

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK MEETING
HELD TUESDAY, OCTOBER 11, 2016 AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

Members Present: Mayor Kelvyn Cullimore, Councilman Scott Bracken, Councilman Mike Peterson, Councilman Mike Shelton, Councilman Tee Tyler

Staff Present: Community and Economic Development Director Brian Berndt, City Manager John Park, Finance Director Dean Lundell, Police Chief Robby Russo, Fire Chief Mike Watson Public Works Director Matt Shipp, Assistant City Manager Bryce Haderlie, City Attorney Shane Topham, City Recorder Paula Melgar, Public Relations Specialist Dan Metcalf

1. Review of Business Meeting Agenda.

Mayor Cullimore reviewed the Business Meeting agenda and provided City Council Members with clarification on the amounts stated on Action Item 2016-85. He explained the agreement is the result of a bid where the City decided to contract with all three bidders and test their high-performance salt.

The Mayor introduced and welcomed Youth City Council Public Relations Representative, Annie Kauffman.

2. Public Relations Report.

Public Relations Specialist, Dan Metcalf, reported on media coverage and events in the City. Media items included the following:

- Fox 13 News at Five - *Narcan saves life* – Sgt. Ryan Shosted with Cottonwood Heights Police Department. Chief Russo provided a bit of background to the news story.
- Fox 13 News – Wanted Edition – *Car theft caught on camera*, in Murray; and *Credit card fraud suspect*, in Cottonwood Heights. Looking for *Cold case suspect*, in South Salt Lake or Murray.
- Fox 13 News - *Police seek person of interest*, Cottonwood Police Department.

Mr. Metcalf stated that he will be getting help reviewing the newsletter. He reported that Civic Life is updating their system and requests are starting to come in with the correct information. He discussed promoting the newsletter for November with an article on the new Public Works trucks and the 5K. The upcoming Monster Mash is also being promoted.

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING**
2 **HELD TUESDAY, OCTOBER 11, 2016 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS**
3 **CITY COUNCIL CHAMBERS, LOCATED AT 2277 EAST BENGAL BLVD.,**
4 **COTTONWOOD HEIGHTS, UTAH**
5

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

9 **Staff Present:** Community and Economic Development Director Brian Berndt, City
10 Manager John Park, Finance Director Dean Lundell, Police Chief Robby
11 Russo, Fire Chief Mike Watson, Public Works Director Matt Shipp, Assistant
12 City Manager Bryce Haderlie, City Attorney Shane Topham, City Recorder
13 Paula Melgar, Public Relations Specialist Dan Metcalf
14

15 **Others present:** Youth City Council Representative Annie Kauffman
16

17 **1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS**
18

19 1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:03 p.m. and welcomed those
20 attending.
21

22 1.2 Councilman Tyler led the Pledge of Allegiance.
23

24 **2.0 Marathon Donation - Jared Rohatinsky, VP Business Development – Brooksee.**
25

26 2.1 Jared Rohatinsky intended to present a check to the Cottonwood Heights Recreation Center
27 Foundation as part of the Big Cottonwood Canyon Marathon Community Appreciation
28 Program but was unable to attend.
29

30 2.2 Ben Hill from Salt Lake County Recreation thanked the City for their support.
31

32 **3.0 CITIZEN COMMENTS**
33

34 3.1 Betty Conner distributed a handout. She expressed concern with surrounding run down
35 homes, overgrown landscaping, piled up debris, run down cars, and rats. Others have
36 expressed concern with the safety and aesthetics of their neighborhood and requested
37 ordinances be implemented to prevent it from becoming a slum.
38

39 3.2 Mayor Cullimore stated that the most frequent complaint the city receives is from citizens
40 who feel their property values are being diminished by the actions of their neighbors who do
41 not take care of their properties.
42

43 3.3 City Attorney, Shane Topham, stated that the City has a robust nuisance ordinance and many
44 of the items discussed can lead to an abatement proceeding. He believed the framework was
45 set forth in the ordinances.
46

