

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, APRIL 7, 2020, AT 5:00 P.M. MEETING WAS HELD
ELECTRONICALLY, WITHOUT A PHYSICAL LOCATION DUE TO THE CURRENT
COVID-19 PANDEMIC AND AS AUTHORIZED BY THE GOVERNOR'S EXECUTIVE
ORDER DATED 18 MARCH 2020**

Present: Mayor Mike Peterson, Council Member Scott Bracken, Council Member Christine W. Mikell, Council Member Tali Bruce, Council Member Douglas Petersen

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jurgens, Assistant Police Chief Paul Brenneman, Assistant Emergency Manager Julie Sutch, Assistant Fire Chief Riley Pilgrim

Mayor Mike Peterson called the meeting to order at 5:07 p.m. and welcomed those present.

1. Review of Business Meeting Agenda – Mayor Mike Peterson.

The Business Meeting agenda items were reviewed and discussed.

2. Staff Reports.

a. Coronavirus Efforts Discussion – City Manager, Tim Tingey and Assistant Emergency Manager, Julie Sutch.

City Manager, Tim Tingey addressed measures the City has taken to manage the COVID-19 pandemic. He expressed appreciation to staff for their efforts and recognized it is a difficult time filled with uncertainty. Mr. Tingey stated that on March 16 an emergency was declared in the City. He asked for input from the Council on extending the time period beyond what was stated in the original declaration. He directed executive staff and department heads to put special care and thought into spending, travel restrictions, and other pertinent issues. It was reported that the City has reduced capital spending and imposed purchase limitations.

Mr. Tingey reported on current City operations and modifications. He explained that there is one point of contact in the City Building and a glass partition that serves as a buffer. The City Offices are open nine hours per week to process applications and provide basic services. There have not been many constituents in the building since the emergency was declared. Staff continued to answer phone calls during normal business hours through a routing system.

Mr. Tingey reported that Police Chief, Robby Russo has implemented safety measures for the Police Department and Public Works personnel have implemented additional safety measures.

Limited work was being done on streets and roads and limitations were placed on building inspections for safety reasons.

Mr. Tingey described the City's communication efforts. Staff disseminates information on the March 30 County Health Order regularly and it was being enforced. A newsletter was sent out the previous week that provided information on the Health Order and what can be done to curb the spread of COVID-19.

Mr. Tingey asked for input from the Council on upcoming City events. The Photography Show was still on display at City Hall although people were not coming in to see the displays. The City hoped to display the photographs online and provide awards via social media. The *Matilda* musical was on hold and the decision on whether to proceed needed to be made by May 20. It was noted that there is the potential to move dates back on the event. The Utah Wind Symphony event scheduled for May was canceled as well as the Easter Egg Hunt. Mr. Tingey stated that decisions need to be made about Butlerville Days. He spoke with the Events Committee and they believe early June is the cut off date for the decision.

Council Member Bracken spoke to members of the Committee about Butlerville Days and the committee feels they can move forward if a decision is made by June 1. He recommended holding back on much of the specific planning in case the event is canceled.

Mayor Peterson asked if the committee felt there would be enough time to finalize the required contracts with vendors between a decision on June 1 and the event. Council Member Bracken responded that the committee has not identified this as an issue. The committee was concerned about providing a parade float, which may not be feasible this year.

It was reported that the City has not approved some contracts for Butlerville Days that need to be finalized fairly quickly. Mr. Tingey stated that they are poised to be approved. A Survey of Public Office Obligations was taken a few weeks earlier that the Events Committee has relied on.

Finance and Administrative Services Director, S. Scott Juges reported on the projected cost of Butlerville Days and state that it is expected to be \$90,000 to \$100,000 with a revenue of \$41,000. The next cost was estimated at \$60,000. Mayor Peterson doubted that Butlerville Days will be held this year. He recommended waiting to make a decision by May 1.

Assistant Emergency Manager, Julie Sutch provided an overview of what the City has done to deal with the COVID-10 pandemic. The Police Department has taken drastic steps including taking the temperatures of officers coming on duty, disinfecting and sanitizing surfaces on cars, sanitizing officer gear, and providing sanitizer for officers to carry in their cars. Chief Russo also ordered all officers to adhere to the CDC guidelines.

