

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION  
HELD TUESDAY, NOVEMBER 12, 2024, AT 4:00 P.M. IN THE COTTONWOOD  
HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL  
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

**Members Present:** Mayor Mike Weichers (via Zoom), Council Member Shawn Newell, Council Member Suzanne Hyland, Council Member Matt Holton, Council Member Ellen Birrell

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

**1.0 WELCOME**

Mayor Pro Tempore Shawn Newell called the meeting to order at 4:00 PM. Mayor Mike Weichers participated via Zoom.

**2.0 REVIEW OF BUSINESS MEETING AGENDA – Mayor Mike Weichers.**

Mayor Weichers reported that there would not be a Closed Session prior to the Business Meeting. The Business Meeting Agenda would include five Action items for consideration.

Action Item 4.1, consideration of Ordinance 423 adopting an Amending Budget for July 1, 2024, through June 30, 2025, was discussed at the public hearing held the previous week.

Action Item 4.2, consideration of Ordinance 424 amending Section 19.72.050 (D) of the Cottonwood Heights Code of Ordinances, is a Text Amendment regarding impervious surfaces that was also discussed at the last City Council Meeting.

Action Item 4.3, consideration of Resolution 2024-67 approving an agreement for Planning and Design Services, was a new item. Senior Staff Engineer, Ben Nielson reported that it is an agreement with CivilScience to design the repair to the stormwater pipe that runs under Kings Hill Drive to Deaf Smith Creek. The pipe is compromised in several places, and a new pipe will be designed and installed to rectify the issue and prevent a failure at that crossing. In response to a question from Council Member Hyland, Mr. Nielson stated that if the repair is not made, the pipe could eventually collapse, which would put property at risk. In response to a question raised by Council Member Birrell, Mr. Nielson reported that the entire pipe system in the affected area will be replaced. The current pipe is underground and day lights are on the other side of Kings Hill Drive. The bottom of the corrugated metal pipe has deteriorated. A portion was replaced 12 years previously, but the entire pipe will be replaced. The wall on the west side is beginning to drop down, so there is a concern that the road will give way if it is not repaired. The expense will be paid from the Storm Drain Fund.

Action Item 4.4 was consideration of Resolution 2024-68 approving Disposal of Unclaimed Property or Former Evidence. Police Chief, Robby Russo reported that the resolution will allow disposal of items that were placed into evidence but are no longer needed and for which there is no identified owner. The items include tools, bicycles, and electronics that will be auctioned off. Proceeds will be returned to the City and reallocated to the Police Department via a Budget Adjustment.

Item 4.5 was consideration of Resolution 2024-69 approving entry into an agreement with Salt Lake County for Tier II ZAP funding. A new agreement is required each year. City Manager, Jared Gerber indicated that Cottonwood Heights received an additional \$100 this year over 2023. The funds go toward the summer musical and other events.

### **3.0 STAFF REPORTS**

**a. Historic Committee Report – Jim Kichas, Historical Committee Chair; Korral Broschinsky, Surveyor.**

Historic Committee Chair, Jim Kichas presented an overview of the Committee’s activity in 2024. Committee members include Vice Chair, Ken Verdoia and Secretary, Bruce Lubeck. Mr. Verdoia leads a working group focusing on oral histories. Gayle Conger leads the historic preservation working group. Jessica Despain is the Butlerville Days liaison. Mark Lenz has led the Committee’s communications efforts by writing items for the City newsletter and strategizing how to better communicate the history of Cottonwood Heights to its citizens. Monthly working sessions are held at City Hall where the committee members assist with different projects, which Mr. Kichas believes helped the committee move forward and stay connected.

Efforts to raise awareness about the City’s history include the Butlerville Days exhibit on the Old Mill. Mr. Kichas noted that the City Hall exhibit was repurposed for Butlerville Days, and it was a popular exhibit that generated good conversations with community members. The Committee also held historic walks as part of Butlerville Days. More residents joined Ms. Conger and members of the Trails Committee on the walks than in the previous year. The current exhibit celebrating the City’s 20th anniversary will be repurposed for Butlerville Days in 2025.

