

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD TUES OCTOBER 1, 2019 AT 5:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH

Present: Mayor Mike Peterson, Council Member Scott Bracken, Council Member Christine W. Mikell, Council Member Mike Shelton.

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jorges, Communications Manager Tim Beery, City Planner Andrew Hulka, Samantha DeSeelhorst Assistant Planner / Sustainability Analyst

Excused: Council Member Tali Bruce

WORK SESSION

Mayor Peterson called the meeting to order and welcomed those present.

1. City Council Quarterly Reports.

a. Parks, Trails and Open Spaces Committee, and ULCT League Policy Committee – Council Member Mikell.

Council Member Mikell reported that the Parks, Trails and Open Space Committee have been working for the past year and are ready to take action. They will be making a recommendation about the placement of a dog park and are enthusiastic about trails, connectivity, and the Bonneville Shoreline Trail. A contractor is helping to identify trailheads and the Committee is feeling more engaged.

The Utah League of Cities and Towns Policy Committee recently voted on two resolutions. The first addressed Utah’s air quality and recommended idle-free ordinances and electric charging stations. The second resolution encouraged a State-wide review of the effectiveness of development incentives and encouraged a community-first approach to economic development.

b. Historic Committee, South Salt Lake Valley Mosquito Abatement, Emergency Planning, and CH Business Association – City Manager Tim Tingey.

City Manager, Tim Tingey reported that the Historic Committee has been discussing digital archiving. They have also been focused on identifying individuals who can serve. Wrapping utility boxes throughout the City were also detailed.

Emergency Planning has also been involved in regional meetings with different groups. Two Neighborhood Watch training meetings have been conducted and there has been representation for regional work dedicated to planning efforts for emergency management in the area.

The Council next discussed the Cottonwood Heights Business Association. A retreat was held detailing their mission, vision, and focus as they continue to move forward. Their focus was to educate businesses on opportunities, promote various events, enhance efforts, work to connect businesses and provide additional opportunities.

c. Arts Council and Valley Emergency Communications Center (VECC) – Council Member Shelton.

Council Member Shelton reported that the Valley Emergency Communications Center (VECC) Executive Director will be retiring soon and they are in the process of finding a replacement. They are working with the CAD system regarding the dispatch of calls and record keeping. The Board authorized negotiations with one vendor to expand their role and begin the process of bringing it County-wide. If terms can be negotiated, it was anticipated that they would all be on Versaterm within two years.

Police Chief, Robby Russo confirmed that Salt Lake City, UPD, Riverton, Herriman, Sandy City, and Draper are all using Versaterm. They have worked for 25 years to be in the same room using one platform and one record system. Challenges that have resulted from the consolidation of UPD and VECC were described.

It was confirmed that the Arts Council will hold the Cottonwood Heights Film Festival in March 2020.

d. Youth City Council, Wasatch Front Waste and Recycling District Board, Butlerville Days Committee, and CH2 Board – Council Member Bracken.

Council Member Bracken reported that the Youth Council will be having dinner with the Mayor and City Council. Department heads were invited to attend as well.

Council Member Bracken explained that Wasatch Front Waste and Recycling are nine drivers down from 54 and are having difficulty finding applicants. One adjustment has been approved and will take place in January to help alleviate the issue. It was reported that recycling costs range from \$67 and \$75 per ton compared to \$31 to \$32 trash taken to the landfill.

It was reported that the new parade route for Butlerville Days was approved.

e. Central Wasatch Commission, Conference of Mayors, Council of Governments, UFA Board, and UFA Finance Committee – Mayor Peterson.

Mayor Peterson stated that the Central Wasatch Commission (“CWC”) is currently focusing on transportation issues within the City and are making headway. They are working on proposed legislation and have hired a new Deputy Director. The CWC will be holding a retreat in November

to set priorities for the upcoming year and guide its budget efforts going forward. It was noted that UDOT Director, Carlos Braceras, has tendered his resignation from the CWC.

The Conference of Mayors (“COM”) took place last month at the City of Alta. Salt Lake County’s new online public survey was also discussed.

Mayor Peterson explained that as a member of the Council of Governments, he is assigned to various other committees. Legislative priorities and committee assignments were discussed. The last three weeks have been heavily involved with TRCC funding requests. The Public Works Committee is focused on corridor preservation and applications are reviewed bi-annually.

