

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, OCTOBER 15, 2024, AT 4:00 P.M. IN THE COTTONWOOD
HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

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

Staff Present: City Manager, Jared Gerber; Deputy City Recorder, Maria Devereux; Police Chief, Robby Russo; Administrative and Financial Services Director, Scott Jorges; IT Systems Manager, Matt Ervin, Public Works Director/City Engineer, Matt Shipp; Unified Fire Authority Assistant Chief, Riley Pilgrim; Assistant Police Chief, Paul Brenneman

1.0 WELCOME

Mayor Mike Weichers called the meeting to order at 4:00 PM and welcomed those present.

**2.0 EMERGENCY MANAGEMENT TRAINING – Tara Behunin, Salt Lake County
Emergency Manager.**

Salt Lake County Emergency Manager, Tara Behunin, conducted a required Incident Command (“IC”) System 402 Training that is required for all senior-level elected officials. The training was expected to last two hours. Interaction was anticipated.

Ms. Behunin introduced the National Incident Management System (NIMS”), which is a federally outlined system as to how the government will organize and respond to incidents nationwide. NIMS provides a consistent foundation across all hazard incident management responses. It allows responders to coordinate resources, integrate tactics, and act collaboratively. The State of Utah adopted NIMS in 2004 under Governor Olene Walker. Salt Lake County officially adopted it in 2005. It allows the City to participate in federal grants through the Federal Emergency Management Agency (“FEMA”) and ensures that when responses are coming into the Valley that they integrate seamlessly.

An incident was described as an unplanned event. An event by comparison is planned. NIMS is focused on collaboration, communication, and coordination. Recent impactful incidents were identified and discussed. The local jurisdiction handles daily occurrences while others expand quickly and require more support and resources. Within the National Response framework, NIMS outlines from local jurisdictions to the federal government response. It was noted that all incidents start and end locally and preparedness is based on individuals and private sector businesses. Emergency Managers are constantly addressing preparedness. During an event, if a jurisdiction becomes overwhelmed they go to the next level, which is the County. They can also look to neighboring cities for support. Once the County level is overwhelmed, it goes to the State where they request assistance. From the County’s Emergency Operations Center (“EOC”) they reach out further for more support. Ms. Behunin stated that in Utah, disasters often involve flooding, which

is where FEMA comes in from Region 8. The benefits of keeping responses local were discussed. It was noted that they know the area, where most local hazards are, and where the most dense population lies.

Council Member Newell stated that many residents know the needs of other residents and can step in to be of assistance. Ms. Behunin reported that under the NIMS there are three major components consisting of Resource Management, Command and Coordination, and Communications and Information Management. Resource Management describes the standard mechanisms to acquire, procure, deploy, and demobilize equipment within an incident. Command and Coordination outlines the roles and responsibilities and Communications and Information Management shows how communications need to take place to ensure an effective and efficient response to an incident.

Command was defined is the act of taking charge and is under the authority of the Chief Elected Official, which is outlined within the job of the Fire Chief and the Police Chief. It was noted that Cottonwood Heights City Manager, Jared Gerber is the Chief Emergency Response Manager. Examples of command activities include determining the objectives of the incident, establishing operational periods, and assigning filled resources. Coordination involves the exchange of information within the ICS structure to ensure that the incident is being managed effectively and efficiently.

Mayor Weichers commented that there are situations where County, State, and Federal agencies can supersede command. Ms. Behunin stated that it would be under a delegation of authority. It was noted that if something starts locally the responsibility and control stay local until it is abdicated to someone else. Once they reach a certain threshold they will require more time and resources at which time they could make those decisions.

The termination or delegation of authority was next discussed. Ms. Behunin reported that another component of NIMS is the multi-agency coordination groups. The multi-agency group acts as the policy-level body supporting resource prioritization and allocation. Collaborative multi-agency decisions are made to support the incident. Emergency Operations and Emergency Coordination Centers (“EOC”) were discussed that focus on coordination and do not dictate operational-level actions. It was reported that EOCs can be a physical location or virtual with the different emergency support functions working virtually and coordinating efforts.

It was reported that EOCs bring each partner to the table based on the incident to handle the situation and collaborate on messaging on what is being prioritized. An EOC is simply a term where resources are brought together to collaborate and manage a situation. During the flooding of 2010, the EOS was set up in the command post in the parking lot of In N Out Burger for days. They try not to co-locate them. The term Joint Information Center was discussed. Ms. Behunin reported that Joint Information Systems are run by the Joint Information Center. The Public Information Officers coordinate and ensure that the same information is being disseminated.

Ms. Behunin stated that if there is a localized response first and no help is needed from the County, they are effectively touching base and ensuring that there is adequate support. She described the interconnectivity of the NIMS command and coordination. It was noted that it is a Policy Group that is specific to Salt Lake County. They also have an Executive Committee that pulls selective

subject matter experts based on the incident to come into the Policy Group and help make decisions. There are decision-making, coordination, and tactical levels. Each is very important in their roles to ensure a smooth incident response. Ms. Behunin explained that the Joint Information Center ties into the Emergency Operations Center, which is where the Joint Information System is continually operating.

The roles of senior officials were described. The Chief Appointed Official is accountable for the safety of citizens. The authority has been given to highly qualified individuals such as Fire Chiefs, Police Chiefs, and Public Works Directors to perform their duties to ensure public safety, property preservation, and incident stabilization. The role of senior officials is specific to providing policy guidance and helping drive the strategic approach to the incidents. Much of the on-scene command is done on scene but if a situation gets more complex, there may be a need to utilize senior officials to support those efforts should authority be delegated to the respective Incident Commander or Unified Command. Senior officials are responsible for an emergency declaration. Assistant Police Chief, Paul Brenneman, explained that the City can tag onto the County's Emergency Declaration at any time. To ask the County and State for help they have to declare a state of emergency. Ms. Behunin stated that it is challenging for senior officials to determine whether to declare an emergency based on the incident. Ms. Behunin commented that coordinating with other senior officials across the community is vital.

The Incident Command System ("ICS") was described as a component of the command and coordination within NIMS. It is a standardized approach to command control and coordination in Incident Management. It has a common structure and can shrink and expand based on the incident need. The ICS structure also integrates and coordinates with procedures, equipment, facilities, and communications. Is just an easily integrated modular organization and ICS can bring in non-governmental organizations and the private sector. The purpose of ICS is to ensure the safety of first responders and others and achieve the tactical objectives, which are the objectives set forth to handle the incidents following the priorities from the Policy Group and efficiently use the resources assigned and brought into the incident or event.

Ms. Behunin stated that the ICS structure can be used for incidents or planned events and allows everyone to know what they need to do, how they need to do it, and who they report to. It can handle the complexity and scalability of any incident and is cost-effective because it avoids duplication of efforts. It also prevents the wasting of resources and provides logistical and administrative support to those operationally running the incident.

The basic structure of ICS was presented and includes Incident Command ("IC") who is the person calling the shots on scene. Then there are the respective roles or sections between finance, logistics, planning, and operations. Finance involves handling the financial and administrative aspects of the scene. Logistics brings in the resources needed to support the scene. The Planning addresses an Incident Action Plan or Event Action Plan and handles all that is needed in terms of support. Chief Brenneman reported that an Incident Action Plan consists of a diagram of what the mission is, what the resources are, and what the plan is to manage that incident. It then provides additional resources. It is necessary to keep the area safe and organized and not have too many aircraft coming in at once. There is an entire organizational structure that is filled in with people

as needed. Council Member Newell stressed the importance of the training to convey information to residents.

Ms. Behunin liked that the plan outlines what everyone is doing in their respective roles. Assistant Chief Brenneman commented that they like incidents to be over quickly but they never are on a larger scale and there will be a time when they will have to mobilize, demobilize, or maintain the incident. This type of structure allows them to pass the plan to the next group coming on with no downtime. The technology that is available to help manage incidents was described.

