

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, MAY 20, 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 Matt Holton, 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 Jurgens; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; Community and Economic Development Director, Michael Johnson; IT Manager, Matt Ervin; Public Works Director, Matt Shipp; Unified Fire Authority, Riley Pilgrim; Assistant City Engineer, Ben Nelsen

1.0 WELCOME

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

2.0 REVIEW OF BUSINESS MEETING AGENDA – Mayor Weichers.

Mayor Weichers reviewed the Business Meeting Agenda and stated that Council Member Holton would lead the Pledge of Allegiance, followed by City Council Committee Reports and the Citizen Comment period.

Item 5.0 would include two public hearings related to annexation. Item 5.1 was on the proposed annexation of the Creek Road West annexation area, and Item 5.2 was on the proposed annexation of the Water Vista Way annexation area. Council Member Hyland stated that she expects some citizens to attend the meeting in support of annexation. She had received no comments in opposition. City Manager, Jared Gerber reported that Item 5.1 could be approved at the Business Meeting, but the public comment period on Item 5.2 would remain open for three weeks prior to a vote.

Community and Economic Development Director, Michael Johnson stated that temporary zoning has been established that most closely matches current County zoning, and the formal rezoning process would begin once the annexations were completed. In response to a question from Mayor Weichers, Mr. Johnson reported that the Creek Road West area currently includes several different residential zones.

Item 6.0 would be Standing Quarterly Reports. Assistant Fire Chief, Riley Pilgrim would present Item 6.1, the United Fire Authority Report. Item 6.2, the Police Department Report, would be presented by Police Chief, Robby Russo and Police Support Specialist Supervisor, Candie Terry.

Action Item 7.1 would be consideration of Ordinance 440, Approving the “Creek Road West” Annexation and Imposing Temporary Zoning Regulations. Council Member Hyland reported that

the area is currently in the Jordan Valley Water Conservancy District, which is moving out of the retail water business. If either the Metropolitan Water District of Salt Lake and Sandy or Salt Lake City Public Utilities take over the area, residents will pay the nonresident rate.

Action Item 7.2 would be consideration of Resolution 2025-36, Appointing a Member of the Health in the Heights Advisory Committee. Mr. Gerber reported that Diane Foster-Burke has been in the nursing field for many years and was a Professor of Community Nursing at Westminster University. He and Public Health Coordinator, Sondra Stephens spoke with her and believe she will be a good fit for the committee. He reported that there are still a few vacancies to be filled.

Item 7.3 would be consideration of Resolution 2025-37, Approving a Performance Contract and Addendum for the 2025 Holiday Show. Mr. Gerber reported that the show would be performed by the same group as in 2024, and there were no changes from the previous year's contract.

Item 7.4 would be consideration of Resolution 2025-38, Approving and Ratifying a Second Amended Interlocal Agreement with the City's Community Development and Renewal Agency ("CDRA") for the Canyon Centre Project. Mr. Johnson reported that the Council previously approved all amended plans, budgets, etc., but an Interlocal Agreement between the City and CDRA is required for reporting purposes.

Item 8.0 would be the Consent Calendar.

3.0 REPORTS

3.1 Public Health Advisory Committee Report – Chelsey Voss/Sondra Stephens.

Health in the Heights Advisory Committee Chair, Chelsey Voss stated that she has been a nurse for approximately 10 years, primarily in the field of population health. She then reported on the Committee's progress.

The Health in the Heights Committee utilizes the Communities that Care framework, which includes five phases. Phase 1 has been completed, and they expect to complete Phase 2 and begin Phase 3 in Fall 2025. As part of Phase 3, the Committee will determine strategies based on data from the Student Health and Risk Prevention ("SHARP") survey.

Phase 2 includes:

- Community board orientation, which is approximately 16 hours of training.
- Creation of a vision statement and logo.
- Creation of work groups and selection of work group chairs.
- Creation of an Executive Committee, which has been completed. Ms. Voss is the Chair, and a Vice-Chair and Secretary were also selected.
- Establishment of Bylaws.

Key leader orientation was completed on April 30 as part of Phase 1. There were a total of 16 attendees including Mayor Weichers, the City Council, members of the School Board and Parent-Teacher Association, the Brighton High School Football Coach, a physician, and a legislative advocate. They discussed concerns and hopes for the City's youth, and the Committee hopes to address concerns like substance use and bullying.

Drug Take-Back Day was held on April 26 and resulted in a take-back of 76 pounds of medication. Members of the community indicated that some of the drugs had been in their homes for decades. Most residents were not aware that the City provides a drug take-back box where unused medications can be properly disposed of. A band provided entertainment and four Youth City Council Members helped with the event. Approximately 38 community members attended, as well as members of the Cottonwood Heights Police Department and National Guard. Seven Narcan units were also distributed.

A Community Health Fair was held on Friday, May 16 at Canyon View Elementary. The Health in the Heights Advisory Committee promoted the following campaigns:

- Question, Persuade, and Refer (“QPR”) training.
- Parents Empowered underage drinking media and community education campaign.
- REAL Day helps children, youth, and families take time away from social media once each month. Ms. Stephens thanked Council Member Newell for making them aware of the campaign.

In response to a question from Council Member Birrell, it was reported that an example of a REAL Day activity could be going for a hike or going to a movie with friends. It begins on June 1 and will occur on the first day of every month through October 2025. Council Member Hyland reported that the campaign was introduced to them at a Utah League of Cities and Towns ("ULCT") seminar where Herriman Mayor, Lorin Palmer spoke about the positive impact of taking a REAL Day with his child. Council Member Newell stated that Canyons School District will be providing contacts at all the elementary and junior high schools to help promote the campaign.

Council Member Birrell stated that she is excited about the bike buses that are held every Friday at Butler Elementary for a similar reason. Bicycling to school is something that most of the Council did daily in their formative years.

Ms. Voss reported that the Community Health Fair was very well attended, and the community seemed excited about the coalition.

Eighteen members attended the QPR training. A community training event was scheduled for June 11 from 6:30 p.m. to 8:30 p.m. in the community room. Spots are available, and Ms. Voss encouraged everyone to attend. In response to a question from Mayor Weichers, Ms. Stephens reported that the coalition hopes to work more closely with the Brighton High School Hope Squad. The training can accommodate up to 30 people, and there were only seven currently signed up. Council Member Hyland stated that the training teaches what you need to know before you need to know. You could speak with someone who agreed to stay safe with you without training, but

you need to be able to follow that up with referrals to resources. Ms. Voss stated that they would like to conduct the training regularly, either quarterly or semiannually depending on the response.

The Committee will have a booth at Butlerville Days to create more community awareness. They will also hold a logo contest to involve youth and have already received one submission from a graphic design student. A pillar of Communities that Care is the social development strategy of giving youth opportunities and recognition to help them feel bonded to their community.

Ms. Voss reported that they are currently in the process of obtaining the Healthy Utah Designation. Healthy Utah recognizes communities that do a great job of implementing evidence-based strategies to improve community health. The application is due August 1, and the City must reapply every three years. The following requirements must be met:

- Review the Healthy Utah dashboard and identify local opportunities.
 - Cottonwood Heights is currently in the 90th percentile as a whole, and the 85th percentile for bike lane access.
- Select six health strategies to improve the health of the City, two from each category:
 - Active Living
 - Access to Healthy Food
 - Mental Health

Ms. Voss reviewed the strategies chosen for the 2025 application and stressed the importance of promoting those strategies. For example, many citizens are not aware that the library offers a seed exchange and gardening classes. The Committee is also already considering strategies for the 2028 application and ways to coordinate with the Parks, Trails, and Open Space Committee. They have only been active for six months, but Ms. Voss is excited about what they have accomplished so far with the City Council and Mayor Weichers' support and believes the work they are doing can improve and save lives in the community.

Mayor Weichers expressed his appreciation for the Committee's efforts.

3.2 Fort Union Traffic Discussion – Council Member Newell.

Council Member Newell stated that the Council has previously discussed ways to mitigate speed concerns on Fort Union Boulevard, including potentially reducing the speed limit to 30 or 35 miles per hour ("mph"). However, it was determined that reducing the speed limit would not result in significant change. He asked Public Works Director, Matt Shipp to review the current status of traffic on Fort Union Boulevard, what the 85th percentile measurement is, and the impact or lack thereof of decreasing speeds.

Mr. Shipp reported that the City Council instructed Staff to conduct a traffic study regarding speed reduction on Fort Union Boulevard, which was presented to the Council in early 2024. The study concluded that traffic decreases as it moves east, which is logical because businesses are concentrated on the western portion of Fort Union Boulevard. There were approximately 24,000 average daily trips in the area of 1300 East to 1700 East, and approximately 10,000 from 2700

East to 3000 East. In response to a question raised by Council Member Birrell, Mr. Shipp confirmed that the study area did not extend past 3000 East, but he believed the traffic count would be similar in that area. In response to a question from Council Member Hyland, it was indicated that the study was conducted between November 27 and December 1, 2023. During ski season, volume is higher, but speeds can be significantly lower. The study was focused on speeds.