Unified Fire Authority meetings are held monthly. They have discussed hiring challenges and providing enough staffing for the federal requests for firefighting. The process of hiring Assistant Fire Chief, Mike Watson’s replacement was described.

2. Review of Business Meeting Agenda – Mayor Mike Peterson.

Mayor Peterson reviewed the Business Meeting Agenda items.

3. Staff Reports

a. Sustainability Resolution and the Community Renewable Energy Act – City Manager Tim Tingey and Community and Economic Development Staff.

Community and Development Director, Mike Johnson presented the staff report and stated that the purpose is to ultimately present a proposed amendment to the adopted Sustainability Resolution and modify the target date of renewable energy City-wide from 2032 to 2030.

City Planner, Andy Hulka reported that he met with sustainability staff from Salt Lake City and Park City to review steps taken to establish their programs as well as the Utah Clean Air Act.

Assistant Planner/Sustainability Analyst, Samantha DeSeelhorst indicated that they have made excellent progress and are moving forward with sustainability polls. Resolution 2019-03 was signed last January and includes a deadline in order to achieve 100% renewable energy by 2022. Steps for adopting a Resolution were discussed. It was reported that the most recent resolution passed included 2032 as the aspirational deadline. In order to be eligible for participation, the Resolution must specify the year 2030. Staff recommended the update be made.

4.0 Review of Calendars and Upcoming Events

Council Member Schedules for the next week - 2019 Calendar:

- a. October 3rd – 7:00 p.m. to 9:00 p.m. – Art Show Awards at City Hall;
- b. October 7th – 6:30 p.m. – Townhall Meeting on Interim Measures to address Canyon Traffic;
- c. October 8th – 6:00 p.m. – Youth City Council Dinner with Mayor, City Council, and City Department Heads;
- d. October 10th – 6:30 p.m. to 8:30 p.m. – Meet the Candidates Night - City Hall;

- e. October 12th – 7:00 p.m. – Rhythm in the Heights at Butler Middle School;
- f. October 25th – Monster Mash at the Cottonwood Heights Recreation Center;
- g. October 30th Town Hall;
- h. October 31st – 3:00 p.m. through 5:00 p.m. – Trunk or Treat - City Hall Parking Lot;
- i. November – Donations for Road Home – drop off at City Hall;
- j. November 5th – General Election; and
- k. December 2nd – Light the Heights at City Hall.

5.0 Closed Meeting to Discuss Litigation, Property Acquisition and/or the Character and Professional Competence or Physical or Mental Health of an Individual

MOTION: Council Member Bracken moved to close the Work Session and open the Closed Session for the discussion of property acquisition. The motion was seconded by Council Member Mikell. The motion passed with the unanimous consent of the Council.

The Work Session closed at 6:17 p.m.

6.0 Adjourn City Council Work Session

MOTION: Council Member Bracken moved to close the Closed Meeting and resume the Work Session and adjourn. The motion was seconded by Council Member Shelton. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 7:00 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, OCTOBER 1, 2019 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

Present: Mayor Mike Peterson, Council Member Scott Bracken, Council Member Christine W. Mikell, Council Member Mike Shelton

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jorges, Communications Manager Tim Beery, City Planner Andrew Hulka, Samantha DeSeelhorst Assistant Planner / Sustainability Analyst

Excused: Council Member Tali Bruce

BUSINESS MEETING

1.0 WELCOME/PLEDGE

Mayor Peterson called the meeting to order and welcomed those present.

The Pledge of Allegiance was led by Asher Thompson from Boy Scout Troop 3518.

2.0 PROCLAMATIONS AND RECOGNITIONS

2.1 Proclamation 2019-07 Recognizing the Brighton High School Boys Soccer Team State Championship – Mayor Peterson.

Mayor Peterson read a Proclamation recognizing the Brighton High School Boys Soccer Team 5A championship.

2.2 Beautification Awards - Presented by Mayor and City Council.

Mayor Peterson presented a Beautification Award for both commercial and residential property owners who take pride in their landscaping. The award for District 1 was presented to the Southwick Family residing at 1918 East Siesta Drive. The award for District 2 was presented to the Nydig Family who reside at 7168 South 2740 East. The award for District 3 was presented to the Burns Family who resides at 2579 East Sundown Avenue. The award for District 4 was presented to the Barth Family who reside at 3288 East Walnut Way. The non-residential/commercial award was presented to Bodywise Pilates located at 6814 South Highland Drive.

