

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, APRIL 15, 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 Ellen Birrell, Council Member Suzanne Hyland

Staff Present: City Manager, Jared Gerber, City Attorney, Shane Topham; Police Chief, Robby Russo; Finance Director, Scott Jurges; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; City Planner III, Ian Harris; IT Manager, Matt Ervin; City Engineer and Public Works Director, Matt Shipp; Unified Fire Authority, Riley Pilgrim

1.0 WELCOME

Mayor Mike 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 indicated that the meeting would begin with the Pledge of Allegiance led by Police Chief, Robby Russo. They would then have the privilege of honoring Special Olympics USA athlete Andy Melville for his gold medal win in Turin, Italy. They will be asking Mr. Melville to perform his award-winning dance routine at Butlerville Days. Next would be the City Council Committee Reports and citizen comment period.

Item 6.0, Standing Quarterly Reports, would include reports from Finance Director, Scott Jurges, and City Engineer and Public Works Director, Matt Shipp. Item 7 would be a public comment period for the PDD-2 Text Amendment for the Gravel Pit, followed by Action Item 8.1 considering Ordinance 436 Amending the PDD-2 Zoning Ordinance.

Item 8.2 would be consideration of Ordinance 437 adopted an Amended Budget for the July 1, 2024, through June 30, 2025 Budget. Mr. Jurges reported that the document included in the Meeting Packet was discussed at the April 1, 2025, City Council Meeting. One adjustment had been made to include the sale of a SWAT vehicle for \$8,500, which increased net revenue to \$42,000.

Council Member Newell stated that he works with Tim Shriver, Chairman of the Special Olympics. If he had known about Mr. Melville’s attendance ahead of time, he could have invited Mr. Shriver.

Item 8.3 would be consideration of Resolution 2025-23 approving an Interlocal Agreement with Salt Lake County for election services. Records, Culture, and Human Resources Director, Barbara Higgins reported that the Interlocal Agreement includes estimates, and the actual contract cost may decrease from those numbers. In response to a question from Council Member Hyland,

Ms. Higgins clarified that the contract is a “not to exceed” amount based on estimates provided earlier in 2025, not 2024’s actual costs.

Mayor Weichers indicated that at the Conference of Mayors, Salt Lake County Clerk, Lannie Chapman explained that an audit was performed which indicated that the County is supposed to be charging the full cost for election services instead of supplementing those costs. The mayors in attendance stressed that cities do not receive many services from the County and believe that they should continue supplementing election costs. The County indicated that they passed through the full costs two years ago and the total cost to Cottonwood Heights was approximately \$38,000, which is why they believe that the actual cost will be considerably less than quoted.

Council Member Birrell asked if an announcement would be included in the May newsletter to remind citizens that the filing deadline for candidates for the District 3, District 4, and Mayoral seats is in the first week of June. Ms. Higgins stated that it is on the website, and there will be an article in the May newsletter. It has also been noticed both through email and the public notice website.

Item 8.4 would be consideration of Resolution 2025-24 accepting a bid and approving entry into a construction contract with Premier Striping, Inc. for the 2025 through 2027 citywide striping project. Mr. Shipp reported that Premier Striping is a new vendor. The topic was discussed at a previous meeting, and at the Council’s request, the project was sent out to bid. Proposals were received from Premier Striping and Roadsafes Traffic Systems, with Roadsafes Traffic Systems coming in approximately \$150,000 higher. Premier Striping has good references and has agreed to extend a longer contract term so the work can be completed in a timelier manner. The current contractor, All Star Striping, was purchased by Roadsafes Traffic Systems.

Item 8.5 would be consideration of Resolution 2025-25 approving the appointment of Rusty Lugo to the Planning Commission. City Manager, Jared Gerber stated that he and Community and Economic Development Director, Michael Johnson interviewed the candidate. He has been a commercial banker and involved in real estate for many years and is excited to serve on the Commission. He is a resident of District 2 and will be the alternate member.

Item 8.6 would be consideration of Resolution 2025-26 indicating the City’s intent to annex an unincorporated area, setting a hearing to consider such annexation, and directing publication of a hearing notice. City Attorney, Shane Topham stated that it is an annexation without a petition, which can be used in limited circumstances involving the annexation of an unincorporated island. The Water Vista Way neighborhood is comprised of approximately 16 acres, including residences along Water Vista Way and at least one on Creek Road. The resolution is the initial step in the process. A public hearing will be held on May 20, 2025, and notice will be sent to required governmental entities prior to the meeting.

Council Member Hyland stated that the area was designated to become part of the City in the 2014 agreement between Sandy City and Cottonwood Heights because it is currently in a recreation center district. The annexation is supported by between 95% and 100% of affected residents. Council Member Birrell thanked Council Member Hyland for her work on the annexation. Mayor

Weichers added that they would have been automatically annexed into Sandy in 2027, and Cottonwood Heights would be happy to have them.

Item 8.7 would be consideration of Resolution 2025-27 approving a Memorandum of Agreement with the Utah Department of Transportation (“UDOT”) and Utah State Historic Preservation Office regarding the Butlerville Historic Monument. Mr. Gerber reported that the Historic Committee was planning to erect a monument in front of Butler Elementary when UDOT approached them. As part of their State Route (“SR”) 190 merge lane improvements, UDOT has funding that must be used for historic markers, so they are donating \$10,000 toward the monument.

In response to a question from Council Member Birrell, it was reported that the merge lane will be at SR 190 and Fort Union Boulevard. Council Member Birrell asked for more clarification on the project as she did not understand how it would correlate to a donation to the historic monument. Mr. Topham clarified that the construction will affect an archeological property that is eligible for inclusion in the National Register of Historic Places. The memorandum for UDOT did not include information on the underlying project.

In response to a question from Council Member Hyland, Ms. Higgins reported that Culture Manager, Ann Eatchel is working on costs for stonework and a plaque, but the Historic Committee is currently redesigning the monument. Options will be provided to the City Council in the future.

Next on the Agenda would be approval of the minutes of March 4, 2025, March 8, 2025, and April 1, 2025 City Council Work Session and Business Meetings. Ms. Higgins reported that Council Member Birrell had edits for the April 1, 2025 minutes, so they should be moved to the next meeting.

3.0 STAFF REPORTS

3.1 PDD-2 Text Amendment (Gravel Pit) – City Manager, Jared Gerber.

Mr. Gerber presented the Staff Report and indicated that the City Council has discussed the planned development at several meetings, and the Planning Commission had recommended approval of the Text Amendment. The purpose of discussing the item during the Work Session was to answer any remaining questions from the City Council.

In response to a question from Mayor Weichers, Mr. Topham clarified that the Text Amendment specifies nine to ten unit floors and a maximum height of 150 feet. Council Member Birrell stated that the building would be up to 14 stories, and she recalled that the original request indicated a maximum of 12 stories. Mr. Gerber clarified that it would be 12 to 14 stories including the parking structure. He was uncertain about the height originally requested in 2021. Mayor Weichers noted that the height requested in 2021 was not approved, so the Applicant decided to delay the request at the time. Mr. Topham stated that the PDD-2 Ordinance was adopted in August 2021 and the original Ordinance reads, “The final building height, size, footprint, total unit count, parking, and other details concerning the proposed condominium use shall be determined through an amendment to this Ordinance and the Development Plan reviewed and approved by the Council in its legislative discretion.”

Council Member Hyland referred to a citizen comment regarding the height measurement; Patrick Boice recommended that the City Council review City Code § 19.51.060 concerning maximum building height in the Tier 1 PD Zone to determine if the building's height and average elevation were measured. Mr. Gerber stated that the Ordinance requires it to be measured from Wasatch Boulevard, and the citizen was referring to the bend in Old Wasatch Boulevard near Holladay. Mayor Weichers added that the PDD-2 Ordinance specifies the allowed height based on the setback from SR 190.

Council Member Hyland indicated that it was discussed that the Ordinance would allow the building to be as high as 300 feet, but the Planning Commission recommended setting a maximum height of 150 feet. Council Member Birrell noted that the most westerly edge of the building falls into the zone that specifies a maximum of 150 feet. Mayor Weichers stated that if the building were moved back 10 to 15 feet, it could be as tall as 300 feet, but Rockworth Companies agreed to the 150-foot maximum. Mr. Gerber verified that the Planning Commission motion specified the maximum height of 150 feet as measured from the northwest corner of Wasatch Boulevard.

Council Member Birrell expressed concern about allowing a building that is more than twice as tall as any other structure to be constructed on a sand base in a major earthquake zone, just feet away from major fault lines. She stated that she could not support residential density in the area due to the risks. She also expressed concern about allowing this height for a steel, glass, and concrete structure at the gateway to Big Cottonwood Canyon, as she believes it is the Council's responsibility to protect that area. Council Member Hyland asked if there was a maximum height she would support. Council Member Birrell stated that she was not in support of high-density housing at this location, but 100 feet would be more appropriate.

