

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD**
2 **TUESDAY, APRIL 12, 2016 AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY**
3 **COUNCIL CONFERENCE ROOM LOCATED AT 1265 EAST FORT UNION**
4 **BOULEVARD, SUITE 250, COTTONWOOD HEIGHTS, UTAH**
5

6 **Members Present:** Mayor Kelvyn Cullimore, Councilman Scott Bracken, Councilman Mike
7 Shelton, Councilman Mike Peterson, Councilman Tee Tyler
8

9 **Staff Present:** City Manager John Park, Assistant City Manager Bryce Haderlie, Battalion
10 Fire Chief Brad Larsen, City Recorder Linda Dunlavy, Community and
11 Economic Development Director Brian Berndt, Finance Director Dean
12 Lundell, Police Chief Robby Russo, Public Relations Specialist Dan Metcalf
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14 **WORK SESSION**
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16 Mayor Kelvyn Cullimore called the meeting to order and welcomed those in attendance.
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18 **1.0 Review of Business Meeting Agenda.**
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20 1.1 The Mayor and the City Council reviewed the Business Meeting Agenda.
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22 **2.0 Public Relations Report.**
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24 **2.1 a. Media Coverage.**
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26 2.1.1 Public Relations Specialist, Dan Metcalf, reported on the following media stories with a
27 Cottonwood Heights City connection:
28

- 29 • Alzheimer’s disease in Utah. The disease is showing a disturbing trend in Utah. It was
30 noted that rates could triple by 2050. A story highlighted an elderly Cottonwood Heights
31 couple who are facing Alzheimer’s. It was reported that medical professionals believe
32 there is a connection between heart and brain disease.
33
- 34 • Good 4 Utah, Behind the Badge Police Profile. The story highlighted Cottonwood Heights
35 City Police Department Officer, Braden Wyatt, who comes from a long line of police
36 officers including uncles, his father, and grandfather. This line of work has been a lifelong
37 dream of Officer Wyatt’s and he looked forward to serving the community.
38
- 39 • It was reported that Ryan Phillips, a Cottonwood Heights resident who worked as a
40 Dispatcher for the Unified Police Department was killed in a motorcycle accident when a
41 car made a left-hand turn in front of him and he was unable to stop. The accident was
42 under investigation.
43

44 2.1.2 Mr. Metcalf updated the Council on other media involving the City. He mentioned that News
45 5 would broadcasting live from the Cottonwood Heights Park later in the evening to highlight
46 recent changes. He also gave a report regarding the newsletter. He wanted to highlight the
47 City’s “Great Shakeout” Earthquake preparedness for the public and media.

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2 **3.0 Planning and Economic Development.**

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4 **3.1 a. Planning Commission Meeting.**

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6 3.1.1 Community and Economic Development Director, Brian Berndt, reported on recent Planning
7 Commission Meetings. A public hearing was held on a preschool on Summerhill Drive.
8 Mr. Berndt explained that generally, an “in-home daycare” is not a prohibited home
9 occupation and must be allowed; however, daycare cannot be the primary use, and an
10 applicant must follow the Conditional Use application process. This specific Code provision
11 was perceived by some Council Members to be vague or inconsistent with other Code
12 provisions and may not fully comply with the Utah Land Use, Development, and Management
13 Act (LUDMA). Mr. Berndt reported that the Planning Commission concluded the public
14 hearing and will vote next week on the Conditional Use Permit. Some of the issues to be
15 addressed included parking and the use of the backyard for a playground.

16
17 3.1.2 Mr. Berndt reported that the Planning Commission has some important decisions coming up,
18 including two rezoning applications involving Little Cottonwood Canyon. The Planning
19 Commission also heard the remainder of the Kesler rezone that was left open from the
20 previous month. They also heard the Despain rezone. The items would be voted on next
21 week. Mr. Berndt addressed other City Code amendments being considered by the Planning
22 Commission, including the Mixed-Use Chapter.

23
24 3.1.3 Council and staff discussed the Home Occupation Permits and Conditional Use applications.
25 A question was raised about the aforementioned In-Home Daycare Conditional Use
26 application. It was noted that a Conditional Use Permit is a Code provision that allows an
27 applicant to pursue the desired use but with restrictions. There was concern expressed about
28 the issue as brought up recently by the Utah League of Cities and Towns. It was recommended
29 by the City’s legal counsel and the League that cities follow the process and not give in to the
30 political clamor often associated with Conditional Use applications. There was discussion on
31 the number of children allowed with an in-home daycare. It appeared to the Council that the
32 Home Occupation Permit process for in-home daycare was at odds with the provisions of the
33 Code set forth for Conditional Use applications. The Council recommended that the Code be
34 amended to remedy the inconsistencies with the Code provisions.