3.0 CITIZEN COMMENTS

Tim Hallbeck read a comment received from the Action Item Survey. Northbound congestion along Highland Drive was identified as a concern.

Rex Leetham reported that his home flooded on August 8 and with the use of architectural software, he was able to pull up Cottonwood Heights' Storm Map and overlay the Google Maps over the top. The storm drains in question were described. The cleanout was last cleaned on August 7, 2013, at 6:00 p.m. When maintenance was performed, a tree was growing over the lid and was not cleaned out. The water entering the two storm drains has to go through that cleanout. Gilson Engineering was not able to locate the cleanout. Mr. Leetham reported that his insurance claim for \$91,000 was denied based on City immunity. He believed this was wrong and was a failure to monitor and maintain the proper cleanout of the storm drain system. When the area was developed, there was a law in place stating that there must be a Storm Drain Study completed if the property is over one acre in size.

Nancy Hardy stated that she has listened to the Planning Commission and ARC meetings regarding the two proposals along Fort Union Boulevard near the fire station. She stated that they continually allow exceptions for developers. Staff tries to be convincing while citizens are just simply trying to comply with City Code. Developers should work within the Code but appear to always push the limits. Increasing height was of concern to her. Ms. Hardy asked if staff shares the same passion and vision as the residents.

Mr. Tingey confirmed that staff shares the same passion and vision as the residents. They are very in tune with the proposals and if setback standards are met, they will be pushed closer to the residents to the south. Staff's recommendations take all of those things into account. He stated that Jim and Claudia Blackburn sent information to the Council via email expressing their opposition to the same projects and provided detailed information.

Mayor Peterson stated that he would be willing to sit down with Ms. Hardy personally and review her concerns. The City is very concerned and sensitive to the issues raised and although views are not protected, height is an issue.

Eric Kraan believed the City should follow some sort of plan and a concept for Fort Union Boulevard. When granting variances, he suggested the Council ensure that the health, safety, and welfare of the citizens are protected. When considering rights-of-way and setbacks he asked how the health, safety, and welfare of the community are improved upon.

Council Member Bracken commented that what is occurring along Fort Union Boulevard does not qualify as a variance. They are conditional uses and are very different. Conditional uses are set out in the Code. Council Member Shelton was of the understanding that there was no variance requested. Mayor Peterson confirmed that it is the property owner's right to request a variance. If the conditions can be met, the City has a legal responsibility to grant approval.

Mr. Johnson explained that generally, a conditional use is an administrative decision. State Code outlines the review criteria. Conditional uses shall be approved unless there are specific findings that any negative impacts cannot be mitigated through the imposition of conditions.

4.0 STANDING QUARTERLY REPORTS

4.1 Police Report – Police Lieutenant Dan Bartlett.

Police Lieutenant, Dan Bartlett presented the September Police Report and stated that they received 1,760 calls for service with 399 on-view calls. Response times for Priority 1 averaged 4:30 minutes and Priority 2 averaging 6:00 to 7:00 minutes. The overall crime report increased to 87 adult arrests and seven juvenile arrests. Traffic warnings were greater than citations due to parking issues and construction resulting in voluntary compliance prior to ticketing. There were 53 accidents and seven with injuries. The Quarterly Report reflected a decrease in DUIs and arrests. There were two deaths, one attended and one unattended.

Lieutenant Bartlett expressed appreciation to the community for the support shown on September 11. The safety message focused on trick or treating safety and increased awareness while driving and watching for children.

The department has moved their date to launch Versaterm to October 28, which is one week early. Training will continue. He clarified that Versaterm is a records management system that starts when a 911 call is made. Draper City has started using the system and it is working well. The rest of the valley will be moving to Versaterm which allows for the sharing of real-time information across one system.

4.2 Public Works Report – Public Works Director, Matt Shipp.

Public Works Director, Matt Shipp presented the Public Works Report and stated that they are making preparations for the winter weather. Snowplow drivers are practicing routes and training. A new employee has been hired to replace Phillip, who moved back to Idaho. Manholes along 3000 East are being lowered in preparation for the overlay. Big Cottonwood Canyon is closed while a storm drainpipe is installed. The Mountain Estates Drive sump is underway to mitigate drainage into the Cemetery. They have reached substantial completion on Fort Union Boulevard and Highland Drive, which means road and sidewalks are open. They have 30 days to finalize the punch list items. The full intersection was opened. It was not known at the time that when the contractor was working, they somehow managed to bang the box that holds the controller. The timing of the lights was disrupted and reverted back to a standard cycle where it hit each area equally. The problem was identified, repaired, and run on a peak hour cycle with success. A video of the traffic flow was reviewed. Mr. Shipp confirmed that they will continue to refine the timing and mitigate any issues.