The study included crash data from 2019 to 2023. Council Member Birrell asked why the data was not broken down to include both severe injuries and fatalities. Mr. Shipp clarified that accident data was included in the study, but it was not the focus. At the Council's request, they could obtain specific accident data from the Police Department.

Mr. Shipp reviewed the 85th percentile speed data for each segment of Fort Union Boulevard as follows:

- 1300 East to 1700 East: 42 MPH;
- 1700 East to Highland Drive: 43 MPH;
- Highland Drive to 2300 East: 39 MPH;
- 2300 East to 2700 East: 45 MPH; and
- 2700 East to 3000 East: 45 MPH.

Mayor Weichers indicated that there are fewer cars in the residential area, but speeds are higher. Council Member Hyland noted that fewer vehicles make turns in the area.

Mr. Shipp reported that the American Association of Highway and Transportation Officials ("AASHTO") recommends corrective action when 85th percentile speeds exceed five MPH above the posted speed limit. Previously they would recommend lowering the speed limit, but new guidelines recommend utilizing traffic calming measures to reduce speeds. Studies have concluded that simply changing the speed limit does not change driving behavior because the 85th percentile is a measure of driver comfort. At the time the study was presented, the Council decided not to change the speed limit on Fort Union Boulevard.

Council Member Newell stated that his concern was regarding people who drive faster than the 85th percentile and exceed 45 MPH. He agreed that traffic calming measures would be required to change driving habits unless other actions are also taken to bring attention to the reduced speed limit. He provided the example of 7000 South between Redwood Road and Bangerter Highway in West Jordan, which has a posted speed limit of 35 MPH that most drivers adhere to. West Jordan police officers actively enforce the speed limit in the area, which has changed driving habits on the road. He asked if Cottonwood Heights could do something similar. He was concerned that people are speeding up as they get closer to home and speeds are increasing in the area where there are also more pedestrians and cyclists.

Mayor Weichers stated that according to the traffic study, the area between 2300 East and 3000 East is the major area of concern. Council Member Hyland stated that once the Town Center is present, speeds may be slower like they are between Highland Drive and 2300 East because more vehicles will be turning. Council Member Newell stated that he hopes so, and he does not want to

make a change that will be unnecessary once the project is completed. Mayor Weichers stated that Mr. Shipp would be forwarding his report with multiple potential traffic calming measures to the Council, and he encouraged the Council to spend time reviewing that information.

Council Member Birrell stated that Fort Union Boulevard has very high access; elementary schools and parks are located along the roadway, and in many areas, the sidewalk is not separated from the road by a park strip as specified in the General Plan. A citizen was killed when they stepped off the sidewalk onto Fort Union Boulevard. She believes they have had the opportunity to embrace the Vision Zero program, which other cities have successfully adopted. She recently visited Hoboken, New Jersey, which has not had a vehicular-related fatality in seven years since implementing the Safe Systems for All approach of the Vision Zero program. She believes Cottonwood Heights has a chance to ask if human life is sacred and if they are going to invest in traffic measures with the efficacy to protect residents and visitors, and she urged the Council to embrace that program and comprehensively address the design flaws of Fort Union Boulevard. She voted in favor of the Town Center to create a safe, walkable area on a portion of Fort Union Boulevard. She believes slowing the speed is a good first step, but they should embrace the tenets provided by the Federal Highway Administration to prevent serious injury and fatalities.

Council Member Newell stated that progress is being made, but due to budget constraints, it is not feasible to address the entirety of the problem at once. The City is taking incremental steps. His intent with the conversation was to discuss budget-friendly strategies they can implement strategically. He did not have specific ideas, which was why he brought the topic forward.

Council Member Birrell stated that one reason there have not been fatalities in Hoboken is because they reduced speed limits to 20 mph. Mayor Weichers appreciated Council Member Birrell's focus but noted that Hoboken is approximately one-sixteenth the size of Cottonwood Heights and very urban, so the cities are not comparable. They needed suitable solutions to make roads safer in a suburban city. Council Member Birrell stated that safer streets can be accomplished with small, incremental measures. She understands that funds are limited, but there are inexpensive methods like installing delineators or daylighting intersections that could be implemented along Fort Union Boulevard to encourage slower speeds. She believes it is a matter of political will.

Council Member Hyland suggested that all Council Members reach out to state representatives regarding speed cameras at intersections, which will be a topic at the interim legislative session. The representative who proposed it suggested initially using them as an educational tool rather than a punitive one. She looked forward to the report and was committed to reading it. Not adopting Vision Zero did not mean that the City was not committed to safety, and Safe Systems for All is something everyone would like to strive for. Council Member Newell expressed concern that cameras could create more problems than they would solve, including public trust issues.

Council Member Birrell stated that she was not interested in capturing license plate numbers, but rather in near misses and where pedestrians and cyclists are struck by a vehicle but not seriously injured and walk away without reporting. In response to a question from Mayor Weichers, Chief Russo confirmed that cameras are strategically placed at certain intersections to monitor for stolen vehicles and other crimes, but the devices only gather license plate information. He agreed that the intersection of Fort Union Boulevard and Highland Drive is dangerous for pedestrians.

Council Member Hyland appreciated Council Member Newell’s comment on public trust. She has visited Australia often, and Australians have increased trust in one another because the cameras make them feel safe. She wanted to bring the matter to the Council’s attention because it is on the interim legislative agenda.

Mayor Weichers thanked Council Member Newell for the discussion and indicated that Mr. Shipp would be forwarding his report to the Council within the week.

3.3 SR210 Canyon Traffic Discussion – Council Member Birrell.

Council Member Birrell stated that the area of State Route 210/Wasatch Boulevard from the mouth of Big Cottonwood Canyon south to the City limits previously had a roving traffic officer on snow mornings, especially from Bengal Boulevard south to Alpen Way. The roadway is gridlocked on snow mornings, either due to heavy snowfall or the closure of Little Cottonwood Canyon. Residents asked her to represent them on this issue.

Everyone who lives in eastern Cottonwood Heights understands that there will be gridlock, but students need to get to school but are unable to get out of their neighborhoods. Emergency services are affected, as well as residents who need regular medical help. A constituent told her that she could not find anyone who would contract to come to her house in the winter because they often could not get there. Residents have been expected to travel to the traffic signal at Bengal Boulevard, but traffic will clog that intersection and refuse to yield to red lights so cars are not able to cross the road from Honeycomb Road. People also have trouble getting home from the west or southwest.

People traveling from Sandy or Draper are unable to return home due to the blockade at the intersection of 9800 South and Old Wasatch Boulevard. Council Member Birrell noted that the Sandy Police Department issues decals for local residents to pass through their blockade and suggested that Staff work with Sandy to ensure that Cottonwood Heights residents can obtain decals.

Council Member Birrell referred to the map provided with her memo and included it in the meeting packet that identifies seven problem intersections on State Route 210. She noted that Chief Russo has indicated that he is working to obtain additional funds through the Utah Department of Transportation (“UDOT”) to cover overtime wages for a roving officer on snow mornings. Chief Russo stated that it is a known problem, but the City does not have the resources to pay an additional officer. If the resources are allocated, officers can be dedicated to assisting with traffic flow.

Council Member Birrell asked if there was Council support to work with the Police Department to address the matter. The City has reached out to UDOT regarding painting “Do not block intersections” on the road and using the variable message signs to remind drivers that locals must have ingress/egress access. However, they were told that UDOT is unwilling to take any steps unless they are required for motorist safety. In response to a question from Council Member Hyland, Mr. Shipp stated that he has not made progress in getting UDOT to agree to paint the road.

It is not as effective during the winter months because you cannot see the message. Council Member Birrell stated that vertical signage could be added to remind drivers not to block intersections. She wanted the City to begin working on the issue so that it could be addressed prior to the next snow season. She understands that it is difficult to work with UDOT, but she believes there are practical and inexpensive ways to mitigate the problem.

Mayor Weichers stated that the City worked closely with UDOT to ensure that cars are not allowed in the canyons unless they have appropriate tires because fewer accidents help with traffic flow. UDOT is still compiling data, but he believes it will emphasize the difference that traction law enforcement has made. Unfortunately, they did not foresee that it would take five Cottonwood Heights Police Officers to implement traction control. They initially believed it would only require two officers. That took officers away from helping traffic flow and preventing cars from blocking intersections. The matter was scheduled for discussion at a June meeting with UDOT. More funding will be available, which may help. UDOT is aware of the issue and knows that things need to be done differently in the next ski season. In response to a question from Council Member Birrell, Mayor Weichers stated that they are working with Executive Director, Carlos Braceras on the matter. Chief Russo, Sandy City, and the Salt Lake County Sheriff's Office will also be in the meeting.

