfilled the public hearing requirement, but Staff recommended that the Planning Commission continue to engage the public throughout the year. Several residents attended the meeting in January to express concern about losing a Historic Structure. Mr. Topham added that all Planning Commission meetings include a public comment period, and residents can comment on the Old Mill during that time. Public hearings have notice and other requirements, so that term is not used unless it is in fact a public hearing.

Mr. Spung reported that the review criteria will be different for the Planning Commission and City Council. The Staff Report includes a link to Cottonwood Heights City Code §15.15 outlining the criteria the Council will review for the Certificate of Appropriateness.

Mr. Gerber stated that the next step is to hire an outside engineer to evaluate the property. Some citizens have offered to assess the structure, but in order to obtain an unbiased opinion, he recommended that the City issue a Request for Proposals (“RFP”). The third-party engineer can then assess the site.

In response to a question raised by Mayor Bennion, Mr. Spung reported that the applicant’s studies were included in the Planning Commission meeting packet. The Calder Richards study will be included in the March 4 Planning Commission packet. The Planning Commission requested that the item be placed on all agendas moving forward so they can be briefed on any updates or additional information.

Mr. Topham stated that the outside engineer would be qualified and unbiased, but the RFP process may not be necessary. Per the City’s procurement policy, consultants can be hired based on their qualifications without being the lowest bidder.

Council Member Hyland was in favor of the City taking this step. Although the engineering reports are technically independent, there is skepticism about their validity because of who paid

for them. The City’s engineering assessment may corroborate or challenge those studies.

Mayor Bennion stated that she has met with the property owner and shared the information she learned with the appropriate parties. Her goal is to find peace with the decision, whatever that may be, because the City has done a thorough assessment. Mr. Topham stated that he has lived with the Old Mill for a long time, and he may never be at peace if it is demolished. However, they can be at peace with the process and the knowledge that they have done all that can be done.

**4.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.**

- 4.1 **Asian Arts and Culture Association Lobby Exhibit – Monday, January 8 to Monday February 17, 2026.**
- 4.2 **Lunar New Year Celebration – Saturday, February 7 from 10:00 AM to 12:00 PM at City Hall.**
- 4.3 **Senior Bingo at City Hall – Wednesday, February 18, 2026, at 1:30 p.m. at City Hall.**
- 4.4 **Local Business Smartest Artist Lobby Art Exhibit – Monday, February 20 to Monday, March 18, 2026.**
- 4.5 **The Jazz Ambassadors of the US Army Field Band – Thursday, March 19 from 7:00 PM to 8:30 PM at Butler Middle School. (Tickets required, free event, See City website for additional information).**

**5.0 POSSIBLE CLOSED MEETING TO DISCUSS LITIGATION, PURCHASE OR LEASE OF REAL PROPERTY, THE CHARACTER AND PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, OR ANY OTHER PERMITTED PURPOSE FOR CLOSED MEETINGS UNDER UTAH CODE ANN. 52-4-205 OR OTHER APPLICABLE LAW.**

There was no Closed Meeting.

**6.0 ADJOURN CITY COUNCIL WORK SESSION.**

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

The Work Session adjourned at 6:00 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, FEBRUARY 3, 2026, AT 7:00 PM IN THE COTTONWOOD HEIGHTS  
CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD,  
COTTONWOOD HEIGHTS, UTAH**

**Present:** Mayor Gay Lynn Bennion, Council Member Matt Holton, Council Member Ellen Birrell, Council Member Suzanne Hyland (via Zoom), Council Member Shawn Newell

**Staff Present:** City Manager, Jared Gerber; City Attorney, Shane Topham; Finance Director, Scott Jorges; Police Chief, Robby Russo; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; Community and Economic Development Director, Jim Spung; Planner III, Sheldon Howa; Assistant City Engineer, Ben

**1.0 WELCOME**

Mayor Gay Lynn Bennion called the City Council Business Meeting to order at 7:00 PM.

**2.0 PLEDGE OF ALLEGIANCE**

Council Member Birrell led the Pledge of Allegiance.

**3.0 CITIZEN COMMENTS**

Mayor Bennion opened the Citizen Comment period.

*Maggie Mills* provided updates on upcoming Whitmore Library activities. Lego Club will be on February 4 at 4:00 p.m. Family preschool story times are Mondays, Tuesdays, and Thursdays at 10:15 a.m. Art Explorers will be on February 7 at 10:30 a.m. The monthly teen origami “take and make” is puffy hearts and will be available beginning February 9. The Red Cross blood drive will be on February 11 from 1:00 p.m. to 7:00 p.m. Utah Puppet Theater will perform on February 13 at 11:00 a.m. The adult do-it-yourself valentine craft activity will be on February 13 and 14. The activity calendar is available on the Salt Lake County Public Library website and in the Between the Canyons newsletter.