Council Member Hyland stated that the City needs attainable housing. Council Member Birrell indicated that only 15% of the housing will be moderate-income housing, so the development would contribute approximately 50 units for attainable housing. She understands that GeoStrata Engineering and Geosciences approved the development, but she believes it is too much of a risk.

Mayor Weichers stated that he has reviewed the renderings and the condominium building will only be 35 to 40 feet above the road, which is the height of a home. He was thankful for everyone's opinions on the development.

3.2 Form-Based Code Discussion - City Manager, Jared Gerber.

Mr. Gerber indicated that Mr. Johnson and his staff have met with the City Council Members regarding Form-Based Code. Their comments had not yet been incorporated into the draft because Staff wanted to ensure that the Council was in agreement prior to making those changes. The discussion will focus on Chapters 3 and 5 regarding Uses and Building Types. He reported that Form-Based Code would also be discussed at the May 6, 2025, City Council Meeting.

Council Member Hyland stated that, at Mr. Gerber's recommendation, she had a one-hour conversation with a Chicago-based group that has had a lot of experience with Form-Based Code. They looked at the draft for Cottonwood Heights and indicated that it is very detailed. In fact, it

may be too detailed for certain areas and too much for the population of Cottonwood Heights. They suggested that traditional zoning with elements of Form-Based Code may be better suited for the City and offered to help integrate Form-Based Code into the City's development regulations. They also asked if Cottonwood Heights has the staff to incorporate such a sophisticated document. Enforcement usually comes from complaints, and she is concerned about whether the capacity is available for enforcement. She suggested that they consider implementing fewer elements of Form-Based Code.

Council Member Hyland also expressed concern about the Building Types because the renderings do not show the large transmission lines. She was unsure how to reach a consensus on Chapter 5, especially in regard to the Town Center.

Mr. Gerber reported that he discussed staffing concerns with Mr. Johnson, who stated that the Form-Based Code would be enforced in a similar manner to the current Code. It is not the most intensive Form-Based Code he has seen, but he understood the concern regarding enforcement and suggested that they discuss it in more depth with Mr. Johnson to ensure that they have the staff and ability to enforce it. Mr. Harris added that Form-Based Code was written as a how-to manual for developing property within the code. When an application is received, they will verify that all requirements have been met by reviewing the tables in each chapter. Form-Based Code is more intuitive than the current City Code. He believes there would be growing pains, but deferred to Mr. Gerber and Mr. Johnson regarding whether they had adequate staff to enforce it.

In response to a question from Mayor Weichers, Mr. Harris stated that he had no opinion regarding whether only portions of Form-Based Code should be adopted. He noted that there is a line between being too proscriptive and getting the type of development the Council wants to see, and the consultant provided advice on that topic.

Council Member Birrell stated that she is in favor of smart city planning, but she did not believe there had been enough community interaction and engagement on the topic. To her understanding, the difference between the current City Code and Form-Based Code is that Form-Based Code is very transparent and includes clear direction for Staff, the developer, and the public. She believes it would save time and be more efficient. She agreed that it would initially be more time-consuming. As they work to establish the new Town Center area, she sees it as a way to help businesses rebuild in ways that create mixed-use developments and remove the strip malls and other aesthetically undesirable buildings. She also believes it would have a positive economic impact.

Council Member Newell agreed with Council Member Birrell. He believes that Form-Based Code is part of a smart planning strategy and is conducive to the direction they want for the City.

Council Member Hyland stated that she likes that Form-Based Code allows for different uses in the same building so the use can adapt over time. She asked if the contract with VODA Planning would cover reviewing the draft and discussing what may be too restrictive, or if they should consider hiring the group she spoke with to look at it for an hourly rate. They are very experienced and could provide direction on how Form-Based Code will apply to Cottonwood Heights.

Mr. Gerber stated that the contract is coming to a close. However, the City owns the document, so they could work with VODA or the other group on an hourly basis.

Mayor Weichers asked if the Council had any objections to the current language in Chapter 3. Mr. Gerber clarified that they should discuss new objections, as anything already brought to Mr. Johnson's attention will be addressed in the next draft. Council Member Birrell stated that she would like to see the comments that were made by her fellow Council Members. Mayor Weichers indicated that Staff would provide that information to the Council so it can be reviewed prior to the May 5, 2025 meeting.

Council Member Hyland referred to a provision in Chapter 5 that states, "When frontage coverage is reduced, the provided driveway shall be limited to the minimum width as determined by the DRC," and noted that the provision leaves the determination up to Staff, which means it is not clearly defined in the document. It also refers to theme and unity but does not specify who will set the theme and unity. She noted that the Town Center has a large grade differential from area to area. They need to consider things like the maximum allowed building height, whether landscaping should be required in front of buildings, whether restaurants should be allowed to have concrete areas for outdoor dining, etc. She does not feel equipped to address those details on her own and needs to better understand the big picture regarding what they were trying to accomplish with this chapter.

Mayor Weichers asked if the Council could reach a consensus regarding height. It was noted that maximum height depends on the building type and where it is allowed within the zone. Council Member Hyland stated that the document refers to stories, not height. The Council Members agreed that it should refer to specific heights.

Council Member Birrell stated that Staff chose to focus Form-Based Code in certain overlay areas along Fort Union Boulevard and the commercial area, which are unique areas that will likely be developed in a more commercial way in the future. She is in favor of encouraging residential development along Fort Union Boulevard because it is one of the City's two arterial roads that have transit. She favors the densification of Fort Union Boulevard from Hillside Plaza west, as well as portions of Highland Drive. Mayor Weichers stated that he was not opposed to the concept, but he was not in favor of Fort Union Boulevard becoming Sugar House. He asked how they could limit the look and feel while also adding density.

In response to a question from Council Member Birrell, Mr. Harris clarified that the maximum building height is dependent upon the area. Buildings could be up to eight stories in Union Park, and the Town Center area around Hillside Plaza would allow four stories. Mayor Weichers noted that the Union Park area already has tall buildings. He asked the Council to concentrate on their vision for Hillside Plaza.

Council Member Birrell stated that the way Carmel, Indiana got the density to support economic development around their town center was to go as high as five stories. That height was chosen because someone on a fifth-floor balcony could converse with someone on the sidewalk, so it provided a sense of human scale. She suggested setting proportional requirements. For example, one-fifth of the acreage could allow higher buildings. She did not believe that allowing a

combination of building types within the City’s Form-Based Code would create an area like Sugar House.

Council Member Hyland was not in favor of the two-story minimum height for residential transition buildings. Due to the City’s aging population, she believed one-story buildings should be allowed. Mayor Weichers stated that it changes the look and feel. Mr. Harris agreed that the two-story minimum could present difficulties for aging residents, but the intent was to provide a transition from the R-1-8 single-story zones into the denser areas.

Mayor Weichers agreed that the maximum height should be specified in feet, not stories. He was in favor of a maximum height of 40 feet because it is only slightly higher than other areas of the City, and a building could be three or four stories high with a larger first story. He was not in favor of allowing taller buildings in the Hillside Plaza area but believed they should be allowed in the Union Park Center. His preferred minimum height would be two stories.

Council Member Newell stated that a 40-foot maximum would provide the opportunity for a parking level. Council Member Birrell stated that she was also in favor of a 40-foot maximum, especially in the commercial area at the northwest edge of the City. The Council agreed that the table should be modified to specify minimum stories and maximum height.

In response to a question from Council Member Birrell, Mr. Harris reported that the different areas are defined as:

- Union Park Center (“UPC”) is the commercial district in the northwestern corner of the City that includes Home Depot and Target.
- Town Center (“TC”) is the Hillside Plaza area.
- Fort Union Boulevard (“FUB”) is the most general district in the Form-Based Code and includes portions of the Highland Drive, Town Center, and Union Park areas. It includes the State liquor store, strip malls, and Whole Foods.
- Residential Transition (“RT”) is the peripheral transition area.

In response to a question from Mayor Weichers, Mr. Harris stated that they could provide information on the highest existing building in the Union Park Center zone at the next meeting. The buildings are very old and plans may not be available, but they can estimate the height. Heights of existing buildings in different areas of the City were discussed.

Council Member Birrell stated that there are R-1-8 Zones on the north and south sides of Fort Union Boulevard, and the idea would be to have transitional buildings between the residential area and the 40-foot buildings. She envisioned graduating heights and agreed that the RT area should have a lower height. Mr. Harris clarified that even if the maximum height is the same, there will be graduated density because the buildings will have setbacks and landscaping requirements.

The Council agreed that the maximum height should be 40 feet in the TC and FUB areas, and the maximum height for RT areas should remain at 35 feet to encourage more two-story buildings. Mayor Weichers asked Staff to include the Council’s recommendations, as well as their thoughts

on those recommendations, in the next draft. The Council will then discuss it in more detail at the May 5, 2025, City Council meeting.