Mayor Weichers indicated that residents have asked why the City does not stack cars on Wasatch Boulevard similar to how Sandy does it going south, but UDOT will not allow them to because the shoulders are not wide enough. Although that has worked very well for Sandy, it is not a solution for Cottonwood Heights. However, they are committed to alleviating those issues.

Council Member Hyland noted that Council Member Birrell is now a member of the Central Wasatch Commission Board, and it would be ideal if she could help them make transportation a priority. Council Member Birrell stated that she plans to quote the Mountain Accord at every board meeting and hold them to that commitment.

4.0 STAFF REPORTS

4.1 UDOT Discussion for the Intersection of Fort Union Boulevard and Wasatch Boulevard, Matt Shipp.

Mayor Weichers stated that UDOT originally planned to attend the meeting but decided that there was nothing new to report. Mr. Shipp reported that Staff has had many discussions with UDOT regarding the intersection of Fort Union Boulevard and Wasatch Boulevard, primarily about Wasatch Boulevard north of Fort Union Boulevard. UDOT had budgeted money to improve bicycle lanes, add turn lanes going up the canyon from south to east, and improve access going north from Big Cottonwood Canyon.

In response to a question from Council Member Birrell, Mr. Shipp clarified that the information was not included in the meeting packet because UDOT backed out of the meeting. He brought some information to the meeting because he was asked to provide an update, but it was not included in the packet. It is the same project that was last presented by UDOT, but minor adjustments have been made.

UDOT allocated approximately \$60 million for the intersection, but their engineer's estimate came in 100% over that budget. As such, the project has been postponed. They will still complete the "plan in hand" review, which is the last step prior to sending the project out for bid.

In response to a question from Council Member Birrell, Mr. Shipp stated that he was providing an update on where UDOT is in its process, but he could not comment on the design. Council Member Birrell stated that many residents of District 4 travel the affected roads, and if they are not part of the discussion it could result in issues such as lack of markings or ingress/egress problems. She wants to be part of the discussion, see the diagrams, and understand the thought process. Mr. Shipp reported that UDOT presented the project to the Council at a previous meeting. They then asked about the City's preference on the trail size and were told that the City would like it to be at least 10 feet wide with a large buffer to meet safety expectations. UDOT will need to build a very large wall, so they discussed right-of-way needs with Staff. Regarding minute details of the design, they indicate a bicycle lane, a right-turn lane, and changes to signals so cyclists are turning with vehicles. The project is currently delayed. However, UDOT realizes that the bicycle lane is an issue, and Project Director, Becky Stromness has indicated that they are working to make it safer. They have not provided Mr. Shipp with specifics, but they did indicate that they have not forgotten about it and are pushing forward to address the issue quickly.

In response to a question from Council Member Hyland, Mr. Shipp confirmed that the project budget was \$60 million, and the anticipated actual cost is \$120 million. The largest expense will be the required retaining wall. Mayor Weichers clarified that the project is not tabled. UDOT is stepping back until they obtain funding. In the interim, they are working to correct safety issues with the Wasatch Boulevard bicycle lane.

Council Member Birrell stated that one way to make intersections safer is to have bicycle lanes painted in the intersection so motorists understand where bicyclists are going. Anyone cycling north or south through the Salt Lake Valley must travel through this intersection, which is very unsafe. She stated that there have been many near collisions at the intersections, but without cameras, they could not know the specific number. She had hoped that Ms. Stromness would be present at the meeting to discuss the matter. She asked if the issue of westbound motorists trying to turn left when there is someone in the slip lane had been brought up with UDOT. Mr. Gerber stated that the UDOT is aware of the problem. Mr. Shipp stated that the island did not change the original striping but rather was built around it. Mayor Weichers stated that there is not a slip lane; it is a right-turn lane with a required stop. Council Member Birrell stated that it is very dangerous, and her interest is in preventing accidents.

Mr. Shipp stated that he could not speak for UDOT. However, they were moving forward with the design and looking for funding, and they assured him that they were not giving up on the bicycle lane issue and it may be addressed as a separate project.

Council Member Hyland agreed with Council Member Birrell that Wasatch Boulevard in Sandy and Old Wasatch Boulevard in Holladay are beautiful and safe, and asked why Cottonwood Heights was different. Council Member Birrell stated that there is a higher volume of traffic through the City. The other areas are one lane in either direction. She also believes that it is due

to the fact that those cities own the roads. Mr. Gerber indicated that when and under what standards the roads were developed is also a factor. Council Member Birrell stated that municipalities have a level of authority regarding intersections on state routes, and she urged the Council to determine how to assert their authority on this matter.

4.2 Short-Term Rental Discussion - Community & Economic Development Director Mike Johnson.

Council Member Hyland reported that the Short-Term Rental (“STR”) Committee was at a standstill pending direction from the Council on how to proceed regarding where and how many short-term rentals they would like to consider.

The Council needs to determine how to combine competing desirable outcomes in short-term rental policy. Housing affordability goes both ways. A specific point of view was expressed during the town hall, but Council Member Hyland received many emails from residents who indicated that they would like to have a short-term rental in their basement because it would help them afford to stay in Cottonwood Heights. Studies have shown that communities can sustain a percentage of short-term rentals without affecting housing affordability. The Council also needed to consider the long-term character of neighborhoods. Short-term rentals are often some of the best-kept properties because they must be marketed, and compliance software can help with enforcement. They want to offer a good visitor experience and bring money into the City. All of those items are considerations in creating a short-term rental policy.

The Committee considered policies from neighboring cities, and Council Member Hyland recommended that the Council consider implementing their best practices. For example, Brighton has successfully used Granicus to bring all properties into compliance.

&&Council Member Hyland asked the Council’s impressions from their meeting with Deckard Technologies at the Utah League of Cities and Towns (“ULCT”) Conference. Council Member Newell stated that they would need some type of software to track short-term rentals, but he questioned who would track the data and how violations would be adjudicated. The information is critical, but they also must ensure that they have the back-end support to utilize it. Council Member Hyland stated that she and Mr. Johnson had extensive discussions with Granicus and believe it would be easier for Staff to track and enforce licensing and nuisances with the software.

Mr. Johnson stated that the answer would be based on policy direction. If the Council wants to focus on enforcement but not open the policy, that could create an enforcement burden because the software will identify all illegal properties and the law will then need to be enforced. If the policy allows more short-term rentals, the software helps ensure that short-term rentals in allowed areas are inspected and licensed, and enforcement would primarily be a matter of directing owners to obtain a license. It is a collaboration between the Planning Department, Business Development, and Code Enforcement, but the policy informs how the software is used and the burden it places on Staff. If they are in line, the software will make Staff’s job easier. A lot of software options can automatically send letters, and some can even identify if a property is owner-occupied.

Mayor Weichers stated that in order for him to be willing to move forward, he would need to know that the policy could be enforced. Council Member Hyland noted that Brighton provided a grace period for coming into compliance, and Granicus was successful in helping them accomplish that. During their presentation to the Committee, they showed an example in California where they were able to bring all properties into compliance by identifying properties, sending emails, taking screenshots of reviews, and providing evidence that they were non-compliant.

Deckard Technologies identified four different customer profiles:

- “Sally Do Good” wants to be in compliance but needs direction on how to do so.
- “Clueless Craig” is just not informed.
- “Busy Bob” is not interested in compliance because he is too busy to care.
- “Dodgy Dave” ignores the rules. These owners represent less than 1% of short-term rental owners but require strong enforcement.

Council Member Hyland agreed that enforcement would be a primary goal and where most resources would be expended. The question was how much the software could assist the City, and in that regard, Brighton was able to bring everyone into compliance without any lawsuits. They have a “three strikes, you’re out” policy, which she believes Cottonwood Heights should also embrace.

Mayor Weichers stated that one concern is whether there is a way to allow short-term rentals in certain areas without reducing the housing supply. The Council had previously discussed requiring owner occupancy and starting with a pilot program on arterial roadways. He asked if a multi-family unit would qualify.

Council Member Holton thanked Council Member Hyland for taking this issue on. His biggest concern was the potential impact on renters. There are duplexes on Highland Drive that would fall under an arterial policy, and he would not feel comfortable putting forward a policy that could incentivize landlords to displace renters in favor of STRs. Mayor Weichers stated that those units should be excluded as they are not owner-occupied.

Council Member Hyland pointed out that STRs are currently allowed in condominiums and townhomes, which are some of the most affordable properties in the City. The current policy contributes to the problem.

