

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

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

Staff Present: Jared Gerber, City Manager; City Recorder, Tiffany Janzen; City Attorney, Shane Topham; Community and Economic Development Director, Michael Johnson; Public Works Director, Matt Shipp; Human Resources Director, Barbara Higgins; Police Chief, Robby Russo; Administrative and Financial Services Director, Scott Jurges; Information Technology Manager, Matt Ervin; Senior Engineer, Ben Nelson

1.0 WELCOME

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

2.0 REVIEW OF BUSINESS MEETING AGENDA – Mayor Mike Weichers.

Mayor Weichers reviewed the Business Meeting Agenda and reported that Police Chief, Robby Russo, would lead the Pledge of Allegiance followed by the citizen comment period. Administrative and Financial Services Director, Scott Jurges, would then review the Quarterly Finance Report. Three Action items would then be considered.

Item 5.1 was consideration of Resolution 2025-06. Public Works Director, Matt Shipp reported that Road Safe Traffic Systems, Inc. took over from a previous contractor and has been completing striping for the City for approximately 1 ½ years. The requested three-year contract will allow them to begin striping immediately each Spring as opposed to starting the beginning of the budget year and potentially being unable to complete the year’s projects.

In response to a question from Mayor Weichers, Mr. Shipp stated that Road Safe Traffic Systems won the last Request for Proposals (“RFP”). The contract would lock in 2024 pricing through 2025 and rates in future years would be based on the Consumer Price Index (“CPI”). The Agreement can be canceled at any time for non-performance. Mayor Weichers recommended putting the contract through the RFP process.

Council Member Newell asked what differentiates this company from others the City has contracted with in the past. Mr. Shipp reported that Road Traffic Systems’ last bid was approximately \$80,000 less than the other proposals. Materials are required to meet the Utah Department of Transportation (“UDOT”) and American Public Works Association (“APWA”) specifications. He was not opposed to going to an RFP but he wanted to have the contract on a three-year rotation so projects can be scheduled as early as possible each year. Council Member Hyland noted that having the contract tied to the CPI will help the City budget for those costs.

After discussion, it was determined that the contract would be sent out for an RFP and the item tabled pending receipt of additional proposals.

Item 5.2 was consideration of Resolution 2025-07 approving reappointments to the Historic Committee. City Manager, Jared Gerber, reported that four people will be reappointed including Beverly Beckstead, Don Cannon, Bruce Lubeck, and Ken Verdoia.

Item 5.3 was consideration of Resolution 2025-08. Chief Russo, reported that the resolution pertains to three vehicles that the Police Department no longer uses. They need a new SWAT van and the vehicles will be surplus to raise funds for the van. One vehicle is a 2017 Ford Fusion that was used as a cold car for advocates and is at the end of its successful life. The second vehicle is the old SWAT van. It cost \$10,000 to keep running in 2024 and only one employee can drive it because it requires a special license. He hopes to replace it with a small van. The third vehicle is a 2011 Ford Econoline van. The City has owned the van for 14 years and it only has 6,000 miles on it. It is used to transport the City Council once each year and there will be significant cost savings in renting a vehicle for that use.

Mayor Weichers reported that the Consent Calendar would include minutes from the January 7, 2025, and January 21, 2025 Work and Business Sessions, as well as the January 16, 2025, Council retreat.

3.0 DAKOTA PACIFIC PROJECT UPDATE – Ray Bryson, Brian Dilley, and Marc Stanworth.

Marc Stanworth, CEO of Dakota Pacific, reported that the company is based in Cottonwood Heights. He is also a resident of the City. He introduced Managing Director, Brian Dilley, and Vice President of Construction, Ray Bryson. Mr. Bryson provided an overview of Dakota Pacific’s plans for the project and stated that they were in discussions with the previous property owner for several years prior to entering into a Purchase Agreement. The property is 3.13 acres in size and is adjacent to the future Town Center. Part of their plan involves creating a walkable, connected neighborhood, including connectivity to Hillrise Apartments and they are committed to understanding the community’s vision in redeveloping the property. They considered certain characteristics of 2300 East that they wanted to keep in mind. For example, they do not want a parking lot on 2300 East, so the parking lots will be in the interior of the parcel, away from the street.

Mr. Stanworth reported that they considered both how many and how few units could be built for the project to remain economically viable. Their focus is on a product that tries to have enough density to be economically viable but not so much that it strains the neighborhood. They believe it is an important piece to make all the City’s redevelopment sites work together. There will likely not be much residential density in the area but in order for retail to survive, there must be some residences to access those amenities. Mr. Bryson stated that they see it as a project they can build today.

In response to a question from Mayor Weichers, Community and Economic Development Director, Michael Johnson, stated that there are no sensitive land concerns with the parcel.