Council Member Hyland referred to the setbacks listed in Table 5.3: General Building Requirements Part 2: Primary Frontage, and noted that the setback could be as small as 0'. She questioned if allowing buildings at the edge of the street was in the City's best interest. Sugar House is an example of an area that allows 0' setbacks. Mr. Harris stated there are buildings in Holladay with little or no setback, as well as in some smaller neighborhoods of Salt Lake City. They would need to ensure that there is enough space for pedestrians to walk in the right-of-way.

Mayor Weichers stated that most sidewalks are only five feet wide. He asked if the Council would be comfortable with allowing a 0' setback but requiring a 12-foot right-of-way in the TC, FUB, and RT areas. Council Member Hyland asked if they could require landscaping in the right-of-way. Mr. Harris stated that it is governed by the Transportation Master Plan, not Form-Based Code.

Council Member Birrell stated that she believed they should focus on the TC, FUB, and RT areas and delay addressing Union Park, which is a very different area with very different usage. She expressed concern about the large utility poles referenced by Council Member Hyland and reminded the Council of the example of the young man who had an accident on his scooter due to a utility pole blocking his line of sight. Mayor Weichers agreed that their focus should be limited.

Mr. Harris stated that there had not been any development applications for the Union Park area. Most interest is in the Highland Drive, Fort Union Boulevard, and Town Center nodes.

Council Member Hyland stated that the consultant she spoke with offered to review and comment on the plan. They estimated that it would take approximately 10 hours at a cost of \$143 per hour. She asked if it would be worth the investment to have that second opinion. Council Member Birrell asked if they would need to travel to Cottonwood Heights and expressed concern about the firm being located in Chicago. She believes mobility is as important as the structure, but development of the Form-Based Code had been focused on land development of sidewalks and buildings and did not address traffic flow. Council Member Hyland stated that the firm has completed projects in Gunnison, Colorado; San Antonio, Texas; and Florida; and they seem to be very knowledgeable about area-specific issues. She shared Council Member Birrell's concern but asked if it would be worth asking what they could do in 10 hours.

Mayor Weichers indicated that traffic studies had recently been completed that could address some of the Council's concerns. Mr. Shipp added that the data will be presented to the Council soon.

Mr. Harris stated that as properties are redeveloped under either Form-Based Code or another Ordinance, the improvements to Fort Union Boulevard that are specified in the Transportation Master Plan will be required. That could include increased sidewalk width, larger park strips, landscaping, etc. Mayor Weichers stated that the two sides of the road could look very different from each other because there is the potential for power poles on the south side of the road to be buried, but the transmission lines on the north side would be more difficult to move underground. He recently met with Rocky Mountain Power and asked them about options for both the

transmission lines and poles on that road, and they indicated that the lines on the small wooden poles could be buried at minimal cost.

Council Member Birrell stated that approximately two-thirds of the City’s population lives south of Fort Union Boulevard, and most people would come up the south side of the street. If they could bury those lines, it would be safer and more aesthetically pleasing. She stated that they also need to consider landscaping along the multi-use path to make it more interesting and comfortable, and she would like to see that addressed in Form-Based Code.

Council Member Hyland stated that Staff had notes on her concerns for Chapter 3 and the Council had discussed Chapter 5, but she was also concerned about what triggers redevelopment for existing property owners. She did not want it to be so burdensome as to affect the value of their current property by forcing changes. Council Member Newell agreed that the burden should not be placed on them. Mayor Weichers stated that anything that expands the building footprint would be subject to the new restrictions, but they would not apply to remodeling.

Council Member Hyland stated that she supported removing the Union Park Center from the document and delaying the implantation of Form-Based Code in that area to a future date. Mr. Harris stated that both the City Council and Planning Commission have expressed support for expanding Form-Based Code to other areas of the City if it proves successful, and the Union Park area could be considered at a later time.

3.3 FY26 Proposed Budget Discussion – Finance Director, Scott Jurges.

Mr. Gerber presented the proposed FY2026 Budget. Finance Director, Scott Jurges created the Preliminary Budget guided by the five-year plan, as well as Council feedback and comments from the Budget Retreat.

The General Fund includes the General Obligation Bond in the amount of \$20 million, which will go toward repaying the City for expenses associated with the sales tax bond on Hillside Plaza as well as repayment of the bond to avoid future debt service.

The General Fund ending balance is projected to be approximately \$7 million, which is an overall decrease of \$338,000. That represents over \$1 million more than anticipated in the current-year budget. State statute requires that 5% of projected revenues be kept in reserve and City Code requires an additional 1%, for a total requirement of \$1.5 million in reserves. In response to a question from Mayor Weichers, Mr. Jurges stated that the Community Development and Renewal Agency (“CDRA”) reimbursement was not yet included in the Proposed Budget.

Based on the previous year, the reserve for compensated absences is \$732,000, which results in approximately \$5 million available for appropriation from the General Fund. In response to a question from Council Member Hyland, it was confirmed that the reserve for compensated absences is a carryover from year to year that changes based on actual expenditures for the year.

Projected General Fund revenue changes were reviewed next.

- Property Taxes: \$100,000 increase based on growth and annexations.
- Sales Tax Revenue: \$250,000 increase over the current year.
- County Option Highway Sales Tax: \$10,000 increase.
- Energy Use Tax: \$80,000 decrease due to the recently passed tax cut. The Rocky Mountain Power increase was not included in these figures.
- Fee in Lieu of Property Tax: No change.

Council Member Hyland asked about the historical accuracy of property tax revenue projections and if Staff had considered the current valuations of both Tavaci and Water Vista Way. Mr. Jurges reported that revenue from Tavaci was estimated to be approximately \$50,000, but total property values were not yet available. The City will receive approximately six months of property taxes from both annexations. They will know more when the Certified Tax Rate is determined. Mr. Gerber stated that because Tavaci is not built out, Mr. Johnson is in the process of determining which lots have Building Permits and when development will occur.

Mr. Gerber continued reviewing changes to General Fund revenues.

- Franchise Taxes: No change.
- Transient Room Tax: No change.
- Telecom Franchise Tax: This is not included in the budget.
- Overall tax revenue changes indicate a decrease of \$170,000 from the FY2025 Budget, primarily due to the \$200,000 decrease in Sales Tax revenue.

Council Member Hyland asked for Council Member Newell’s opinion on the Telecom Tax. Council Member Newell stated that they were still working through it, and he did not have an opinion at that time.

Other revenue changes include:

- Class C Road Funds: Increase of \$120,000, which reflects trends since FY 2022.
- Interest Revenue: Decrease of \$200,000 due to the lower Fund balance.
- Additional Police Officers: Increase of \$180,000. Mr. Jurges stated that the increase in Police reflects changes adopted in October 2024.
- Community Health Coalition Grant: \$22,315 in additional grant funding.
- Total Budgeted Revenue: Approximately \$26 million, an increase of \$22,315.

Mayor Weichers asked about the Fifth of the Fifth increase, which begins on July 1, 2025. Mr. Gerber stated that they need to determine when distributions will begin and whether they will occur quarterly or yearly. An amendment will likely be required to add that revenue. Those monies will be dedicated to transportation Capital Improvements.

Employee cost changes include:

- No market adjustment for 2026. The City will need to do a study for FY2027 to determine where it ranks against other cities.
- 2% Cost of Living Adjustment (“COLA”): \$230,000

- Merit Increases: \$241,000. Mr. Gerber noted that the step program was used for this projection, but at the Council's direction that program will be phased out. After removing employees who are at the top of their range and are not eligible for merit increases, the actual increases are approximately 2.6%.
- 1% Longevity Bonuses: \$30,000.
- 6.4% Healthcare Cost Increases: \$71,000. Mr. Gerber reported that offsets in the compensation package will decrease this amount to approximately \$25,000.
- 1% Utah Retirement Services decrease: \$40,000.
- Total Employee Compensation Cost Changes: \$426,000.

Departmental changes:

- Elections: \$86,000 increase based on the estimate from the Salt Lake County Clerk. The actual increase should be lower, but this is the maximum possible increase.
- City Attorney: \$7,500 contractual merit increase.
- Cottonwood Heights Parks and Recreation Special Service Area: No changes, with the exception of \$20,000 in costs associated with taking over Doverhill Park.
- Mayor and Council: \$29,000 increase, including \$5,000 for the South Valley Chamber of Commerce, \$34,000 in travel and training, and a decrease of \$10,000 to remove the annexation study.
- City Manager: \$85,000 increase, including \$35,000 in liability insurance premiums, \$2,000 in travel and training, \$32,00 for Health in the Heights (including a \$10,000 state match), and \$16,000 to fund the Sister Cities program.

Council Member Hyland stated that she appreciates that the FY2025 Budget included \$10,000 for the metes and bounds survey and notification requirements. She requested that any unused funds be carried over to FY2026 because there is still a possible annexation on Creek Road East that would require funds. Some changes will take place on May 7, 2025, due to changes in the annexation statutes. She has reached out to Mr. Gerber and Mr. Topham to review those changes and determine potential impacts on the City.