Ms. Sutch reported that staff is working staggered shifts and many are working from home. In the event the department is lacking personnel and gaps need to be filled, City employees will be asked to work extended shifts. Ms. Sutch reported that the Fraternal Order of Police and the State are providing childcare as work schedules have fluctuated. Various agencies are in constant

communication and working well together. The amount of Personal Protective Equipment (“PPE”) on hand is continually monitored and at an appropriate level.

In response to a question raised by Mayor Peterson, Community and Economic Development Director, Michael Johnson stated that they can accept plans and schedule inspections paperlessly.

Mr. Tingey stated that City Offices are open Monday, Wednesday, and Friday.

Chief Russo addressed crime rates in the area and stated that calls for service are down 30 to 35 percent overall. There have been fewer calls for service and fewer road issues. There had been an increase in domestic violence and reports of mass-gatherings, none of which were substantiated. Chief Russo reported that the officers are all healthy and wear masks when they are closer than six feet apart. The procedures were described in the event one or more police officers become infected

Assistant Police Chief, Paul Brenneman reported that the County Task Force has made arrangements with area hotels for officers who potentially become exposed. The Emergency Management Team is also forwarding information to staff regarding opportunities for businesses to help with their recovery.

Assistant Fire Chief, Riley Pilgrim gave a verbal summary of how the virus is impacting the City’s fire stations. When comparing year-to-date statistics, there have been 37 fewer calls this year than last. This was due to fewer people being out of their homes and fewer traffic incidents. The Fire Department has received 240 calls with one potential COVID-10 interaction, which exposed about 1,100 personnel over the last three weeks. 27 members of the department have not worked due to COVID-19 symptoms and of those, one tested positive for the virus.

Assistant Chief Pilgrim stated that the department has done internal tracking to ensure that they address every call with a potential for COVID-19. The original forecast for a peak was April 21 to 23 and has since been extended to the beginning of May.

In response to a question raised by Council Member Bracken, Chief Assistant Pilgrim described the procedure for a person who calls the Fire Department and requires a home visit.

Council Member Mikell stressed the importance of clear communication. She mentioned a media release that stated that they as a City they are choosing to follow both the Governor’s directive and the intent of Salt Lake County’s Order. She stressed that the Order is a mandate and the phrasing is unclear. She asked that staff communicate with the Council before issuing statements in the future.

Mayor Peterson reviewed the Business Meeting Agenda. Resolution 2020-09 pertains to the COVID-19 Pandemic and allows the City to provide greater enforcement and request funding from the federal government if the declaration extends beyond 30 days. The proposed resolution is before the Council because they expect it to last longer than 30 days. It was noted that the declaration would be effective until terminated by the City Council.

Public Works Director, Matt Shipp introduced Resolutions 2020-10 and 2020-11 and stated that the City has an agreement with Murray City for the Park and Ride in front of Porcupine Grill. The proposed amendment will add a legal description for the trail to be built.

Mr. Johnson addressed Resolution 2020-12 regarding the installation of an Electric Vehicle Charging Station at City Hall. He explained that there is a rebate program through the State Department of Environmental Quality that would enable the City to install a double charging station. The City would have two years to complete the work and submit reimbursement. The State will reimburse up to \$1,900. Mr. Johnson stated that the total cost of the project will be about \$2,000.

Mayor Peterson commented on the Big Cottonwood Canyon Trail and stated that the County has frozen all track requests that are not already underway. Therefore, the track request for repairs to the Big Cottonwood Canyon Trail has been put on hold by the County and cannot proceed. Mr. Tingey stated that the project could be completed with the City being reimbursed later with stimulus money.

b. Tree Ordinance – Economic Development Director, Michael Johnson.

Mr. Johnson introduced the Tree Ordinance and explained that the matter began as a Council priority in 2019. The proposed ordinance will regulate trees in public rights-of-way and public places and regulates park strip standards in terms of how the park strip can be improved, what types of materials can be planted there, and maintenance. He provided a brief timeline of the project. After a discussion with an Urban Forester who promoted the idea, staff conducted research and used the information to draft an ordinance. A public hearing was held before the Planning Commission in February 2020. No public comment was received but the Planning Commission indicated that the ordinance continues to be refined and will be before the Planning Commission again before being presented to the City Council.