Chain of command issues were next addressed. Ms. Behunin reported that the structure of the IC outlines a very orderly line of communication. There is also the unity command, which means one individual has one person to report to.

Unified Fire Authority (“UFA”) Assistant Chief, Riley Pilgrim stated that their training system is very structured and qualification-based. He noted that a Type 1 incident is the most complex with thousands of people on scene and includes a large-scale disaster or incident. When the fire engine or the police are on scene, the Captain establishes command in Type 5 incidents, which take place several times each day. It was noted that every call has an IC. That is so that if something happens, someone is in charge. He noted that their primary objective is public and first responder safety. They next confine the incident into a “box”. Typically, there is a written Action Plan for any incident that takes more than one or two days. For incidents that are shorter than that, primary verbal communication is used.

Assistant Chief Pilgrim stated that his job on larger-scale incidents involves working with policy-level staff, attending meetings, and performing liaison work to make sure they are addressing the various concerns. There is also coordination with the Emergency Operations Center (“EOC”). His job is to delegate as much as possible so that he can focus on the priorities.

Assistant Chief Brenneman commented that a critical component is the communications piece. He explained that the IC is communicating and is actively involved in communication. During the planning cycle, they will set aside time to do a scheduled briefing. The IC is a communicator who identifies who needs to know what and when. Assistant Chief Brenneman stated that the Mayor has a big responsibility and authority. Public Safety personnel answer to him but the Mayor answers to his constituents in a timely manner.

Assistant Chief Brenneman next addressed Unified Command (UC”) and stated that it is a collaborative effort. Anything large scale that happens in the City will impact neighboring cities as well as the County. UC brings together people with interests and responsibilities. Various departments such as Police, Fire, and Public Works come together under a UC during Butlerville Days. Within the Police Department, Assistant Chief Brenneman serves as IC for the Police Department’s mission. Whoever Assistant Chief Pilgrim designates serves as IC for the Fire Department and their mission. Public Works Director, Matt Shipp or his designee serves as IC for Public Works. They also work closely with Butlerville Days Organizer, Ann Eatchel to make sure the mission is successful. As part of that the Fire, Police, and Public Works Departments work together in a UC to make each of the pieces happen.

Mayor Weichers asked who determines the person who is ultimately in charge. Assistant Chief Brenneman stated that UC suggests that the departments have equal ownership. They work together because they have a structure, a plan, and a mission.

Assistant Chief Pilgrim stated that in the event of a fire, there can be competing priorities but as professionals, they determine which priorities take precedence for that time frame. Compromise is needed as there are competing priorities. Typically, they can reach an agreement. He explained that everyone involved in an incident has a role and responsibility but any conflicts that arise can typically be overcome. Assistant Chief Brenneman stated that if an incident is outside their jurisdiction, they know their role and are there to provide support. If it is within the City's jurisdiction, they will assume responsibility. UC works when people are working toward the same goal. The vast majority of the time there are no conflicts.

Ms. Behunin reported that during the pandemic she worked for the State of Utah and they were the UC with the State Department of Health and the Governor's Office. At the County level, it was the County Health Director, Emergency Management Director, and the Mayor's Office. Ultimately, they identified the shared objectives under UC.

Ms. Behunin described the roles of the Senior Officials specific to IC. City Council Members wishing to be on scene should ensure that that is communicated prior to ensure safety. She stated that a better place for City Council Members to be is at the EOC. Specific instances were described. It was understood that elected officials being on scene can be beneficial but needs to be coordinated. Assistant Chief Pilgrim stressed the importance of trust and knowing what public safety will involve and inform the City Council as necessary.

Council Member Birrell considered her role to be making sure that the community receives updates regularly. She commented that rumors start when people do not have information. Assistant Chief Brenneman explained that an EOC becomes a Resource Center where things are happening. It involves coordinating resources in a localized area. The ICS is typically in the field where the incident is occurring. It can be co-located depending on the scale of the event. If it is a large-scale event, the ICS may be separate. Staff in the field will execute the tactical plan. The EOC does not execute the tactical plan and instead provides resources, takes direction, and communicates the mission. Specific incidents were discussed.

Ms. Behunin reported that as the City Council is engaged in supporting Assistant Chief Brenneman and Assistant Chief Pilgrim they will build the relationship and be able to have tough conversations. Discussing preparedness and planning before incidents occur will pay off. Communication is the key. Mayor Weichers added that they need to distribute joint messages to the public, which is why it is important for the Council Members to agree and stay unified on the message.

The functions of the EOC were described, including collecting, sharing, and disseminating information that is crucial to the incident. Additional Resource Requests come in at this stage, and the EOC obtains those resources through regional partners and other vendors. All resource support and coordination is handled through the EOC. The EOC acts as the liaison with partners and supports the policy and legal needs of decision-makers.

The EOC Organizational Chart was reviewed. The Senior officials or MAC group's role within the EOC includes providing direction as they support the scene, outlining strategic priorities, and ensuring that the EOC plans will ensure that the incident is progressively being handled. Communication is ongoing between the decision-making, coordination, and operational or tactical levels.

Council Member Newell commented that in his professional role, he first considers procurement of critical resources because sometimes there is not enough of everything. That is something people often do not consider with these types of incidents. Ms. Behunin clarified that emergency procurement processes are triggered at the County and State levels as soon as an emergency is declared. Mayor Weichers stated that Cottonwood Heights does not currently have an Emergency Procurement Plan in place but they are working on one. The Emergency Manager has the authority to spend money at certain levels and there are suppliers in the City and County that can provide things like food and fuel. They are working to get contracts in place with local providers so that procurement does not require a credit card. When a disaster declaration is signed, spending limits are typically increased. Currently, anything above \$3,000 requires two competitive prices. At \$25,000, a Request for Proposals ("RFP") is required. By statute, the City can suspend those purchasing requirements but they need to codify the Emergency Procurement Plan.

Ms. Behunin provided an example of a MAC group. Hurricane Katrina destroyed many oil rigs. Each affected company had an invested interest in recovering, cleaning up, and getting back on track. They all needed to be at the table with emergency operations and incident command, so it was a very large-scale operation that required a MAC Group. She then reviewed the organizational chart, including how the MAC Group coordinates with the EOC and ICS. Mayor Weichers stated that in the event of a large-scale incident such as a 7.0 earthquake in the Valley, every affected jurisdiction would be immediately overwhelmed. Because it would be a widespread event, Cottonwood Heights would need to compete against other agencies for federal and state resources. That is when a MAC Group would be necessary and useful.

The Joint Information System involves management of the information center, which is overseen by the Public Information Officer. They monitor, gather, and disseminate common information that has been vetted at each level.

Ms. Behunin mentioned the importance of senior officials being prepared with the first step being the discussion they were having. Taking that action shows their constituents that they are invested, interested, and preparing to respond and recover as quickly as possible. Reviewing the Comprehensive Emergency Management Plan provides an opportunity to review the risks and hazards within the City and how they can impact it based on its current capabilities or lack thereof. It is crucial that they are involved in the process.

Mayor Weichers commented that he values their relationship with the County. Each agency previously did its own individual plans. Since the County stepped in approximately seven years ago, it has taken the lead in providing a comprehensive plan and coordinating the efforts. The County's plan is universal to the valley, and Cottonwood Heights' interests are now an annex to that. They are currently working on the Threat and Hazard Identification and Risk Assessment

Plan (“THIRA”), and he is identifying areas of Cottonwood Heights that are at risk. The City is also creating an Evacuation Plan and will soon begin working on a Debris Management Plan. They are working closely with the County to develop these plans.

With regard to the Debris Management Plan, Mayor Weichers reported that debris from the home that was currently cleaned up by the City filled the debris basin. If 1,000 homes have debris that needs to be removed, the need would far exceed their capacity. Debris recovery efforts after past weather events were then discussed.

