

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD**  
2 **TUESDAY, FEBRUARY 9, 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, City  
10 Attorney Shane Topham, City Recorder Linda Dunlavy, Community and  
11 Economic Development Director Brian Berndt, City Engineer Brad Gilson,  
12 Assistant Fire Chief Mike Watson, Finance Director Dean Lundell, Police  
13 Chief Robby Russo, Public Works Director Mike Allen, Public Relations  
14 Specialist Dan Metcalf  
15

16 **WORK SESSION**  
17

18 Mayor Pro Tem Scott Bracken called meeting to order and welcomed those in attendance.  
19

20 **1.0 Canyons School District**  
21

22 1.1 Canyons School District 2nd Vice President, Amber Shill, reported on education-related  
23 legislation and current District issues and events.  
24

25 1.2 Senate Bill 38 dealt with the funding of charter schools in the area, which draws tax dollars  
26 from the District. Although Ms. Shill stated that the District had no problem funding charter  
27 schools, the District was concerned about the transparency and accountability for those tax  
28 dollars and how they would be spent.  
29

30 1.3 House Bill 41 was addressed and there was discussion on how the bill would allow the District  
31 to charge parents for an optional Extended-Day Kindergarten Program.  
32

33 1.4 House Bill 42 goes hand-in-hand with HB-41, which is a bill that would allow the State to  
34 appropriate funds for the optional Extended-Day Kindergarten Program.  
35

36 1.5 Ms. Shill reviewed the celebrations and other awards taking place within the District. She  
37 reported that 11 of the 14 nominated Sterling Scholars made it through the first round of the  
38 awards program. Ms. Shill also mentioned that the Brighton High School Model United  
39 Nations (MUN) Team swept the Utah State competition and is now headed to Nationals.  
40

41 **2.0 Review of Business Meeting Agenda.**  
42

43 2.1 Councilman Bracken reviewed the remaining agenda items.  
44

45 **3.0 Legislative Update.**  
46

47 3.0.1 Cottonwood Heights Lobbyist, Brian Allen, reviewed recent activity and items of interest at  
48 the Utah State Legislature.

- 1  
2 3.0.2 Mr. Allen addressed the Municipal Government Amendments Bill that would change the way  
3 some city governments are formed. He noted that the bill did not make it to the floor for a  
4 vote.  
5
- 6 3.0.3 Business licensing was another issue that came up in the Legislature, which involved  
7 regulating the way home businesses are licensed. One of the options included in the bill that  
8 appealed to most cities was the option to waive licensing fees for non-impact home-based  
9 businesses.  
10
- 11 3.0.4 Mr. Allen provided the Council Members with a printout of the bills he was asked to take back  
12 to the Council to get further guidance and opinions on. He asked the Council to look at the  
13 bills and give him feedback on the ones that most relate to Cottonwood Heights.  
14
- 15 3.0.5 House Bill 25, the Property Tax Changes Bill, was discussed briefly with Mr. Allen promising  
16 to provide more information on the topic as soon as he knows what direction the Legislature  
17 is going with the bill.  
18
- 19 3.0.6 A Beekeeping Bill was discussed and how it would allow beekeeping to take place anywhere  
20 regardless of City zoning. The Council suggested that the State not get involved with how  
21 cities regulate and control these businesses. The Council thought there were several instances  
22 and locations where a beekeeping business would be inappropriate if the bill was to pass.  
23
- 24 3.0.7 The Food Freedom Act involved a bill that was very similar to the Beekeeping Bill. It would  
25 allow people to grow food anywhere, regardless of the zoning. The Council felt the same  
26 about this bill as they did the beekeeping bill in that there are numerous places where the  
27 growing crops would not be compatible with zoning regulations.  
28
- 29 3.0.8 The issue of short-term rentals was also being discussed in the Legislature. Councilman  
30 Bracken addressed the status of the City's short-term rentals and how he believed that short-  
31 term rentals have the potential to ruin the City's neighborhoods. The nature of the legislation  
32 being presented was intended to help cities collect tax revenue, which they currently have no  
33 way to collect.  
34
- 35 3.0.9 Body cameras were discussed and specific rules addressing their use. The current verbiage in  
36 the Legislature would establish rules and regulations for the use of body cameras to  
37 municipalities that do not currently have regulations in place.  
38
- 39 3.0.10 Councilman Shelton asked Mr. Allen if anything had been done on the prescription database  
40 concerns. Mr. Allen responded that the only discussion he had heard in the Legislature  
41 regarding prescriptions, was for a third party to be able to get a prescription for a patient.  
42
- 43 3.0.11 Mayor Cullimore joined the meeting and assumed the Chair.  
44