Council Member Birrell stated that Highland Drive is the only roadway in Cottonwood Heights that has reasonable bus service. A person who needs affordable living can rent an affordable home on Highland Drive and have access to bus service. The City needs to be sensitive to those issues. She agreed with Council Member Holton that they do not want to displace renters. She appreciated Council Member Hyland and the Short-Term Rental Committee’s efforts in studying the issue and collaborating with State Representative, Gay Lynn Bennion. She is also sensitive to families and individuals on fixed incomes seeking to supplement their income with a short-term rental.

Council Member Holton stated that he met with Planning Commissioner, Mike Shelton who indicated that Accessory Dwelling Units (“ADU”) were very controversial at one time and the City actually voted against allowing them. The State then allowed them statewide. He asked if they could make the compromise to allow homeowners to rent out a portion of their home on a long-term basis. It would not be as lucrative as a STR, but it would allow the homeowner to supplement their income. He believes they need to weigh the income potential of a short-term rental against its potential detrimental impacts on neighbors. Council Member Hyland stated that whether there were detrimental impacts on neighbors was debatable.

Council Member Birrell pointed out that statistics show there were no nuisance complaints on licensed STRs; the compliance issues arose from unlicensed units. However, she would prefer that all homes be owner-occupied so the City does not lose its elementary schools due to lowering enrollment year after year.

Council Member Hyland reiterated that she believes the City should consider implementing Brighton’s approach to enforcement. They should also consider Sandy’s approach to limiting the number of short-term rentals. Sandy only allows owner-occupied STRs and limits them by neighborhood. A total of 294 are allowed in the city, but only 105 are in use. They also restrict properties to 182 nights per year of short-term rental. Properties with valid ADUs can rent the ADU for 365 days. That is their way of enforcing owner occupancy. The compliance software tracks how many nights per year each STR is rented. A state tax return can be required to provide owner occupancy. She further recommended that the City consider using Murray’s definition of owner occupancy. Murray indicated that they used a “Frankenstein” approach to their policy; they incorporated successful elements from surrounding cities into their statute.

Council Member Hyland summarized the goals they should strive for in the STR policy:

- Incentivize compliance over the black market. There are currently up to 500 non-compliant short-term rentals in Cottonwood Heights.
- Target enforcement towards nuisance properties.
- Do the best to enforce owner occupancy.
- Create a scalable policy, starting with a pilot program with compliance software in place.

Council Member Hyland reported that 5% to 6% STRs do not affect housing prices. They could discuss allowing whole-home rentals on some arterial roads. Her goal was to bring specific direction back to the committee.

In response to a question from Mayor Weichers, Mr. Gerber reported that Sandy’s policy breaks the city down into 30 geographic locations. Each location is allowed two STRs by default, plus one per a specific number of residential units.

Council Member Birrell stated that one challenge for Cottonwood Heights is that 75% of its STRs are in District 4 and asked how that would be addressed.

Council Member Holton asked if the percentage of STRs that would not affect housing affordability was based on owner-occupied or non-owner-occupied units. Council Member Hyland stated that the statistic is based on non-owner-occupied units and indicates that those areas experience lower median housing prices and incomes. Areas with 10% to 15% STRs share also experience lower median housing prices. Higher median housing prices do not occur until the STR share reaches 50%. In response to a follow-up question from Council Member Holton, Council Member Hyland stated that she was unsure if the study addressed housing availability.

Council Member Hyland indicated that Murray allows hosted sharing in all areas, but she was not in favor of a similar approach in Cottonwood Heights. She prefers Sandy's approach. Sandy is considering an Administrative Law Judge, which would make enforcement easier. Cottonwood Heights could start with a pilot program prior to making big changes. She did not believe they would get everything right from the beginning, and the Council would need to decide where they would be comfortable starting.

In response to a question, Mr. Johnson reported that Cottonwood Heights currently has 101 licensed short-term rentals, but they are not allowed in single-family zones.

Council Member Newell stated that no matter the direction they choose, there must be equitable enforcement. Council Member Birrell noted that barking dogs and other matters are only addressed if there is a complaint. She believes Council Member Hyland's point was to incentivize property owners to obtain a business license. If there are nuisance complaints, Code Enforcement can address them. She does not believe it would be realistic to expend the City's limited Code Enforcement resources to initially go after all non-compliant owners. Letters could be mailed, but she did not believe Code Enforcement staff time should be used unless they receive complaints. She agreed with Mayor Weichers that they should not advance a policy the City does not have the resources to enforce.

Council Member Newell asked why they would penalize one neighbor and not another. Council Member Holton agreed that if a property owner is not complying, then they are not complying. Council Member Hyland stated that Planning Commissioner, Dan Mills has mentioned that there are compliance violations on every street in Cottonwood Heights. However, what is reported should be pursued.

Council Member Newell expressed concern that there could be legal ramifications for selective enforcement. Council Member Hyland clarified that compliance software goes after every single violation, but the City's constrained resources may not be able to enforce every violation 100%. Council Member Holton stated that it is important to ensure that there is no bias in the system. Council Member Birrell asked if there was any evidence of lawsuits regarding STRs. Council Member Newell stated that he did not want Cottonwood Heights to be the first. Council Member Birrell stated that if there is no precedent, they may be fretting over a nonissue. Mr. Johnson reported that anecdotally, residents will complain that they received a violation for having a shed in the wrong area, but five other properties on the street have issues as well. Staff always responds that they can file a complaint and the matter will be referred to Code Enforcement.

Council Member Birrell stated that if they use General Fund monies to purchase a software program, she would like for it to provide more data than just STR information. For example, Granicus can help the City with other processes. Council Member Hyland stated that Granicus provides a lot more functionality, and it would be paid for with licensing fees so the software would be revenue-neutral.

Mayor Weichers asked Council Member Hyland to provide recommendations from the Committee, as well as their rationale for each recommendation. With that level of specificity, the Council would then be able to either approve those recommendations or consider other solutions.

Council Member Hyland stated that the Committee recommends allowing basement apartment STRs with owner occupants but limiting the number of licenses. They also want to consider whole-home rentals along some arterial roads. She provided the example of the Cannon Mortuary, which has a duplex on the property. It is a commercial property with a residential element, which she believes is an ideal location for an STR. She for the Council's input on those specific recommendations.

Mayor Weichers stated that he was not comfortable starting with allowing owner-occupied STRs in all areas of the City, but he would be comfortable with allowing them on arterial roads. Council Member Birrell stated that she does not want to allow STRs on arterial roads because people who need affordable housing also need to live on arterials and she did not want to see those homes purchased by hedge funds. Mayor Weichers clarified that the owner occupancy requirement would not allow renters to be displaced. Council Member Hyland stated that there would be a very limited number of STRs that meet those requirements. Mr. Johnson noted that there could be some along eastern Fort Union Boulevard.

Council Member Hyland reiterated that the City currently allows whole-home STRs in its most affordable housing units, and the City should want those homes to be available for long-term rental or owner occupancy. If they do not allow owner-occupied STRs in other areas of the City, there will continue to be a black market. By allowing and licensing them, the City will know where they are, capture tax revenue from them, and be able to address nuisances. Cottonwood Heights is a resort city, and it can allow for STRs without destroying its character.

Council Member Birrell stated that residents who have contacted her and indicated the importance of being able to have an STR do not live on arterial roads.

Mr. Johnson stated that from an administration standpoint, protective measures like owner occupancy and off-street parking requirements can be put in place that address the impact of the use rather than its philosophy. The ADU Ordinance does this. If STRs are limited to arterials or very specific areas, noncompliance will still be an issue. Millcreek has a proximity requirement that he believes is too arbitrary, but the Council could consider limiting them in other ways. They could adopt an ordinance and continually assess it, then revoke or revise it as necessary. Anything licensed under the pilot program would remain. He agrees that the neighborhood approach, setting a maximum number of STRs by district or neighborhood, is a fair way to control the impact.

Council Member Birrell stated that Sandy is evidence that there will not be an influx of applications. Their program has been in place for several years, and they still only have 105 licenses. She believes a policy can be controlled, reassessed, and modified as necessary.

Mayor Weichers asked if the City would be prevented from discontinuing the program once it is implemented. Mr. Johnson stated that the ordinance could be revoked, but any licenses issued during the time it was active would be grandfathered in. There currently are 10 to 12 STRs in the City that are grandfathered from Salt Lake County.

Council Member Hyland reviewed additional limitations Sandy imposes that are tracked by compliance software:

- The maximum number of STR occupants is limited to eight related or four unrelated people.
- The property shall not be rented out to more than one renter at any given time.
- The owner shall not divide and rent out portions of the dwelling to multiple renters at the same time.
- The City can also publish the addresses of all STRs on its website.

Council Member Hyland was not excited about the issue until she learned about the compliance software. They have addressed STRs with a lot of municipalities, and the software can handle almost all issues related to compliance and enforcement. She noted that no City Ordinance is 100% enforced 100% of the time due to resource constraints.

Mayor Weichers remarked that Spain has revoked all 65,000 of the country's Airbnb listings.