*Chester Franz* spoke in support of the Utah Renewable Communities (“URC”) program. When he was three, his family moved to Saudi Arabia, where there was no trash removal. They just threw it over the fence. The only way to opt out of trash removal in Utah is to demolish your house. He supports URC because external electricity costs are hidden social costs not reflected in the market price. For non-renewable energy, the hidden costs are mostly related to public health and climate change. An example of an external cost is that from 1999 to 2020, there were 460,000 premature deaths in the United States due to coal power generation. Utah electricity is 45% coal and 33% natural gas. The external cost of coal in Salt Lake County is approximately \$0.10 per kilowatt hour, and the external cost of natural gas is \$0.35 per kilowatt hour. For the average household in Utah, the true external costs to society from those energy sources are about \$28 per month. For the average homeowner to offset their electricity use through Rocky Mountain Power’s Blue-Sky program, it

would cost an additional \$15.60 per month, but it would only cost \$3 to be part of URC. He asked that the City Council give citizens that option. By staying with URC, green energy will be added to the regional grid, reducing the City's reliance on coal and natural gas.

*Marshall Stevens* stated that he recently heard about the URC program. It makes no sense to go backwards or not try to move forward with renewable energy. The last time he was in China, he visited a large river basin that used to be heavily polluted by coal plants. Those plants were replaced with windmills, and the area is now clean and clear. He does not understand why communities would not promote moving forward and incentivizing renewable energy. You can see the pollution when you drive down into the Salt Lake Valley. He loves Cottonwood Heights and believes it should be an example to other cities in promoting renewable energy. His degree is in geology. When he was in school, the professor would make everyone hold a piece of coal. When they asked to wash their hands, he would tell them to lick it off instead. They were fine putting it in the air and drinking water, so there was no difference. Back then, it was necessary to use coal, but that is no longer true. The City should promote moving more and more into renewables. It will not hurt to have cleaner air, and it will help everyone be healthier.

*Matt Parsons* stated that he has lived in Cottonwood Heights for almost 20 years and raised two children in the City. He is an emergency physician in the community. He believes that improving air quality is one of the area's biggest issues. Electricity is generated primarily through coal, and Cottonwood Heights, using renewable energy, is a component of the solution. Since there is not a single solution to improve air quality and the local environment, it is important to take small steps for change. The Cottonwood Heights community can be leaders in the Salt Lake Valley toward positive change, and endorsing change will set an example for our children, who will be the real benefactors of change. His daughter is now an environmental policy major, and he believes renewable energy is really important for the next generation. Roughly \$3 per month is a small price to pay individually to improve the community. He asked that the City Council support the URC initiative, both for the current generation and the next.

*Dave Schonick* stated that we should do anything we can to improve air quality and community health. He has lived in Cottonwood Heights for almost 30 years and seen many changes in that time, most of them good. Climate change is not a hoax. He works at Snowbird, and coming down the canyon, you see a blanket of pollution across the Valley that you know you will be breathing. Anything that can be done to improve air quality and keep energy costs down should be done. For \$3 more, he is in. He asked the City Council to please consider doing the right thing. A lot of things are going on in the country that show that people are not doing the right thing, and this is the right thing to do.

*Dennis McGaro* stated that he has lived in Cottonwood Heights for over 40 years. He requested that the City Council please stay in URC. His wife and children have asthma, and a few weeks ago, the air quality was so bad that they could not go outside. He is pre-COPD, so it affects him too. Three dollars is nothing, and the cost to the City is also a small amount of money for cleaner air. Cottonwood Heights should set an example and do the right thing.

*Melissa Fields* spoke in support of Cottonwood Heights staying in the URC program. In 2019, when the previous City Council voted unanimously to become part of the program, she was very proud of the City choosing to be on the forefront of protecting our air and water. That is a big thing, not only

for the people who live here now but for our children and those who come after. The energy demands that will be placed on Utah over the next five years will be huge, and she believes this is a great opportunity for Rocky Mountain Power to diversity to meet those demands. It is also about the promise the Council made in 2019. Even though political winds shift, it is important to maintain the promise that was made to the people of Cottonwood Heights five years ago.

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

City Manager, Jared Gerber, reported that seven emailed comments were also received and entered in the record.

#### **4.0 REPORTS**

##### **4.1 Unified Fire Authority Quarterly Report – Assistant Chief, Riley Pilgrim.**

United Fire Authority (“UFA”) Assistant Chief, Riley Pilgrim, presented the Quarter 4 Report for the period of October 1, 2025, through December 31, 2025.