1 **3.1 Public Works Department – Mike Allen.**

2  
3 3.1.1 A representative from Terracare reported on a new five yard work truck that would be put into  
4 service during the next storm. New GPS technology was being implemented, which allowed  
5 Terracare to track where the trucks were located and where they would have already finished  
6 plowing. The new technology also helps determine which hot spots and priority areas have  
7 been plowed.

8  
9 3.1.2 Councilman Tyler addressed complaints from citizens which for the most part, indicated that  
10 they were not happy with the way the plows were piling up the snow in the middle of cul-de-  
11 sacs. It was suggested by Mr. Tyler that the snow plow drivers go to the circles where the  
12 complaints were lodged and ask the residents where they would like the snow piled.

13  
14 **4.0 Public Relations Report.**

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16 **4.1 a. Media Coverage.**

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18 4.1.1 Public Relations Specialist, Dan Metcalf, provided a report and video clips of current City  
19 events.

20  
21 4.1.2 Mr. Metcalf showed photos from security cameras of a thief smashing in car windows. The  
22 perpetrator had not yet been apprehended but a news report that was to be aired would possibly  
23 help them capture the suspect.

24  
25 4.1.3 The first news clip told of a routine stop made by Cottonwood Heights Police where they  
26 found illegal weapons in a vehicle which led to the discovery of other illegal firearms in the  
27 suspect's home.

28  
29 4.1.4 The next report showed a woman who picked up loose change off the ground when she made  
30 her morning walks over the past 30 years. She figured she had walked seven miles a day for  
31 the past 30 years and had picked up and estimated \$5,000 in change.

32  
33 4.1.5 The last report pertained to traffic jams near the canyons during peak snow days. The report  
34 asked listeners to go online and take a survey that would allow them to make recommendations  
35 on how to curtail future traffic problems in the canyon. One of the solutions discussed was to  
36 prevent single occupancy vehicles from going up the canyon on busy days.

37  
38 4.1.6 The Citizen's Dashboard was reported to be up and running. Mr. Metcalf stated that the  
39 website was working well and even though it was not functioning fully, it would be  
40 implemented and be running soon.

41  
42 4.1.7 Mr. Metcalf asked the Council for input on the newsletter regarding content and asked if there  
43 was anything else the Council would like to see. There was nothing mentioned that should be  
44 added.

45  
46 4.1.8 Mr. Metcalf thanked the Red Cross and Neighborhood Watch organizations for all they do in  
47 the community.  
48

1 **5.0 Planning and Economic Development.**

2

3 **5.1 a. Report on Cottonwood Heights Business Association Boot Camp.**

4

5 5.1.1 Community and Economic Development Director, Brian Berndt, reported on the upcoming  
6 Cottonwood Heights Business Association Boot Camp. The guest speaker, Beth Strathman  
7 (Firebrand Consulting), wrote a book called *Six Approaches for More Powerful Business*  
8 *Communication* and would be the featured speaker at the Boot Camp

9

10 **5.2 b. CHBA Lunch.**

11

12 5.2.1 Mr. Berndt reminded the Council of a Cottonwood Heights Business Association networking  
13 lunch scheduled for the following week. It was to feature a local backpack manufacturer.

14

15 **5.3 c. Planning Commission Recommendations.**

16

17 **5.4 1. Text Amendment to Chapter 19.82 (Signs) of the Cottonwood Heights Municipal**  
18 **Code.**

19

20 5.4.1 The City's Sign Ordinance amendment change was discussed as well as a text change to  
21 Chapter 19.82 (Signs) of the Cottonwood Heights Municipal Code. The amendment was  
22 proposed in response to a recent Supreme Court ruling (Reed v. Gilbert). The amendment  
23 was attached to the minutes and not only changes some text in the Code, but eliminates some  
24 irrelevant and unnecessary signage. Each of the Code changes was designed for the City to  
25 expressly state that they were not in any way attempting to regulate non-commercial signs and  
26 ensure City neutrality in matters of free speech.