Council Member Hyland asked for details on the \$34,000 for Mayor and Council travel and training. Mayor Weichers stated that they had discussed allocating a portion of that budget to each Council Member and allowing them to make the determination on how their monies are spent. The National League of Cities and other conferences do not require full Council attendance. Council Member Birrell will be attending a conference on safety action. The expectation is that each Council Member will have more leeway to attend training that they believe will be most beneficial.

Council Member Birrell stated in her three years of service on the Council, there had not been a discussion regarding how the Council wants to spend its budget. In response to her question, Mr. Gerber reported that the total proposed travel and training budget is \$50,000. The FY2025 Budget was \$31,000. Council Member Birrell was in favor of allocating a budget for each Council Member who could then determine how those funds would be spent. Mayor Weichers stated that it is a more common model for other cities.

Council Member Newell stated his focus is on things he can do locally as he prefers to limit the expenditure of public funds. He believes \$10,000 would be a large budget based on his needs. Mayor Weichers stated that they would hope each Council Member would be under budget. Council Member Birrell stated that she spoke with Council Member Holton about his passion for the Sister Cities program and her passion for safer streets and active transportation. She believes it would be nice to be able to advance those interests within the confines of the budget. She currently has to go to the City Manager to discuss potential expenditures, but his budget should be separate from the legislative issues she wants to advance.

Council Member Birrell stated that the van historically used to transport the Youth City Council had been sold. She asked that the Council consider increasing their \$6,800 budget to cover additional travel expenses that will be incurred due to the loss of that transportation.

Mr. Gerber reported that he and Mr. Jurges reviewed all departmental requests, and the following were determined to be essential or almost essential:

- Finance and Information Technology (“IT”): \$149,000 increase, including \$38,000 in GIS upgrades, \$40,000 in equipment cost increases, and \$70,000 for subscription software services.
- Records, Culture, and Human Resources: \$4,600 increase, including \$1,000 for travel and training and \$3,600 for a wellness program.
- City Hall Maintenance: \$12,000 increase in the custodial contract.

Council Member Newell stated that IT is a critical area for municipalities because the safety risk to public entities is increasing, and he was in support of the proposed budget. He cautioned that they should be strategic and ensure that they are not contracting for products that will become outdated too quickly. Mayor Weichers agreed and indicated that both Systems Administrator, Alex Earl and IT Manager, Matt Irvin understand that the City Council is committed to making sure that the City is safe. Mr. Gerber clarified that the increases do not include any new software or services; they are for equipment and current subscriptions only. Mr. Irvin has reported that there have been more attempts to access the City’s systems than usual, especially after they were required to move to a .gov address.

In response to a question, Mr. Jurges reported that the custodial contract increased by approximately 20% to 25%, but it had not increased in six years. Mr. Gerber added that they now have to service both the Public Works building and City Hall.

Mr. Gerber continued the review of departmental requests.

- Community and Economic Development: No change.
- Police: \$32,000 increase, including \$2,000 for travel and Versaterm training, \$10,000 for cell trackers, and \$35,000 in software increases.
- Ordinance enforcement: No change. A request was submitted for a part-time (evenings and weekends) Code Enforcement Officer, which may be considered later in the year.
- Fire: A 5% or \$270,000 increase was included in the Proposed Budget, but the estimate has since decreased to 2.96% or \$140,000.

- Public Works: Increase of \$202,350 for equipment operations, fire hydrant maintenance fees, and approximately \$20,000 for Doverhill Park maintenance. Mr. Gerber reported that Salt Lake City Public Utilities increased fire hydrant maintenance fees to \$125,000.

In response to a question from Council Member Birrell, Mr. Shipp reported that there had been one other fire hydrant maintenance fee increase in his time with the City. That increase was from \$35,000 to \$50,000.

Mr. Gerber reported that the overall FY2026 Budget is \$24,260,414, which includes \$1.3 million increases over FY2025. He then reviewed transfers from the General Fund.

- Capital Projects Fund: \$2 million for Public Works Capital Projects.
- Debt Service Fund: \$2.6 million for land and buildings, Police vehicles, and Public Works vehicles.
- Storm Water Fund: \$200,000 to cover the difference between Stormwater Fee revenues and the \$1.8 million in needed project funding.

The use of Fund Balance is projected to be \$2.8 million. The budgeted ending Fund balance will be \$4.4 million, which represents 16.9% of projected revenues. Available appropriations at the end of the fiscal year is projected at \$2.13 million. Mr. Jorges stated that the City usually under-expends by \$500,000 to \$1 million each year, so the available appropriations should be higher. United Fire Authority (“UFA”) savings were not included in the Budget.

Mayor Weichers stated that there had been a consistent 5% yearly increase for UFA. After he informed them that it was not sustainable long-term, they came back with an increase of 2.9% for FY2026, which saved the City \$140,000. He is grateful that they were able to make that change.

Council Member Hyland stated that the purpose of the stormwater fee is to cover costs and asked why they were not considering an increase. It was reported that the fee will increase from \$8.20 to \$8.44, which will net approximately \$46,000. To offset the \$200,000 transfer from the General Fund, a 15% increase would be required. Mayor Weichers asked if the Fifth of the Fifth tax revenues could be used for stormwater. Mr. Gerber stated that he believes it can only be used for transportation, but he will verify that information.

Mr. Gerber reported that FY 2026 Capital Projects including striping, roadway Capital Projects, the 50/50 Sidewalk Program, hazard mitigation, and ADA ramps, as well as incomplete projects, will be re-budgeted for the new fiscal year. The projected Public Works Capital Improvement Fund expenses are \$2.1 million, which results in an ending Fund balance of \$10,000.

The projected beginning CDRA Fund balance is \$1.9 million.

- Revenues include:
 - \$750,000 in property taxes related to the Canyon Centre project.
 - \$50,000 in interest.
 - \$550,000 in operational revenues from Hillside Plaza.

- Expenses include:
 - \$50,000 in professional fees.
 - \$750,000 for the Canyon Centre park.
 - \$550,000 in Hillside Plaza operational expenses.

The Budget adoption process was reviewed next. A Tentative Budget will be adopted on May 6, 2025. It will then be available for public review and comment. Changes can be made prior to the adoption of the Final Budget, which must occur before June 22, 2025. It is currently scheduled for June 17, 2025.

Mr. Jurgens reported that the tax increment related to the General Obligation Bond debt service, as well as the associated transfer from the General Fund, were not included in the proposed Budget. However, there would not be a net impact on the General Fund because the tax increment will be applied to that expense.

In response to a question from Mayor Weichers, Mr. Gerber reported that the proposed COLA increase is 2%. The proposed merit increase is 3.62%, but that decreases to 2.6% when ineligible employees are removed. Mayor Weichers stated that the average merit increase for nearby cities is between 3% and 4%. One-half of the cities they compared have moved away from separate COLA and merit increases and are only doing one increase. He believes the total percentage is high in comparison to other cities and the Council should consider lowering it.

Council Member Hyland recommended discussing the issue at a later time when Council Member Holton can participate. Mr. Jurgens stated that they did not need a final decision prior to the adoption of the Tentative Budget, but would need it at the first City Council Meeting in June so it can be incorporated into the Final Budget documents. Mr. Gerber indicated that he would forward the comparison document to the Council for review. The Council expressed appreciation for the new presentation format.

3.4 Central Wasatch Commission Discussion – City Manager, Jared Gerber.

Mayor Weichers thanked Central Wasatch Commission (“CWC”) Executive Director, Lindsey Neilsen, and Chair, Mayor Jeff Silvestrini, for attending.

The CWC was created by the signers of the Mountain Accord to help implement its vision. A primary goal of the Accord was land exchanges to dedicate more open space in exchange for providing ski resorts with more buildable area. Early in the process, they discovered that the United States Forestry Service could not make those decisions as they required legislative action. There was a failed attempt to pass a State resolution. At that point, the land exchange portion of the Mountain Accord stalled and did not regain momentum. Transportation-related tenets of the Mountain Accord included a road from the Wasatch Front to the Wasatch Back, as well as transportation from Big Cottonwood Canyon to Little Cottonwood Canyon and a shuttle within Millcreek Canyon.

When Mayor Weichers first joined the CWC Board, he looked closely at how it was providing value, and one way it provides that value is through transportation. Early on, Mayor Knopp expressed an interest in being part of the UDOT decision on Big Cottonwood Canyon. Cottonwood Heights contributed money toward hiring a consultant to work with the CWC on the Big Cottonwood Canyon Mobility Action Plan. UDOT has since released a Record of Decision on the Little Cottonwood Canyon Environmental Impact Study (“EIS”). Unfortunately, Phases 1 and 2 stalled due to lawsuits. UDOT is currently planning an EIS for Big Cottonwood Canyon, including considering the data provided by the City.