This year, the Committee was able to collaborate with historic groups from other cities including Holladay, Brighton, Sandy, Taylorsville, Farmington, Millcreek, Draper, and Murray. The first joint meeting was held in September. They have a lot to learn from others, but other cities also look to the Cottonwood Heights Historic Committee as leaders in the area. They are having ongoing discussions with the Brighton Historic Committee regarding their shared history. He and Mr. Verdoia have provided advice and consulting to help Brighton develop a strategic plan and digitize their records. They are always looking for opportunities to connect and collaborate with other communities.

Mr. Kichas reported on the status of the oral history project. They have worked to recover work completed in 2010 that was previously believed lost and were able to recover nine of the 20 oral

histories, which are now available in the digital archive. They were also able to complete a new video oral history with long-time resident Clayton Green.

The Committee has received many comments on the future of the Old Mill. They also met with the owners in August and expect to finalize their recommendation at the upcoming meeting on November 13, 2024.

Mr. Kichas reported that they were proud to be recognized with the Utah Historical Society's Outstanding Achievement Award. Some members will be leaving the Committee, so they will be actively recruiting new members for open positions. They also hope to begin some targeted research projects including the history of canals and water development in Cottonwood Heights, the history and completion of I-215, and the history of the Hillside Plaza area. There will be a yearlong celebration of Cottonwood Heights' 25<sup>th</sup> anniversary as an incorporated City, which includes newsletters, adding material regarding the City's incorporation to the digital archives, and the Butlerville Days exhibit. The digital archives have become the hub for their oral history and preservation work. City Council meeting minutes and agendas going back to 2005 are now available in the archive, as well as all City newsletters.

Mayor Weichers expressed his appreciation for Mr. Kichas' and the Historic Committee's efforts and mentioned their work in creating the Veterans Memorial. The Council will be discussing their recommendations at an upcoming meeting.

Architectural Historian and Preservation Consultant, Korral Broschinsky reviewed the reconnaissance-level survey she performed of the City's historic neighborhoods. She initially completed a selective survey in 2016 where she identified all buildings constructed prior to 1953 and one of its recommendations was to survey historic subdivisions in the City. The Historic Committee then received a Certified Local Government ("CLG") grant to survey four neighborhoods in central Cottonwood Heights and potentially identify areas that would qualify as National Register of Historic Places ("NRHP") Historic Districts. Ms. Broschinsky reported that if a property is a contributing building and is eligible for the NRHP, the owner could receive tax credits to rehabilitate and preserve their homes. Placement on the Register is also a good way to recognize the City's history.

Ms. Broschinsky reviewed the NRHP Historic District criteria she considered when surveying the neighborhoods:

- Properties are 50 years old or older.
- Good historic integrity.
- Significant in one or more areas:
  - Criterion A: Association with patterns of history such as in the area of community planning and development.
  - Criterion C: Architectural significance.

Ms. Broschinsky noted that some buildings like the Badger home predate the subdivision and may be eligible for inclusion in the NRHP as individual homes, but the survey considered neighborhoods as a whole. Historic Districts should have a good ratio of eligible, contributing

properties versus ineligible, non-contributing properties, which are older properties that have been renovated and lost their historic integrity for the period of significance, or properties that were constructed outside that period. Historic Districts are also expected to have distinct boundaries.

In response to a question raised by Council Member Birrell, Ms. Broschinsky confirmed that homes built in the early 1970s are now eligible for inclusion in the NRHP. Periods of significance can be a span of a few years or as little as a single year. If a home appears to meet the criteria, the owner can apply to the NRHP.

Ms. Broschinsky reviewed the four neighborhoods that were surveyed. Maps of each neighborhood and statistics regarding the number of eligible contributing, non-contributing, and out-of-period homes were also reviewed.

