

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD TUESDAY, JANUARY 8, 2019 AT 5:05 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH

Members Present: Mayor Mike Peterson, Council Member Mike Shelton, Council Member Scott Bracken, Council Member Tali Bruce, Council Member Christine Mikell

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, City Recorder and Human Resource Manager Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jurges, Public Relations Specialist Dan Metcalf

WORK SESSION

Mayor Peterson called the meeting to order at 5:05 p.m. and welcomed those present.

1.0 Housing Gap Coalition – Brynn Mortensen with the Salt Lake Chamber of Commerce.

Brynn Mortensen from the Salt Lake Chamber of Commerce presented a report on the Housing Gap Coalition. She reported that the State Chamber Association is comprised of all local 74 chambers and represents over 8,000 business in all 29 counties in the State. They have partnered to conduct a study that will review the entire housing market throughout the State back one generation or 26 years, the current generation, and one generation forward. The report confirmed that for the first time in 40 years, there are more households than housing units. A single-family median home in Salt Lake County between 2013 and 2018 increased in value by 55%. She expressed concern with the economic threat this poses. After receiving the study, they decided as a business community to create a coalition to address the issue.

Ms. Mortensen reported that their organization is chaired by Steve Starks, President of Larry H. Miller Sports & Entertainment, Clint Beck, Executive Director of Silicon Slopes, among others. She explained that population growth is coming and if action is not taken soon, the quality of life will diminish. She has met with 47 city councils since July to review land use, transportation, and infrastructure issues. They are asking cities to support a resolution to work together to address housing challenges. She confirmed that ADUs are a major component.

2.0 Public Relations Report - Dan Metcalf.

Public Relations Specialist, Dan Metcalf, provided the monthly media report which included the following:

- * A news report regarding credit cards at Home Depot;
- * Fox News snow plowing report;

- * Ranked Choice Voting report; and
- * Road construction report.

Mr. Metcalf reported that the newsletter is online, they are providing live streaming, and are presenting a new meeting schedule.

3.0 Review of Business Meeting Agenda – Mayor Mike Peterson.

Mayor Peterson reviewed the upcoming business meeting agenda items.

Police Chief, Robby Russo, reported that the CAR team meets with traffic officers from other municipalities and places those with skills and equipment on the task force. Should there be a major accident or fatality, they call upon the various teams for support. The sustainability resolution was discussed.

4.0 City Council and Staff Reports.

a. GPA-18-002 City-Initiated General Plan Land Use Map Amendments to the Properties on Fort Union Boulevard – Community and Economic Development Director, Michael Johnson.

Community and Economic Development Director, Michael Johnson, presented the staff report and stated that the issue first arose during the summer of 2018 when a property along the east side of Fort Union Boulevard was rezoned from residential with a non-complying use to mixed-use. Concerns were raised regarding how the mixed-use ordinance reads and applies to those properties. He explained that what is proposed is a land use map amendment that will not change the law as it applies today. The current land use map was described. What is proposed provides the opportunity for reinvestment in the area without going as far as mixed-use. He pointed out that the land use includes 72 properties. Mr. Johnson explained that 64 are mixed-use with only two having the residential low-density designation. They are proposing 36 properties be modified to residential low-density, 19 to residential medium-density, and four mixed-use.

The matter was brought to the Planning Commission for a formal public hearing in October 2018 at which time it was stressed that it does not affect what property owners can do with their properties today and is a step toward preserving the existing residential character. Staff recommended approval of the change but expressed concern with the long-term viability and reinvestment potential that taking all of the properties to low-density residential creates. It was noted that the future land use designation is high-density and is part of the Tier 2 PDD area, which enables the applicant to make application.

b. PDD-18-001 – 6784 South 1300 East (Walsh Property) Rezone & Development Plan – Community and Economic Development Director, Michael Johnson.

Mr. Johnson presented the staff report and stated that the request is for a rezone and development plan. The future land use designation is high-density and is part of the Tier 2 PDD area, which enabled the applicant to make the application. Photos of adjacent residential developments were

reviewed. Staff's proposed recommendation differs from what the applicant submitted initially and is based on the Planning Commission recommendations. He emphasized that the staff recommendation modifies the proposed senior housing provision to one that is strictly for a below market rate affordable household earning no more than 50% of the area median income. Requirements were summarized. Mr. Johnson confirmed that staff's recommendation of approval was based on the proposed text. Council Member Bracken saw the value and benefit of moving forward with the PDD. Council Member Mikell asked for more information regarding the Planning Commission's perspective. Mr. Johnson explained that the motion before the Planning Commission to approve the proposal with conditions failed and ultimately resulted in a recommendation of denial. He noted that the full text was available in the staff report. The matter was not up for action but will be on the next business meeting agenda.

c. Proposed Budget Amendment for Fiscal Year 2018-2019 – Scott Jurges Finance and Administrative Services Director.