- 1 3.4 City Manager, John Park, remarked that they have recently discussed how issues like these
2 can be addressed. Staff will continue to work on the concerns. He pointed out that items
3 such as harboring cats can be addressed as a health concern. He suggested calling the Code
4 Enforcement Department who can better help these types of concerns.
5
- 6 3.5 David Koch stated that he recently had an appraisal done on his property and the
7 neighborhood to the west of his home diminished his property value by \$50,000. He asked
8 where he can find legislation on nuisances. Mr. Topham offered to meet with Mr. Koch and
9 provide him with the requested information. Mr. Koch explained that the process is not
10 geared to punish individuals, especially when there is hardship.
11
- 12 3.6 Councilmember Tyler raised a question regarding public money being used to assist in the
13 beautification of a private property. Mr. Topham confirmed that there is a rule that does not
14 allow public funds to be used in that manner.
15
- 16 3.7 Amy Novis presented photos of the Butler Elementary access onto 2700 east. She explained
17 that her son and a friend, who were on their bikes, were hit by a driver exiting Butler
18 Elementary. She reported that the site does not meet the City's clear vision code, which was
19 confirmed by Officer Lovato. The School District informed her that they are going to post
20 signs but it would not be feasible to involve the homeowner. She contacted the homeowner,
21 whose fencing is in question, and he confirmed that he was very willing to work with the
22 City and school district to ensure safety.
23
- 24 3.8 Mayor Cullimore liked Ms. Novis' ideas and agreed to reach out to the school district to
25 indicate support for an intervention of some sort by the District to address the problem.
26
- 27 3.9 Cory Heintz stated that a structure is being constructed in his area and the grade has been
28 raised by approximately 2-3 feet. He believed the 2,000 square foot building is out of scale
29 with the neighborhood and expressed opposition to the project. He provided a background
30 and aesthetics of his neighborhood. He also expressed concerned with the grade and
31 drainage around the project and having his fence being used as a retaining wall.
32
- 33 **4.0 REPORTS/PROCLAMATIONS/RECOGNITIONS.**
34
- 35 **4.1 Recognition of Community & Economic Development staff.**
36
- 37 4.1.1. Mayor Cullimore recognized Brian Berndt, Peri Kinder and the Community and Economic
38 Development Department staff for their excellence. Staff was also recognized by the Utah
39 State Governor's Office who named Cottonwood Heights as one of four Utah cities honored
40 for their efforts as a business-friendly community. A Proclamation was presented by the
41 City Council to the Economic Development Department.
42

1 **4.2 Recognition of Senior Planner Michael Johnson.**

2
3 4.2.1 Mayor Cullimore recognized Cottonwood Heights Senior Planner, Michael Johnson who
4 was recently recognized by the Utah State Chapter of the American Planning Association
5 (APA) for outstanding work on the Cottonwood Heights Bicycle Master Plan. Mayor
6 Cullimore presented Mr. Johnson with a Proclamation and the APA Award.
7

8 **5.0 Standing Monthly Reports.**

9
10 **5.1 a. Police Report – Police Support Supervisor, Candie Terry.**

11
12 5.1.1 Police Support Supervisor, Candie Terry, presented the Police Report for the month of
13 September. She stated that there were 640 911 calls received with 471 on-view calls and
14 855 phone calls. There were 497 Priority 1 calls, 358 Priority 2 calls, and 355 Priority 3
15 calls. Priority 1 response times averaged 4:46, Priority 2 averaged 6:29, and Priority 3
16 averaged 7:11. District 1 received 198 calls, District 2 had 110, District 3 had 126, and
17 District 4 had 97. Crimes by District were reviewed. There were 76 adult arrests and nine
18 juvenile arrests. There were 229 traffic citations issued with seven DUIs and 213 warnings.
19 Accidents totaled 48 with property damage and five with injuries.
20

21 **5.2 b. Public Works Report – Public Works Director, Matt Shipp.**

22
23 5.2.1 Public Works Director, Matt Shipp, presented the monthly Public Works Report describing
24 the status of various Public Works and Capital Projects throughout the City. They are
25 working on a Transition Agreement to take over the maintenance of the City’s own parks
26 and facilities. Transition for Public Works was moving along well and milestones and
27 deadlines were being met. Snowplowing preparations were in place. Mr. Shipp reported
28 that the patching trailer will be picked up within the week. Tree trimming and street
29 sweeping was also underway and being monitored via GPS, which allowed the City to
30 maintain a record of cleanup locations.
31

32 5.2.2 Assistant City Manager, Bryce Haderlie, commended Mr. Shipp and his staff for their
33 dedication and hard work on behalf of the City.
34

35 **6.0 ACTION ITEMS**

36
37 **6.1 Resolution 2016-85 Approving and Ratifying a Bid and Awarding a Construction**
38 **Contract to Quicksilver Concrete, Inc. for 2016-2018 Miscellaneous Concrete**
39 **Replacement Projects.**

40
41 6.1.1 Mayor Cullimore reported that the above resolution approves the Quicksilver Concrete bid,
42 which includes many projects throughout the City, up to \$343,000. The amount spent will
43 fit within the budget and allow coverage for the two-year period ranging from 30 September
44 2016 through 30 September 2018.
45