**Cottonwood Ridge** was platted in 1953 and has 34 lots. It is located at Fort Union Boulevard and Virginia Hills Drive. The historic period goes from 1953 to 1965. Its boundaries are distinct; it is bordered by open space, a church, a park, and a non-historic subdivision. However, the ratio of non-contributing homes is 65%, so Cottonwood Ridge is not eligible as a Historic District.

**Cottonwood Heights**, which includes the Johnson and Radford Ranchos subdivisions, was platted between 1953 and 1954 and includes a total of 322 lots. The boundaries to the north, south, and east are distinct. The west boundary to 2700 East includes other historic subdivisions that were not included in the survey. The survey indicated that 74% of homes are eligible to contribute, primarily in the northern half of the subdivision. If the City were to perform additional survey work across 2700 East, the ratio would likely increase. Ms. Broschinsky reported that in her research, she found newspaper references to a Cottonwood Heights subdivision prior to 1953 when Cottonwood Heights was platted, and she believes they were referring to the development along 2700 East. She recommended surveying those adjacent neighborhoods prior to applying for Historic District status.

**Steffensen Heights** was platted between 1953 and 1957 and has four distinct boundaries that follow the topography of the neighborhood. The subdivision has 96 lots and no out-of-period homes, and its ratio is 84% eligible contributing. The survey recommended Steffensen Heights as a good candidate for a National Register of Historic Places Historic District.

**Greenfield Village** was the largest subdivision surveyed. It includes eight phases platted between 1953 and 1963. It has distinct boundaries including Fort Union Boulevard, Highland Drive, I-215, the East Jordan Canal, and Mountview Park. The subdivision has 365 total lots and a ratio of 73% eligible contributing. The survey recommended Greenfield Village as a good candidate for the National Register of Historic Places Historic District. Ms. Broschinsky shared an aerial photo of Greenfield Village under construction that was featured on the front page of the March 31, 1957, *Salt Lake Tribune*. Several newspaper articles were written about the subdivision, and it was also featured in the Parade of Homes, so there is documentation supporting its importance to the growth of Cottonwood Heights.

Mayor Weichers asked what the process would entail should they decide to move forward with applying for Historic District designation, as well as why the Council should consider doing so.

Ms. Broschinsky stated that people with contributing buildings in those neighborhoods could have plaques indicating their historic status and receive tax credits to rehabilitate their historic buildings. The tax credit program places restrictions on what they can do, but it can help owners preserve the character of their homes. Eligible homes would need to be listed in the National Registry of Historic Homes before or shortly after the rehabilitation.

Ms. Broschinsky reported that most communities choose to follow the reconnaissance level survey by using the next grant to apply for the National Register nomination. If the majority of property owners object to the Historic District designation, it cannot be listed. However, once they are educated that it is not restrictive, most owners are enthusiastic about becoming a Historic District. She provided the example of the Avenues neighborhood in Salt Lake City, which is restricted by local ordinances, not the National Register of Historic Places. Because Cottonwood Heights has no plans to enact similar ordinances, she suggested educating property owners so they are aware that there will be no restrictions. If a property is listed as contributing, it can still be renovated or demolished, and it would simply be removed from the list of contributing buildings. Areas are re-surveyed after 10 to 15 years, and at that point, any homes that have been drastically modified or removed would be reevaluated and likely removed from the register.

Mr. Kichas stated that the State Historic Preservation Office would be their liaison to help facilitate designation. The CLG Grant is a matching funds program, so the City would have to match the grant. If the City Council decided to move forward, the Historic Committee would make a recommendation, and then seek grant funding. The Council could then determine whether the funds would be matched by the City.

Community and Economic Development Director, Mike Johnson stated that it sounds like there are good parameters for the designation. It is different from the Historic Preservation Ordinance in that it would not prohibit remodeling, renovation, or demolition of a home, but rather simply affect the property owner's ability to receive tax credits. He had no concerns about moving forward.

Council Member Birrell stated that it would align with the City's sustainability goals. Cottonwood Heights is interested in maintaining biodiversity, and the homes built in the 1950s were much smaller than the large homes being built today. Incentivizing residents to take pride in the size and character of their homes could be a positive. She also believes it is aesthetically positive to preserve the character of the City by taking pride in these historic neighborhoods.