Finance and Administrative Services Director, Scott Jurges, reviewed the proposed budget amendment and stated that during the course of closing the budget, the fund balance grew by \$290,000. That amount was for funded projects that were not finished and as a result, most of the funds they were asking to be re-budgeted total \$297,000, which left \$7,500 worth of additional items. Additional budget items were reviewed.

5.0 Review of Calendars and Upcoming Events.

Council Member Schedules for the Next Week - 2018 Calendar:

- a. **January 9 – 8:00 a.m. – CHBA Cottonwood Connects Social;**
- b. **January 28 – 7:30 p.m. – Masterworks Concerts – Butler Middle School;**
- c. **February 12 – 5:00 – 7:00 p.m. – Death by Chocolate at City Hall; and**
- d. **April 22 – 7:30 p.m. – Masterworks Concerts – Butler Middle School.**

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

MOTION: Council Member Bracken moved to close the Work Session and open the Closed Session for the purpose of discussing litigation. The motion was seconded by Council Member Bruce. The motion passed with the unanimous consent of the Council.

The City Council was in Closed Session from 6:34 p.m. to 7:00 p.m.

7.0 ADJOURN

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

Work Meeting adjourned at 7:00 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, JANUARY 9, 2019 AT 7:11 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

Members Present: Mayor Mike Peterson, Council Member Mike Shelton, Council Member Scott Bracken, Council Member Tali Bruce, Council Member Christine Mikell

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, City Recorder and Human Resource Manager Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jurges, Public Relations Specialist Dan Metcalf

BUSINESS MEETING

1.0 WELCOME/PLEDGE

Mayor Peterson called the meeting to order at 7:11 p.m. and welcomed those present.

The Pledge of Allegiance was led by Council Member Mikell.

2.0 CITIZEN COMMENTS

John Kennington expressed support for the City's sustainable energy policy. He believed it was exactly what is needed to start them on the path to climate change by pressuring the power sector of the economy to switch to green energy sources. He stated that it will set an example to surrounding cities and is warranted and necessary on the local level.

Joel Ashby read a prepared statement on behalf of Jared Crocker and stated that the Walsh property is precious open space that completely transforms the northwest corner of the City. He expressed frustration with traffic and stressed that the need for space is rare. He encouraged opposition to the proposal.

Tim Hallbeck reported that population growth within the City is an option and not mandatory. Home ownership and occupation by owners outnumbers rental properties by a very high margin and has resulted in low crime.

Eric Kraan expressed support for the sustainability initiative and believed Vision Zero complements the City's future. He asked for more clear communication with residents regarding legislative lobbying. He believed the mixed-use retail component of the Walsh property does not meet the requirements. He disagreed with staff that it does not meet the strategic vision as stated in the Fort Union Master Plan.

Shawn Ryan thanked the Council for their hard work and the time they devote to the City. He was excited about the sustainability incentive and was opposed to the proposed high-density zoning.

Deborah Case stated that Cottonwood Heights is a desirable place to live and believed they are able to choose the type of growth they desire. She expressed opposition to the Walsh property proposal and believed the building design is placed in an area that is not equipped to handle the increased traffic. She mentioned Commissioner Allen Orr's opposition to 100% the proposal and believed it was an unsafe and ill-suited design.

Robert Jacobs expressed support for the sustainability proposal. He reviewed the General Plan and Zoning Ordinance and emphasized the importance of preserving the quality of life. He stated that the ADU allows a single-family detached home to become a two-family home in certain zones. He was opposed to R-1 becoming R-2.

Michael Cundick reported that he owns a home with ponds and chickens. He uses a drip line and is very water conscious. He was extremely passionate about the abundance he has experienced by being involved in environmental movements. He founded the organization SLC Air Protectors, which helps relieve pressures from the inversion and air pollution. He was in favor of becoming 100% renewable and stressed that it is absolutely critical. He also expressed support for a Sustainability Committee.

Teresa Reich issued a specific challenge to those who voted for the density increase for Tier 2 to be progressive and establish a strong foundation for a PDD rezone. She believed the ICO development will be a detriment to the quality of life of citizens.

William Cosgrove identified himself as a Pediatrician and believed that society's overuse of energy and fossil fuels has led to health issues and health risks. The health and future quality of life of children depends on adults making smart choices to reduce the risks. He emphasized that the commitment from Cottonwood Heights to move to clean energy is a great start.

Chuck Brainard stated that global warming is real and eventually there will be federal or international ways to eliminate carbon. He encouraged the sustainability resolution and implementation of a Sustainability Committee and Manager.

Tonya Nemanic stated that the Walsh property is located in her backyard and she expressed opposition to the rezone. She did not want a high rise built behind her home and would be agreeable to a single-family neighborhood instead. She considered it the City's job to provide safety, protection, and trust.