The CWC Board meets six times per year. At the last meeting, they discussed the tenets of the Mountain Accord and what the CWC’s efforts should include. They decided that their focus for the next year should be on the land exchange program and advancing the necessary federal legislation.

Cottonwood Heights has paid \$50,000 per year for membership in the CWC since 2018. In its previous budget cycle, the Board discussed how that membership fee was calculated. Mayor Weichers had concerns that Cottonwood Heights paid more than Sandy, which had tripled the number of residents for many years. Mayor Weichers asked that the population be estimated based on the Utah League of Cities and Towns’ (“ULCT”) model, and the CWC agreed to lower the fee to \$32,000.

Mayor Silvestrini stated that Millcreek pays a yearly membership fee of \$75,000. He believes the value of the CWC needs to evolve, just like the Mountain Accord has evolved. There was a misunderstanding about the land exchanges, which he believes have more value to the ski resorts and commerce than to cities. The ski resorts did not understand the need for a “like for like” exchange. They walked away in 2022, but are now back in the Stakeholders Council and have expressed interest in revisiting the idea of land exchanges.

One reason both Cottonwood Heights and Millcreek incorporated was to get a seat at the table for the board and commissions making decisions that affect their residents. Millcreek was not a city when the CWC was formed, but they fought to be included because they are affected by the things that happen in Millcreek Canyon. Issues like canyon traffic and parking are also a problem in Cottonwood Heights. Without the CWC bus bypass program, those issues would be worse. He believes cities have a better chance of being engaged in the process with UDOT if they collaborate in an organization that builds consensus, which is what the CWC excels at. CWC dues go toward cleaning restrooms in the Cottonwood and Millcreek Canyons, and the bus bypass program, and he feels that the contribution is small in relation to the benefit of having a seat at the table.

Regarding the Little Cottonwood Canyon EIS, Mayor Silvestrin stated that UDOT valued the CWC’s input, and the CWC also provided a forum for citizens to learn about the project. He believes there is value in the collaboration that the CWC fosters and in keeping interest in the mountains. The cities depend on the mountain watershed, and the CWC funded a visitor use study that considers the amount of usage the canyons can bear before resources begin to degrade. Salt Lake County left the CWC due to their concern after the UDOT EIS process that other stakeholders were interfering in their Land Use authority in the canyons, but they are considering coming back as an ex-officio member.

Mayor Weichers stated that he and Mayor Silvestrini are members of the Conference of Mayors, which meets eight times per year to discuss the same issues but is not a paid organization. He asked what the CWC can accomplish that cannot be accomplished through other such organizations. Mayor Silvestrini stated that the Conference of Mayors discusses many different issues and has presentations on many topics, and they do not have time to focus on the mountains like the CWC does. The CWC invites stakeholders like the ski resorts, the Forestry Service, water and property rights interests, etc. to have conversations about the mountains.

Ms. Neilsen stated that they receive many benefits from the Central Wasatch Mountains, but the mountains also create many issues. One motivation behind the Mountain Accord was to have concentrated, focused energy and attention on those issues. The CWC focuses on economic, recreational, environmental, and transportation systems working interconnectedly in the Central Wasatch Mountains. She believes those issues are urgent enough that they justify the CWC.

Mayor Weichers stated that the CWC has decided to focus on the land exchange program, but residents of Cottonwood Heights are suffering due to the transportation issues on Wasatch Boulevard. The value to him would be in the CWC helping the City come up with solutions and ideas to ease those issues. Transportation is a major tenet of the CWC, but he felt like he was told that it was off the table for the next year. The land exchange issue does not provide enough value on its own for him to support continued membership if transportation is not addressed.

Ms. Neilsen stated that Mayor Weichers had a valid point, but the land exchanges are just one component of the Central Wasatch National Conservation Recreation Area Act legislation. It would also place permanent protections on water and create allowances for transportation corridors in the canyons. The Board has directed staff to redirect its energy to the legislation, but that does not mean that their portfolio of work will end. The bus bypass and short-term grant programs will continue, as well as efforts through the Stakeholders Council and Youth Council. She would love to be able to address transportation projects from the Mountain Accord in addition to the legislation.

Mayor Silvestrini stated that the money appropriated by the State Legislature for the Phase 1 and Phase 2 enhanced bussing has been frozen by UDOT due to the pending lawsuit that challenges the entire EIS. He believes that is a political action on their part, and it is possible that the CWC could lobby the legislature to direct UDOT to spend that money. The CWC might also be able to help mediate the dispute. He believes the matter was brought up too abruptly in the meeting. It is not that the CWC does not want to address the issue, but rather that it is difficult to discuss an issue without advance preparation. They must solve the transportation problem because it affects everyone in the area, but he suggested that they would have a stronger position with the legislature if cities speak with a unified voice.

Mayor Weichers stated that he would be willing to extend the City's membership for another year with the CWC's understanding that Cottonwood Heights needs its held in regard to transportation. Their full focus cannot be on land exchanges. Ms. Neilsen stated that Mayor Weichers' voice is essential to the work of the CWC, and the organization would be weaker without Cottonwood Heights as a member.

Council Member Hyland stated she was in favor of funding the membership and using the year as a performance review. She sees the value in the conversation, but she needs to see it in action. The Mountain Accord was a remarkable coming together of stakeholders, but now the CWC is a political subdivision that may not have the voice to advance what Cottonwood Heights needs. The canyons have more visitors than Zion National Park, but the burden is on the cities to fund them. Mayor Silvestrini stated that a point of the legislation is to form a recreation area with a management plan separate from the national forest.

Council Member Newell stated that he initially had reservations, but he was in agreeance that they should move forward for one more year. He would like to see the impact. He suggested that they speak with the area's federal representatives who can help address the issue. Mayor Silvestrini stated that the Utah representatives have been members of the minority party until this year, and there is also tension between the State and Federal governments. The CWC is considering revising the legislation to present it to the State as an opportunity for more local control. Senator Curtis has told them that they need to get the State on board before they take it to Congress. Ms. Neilsen added that Senator Curtis has been an advocate from the beginning.

Ms. Neilsen asked the Council Members' preferred outcomes. Council Member Newell stated that he would like to see evidence of their influence on transportation.

Council Member Birrell stated that they cannot have timed entry at Little Cottonwood Canyon like they do at Zion National Park because it is not managed by the Park Service. She spoke with Council Member Holton, who also supported funding the membership for one more year. She appreciated that the Council had come together on the matter.

4.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.

- 4.1 Wednesday, April 16- 1:30 PM to 2:30 PM – Senior Social (Scams and Fraud Prevention) at City Hall.**
- 4.2 Saturday, April 19th – 9:30 AM - Easter Egg Hunt at Butler Park.**
- 4.3 Friday, April 25th – 6:30 PM to 8:30 PM – Therapeutic Arts Night at City Hall.**
- 4.4 Saturday, April 26th – 9:00 AM to 12:00 PM – Sapling Sale at City Hall.**
- 4.5 Saturday, June 6th – 9:00 AM to 2:00 PM – Free Community Shredding at City Hall.**
- 4.6 Thursday, July 24-Saturday, July 25 – Butlerville Days.**

Council Member Hyland stated that Saturday, April 26, 2025, is also Takeback Day to collect unused and expired prescription medications.

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.

MOTION: Council Member Hyland moved to ADJOURN the City Council Work Session and

open a Closed Meeting. The motion was seconded by Council Member Newell. The motion passed with the unanimous consent of the Council.

The City Council was in closed session from 6:33 PM to 6:47 PM.

6.0 ADJOURN CITY COUNCIL WORK SESSION.

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

The Work Session adjourned at 6:47 PM.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, APRIL 15, 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 Ellen Birrell, Council Member Suzanne Hyland

Staff Present: City Manager, Jared Gerber (via Zoom); City Attorney, Shane Topham; Police Chief, Robby Russo; Finance Director, Scott Jorges; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; City Planner, Ian Harris; IT Manager, Matt Ervin; Public Works Director, Matt Shipp; Unified Fire Authority, Riley Pilgrim (via Zoom)

1.0 WELCOME

Mayor Mike 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 RECOGNITION

3.1 Recognition of Special Olympics USA Athlete Andy Melville for Winning a Gold Medal in DanceSport Performances at the 2025 World Winter Games in Turin, Italy – Mayor Mike Weichers.

Mayor Weichers reported that Andy Melville won a Gold Medal in DanceSport at the Turin, Italy Special Olympics.

Andy Melville is a remarkable athlete from Cottonwood Heights who has been competing in the Special Olympics since he was 10 years old. He has played various sports such as basketball, soccer, and swimming, but found a great love for golf and dance. Dance has commanded a lot of his attention. Andy represented Special Olympics USA in DanceSport at the Special Olympics World Winter Games in Turin, Italy, and won the Gold Medal. His participation in the Games highlights his dedication and passion for sports, as well as his ability to inspire others through his performances.