Mayor Weichers asked Mr. Kichas to return with a recommendation from the Historic Committee.

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

Mr. Johnson indicated that initial research on the topic was provided in the Staff Report. City Staff met with staff from Sandy, Millcreek, and Brighton Township regarding their short-term rental restrictions, and a comparison chart was provided in the report. The Planning Commission will consider recommending an increase to \$650 for each day of violation for first violations and a higher penalty for the second violation at their December meeting, and their recommendation will

be forwarded to the Council for final consideration in mid-December or early January. City Attorney, Shane Topham clarified that they will be proposing an escalating fine structure. The fine would be \$650 for the first occurrence, \$800 for the second occurrence, and \$1,000 for all subsequent occurrences, and each day of rental would be considered one occurrence.

Council Member Hyland expressed her appreciation for Staff's efforts in increasing the fine because it will show citizens that the City is trying to address the problem. It would not make sense to invest a lot of resources in enforcement if there is not a strong fine behind it.

Council Member Birrell referred to the Staff Report, which indicated all repeat violations would incur a fine of \$800. Mr. Johnson stated that the final language had not been drafted, and the legislation will be drafted by Mr. Topham. Mr. Topham clarified that each day is a separate violation.

Council Member Hyland directed the conversation to create a subcommittee to recommend policies, compliance procedures, and penalties for noncompliance. The Kem C. Gardner Institute just completed its review of short-term rentals and made recommendations to the State legislature, and she sees the subcommittee taking on the work of thinking about what Cottonwood Heights will do based on what the legislature does. If they increase the City's ability to enforce, the subcommittee would be able to set a stronger set of policies. If not, they will need to work within current parameters. The objective is to be prepared for either outcome when the legislative session occurs in March. Members of the committee include Council Member Hyland, Planning Commissioners Lucy Anderson and Sean Steinman, Mr. Johnson, and Lieutenant Scott Ricks from Code Enforcement.

Council Member Hyland noted that all cities in the area are struggling with this problem. Most short-term rentals are likely operated in a safe, non-threatening manner, but problem rentals need to be addressed. The Council previously discussed having the lobbyists inform state representatives of how Cottonwood Heights is being affected. She was disappointed that the Kem C. Gardner Policy Institute report considered Salt Lake County as a whole rather than giving separate consideration to the eastern cities that are more highly impacted by short-term rentals. Council Member Holton indicated that the report identified tourism-focused areas, which would include Cottonwood Heights, but they were not spelled out specifically. Council Member Hyland reported that Salt Lake City and Brighton made the top ten list of percentages of residences used as short-term rentals. Cottonwood Heights was barely outside of that list. The cutoff is 513, and the City is currently at approximately 500 legal and illegal short-term rentals.

Because the other Council Members had not had time to review the Granicus whitepaper on short-term rental policy, Council Member Hyland suggested that they table discussion on priorities and objectives. Mayor Weichers agreed that the discussion could be continued to the next meeting, but suggested that they begin the discussion with Council Member Hyland's suggestions based on her research on the subject.

Council Member Hyland stated that the City needs to be able to manage the nuisances like party houses and parking problems that come with short-term rentals and also reward owners with good short-term rentals. For example, a resident who spoke at a recent City Council Business Meeting

stated that offering a short-term rental is how they can afford to live in Cottonwood Heights. She believes the Council needs to consider the possibility of expanding the areas where short-term rentals can be licensed. They are currently limited to multifamily areas. She asked if the Council would consider allowing owner-occupied short-term rentals. The Kem C. Gardner Policy Institute report indicated that short-term rentals are not going away, and the Granicus whitepaper shows that cities that try to ban them just incentivize noncompliance. Her opinion is that the City's current rules incentivize non-compliance, which is evidenced by the 400 illegal rentals currently operating in Cottonwood Heights.

