

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING**
2 **HELD TUESDAY, JUNE 13, 2017 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY**
3 **COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD,**
4 **COTTONWOOD HEIGHTS, UTAH**
5
6

7 **Members Present:** Mayor Pro Tempore Scott Bracken, Councilman Mike Peterson, Councilman
8 Mike Shelton, Councilman Tee Tyler
9

10 **Staff Present:** City Manager John Park, Assistant City Manager Bryce Haderlie, Interim City
11 Attorney Spencer Topham, Finance Director Dean Lundell, Assistant Fire
12 Chief Mike Watson, Police Chief Robby Russo, Community Development
13 Director Brian Berndt, Community and Economic Development Senior
14 Planner Michael Johnson, City Recorder Paula Melgar, Public Relations
15 Specialist Dan Metcalf, Police Administrative Assistant Julie Sutch
16

17 **Excused:** Mayor Kelvyn Cullimore
18

19 **1.0 WELCOME**
20

21 1.1 In the absence of Mayor Cullimore, Mayor Pro Tem Scott Bracken called the meeting to order
22 at 7:00 p.m. and welcomed those in attendance. He introduced Youth City Council Member,
23 Alex Mulet.
24

25 1.2 The Pledge of Allegiance was led by Councilman Shelton.
26

27 **2.0 ACKNOWLEDGEMENTS/PROCLAMATIONS**
28

29 **2.1 Proclamation in Support of Local First Utah’s Independent’s Week.**
30

31 2.1.1 Mayor Pro Tem Bracken read a proclamation in support of Utah Local Independent
32 Businesses who give back to the community in the form of goods, services, time, and talent.
33 The City Council proclaimed July 1 through July 7, 2017 as Independence Week.
34

35 **3.0 CITIZEN COMMENTS**
36

37 3.1 John Tenney gave his address as 3641 Golden Oaks Drive and expressed concern with the
38 lack of access to Deaf Smith Canyon. He commented that because citizens have taken matters
39 into their own hands, there is virtually no access. He urged the City Council to mitigate access
40 issues and stated that the situation has become intolerable. He confirmed that there has been
41 no access for at least the past year.
42

43 3.2 City Manager, John Park, commented that staff is aware of the situation. They have been
44 working on an Open Space Master Plan that includes part of Deaf Smith Canyon. Councilman
45 Tyler pointed out that as long as he has been on the Council, they have looked for other ways
46 to access the mountain. It has been difficult with private property ownership as some of the
47 areas need to be negotiated in terms of rights-of-way or easements and not necessarily the
48 purchase of land.

1 3.3 Councilman Peterson stated that they need to begin looking for ways to mitigate the concerns
2 because all want access to the canyons. Years ago, the Council collaborated with the County
3 to develop plans to construct and build two trailheads in the area in addition to the Timberline
4 Trailhead to Ferguson Canyon.
5

6 3.4 Jordan Tenney presented an aerial photograph of Deaf Smith Canyon and expressed concern
7 with canyon access and foothill preservation. Despite consideration of property rights, the
8 public's adverse use has met all legal requirements to establish a public right-of-way and a
9 prescriptive easement, which is 20 years. With regard to the proposed development, the
10 homes would actually sit on the buried trail.
11

12 3.5 Tali Bruce introduced herself and informed the Council that she would be running for the
13 District 3 Council seat.
14

15 **4.0 PUBLIC COMMENTS**
16

17 **4.1 Planning Commission Recommendation to City Council to Consider a General Plan Use**
18 **Map Amendment to the Properties at 7380 South Milne Lane and 1314 East Milne Lane**
19 **(Parcel Nos. 22-29-428-003 & 22-83-010-060).**
20

21 **4.2 Planning Commission Recommendation to City Council to Consider a Zone Map**
22 **Amendment to the Properties at 7380 South Milne Lane and 1314 East Milne Lane**
23 **(Parcel Nos. 22-29-428-003 & 22-83-010-060).**
24