- 1 6.1.2 Mr. Shipp confirmed that Quicksilver is backed up and has been unable to help with some
2 of the 50/50 projects. Alternatives were being sought to complete some of the small concrete
3 projects. Quicksilver was aware and agreeable to the contract.
4
- 5 **6.1.3 MOTION:** Councilman Tyler moved to approve Resolution Number 2016-85. The motion
6 was seconded by Councilman Bracken.
7
- 8 6.1.4 Mayor Cullimore expressed concern with awarding a contract to a contractor who is not
9 performing and the message that approving such a contract would send. He was inclined to
10 vote against the motion due to the fact the City needs a contractor who will perform. If they
11 can't include in their contract an assurance that they will get to the projects, he would be
12 opposed. Councilman Peterson agreed. Councilman Tyler withdrew his motion.
13
- 14 **6.1.5 MOTION:** Councilman Peterson moved to pull the contract and give staff an additional
15 two weeks to further review the item and return with a recommendation as to performance
16 and who to contract with. Councilman Tyler seconded the motion.
17
- 18 6.1.6 Mr. Park explained that most contractors are backed up and the City might run into the same
19 problem with a different contractor. Mayor Cullimore agreed but felt that being backed up
20 on projects dating back from April presents a problem. Mayor Cullimore wanted to confirm
21 that this is an industry problem prior to giving the bid to the next lowest bidder. Mr. Shipp
22 was agreeable to waiting another two weeks.
23
- 24 **6.1.7 Vote on motion:** Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman
25 Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed
26 unanimously.
27
- 28 **6.2 Resolution 2016-86 Approving Purchases of High-Performance Road Salt from**
29 **Specified Vendors.**
30
- 31 6.2.1 Mayor Cullimore stated that the above resolution approves the purchase of high-
32 performance road salt from any of three approved vendors.
33
- 34 **6.2.2 MOTION:** Councilman Shelton moved to approve Resolution Number 2016-86. The
35 motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye,
36 Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor
37 Cullimore-Aye. The motion passed unanimously.
38
- 39 **6.0 CONSENT CALENDAR**
40
- 41 **6.1 Approval of Minutes for the August 16, August 23, and September 13, 2016 City**
42 **Council Work Sessions. Also, the approval of the Minutes for the September 13, 2016**
43 **City Council Business Meeting.**
44
- 45 **6.2 MOTION:** Councilman Peterson moved to approve minutes for the August 16, August 23,
46 and September 13 City Council Work Sessions and the minutes for the September 13 City
47 Council Business Meeting. The motion was seconded by Councilman Shelton. Vote on

- 1 Motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye,
2 Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.
3
- 4 **7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN**
5 **ROOM 250**
6
- 7 **7.1 MOTION:** Councilman Bracken moved to adjourn the Business Meeting and reconvene
8 the Work Session. The motion passed with the unanimous consent of the Council.
9
- 10 7.2 The Business Meeting adjourned at 8:14 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, October 11, 2016.*

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10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary
13
14 Minutes approved: November 29, 2016

3. Public Works

a. Public Works Operations Report.

Public Works Director, Matt Shipp, reported that the street sweeper is running and doing great. Public Works Operation Specialists are cleaning grates and making sure everything is clear for drainage.

The transition is moving forward with three trucks coming in this week and three more to come soon. Staff was completing the registration of the trucks and getting ready for the upcoming winter season.

A new updated task sheet showing current progress on tasks related to public works transition was presented.

Mr. Shipp stated that the salt shed will not be ready prior to the arrival of the salt, which will be stored where they have currently been keeping it. He did not foresee this interfering with the City purchasing the salt needed and keeping it on site. The salt shed was expected to be completed by the end of November 2016.

4. Planning and Economic Development Report.

a. Planning Commission Meeting of October 5, 2016.

Community and Economic Development Director, Brian Berndt, reported on the October 5, 2016 Planning Commission Meeting. He stated that two public hearings were held. The daycare home occupation had completed some of the cleanup and the public hearing for that item was closed. The Fort Union study was also closed, and both will be decided upon at the first meeting in November. The Little Willow Subdivision was approved and the City's site plan was approved as well.

Mr. Berndt reported that Planning Commission Chair, Paxton Guymon, has left the City and staff is currently looking for a new member.

Mr. Berndt distributed a comparable table for the Accessory Building Code updates and asked the Council for direction. Allowable uses were discussed.

The Work Session was continued until after the City Council Business Meeting.

City Council Work Session resumed at 8:32 p.m.

The Wasatch Boulevard and Gravel Pit Study was discussed. Because of the potential changes and impacts, they are now going back for funding for another grant and will be looking at the entire Wasatch Corridor.

b. Code of Ordinances on Accessory Buildings.

Mr. Berndt reviewed the proposed changes to the Code on accessory buildings. The allowable area of coverage and building area were discussed.