In response to a question raised by Council Member Birrell regarding the table of ordinances provided in the Staff Report, Mr. Johnson clarified that Millcreek and Sandy allow short-term rentals in single-family zones and require owner occupancy. Cottonwood Heights has a very restrictive ordinance that prohibits them on public streets and in single-family zones. Brighton does not have an owner-occupancy requirement.

Mayor Weichers referred to the resident who asked the Council to allow owner-occupied short-term rentals. He believes there should be a process by which property owners can file a request to become an approved short-term rental area. If a high percentage of their neighbors agreed, he would be inclined to grant the request. If they considered it a nuisance, the request would not be approved. In response to questions, Mayor Weichers clarified that it would only apply to owner-occupied rentals and would require the approval of a larger percentage of the neighborhood, not just the adjacent property owners.

Council Member Hyland agreed with the suggestion to hold a public hearing or open house to obtain residents' feedback. She does not believe there is one clear solution. The Granicus whitepaper provides sample scenarios and relevant objectives for each. One recommended objective she believes is relevant to Cottonwood Heights is, "Ensure that residential neighborhoods are not turned into tourist areas to the detriment of longtime residents." The City also has an affordability problem and the desire to capture tax revenue because it is an affluent residential community in an attractive location. She indicated that the Council needed to discuss objectives, so the Committee does not make policy recommendations that do not match the Council's goals.

In response to a question from Council Member Birrell regarding business licensing requirements, it was reported that Millcreek and Brighton require a business license for short-term rentals. Sandy is revisiting their requirements, including considering employing an administrative law judge to aid in enforcement. Council Member Newell agreed that they must ensure compliance, and the policy they create must include strong enforcement.

Council Member Hyland indicated that the legislature approved a survey to help cities properly identify short-term rentals so they can capture the tax revenue appropriately. Council Member Holton stated that the Tax Commission would be choosing a vendor to determine the noncompliance rate within the next few weeks, but the data would likely not be available in time to assist the Council with its decision. He was unsure if they needed to wait for the data or should just create a good, responsible policy.

Council Member Holton indicated that some residents of his neighborhood use short-term rentals to supplement their income. However, they are not prevented from having long-term rentals, so he does not believe it is a question of whether they can supplement their income but rather how they can do so. He would prefer more long-term rentals.

Council Member Hyland stated that best practices are evolving in the industry, and people who operate short-term rentals do not want to create nuisances for their neighbors. The resident who spoke at the recent City Council meeting stated that he has had both long-term and short-term renters, and he prefers short-term rentals for many non-financial reasons. He can have a short-term renter for three months out of the year instead of 12. His short-term renters also do less damage than his long-term renters.

Council Member Birrell stated that she had short-term renters during the 2002 Olympics, as well as in subsequent years. Recently, they have had long-term renters. There are more issues with things like noise transfer with long-term renters. She does not believe the City should allow short-term rentals everywhere, but she is very sympathetic to the people who see their value and believe they have a smaller impact on their lives than long-term rentals. Council Member Hyland agreed and noted that people visiting the area are usually out during the day and in the evening. Her children have long-term renters in their basement, and the noise transfer is constant.

Council Member Birrell thanked Mr. Johnson for creating the table of requirements for different cities and indicated that she believed they could also learn from Newport Beach, California, which has both a great noise ordinance and a thorough short-term rental program. She agreed that the City needs an enforcement mechanism. For example, if they specify “no partying” in the ordinance, they need to ensure police enforcement of that rule is included in the budget.

Council Member Hyland stated that the Committee will research best practices and what has worked for other cities. Brighton has been successful because they have software to capture compliance issues. They also have a “three strikes” rule so if a property owner has three violations, they are prohibited from renting for a full year. That incentivizes the owner to be responsible. She believes they should allow short-term rentals in the community because it will help residents who are struggling to live here, but it has to be done in a way that minimizes the associated nuisances. She believes most short-term rentals are operated responsibly, which is why they only hear about two or three problem rentals in the City.