25 4.2.1 (19:17:00) Mayor Pro Tem Bracken reported that agenda items 4.1 and item 4.2 would be
26 addressed together.
27

28 4.2.2 City Planner, Michael Johnson, presented the staff report and stated the above request is for a
29 General Plan Land Use Map Amendment from Residential Rural Density to Residential Low
30 Density, as well as a zoning map amendment from R-R-1-21 to R-1-15. The matter was
31 previously heard by the Planning Commission who conducted a public hearing and forwarded
32 a recommendation of denial on the Land Use Map Amendment and voted to recommend
33 denial of the Zoning Map Amendment to the City Council. The Zoning Map Amendment that
34 accompanies the request is from .5-acre single-family residential to 15,000 square-foot
35 minimum lot sizes and single-family residential. Staff conducted a context analysis of the
36 area. Development constraints were discussed.
37

38 4.2.3 The applicant, Andrew Flamm, gave a brief history of the property and stated that access has
39 always been an issue. The rezone request is due to the cul-de-sac only being allowed to be
40 600 feet in sensitive lands. With the rezone, they will be able to get a 1,000-foot cul-de-sac.
41 They have proposed to build a bridge to access the property and alleviate traffic off Milne
42 Lane. A trail has been proposed that would allow access to maintain the creek and serve as
43 an amenity to the community. It is not just an easement, and is a separate parcel that will be
44 maintained by the HOA that creates separation from the creek and gets them out of the
45 sensitive lands. Mr. Flamm proposed 10 residential lots with an 850-foot cul-de-sac. Getting
46 out of the PUD and having the rezone approved would allow them to assure that traffic will
47 remain in the cul-de-sac and that Milne Lane is only used for emergencies. An agreement

1 was proposed with the property owners that would be needed to obtain a construction
2 easement.

3
4 4.2.4 There were no public comments.

5
6 **4.3 Planning Commission Recommendation to City Council to Consider a Zone Map**
7 **Amendment to the Property Located at 7941 South Wasatch Boulevard (Parcel #22-36-**
8 **105-120).**

9
10 4.3.1 Mr. Berndt presented the staff report and displayed an aerial map of the property. The request
11 was to rezone the property from R-1-8 to R-2-8. The land use is currently Residential Medium
12 Density, which allows for R-2-8 zoning and meets the General Plan standard for the area. The
13 Planning Commission forwarded the request to the City Council with a positive
14 recommendation.

15
16 4.3.2 John Vanderveer was present representing the applicant, J.B. Management. He was confident
17 that after completion of a traffic study, UDOT will allow access to their road. If the
18 regulations can be met, they may be able to construct five twin homes, or 10 units on the
19 property. The estimated asking price will be in the \$400,000s.

20
21 4.3.3 Councilman Tyler commented that a very important aspect of the proposal is the
22 ingress/egress to the project. He raised a question with regard to the reasoning behind the
23 Honeywood Cove HOA not wanting to extend Honeywood Cove Hill Lane. Mr. Vanderveer
24 confirmed that he received a letter from the HOA stating that they are not interested in
25 extending the lane. He was unclear as to the exact reasoning behind it. He was also agreeable
26 to a right turn only egress.

27
28 4.3.4 There were no public comments.

29
30 **5.0 PUBLIC HEARING**

31
32 **5.1 Public Hearing on the proposed Budget for 2017-2018 Fiscal Year.**

33
34 **5.2 Public Hearing for Consolidated Fee Schedule to be implemented on July 1, 2017.**

35
36 5.2.1 Finance Director, Dean Lundell, stated that he would be combining Items 5.1 and 5.2 and
37 presented the proposed budget for the 2017-2018 Fiscal Year and Fee Schedule to be
38 implemented on July 1, 2017. The revenue budgets were reviewed. The current year property
39 tax budget is \$6,899,089 compared to the previous year's budget of \$6,849,089. Mr. Lundell
40 confirmed that the City received its certified tax rate and the budget proposes adopting that
41 rate. Sales tax revenue is budgeted at \$5,906,000, Municipal Energy Taxes are \$2,170,000,
42 and Class C Road monies were at \$1,315,000. He indicated that the City has a total budget
43 for 2018 of \$19,179,000. Allocated funds for sidewalk replacement, hazard mitigation, street
44 striping, laptops for the Police Department, and other projects were reviewed.