Andy is a graduate of Brighton High School and currently attends Tanner Dance’s Performing Arts and Education Program for adults with disabilities at the University of Utah. He is employed in nutrition services with Granite School District and volunteers with Special Olympics and Meals on Wheels. Special Olympics has provided Andy with opportunities to make new friends, stay healthy, and be part of a team. Being on stage and hearing the audience cheer makes Andy feel happy and proud, showcasing the positive impacts of sports on his life.

Andy’s involvement in the community extends beyond sports. He actively participates in volunteer work and contributes to various initiatives. His dedication to making a difference in the community is commendable and serves as an inspiration to everyone. His contemporary dance piece engages the audience from the start, sharing a heartfelt message through his choreography. Andy is a shining example of determination, talent, and community spirit. His achievements and contributions to the community make him a role model for all residents of Cottonwood Heights.

Mayor Weichers asked Mr. Melville to perform his gold-medal-winning dance during Butlerville Days. A video of his winning performance was played, and photographs were taken with Mayor Weichers.

4.0 CITY COUNCIL COMMITTEE REPORTS

4.1 Committee Reports by Council Member Matt Holton.

Council Member Holton was excused from the meeting.

4.2 Committee Reports by Council Member Suzanne Hyland.

Council Member Hyland reported that she is the Council liaison for the Emergency Management Committee. She indicated that the flood risk is low this year, but the Public Works yard would be open for residents to fill sandbags every Tuesday and Thursday in May from 4:00 p.m. to 8:00 p.m. Everything except labor will be provided. Residents must show identification.

Council Member Hyland is also a member of the Health in the Heights Coalition, which is currently between Phases 1 and 2 of its initial formation. She is very impressed with the diversity of the committee. At its last meeting, they decided to conduct Question, Persuade, and Refer (“QPR”) suicide prevention training for Coalition members and the general public. At the meeting, they learned that 95% of people either know or are aware of someone who has attempted or committed suicide. She lost a brother to suicide and has a child who survived an attempt, and she urged the community to receive that training.

The Easter Egg Hunt was scheduled for Saturday, April 19, 2025, at 10:00 a.m. She encouraged all residents to attend, including those without children. The Easter Bunny would be there beginning at 9:45 a.m., and the balloon artist was scheduled at 9:30 a.m.

Water safety training was scheduled for May 1, 2025, from 5:30 p.m. to 7:30 p.m. at the Recreation Center.

The City is continuing to work on short-term rentals. The City Council was scheduled to meet with a compliance software company on Thursday, April 17, 2025. They have learned that they can regulate short-term rentals with greater care and priority than previously thought, and they will be working toward that goal.

4.3 Committee Reports by Council Member Shawn Newell.

Council Member Newell reported that he serves on the Arts Council, which is working on several events including a moulage workshop and possible creation of a mural in the City. The second round of electrical box wrapping will begin soon.

He is also a member of the Canyons Education Foundation Board, which recently held its gala fundraiser. They awarded scholarships at the gala to students who have overcome past trauma and desire to continue their education. He finds it invigorating to see young people step up and want to contribute to their community.

Council Member Newell is also a member of the Budget Committee and South Valley Chamber of Commerce. The Chamber's Women in Business program offers a \$1,000 scholarship to high-school juniors that provides them the opportunity to interact with women in business and develop an interest in businesses in the community.

4.4 Committee Reports by Council Member Ellen Birrell.

Council Member Birrell reported that she is working with Council Member Newell on the Budget Committee to help finalize the FY 2026 Budget.

She is no longer the Parks, Trails, and Open Space Committee liaison but will instead be on the South Salt Lake Valley Mosquito Abatement District Board. She will also continue to champion the Health in the Heights Coalition, but will no longer be the Council liaison.

She serves as Chair of the Association of Municipal Councils Chair, which is a Salt Lake County-sponsored organization that invites Council Members to come together bimonthly and discuss relevant issues.

She and Community Development Director, Mike Johnson will be traveling to Hoboken, New Jersey for a Mobile Active Transportation Tour to look for best practices for safer streets and transportation alternatives. That ties into her ongoing work related to safer streets and intersections and facilitating active transportation alternatives within both the City and the region.

Council Member Birrell reported that Cottonwood Heights is now a Tree City. A sapling sale will be held on Saturday, April 26, 2025. In conjunction with her educational session initiative related to sustainability and resiliency, there will be a table to help people learn more about recognizing mature trees that may become stressed during the long-term drought. Mature trees can be in danger if residents do not continue to water them during times when waterwise practices would allow sod or other plants to die off.

4.5 Committee Reports by Mayor Mike Weichers.

Mayor Weichers reported that Alpha Coffee is a great Cottonwood Heights business that sponsors and fundraises for multiple charitable events. They will be sponsoring the Pat Tillman 5K Race

on Saturday, April 19, 2025, at 9:00 a.m. All proceeds of the race would go to the Pat Tillman Foundation.

The Metropolitan Water District of Salt Lake and Sandy recently required the City to close Fort Union Boulevard so they can replace a main water line. The project was scheduled to extend through the end of May, so the road would be closed for four to five weeks. The Council understands how inconvenient road closures are for residents, and Public Works Director, Matt Shipp has worked very hard to minimize the nuisance as much as possible. Mayor Weichers asked residents to take a detour to support businesses east of the closure including Alpha Coffee, The Gear Room, Eight Settlers, and Porcupine. The closure would negatively impact those businesses, and the community's support was appreciated.

The City Council has decided to continue funding its membership in the Central Wasatch Commission ("CWC"), which has committed to helping the City alleviate the transportation issues on Wasatch Boulevard.

Council Member Birrell stated that the new neighborhood byway on Banbury Road is a great way to patronize the businesses affected by the Fort Union Boulevard closure. The byway starts at the Cottonwood Heights Recreation Center and ends at Alpha Coffee.

5.0 CITIZEN COMMENTS

Mayor Weichers invited citizens to address the Council regarding whatever matters they desired and reminded everyone that they had three minutes to speak.

Representative Gay Lynn Bennion expressed her support for the Central Wasatch Commission and thanked the Council for voting to extend the City's membership. She has represented the City for five years, and when she interacts with residents they talk about how much they appreciate the mountains. The mountains have higher visitation than many national parks, and she believes it is critical to have collaboration to ensure that they have the best use and preservation for the area. The CWC invited legislators to attend a tour in Fall 2024 where the managers of Alta and Snowbird expressed their desire to have a traction law. She worked to pass the traction law this legislative session, and she would not have connected with those parties without the CWC engaging legislators to understand the pressures faced in the canyons. The CWC also held a summit with experts from all over the area in January 2025. She was happy that Cottonwood Heights was extending its support.

Micki Harris stated that she was present because she cares deeply about the canyons, the community, and the responsibility they share to protect them. She supported the City's continued membership in the CWC as they need a strong coalition with shared goals. Belonging to a regional body that is working toward thoughtful, sustainable planning is essential, not optional if they are serious about protecting the natural beauty and health of the canyons. Residents need strong advocates at every level. They have been talking about transportation for over 20 years since the Mountain Accord started, and they are still stuck two decades later. They need leaders to work together to get things moving because the canyons will not wait for politics to catch up. The recent lawsuit that resulted in the Utah Department of Transportation ("UDOT") withholding funds from

Phase 1 is both frustrating and unacceptable. She appreciated the Council extending membership in the CWC and believes they need to be leaders on the issue to help find real solutions.

Miles Franz stated that the trail by the church on Top of the World Drive is precious to him, and it has been locked for several months. He has seen multiple children try to access the trail since its closure.

Chester Franz stated that he supports the CWC and thanked the City Council for their continued membership. He believes it is important to maintain access to the mountains, and urged the Council to do whatever they can to preserve that access. He would like to see a solution for the trails on Top of the World Drive because a lot of people love those trails. Mayor Weichers stated that the City is working with the Utah Office of the Property Rights Ombudsman to resolve the issue.

Mayor Weichers stated that online comments received from *Patrick Boice, Christian Godbout, John Mietschnig, Lynn Kraus,* and *Angela Wambach* would be included in the record.

6.0 STANDING QUARTERLY REPORTS

6.1 Finance Report – Finance Director Scott Jurges.

Finance Director, Scott Jurges presented the Finance Report. He indicated that Sales Tax revenues are received two months in arrears. In January, revenues were at 54%, which is approximately \$87,000 ahead of the same time in 2024. The projected revenue for FY 2026 is \$9.250 and FY 2026 is \$9.5 million.

County Option Highway Transportation Sales Tax revenues are \$472,000, which is approximately \$8,000 more than the same period in 2024. A total of \$795,000 was received in FY 2024, and Mr. Jurges believes the City is on track to meet the budgeted revenue of \$810,000. Projected FY 2026 revenue is \$820,000.

Transient Room Tax revenue has been approximately \$180,000 for the past two years. Revenues through January were \$110,000, an increase of \$6,000 over 2024. Projected revenues are \$180,000 for FY 2025 and 2026 as well. These revenues will increase as the Gravel Pit area is developed. In response to a question from Council Member Hyland, Mr. Jurges stated that legal short-term rentals also pay Transient Room Taxes. He did not have data on the percentage of taxes paid by short-term rentals but would try to obtain that information.