Council Member Birrell suggested that Council Member Hyland consider including more residents on the committee, specifically residents who have asked the Council to consider allowing short-term rentals in their areas. Council Member Hyland stated that there would be a potential bias in including those residents, but they do intend to bring them in as needed to understand their perspectives. Mayor Weichers agreed that the Committee should consist of people who have not made up their minds, but he sees the value in Council Member Birrell’s statement that those residents’ opinions should be taken into consideration.

Council Member Holton stated that two homes next to his are rentals, one long-term, and one short-term rental. He believes long-term rentals provide a greater comfort level because neighbors get to know the renters. He believes long-term renters are part of the community and is more

comfortable with focusing on long-term rentals, but he understands that some property owners have compelling reasons to want short-term rentals. He believes they should provide options to the community and ask for their input. The options could include making short-term rentals in all zones, in certain zones, or only allowing long-term rentals. Council Member Hyland stated that she does not believe whole-home short-term rentals should be considered for single-family neighborhoods. Owner-occupied short-term rentals allow you to know your neighbors because the owner is a long-term resident. Council Member Holton clarified that he was referring to the renter, not the owner. He believes they should have options to discuss with residents to receive specific feedback.

Council Member Holton stated that he believed it would be hard to come up with objectives due to the competing priorities. Council Member Hyland noted that the Committee will regularly report to the Council on its findings and suggestions, and one reason it is important to come up with objectives is so they can tailor those suggestions to the Council's stated objectives. She asked Council Member Holton to read the Granicus whitepaper, because she believes it offers objectives that all Council Members will agree should guide the policy.

Council Member Newell agreed that there was a concern regarding property rights and how heavily they should regulate people's use of their homes. The economy is another consideration.

Council Member Hyland thanked everyone for their input and asked Mr. Gerber to find room for the topic on the next meeting agenda so they could continue to move forward and hopefully have new regulations in place by Spring. Mayor Weichers thanked the Council for the discussion.

**c. Town Center Discussion – City Manager, Jared Gerber.**

Mayor Weichers reported that the bond measure was leading by approximately 700 votes and was expected to pass. The final results will be announced on November 19, 2024.

Mr. Gerber stated that a Request for Proposals ("RFP") was being prepared and would be posted in early December. Bids would be due in late January 2025. Once the RFP was finalized, he would forward it to the Council for review and comment. They have been working with a consultant on relevant property transactions, and a Closed Meeting will be scheduled in the future to discuss those transactions in detail.

Council Member Birrell noted that 47% of voters opposed the bond and asked what steps the City would take to address their concerns. Mr. Gerber stated that the RFP will include specific criteria, and it will then be up to the bidder to decide how much money and effort they put in to meet those criteria. The developer will include their strategy and how they envision the partnership in their response. The bid will be left open for a longer term to provide bidders with time to perform the necessary research and analysis to submit a complete bid package. Mayor Weichers clarified that Staff's recommendation on which development partner they should choose will include enough detail to clearly separate the City's responsibilities from the development partner's responsibilities. There will be enough financial analysis for the City to make a determination. It will be up to the developer to determine their own financial risk in the project.

In response to a follow-up question from Council Member Birrell, Mayor Weichers confirmed that developers will anticipate the availability of Tax-Increment Financing (“TIF”). Council and Staff have discussed the matter. They are confident that TIF funds will be available to offset construction costs related to parking, which will allow a bigger portion of the property to be developed. Mr. Johnson added that TIF is a tool that is on the table, but the exact return is unknown until a plan and financial projections are in place and presented to the taxing entities. Council Member Birrell clarified that her question was in regard to whether developers will include the necessity for TIF funds in their financial analyses. The Canyon Center project was based on TIF but was unable to deliver an anticipated city park on a timely basis, and she believed a level of specificity should be required because the park is a large piece of this plan.