27

28 **5.5 2. Text Amendment to Chapter 19.76 of the Cottonwood Heights Municipal Code**  
29 **Regarding the City's Supplementary and Qualifying Rules and Regulations.**

30

31 5.5.1 There were proposed text changes to the Supplementary and Qualifying Rules and  
32 Regulations wording, which included removal of a redundant section, added verbiage  
33 requiring home occupation businesses to obtain conditional use permits, and a section  
34 addressing wall and fences.

35

36 **6.0 Public Safety Reports.**

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38 **6.1 a. Unified Fire Authority.**

39

40 6.1.1 Assistant Fire Chief, Mike Watson, reported on the events of the past week and current  
41 personnel issues. There were no major events to discuss.

42

43 **6.2 b. Police Department.**

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45 6.2.1 Police Chief, Robby Russo, had no additional comments beyond what was discussed in the  
46 Business Meeting.

47

1 **7.0 Public Works Report.**

2  
3 **7.1 a. Goals and Budget Request for FY17**

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5 7.1.1 Public Works Director, Mike Allen, reviewed some of the major projects completed over the  
6 past few years. Some of the most notable included those dealing with innovations in asphalt,  
7 City-wide traffic solutions, and numerous capital improvements.

8  
9 7.1.2 Mr. Allen reviewed the ramps, roads, signs, street cleaning, storm drain cleaning, parks, right-  
10 of-way maintenance in the City, and goals Public Works has to keep all areas of the City  
11 compliant and safe.

12  
13 7.1.3 Pipe failures and deteriorating drain pipes were discussed. Areas needing immediate attention  
14 were identified. The Canyon Center was listed as a critical line replacement project due to  
15 development in the area and the condition of the pipeline.

16  
17 7.1.4 The Council realized that the cost of updating the City's Public Works and making them  
18 compliant with current law would burden taxpayers with a tax rate more than triple the current  
19 rate. The Council asked Mr. Allen to present a more moderate plan that stays within budget  
20 and allows the City to chip away at high priorities. The Council also stated that there were  
21 other ways to raise money that could be applied to an improvement plan. The Council  
22 recommended the Public Works Department reevaluate the immediate needs of the City and  
23 come back to the Council with a realistic plan that utilizes current budgets and addresses the  
24 priorities and items that present a risk to the community. Mayor Cullimore thought the best  
25 use of resources would be to hire professionals to formulate a general capital improvement  
26 plan for the City.

27  
28 **8.0 Finance Department Report.**

29  
30 **8.1 a. Goals and Budget Request for FY17.**

31  
32 8.1.1 Finance Director, Dean Lundell, presented departmental goals and budget requests to the  
33 Council. Mr. Lundell's presentation was in anticipation of the upcoming Council Budget  
34 Retreat at which time more details would be presented.

35  
36 8.1.2 Mr. Lundell gave an overview of budget expenditures over the past few years. He concluded  
37 that property taxes would not significantly increase the City's revenue, thus requiring the City  
38 to find revenue from other sources. It was suggested by Mr. Lundell that the City's revenue  
39 increases over the past years have been attributed to growth in the City and not property value  
40 increases.

41  
42 8.1.3 Sales taxes were discussed and the direct correlation between a better economy and sales tax  
43 revenue. As the economy has improved, so have sales taxes revenues. Inflation and the value  
44 of the dollar were also discussed and how the City needs to keep up with inflation to maintain  
45 a level revenue stream through growth and taxes.

46  
47 8.1.4 One of the items causing budget overages was the double payment for the bond on the new  
48 City Hall Building as well simultaneously paying rent on the current City Hall. Another item

1 that was an anomaly on the budget ledger was an extra payroll payment that typically only  
2 occurs once every 10 years. The payroll, staff benefits, insurance claims, and other  
3 department expenses were examined and how they affect the budgets on an ongoing basis.  
4

5 **9.0 City Manager/Assistant City Manager Report.**

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7 **9.1 a. New City Hall Construction Report.**

8  
9 9.1.1 City Manager, John Park, reported on the progress of the new City Hall. Construction has  
10 now gotten to the point of taking care of the final smaller details. The furniture bidders  
11 recently went for a tour of the facility so they could formulate more accurate furniture bids.  
12 The building is scheduled to be completed within the next six months.  
13