45
46 5.2.2 Mayor Pro Tem Bracken opened the public hearing. There were no comments. The public
47 hearing was closed.

1 5.2.3 Mr. Park remarked that next week the Council will hold a Business Meeting to pass the
2 budget. The City typically does not receive the certified tax rate until right before the
3 requirement but by law they are required to pass the budget by June 22, 2017. Later in this
4 meeting, the Council will adopt an tentative budget amendment for the current year's budget
5 and vote on it on June 27, 2017.
6

7 **6.0 STANDING MONTHLY REPORTS**

8 **9 6.1 Police Report – Police Administrative Assistant Julie Sutch.**

10
11 6.1.1 Police Administrative Assistant, Julie Sutch, presented the Police Report for the month of
12 May 2017 and stated that 387 9-1-1 calls were received, 545 on-view calls, and 959 phone
13 calls. There were 544 Priority 1 calls received, 473 Priority 2 calls, and 333 Priority 3 calls.
14 Priority 1 response times averaged 4:24, Priority 2 averaged 6:01, and Priority 3 averaged
15 7:11. District 1 top reports included accidents, thefts, alarms, and burglaries. There were 91
16 adult arrests and five juvenile arrests. Arrests by offense were discussed. There were 200
17 traffic citations issued, seven DUIs, and 159 warnings. It was reported that the 'Click It or
18 Ticket' event took place over Memorial Day weekend. There were 41 crashes with property
19 damage and 14 with both damage and injuries.
20

21 6.1.2. Chief Russo provided further information on some of the reported numbers. He stated that
22 vehicle burglaries are up. He encouraged citizens to report suspicious circumstances. A
23 homicide involving a DUI was described. Chief Russo stated that the Police Department
24 recently participated in active shooter training and reviewed the procedures.
25

26 **6.2 Public Works Report – Assistant City Manager Bryce Haderlie, for Public Works** 27 **Director Matt Shipp.**

28
29 6.2.1 Assistant City Manager, Bryce Haderlie, presented the Public Works Report for the month of
30 May 2017. He reported that crews are currently working on cross gutter repairs. The Butler
31 Elementary solar crossing signal has been installed, right-of-way cleanup is underway, and
32 the street sweeper continues to run throughout the City. The parking signs on Banbury were
33 discussed.
34

35 6.2.2 Mr. Haderlie reported on hours allocated per task given the idea of where staff is putting most
36 of their efforts. He explained that snow plowing utilized the greatest number of hours and
37 general tasks. Work pertaining to asphalt or the roadway was second.
38

39 6.2.3 Councilman Peterson expressed concern with the frontage road that runs next to I-215 just
40 west of 2300 East between the street and sound wall. He reminded staff that it is in need of
41 upkeep and maintenance.
42

1 **7.0 ACTION ITEMS**

2
3 **7.1 Consideration of Resolution 2017-39 Tentatively Adopting an Amended Budget for the**
4 **Period of 1 July 2016 Through 30 June 2017; Providing for Public Inspection of Such**
5 **Budget; Establishing the Time and Place of Public Hearing To Consider Adoption of**
6 **Such Budget; and Providing for Newspaper Publication of Such Public Hearing.**
7

8 7.1.1 Mayor Pro Tem Bracken reported that the above Resolution tentatively adopts the amended
9 budget for July 1, 2016 through June 30, 2017 and establishes the date of a public hearing.

10
11 7.1.2 Mr. Lundell reviewed the Amended Budget for the Period of July 1, 2016 and June 30, 2017
12 and stated that it is the last budget amendment for the year. Specific items are being amended
13 and include salary reallocation, \$22,000 for the Police Department, CDRA expenses, an
14 insurance increase, and \$35,000 for additional items.