Ms. Behunin reported that the County is currently working on the multi-jurisdictional Hazard Mitigation Plan. They are determining specific hazards and mitigation measures for each city. It is important to remain invested in that process, as well as to support the City’s Emergency Managers and their training.

The scenario of an extreme snowstorm was discussed, including its effect on City departments and cascading events that could occur, including downed power lines, people who are trapped, access to power, and food needs. In that scenario, the first concern might be communication, public safety, or obtaining resources. They must provide resources, which means they need to clear the main and then secondary roads. Their main concern should be life safety and communicating that people need to stay home. If they know the storm is coming, that message should be communicated as soon as possible. The importance of having an emergency preparedness kit was discussed as well as how and when information would be disseminated.

It was reported that Cottonwood Heights does not currently have a mass messaging system. Reverse 911 is only available for landlines and registered cell phones, but there are products available that would allow them to send out text messages regarding city events, including emergencies. The Council discussed different informational text messages that they receive and how helpful the service could be to the City.

The scenario of a summer wildfire was discussed, including cascading events, communication, main and secondary considerations, and potential locations for Receiving Centers. The City has an agreement with the American Red Cross to provide services if the Recreation Center is accessible and the Red Cross is available. Schools are potential shelters, but agreements must be in place to allow that. Ideally, residents will be self-reliant and shelter in place or have their own evacuation plan. Community shelters should be a last resort. Churches are also potential shelters. There is an agreement in place with local churches but there is also a process to request it. They do not have the proper facilities to be long-term shelters but they could be used as short-term receiving centers. The Recreation Center has shower facilities. Bigger events like an earthquake would be managed by the County but localized events would need a local Receiving or Distribution Center. The Council also considered potential impacts on infrastructure and discussed a past fire that could have affected the water supply to the Valley.

Ms. Behunin recommended that the Council Members consider what investments should be made in the future, and what can be mitigated or taken action towards, to ensure that they can respond and recover more quickly. There will be large and small emergency events, and the City needs to be as prepared as possible.

3.0 REVIEW OF BUSINESS MEETING AGENDA – Mayor Mike Weichers.

The agenda items were reviewed and discussed. Item 3 was a public hearing on a proposed Budget Amendment, followed by City Council reports, the citizen comment period, and quarterly reports from the Police and Public Works Departments. There were no action items on the agenda.

4.0 SALT LAKE CITY PUBLIC UTILITIES UPDATE – Director Laura Briefer.

Salt Lake City Department of Public Utilities Director, Laura Briefer, presented the update and reported that they are a municipal water provider, which is different from a water district. Water districts are wholesale water providers that often operate water treatment plants, whereas they are a retail water provider that acts like a regional provider. They manage the water supplies that serve 365,000 people in the Salt Lake Valley from the source of the drinking water, which is predominately from the Wasatch Mountains and groundwater, as well as the Provo River Project or Deer Creek Reservoir. They also manage treatment, transmission, and distribution. Source water protection in the Wasatch Mountains covers approximately 190 square miles of land that they actively protect and restore to keep the water source clean. Their water service area includes Cottonwood Heights, Salt Lake City, Millcreek, Holladay, and other portions of Salt Lake County. They are also responsible for sanitary sewer, stormwater, and flood control in Salt Lake City.

In response to a question from Mayor Weichers, Ms. Briefer stated that they receive contract water from the Metropolitan Water District of Salt Lake and Sandy, as well as the Central Utah Water Conservancy District. The percentages change yearly based on demand patterns and climate, but the water from the federal projects constitutes approximately 30% of the water they deliver to the service area, and Central Utah Conservancy District water constitutes 5% to 10%.

Mayor Weichers commented that some streets south of Creek Road are considering an annexation petition. Council Member Hyland added that they are currently with the Jordan Valley Water Conservancy District, which is working to dispose of their retail customers. Ms. Briefer stated that they would be happy to work with the City as the situation evolves.

Supply outlook, demand, and conservation were reviewed. The previous year was a good snow year, but the summer was very warm, which has led to an “abnormally dry” designation on the United States Drought Monitor. The new water year began on October 1, 2024, and as of that date, the reservoir levels are good. Statewide, reservoirs are at 72% capacity, which is higher than average. Deer Creek Reservoir is at 71% capacity. Because of the hot and dry summer, soil moisture has decreased. That is a large factor because when runoff comes off the mountains, dryer soil absorbs more of it.

In response to a question raised by Council Member Birrell, Ms. Briefer confirmed that impervious surfaces can increase the volume and speed of runoff. That can be a challenge in a built environment like Cottonwood Heights because it degrades the ability for water from storm events to soak into the ground and can increase the chances of localized flooding. It can also lead to additional pollution at downstream sources because fast-running water can pick up pollutants from built surfaces like roads. The Jordan River currently does not meet water quality standards and is

considered impaired. The City's MS4 Stormwater Permit requires them to manage the water so they can decrease the amount of pollution that goes into the waterways. At some point, there will likely be a corrective action on the Jordan River that will require permit holders to further treat the water. One of the best ways to treat water is to slow it down and let it soak into the environment. They have the same issue in Salt Lake City, and to combat it they are looking at low-impact development strategies like onsite retention.

Water demand increased by approximately 5% over the previous water year system-wide, but conservation levels remained good. However, the water resources for the community are diverted within the Great Salt Lake Basin, and it remains in critical condition. Its current level is 4,192.3 feet and they would like to see it rise to at least 4,198 feet.

EPA Lead and Copper Rule revisions were reviewed. Recent changes include a requirement to replace old lead service lines that run from the water main to the meter and the meter to the home. The service area has not had issues with lead in the drinking water as its water quality is very high. Additionally, calcium deposits in the old lead service lines protect the water from interacting with the lead. However, they are now required to remove all lead lines within the next decade. The first step is to perform an inventory of public and private lead service lines, which they have begun. Lead lines were phased out in approximately 1987. The new rule revision requires them to determine whether a line is known to have lead, and also whether it is known to not have lead. They recently posted an inventory map online where residents can find out more about their specific service lines. A survey was also posted so residents can provide any information they may have about their service lines. In response to a question from Council Member Birrell, Public Works Director, Matt Shipp indicated that they could obtain the information, but the City has not run an analysis on the number of homes that may have lead service lines.

Ms. Briefer indicated that they test for over 90 contaminants yearly, and the annual drinking water quality reports are posted online. They are in compliance with all Safe Drinking Water Act requirements. In response to a question, Ms. Briefer clarified that Salt Lake County and Davis County are the only counties in the state where voters passed an initiative to require fluoridation of community water systems. All water providers in those counties must provide fluoride. A recent study called into question whether high levels of fluoride pose a risk to children's IQ development. Additionally, a recent court decision directed the Environmental Protection Agency to better understand the risks of fluoride under the Toxic Substances Control Act. The study results indicated that there could be a risk at 1.5 milligrams per kilogram, but they are only required to add up to 0.7 milligrams per kilogram. Another emerging contaminant that they are now required to test for is forever chemicals or PFAS. All surface water was tested and no PFAS were found. A very low concentration of PFAS was found in one groundwater source that serves downtown Salt Lake City, and they are working to treat that well.

Ms. Briefer indicated that her team is available to coordinate with Cottonwood Heights on planned road maintenance so they can overlap any planned water line rehabilitation to reduce impacts to the community. She has recently reorganized her department and created a development services division. They are reviewing processes and systems, and they will be reaching out to the City's Public Works team to discuss coordination opportunities.