5. Public Safety Reports.

a. Unified Fire Authority.

UFA Chief, Mike Watson, reported on the week's events and a report on UFA staff assisting with recovery efforts resulting from Hurricane Matthew. There are currently five task forces on site and four of Cottonwood Heights task members were sent to serve as part of an incident support team.

b. Police Department.

Police Chief, Robby Russo, reported that pertinent information was presented during the Business Meeting Report.

6. City Manager/Assistant City Manager Report.

a. City Hall Report.

City Manager, John Park, reported on the progress of closing out the punch list for the construction items of City Hall. Some items pertain to surrounding neighbors but are progressing.

He stated that the Planning Commission is in need of additional members for Districts 2, 3 and 4.

Mr. Park reported that staff received a letter from Mayor McAdams' Office asking to suggest three names to be appointed to the Mountainous Planning District. Under State law, a list of three names is submitted and one is selected. Members of the District will be dealing with the zoning in the mountain range. Mr. Park asked the Council for recommendations.

Mr. Park reported the City has received a \$17,000 refund from the trust on the insurance item.

The Council next discussed Mountain View Park. It was reported that the cost for Golden Landscaping to complete the deep aeration would total approximately \$7,000. To add sand with organics, the cost would increase by \$13,000. Golden Landscaping offered to come in next spring and plant the area in front of the goalposts for free.

Mr. Park stated that the Arts Council would like to display the *Best of Show* taking place at the City Library during the month of November. Councilman Peterson pointed out that the current displays at City Hall will be taken down on Monday, October 17, 2016.

7. Mayor/City Council Reports.

a. South Salt Lake Valley Mosquito Abatement Meeting – Councilman Tee Tyler.

Councilman Tyler stated that he will report on the Mosquito Abatement issue at the upcoming meeting.

b. Association of Municipal Councils Meeting– Councilman Tee Tyler.

Councilman Tyler reported on the Association of Municipal Councils Meeting. Mr. Cameron Diehl, from the League of Cities and Towns, spoke with the group on the negotiation headed by the Utah League of Cities and Towns on Gas Tax as well as the increase by cities of B&C Road Funds by 17.5%. Councilman Tyler stated that cities are being well served by the League’s negotiations. With regard to legislation, short-term rentals were discussed and are very complementary to Cottonwood Heights. There was also discussion regarding the curtailing of fireworks.

c. Arts Council Meeting – Councilman Mike Shelton.

Councilman Shelton reported on the recent Arts Council Meeting and stated that they are moving ahead with plans for next year’s play. The current art show is getting great participation with 50 pieces entered. There is also a youth production coming up. He will be checking with Butler Middle School regarding the removal of the set from last year’s last play.

d. TRCC Meeting – Mayor Cullimore.

Mayor Cullimore reported that he chairs the Salt Lake County Tourist Recreational Cultural and Convention Advisory Board. They are entertaining presentations on outside funding requests. The Days of ‘47 Rodeo applied for \$3,000,000 to complete their stadium. Holladay City is finishing work on their park behind City Hall and will include ADA upgrades. The request is for approximately \$500,000. South Jordan asked for \$150,000 for an adaptive playground for children. Township Services asked for \$250,000 in open space land purchase. Trails Utah asked for \$300,000 for trails maintenance and West Jordan is seeking a contribution for an indoor play field.

Mayor Cullimore explained that the group is questioning how the County plans to address capital maintenance. Salt Lake County is doing a renewal of the GO Bond for \$90 million with \$30 million being deferred capital maintenance.

Mayor Cullimore reported that West Jordan is building their own Recreation Center. The TRCC is now in its busy time and holding meetings weekly. Decisions seem to be fairly easy this year with the distribution and allocation of funds.

8. **Calendar of Events.**

Councilmember Schedules for the next week/ 2016 Calendar:

- a. **October 12 – City Council/Historic Commission Meeting; 5:30 p.m. Union Cemetery.**
 - b. **October 13 – Youth City Council Annual Dinner, 6:00 p.m. City Hall.**
 - c. **October 28 – Monster Mash on Ice 5:00 – 7:00 p.m. Cottonwood Heights Recreation Center.**
 - d. **October 31 – Trunk-or-Treat – City Hall parking lot from 3:00 p.m. to 5:00 p.m.**
 - e. **December 6 – City Employees Christmas Party.**
 - f. **Meeting Schedule for November, December, and January.**
9. **Closed Meeting to Discuss Litigation, Property Acquisitions and the Character and Professional Competence or Physical or Mental Health of an Individual.**

There was no closed meeting.

10. **ADJOURN**

Motion to adjourn by Councilman Tee Tyler. The motion passed unanimously. The City Council Work Session was adjourned at 9:44 p.m.