5.0 ACTION ITEMS

5.1 Consideration of Resolution 2019-60 Approving Entry into an Agreement with Salt Lake County for Tier II ZAP Funding.

Mayor Peterson reported that the above Resolution approves entry into an Agreement with Salt Lake County for Tier II ZAP funding. This is the sales tax paid to Arts and Parks after which applications are made to get some of the funds back. Currently, the City is receiving \$14,000 for the Arts Council.

MOTION: Council Member Shelton moved to approve Resolution 2019-60. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Mikell-Aye, Council Member Shelton-Aye, Mayor Peterson-Aye. The motion passed unanimously.

5.2 Consideration of Resolution 2019-61 Approving Disposal of Unclaimed Property and Former Evidence.

Mayor Peterson reported that the above Resolution approves the disposal of unclaimed property and former evidence. Chief Russo noted that it is for items used in evidence that are no longer needed. The proceeds were to be returned to the City.

MOTION: Council Member Bracken moved to approve Resolution 2019-61. The motion was seconded by Council Member Shelton. Vote on motion: Council Member Bracken-Aye, Council Member Mikell-Aye, Council Member Shelton-Aye, Mayor Peterson-Aye. The motion passed unanimously.

5.3 Consideration of Resolution 2019-62 Declaring Certain Property Surplus.

Mayor Peterson reported that the above Resolution declares certain property surplus. Items include older desktops, laptops, monitors, and server equipment.

MOTION: Council Member Mikell moved to approve Resolution 2019-62. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Mikell-Aye, Council Member Shelton-Aye, Mayor Peterson-Aye. The motion passed unanimously.

5.4 Consideration of Resolution 2019-63 Approving Disposal of Unclaimed Property and Former Evidence.

Mayor Peterson reported that the above Resolution approves the disposal of unclaimed property and former evidence. Chief Russo stated that the items include firearms that are no longer needed as evidence and are unable to be returned to the owners for various reasons.

MOTION: Council Member Shelton moved to approve Resolution 2019-63. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Bracken-Aye, Council

Member Mikell-Aye, Council Member Shelton-Aye, Mayor Peterson-Aye. The motion passed unanimously.

5.5 Consideration of Resolution 2019-64 Approving an Appointment to the City’s Architectural Review Commission.

Mayor Peterson reported that the above Resolution approves an appointment to the City’s Architectural Review Commission (“ARC”). Mr. Tingey stated that there is a need to provide assistance at meetings when a full quorum is not present. The Ordinance outlines the different types of expertise in the field and suggests there be representation from each area. Adam Breen is a real estate developer and builder and there is currently no representation in the area at this time. He has been interviewed and would serve in a reserved capacity and be present when needed.

MOTION: Council Member Bracken moved to approve Resolution 2019-64. The motion was seconded by Council Member Shelton. Vote on motion: Council Member Bracken-Aye, Council Member Mikell-Aye, Council Member Shelton-Aye, and Mayor Peterson-Aye. The motion passed unanimously.

5.6 Consideration of Resolution 2019-65 Approving Entry into a Consulting Agreement with GSBS, P.C. for an Updated Moderate-Income Housing Plan.

Mayor Peterson reported that the above Resolution approves entry into a Consulting Agreement with GSBS, P.C. for an updated Moderate-Income Housing Plan. Mr. Johnson reported that the resolution is for consulting services. Senate Bill 34 introduced new legislation that changed the requirements for cities as they report affordable housing goals and actions of the City to provide opportunities for affordable housing. A reporting requirement is due this year regardless of the legislation. GSBS gave the previous report and are able to do it quickly and at a reasonable price.

MOTION: Council Member Mikell moved to approve Resolution 2019-65. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Mikell-Aye, Council Member Shelton-Aye, and Mayor Peterson-Aye. The motion passed unanimously.

6.0 CONSENT CALENDAR

There were no consent calendar items.

7.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

MOTION: Council Member Shelton moved to adjourn the Business Meeting. The motion was seconded by Council Member Bracken. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 8:12 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood Heights City Council Business Meeting held Tuesday, October 1, 2019.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: November 5, 2019