As part of the Big Cottonwood Water Treatment Plant reconstruction, they are working on a large connection between Big Cottonwood and Little Cottonwood. Council Member Birrell stated that a constituent expressed concern about elderly residents along part of the path of reconstruction near Deer Creek. They are concerned about the effect on property values and the elderly residents' ability to sell their homes if necessary. Ms. Briefer clarified that the project does not require any residents to vacate their homes, but she will coordinate with the appropriate teams about potential property value impacts.

The rate study and water rates were reviewed. Rate changes were implemented as part of the fiscal year 2024-2025 budget, which took effect on July 1, 2024. The Stabilization Fee was implemented for the current year, but they do not anticipate carrying it over to future years. The fee was necessary to fund ongoing projects to replace aging infrastructure and cover increased operational costs. Many of the system's costs are fixed and not related to water usage. The previous rate structure was established in 2018, and it did not anticipate additional fixed costs or a large decrease in water demand. Revenues are generated from water bills only. They do not receive property taxes or have other revenue sources. Over the last three years, costs stayed the same or increased due to inflation, but revenues have decreased significantly. This year, they had to increase the fixed portion of the water rate to compensate for that and equalize the budget. Detailed information on the fee is available on the website. Ms. Briefer stated that they have begun a new water rate study and will replace the Stabilization Fee with a new rate design after the study is completed.

In response to a question regarding how Cottonwood Heights compares to other parts of the Salt Lake City Public Utilities service area, Ms. Briefer stated that it is important to understand that the water system is not based on municipal boundaries. It is an interconnected system, so the infrastructure that benefits residents of Cottonwood Heights may not be located within the City. Residents benefit from the operation of the system as a whole.

Mayor Weichers commented that people being so conscientious about conservation has led to a large decrease in revenue, and some citizens have told him that they felt they were being penalized for those efforts by the rate increase. Ms. Briefer clarified that it is not entirely accurate to say that water conservation caused the rates to go up. Reduced water demand is a factor because revenues decreased, but costs also increased. Inflation was a major factor, especially on larger capital projects. Regulatory compliance also increased costs. She applauded citizens' conservation efforts and stressed that they should continue. Rate design is important so they can determine the appropriate costs associated with the new normal of decreased usage. They need to be able to determine reasonable rates for efficient water usage while also sending a signal by increasing rates for inefficient water use or high water users, and they need stable revenue to cover the fixed costs. They convened a Rate Advisory Committee with members of the Public Utilities Advisory Committee, which includes three members from outside of Salt Lake City, to discuss alternatives for rate design that can accomplish multiple goals. The study will be finalized in November or December. She believes that the fixed fees will be higher than in previous years, but lower than in the current year.

Council Member Hyland stated that residents have asked why Salt Lake City residents pay less than everyone else. Ms. Briefer stated that there is a surcharge on water service that is provided outside of Salt Lake City. Salt Lake City residents pay property taxes for the Metropolitan Water

District for the water infrastructure and supplies that come from the Provo River project, and Cottonwood Heights residents do not pay that tax. It is difficult to compare rates to taxes, but the fees generally even out. Salt Lake City has taken the risk of operating the system, whereas other cities whose residents receive water from them do not have that risk. Ms. Briefer will provide the previous rate study to the Council Members.

Mayor Weichers asked Ms. Briefer to describe the Salt Lake City Department of Public Utilities conservation policy. Ms. Briefer stated that water pricing is an important element of water conservation policy in that it provides a price signal if someone is using more water than necessary, but that is not the entirety of the policy. They have a Water Conservation Master Plan that is updated every five years and outlines policies, from public engagement and education to regulation. They are not penalizing people for water use but instead trying to encourage them, through pricing structures, to think about potentially reducing their water use. However, there is a sensitivity threshold. They experimented with a drought surcharge on higher water users last year, but it did not result in reduced usage in the higher tiers.

In response to a question from Mayor Weichers, Ms. Briefer reported that some communities in California have experimented with variable pricing based on drought conditions, but they have not considered that type of price structure because they believe it is important for people to be able to predict what their water bill will be.

5.0 WASATCH FRONT WASTE AND RECYCLING DISTRICT REPORT – General Manager, Pam Roberts.

Wasatch Front Waste and Recycling District (“WFWRD”) General Manager, Pam Roberts, reported on the recent Recycling Transparency legislation and indicated that the required statistics are now published on their website. They have also provided recycling tonnage information to the City for inclusion in the November newsletter, which will help Cottonwood Heights meet the twice-yearly reporting requirements. Council Member Holton commented that Cottonwood Heights was third highest in the District for recycling tonnage. Almost 1,600 tons of recycling have been collected through September 2024, resulting in a 21% diversion rate. Ms. Roberts thanked the City for their assistance on the agreement with the library for the glass recycling container.

Ms. Roberts indicated that WFWRD is considering billing more frequently in order to assist with cash flow. Currently, if they implement a fee increase on January 1, they do not begin collecting the increase until April or May because customers are billed in arrears. They have considered billing in advance, but that is unpopular with residents and the current accounting system is not set up to accommodate it. Customers do have the option to pay upfront.

The seasonal container reservation program is included in the weekly garbage and recycling fee, as well as a reduced trailer rental program. The board will be considering whether to increase rental prices. They previously considered adding a fee for the container reservation program but decided not to implement it.

There will be a special meeting to discuss the budget on Monday, October 21, 2024, followed by a public hearing at 6:00 p.m. on November 18, 2024. The board will either adopt the budget at that meeting or at the December 16, 2024 meeting.

Cost increases over the past five years were reviewed. In that timeframe, costs have increased by approximately \$5.8 million. Zions reviewed the financial information compiled by Ms. Roberts and her team and noted that, even with a rate increase, their cash balance dropped to 85 days of available cash by the end of the first year. Truck purchase prices have increased by \$114,000 since 2020.

Wages and overtime costs have increased by approximately \$2.4 million. Ten additional full-time equivalent employees were added in the last five years, including four for the Equipment Operator Apprentice Program was created to address the shortage of drivers with Commercial Driver's Licenses ("CDL"). Drivers in training make a lower wage, but the District has had to increase salaries to ensure that they are competitive. The board approved wage increases of approximately \$130,000 in 2024 and \$372,000 in 2025. They are also proposing a 2% annual merit increase going forward.

The Board is considering a fee increase of \$5.50 or \$6.50 per month beginning in 2025. They are also considering moving to bi-monthly billing. Monthly billing is not an option at this time. Green cans have a separate weekly service fee, which will be increased by \$1.50 per month in 2025.

In response to a question from Council Member Birrell, Ms. Roberts indicated that there are no plans to move to biweekly recycling pickup. All cities have weekly service, and other cities have indicated that they do not want to move to biweekly. Council Member Birrell commented that Sandy has moved to biweekly recycling pickup. Council Member Holton clarified that the green can pick-up is seasonal because that pickup only occurs in warm months.

In response to a question from Council Member Birrell, Ms. Roberts stated that samples are collected from each route on a quarterly basis to determine the percentage of contaminated items present in recycling containers.

6.0 STAFF REPORTS

a. Budget Adjustment 2024-2025 Fiscal Year – Administrative and Fiscal Services Director, Scott Jurges.

Administrative and Fiscal Services Director, Scott Jurges, indicated that adjustments are typically required in October of each year. The necessary adjustments were then reviewed.

General Fund

1. Revenue of \$180,000 for agreement between the City and Utah Department of Transportation ("UDOT") for canyon patrol, snow equipment, and storm monitoring. This offsets the costs associated with the three officers that were added approximately one year previously.