Council Member Holton stated that St. George and other areas are cracking down on STRs, and he was interested to see if it was working. Council Member Birrell stated that her son has purchased two investment properties in Washington County to use as STRs, and they have zoned and encouraged builders to build complexes dedicated to this purpose. They have enough green space to encourage that type of development without affecting affordable housing.

Council Member Hyland asked that STRs be added to additional agendas so the Council could further research, discuss compliance and enforcement, and make recommendations. The Council agreed.

4.3 Discussion of Requested General Plan Amendment and Rezone at 3526 East Fort Union Boulevard. Community & Economic Development Director Mike Johnson.

Mayor Weichers stated that the item was first considered by the City Council in 2022 when the applicant requested that the approximately one-acre lot be split into three separate lots with the intention of building three twin homes. Many residents spoke in opposition to the project as it was important to them to maintain single-family homes in the area, and 80 to 90 citizens also signed a petition to that effect. The Council made the decision to deny the zoning change at the time.

Mr. Johnson clarified that the Council denied two applications in 2022, a General Plan Amendment and a Zone Map Amendment for the 0.95-acre property located at 3526 East Fort Union Boulevard. The Applicant, Adam Nash has resubmitted his request. Any property owner can wait one year after denial and then resubmit their application.

The application was for a Land Use Map Amendment from Residential Office to Residential Medium Density, and a Zone Map Amendment from R-1-8 Residential Single Family to R-2-8 Residential Multi-Family. The Land Use Map is a long-range projection, and every parcel in the City has a general Land Use Designation. Zoning is the law that applies to the land today and dictates use and development standards. Mr. Johnson stated that Staff reviews applications from a policy standpoint and makes a recommendation based on the Master Plan, as well as potential benefits and impacts of the Use.

Mr. Johnson reported that the property's current R-1-8 zoning does not comply with the underlying Residential Office Land Use Designation. Residential Office allows single-family, multi-family, and neighborhood-scale commercial uses like medical and professional buildings. The proposed Residential Medium Density Designation would match the properties directly east of the subject property. Two twin homes with a flag lot were constructed in the 1970s, and a third vacant lot is also designated Residential Medium Density. Most properties in the area are zoned R-1-8.

Residential Medium Density allows six to 10 units per acre, typically townhouse and condominium developments, as well as higher-density single-family dwelling neighborhoods. The R-2-8 Zone allows for both single-family and two-family structures, and the Applicant intends to construct three twin homes on the property. Development standards are similar to R-1-8, but the structure can house two residential units instead of one, and lot width and side yard setbacks are slightly reduced.

Mr. Johnson provided background on the area. From 2005 to 2019, most properties on Fort Union Boulevard east of 2700 East carried a Land Use Designation of Mixed Use, which allows for higher-intensity commercial development. In 2019, the City Council initiated a General Plan Amendment to change the Land Use in the area to Low-Density Residential for parcels facing an interior road and Residential Office for properties fronting Fort Union Boulevard that had no direct interaction with side streets. Other properties were designated Residential Medium Density to reflect the existing development pattern.

In 2022, the Applicant requested rezoning the subject property to Residential Office and imposing zoning conditions to restrict commercial use on the property. The application was supported by Staff and the Planning Commission but denied by the City Council. Subsequently, the Land Use Map Amendment and Zone Map Amendment application were also supported by Staff and the Planning Commission but denied by the City Council.

After the applications were denied in 2022, the Applicant received approval for a Subdivision Plat for a three-lot single-family subdivision. Sidewalk, curb, and gutter were installed, and the property was cleaned up in preparation for construction. That subdivision is currently entitled, so the Applicant can move forward with it at any time. In response to a question from Mayor

Weichers, Mr. Johnson stated that Mr. Nash provided a narrative indicating that market conditions and cost led to the determination that twin homes would be a more viable product.

Mr. Johnson clarified that the Council would not be considering design or how the property could be platted out, but the plat would not differ substantially from the original Subdivision Plat due to the lot configuration and frontage requirements. There will be three side-by-side lots with three structures regardless of whether they are single-family or twin homes. Applicants cannot typically be held to concepts because they are entitled to whatever is allowed in the zone, but the Applicant provided a Concept Plan proposing that he will acquire the eastern private driveway that accesses the existing twin homes and build a rear-access shared driveway. The twin homes would front on Fort Union Boulevard, but vehicles would park in the rear. However, the applicant could change the design and each twin home would be allowed to have a driveway on Fort Union Boulevard as long as it met zoning standards.

In response to a question from Council Member Hyland, Mr. Johnson reported that the driveway is not part of Mr. Nash's property. He has stated that he intends to purchase the driveway, bring it up to existing access standards for the twin homes, and record an easement for continued use by the existing homes.

Council Member Birrell stated that she has spoken with many residents about the project, and she has experienced dissatisfaction with other projects in District 4. She believes it is incumbent upon the Council to find a process whereby developers are required to retain items from the Concept Plans that appear beneficial to the community but are not required by ordinance. She understands that the City Council can accept the Planning Commission's recommendation but requires a Development Agreement that ensures rear garages. The developer has also pledged to have a larger setback on the western side of the property. If Mr. Nash was willing to enter into a Development Agreement that guarantees those building elements, she would be in favor of approving the application.

Mayor Weichers asked if any changes had been made since the previous application. Mr. Johnson reported that the development concept is different. Additionally, ADUs are now allowed in all single-family zones. If the Applicant were to move forward with the entitled subdivision, each home could have an interior ADU, so the maximum impact of six families was identical regardless of the zone. The Planning Commission reviewed the application and forwarded a unanimous recommendation of approval. Due to the complicated backstory, the item was introduced in the Work Session to provide the City Council with information and time to consider the application. It would be brought back at a subsequent meeting. If the Council were interested in pursuing a Development Agreement, they would need to determine parameters and involve the Applicant in that discussion.

In response to a question from Council Member Hyland, Mr. Johnson reported that the homes could not be STRs because they would be addressed on Fort Union Boulevard. Council Member Hyland asked why the Council should consider more residential development on an arterial road instead of mixed-use or commercial. Mayor Weichers stated that the issue was discussed previously, and it was determined that Fort Union Boulevard east of 3000 East has a more residential feel. Mr. Johnson stated that the current Land Use policy supports neighborhood-scale

commercial development. Council Member Newell stated that the City needs affordable residences. Council Member Hyland agreed but noted that there was no guarantee the homes would be owner-occupied.

Council Member Birrell commented that no parking is allowed on the south side of Fort Union Boulevard. If a guest were visiting one of the twin homes, they might park on the north side of Fort Union Boulevard and jaywalk in an area where speeds average 45 mph. Mr. Johnson stated that the illegal use of public parking is a perpetual enforcement challenge. The parking requirement is two stalls per single-family home or four stalls per twin home.

4.4 FY2026 Proposed Budget Discussion - Finance Director Scott Jorges.

Finance Director, Scott Jorges reported that changes discussed at the May 6 City Council Meeting had not yet been incorporated into the FY2026 Tentative Budget, but it would be updated prior to the next meeting. The General Obligation Bond sale was scheduled for Thursday, May 22. and the funds would become available on June 4. The actual debt service cost and corresponding property tax revenue would be incorporated into the Budget document after May 22. The final property tax rate and projected revenue would not be available until approximately June 10.

Council Member Birrell stated that it was brought to her attention that the Medical in Lieu benefit for essential Police Department staff was reduced by \$100 per month, which would reduce the expected 3% wage increase.

Mayor Weichers addressed staff concerns regarding the changes to compensation. The City Council understands that any time there is a change to compensation, it makes people unhappy. He, Council Member Birrell, and Council Member Newell have passed three Budgets, Council Member Holton has passed two, and Council Member Hyland has passed one. Over the past three Budget cycles, the Council increased staff pay by \$2.1 million, which compounds to \$4.6 million in increased pay for 97 employees. The FY2026 Budget includes an additional \$400,000 in Staff increases. When the three previous years are compounded and the proposed FY2026 increases are included, that is an increase in staff pay of \$7.1 million.

Mayor Weichers, Council Member Birrell, and Council Member Newell were elected at the same time and came into a system where the City Manager had implemented compensation during an unprecedented inflationary environment. He was very proud that he and the City Council ensured that employees did not fall behind due to inflation. They implemented Cost-of-Living Adjustment (“COLA”) increases and retained step, merit, and market increases so employees who were doing a good job were still receiving increases. The City added \$7.1 million to its expenses over that four-year cycle, which created an unsustainable situation.

When the City Council hired Mr. Gerber, he was tasked with comparing wages to other cities, and they discovered that Cottonwood Heights was doing things that other cities were not doing. For example, every other police department in Salt Lake County is on a step program in addition to receiving COLA increases. The step program exists due to how hard it is to hire and retain police officers. However, only two other cities in the County have a step program that is similar to Cottonwood Heights. Over half the cities compared only increased pay based on one metric, either

COLA or merit, not both. In the FY2025 Budget cycle, Cottonwood Heights increased wages more than any other city in the comparison.