In response to a question raised by Council Member Hyland, Mr. Bryson clarified that the plans currently propose a shared entrance with Hillrise Apartments and a secondary egress by the existing daycare. There is currently a Shared Private Easement between the owners of the retail space, Hillrise Apartments, and the subject property. All three parcels were previously under the same ownership. Dakota Pacific now owns one parcel and is in conversations to purchase the apartments. A benefit to having different entrances is to take advantage of the approximately 15-foot slope on the site. One entrance will be on a lower level and one on an upper level. The entry along 2300 East that currently services Hillrise Apartments is in poor condition, so they have the opportunity to create a nicer entryway. The leasing office will be at that entry.

In response to a question from Council Member Birrell, Mr. Bryson stated that they have contemplated building trails throughout the property that will allow access to Beans & Brews Coffee House and Einstein Bagels. They believe there will be a future opportunity to redevelop the retail component and they are considering that possibility in their site plan. It will ensure that there is walkable connectivity to the south.

In response to a question from Council Member Newell, Mr. Stanworth stated that the daycare property is owned by the same group as the retail space and could be part of any future redevelopment. Council Member Newell would be concerned with the removal of the daycare as that is a long-term need for the community. In response to his follow-up question, it was noted that the proposed apartment buildings will contain approximately 125 units.

Council Member Birrell expressed concern that Hillrise Apartments remain affordable. Mr. Stanworth stated that it cannot continue to be operated as it is now because there is a high vacancy rate and it is in need of repairs. Their goal would be for Hillrise Apartments to continue to provide workforce housing, and they would not over-improve them. The new apartments would be geared toward a market audience. Mr. Johnson clarified that the parcel is currently zoned Regional Commercial, so legislative changes would be required to accommodate the developer's plans.

Council Member Birrell asked if Dakota Pacific had considered Form-Based Code in its concepts. Mr. Bryson discussed the challenges of bringing commercial components into apartment structures and stated that those commercial spaces often remain vacant. They intend to have a leasing office on the 2300 East frontage with larger windows and more of a storefront feel. One idea presented by Form-Based Code is the sense of circulating pedestrians, bicycles, and cars and they have tried to incorporate some of those ideas to create a boulevard presence. The daycare is to the south and Einstein's Bagels and other restaurants are within walking distance. Mr. Stanworth stated that it is very difficult to build that number of units cost-effectively. He noted that a retail component would make the project non-viable. Council Member Birrell stated that the post office, senior center (Escalante at Coventry senior living), and library are in that area and a midblock crossing could encourage residents to walk to those services.

In response to a question from Mayor Weichers, Mr. Stanworth verified that the units will be accessible from 2300 East. They have discussed building the lower-level apartments at a higher-than-standard ceiling height to allow for future flexibility if commercial uses become viable.

Council Member Hyland stated that the Council has discussed the need for housing in a walkable Town Center and noted that the mixed-use project at South Union Avenue and 900 East in Midvale has no commercial tenants in the ground-floor space. Council Member Newell did not want to see any retail or commercial space pulling from the Town Center and the property is very close to the area. He likes the concept of the project. The Council expressed approval for Council Member Birrell's idea of a mid-street crossing.

Mr. Stanworth stated that the concept drawings are not final plans but are indicative of their proposed style, which is neither ultra-modern nor classic. The frontage along 2300 East will have a more detailed design than the balance of the project.

Mr. Bryson reported that the amenities will include a business center for residents who work from home to conduct video or in-person meetings. There will also be parks, green space, and a game room. They do not have enough room for a pool but there may be room for a hot tub. With regard to parking, they believe there will be an opportunity for shared parking with Hillrise Apartments. The building along 2300 East will be three stories or approximately 35 feet. The rear building will have varying heights with both three and four-story areas depending on the slope. No views will be blocked by the buildings.

In response to a question from Council Member Birrell, Mr. Stanworth stated that this will be a small-scale project for Dakota Pacific. They recently completed a 260-unit townhome development in South Salt Lake City and a 400-unit project in Reno, Nevada. They are in the initial stages of a project in Bluffdale that will be similar in appearance to the Cottonwood Heights apartments, which will be nicely designed and fit in with the area.

In response to a question from Mayor Weichers, it was reported that 10 buildings at Hillrise Apartments were built in 1978, one in 2005, and six in 2018. They do not plan to demolish the older buildings.

Mr. Johnson stated that Form-Based Code will not be in place so the Council will need to consider a Zoning Text Amendment or Development Agreement for the project. Staff and Dakota Pacific will meet to discuss next steps. Mayor Weichers expressed his appreciation for Dakota Pacific's desire to move quickly, as the project will enhance the Town Center.

STAFF REPORTS

a. Highland/Bengal Intersection Discussion – Senior Engineer, Ben Nelsen.

Public Works Director, Matt Shipp, reported that Senior Engineer, Ben Nelsen, would be providing background information on the project as requested by the Council at the Budget Retreat. Mr. Nelsen reported that the Highland Drive and Bengal Boulevard Intersection project started as three different projects: intersection improvements and a trail that would be federally funded, and then a county-funded portion to connect them. A map of the project was displayed.