Mr. Johnson reported that the general objectives of the ordinance are to manage and better regulate public trees, particularly in public rights-of-way, and park strips. This includes defining who is responsible for maintenance and establishing design standards for park strip landscaping, hardscaping, and allowed materials. This would include a potential list of trees that grow well. It will also include language aimed at tree preservation and encourage the planting of appropriate trees. Mr. Johnson stated that the proposed ordinance also establishes the process for enforcement of unpermitted tree removal or damage to trees or park strip areas. A further aim of the ordinance is to establish consistency and develop a street tree canopy. It would encourage citizens to use water-efficient plant materials and potentially permeable hardscape.

Mr. Johnson indicated that there have not been any complaints from constituents about the choice of plants being dictated by the City. He explained that the intent of the ordinance is to set clear expectations for property owners.

Mr. Johnson reported that the ordinance will be back before the Council in the next few months. Mayor Peterson proposed that the issue of inappropriate tree removal be addressed in the ordinance as well.

c. Proposed Interlocal Agreement with Salt Lake County for Park and Ride Maintenance – City Manager, Tim Tingey.

Mr. Tingey addressed the Interlocal Agreement with Salt Lake County and explained that it would be for the two Park and Ride lots in the City, which will cost approximately \$6,500 per year. The agreement is for two years and automatically renews for an additional three years beyond that. Mr. Tingey had concerns with the County's methodology and expressed his concerns to them. The Park and Ride lots are located in the City and, therefore, the City should pay part of the cost. Mr. Tingey reported that the other groups who would be sharing the cost of the Park and Ride lots included Salt Lake County, UDOT, UTA, Solitude, Brighton, Snowbird, and Alta.

Mayor Peterson was asked if this had been brought up at CWC meetings and if other surrounding cities would be willing to contribute to the cost. Mayor Peterson stated that it has not been addressed with the CWC. He had conflicting feelings about the cost as it is not Cottonwood Heights citizens who will be using the Park and Ride lots in large part, however, the County has shown a willingness to collaborate on a couple of important projects recently. The Mayor acknowledged the importance of showing a willingness to cooperate in return.

Council Member Mikell asked Mayor Peterson if there was an interest in meeting with area mayors to see if they would contribute to the cost. The Mayor stated that the County Representative would be an appropriate person to make the request to. It was noted that the other financial contributors are already contributing much higher amounts than Cottonwood Heights. It was noted that it is beneficial to keep cars off of Wasatch Boulevard and the proposed Park and Rides would contribute to that goal. Mayor Peterson agreed to speak with mayors from the surrounding cities as well as the County Representative before making a final decision.

d. Police Vehicles Lease Discussion – City Manager Tim Tingey.

Mr. Tingey referred to a memo distributed to the Council in January that described the process of leasing police vehicles. What is proposed will result in an annual savings of \$72,000. The memo addressed sustainability options. The City will look at various options with the provider on vehicles that are electric or hybrid in the lease option. In meetings with the dealership, they have been unwilling to look at a Buyback Program with electric or hybrid vehicles. It was noted that the City must have vehicles that meet terrain and safety standards. Chief Russo explained that as part of the current agreement with Ken Garff, the City has a guaranteed buyback where the dealership promises to buy back all of the vehicles. Ken Garff will not offer the same deal with hybrids or electric cars. The Police Department had no objection to driving hybrids or electric vehicles, if feasible.

Mr. Jurgens explained how the lease package compares to what has been done in the past. He explained that the City leases equipment with some being purchased and some reused. After four years, the equipment becomes less reliable and is replaced. The current lease includes the purchase of new equipment. Without a Buyback Agreement, the City auctions off cars and the amount available in the budget is much less certain.

Chief Russo stated that the process of getting new cars takes 5 to 6 months. Once the cars arrive, the existing cars are stripped and the new cars are outfitted. This is typically done by July 1, which is when the new agreement is to take effect.

Council Member Mikell proposed that environmental impact be factored in along with the financial repercussions. She asked if Ken Garff is the only vendor who can sell vehicles to the City or if other dealerships can provide quotes. Chief Russo stated that there are other vendors on the State contract but they have not submitted bids. Ken Garff is easy to work with and the City has had a good working relationship with them.