Municipal Energy Taxes are added to the base rate for natural gas and electricity. Gas rates were reduced in July 2024, and Rock Mountain Power changed its rates in February 2025. For the past two years, Municipal Energy Tax revenue has been approximately \$2.5 million. Through February 2025, revenues were \$1.66 million, a decrease of \$72,000. Mr. Jurges believes the power rate increase will somewhat offset that decrease and the \$2.5 million budget will be met.

Cable Franchise Taxes are collected on cable and satellite, but not streaming services. Previous-year revenues were over \$300,000, but that decreased to \$291,000 in FY 2024. Current revenues

are \$8,000 behind this period in 2024. Mr. Jurges projects total FY 2025 revenue of \$280,000, which is \$20,000 less than budgeted. He recommended keeping the budget at \$300,000 for FY 2026. Council Member Hyland stated that caution is warranted due to the cord-cutting trend.

Class C Roads Funds are fuel taxes collected by the Utah State Tax Commission. FY 2024 totals were \$1.57 million, which was the highest collection on record. Current-year revenues are approximately \$10,000 under budget. Mr. Jurges projects the yearly total to be \$1.6 million, an increase over the budgeted \$1.48 million, and recommended a FY 2026 budget of \$1.6 million. In response to a question from Mayor Weichers, Mr. Jurges reported that the State considers these funds to be a grant, which means the revenue must be included in the Budget year it is received. As such, there are only two months left in the reporting year.

General Fund expenses were reviewed next. Natural growth includes employee compensation and other contractual increases. The FY 2024 total was \$22 million, and the FY 2025 Budget is \$23 million. As of March, the City was \$473,000 ahead of 2024 spending. Mayor Weichers indicated that if the trend continues, it will be the smallest increase in many years.

General Fund revenues vary throughout the year due to things like property tax revenue, the majority of which is received in November and December. The five-year trend was reviewed, and Mr. Jurges noted that the City received Fiscal Recovery Funds in 2022 and 2023, which increased revenues in July of each year. If those outliers are removed, the trajectory from 2021 to 2024 was consistent. FY 2025 is currently at \$885,000 ahead of 2024, but he cautioned the Council that the overage could be related to timing as he believes the year-end revenue will only be slightly above budget.

6.2 Public Works Report – City Engineer/Public Works Director, Matt Shipp.

City Engineer and Public Works Director, Matt Shipp presented the Quarterly Report and reported that it was a very mild year for snow plowing. Approximately 2,000 tons of salt was distributed, and the pounds-per-mile efficiency goal was met.

Mayor Weichers stated that the fleet is aging and asked if Mr. Shipp could provide information on maintenance costs for the year. Mr. Shipp stated that he would email that information to the Council. They are now exceeding budgeted maintenance costs to keep the trucks operational. They wear out fairly quickly when used for plowing due to movement of the plow, temperature gradients, and salt corrosion. Mr. Jurges stated that the bond for the F-450 trucks was retired, but they owe approximately \$275,000 per year for the next two years on the other vehicles.

Mr. Shipp stated that they are considering ways to rotate the vehicles to ensure that they remain operational. In response to a question from Council Member Birrell, Mr. Shipp confirmed that some vehicles will need to be replaced in the next one to two years. He and Mr. Jurges are working to determine the best way to structure the purchase.

Current projects include:

- Oiling and staining the bridge at Old Mill Park.
- The High-Intensity Activated Crosswalk (“HAWK”) Signal was installed at Mountview Park the previous week. Signage and striping were scheduled for the following week.

Upcoming projects:

- Kings Hill storm drain: The project has been awarded and work will begin in June or July.
- Three-year striping project: The contract is anticipated to be awarded to Premier Striping.
- Steffensen reconstruction: This project will go out for bids within one month, and construction will begin shortly thereafter. Construction will include asphalt, curb and gutter, storm drains, street lights, and fire hydrants. Notices will be sent to residents to ensure that they are aware of the upcoming construction.

Completed projects:

- Sidewalk projects to remove trip hazards in Enchanted Hills and Cypress Way. For projects related to tree roots, they cut the roots to repair the sidewalk. Some trees may not survive, but they would otherwise all have to be removed and the City has not yet lost any trees with this method.
- Precision Concrete Cutting completed the concrete grinding to the trip hazards in the Old Mill neighborhood. The project depleted the \$35,000 contract.
- Landscaping on Fort Union Trail and the Supernal project is being completed.

Mayor Weichers asked if Mr. Shipp had considered utilizing the method of raising and inserting sections of sidewalk. Mr. Shipp stated that it has been done in a few places, but most of the City’s trip hazards are due to tree roots, which make that method impractical.

Mr. Shipp reported that the Fort Union Traffic Study will be presented to the Council at a May meeting and shared with the Town Centre development partner once one is selected. The Storm Drain Master Plan is also in the process of being updated.

Two grants are currently in the design phase:

- Creek Road Sidewalk: This is funded by State TAP funds, and a contractor has been selected.
- The 30% design of the Highland Pedestrian Trail Phase 3 is progressing. Mr. Shipp anticipates options being presented to the Council within two months.

Outside projects:

- Cottonwoods Connection: Two pipeline projects are in process. Fort Union Boulevard will remain closed through May due to one of these projects.
- UDOT is working on a redesign of the intersection of Fort Union Boulevard and Wasatch Boulevard. UDOT will present its findings at the May 20, 2025, City Council meeting.
- UDOT is also replacing the semaphores at Wasatch Boulevard and Bengal Boulevard.

Council Member Birrell stated that she was looking forward to hearing more details about the Big Cottonwood Canyon intersection. She and City Manager, Jared Gerber spoke to constituents recently to discuss their concerns about how motorists move through the intersection. She expressed concern that there would be a major accident in the area and stressed the importance of working closely with UDOT to improve safety in the area.

7.0 PUBLIC COMMENT

7.1 PDD-2 Text Amendment (Gravel Pit) – Introduction by Community and Economic Development Director, Mike Johnson.

Community and Economic Development Director, Mike Johnson presented the Staff Report and indicated that the Text Amendment was substantially the same as the last time it was brought before the Council in March. The Architectural Review Commission has since approved the application. The Text Amendment was also modified to include a maximum height of 150 feet as measured from the average grade of SR 190.

Mayor Weichers opened the public hearing.

Linda Lechman stated that she is the president of the Canyon Cove Homeowner’s Association (“HOA”), which is directly north of the development. It was the fourth meeting she attended on the development, and her experience with both the Planning Commission and City Council had been very positive. She recalled that Mr. Johnson previously indicated the building height would be level with Heughs Canyon Drive, which is approximately one-third higher than shown in the rendering. It will be a very imposing structure for the area. She requested that the Council consider lowering the maximum height to 120 feet, which would still be taller than any other structure on the east side of the Salt Lake Valley. Referring to Council Member Birrell’s earlier comment about fault lines, she requested that the developer be required to inform future inhabitants about the structure’s proximity to the Wasatch Fault.

Lori Khodadad stated that she had also attended many meetings on the development. The original proposed height of the condominium building was similar to the current proposal, but the City Council was hesitant to approve a building of that height. The mountains are the gateway to the canyons. She does not normally speak against development projects because she is a strong proponent of property rights, but she does not believe the height of the building is appropriate for the area. She believes it will actually be 60 feet above Gun Club Road and is concerned that it will set a precedent for the east bench. She agreed that the area needs condominiums, but believes it should be limited to a height of 50 feet above Gun Club Road.

There were no further public comments. The public hearing was closed.

8.0 ACTION ITEMS

8.1 Consideration of Ordinance 436 Amending the PDD-2 Zoning Ordinance Enacted Under Ordinance 363-A. (This Ordinance will Amend the PDD-2 Zoning Ordinance Enacted Under Ordinance 363-A to Allow Construction of a Residential Condominium Project of 9-10 Unit Floors located Above 3-4 Parking Levels, with the Total Height Not to Exceed 150 feet).

Council Member Birrell recommended that the Council delay voting on this item. She understood that the PDD-2 Zone could allow buildings up to 300 feet high. However, because the western edge of the building is within the area that would only allow a maximum of 150 feet, she asked if the Council would consider lowering the height to 120 feet.

Council Member Hyland referred to the comment about the building being 60 feet above Gun Club Road. Ms. Khododad stated that the developer provided her with that information. Mr. Johnson reported that the maximum elevation height referred to in the Staff Report is based on the rendering. In the area of the most impacted home on Gun Club Road, the condominium building will be 55 to 60 feet above the road.

Referring to the Staff Report, Council Member Hyland stated that the Applicant's exhibit indicated a height of 126 feet. Mr. Johnson clarified that the Applicant proposed a range of heights, and the actual height will be dictated by market conditions at the time the building is constructed. The building in the exhibits is 126 feet high, but the Ordinance would allow up to 150 feet.