Dave Richardson was in favor of the Sustainability Ordinance and encouraged the establishment of a Sustainability Committee. He stated that a tremendous amount can be accomplished through the work of a volunteer committee and stated that results require a long-term effort along with encouragement, education, and teamwork.

Shannon Haley expressed support for complete renewable energy and questioned her family's well-being due to the current air pollution and inversion. She promoted the use of solar and electric

vehicles throughout the City and believed that one day all cities will be renewable. She recommended approval of the resolution.

Jenny Nazzaro was in favor of the formation of a Sustainability Committee and a clean energy goal for Cottonwood Heights. She commented that the impact will be more powerful if they join forces with surrounding communities. They are a city of outdoor enthusiasts and a gateway for tourists visiting the mountains. She encouraged the Council Members to vote in favor of the resolution.

Ken Garner identified himself as an Electrical Engineer who is trained in critical thinking. He evaluates building infrastructure and electrical systems and puts plans together on a daily basis. He offered his services to the Sustainability Committee to help evaluate life-cycle costs from an engineering perspective. He hoped to see Cottonwood Heights become a 100% renewable energy city.

3.0 PUBLIC COMMENTS

3.1 Public Hearing to Receive Input on the Proposed Amendment to the 2018-2019 Cottonwood Heights Budget – Finance and Administrative Services Director, S. Scott Jorges.

Finance and Administrative Services Director, S. Scott Jorges, reviewed the proposed budget amendment and stated that it is necessary to amend the City's budget due to changes that occur from the time of adoption. He explained that there is a section of re-budgeted projects that pertain to Senate Bill 277 funding. The new and expanded projects were reviewed. The General Fund was described and the CCJJ Grant was outlined where \$5,799 goes toward training in the Police Department. In addition to that amount, \$1,514 of the existing budget will be utilized to complete the training. \$17,000 will come from Marathon reimbursement with \$5,800 from the Tour of Utah event. \$12,000 was received from the State Asset Forfeiture Grant for additional training. Additional Police Department budget items were discussed.

Mr. Jorges next discussed the re-budgeting of the \$12,333 net between expenses and the revenues in the Arts Council. ZAP grant funds were received in the amount of \$13,000 for the Arts Council and \$10,000 for the Historic Committee. Grandeur Circle Storm Drain and Maintenance Projects in the amount of \$20,000 will allow for the completion of the project.

Mr. Jorges recognized an adjustment to the Cottonwood Heights CDRA as the recipient of \$7,750,000 that will be moved toward the development of the parking structure for the Canyon Centre Community Development Project. He confirmed that that amount will be repaid over the life of the CDRA function back to Salt Lake County.

Mayor Peterson opened the public hearing.

Eric Kraan emphasized the need for bike lanes along 2300 East and south of Fort Union Boulevard. He expressed frustration with the danger that parked cars along that stretch pose to bikers. He believed it does not qualify under Salt Lake County's best practices and asked for the Council's help in alleviating his concern.

Robert Jacobs hoped to see the sustainability item be the first resolution of 2019.

Chuck Brainard stated that if the City plans to spend \$67,000 on a bike lane that it should not be chip sealed.

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

4.0 PUBLIC COMMENTS

4.1 GPA-18-002 – City-Initiated General Plan Land Use Amendment to Properties on Fort Union Boulevard - Community and Economic Development Director, Michael Johnson.

Mr. Johnson presented the staff report and stated that the properties are located directly adjacent to Fort Union Boulevard. The request is for a land use map amendment that is part of the General Plan. He explained it is not binding law and does not dictate what can be done on the property today. It is, however, a guiding policy that sets a vision for how they would like to see land used in the future. The City-initiated proposal stems from a Council request that was discussed after the Montessori School property was rezoned to mixed-use. They are proposing to modify the land use designation to primarily low-density residential to preserve the existing character. The Planning Commission and staff recommended approval. Their one future concern with the preservation of single-family residential was that over time, if the dynamic of the corridor changes, it becomes less desirable to reinvest. Absentee owner rental properties could also potentially become an issue.

Mayor Peterson opened the public hearing.

John Kennington was in full support of the proposed change. He stated that the area is predominately residential and provides a good buffer zone between high energy business and Wasatch Boulevard.

Lynn Krauss questioned whether the 1,000-foot notice of tonight's public hearing was sent out. She expressed support for the proposal. City Attorney, Shane Topham, explained that notice was not sent for tonight's meeting since it is open to public comment and is not a public hearing. Council Member Bracken confirmed that the public hearing took place at the Planning Commission level.

Terry Zurich read an excerpt from the General Plan that stated that the balance between future development and preservation must be attained when addressing land use designations. She appreciated the proposed planning and alterations.