The City Council understands the difficulties associated with changes in pay. Their options included making no changes at all, which would precipitate doubling the City property tax mill rate. The Council decided to instead look at ways to slow increases. They considered whether to just use one metric, either COLA or merit. However, Mr. Gerber indicated that the City should retain both. The City Council determined that it wanted to adhere to that recommendation and keep both to allow them to reward its staff in times of plenty and have the discretion to lower raises when necessary. Mr. Gerber also recommended that Cottonwood Heights align itself with other cities that do not utilize a step program.

Mayor Weichers was discouraged by the narrative regarding the sister-city relationship prioritized by the City Council. He wants Staff to know how valued they are and how highly they are respected. However, it is the elected officials' job to determine the City's priorities. Staff's job is to implement the City Council's priorities.

Council Member Birrell stated that that is why there are elections. Citizens can review the Council's decisions and determine whether the members should be reelected. She also believes in freedom of speech and commended people for sharing their concerns. She appreciates the research conducted by Mr. Gerber, which shows that the City has put a large amount of its budget into staff increases in the past. If she had known three years ago what she knows now, she would have advocated for an annual 3% increase in the mill rate. Inflation is increasing, and it is not realistic to retain the current mill rate when expenses are increasing. She was in favor of implementing yearly increases beginning with the next Budget.

Council Member Holton stated that the Compensation Committee meetings are closed meetings where they discuss the best way to compensate City Staff. He believes it is important that those meetings be closed so they can have frank conversations, but he also wishes people were able to hear and understand their discussions. He and Council Member Hyland wanted to find a balance, and the Committee tried to find ways to both be responsible to residents and help employees feel valued by the City. The Committee discussed whether it was even possible to have a 3% increase, but they wanted to do more. It was a difficult decision. There was no ill intent, and in fact, most of the discussions were around what would be most valued by employees.

Mayor Weichers stated that the City previously paid some employees a certain amount each month in lieu of providing health insurance but the city comparison indicated that no other city was paying even close to that amount. The reduced payment brings Cottonwood Heights in line with the highest amount paid by any other city.

Council Member Hyland stated that it is heart-wrenching to be in between being responsible to taxpayers, which is the Council's primary obligation, and acknowledging how important and valued City Staff is. The current Consumer Price Index is 2.3%, and there were years in the City's history when no increases were given. They thought that a 3% increase in FY2026 would represent taking care of employees. A much higher increase was given last year to compensate for the large

increase in inflation in 2024. They did not make the decision lightly. She would have loved to offer a higher increase, but current economic conditions would not allow them to do so.

5.0 REVIEW OF CALENDAR AND UPCOMING EVENTS.

- 5.1 Wednesday, May 21 from 1:30 PM to 2:30 PM – Senior Social (Bingo) at City Hall.
- 5.2 Friday, June 6 from 9:00 AM to 12:00 PM – Free Community Shredding at City Hall.
- 5.3 Saturday, June 7 from 9:00 AM to 12:00 PM – Utah Recycling Alliance Event at Hillside Plaza.
- 5.4 Wednesday, June 11 from 1:30 PM to 2:30 PM – Senior Social at City Hall.
- 5.5 Wednesday, June 11 from 6:30 PM to 8:00 PM – Suicide Prevention Training at City Hall (Registration Required via City Website – Limited to 30 Participants.)
- 5.6 Saturday, July 5 at 6:00 PM – Korean Delegation Dinner and Friendship Agreement at City Hall.
- 5.7 Thursday, July 24 to Saturday, July 26 – Butlerville Days.

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

There was no Closed Meeting.

7.0 ADJOURN CITY COUNCIL WORK SESSION.

MOTION: Council Member Holton 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 6:37 PM.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, MAY 20, 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 Matt Holton, 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 Jurgens; Records, Culture, and Human Resources Director, Barbara Higgins; City Recorder, Tiffany Janzen; Community and Economic Development Director, Michael Johnson; IT Manager, Matt Ervin; Public Works Director, Matt Shipp; Unified Fire Authority, Riley Pilgrim; Assistant City Engineer, Ben Nelsen

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 Council Member Holton.

Mayor Weichers reported that City Treasurer, David Muir, would be retiring in Fall 2025. Reed Sanderson had been hired to serve as Deputy Treasurer until Mr. Muir retires. Mayor Weichers welcomed Mr. Sanderson to the City. Council Member Holton stated that Mr. Sanderson came from South Jordan, and Mayor Ramsey told him that Cottonwood Heights was stealing one of their best employees.

3.0 CITY COUNCIL COMMITTEE REPORTS

3.1 Council Member Holton.

Council Member Holton reported that the Wasatch Front Waste and Recycling District (“WFWRD”) includes Immigration, Herriman, Taylorsville, Cottonwood Heights, and Holladay. At its board meeting the previous Monday, Herriman gave notice that they would be asking for permission to leave. Cottonwood Heights residents have mentioned that private companies provide trash pickup for other municipalities like Sandy, but he encouraged everyone to wait and see the results of Herriman’s change prior to considering moving to private waste collection.

Herriman will approach the WFWRD Board and ask for permission to leave, and each board member must vote to allow for it. Council Member Holton made it clear that he may not want other cities to dictate whether Cottonwood Heights can leave a special service district, so he was inclined to support Herriman’s request. However, the WFWRD has purchased six garbage trucks for Herriman, and each truck costs approximately \$400,000. Herriman may have to pay \$2.4

million for the cost of the vehicles. The District also pays approximately \$5 million to the Trans-Jordan Landfill. Despite the financial impact, Herriman believes that leaving the WFWRD will be more beneficial to its residents and will result in a savings of \$6 per residence per month. The city will not realize that savings for approximately five years until the amount due to the WFWRD is paid in full. If that holds true, he would advocate for researching the matter to determine if Cottonwood Heights should make the same decision.

In response to a question from Council Member Birrell, Council Member Holton stated that Herriman is confident that their buy-in to the Trans-Jordan Landfill will accommodate their needs for 70 years. The landfill does have capacity issues, and all green waste is now transported to Salt Lake City. He does not know if there are plans for expansion or improvements to extend its useful life.

3.2 Council Member Hyland.

Council Member Hyland reported that she serves on the Health in the Heights Advisory Committee and has been very impressed by the new members. The Committee will include up to 25 dedicated volunteers including physicians, community nurses, and coaches, and she was humbled by the amount of service they are willing to give to improve health in the community. In conjunction with Girls on the Run, they held an event at Canyon View Elementary and had the opportunity to speak with parents and children about avoiding underage drinking. They also spoke about REAL Day, which encourages families to turn off all screens one day each month and experience real life.

The Health in the Heights Committee will hold suicide prevention training on June 11, where people can learn what they need to know before they need to know it. If you have someone in your life who may be contemplating suicide, you will learn how to speak to them. If they commit to being safe with you, you will know what to do next and resources that can provide them with the help they need.

Council Member Hyland attended the Public Works Department field trip for Canyon View Elementary School fifth graders, which was very fun. They built bridges with spaghetti noodles and marshmallows and also painted the snowplow blades. She commended the Public Works staff for their efforts and noted that events like that also improve health in the community because students see how much the City cares.

Council Member Hyland also serves on the CH2 Committee, which is the coordinating committee for the Recreation Center District. All pools and splash pads will open on May 24. Butlerville Days will be held July 24 through July 26, and they will be celebrating the event's 20th anniversary. Registration for the pickleball tournament begins June 1. A free pickleball clinic will be held on Friday, July 18, with registration beginning July 1.

Council Member Hyland expressed her appreciation for the Council's willingness to have the difficult discussion about short-term rentals. The Short-Term Rental Committee has worked diligently to discuss all sides of the issue. The Council is not at the point of policy agreement yet due to the various complex issues and competing desirable outcomes, but they appreciate all the

feedback they have received from residents and help they have received from neighboring cities. They will continue working on the issue.

3.3 Council Member Newell.

Council Member Newell reported that most of the organizations he participates in are in a quiet period. He serves on the Canyons Education Foundation Board, and he hopes to get the community more involved with upcoming projects in the next school year. They hope to engage students, teachers, and administrators within the Canyons School District.

Council Member Newell also serves on the South Valley Chamber of Commerce Board. The Chamber is growing quickly and hopes to continue engaging businesses in the community, and he encouraged all small business owners to join.

The Cottonwood Heights Arts Council is currently in rehearsal for “The Lightning Thief: The Percy Jackson Musical,” and performances will be in July.