- There were 506 total incidents, 191 or 38% of which were emergent. Emergent calls are typically significant health emergencies, fires, car accidents, or other incidents with a high potential for injury or damage.
  - October incidents: 180
  - November incidents: 173
  - December incidents: 153
  - Total 2025 incidents: 2,149, a slight decrease from 2,173 in 2024
  
- The most common call types were:
  - Fire
    - Other: 3
    - Vehicle fires: 2
    - Structure fires: 2
    - Vegetation fire: 1
    - Outside rubbish fire: 1
  - EMS
    - Short fall: 38
    - Sick person: 34
    - Motor vehicle crash: 30
    - Psychiatric problem: 25
    - Head injury: 25
  - Other calls
    - Public service assistance: 26
    - False alarm or false call: 20
    - Unintentional detector: 17
    - Flammable spills and leaks: 7
    - Detector malfunction: 7

- Cottonwood heights to approximately 93% of City calls, with Station 110 responding to 54.4% and Station 116 responding to 37.6%. Midvale and Holladay responded to the bulk of remaining calls.
- One ambulance is located at Station 110 in Cottonwood Heights, with others strategically placed throughout the Valley. The City ambulance responded to 83.2% of calls. Other calls went to either Midvale, Holladay, or Sandy based on proximity to the call.
- Emergency response time averaged 05:12 in the 50<sup>th</sup> percentile and 08:14 in the 90<sup>th</sup> percentile.

Chief Pilgrim reported that UFA will be presenting the Standards of Cover at the next City Council Meeting, which will review national standards and options to bring the City closer to those goals.

Mayor Bennion stated that she learned a lot at UFA Commissioner trainer earlier in the day.

#### **4.2 Finance Quarterly Report – Finance Director, Scott Jurges.**

Finance Director, Scott Jurges, reported that the report was reviewed at the City Council Retreat, but sales tax and other data had been updated since that time.

Property taxes:

- The average increase in property tax revenue is \$51,000 per year.
- As home values increase, the property tax rate decreases.
- A larger increase of \$980,000 was seen in calendar year 2018/fiscal year 2019 due to a tax increase.

Other year-to-date tax revenues:

- Motor vehicle fee-in-lieu revenue will be similar to FY 2025. Current revenue was approximately \$385,000, with an additional \$25,000 to \$50,000 anticipated by year end.
- Sales taxes were booked through November 2025, with a total of \$3.897 million received year to date. That reflects an increase of \$184,000 over the previous fiscal year and is in line with the budget.
- County option highway sales tax was \$18,000 ahead of FY 2025, with \$349,000 received year to date.
- County local transit sales tax is new and not included in the current budget. Approximately \$175,000 has been received year to date, and FY 2026 revenue is projected to be \$420,000. All revenue must be used for transportation projects.
- Transient room tax was \$66,400, approximately \$3,000 behind FY 2025.
- Municipal energy tax was \$1.070 million year to date, \$10,000 ahead of FY 2025.
- Cable television franchise tax was at \$35,000, approximately \$3,800 behind FY 2025
- Class C Road revenues were \$876,000, \$105,000 ahead of FY 2025.

General Fund expenses through December 2025 totaled \$12.08 million, approximately \$372,000 over FY 2025. However, that is on track with or slightly behind the typical year-over-year budget increase. Revenues totaled \$13.584 million year to date, \$25,000 behind FY 2025.

## **5.0 ACTION ITEMS**

- 5.1 Consideration of Resolution 2026-10 Approving an Agreement with Perkins Engineering, Inc. for Engineering Services.**  
**(By this Resolution the Council will Approve the City's entry into an Independent Contractor Agreement whereunder Perkins Engineering, Inc. will provide engineering and related services in connection with the City's planned reconstruction of Highland Drive between Bengal Boulevard and Blackstone Road under City's Project No. 004.26).**

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

**MOTION:** Council Member Newell moved to APPROVE Resolution 2026-10 Approving an Agreement with Perkins Engineering, Inc. for Engineering Services. The motion was seconded by Council Member Holton. Vote on Motion: Council Member Holton-Yes; Council Member Newell-Yes; Council Member Birrell-Yes; Council Member Hyland-Yes; Mayor Bennion-Yes. The motion passed unanimously.

- 5.2 Consideration of Resolution 2026-11 Ratifying Revised Council Committee Assignments.**  
**(This Resolution will Approve an Amended list of the Council's "outside" and "inside" Committee and Board Assignments to incorporate changes made to the list approved under Resolution 2026-08).**

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

**MOTION:** Council Member Holton moved to APPROVE Resolution 2026-11 Ratifying Revised Council Committee Assignments. The motion was seconded by Council Member Birrell. Vote on Motion: Council Member Newell-Yes; Council Member Birrell-Yes; Council Member Hyland-Yes; Council Member Holton-Yes; Mayor Bennion-Yes. The motion passed unanimously.

## **6.0 CONSENT CALENDAR**

- 6.1 Approval of the Minutes for the City Council Oath of Office Meeting on January 5, 2026, the City Council Work Session and Business Meetings of January 6, 2026, and the City Council Pre-Legislative Breakfast Meeting of January 9, 2026.**

Mayor Bennion stated that changes had been submitted to City Recorder, Tiffany Janzen, by Council Members Birrell and Hyland.

**MOTION:** Council Member Birrell moved to APPROVE the Consent Calendar, as amended. The motion was seconded by Council Member Holton. The motion passed with the unanimous consent of the Council.

**7.0 ADJOURN**

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

The City Council Business Meeting adjourned at 7:36 p.m.

*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, February 3, 2026.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: \_\_\_\_\_