15
16 **7.1.3 MOTION:** Councilman Shelton moved to approve Resolution 2017-39. The motion was
17 seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman
18 Peterson-Aye, Councilman Tyler-Aye, and Mayor Pro Tempore Bracken-Aye. The motion
19 passed unanimously.
20

21 **7.2 Consideration of Resolution 2017-40 Authorizing the Purchase of a Pothole Patching**
22 **Apparatus from Holland Equipment.**
23

24 7.2.1 Pro Tem Mayor Bracken reported that the above resolution authorized the acquisition of a
25 pothole patching apparatus from Holland Equipment for use by the City's Public Works
26 Department.
27

28 7.2.2 Mr. Haderlie explained that the truck pulling the pothole equipment will dump pea gravel-like
29 material into a hopper. It then goes into the machine and sprays out the back. The debris can
30 be blown out with air by changing the triggers and can shoot an asphalt emulsion with gravel
31 into the hole at the same time.
32

33 **7.2.3 MOTION:** Councilman Peterson moved to approve Resolution 2017-40. The motion was
34 seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman
35 Peterson-Aye, Councilman Tyler-Aye, and Mayor Pro Tempore Bracken-Aye. The motion
36 passed unanimously.
37

38 **7.3 Consideration of Resolution 2017-41 Authorizing Entry into an Interlocal Agreement**
39 **with Cottonwood Heights Parks and Recreation Service Area for Landscaping,**
40 **Maintenance, Park Management and Event Coordination Services.**
41

42 7.3.1 Mayor Pro Tem Bracken reported that the above resolution authorizes entry into an interlocal
43 agreement with Cottonwood Heights Parks and Recreation Service Area for landscaping,
44 maintenance, park management, and event coordination services with the Cottonwood
45 Heights Parks and Recreation Service Area.
46

47 **7.3.2 MOTION:** Councilman Tyler moved to approve Resolution 2017-41. The motion was
48 seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman

1 Peterson-Aye, Councilman Tyler-Aye, and Mayor Pro Tempore Bracken-Aye. The motion
2 passed unanimously.

3
4 **7.4 Consideration of Resolution 2017-42 Approving Arts Council Appointments.**

5
6 7.4.1 (20:42:40) Mayor Pro Tem Scott Bracken explained that the proposed resolution reappoints
7 Jannalee Hunsaker and Elise Hogan to the Arts Council.

8
9 7.4.2 Councilman Shelton expressed appreciation to Ms. Hunsaker and Ms. Hogan and their
10 contribution to the Arts Council.

11
12 **7.4.3 MOTION:** Councilman Shelton moved to approve Resolution 2017-42. The motion was
13 seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman
14 Peterson-Aye, Councilman Tyler-Aye, and Mayor Pro Tempore Bracken-Aye. The motion
15 passed unanimously.

16
17 **8.0 CONSENT CALENDAR**

18
19 **8.1 Approval of Minutes for the City Council Work Session of April 4 and 11, 2017. Approval**
20 **of City Council Business Meeting Minutes for April 25 and May 9, 2017.**

21
22 **8.1.1 MOTION:** Councilman Peterson moved to approve the minutes of the Work Sessions of
23 April 4 and April 11, 2017 and the Business Meeting of April 25 and May 9, 2017. The
24 motion was seconded by Councilman Tyler. The motion passed with the unanimous consent
25 of the Council.

26
27 **9.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**

28
29 **9.1 MOTION:** Councilman Peterson moved to adjourn the Business Meeting and Reconvene the
30 Work Session. The motion passed with the unanimous consent of the Council.

31
32 9.2 The meeting adjourned at 8:43 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood*
2 *Heights City Council Business Meeting held Tuesday, June 13, 2017.*

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10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary
13
14 Minutes approved: June 27, 2017