3.4 Council Member Birrell.

Council Member Birrell reported that she attended the Public Works Department’s field trip for Canyon View Elementary School students, and it was a fantastic event. The fifth graders toured the new Public Works complex, painted their names on a snowplow, learned about the difference between mechanical and civil engineering, learned about the stormwater system, and had a marshmallow bridge competition. Administrative Assistant, Kim Dahle organized the event.

Council Member Birrell serves on a number of committees and will be joining the Central Wasatch Commission Board in June. Mayor Weichers has served there for four years and will be stepping away to allow her to serve. She looks forward to representing the transportation needs of Cottonwood Heights residents.

On June 26, Council Member Birrell will lead an educational session beginning at 6:30 p.m. at Alpha Coffee. They will walk, ride, or roll along the new neighborhood byway that extends west to the Recreation Center and discuss new legislation related to bicycle lanes.

3.5 Mayor Weichers.

Mayor Weichers reported that along with City Manager, Jared Gerber, he gave out the Teacher of the Year Awards at the elementary, junior high, and high schools. They visit the classrooms and observe the amazing Cottonwood Heights teachers. It is a great opportunity for him to recognize them for their efforts. Parents and children select the awardees. He also attends the high school graduation every year. It is a great school with amazing children, and he was very excited to support them.

Canyons School District has announced a study due to declining enrollment and some Cottonwood Heights elementary schools are being considered for potential closure. They are considering a total of 12 to 15 schools and will only close two to three. The City Council understands the

potential impact of a closure because they love the schools and have close relationships with the teachers and principals.

4.0 CITIZEN COMMENTS

Cynthia Blair gave her address as 7183 Macintosh Lane and spoke regarding Project ZMA-25-002 to rezone the property at 3526 East Fort Union Boulevard. Her property is west of the proposed development. The original rezoning application was denied three years ago because residents did not want high-density housing, and almost 90 people signed a petition to that effect. There are several duplexes in the area, which is one argument Mr. Nash has used to support his application. However, her neighbors are concerned because many of the duplexes are short-term rentals that are not well maintained. It has been argued that if single-family homes are built on the property, they could have ADUs, which would make the total number of dwellings the same. However, the difference is that the owner must live on the property, and she believes an ADU would likely be used for a family member and the residence would be better maintained.

Ms. Blair thanked Mr. Nash for taking into consideration some of their other concerns. He is willing to place the duplexes 25 feet from her property line, which she appreciates because her yard is very shallow. She also appreciates that he intends to put the driveways in the rear, which will ameliorate the concern regarding residents exiting onto Fort Union Boulevard. He has also indicated that the development will have a homeowner's association, which should ensure that the properties are maintained. She appreciates those concessions. However, some residents are still against higher-density properties and would prefer that single-family homes be built on the parcel. Ms. Blair thanked Council Member Birrell for recommending a Development Agreement, as she believes the developer's promises need to be kept.

Gay Lynn Bennion thanked the City Council for their hard work and for addressing short-term rentals. She is in several working groups for the Governor's Strategic Housing Plan. Phase 1 was released in January, and they are currently working on Phase 2. Affordable, attainable housing must be addressed. One concern raised in the work meeting is that renters could be displaced if more short-term rentals are allowed. However, the displacement is already happening.

Representative Bennion appreciated Council Member Hyland bringing the matter to the Council and recognizing that unless licensing is offered to bring owners out of the shadows, the issue will only get worse, especially with the upcoming Olympics. She recommended a pilot program and utilizing software to verify who owns short-term rentals. She also recommended that they review the bill she sponsored in 2024. She worked with a national expert on the topic who has indicated that cities will have fewer short-term rentals if they raise the bar. For example, Cottonwood Heights can require owners to complete an education course prior to obtaining a license. The owner or agent can be required to live within a certain distance of the property, and that individual's license can be revoked by the City for noncompliance. Short-term rentals are businesses, and they should be treated as such. Her final recommendation was to consider also licensing long-term rentals.

Jon Owens spoke about the school consolidation study. The website for Canyons School District lists Oakdale and Bella Vista Elementary Schools. However, Butler, Canyon View, and Ridgecrest

Elementary Schools were included in a notice sent to parents on May 13, as well as Butler Middle School. Granite School District is considering closing 10 elementary schools, and 10 others have closed since 2019. Salt Lake City closed four schools last year. In 2022, Sandy consolidated two schools. Schools are shrinking. The area will lose families, housing, and schools, and the cycle will repeat in a doom loop. He is concerned about the issue and cannot imagine the City without children. He asked the Council to protect housing and prohibit short-term rentals. Canyons School District cited housing costs as a contributing factor to the decreasing number of students.

Maggie Mills reported on upcoming events at the Whitmore Library. Summer Reading 2025 begins Jun 2, and the kickoff party will be held on Friday, May 30 from 5:00 p.m. to 8:00 p.m. There will be live music, a bubble dance party, face painting, crafts, and other indoor and outdoor activities. The library is also a pickup location for the Read-to-Swim reading trackers. A puppet show will be held on June 6, a petting zone on June 12, and a magic show on June 18. The calendar is included in the City newsletter.

Andy Agardy stated that he lives in Top of the World and is concerned about traffic speeds and congestion on Wasatch Boulevard. He understands that it is a UDOT issue but wanted to make the Council aware of his concerns. On days when Little Cottonwood Canyon is closed, Wasatch Boulevard is completely gridlocked. He walks his dog to the park near the fire station, and one day he observed two drivers get out of their cars looking for a place to use the restroom. Sandy does not allow people to park on 9400 South, and he asked if Cottonwood Heights could do something similar to alleviate the traffic issues. When the road is not blocked by ski traffic, pulling out of the neighborhood is very dangerous because people are driving over 50 mph on Wasatch Boulevard. He believes the speed limit should be decreased to 35 mph.

Micki Harris thanked Council Member Newell for speaking about traffic issues on Fort Union Boulevard and asked that citizens be provided with access to the traffic study. She believes that if traffic can be slowed down, pedestrians and cyclists will support local businesses in the City center. She appreciated Mr. Shipp's acknowledgment that the 85th percentile rule is outdated because roads should be designed for all users, not just drivers. It is important to her that Wasatch Boulevard not be turned into a freeway and that more mistakes not be made like curbing the bicycle lane. She is glad that UDOT is working to resolve the bicycle lane issue. She stated that Wasatch Boulevard is comparable to a national park because of the traffic volume, and she supports queueing in turn lanes on ski mornings to allow local traffic through. She also hopes that they are considering underpasses instead of overhead crossings. She would like to see more speed enforcement on Wasatch Boulevard.

Runar Boman thanked the Council for bringing SenaWave to the City. He and his wife are remote workers, and reliable internet is vital. He has researched providers for years trying to find a reliable company. When SenaWave was installed in his neighborhood, it was noninvasive. It was installed in his home early in 2025. The connection is very solid and he has had no issues at all. He is saving money and has a flawless connection. The company has been very professional and helpful, and the service is outstanding.

Mayor Weichers stated that the goal was for SenaWave to be available to all Cottonwood Heights residents by now, but the company has indicated that the project has moved more slowly because

grants were made available to help with the buildout and they are waiting to obtain that funding. He has received consistently positive comments about SenaWave. They anticipate rolling out to the entire City within months.

City Manager, Jared Gerber reported that online comments were submitted by *Kim Bloom* and *MaryEllen Johnson*. Those comments were forwarded to the City Council.

5.0 PUBLIC HEARINGS

5.1 Public Hearing on the Proposed Annexation of the “Creek Road West” Annexation.

Mayor Weichers thanked Council Member Hyland for her work on the annexation.

Mayor Weichers opened the public hearing. There were no public comments. The public hearing was closed.

5.2 Public Hearing on the Proposed Annexation of the “Water Vista Way” Annexation Area.

Mayor Weichers opened the public hearing. There were no public comments. Mayor Weichers indicated that the public hearing would be continued to the June 17, 2025, City Council meeting.

6.0 STANDING QUARTERLY REPORTS

6.1 Unified Fire Authority Report – Assistant Chief, Riley Pilgrim.

Assistant Fire Chief, Riley Pilgrim, presented the Unified Fire Authority (“UFA”) Report for January 1 through March 31, 2025.

- There were a total of 505 incidents, 129 or 39% of which were classified as emergent, which is in line with previous years. Calls included three outdoor rubbish fires, two structure fires, one vehicle fire, and a variety of EMS and other calls.
- UFA fire units covered approximately 90% of the 512 calls received.
- There were a total of 395 ambulance responses. Chief Pilgrim noted that the Station 116 ambulance responds to the majority of 911 calls in the canyons. It went out of service approximately three weeks ago but will be staffed off and on through the late spring and summer.
- The 50th percentile response time was 04:53 and the 90th percentile time was 07:22. Chief Pilgrim noted that anything under five minutes is very good, and the 90th percentile has decreased since the last report. Crews are arriving at calls quickly and safely.

- The heat map was not available pending changes to how the maps are presented to the Council.