2. Reimbursement revenue to offset the cost of School Resource Officer compensation. The City now receives \$75,000 for each of the two School Resource Officers. It was budgeted at \$40,000 each, or \$80,000, so \$70,000 of additional revenue was added. The agreement includes an escalation clause to increase salaries to \$90,000 per officer and is consistent amongst all Canyon School District municipalities.
3. \$7,310 in increased expenses and reimbursement revenue for police officer overtime during the recent marathon.
4. \$1,905 in expenses and reimbursement revenue for police overtime related to requests from local companies.
5. Reimbursement of \$21,116 in police overtime from the State of Utah Division of Public Safety. This includes DUI overtime shifts, as well as crosswalk and “Click It or Ticket” initiatives.
6. Reimbursement of \$180 for a required rabies test related to a Holladay court case. The dog owner will be billed for the test, and the costs will eventually be recouped through court restitution.
7. Police K9 contribution from the Kara Clapp Foundation in the amount of \$12,000.
8. Police K9 contribution from Timothy Blair and family in the amount of \$100.
9. Historic Committee grant from the State of Utah for the survey of historical properties in the amount of \$5,000.
10. Community Economic Development grant of \$500.
11. Brighton UTE football scholarship program for players in the City totaling \$2,000.

The adjustments result in a net \$50,111 in expenses and \$297,931 in revenue, with a net increase in General Fund revenue of \$247,820.

Capital Projects Fund

1. Re-budget of unfinished capital projects from fiscal year 2023–2024, including \$6,702,738 in expenses and \$2,482,121 in grant revenue, resulting in a net revenue of \$4,220,617.

Storm Water Fund

1. Re-budget of \$932,543 in expenses for unfinished stormwater projects from fiscal year 2023-2024.

Mr. Jurges reported that the affected projects are pre-funded from Fund balances. The expenses and revenues for projects that were not completed by July 1, 2024, were simply being moved to the new Budget year.

b. **Zoning Text Amendment – Community and Economic Development Director, Michael Johnson.**

Community and Economic Development Director, Michael Johnson, presented the Staff Report and indicated that the Text Amendment was in response to a common question related to development applications, primarily applicants for small residential projects.

Currently, there is a provision in the Sensitive Land Ordinance that regulates the maximum amount of allowed impervious surface. Hazards identified as Sensitive Lands in Cottonwood Heights include steep slopes, rockfall hazards, debris flow, liquefaction, fault lines, flood plains, and high groundwater. The list of hazards is diverse, yet the current Maximum Impervious Surface provision states that for any development activity, including something as simple as building a retaining wall, the amount of impervious surface cannot exceed 30% of the total site area. This is not an issue in new developments that can easily meet the standard. However, there are older properties that already exceeded the 30% maximum prior to the application process. Due to the number of times the issue has arisen, Mr. Johnson had a discussion with members of the Development Review Committee (“DRC”) to determine the real purpose of the provision. The Text Amendment was the result of their recommendations.

Impervious surfaces can direct water discharge, and the discharge of water onto a steep slope area can create slope stability hazards and cause erosion or landslide activity. The Text Amendment limits the general Maximum Impervious Surface provision to areas with a slope stability hazard. Additionally, in areas where the proposed impervious surface exceeds 30%, the applicant will be required to retain that excess runoff onsite in an approved Drainage Plan. That plan is subject to review by the City Engineer and Stormwater Manager to ensure that it is built to the correct capacity and meets all other requirements. The Text Amendment does not preclude specific hazard studies from addressing impervious surfaces in their hazard mitigation plans.

The Planning Commission recommended approval of the Text amendment. They discussed how riparian hazards are addressed in the Ordinance, but the amendment makes no changes to that. In areas with high ground water or flood plan hazards, a flood plain study or groundwater analysis may include recommendations to reduce the amount of impervious surface onsite. The Text Amendment is intended only for general cases where the requirement to reduce impervious surfaces is not in line with the scope of the proposed work.

An analysis was performed to determine if the maximum should remain at 30%. Citywide, the average amount of impervious surface is approximately 30%, so that was determined to be appropriate.

In response to a question from Council Member Birrell, Mr. Johnson reported that the language of the Text Amendment is the result of a discussion with members of the DRC, but there was no

formal meeting. Council Member Birrell stated that the Ordinance requires the DRC to keep meeting minutes. Mr. Johnson clarified that it was not an official meeting. It was a conversation between the City Engineer, the Public Works Department, and DRC. Mayor Weichers clarified that minutes are required for prescheduled DRC meetings. It was further clarified that the DRC met as City Staff, not in a formal DRC meeting.

Council Member Birrell expressed concern that, due to climate change, the current 100-year flood models may no longer be robust enough. She asked the City Council to consider if the standard of allowing for more impervious surfaces would exacerbate challenges with storm drains, and if the required catchment facilities would be adequate if more extreme weather conditions arise and the City is more prone to flooding. City Attorney, Shane Topham, suggested that any such policy changes should be applied on a Citywide basis. The specific provision they were discussing broadly singled out any area with a Sensitive Land Overlay and did not apply to other areas of the City and is a tool to mitigate hazard risk only. Council Member Birrell stated that she appreciated Staff's responsiveness to the concerns raised by residents.

Council Member Holton expressed his appreciation for City Staff's efforts in determining the purpose of the Ordinance and ensuring that its applicability and practice aligned with that purpose. He agreed that areas without slope stability concerns should not be subject to the same rules as areas that do have those concerns.

Council Member Hyland asked about the removal of the sentence, "Areas of roofs and private driveways will be estimated and included in the total impervious surface area." Mr. Johnson clarified that they were unsure why the sentence was originally included. When an application triggers this specific provision, it requires plans showing specific data, not estimates.

The Text Amendment will be included as an Action Item on the next Business Meeting agenda.

c. Arts Council Report – Arts Council Chair, Laura Garcia.

Arts Council Chair, Laura Garcia reported that the Arts Council currently has eight members and is supported by Anne Eatchel, Kate Hoflich, and Council Member Newell. She then provided an overview of the year's events.

- Artist of the Month is a free monthly art show at City Hall that features a diverse array of mediums and artists. This year's shows included a traveling museum and a calligraphy display for Chinese New Year.
- The summer musical, *Beauty and the Beast* was very successful.
- Other events included the yearly Painting in the Park and Chalk Art Contest at Butlerville days, and new events like the Sweetheart Paint Night and Chinese New Year that are also becoming traditions in Cottonwood Heights.

- Additional new events include the Hallow-Ink event, a free Christmas concert, and the Winter Wonders Art Show.
- The Arts Council also helps with other City events like the Monster Mash and Light the Heights.
- Public Art Projects include art on the electrical boxes, which is receiving a lot of positive feedback from the community. Only one of the electric box artists does not live in Cottonwood Heights, but he is a past resident. The artists donated their time. The National Day of Service Group, led by Lenny Whitehead and Jerry Christianson, helped the Arts Council clean the area around the Bengal Boulevard box. Ms. Garcia reviewed photographs of the electric boxes and associated artists. The art is actually wrapped around the boxes, not painted directly on them, and will last for approximately three years.
- The mural at Mountainview Park was repainted by Whitney Horrocks, a local artist and business owner. The painting is coated so graffiti can be easily removed, and the painting is expected to last at least three years. Draper Fabrication assisted with the mural.

The Arts Council’s goals include bringing more public art projects to the community, providing hands-on art experiences, creating meaningful and enjoyable art opportunities, offering free or low-cost events, and collaborating with other Cottonwood Heights organizations and committees.

d. **Fraud Risk Assessment Overview – Administrative and Fiscal Services Director, Scott Jurges.**

Mr. Jurges reported that the City is required to perform a Fraud Risk Assessment as part of its annual financial review and audit. For fiscal year 2023-2024, the City was only deficient in two areas.

Does the entity have a formal internal audit function?

Cottonwood Heights does not have a formal Internal Auditor because it would be prohibitively expensive to hire one for a city of its size. However, Mr. Jurges or other Department Heads are able to perform audits, and all required policies are in place.

Separation of Duties

The only area without a full separation of duties is in cash collection, but mitigating measures are in place to ensure that there are no issues regarding collecting, depositing, and posting check payments.