The goals of the Project include:

- Improving the efficiency of the intersection of Bengal Boulevard and Highland Drive by adding two left turn lanes from westbound Bengal Boulevard to southbound Highland Drive.
- Improving the safety of pedestrians and bicyclists through the intersection by removing the current right-turn flyway from Highland Drive to Bengal Boulevard.
- Providing a connected path. The scope of this portion of the trail is along the north side of Bengal Boulevard from 2160 East to Villaire Avenue, which is the federally funded portion.
- Providing traffic calming on Bengal Boulevard to slow speeds along the corridor.

Mayor Weichers stated that people turning east onto Bengal Boulevard from Highland Drive will not be happy with having to wait at a traffic light. He understands that the purpose is to separate the bike path but asked for their thoughts on removing the right-thru lane. Mr. Shipp stated that it was one of the ideas they debated and brought forward to the City Council. There were two federal aid projects, one of which was to improve the efficiency of the intersection as well as pedestrian and bicycle safety through the intersection. One problem they identified in the process was that people cross the bypass lane with their back to traffic. The idea was to give cyclists a bicycle path to bypass the intersection and pedestrians the ability to cross one lane instead of two. The current and future location of the pedestrian crossing was discussed.

In response to a question from Council Member Birrell, Mr. Shipp clarified that a cyclist turning south on Highland Drive would have to utilize the left-hand turn lanes. Council Member Hyland did not personally have a problem with the intersection, and she was struggling with the cost. Council Member Birrell stated that the existing slip lane is there for the motorists' convenience, and slip lanes are proven to be dangerous for pedestrians and cyclists. The modification is to remove the slip lane and address that concern. Council Member Holton agreed and noted that the street is lined with children walking to school in the morning. He could not speak to the impact on cars, but he believed safety measures needed to be put in place for pedestrians walking from west of Highland Drive to the high school.

Mr. Shipp reported that no traffic counts are currently available but a Traffic Study will be conducted as part of the design. The slip lane will be replaced by a dedicated right-turn lane. An aerial image of the intersection was displayed. In response to a comment by Council Member Birrell regarding installing a roundabout at the intersection, Mr. Shipp reported that the volume of traffic, required land acquisition, and the location of a water vault precluded that possibility.

Potential locations for the bus stop were discussed. Mr. Shipp stated that they have not yet had detailed discussions with the Utah Transit Authority ("UTA") regarding a new location. It could potentially remain in its current location but his preference is to move it to the north.

The need for a safe route for children to walk to school was discussed as well as safety during snowstorms. Mr. Shipp noted that the design is in its initial stages but things like the taper length of the turn lanes are based on national standards. The City's required matching funds for the

federal portion of the project is \$219,000, which would come from the Public Works budget. Mr. Shipp has spoken with the Wasatch Front Regional Council (“WFRC”) and confirmed that the projects can be tabled without penalty. The only thing that would change is the cost. Mayor Weichers asked about options if they are not satisfied with the 30% design. Mr. Shipp stated that they went through a couple of iterations and could bring those back for the Council’s review.

Council Member Birrell reminded the Council of the safety issues at the intersection and admonished them to think of safety first. Mayor Weichers stated that they need to consider both safety and not create more issues than they solve. Council Member Hyland recognized Council Member Birrell’s point but was hesitant to create reasons for drivers to be more impatient and less cautious. Mr. Shipp recognized the Council’s concerns and asked them to recall that the project includes landscaped islands for traffic calming as well as enhanced pedestrian crossings. Council Member Holton stated that there are a lot of issues as the other Council Members correctly pointed out. He believes they need to balance cost with progress, and he is fine with having to wait for it. Mayor Weichers stated that the Council wants to make sure they get it right. Mr. Nelsen pointed out that removing the slip road will also remove the problem of going from three lanes down to one lane.

It was clarified that the Council approves of the other designs but has concerns about the intersection. At the direction of the City Council, Mr. Shipp will bring the other iterations of the intersection design to the next meeting for review.

b. Highland Trail Phase 3 – Senior Engineer, Ben Nelsen.

Mr. Nelsen reported that federal funding was secured to begin the 30% design on the project to build the Highland Drive Trail from approximately I-215 to Fort Union Boulevard. Mayor Weichers asked how the trail would feel comfortable as an off-road bicycle lane given the number of houses, driveways, etc. on the route. Council Member Hyland noted that the frontage road creates a safety element for the houses and asked how the trail could be constructed without property acquisition and potential demolition of existing structures. Mr. Nelsen clarified that there is currently a sidewalk. The frontage road is approximately 40 feet wide, which has allowed parking on both sides of the street. The project would widen the landscaped islands and reduce the pavement width along the Highland Drive frontage road. The trail would be on the east side, so no current access roads would cross the trail.