35
36 **3.2 b. Mountview Park Upgrades.**

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38 3.2.1 The Mountview Park upgrades were discussed earlier in the meeting.

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40 **4.0 Public Safety Reports.**

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42 **4.1 a. Unified Fire Authority.**

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44 4.1.1 Fire Battalion Chief, Brad Larsen, presented the report on behalf of Assistant Fire Chief, Mike
45 Watson. He discussed the latest edition of the International Fire Code, which was updated
46 every three years to keep up with new technology and changes. Fire Battalion Chief Larsen
47 described the latest version of the International Fire Code and how it was drafted and approved
48 by the Utah State Legislature. Fire Battalion Chief Larsen reported that it was drafted by fire

1 professionals, engineers, and architects including many from the State of Utah. The Code was
2 generally adopted throughout the world once approved. The first rough drafts were
3 thoroughly vetted, especially in Utah by the Fire Marshall's Association and the Utah Code
4 Committee.
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6 4.1.2 The Code Committee reviews suggested changes as they relate to Utah. It then goes to another
7 committee consisting of industry professionals, fire officials, business professionals,
8 engineers, and architects. From there, it goes to the Uniform Building Code Commission and
9 then to the State Legislature. The Unified Fire Authority is very involved in the process and
10 stays on top of the needed changes. Fire Battalion Chief Larsen gave a recent example of
11 House Bill 330, which would not allow cities to make or adopt a Fire Code reference that was
12 more restrictive than what was in the International Fire Code; however, they left out the
13 Appendices, which pertain to access and water supplies, which were critical in the
14 development of neighborhoods. When the UFA brought that to the Legislature's attention,
15 they added an exception back into the Code to allow cities to adopt the Appendices. It was
16 noted that the UFA has a good relationship with the representatives that implemented the
17 changes. The latest version of the Code will go into effect July 1, 2017.
18

19 **4.2 b. Police Department.**
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21 4.2.1 Police Chief, Robby Russo, reported on noteworthy events involving the Police Department.
22 He mentioned that he heard back from the Trust regarding the Willow Creek Agreement. It
23 was reported that the Agreement does not seem to be a viable option. The long-term remedy
24 may have to be a legislative solution.
25

26 4.2.2 Councilman Scott Bracken mentioned that he recently drove by the new City Hall construction
27 site and noticed that the gate was open. He called Dispatch to report it and there was an issue
28 with police finding the correct address. There was no incident but Chief Russo was asked to
29 follow up on the address issue.
30

31 **5.0 City Manager/Assistant City Manager Report.**
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33 **5.1 a. New City Hall Construction Report.**
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35 5.1.1 City Manager, John Park, reported on construction of the new City Hall building. The metal
36 roof was being installed and the HVAC units were ready to be installed. Mr. Park forwarded
37 photographs to the Council Members. He indicated that the Police Station was nearly
38 complete. There were questions regarding on-going maintenance and upkeep. Mr. Park stated
39 that the intent is for Public Works to handle most of the building and grounds maintenance
40 but some jobs would be contracted out. There was discussion regarding the monument sign.
41 It was noted that Mr. Park was trying to prepare an RFP for data connection, email service,
42 etc. He had been working with staff on the RFP, but indicated that he may need additional
43 help.
44

1 **5.2 b. Review of Staff Communication.**

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3 5.2.1 A question was raised regarding sales tax collection, issues regarding the Utah State Tax
4 Commission collecting sales taxes for the correct city, and Cottonwood Heights not being
5 listed for the local portion of the tax. It was reported that this will be an ongoing issue when
6 businesses change hands or City boundaries are not noted correctly.
7

8 **5.3 c. Update on Transitioning Public Works.**

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10 5.3.1 There was brief discussion on road repairs and installation of “Idle Free” signs at schools.
11 Students recently held an assembly encouraging people to turn off their cars. The Mayor was
12 asked to be present at the event.
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14 **5.4 d. Arts Council Appointments.**