Mayor Weichers indicated that the City’s public finance partner, Zions Bank, is considering the potential advantages of staging the bond. Administrative and Financial Services Director, Scott Jorges stated that Mark Anderson at Zions Bank is looking at guidance on the issue and considering closing costs that would be incurred by multiple issues versus a single issue. The taxable versus nontaxable aspects of the bond must be clearly defined, and the decision will be driven by the final development so they can ensure that the original estimate of 60% tax-exempt and 40% taxable remains consistent. There are also spend-down requirements to avoid paying back interest earned beyond the bond’s interest rate. That information would be available within one week.

**d. Budget Retreat Discussion – City Manager, Jared Gerber.**

Mr. Gerber reported that the Budget Retreat would be held on Thursday, January 16, 2025, at 8:30 a.m. He and Mayor Weichers have discussed ways to make the meeting more efficient, including requiring all department heads to submit their budget requests in advance. He asked that the Council Members also provide their requests in advance, preferably with two sponsors for any request so they can ensure that the time will be used efficiently. He would provide everyone with a form for their requests.

Council Member Hyland requested a report on the 2024 priorities and progress toward those priorities. Mr. Gerber stated that he is preparing an update that will be forwarded to the Council. His ultimate goal is to create a five-year strategic plan for the Council’s vision that allows for flexibility if priorities shift.

Council Member Birrell requested that a clear and accountable process be put in place to ensure that assigned Staff members begin interacting immediately with Council Members who added agenda items in the retreat. That would allow the Council member’s input and collaboration on the initiative they are advancing. Mr. Gerber indicated that they are working to determine the correct process.

Council Member Newell indicated that he prefers a three-year strategic plan over five years as five-year plans often fall apart. Council Member Hyland stated that any financial projections over 18 months are pointless, but financials are still projected over five years so a trajectory can be determined. Mr. Gerber noted that they can consider the term. He has talked to some firms and may request funding for the strategic plan at the retreat.

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

- a. **City Council Meetings for November will be held on Tuesday, November 12th and 19<sup>th</sup> starting at 4:00 p.m.**
- b. **Light the Heights will be on December 2nd from 5:00 p.m. until 7:30 p.m. at the City Hall Cullimore Room.**
- c. **Arts Council's Holiday Show, Friday, December 6th at Butler Middle School from 7:00 to 8:30 PM.**

Council Member Birrell asked if a date had been set for the 25<sup>th</sup> anniversary celebration. Mr. Gerber stated that Staff has discussed having a larger celebration during Butlerville Days and some smaller celebrations throughout the year. Mayor Weichers clarified that a main celebration would be held on a specific date. Council Member Hyland reported that the Butlerville Days Committee has discussed the anniversary and plans to make it a central focus of the event. Mr. Gerber stated that the topic will be discussed in more detail at the December work session.

Mayor Weichers thanked Council Member Newell for acting as Mayor Pro Tempore during the Business Meeting.

**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.**

There was no Closed Meeting.

**6.0 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 5:46 PM.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, NOVEMBER 12, 2024, AT 7:00 PM IN THE COTTONWOOD  
HEIGHTS CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL  
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

**Members Present:** Council Member Shawn Newell, Council Member Suzanne Hyland, Council Member Matt Holton, Council Member Ellen Birrell

**Excused:** Mayor Mike Weichers

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

**1.0 WELCOME**

In the absence of Mayor Weichers, Mayor Pro Tempore Shawn Newell called the meeting to order at 7:00 PM.

**2.0 PLEDGE OF ALLEGIANCE**

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

**3.0 CITIZEN COMMENTS**

*Runar Bowman* spoke on the bond proposal and expressed concern about the Form-Based Code document that was discussed by the City Council on October 29, 2024. He referred to page 11 regarding the Town Center form district, which would include the Highland Plaza property, and noted that it defines the district as characterized by vertical mixed-use and community spaces, walkable, and concentrated. The snapshot mentions a minimum height of two stories and a maximum of four stories or 60 feet. He voted for the project because it was not supposed to go vertical. He asked the Council for clarification on whether the document was accurate or based on a misunderstanding between the Planning Commission and City Council.