Council Member Hyland stated that this crossing is currently very dangerous. She has been told that this part of the trail would accommodate people coming off of the East Jordan Canal Trail. If the project will beautify the entrance to the City for people who come off the highway, they should present it that way, but she did not believe they should put a lot of money into it because it will not be utilized by Cottonwood Heights citizens. Mayor Weichers indicated that Mr. Johnson would discuss that issue in Item C.

In response to a question from Council Member Hyland, it was clarified that the businesses in the area make their staff park on the street to give the appearance of ample parking. However, those businesses have more than adequate onsite parking. Council Member Birrell expressed concern that area residents would have to go through a parking lot to patronize the stores.

Mr. Shipp clarified that the trail is part of the Trails Master Plan and Mr. Johnson’s presentation would tie the projects together. The Council had questions about the vision for the intersection, which was what they were trying to address. Their goal is to get pedestrians safely through the intersection of La Cresta Drive and Highland Drive and address concerns expressed by residents of La Cresta Drive and Greenfield Way regarding cut-through traffic.

Mayor Weichers expressed concern that there is not enough room in front of the bank to continue the trail. Mr. Nelsen agreed that there would be shortages, but they can narrow the trail slightly in those areas. Mr. Shipp noted that people are currently using the sidewalk as a trail, and they would be replacing it in some sections with a bigger sidewalk or trail. There would not be a separate bicycle path. Mr. Johnson asked the Council to consider that the current bank and shopping center could be redeveloped in the future. The design will determine how much space is required to implement the project. Then, if redevelopment occurs, construction of those portions of the trail could be required of the developer. That type of patchwork approach may be necessary.

Mr. Shipp reported that the grant has an October deadline and the City’s portion of the 30% design would be \$10,000. Once the design is completed, they can apply for federal grants for construction.

c. Highland/Fort Union Trail System Overview – Community and Economic Development Director, Mike Johnson.

Mr. Johnson presented an overview of the project and noted that the Meeting Packet included excerpts from the City’s Master Plans that are related to its vision for active transportation. The purpose of the Parks, Trails, and Open Space (“PTOS”) Master Plan is to make active transportation viable for the greatest amount of people. The Plan’s recommendation is grade-separated cycle tracks or paths focusing on Fort Union Boulevard, Highland Drive, Bengal Boulevard, and Creek Road. It is considered a backbone network with regional scale connections and neighborhood byways, which will create a viable active transportation network that reasonably connects the City.

The Highland Drive portion of the map was reviewed. It will connect to the East Jordan Canal Trail and an urban trail adjacent to I-215. That trail has been planned by the City of Holladay to connect Knudsen Park to Highland Drive via a grade-separated pedestrian trail along the I-215 corridor. That then connects to the Big Cottonwood Trail, which connects to the mouth of the canyon and Wasatch Boulevard. UDOT has plans for a shared-use path along Wasatch Boulevard. These plans represent a vision for a grade-separated active transportation network that can feasibly connect Little Cottonwood Canyon, Big Cottonwood Canyon, Knudsen Park, the Cottonwood Corporate Center, Highland Drive, and the East Jordan Canal without any interference with cars except at intersections.

The Bicycle and Trails Master Plan predates the PTOS Master Plan and includes the vision of creating a viable, safe, usable, inviting active transportation network focused along busy corridors because that is the most effective way for people to travel from place to place quickly.

Mr. Johnson noted that all the plans also acknowledge how hard that will be to implement. It will require designing the trails to identify how much right-of-way will be required and strategies to either acquire the right-of-way or establish requirements that trigger when property redevelops. The City's approach has been that if funds are available that will save money on feasibility and design, they should move forward with those aspects of projects. Spending \$10,000 to understand the constraints of a project has been considered more worthwhile than jumping directly into a \$500,000 construction project at a later time.

The Fort Union Area Master Plan contemplated the same type of trail on Fort Union Boulevard. That Master Plan created visual cross-sections of how it would accommodate travel lanes, medians, a grade-separated bike lane, and sidewalks, but it did not consider constraints such as power poles. The Transportation Master Plan is closer to implementation. It includes codified cross-sections for use as properties are redeveloped, and its Fort Union cross-section includes power poles and other existing constraints. A real-world example on Fort Union Boulevard is the two multifamily projects that developed across from Mountview Park. This plan was in place at the time, and the developer was required to install the right-of-way cross-section and dedicate the property when the projects were constructed. The City then used Corridor Preservation funding to acquire the land, and UDOT funds to build the remaining trail improvements in that area. It is currently only one small area that dead ends, but it has set the precedent for when other properties develop, or the trail becomes more prioritized in the future.

Mr. Johnson stated that the questions regarding the Highland Drive Trail are valid in a vacuum. However, when you consider the City's Master Plan, it is a component of the overall citywide vision for active transportation. Someone in that neighborhood may not use the trail to go to Whole Foods, but someone in Knudsen Park or the Cottonwood Corporate Center may use it as an actual means of transportation.