Mr. Jurges had no concerns about the Risk Assessment, and external auditors have also expressed no concerns. The external auditors will present the Audit results at a December City Council Meeting and will be able to answer any questions related to the internal audit at that time.

e. **Short-Term Rental Enforcement Discussion – Community and Economic Development Director, Michael Johnson.**

Council Member Hyland led the discussion regarding short-term rentals and presented the following four objectives;

1. To make immediate progress. Chief Russo previously informed the Council that the fines must be increased because it is ineffective and not a good use of the Police Department’s time and energy to build a case for a \$100 per day fine on short-term rentals earning \$1,200 per day. She suggested that the Council consider implementing a \$650 per day fine.
2. Council objectives should be set prior to adopting short-term rental policies. She presented a Granicus white paper that provides sample objectives.
3. She recommended convening a small subcommittee to study the matter and present recommendations to the City Council and recommended that the committee include one Council Member and one Planning Commissioner, as well as a member of Community and Economic Development staff and a Code Enforcement officer.
4. The City needs to make an effort to educate lobbyists on how much Cottonwood Heights is being impacted. There are 400 unregistered short-term rentals in the City, which accounts for 4% of homes.

The item will be added to a future Work Session Agenda so the Council for further discussion and determine objectives.

f. **November/December City Council Meeting Schedule – City Manager, Jared Gerber.**

City Manager, Jared Gerber, reported that a joint City Council and Planning Commission Meeting would be held on November 29, 2024, at 5:30 p.m. The November 5, 2024, City Council Meeting was moved to November 12, 2024. No items were currently scheduled for November 19, 2024, but a meeting must be held on that date to canvass the vote. Mr. Gerber asked if the Council would like to consider canceling the November 12, 2024 meeting and moving its Agenda items to November 19, 2024, but after discussion, it was decided that both meetings would remain on the schedule. December meetings will be held on December 3, 2024, and December 17, 2024.

7.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.

- a. **Arts Council Hallo-Ink will be held from October 1st through the 31st. This is an online social media pen and ink daily drawing tutorial.**
- b. **Monster Mash will be held Friday, October 25 from 5:00 p.m. to 7:00 p.m.**
- c. **Trunk or Treat will be held on Thursday, October 31, from 3:00-4:30 p.m.**

- d. November Elections: Early voting: October 29th through November 1st from 2:00 p.m. until 7:00 p.m. at the City Hall Cullimore Room.
- e. Election Day: November 5th from 7:00 a.m. through 8:00 p.m. at the City Hall Cullimore Room.
- f. City Council Meetings for November will be held on Tuesday, November 12th and 19th starting at 4:00 p.m.
- g. Light the Heights will be on December 2nd from 5:00 p.m. until 7:30 p.m. at the City Hall Cullimore Room.
- h. Arts Council's Holiday Show, Friday, December 6th at Butler Middle School from 7:00 to 8:30 PM.

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

There was no Closed Meeting.

9.0 ADJOURN CITY COUNCIL WORK SESSION.

MOTION: Council Member Hyland 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 6:22 PM.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, OCTOBER 15, 2024, AT 7:00 PM IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD,
COTTONWOOD HEIGHTS, UTAH**

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

Staff Present: City Manager, Jared Gerber; Deputy City Recorder, Maria Devereux; Police Chief, Robby Russo; Administrative and Financial Services Director, Scott Juges; IT Systems Manager, Matt Ervin, Public Works Director/City Engineer, Matt Shipp; Unified Fire Authority Assistant Chief, Riley Pilgrim; Assistant Police Chief, Paul Brenneman; Police Support Specialist Supervisor Candie Terry

1.0 WELCOME

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

2.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Newell.

3.0 PUBLIC HEARING

3.1 Public Hearing to Receive Input on the Proposed Amended Budget for the 2024-2025 Fiscal Year – Administrative and Fiscal Services Director, Scott Juges.

Administrative and Fiscal Services Director, Scott Juges presented the Staff Report and stated that the Budget is adjusted periodically over the course of the year. Some adjustments are expected while others are unexpected. Mr. Juges then reviewed the adjustments.

General Fund

1. Police Utah Department of Transportation (“UDOT”) Agreement for Canyon Patrol, snow equipment, and storm monitoring. Three officers were added approximately three years earlier and the City will be compensated \$180,000 for those officers.
2. The City previously received \$80,000 net for the two Canyon School District School Resource Officers, and that amount has been increased to \$150,000.
3. Police overtime expense reimbursement for the marathon was \$7,310.

4. Police overtime reimbursement for various requests from local companies was \$1,905.
5. Police Driving Under the Influence (“DUI”) and other State of Utah Division of Public Safety reimbursed overtime totaled \$21,116.
6. Police Rabies testing related to a City of Holladay Municipal Court case at a cost of \$180.
7. Police K9 contribution from the Kara Clapp Foundation totaled \$12,000.
8. Police K9 contribution from Timothy Blair and his family was \$100.
9. Historic Committee grant received from the State of Utah for the surveying of historical properties totaled \$5,000.
10. The Community Economic Development Grant came to \$500.
11. The Brighton Ute Football Scholarship Program for players in the City was \$2,000.

Mr. Jurgens reported that the overall increase in expenditures will be adjusted by \$50,111 and revenue by \$297,931 for a net revenue adjustment of \$247,820.

Capital Projects Fund

1. Re-budget of unfinished capital projects from the prior year: \$6,702,738 in expenses and \$2,482,121 in revenue, for a net expense of \$4,220,617. Mr. Jurgens clarified that the adjustment does not include new costs, but rather a carryover of funds budgeted for and funded in prior years.

Storm Water Fund

1. Rebudget of unfinished stormwater project expenses from the prior year came to \$932,543.

Mayor Weichers opened the public hearing. No public comments were received. The public hearing was closed.

4.0 CITY COUNCIL COMMITTEE REPORTS

4.1 Committee Reports by Council Member Matt Holton.

Council Member Holton reported that the Wasatch Front Waste and Recycling District will

consider a fee increase at its November Board Meeting. Currently, residents pay \$19.50 for the black garbage can and blue recycling can. Included in the fee are 1,228 vouchers for residents to drop off items at the landfill. Every January, they pick up Christmas trees at no additional charge. There is a leaf drop-off at Bywater Park where all bagged leaves can be disposed of. Glass bins can be requested for an additional fee or glass can be recycled at the Whitmore Library. Over the last four years, vehicle maintenance costs have increased by \$114,000 due to inflation and wear and tear on the trucks. Additionally, they have had difficulty recruiting Commercial Driver's License ("CDL") drivers and have focused on retention via salary increases. Due to both increased expenses and inflation, they have proposed an increase of \$5.50 to \$6.50 per month. Council Member Holton encouraged residents to provide feedback on the proposed increase prior to the November meeting.

4.2 Committee Reports by Council Member Suzanne Hyland.

Council Member Hyland serves on the Emergency Management Committee, Cottonwood Heights Business Association, and CH2, which coordinates with the Cottonwood Heights Recreation Center for various events with the City. The Council participated in emergency management training during the Work Session, which was a great reminder that hope is not a plan; you need to be prepared. She reported that she has an uncle who lives in Asheville, North Carolina who still has no water or power because the infrastructure was so heavily damaged. It was mentioned in the training that if Cottonwood Heights had that level of emergency, help would take time to reach them. It was a good reminder to be prepared.

Monster Mash is a cherished tradition in Cottonwood Heights and she was grateful to the Arts Council, Youth City Council, and others who contributed to the event. It is always well-attended and fun.

The Cottonwood Heights Business Association will hold a Trunk or Treat event on October 31, 2024, from 3:00 p.m. to 4:30 p.m. Business owners were invited to sponsor a trunk for trick-or-treaters.

It is the 40th anniversary of the Cottonwood Heights Thanksgiving 5K. She encouraged everyone to register early and participate in the Turkey Trot on Thanksgiving morning.