Chief Pilgrim reported that the fireworks map would be identical to 2024. There were very few problems or complaints last year. If any complaints are received, he will meet with the individuals and address their concerns. The UFA advocates for the safe use of fireworks, but the restrictions put in place for 2024 were successful and were being left as-is for 2025. They have the ability to impose last-minute restrictions if environmental conditions change and will do so if conditions indicate the need.

In response to a question from Mayor Weichers, Chief Pilgrim reported that drought conditions were average. Temperatures were lower than usual for the time of year and air moisture was adequate. There may be short-term weather concerns due to high temperatures, low humidity, and wind in July or August, but there were currently no concerns.

6.2 Police Department Report – Chief Robby Russo/Candie Terry.

Police Support Specialist Supervisor, Candie Terry presented the April 2025 Police Department Report.

- There were 1,161 calls for service, which is a decrease of over 400 calls from April 2024.
- Average officer response times were:
 - Priority 1 calls: 04:27
 - Priority 2 calls: 05:33
 - Priority 3 calls: 06:18

Police Chief, Robby Russo reported that response times are measured differently from the Fire Department, which measures from when they leave the fire station to when they arrive on scene. The Police Department begins measuring when 911 receives the call, so average response times include the dispatcher’s interrogation.

Crime

- Assaults: 4
- Burglaries: 4
- Thefts: 30
- Stolen vehicle: 5
- There were 43 arrests, down from 60 in April 2024.

Traffic

- Citations: 269
- Warnings: 143
- DUIs: 4
- All are comparable to previous months in 2025 but increased over 2024.

Accidents

- Property damage: 18
- Injury: 7

Chief Russo noted that the increase in traffic citations and decrease in accidents corresponds with the implementation of the traffic unit. In response to a question from Mayor Weichers, he clarified that accidents are documented as “property damage” if there are no injuries.

Council Member Holton stated that a Driving Under the Influence (“DUI”) stop was conducted near his home, and he thanked the Police Department for stopping that individual before they caused an accident.

In response to a question from Council Member Birrell, Supervisor Terry clarified that there was one fatality in 2024, none in 2023, and none so far in 2025. Council Member Birrell stated that one of the six pieces of the Safe Systems approach is that post-crash data is considered, and she urged the City Council to consider that approach. Chief Russo stated that they would provide data to the Council as soon as possible.

Chief Russo thanked Council Member Holton for his comment and reported that proactive DUI enforcement is important. When the county was responsible for enforcement, the only DUI arrests they conducted were at accident scenes. There has only been one accident-related fatality in three years in Cottonwood Heights and that is due to the hard, proactive work of its police officers.

Ms. Terry reported that they are in the process of training a new Code Enforcement/Animal Control employee, so enforcement statistics were lower than normal but would return to normal in June. In response to a question from Council Member Hyland, she reported that most Animal Control calls are in regard to barking dogs. If responding officers can hear the dog, they approach the house and ask the owner to quiet the animal. Chief Russo added that they suggest options such as bark collars and other soft approaches prior to citing the owner. Off-leash calls are also prevalent.

Council Member Birrell commended Chief Russo on how officers assisted her a few years previously when she reported her neighbor. The owner was not cited but the matter was handled, and Council Member Birrell was able to remain anonymous.

Ms. Terry provided a three-month review of calls, arrests, citations, warnings, DUIs, and accidents, as well as heat maps of property crimes and citations issued in April. The majority of crimes occurred in the area of Target and Home Depot. She then reviewed a list of events.

- The 10-week Citizen’s Academy was completed.
- Assistant Police Chief, Paul Brenneman attended the Peace Officers Standards and Training (“POST”) Recruitment Day.
- K-9 officers held a demonstration at Brighton High School.
- May was Motorcycle Safety Month. Supervisor Terry reminded everyone to share the road and be aware of motorcyclists.

Chief Russo reported that the City Council recently passed an ordinance related to scooters, but e-bikes are still an issue. There was an accident earlier that day involving a 12-year-old. The Police Department will be doing more enforcement and education to help people come into compliance and prevent accidents.

Regarding heat maps, Chief Russo reported that the Police Department is careful not to provide too much information in order to prevent unfair intrusion into residents' privacy.

Chief Russo met with the Canyons School District earlier that day regarding the Guardian Program that will be taking effect in the next school year. Proposals were made regarding what the Police Department believes can be done to enhance the program, and they have offered to train the guardians to ensure that they are proficient with and certified in firearms.

Council Member Birrell stated that she has received complaints from constituents regarding noise from motorcycles and unmuffled cars along State Route 210 south of Bengal Boulevard, especially on Friday and Saturday nights. She asked that traffic officers be deployed to address the issue. Chief Russo stated that it is a city-wide problem in Spring and Summer but cautioned that elevated noise can distort one's perception of speed. The traffic unit will have more availability to address the issue because they will not be doing traction control.

Mayor Weichers thanked Chief Russo for conducting the Citizen's Academy as he knows it is a strain on departmental resources. He enjoys going to that graduation and meeting the people who have learned what the City's officers do on a daily basis. It is an awesome program, and he is grateful that citizens take advantage of it. Chief Russo stated that the officers conduct the program on their own. They enjoy providing citizens with a glimpse into what they do, and they develop bonds with community members through the program. However, their favorite event is the autism barbeque that will be held later in the summer.

In response to a question from Council Member Holton, Chief Russo stated that interviews were scheduled for later in the week, after which they will be fully staffed. They anticipate some retirements within the next couple of months, and he hopes to fill those positions with young people who can be trained on the City's culture and hopefully stay with Cottonwood Heights for a long time. That will be a long process, as it takes nine months from the date of hire until graduation from the Academy and field training.

7.0 ACTION ITEMS

- 7.1 Consideration of Ordinance 440 Approving "Creek Road West" Annexation and Imposing Temporary Zoning Regulations. (This ordinance will approve annexation of, and impose temporary zoning regulations on, approximately 32 acres of realty situated along and to the South of Creek Road at or near approximately 2300 East, on or near, inter alia, Set Point Circle, Creative Place, Creek Hollow Cove, Cravalan Circle, Pine Springs Cove, and Creek Road, commonly known as the "Creek Road West" annexation).**

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

MOTION: Council Member Hyland moved to APPROVE Ordinance 440 Approving “Creek Road West” Annexation and Imposing Temporary Zoning Regulations. The motion was seconded by Council Member Holton. 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.

7.2 Consideration of Resolution 2025-36 Appointing a Member of the Health in the Heights Advisory Committee. (This resolution will approve the appointment of Diane Foster-Burke to the Health in the Heights advisory committee).

Mayor Weichers reported that the above item was discussed during the Work Session, and the Council was excited to appoint Diane Foster-Burke.

MOTION: Council Member Birrell moved to APPROVE of Resolution 2025-36 Appointing a Member of the Health in the Heights Advisory Committee. The motion was seconded by Council Member Newell. 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.

7.3 Consideration of Resolution 2025-37 Approving a Performance Contract and Addendum for the 2025 Holiday Show. This resolution will approve the City's entry into a Performance Contract and Addendum whereunder Eclipse Music Inc. d/b/a "Eclipse 6" will perform at the City's 2025 "Holiday Show" Community Event at Butler Middle School).

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

MOTION: Council Member Newell moved to APPROVE Resolution 2025-37 Approving a Performance Contract and Addendum for the 2025 Holiday Show. The motion was seconded by Council Member Hyland. Vote on motion: Council Member Newell – Yes, Council Member Birrell – Yes, Council Member Holton – Yes, Council Member Hyland – Yes, Mayor Weichers – Yes. The motion passed unanimously.

7.4 Consideration of Resolution 2025-38 Approving and Ratifying a Second Amended Interlocal Agreement with the City's CDRA for the Canyon Centre Project Area. (This resolution will approve the City's entry into the second amendment to an Interlocal Agreement with the Cottonwood Heights Community Development which, inter alia, approves the adoption of a third amended project area plan and a second amended project area budget for the Canyon Centre project area, which plan and budget were approved pursuant to the City's Ordinance 430 and the Agency's Resolution 2025-03, both dated 18 February 2025).

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

MOTION: Council Member Holton moved to APPROVE Resolution 2025-38 Approving and Ratifying a Second Amended Interlocal Agreement with the City’s CDRA for the Canyon Centre Project Area. The motion was seconded by Council Member Newell. Vote on motion: Council Member Birrell – Yes, Council Member Holton – Yes, Council Member Hyland – Yes, Council Member Newell – Yes, Mayor Weichers – Yes. The motion passed unanimously.

8.0 CONSENT CALENDAR

8.1 Approval of the Minutes for the City Council Work Session and Business Meetings of May 6, 2025.

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

9.0 ADJOURN

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

The City Council Meeting adjourned at 8:29 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, May 20, 2025.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____