In response to concerns raised by Council Member Birrell, Mr. Johnson reported that the East Jordan Canal Feasibility Study concluded that it would require substantial and expensive reconfiguration to make the I-215 interchange safe for active transportation. However, it identified a potential grade-separated, dedicated trail crossing over the top of I-215 that connects Murray City to Holladay's planned trail, then back to Cottonwood Heights at 2300 East and Knudsen Park.

Council Member Birrell stated it would not make sense to spend money on a multi-use path if people were able to cross in a safer, more aesthetically pleasing area. To Council Member Birrell's point, Mr. Johnson indicated that the design process would include determining how to interface the trail design and connect it to the neighborhood and other Master Plans. Council Member Birrell stated that she believed the Active Transportation Subcommittee should be present for these discussions. Mr. Johnson noted that the Master Plans are visions for 40 to 60 years in the future. PTOS Committee member, Bruce Jorgensen, is a former landscape architect who often speaks about the Parley's Trail system near I-80. Thirty years ago, it was just a line on a plan, and no one thought it would really happen. If you only look at the trails in relation to the existing configuration, they may not seem worthwhile, but there is a long-range vision and a reason for it.

Mayor Weichers now understands the reason for the \$10,000 match and asked if the Council believed it would be a good use of funds to obtain the 30% design and determine next steps.

Council Member Newell stated that it would be better to complete it now than lose the opportunity for the grant. Council Member Birrell indicated that she could not support moving the project forward. Council Member Hyland did not want to encourage a lot of bicycle and pedestrian traffic into the interchange but wants to beautify the entrance to the City and was in favor of the 30% design project.

Mr. Shipp clarified that the design would only connect to the second phase of the East Jordan Canal Trail, not I-215. Council Member Birrell agreed that the entrance to the City should be beautified and they should focus on helping people who live east of Highland Drive to get across it safely to the East Jordan Canal Trail. In response to her question, Mr. Shipp clarified that no design has been completed. The request is for \$10,000 in matching funds to begin the 30% design to determine what can be done. The design will also consider how to safely move pedestrians through the intersection of La Cresta Drive and Highland Drive. Mayor Weichers indicated that a majority of the Council wished to move forward with the project.

Mr. Shipp informed the Council that the contract would be presented for approval at the next City Council Meeting.

d. Electric Scooters and Bicycle Proposed Ordinance – Police Chief, Robby Russo.

Chief Russo reported that the Council previously discussed the proposed Ordinance at a January Work Session. There is a need to address scooter safety in Cottonwood Heights. They originally discussed e-bikes as well but he has narrowed the focus to electric scooters. The takeaway from the Council’s feedback was that they were concerned about travel areas, road rules, safety equipment, and parking. He found similar ordinances that address those issues, including one from Midvale, and a new Ordinance was drafted and forwarded to the Council for review. He asked for the Council’s feedback on the draft.

Council Member Hyland provided the following comments regarding 11.34.030, Rules of Operation:

E. E-scooters may not be operated in vehicular travel lanes on streets with a speed limit greater than 35 miles per hour. She recommended changing it to read “35 miles per hour *or less.*”

F. In a bikeway, bike lane, or multi-use trails, an e-scooter must yield the right-of-way to a bicycle. She asked why this rule was included. Mayor Weichers clarified that cars are also required to yield to bicycles, and e-scooters will follow the same set of rules.

I. Helmets are strongly recommended for all riders. She asked about requiring helmets for riders under the age of 18.

Chief Russo stated that Midvale City removed the requirement because they did not like the idea of mandating helmets for children who ride on sidewalks but he would prefer to require them. He asked City Attorney, Shane Topham if they were able to mandate it. Mr. Topham responded that he would have to research the matter.

Council Member Birrell noted that minors are not required to wear helmets on electric bicycles. Council Member Newell stated that e-scooters are motor-powered, which should be the mechanism by which they can mandate it. In response to a question from Council Member Birrell, Chief Russo stated that scooters can be modified to go faster than 28 MPH. Council Member Hyland asked that Staff determine if it would be possible to mandate helmets for minors. Mayor Weichers agreed. Chief Russo urged the Council to support the requirement if they are able to enact it. The Council discussed the dangers of not wearing a helmet. Council Member Birrell stated that she believes the City should focus on having safe places for people on e-scooters and e-bikes.

Mayor Weichers noted the time constraints and thanked Chief Russo for the presentation.

e. **Presentation by Governance Sciences Group, Inc. d/b/a FlashVote for public input polling – Introduction by City Manager, Jared Gerber, with remote presentation by Jason Reis and Kevin Lyons of FlashVote.**

Jason Reis, Vice President of Sales and Operations for FlashVote, asked how often the City Council believes public input sentiment that they receive via phone, email, social media, or in person matches the whole community’s sentiment. After hearing numbers between 6% and 20%, Mr. Reis stated that it actually matches approximately 5% of the time. In the same dataset, they found that the public input sentiment received via those means is exaggerated 25% of the time, and 70% of the time actual public sentiment is the opposite. The Council Members were not surprised by that information.