Eric Kraan asked that careful consideration be given to every change to the map and potential long-term implications. He questioned why no notice was given, even though it is not always required. He commented that they could make the area more attractive and welcoming.

There were no further comments.

5.0 STANDING MONTHLY REPORTS

5.1 Police Report – Police Lieutenant, Dan Bartlett.

Police Lieutenant, Dan Bartlett, presented the Police Report for the month of December 2018 and reported that they received 1,810 calls for service with 472 on-view calls. Priority 1 response times averaged 3:32 and the overall crime view included an increase in assaults and thefts. There were 89 adult arrests and 29 juvenile arrests. Traffic citations and warnings were nearly even with nine DUIs. Accidents were higher due to weather and road conditions. There were four attended deaths and one unattended death. He reported that the DUI law has changed to the .05 limit.

Council Member Mikell reported that she has received multiple calls and emails from residents expressing frustration with motorists driving through the neighborhood on high traffic days to the ski area. She was also concerned about drivers making a U-turn past the 7-Eleven when there is overcrowding in Big Cottonwood Canyon.

Lieutenant Bartlett explained that they are working on the issues with the Unified Police Department.

Council Member Bruce suggested statistics regarding the Police Department be included in the monthly report going forward.

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

Public Works Director, Matt Shipp, presented the Public Works Report for the month of December 2018 and stated a total of six inches of snow fell during the month of November. They used approximately 250 tons of salt with plow trucks traveling 2,000 miles. In December, there were eight snow events for a total of 24 inches of snow, 1,040 tons of salt used, and trucks plowing 8,200 miles of road. He noted that the Big Cottonwood Canyon Trail will be bid the end of the month.

Mr. Shipp reported that they have received funding of \$350,000 to complete the sidewalk from Toni Circle to the middle school. The grant to complete the project along Fort Union Boulevard near Porcupine Grill has also been received. They obtained the Track Grant for the shade structure as well as the restroom expansions at the park. Modifications to the structure have been made and the restroom is still as shown on the original drawings.

6.0 ACTION ITEMS

6.1 Consideration of Ordinance 313 Approving an Amendment to the 2018-19 Budget.

Mayor Peterson reported that the above Ordinance approves an amendment to the 2018-19 budget.

MOTION: Council Member Shelton moved to approve Ordinance 313. The motion was seconded by Council Member Bruce. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

6.2 Consideration of Resolution 2019-01 Approving and Event Agreement with Brown’s Amusements, Inc. for a Carnival at 2019 Butlerville Days.

Mayor Peterson reported that the above Ordinance approves adoption of an Event Agreement with Brown’s Amusements, Inc. for the Carnival at Butlerville Days. He noted that they receive compensation from the vendor in the base amount of \$15,000 plus a percentage once they reach a specific plateau.

MOTION: Council Member Bracken moved to approve Resolution 2019-01. The motion was seconded by Council Member Bruce. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

6.3 Consideration of Resolution 2019-02 Approving a Memorandum of Understanding with Salt Lake County and Other Entities for the “CAR Team” Accident Reconstruction Process.

Mayor Peterson reported that the above Resolution authorizes the CAR Team to collaborate on accident scenes.

MOTION: Council Member Bruce moved to approve Resolution 2019-02. The motion was seconded by Council Member Shelton. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

6.4 Consideration of Resolution 2019-03 Adopting a Sustainable Energy Policy.

Mayor Peterson reported that the above Resolution approves adoption of a sustainable energy policy and confirmed that it has gone through several iterations.

Council Member Bruce expressed appreciation for all of the citizen comments regarding the policy.

Council Member Bracken confirmed that it has gone through several iterations and as things continue to improve and change, he was hopeful that the 2032 goal can be achieved. He recognized that the city has always be conscious and made efforts to move forward over the years and this resolution is valued added to that direction.

Council Member Mikell stated that she works in the utility scale removal energy business and develops wind and solar projects. She acknowledged that there is a tipping point occurring right now and they have hit the inflection point where the cost of technology is equal to or less than natural gas. In addition, coal and consumer demand are greater. She was confident they could reach the 2032 goal.

Mayor Peterson recognized Marie Poulson from the State Legislature and appreciated all of the participation and passion shared, which has had an impact. He explained they have drafted a resolution and are now working with staff to develop a plan of action to put things in motion.

MOTION: Council Member Bruce moved to approve Resolution 2019-03. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

7.0 CONSENT CALENDAR

7.1 Approval of the City Council Meeting Minutes of December 18, 2018.

MOTION: Council Member Shelton moved to approve the City Council Business Meeting minutes of December 18, 2018. The motion was seconded by Council Member Bracken. The motion passed with the unanimous consent of the Council.

8.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION

MOTION: Council Member Bruce 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 8:40 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, January 8, 2019.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: February 19, 2019