4.3 Committee Reports by Council Member Shawn Newell.

Council Member Newell reported that he serves on the Arts Council. A number of events will be held in October, including the Monster Mash on October 25, 2024, from 5:00 p.m. to 7:00 p.m. at the Recreation Center. There will also be a free holiday concert on December 6, 2024.

Council Member Newell recognized Whitney Horrocks for her work in leading the Arts Council on a number of different projects. She is currently doing Hallow-Ink, which is an online drawing event and she has done so many great things for the community. He thanked her for her leadership, willingness to help, and for everything she does for the City. Mayor Weichers added that she also painted the mural at Mountainview Park. Council Member Holton reported that Ms. Horrocks did an incredible job on the mural.

Council Member Newell also serves on the Canyon School Foundation, which raises funds for schools. This year, they will donate \$93,000 to classrooms in the district for various scholarship projects. At the end of October, the Foundation Board will hand-deliver the awards to the teachers. Scholarship projects include mini-bike building, drones, and Science, Technology, Engineering, and Mathematics (“STEM”) projects. Individual teachers apply for funding and the board determines the specific awards. It is an opportunity to celebrate teachers and the work they do for students in the Canyons School District.

4.4 Committee Reports by Council Member Ellen Birrell.

Council Member Birrell reported that there are both challenges and things to celebrate in her district, including challenges along Wasatch Boulevard through District 4 based on seasonality. Noise levels have been high related to vehicles of all types reaching top speeds as they drive through the neighborhoods and her constituents are interested in slower speeds and lower volumes on the roadways. She has assured her constituents in the Dover Hills area that the recent removal of mature evergreens was planned. She spoke with Community and Economic Development Director, Michael Johnson, who is working with Ivory Homes and the construction company building the park to rectify the situation.

Council Member Birrell is also working with the Youth City Council and commended them for their ongoing service to the City and their support of various City events as well as their own educational and social events.

The Parks, Trails, and Open Space Committee convenes monthly to address issues that affect the City’s parks. She commended the committee members for their efforts.

Council Member Birrell commended the Subcommittee on Active Transportation and stated that they are doing great work. They are excited about the new public byway. She thanked Public Works Director, Matt Shipp for the first raised crosswalk in association with the Neighborhood Byway located on Banbury Drive near Brighton Way. She was very excited about the safety it brings and hoped it would encourage more residents to walk or ride to the park.

4.5 Committee Reports by Mayor Mike Weichers.

Mayor Weichers reported that Cottonwood Heights City contracts for fire and emergency services through the Unified Fire Authority (“UFA”). They held a board meeting that morning. One of the presenters was Chief Case who is part of Utah Task Force 1, a group of 100 firefighters from UFA, as well as Ogden, Murray, Salt Lake City, Park City, Provo, West Valley, Sandy, and Draper. The Task Force deployed to North Carolina for 19 days to assist in searching for survivors and removing debris. UFA Assistant Chief, Riley Pilgrim reported that they were tasked with searching cars and rivers as well as under debris piles and collapsed structures. They had to repel a lot of different structures to get into the riverbeds and debris piles, and it was very dangerous.

Mayor Weichers reported that Cottonwood Heights played a small role in helping the people of North Carolina. The devastation from Hurricane Helene was unbelievable. He was grateful to be

part of an organization that helps people in their time of need and the City should be very proud of that.

5.0 CITIZEN COMMENTS

Runar Boman reported that he visited the City’s website prior to attending the meeting and noticed that the City is hiring a Public Health Coordinator, which is a grant position with full benefits. The position description states that it is “Under the general supervision of the City Manager, serves as the primary staff coordinator of the Cottonwood Heights Community Health Coalition, Health in the Heights. The Community Health Coalition is a community-informed, data-driven, evidence-based prevention model used to bring partners together to review data, identify priorities and resources, and implement community action steps. It is structured as a Communities that Care program within the Salt Lake County Health Department. As such, this position will work closely with the Salt Lake County Health Department, as well as key community leaders, faith-based groups, local school leadership, community volunteers, and other stakeholders to develop facilities and implement the goals and objectives of the Health in the Heights Coalition.”

Mr. Boman asked why the position was necessary as he did not believe the community was in a health crisis. He also asked how success will be measured. He believes the City Council is tasked with the business of running City government, which includes infrastructure, services, and things of that nature, yet they were getting involved in a health coalition with vaguely stated goals and no real problems to solve. He also expressed concern that the program is only funded for one year and that after the year is over, the City could take over the salary as he did not believe the position would be eliminated. He does not believe the City should add an additional salary to tackle something that is not in the City’s best interests in terms of what he believes the Council should be focusing on.

Mayor Weichers stated that Staff would follow up with Mr. Boman regarding the specifics of the position. He noted that the funding came from the opioid settlement. For the position to continue, it will need continued funding.

Nick Oliphant reported that he has lived in Cottonwood Heights most of his life. He and his wife are proud to call Cottonwood Heights their home and they are deeply invested in its continued success. He respectfully requested that the City consider allowing residents in single-family-zoned areas to offer short-term rentals, specifically to those who retain their home as their primary residence. He believed it would be a positive change for many families like his that love the community and want to continue living here while contributing to its vibrancy. The City Council has discussed requiring short-term rentals to be owner-occupied. He fully supports that position and would like the opportunity for families like his to license part of their homes for short-term rentals during ski season as a way of supplementing their income. For many residents, it would be a critical support. Cottonwood Heights has an aging population that could benefit from the additional income and it could allow them to stay in their homes longer. Similarly, younger families like his are feeling the financial pressure of the current economy and supplemental income from short-term rentals could help them continue living in the City.

Mr. Oliphant stated that for his family, the City is more than just a place to live. They engage actively in the community. His wife, Whitney, owns and operates a small business in Cottonwood Heights called The Smartest Artist, where she fosters creativity in the community. They also support and volunteer for the local Arts Council and Butlerville Days, contribute to elementary arts programs, and Whitney recently completed the beautiful mural at Mountainview Park to enhance that public space. Their involvement in the City runs deep and they want to continue being part of what makes Cottonwood Heights special.

Mr. Oliphant stressed that they are dedicated to doing it the right way. They are not looking to become a nuisance to their neighbors or the community. In fact, they have already successfully operated a short-term rental in Sandy City, adhering to the regulations without any issues. One way to ensure responsible management of short-term rentals is to require owner occupancy. They are happy to provide proof of residency to show that they are invested in the community. They asked to be able to make an affordable living in Cottonwood Heights while maintaining their deep roots.

Randy Long gave his address as 8016 Kings Hill Drive and expressed his desire to save Deaf Smith Canyon. The canyon trail crosses private property at the beginning just as many trails do, even those on Forest Service land. That is due to private inholdings. This occurs in national parks as well. Utah's Zion National Park has two or three and Capital Reef National Park has at least one. They need to do what they can to save Deaf Smith Canyon and ensure that a private owner cannot close it off.

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

6.0 STANDING QUARTERLY REPORTS

6.1 Monthly Police Department Report – Police Chief Robby Russo and Support Services Manager, Candie Terry.

Police Support Specialist Supervisor, Candie Terry presented the Monthly Report. In September, calls for service declined slightly to 1,431. There were 317 on-view calls. Ms. Terry noted that the decline is normal for the month of September. She then presented the calls for service by district and response times, which increased slightly due to a decrease in the number of calls as well as the number of officers involved in off-site training. There were 43 total crimes, including five assaults, five burglaries, 31 thefts, and one stolen automobile. There were 41 arrests involving 39 adults and two juveniles. A total of 269 traffic citations were issued, 141 warnings, and three DUIs.