Mr. Reis shared a case study conducted by the Harvard Kennedy School that considered the difference in results received from a live meeting, a survey the City conducts on its own, and a scientific sample survey. They asked what should be added to a community center. The highest in-person responses were health and social services and study and meeting events space. The age demographic for the in-person data was 81% over 60. The social media survey responses were almost identical, but only 31% of respondents were over 60. The goal of FlashVote panel surveys is to receive input from regular residents who are not self-selected to the topic are not particularly passionate or interested in the topic, and do not know the topic before they take the survey. These results indicated that sports were most important and health and social services were lower than exercise equipment. The age demographic of the scientific sample was 34% over 60. It was almost identical to the social media sample but the results were drastically different because traditional methods of community input are biased.

When the community is aware of the topic being surveyed or is invited to speak in a forum about a given topic the format invites self-selection. That creates a core problem in that 10% of the community will be very interested in something happening, and 10% will be very interested in preventing it from happening. Those groups are easy to identify. However, if you only hear from that small portion of people, you do not know what the majority of the community wants. The goal of FlashVote is to determine what the general public, regular residents who do not have an agenda, actually think.

FlashVote developed a method to obtain statistically valid community input in 48 hours. It was the first company to create a scientific survey panel for government. Their method works by inviting residents to join the panel via SMS, email, mail, and other promotions. Panelists do not know survey topics in advance. When residents sign up, they fill out demographic information, including their address, gender, birth year, and other questions such as whether they rent or own and if they are a full-time resident, so that the data can be filtered by demographic or district.

In response to a question from Council Member Birrell, Mr. Reis stated that all residents of the community are asked to join the panel. Mayor Weichers asked how they avoid only having the more vocal residents sign up. Mr. Reis stated that that is one of the top questions they receive but more often than not the data concludes the opposite of the perception set by the more passionate residents. Those more passionate residents are invited to join the panel, but they rarely do because they are typically attracted to environments where they have an audience that allows them to socially drive an agenda. Additionally, when you advertise the topic, you generally receive many like-minded responses because they know the topic and share it with their friends. When they do not know the topic of the survey, they cannot corrupt the data.

Council Member Birrell stated that the City utilizes Instagram, Facebook, Twitter, its website, and a monthly newsletter, and she was concerned that more diverse residents may not sign up if the panel is only advertised via those methods. She then discussed her experience with surveys when she was first elected to the Council, including a long-term survey on the City website and a survey of registered voters conducted by Y2 Analytics, both of which showed that residents want walkability. Mayor Weichers stated that he has never met anyone who did not want a walkable city. However, if you ask if they are willing for it to take longer to drive around the City to accomplish that, their answer changes.

Mr. Reis clarified that there is a strong differentiation between FlashVote's scientific panel surveys and the traditional surveys Council Member Birrell described. How the survey is written also plays a large part in the data. FlashVote spent its first 18 months researching ways to get people to sign up for and participate in surveys on topics that they do not particularly care about. In doing so, they developed language that resulted in a large percentage of respondents signing up for the panel. They provide that tested language to the City's communications team, which then puts it out to all those channels. Their customers with the largest number of panel participants also involve local media. After approximately one month, typically 100 to 200 people will sign up through those channels. FlashVote also has access to a political database with SMS information for residents of Cottonwood Heights, and they send out batch invites to residents. That is done after the initial sign-up period so that information about the initiative is widely available for people who are concerned about its validity. It is a collaborative effort between FlashVote and the City with the sole purpose of receiving input from regular residents on specific topics.

FlashVote's surveys are live for 48 hours. The problem with leaving surveys open for long periods is that the survey is shared, there can be duplicate entries, and the data cannot be valid. The average response rate is 57%. Cottonwood Heights will be able to conduct up to six surveys each year on a variety of topics. Each survey has between three and five questions, and FlashVote assists in crafting the questions and answer choices to ensure that they receive specific data. The panel will grow over time. They also conduct equitable panel balancing to ensure that the panel is

representative of the City and will target SMS invitations to bring in more residents of underrepresented districts or demographics. Respondents also receive the results of the survey. Council Member Hyland stated that an important takeaway from the demonstration she previously viewed was that over time, the results become more representative of the city's demographics because of how FlashVote approaches building the panel. Mr. Reis added that there is also a continual effort to promote the panel. He noted that once the survey is live, anyone can participate in it. However, the data is separated between participants who knew the topic beforehand and panel members who did not know the topic.

Mr. Reis presented the results of a survey conducted for Saugeen Shores, Ontario, Canada. The City had received a lot of feedback from residents who wanted to cancel summer programming at their arena and instead have a year-round ice rink. The FlashVote panel had 342 participants, and 233 members participated in the ice rink survey. In the two days the survey was open, 1,098 additional people took the survey. The technology then separated the data so they could compare results from panel members to those from people who knew the topic prior to participating in the survey. The results showed that 57% of panel members do not skate, but 80% of the people who knew the topic do skate. Only 47% of panel respondents did not want a year-round ice rink, 15% were unsure, 19% were in favor, and 11% wanted more hockey in the winter months.