14 **9.2 b. Arts Council Meeting.**

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16 9.2.1 Assistant City Manager, Bryce Haderlie, reported on the latest Arts Council Meeting. It was  
17 reported that the Arts Council Meeting had a good turnout and the new Council was working  
18 very well together. The Council submitted goals that Mr. Haderlie had not yet had a chance  
19 to review.  
20

21 **9.3 c. Review of Staff Communications.**

22  
23 9.3.1 *Each week staff provides informational reports from each department to allow City Council*  
24 *a method of keeping up on the day to day activities of the City. This report is available on the*  
25 *internet at [www.ch.utah.gov](http://www.ch.utah.gov). This agenda item is set aside to allow Council members to ask*  
26 *questions or for staff to bring Council up to date if any changes have occurred since the report*  
27 *was made.*  
28

29 9.3.2 There were no questions from Council.  
30

31 **9.4 d. Goals and Budget Request for FY17.**

32  
33 9.4.1 Mr. Park reported that one of his department's priorities for the year was improved customer  
34 service. They have a list of goals and would bring them to discuss more at the retreat. Mayor  
35 Cullimore recommended they be very specific with their goals and to be quantifiable.  
36

37 **9.5 e. Review of February 16, Retreat Agenda.**

38  
39 9.5.1 Mr. Park commented on the retreat and remarked that he would put each department on the  
40 agenda allowing them time to go over their immediate needs and goals. He also reviewed the  
41 time, place, and dinner arrangements for the retreat. The agenda items for the retreat were  
42 discussed and there was a review of the order in which the presentations should be made.  
43

44 **10.0 Mayor/City Council Reports.**

45  
46 **10.1 a. South Valley Mosquito Abatement District Meeting – Councilman Tyler.**  
47

1 10.1.1 Councilman Tyler reported that the Mosquito Abatement Meeting he normally attends was  
2 postponed due to some Board Members being called out to a special Zika Virus Conference.  
3

4 **10.2 b. Association of Municipal Councils – Councilman Tyler.**  
5

6 10.2.1 Councilman Tyler reported on a field trip taken by the Association of Municipal Councils to  
7 a massive valve at the Point of the Mountain. The valve controls the water coming from the  
8 Provo River, which supplies 750,000 (75% of the population) people in the Salt Lake Valley  
9 with water. Councilman Tyler explained that the water that comes from the two canyons near  
10 Cottonwood Heights accounts for only about 4% of the Valley's water. He learned from the  
11 Association of Municipal Councils Meeting that the growth on the west side of the Salt Lake  
12 Valley will become more and more demanding of the water supply in the near future, which  
13 could affect all municipalities.  
14

15 **10.3 c. Zoo Arts & Parks (ZAP) Update – Councilman Peterson.**  
16

17 10.3.1 Councilman Peterson reported on the recent ZAP Advisory Board and the issues affecting the  
18 local community. He commented on presentations given at the last meeting affecting the  
19 canyons and nearby parks. There was currently nothing immediately affecting Cottonwood  
20 Heights but he would be having another meeting at the end of the week and would report his  
21 findings to the Council.  
22

23 **11.0 Calendar of Events.**  
24

25 11.1 Councilmember Schedules for the next week/2016 Calendar.  
26

- 27 a. President's Day – February 15 (OFFICE CLOSED).
- 28 b. Tour of Butler Elementary and City Hall – February 16, 3:30 p.m.
- 29 c. Caucus Meetings – March 22 – NO CITY COUNCIL MEETING.
- 30 d. City East Egg Hunt and Activities.  
31 March 25 – Teen Activity – 7:00 p.m. to 9:00 p.m. at the Rec Center.  
32 March 26 – Children's Easter Egg Hunt – 10:00 a.m. at Butler Park.
- 33 e. ULCT Spring Meetings - April 6 to 8 in St. George.  
34

35 **12.0 Closed Meeting to Discuss Litigation, Property Acquisition and the Character and**  
36 **Professional Competence of Physical or Mental Health of an Individual.**  
37

38 12.1 **MOTION:** Councilman Tyler moved to close the Open Session and open the Closed Session.  
39 The motion was seconded by Councilman Peterson. The motion passed with the unanimous  
40 consent of the Council.  
41

42 **13.0 ADJOURN**  
43

44 13.1 The Work Session adjourned at 10:20 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, February 9, 2017.*

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10 Teri Forbes  
11 T Forbes Group  
12 Minutes Secretary  
13  
14 Minutes approved: August 22, 2017