Rockworth Companies representative, Serra Nemelka clarified that the proposed building would be measured by the distance from Wasatch Boulevard. There is a 15- to 20-foot slope between the road and the condominium site. Due to the grade, if the maximum allowed height is 150 feet, the building could only be approximately 130 feet high. As drawn in the concept renderings, the proposed building is approximately 127 feet. For high-end units, they prefer at least nine-foot ceilings, which require 10 feet per story. The parking structure will require 11 to 12 clear feet. Currently, the entire parking structure is proposed to be above grade. They plan to cut into the hill so the building sits on the hillside as much as possible. They proposed a range because they do not have final plans. Final drawings would not be created until after the Text Amendment was approved.

Mr. Johnson referred to the exhibit specifying how height is measured in the PDD-2 Ordinance. Per the Ordinance, the front edge of the building could have a maximum height of 150 feet, but the remainder could be as high as 300 feet.

In response to a question from Council Member Hyland, Ms. Nemelka stated that they hoped to have a range of units, and 150 feet would allow for 79 to 80 units. Due to the number of faults and associated setbacks on the site, the proposed location is the only one available for the condominium building. They do not want to maximize density in a 300-foot structure, but they do want to build a condominium tower at the base of the canyon. They believe the proposed building is in harmony with the site and PDD-2 Ordinance.

Council Member Hyland asked if there would be any restrictions regarding short-term rentals. Ms. Nemelka stated that it is not their intention to allow short-term rentals, but she cannot control who purchases the condominiums and how they are used. Council Member Birrell stated that condominiums can be deed-restricted to require owner occupancy. Ms. Nemelka stated that she did not believe one or two short-term rentals would be an issue, but they will be expensive condominiums and she would be surprised if they turned into short-term rentals. Additionally, financing usually requires that only 30% of units be rentals. Mr. Johnson clarified that the current City Ordinance prohibits short-term rentals on the site because it fronts a public road. Council Member Birrell stated that unless there is a means of enforcement, the units will be turned into short-term rentals.

Mayor Weichers asked if a Development Agreement would be required when the building is constructed and noted that HOAs can legally limit the number of investment properties. Mr. Johnson indicated that the City typically does not mandate governing documents. Council Member Birrell stated that it could be enforced by the HOA through fines, but it would need to be dictated at the point of sale. She is happy that it will not be apartments, but the Council needs to work to preserve the quality of the community.

Mayor Weichers appreciated the discussion and concerns expressed. However, the PDD-2 Ordinance specifies a maximum height, and his decision would be based on that Ordinance.

Council Member Hyland stated that she was conflicted on the matter. It is very important to have housing in the City, especially attainable housing, and she wanted to allow the developer the flexibility to make the project financially feasible. She asked about the impact of delaying voting on the item.

Council Member Newell stated that the concerns expressed by the Council and citizens were valid, but the project had been in process for a long time and he was ready to move forward. The developer had not stated that the building will be exactly 150 feet, but it will have a maximum of 150 feet. Ms. Nemelka clarified that Rockworth Companies had agreed to the 150-foot maximum height. Council Member Newell stated that the developer has done its due diligence in creating the plan and has been considerate of all elements.

MOTION: Council Member Newell moved to APPROVE Ordinance 436 Amending the PDD-2 Zoning Ordinance Enacted Under Ordinance 363-A. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Hyland – Yes; Council Member Newell – Yes; Council Member Birrell – No; Mayor Weichers – Yes. The motion passed by a vote of 3-to-1.

8.2 Consideration of Ordinance 437 Adopting an Amended Budget for 1 July 2024 through 30 June 2025. (The Utah State Treasurer Suggests that Utah Cities Amend their Budgets at Least Quarterly to Reflect any Necessary Changes Since the Budget was Adopted. This Ordinance will Approve an Amendment to the City's Current [2024-2025] Budget).

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

MOTION: Council Member Birrell moved to APPROVE Ordinance 437 Adopting an Amended Budget for 1 July 2024 through 30 June 2025. The motion was seconded by Council Member Newell. Vote on Motion: Council Member Newell – Yes; Council Member Birrell – Yes; Council Member Hyland – Yes; Mayor Weichers – Yes. The motion passed unanimously.

8.3 Consideration of Resolution 2025-23 Approving an Interlocal Agreement with Salt Lake County for Election Services. (By this Resolution, the Council will Approve the City’s Entry into an Interlocal Agreement whereunder the Salt Lake County Clerk’s Election Division will Assist the City in Conducting the City’s 2025 Primary [if needed] and General Municipal Elections).

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

MOTION: Council Member Birrell moved to APPROVE Resolution 2025-23 Approving an Interlocal Agreement with Salt Lake County for Election Services. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Birrell – Yes; Council Member Hyland – Yes; Council Member Newell – Yes; Mayor Weichers – Yes. The motion passed unanimously.

8.4 Consideration of Resolution 2025-24 Accepting a Bid and Approving Entry into a Construction Contract with Premier Striping, Inc. for the 2025-2027 City-Wide Striping Project. (This Resolution will Accept a \$272,050 Annual Bid from Premier Striping LLC for the “2025-2028 City-Wide Striping Project” (City Project No. 003.25) and Approve the City’s Entry into an Agreement whereunder such Services will be Provided by this Successful Bidder).

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

MOTION: Council Member Newell moved to APPROVE Resolution 2025-24 Accepting a Bid and Approving Entry into a Construction Contract with Premier Striping, Inc. for the 2025-2027 City-Wide Striping Project. The motion was seconded by Council Member Birrell. Vote on Motion: Council Member Hyland – Yes; Council Member Newell – Yes; Council Member Birrell – Yes; Mayor Weichers – Yes. The motion passed unanimously.

8.5 Consideration of Resolution 2025-25 Approving an Appointment to the Planning Commission. (By this Resolution, the Council will Approve the Manager’s Appointment of Ruben [Rusty] Lugo as an Alternate Member of the City’s Planning Commission).

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

MOTION: Council Member Hyland moved to APPROVE Resolution 2025-25 Approving an Appointment to the Planning Commission. The motion was seconded by Council Member Birrell. Vote on Motion: Council Member Newell – Yes; Council Member Birrell – Yes; Council Member Hyland – Yes; Mayor Weichers – Yes. The motion passed unanimously.

8.6 Consideration of Resolution 2025-26 Indicating Intent to Annex an Unincorporated Area, Setting a Hearing to Consider Such Annexation, and Directing Publication of Hearing Notice. (By this Resolution, the Council will Indicate its Intent to Annex the “Water Vista Way” Unincorporated Area, Set a Hearing to Consider Such Annexation, and Direct Publication of Hearing Notice Pursuant to UTAH CODE ANN. 10-2-418).

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

MOTION: Council Member Newell moved to APPROVE Resolution 2025-26 Indicating Intent to Annex an Unincorporated Area, Setting a Hearing to Consider Such Annexation, and Directing Publication of Hearing Notice. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Birrell – Yes; Council Member Hyland – Yes; Council Member Newell – Yes; Mayor Weichers – Yes. The motion passed unanimously.

8.7 Consideration of Resolution 2025-27 Approving a Memorandum of Agreement with the Utah Department of Transportation and the Utah State Historic Preservation Officer Regarding Butlerville Historic Monument. (By this Resolution the Council will Approve the City’s Entry into a “Memorandum of Agreement” with UDOT and the Utah State Historic Preservation Officer Regarding UDOT’s Proposed Donation of \$10,000 to the City for Use in Constructing a Monument Relating to the History of “Butlerville” to Recognize and Mitigate the Adverse Effects of UDOT’s Planned Construction of Its “SR-190 at Fort Union Merge Lane” on Archeological Property Eligible for Inclusion in the National Register of Historic Places. A Copy of the Proposed Contract also is Attached along with a Copy of the Current Draft of the Narrative for the Proposed Monument).

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

MOTION: Council Member Birrell moved to APPROVE Resolution 2025-27 Approving a Memorandum of Agreement with the Utah Department of Transportation and the Utah State Historic Preservation Officer Regarding the Butlerville Historic Monument. The motion was seconded by Council Member Hyland. Vote on Motion: Council Member Hyland – Yes; Council Member Newell – Yes; Council Member Birrell – Yes; Mayor Weichers – Yes. The motion passed unanimously.

9.0 CONSENT CALENDAR

9.1 Approval of the Minutes for the City Council Work Session and Business Meetings of March 4, 2025, March 18, 2025, and April 1, 2025.

Mayor Weichers stated that approval of the April 1, 2025 minutes would be tabled to the next meeting.

MOTION: Council Member Hyland moved to APPROVE the Minutes for the City Council Work Session and Business Meetings of March 4, 2025 and March 18, 2025. The motion was seconded by Council Member Newell. The motion passed unanimously.

10.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

MOTION: Council Member Birrell 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 8:34 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, April 15, 2025.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____