*Randy Long* spoke on the preservation of the Old Mill. It is on the National Register of Historic Places and needs to be preserved as it is. Big Cottonwood Trail is both historic and scenic, and he believes the Old Mill is one reason for that.

*Maggie Mills* from the Whitmore Library reported that their 50<sup>th</sup> anniversary celebration would be held on November 15, 2024. A ribbon cutting would be held at 9:45 a.m., followed by family story time at 10:30 a.m., a magic show at 3:00 p.m., and other activities throughout the day. She hoped to see the City Council there.

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

#### 4.0 ACTION ITEMS

- 4.1 Consideration of Ordinance 423 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)

**MOTION:** Council Member Hyland moved to APPROVE Ordinance 423. The motion was seconded by Council Member Holton. Vote on the motion: Council Member Holton – Yes, Council Member Hyland – Yes, Council Member Newell – Yes, Council Member Birrell – Yes. The motion passed unanimously.

- 4.2 Consideration of Ordinance 424 Amending Section 19.72.050 (D) of the Cottonwood Heights Code of Ordinances. (This Ordinance will Approve Amendments to Section 19.72.050(D) of the City’s Code of Ordinances Concerning Maximum Impervious Surfaces in the City as Recommended by the City’s Staff and Planning Commission).

**MOTION:** Council Member Holton moved to APPROVE Ordinance 424. The motion was seconded by Council Member Hyland. Vote on motion: Council Member Birrell – Yes, Council Member Newell – Yes, Council Member Hyland – Yes, Council Member Holton – Yes. The motion passed unanimously.

- 4.3 Consideration of Resolution 2024-67 Approving an Agreement for Planning and Design Services. (By this Resolution, the Council will Approve a Consulting Agreement whereunder Civil Science, Inc. will Provide Planning, Design, and Other Services in Connection with the City’s Proposed Replacement of Approximately 140 feet of CMP Culvert that Conveys Deaf Smith Creek Under Kings Hill Drive at about 8762 South, for a Fee of up to \$13,780 [for Tasks 001 – 003] and an Additional up to \$4,890 [for Task 004 if needed], as described in the Agreement).

**MOTION:** Council Member Birrell moved to APPROVE Resolution 2024-67. The motion was seconded by Council Member Hyland. Vote on the motion: Council Member Holton – Yes, Council Member Hyland – Yes, Council Member Newell – Yes, Council Member Birrell – Yes. The motion passed unanimously.

- 4.4 Consideration of Resolution 2024-68 Approving Disposal of Unclaimed Property or Former Evidence. (From time to time, the City Disposes of Items of Unclaimed Property and Property No Longer Needed as Evidence as Authorized by Utah Law. This Resolution will Approve Such Disposition of Certain Items in the City’s Possession).

**MOTION:** Council Member Birrell moved to APPROVE Resolution 2024-68. The motion was

seconded by Council Member Holton. Vote on the motion: Council Member Newell – Yes, Council Member Birrell – Yes, Council Member Holton – Yes, Council Member Hyland – Yes. The motion passed unanimously.

**4.5 Consideration of Resolution 2024-69 Approving Entry into an Agreement with Salt Lake County for Tier II ZAP Funding. (This Resolution will Approve the City’s Entry into an Agreement with Salt Lake County whereunder the County will Provide approximately \$17,000 in Zoo, Arts, and Parks Funding to the City for Use by its Arts Council).**

**MOTION:** Council Member Birrell moved to APPROVE Resolution 2024-69. The motion was seconded by Council Member Hyland. Vote on the motion: Council Member Holton – Yes, Council Member Hyland – Yes, Council Member Newell – Yes, Council Member Birrell – Yes. The motion passed unanimously.

**5.0 CONSENT CALENDAR**

**5.1 Approval of the Minutes for the City Council Work Session and City Council Business Meeting for October 15, 2024.**

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

**6.0 ADJOURN CITY COUNCIL BUSINESS MEETING.**

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

The City Council Meeting adjourned at 7:14 p.m.

*I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session and City Council Business Meetings held Tuesday, November 12, 2024.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

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