Council Member Holton asked if survey participants were required to submit their names and addresses. Mr. Reis confirmed that the address is a unique identifier and is one factor they use to clean the survey results. The address is critical to filtering by locals only, residency, and districts. Non-residents can take the survey but their data is filtered out and can only be viewed by selecting that option. In response to a question from Mayor Weichers, Mr. Reis stated that they have not had an issue with people using false addresses to take the surveys, and it is unlikely that a statistically relevant number of people would create fake email addresses to participate. Two people with the same address can participate in a survey but three would be flagged by the system.

Mr. Reis reviewed the last question of the survey, which indicated that it would cost \$36 per resident to purchase a cover and operate the ice rink all year. That resulted in 20% of panel members being against the ice rink, 16% in support if there was no cost, 26% in favor as long as the cost did not increase, 19% expressed support with a 15% increase, and 13% were in favor regardless of the cost. Results from non-panel members indicated that 40% would support it regardless of the cost and 22% would support it with the cost, but that is because 80% of the people who knew the topics were skaters or hockey players. He noted that 1,200 people signed up for the panel after they knew the topic but the next survey would be about a different topic that they likely would not be as passionate about. The short, frequent surveys are about multiple topics, and as a result, they tend to receive a 40% to 70% response rate from a wide range of residents.

In response to a question from Mayor Weichers, Mr. Reis stated that the number of residents in the community does not matter as much as the number of completed survey results. As soon as they receive 100 responses, the results are a plus or minus 10% accurate representation of the views of the entire community. A total of 384 responses is at plus or minus 5%. In response to a question from Council Member Birrell, Mr. Reis stated that the default minimum age is 13 but he believed it could be set to 18.

Council Member Hyland liked that the questions are unbiased, which creates a very informative survey. Mr. Reis stated that to have good data to make good decisions, they need to craft an unbiased survey, cannot be weaponized, and provides percentage data to help them solve the problem. Short, frequent surveys provide a new engagement channel and allow for a quick turnaround time for results. Because they can have multiple surveys, if they uncover an issue with a survey, they can conduct another survey to dive deeper into the issue. Mayor Weichers thanked Mr. Reis for the presentation.

4.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.

- a. **February 17 – Presidents Day (City Hall Closed)**
- b. **February 19 – Senior Social Bingo with fun prizes, 1:30 p.m. at City Hall**
- c. **February 25 – Short-Term Rental Town Hall Meeting, 6 p.m. at City Hall**

The calendar items were reviewed.

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

Mayor Weichers reported that the Closed Meeting would be conducted after the Business 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 Hyland. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 6:54 PM.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, FEBRUARY 4, 2025, AT 7:00 PM IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD,
COTTONWOOD HEIGHTS, UTAH**

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

Staff Present: Jared Gerber, City Manager; Deputy City Recorder, Maria Devereux; City Attorney, Shane Topham; Community and Economic Development Director, Michael Johnson; Public Works Director, Matt Shipp; Barbara Higgins, Human Resources Director; Police Chief, Robby Russo; Administrative and Financial Services Director, Scott Jurges; Unified Fire Authority Assistant Chief, Riley Pilgrim

1.0 WELCOME

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

2.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Police Chief, Robby Russo.

3.0 CITIZEN COMMENTS

There were no citizen comments.

4.0 STANDING QUARTERLY REPORTS

4.1 Finance – Administrative and Financial Services Director, Scott Jurges.

Administrative and Financial Services Director, Scott Jurges, presented the Quarterly Report and reviewed year-to-date revenues. Most property tax revenue is received by January 30 each year. Budgeted revenue is \$8.279 million, and \$8.291 million has been received. Property taxes are a stable revenue source with an average annual change of \$52,271. In response to a question from Mayor Weichers, Mr. Jurges confirmed that he normally budgets an annual change of \$50,000, and 2025 revenues are slightly above that number. Council Member Birrell asked if property tax revenues would increase significantly with the annexation of Tavaci. Mr. Jurges stated that it likely will not increase by more than \$150,000. Property taxes are based on property values in the annexed areas, and they should have a good estimate of that figure before the FY 2026 budget is finalized.

The Motor Vehicle Fee-in-Lieu is the age-based fee paid at the time of vehicle registration. It is distributed in the same way as property taxes and school districts receive the majority of revenues from both taxes. The Motor Vehicle Fee-in-Lieu is currently at approximately \$380,000, which is

\$59,000 above what was received in previous years. Mr. Jurges does not anticipate much additional Fee-in-Lieu revenue in this fiscal year.