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16 5.4.1 Mr. Park reported that there will be five members appointed to the Arts Council.
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18 **5.5 e. Update on Citizen Survey.**

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20 5.5.1 Mr. Park was looking for providers to manage the citizen survey and methods of delivery. He
21 was seeking areas of concern and questions from the Council and Mayor so they can formulate
22 survey questions. One citizen requested that the survey include land use questions. The goal
23 was to make sure the questions are fair and not slanted one way or another. There was
24 discussion regarding how to get citizens to respond to the survey so that all demographics and
25 age groups are reached. A third-party survey provider would be utilized who is unbiased. The
26 hope was that this will result in a better outcome.
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28 **5.6 f. Utah City Management Association Annual Meeting.**

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30 5.6.1 Mr. Park reported on the recent Utah City Management Association (UCMA) Annual
31 Meeting. Speakers discussed topics such as citizen surveys. There was a breakfast for
32 students working on their MPA Degrees and a *Meet and Greet* with various city
33 administrators. The highlight of the meeting was the keynote speaker, Peter Kageyama,
34 author of the books, *Love Where You Live* and *For the Love of Cities*. Mr. Park ordered copies
35 of the books for each of the Council Members.
36

37 **5.7 g. Update on Budget.**

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39 5.7.1 Mr. Park reported on the annual budget. A rough draft had been completed and a final budget
40 would be ready by June 22, 2017. The public hearing on the budget would be held on
41 June 14, 2016, at a Special Business Meeting.
42

43 **6.0 Mayor/City Council Reports.**

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45 **6.1 a. Discussion of the Utah League of Cities and Towns Conference.**

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47 6.1.1 The City Council discussed information provided at the recent Utah League of Cities and
48 Towns Conference in St. George. The Council Members that attended reported on the

1 sessions they thought were most helpful. There was discussion of grants and funding for the
2 construction of trails with an emphasis on trails for cities. Information on technology security
3 was also presented. It was reported that there were an increasing number of threats each year
4 from countries such as Russia and North Korea. Ransomware is also becoming an increasing
5 threat. Other noteworthy conference topics included “Communication under Stress”, “50
6 Ideas in 50 Minutes”, as well discussions on social media, the Government Records and
7 Management Act (GRAMA), personal communication, LUDMA, and property taxes.
8

9 **6.2 b. Mosquito Abatement.**

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11 6.2.1 A report from the Mosquito Abatement District was given. Proper protocol was discussed in
12 the event certain diseases are identified in the mosquito population. The first step would be
13 to notify the Health Department. It was reported that the Mosquito Abatement District
14 recently hired seasonal employees who would go out in teams and address problem areas.
15 Citizens could request “spot treatment” of certain areas, such as backyards just prior to a
16 barbeque. An article regarding mosquito abatement was recently published and will be
17 included in the newsletter.
18

19 **6.3 c. Association of Municipal Councils (AMC) Meeting.**

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21 6.3.1 There was a report regarding the Association of Municipal Councils (AMC). The AMC
22 Meeting included a discussion regarding a report on the number of parks, golf courses, skating
23 rinks, and a list of priorities with an emphasis on maintaining open space. There was also an
24 emphasis on sports parks and dog parks.
25

26 **7.0 Calendar of Events.**

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28 7.1 Councilmember Schedules for the following week were as follows:

- 29
30 a. Emergency Preparedness Shakeout Drill – April 16, 9:30-12:30 p.m.
31 b. Citizens Academy Graduation – May 18, 6:30 p.m. at City Hall.
32 c. Memorial Day – May 30 OFFICES ARE CLOSED.
33 d. Brighton High School Graduation – June 2, 2:00-4:00 p.m. at the Maverick Center,
34 WVC.
35 e. Earth Day – April 22, 3:00 p.m. at 2277 Bengal Boulevard.
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37 **8.0 Closed Meeting to Discuss Litigation, Property Acquisition and the Character and**
38 **Professional Competence of Physical or Mental Health of an Individual.**

39
40 **8.1 MOTION:** Councilman Shelton moved to close the Open Session and open the Closed
41 Session. The motion was seconded by Councilman Tyler. The motion passed with the
42 unanimous consent of the Council.
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44 **9.0 ADJOURN**

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46 9.1 The Work Session adjourned at 8:06 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood*
2 *Heights City Council Work Session held Tuesday, April 12, 2016.*

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10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary
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14 Minutes approved: August 22, 2017