Ms. Terry reported that two traffic officers were involved in a two-week training course and one was at a conference in September, so the number of citations should go back to normal levels in October. At the City Council's request, Ms. Terry will provide a comparison to previous years to City Manager, Jared Gerber, for distribution to the City Council.

Ms. Terry reported that accidents have increased and they expect that trend to continue throughout the winter. A total of 43 property accidents with 11 injuries were reported. There were two attended and two unattended deaths in September.

Ms. Terry then presented the three-month review, as well as heat maps of property crimes and citations issued in September. Police Chief, Robby Russo reported that the heat map is representative of the City only. Cottonwood Heights participates in a County-wide team that targets high-crime areas and looks for fugitives. When they review the valley-wide heat map, Cottonwood Heights' incident rates are so low that the City does not appear on the map.

In response to a question, it was clarified that areas not in deep red on the Citations Heat Map had fewer than 20 citations issued. Wasatch Boulevard was shown in blue-green, which means citations were issued but not as many as in other areas. The most citations were issued in the areas of Bengal Boulevard, Highland Drive, and Fort Union Boulevard. There are more cars on those roads, and therefore, a higher chance of accidents, injuries, or bad behavior. Main arteries are patrolled more closely than other roads but other areas of the City are also patrolled regularly. In one accident, a motorist making a left turn caused an accident but there was no indication that the other motorist was speeding. A prime contributor is always identified for insurance purposes but whether a citation or warning is issued is at the officer's discretion.

Chief Russo reported that residents are encouraged to voluntarily comply with the recently updated Nuisance Ordinance but in some cases, the City must issue citations or take more aggressive action. An individual on 2700 East was cited, offered assistance, and ultimately booked into jail for violations, all to no avail. Because the Ordinance now allows the City to step in, notice was served to the property owner and the City stepped in to clean up the property. He thanked Mr. Shipp and the Public Works Department staff for their efforts to remove 14 dump truckloads of items from the property. It was satisfying to be able to clean the property up for the neighbors. City personnel have provided an accounting of their costs for the cleanup and the homeowner will be billed. If the owner does not pay, a lien will be placed on the property. There are other, similar properties in the City that will be addressed in a similar manner.

Chief Russo reported that there have been several high-profile issues in the City in the past few weeks, including a homicide. Charges were filed in the case earlier that day by the District Attorney. It was a very complex and detailed investigation into a crime not normally seen in Cottonwood Heights. Many hours of work went into the investigation, which culminated in an arrest. Three minor children lost their father and their mother has been criminally charged.

An accident occurred the previous day between a bicycle and an automobile at Bengal Boulevard and Highland Avenue. The accident was still under investigation.

An armed robbery took place at Maverik that morning at 3:00 a.m. The team has committed other robberies, including one the previous evening. They wore masks, had a getaway car, and one suspect was armed with an AR-15 rifle. There was a chase, after which the suspects bailed out of the car but were apprehended. Other local agencies assisted, including both aircraft and drones, and both suspects were taken into custody. At least one is an undocumented immigrant and gang member.

Mayor Weichers commended Chief Russo and his team for their investigative work on the homicide. Everyone was very impressed by the work they put into obtaining the required evidence and investigating the matter properly so the person could be charged. He has been told by multiple people that the investigation was done at the highest level. Chief Russo stated that seasoned experts from larger departments assisted with the case. Cottonwood Heights is perceived as a smaller department but they had the assistance of those larger departments. The three children are in State custody.

6.2 Public Works Report – Public Works Director, Matt Shipp, PE.

Public Works Director, Matt Shipp presented the Quarterly Report and stated that the Prospector Drive Reconstruction Project is complete. It included the following:

- 17,800 square yards of asphalt;
- 7,000 linear feet of curb and gutter;
- 7,900 square feet of drive approaches and sidewalks replaced; and
- 10,150 square feet of sidewalk replaced.

Mr. Shipp reported that they received a lot of positive feedback from residents about the contractor and the work that was completed. He thanked residents of the area for their patience during the project.

The Towne Drive Reconstruction Project included Town Drive, Town Circle, Canterbury Lane, and Toni Circle. It included the following:

- 7,335 square yards of asphalt;
- 3,921 linear feet of curb and gutter;
- 4,666 square feet of drive approaches;
- 3,613 square feet of sidewalk replaced; and
- 270 square feet of waterways.

With the finalization of the project, there is now a sidewalk connecting Bengal Boulevard to Canterbury Lane on the east side.

The High Intensity Activated Cross Walk (“HAWK”) signal was installed on Fort Union Boulevard at Bella Vista Elementary School. It was a federal aid project. He thanked the Wasatch Front Regional Council (“WFRC”) for allowing the City to move the project ahead by one year. The crossing guards have indicated that they feel safer now that the signal is operational.

Cape Seal included 1,867,500 square feet of chip seal and slurry seal to Fort Union Boulevard between 1300 East and 3000 East, Highland Drive from Bengal Boulevard to Creek Road, 1300 East from I-215 to Union Park, and Bengal Boulevard from Wasatch Boulevard to City Hall. Cape Seal costs approximately \$1.00 per square foot. In contrast, if roads are not properly maintained and need reconstruction the cost is approximately \$9.00 to \$10.00 per square foot. It is very

important to continue applying seal coats to protect and extend the life of the roads. Cape seal lasts approximately 10 years and crack sealing is applied as needed. Fort Union Boulevard was last chip-sealed approximately eight years ago. There were issues with Fort Union Boulevard but once they were notified, the contractor rectified the problem at no additional cost to the City.

In response to a question raised by Mayor Weichers regarding border roads like Union Park Avenue and Creek Road, Mr. Shipp clarified that those are joint projects with the neighboring cities. It is important that all cities agree on the type of treatment and communicate to match budgets for the projects. A joint project was completed on 3000 East approximately two years ago and the cost was split between the cities.

The crosswalk on Banbury Road is a raised crosswalk with rapid-reflecting flashing beacons. This location is one of the first raised crosswalks in the City and was chosen due to its lower cost. The crosswalk goes to the curb and gutter. It is a high point in the roadway and the water drains to the east and west. He will research and discuss potential locations for the next raised crosswalk at the next Budget Retreat. It has been well-received by residents. In response to a question, Mr. Shipp reported that larger trees were planted at the crosswalk. It will take approximately five years for their growth to be noticeable. He did not remember the specific species of tree that was planted.

Council Member Birrell recommended that the Council consider creating a committee to determine the best trees to be planted in neighborhood byways and park strips and stressed the importance of installing native plants that do not require watering beyond the first one to two years. Mayor Weichers stressed the need to keep the trees trimmed to aid visibility. Mr. Shipp stated that the Ordinance allows specific types of trees in park strips. The trees that were planted do not begin to form a canopy until they are high enough above the road to not obstruct views. They will work to shape the trees when they begin growing.

The Creek Road Improvement Project is complete as well as the Cory Hill Circle Waterway Project. Residents have expressed their satisfaction with the change. The 1700 East Sidewalk Project is also complete. They are finalizing the cycle track on Fort Union Boulevard and the project is expected to be completed by November 15, 2024. Council Member Holton stated that some residents have complained about things like lamp posts but he has encouraged them to let the City complete the project. It is a tough project for residents but they will enjoy the final results. Mr. Shipp stated that the residents have worked well with the contractor.

The emergency repair to the Supernal Way storm drain is completed. The pipe collapsed, destroying a home's backyard. The repair is finished, and the homeowner was great to work with.

7.0 CONSENT CALENDAR

7.1 Approval of the Minutes for the City Council Work Session and City Council Business Meeting for September 17, 2024, and October 1, 2024.

MOTION: Council Member Newell moved to APPROVE the Minutes for the City Council Work Session and City Council Business Meeting for September 17, 2024, and October 1, 2024, as

presented. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Council.

8.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

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

The City Council Meeting adjourned at 8:15 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 Tuesday, October 15, 2024.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____