Sales tax revenues are budgeted at \$9.7 million for 2025 but are currently \$44,000 below 2024 with year-to-date revenue at \$3.713 million as of November. In response to a question from Council Member Holton, Mr. Jurges stated that sales tax data is received two months in arrears. Staff believed they would meet the budget as recently as January but they may need to downsize the projection. Mayor Weichers speaks regularly with Treasurer, David Muir, about sales tax collections, and Mr. Muir reminds him that the numbers can fluctuate drastically if a big entity does not submit their tax receipts on time. After reviewing the October sales receipts in January, they believed sales tax revenues would exceed the budget. He noted that state sales tax revenues were down 20% from November 2023. Mr. Jurges stated that Thanksgiving was very late in November, so there could be a large increase in revenues for December due to Black Friday and other seasonal sales.

County Option Highway Trans Sales Tax revenue is at approximately \$331,000, which is \$4,000 below 2024. Mr. Jurges believes they will meet the \$810,000 budget for the year.

The Transient Room Tax is budgeted at \$180,000, and revenue is currently on trend. Approximately \$4,000 more in revenue has been received than at this point in 2024.

Municipal Energy Tax revenue was approximately \$2.5 million in 2023 and 2024, which was slightly under budget. FY 2025 is expected to meet or exceed budget.

Cable Franchise Tax revenues have declined over the last two years. Only one quarter has been collected this year and it is currently \$8,000 behind 2024. The next quarterly payment will be received in late February. In response to a question from Mayor Weichers, Mr. Jurges stated that fiber providers are not subject to this tax. The shift to streaming services has negatively impacted this tax.

The Class C Road Fund typically collects revenues through April each year. There have been sharp increases since 2021. Revenue is currently \$28,000 ahead of 2024, and the 2025 budget is approximately \$100,000 less than 2024. Mr. Jurges believes they will come in over budget by \$150,000 or more. He noted that this revenue is based on gas usage, not gas prices.

General Fund expenses were reviewed next. Mr. Jurges noted that expenses can fluctuate from budget if an invoice or payment is delayed. The current year's budget is approximately \$23 million. Expenses in 2024 were approximately \$22 million. Spending is currently ahead of 2024 by \$284,000, but Staff projects that final expenses will be under budget by approximately \$500,000.

General Fund revenue is approximately \$858,000 higher than this point in 2024. Mr. Jurges noted that Cottonwood Heights received \$2 million in federal government grants in both 2022 and 2023. If those funds are subtracted from the calculations, 2025 revenues are currently stronger than any of the last four years.

Council Member Birrell asked what percentage of sales tax revenue is from groceries. Mr. Jurges reported that the data was not available for discussion in an open meeting. Per state regulations, only the City Treasurer, David Muir, has access to that information. Mayor Weichers noted that Cottonwood Heights' portion of the sales tax pool has not decreased, only the state's portion.

5.0 ACTION ITEMS

- 5.1 Approval Consideration of Resolution 2025-06 Approving Amendment to an Agreement with Road Safe Traffic Systems, Inc. for Citywide Striping Services. (By this Resolution, the Council will approve the City's entry into an amendment to an agreement previously approved under Resolution 2024-14 whereunder the named provider f/k/a All Star Striping LLC will provide paint-striping services on public roads in the City through 30 June 2027).**

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

MOTION: Council Member Newell moved to TABLE Consideration of Resolution 2025-06, Approving Amendment to an Agreement with Road Safe Traffic Systems, Inc. for Citywide Striping Services. The motion was seconded by Council Member Holton. The motion passed with the unanimous consent of the Council.

- 5.2 Consideration of Resolution 2025-07 Approving Reappointments to the Historic Committee. (By this Resolution, the Council will advise and consent to the manager's reappointment to new three-year terms of four members of the City's Historic Committee whose terms of office recently expired).**

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

MOTION: Council Member Hyland moved to APPROVE Resolution 2025-07, Approving Reappointments to the Historic Committee. The motion was seconded by Council Member Birrell. Vote on Motion: Council Member Holton – Yes, Council Member Hyland – Yes, Council Member Newell – Yes, Council Member Birrell – Yes, Mayor Weichers – Yes. The motion passed unanimously.

- 5.3 Consideration of Resolution 2025-08 Declaring Certain Property Surplus. (By this Resolution, the Council will declare surplus and designate the method of disposition of certain unneeded vehicles owned by the City).**

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

MOTION: Council Member Holton moved to APPROVE Resolution 2025-08, Declaring Certain Property Surplus. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Hyland – Yes, Council Member Newell – Yes, Council Member Birrell – Yes, Council Member Holton – Yes, Mayor Weichers – Yes. The motion passed unanimously.

6.0 Consent Calendar

6.1 Approval of the Minutes for the City Council Work Session and Business Meetings of January 7, 2025, January 21, 2025, and January 16, 2025, Council Retreat.

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

7.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

MOTION: Council Member Holton moved to ADJOURN the Business Meeting and reenter the Work Session. The motion was seconded by Council Member Hyland. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 7:12 PM.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session and City Council Business Meetings held Tuesday, January 7, 2025.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____