Council Member Mikell proposed that Ken Garff be asked to present alternative solutions. Council Member Bruce proposed that the environmental impact of the Council's decisions be factored into budgetary decisions as well. Mayor Peterson suggested that additional research be conducted prior to recommendations being made regarding sustainability and environmental impacts.

3. Review of Calendars and Upcoming Events.

The Council Budget Work Session was rescheduled from April 21 to 28 to accommodate two conferences scheduled for the same day.

4. Council Member Schedules for the Next Week – 2020 Calendar:

- a. April 28 – Approximately 5:00 p.m. – Council Budget Work Session (*Note: The City Council Meeting of April 21 was moved to April 28*).
- b. May 5 – Approximately 7:00 p.m. – Proposed Budget and Adopt Tentative Budget.
- c. June 2 – Approximately 7:00 pm. – Public Hearing for Budget and Adoption.
- d. June 16 – Approximately 7:00 p.m. – Adopt Final Budget – City Council Chambers.
- e. July 17 and 18 – Butlerville Days

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

There was no closed meeting.

6. Adjourn City Council Work Session.

MOTION: Council Member Bracken moved to adjourn to the Business Meeting. Council Member Petersen seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Work Session adjourned at 8:24 p.m.

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1.0 WELCOME/PLEDGE

Mayor Peterson called the meeting to order at approximately 7:08 p.m. He welcomed those joining electronically and thanked citizens for staying home and safe in this difficult time.

The Pledge of Allegiance was led by City Manager, Tim Tingey.

2.0 PROCLAMATIONS

2.1 Proclamation 2020-03 Celebrating Arbor Day – Mayor and City Council.

Mayor Peterson stated that Proclamation 2020-03 sets April 7, 2020, aside as Arbor Day.

2.2 Proclamation 2020-04 Recognizing April as Child Abuse Prevention Month – Mayor and City Council.

Mayor Peterson reported that every April will be declared Child Abuse Prevention Month. He noted that with the current status of everyone being at home, child abuse prevention is a sensitive issue and the City is supportive of those efforts.

MOTION: Council Member Bracken moved to approve Proclamation 2020-03 and 2020-04. Council Member Bruce seconded the motion. Vote on motion: Council Member Mikell-Aye, Council Member Petersen-Aye, Council Member Bruce-Aye, Council Member Bracken-Aye, Mayor Peterson-Aye. The motion passed unanimously.

3.0 CITIZEN COMMENTS

A citizen comment was read by Mr. Tingey that was submitted and made part of the record.

Eric Kraan expressed his support for the safety improvements at the intersection of Fort Union and Wasatch Boulevards. The volume and speed of vehicles through this intersection has made any use outside a vehicle dangerous. He supported the Porcupine connector as a feature that will improve conditions in this location and invite pedestrian use. As such, more protection to the users will be required to avoid injury. He thanked staff for the efforts and coordination with Murray City to arrange a bicycle fix station in the parking lot of the Big Cottonwood Canyon trail.

Mr. Tingey reported that he was contacted by Senator Kathleen Riebe prior to the meeting and she is a resource to receive information related to State data or issues that may be helpful to the City.

There were no further citizen comments.

4.0 ACTION ITEMS

4.1 Consideration of Resolution 2020-08 Adopting an Amended Policy for Electronic Meetings of the City's Public Bodies.

City Attorney, Shane Topham reported that the City adopted its first set of electronic meeting policies in 2006. Since then the portion of the Open and Public Meetings Act governing electronic meetings has been changed. On March 18, 2020, the Governor issued Executive Order 2020-05, which suspended some aspects of the Open and Public Meetings Act for the duration of the pandemic. It provided a good opportunity to present to the Council a proposed updated Electronic Meeting Policy for the City.

MOTION: Council Member Bracken moved to approve Resolution 2020-08. Council Member Bruce seconded the motion. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Bruce-Aye, Council Member Mikell-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

4.2 Consideration of Resolution 2020-09 Approving and Ratifying Declaration 2020-01 Declaring a State of Emergency in the City Concerning the COVID-19 Pandemic.

Tim Tingey stated that the earlier declaration of emergency is set to expire on April 15 as it cannot be continued or renewed without the consent of the elected body of the jurisdiction. This ratification of the declaration means that the state of emergency would continue until it is brought back to the Council. Staff recommends approval of this resolution as it is not likely the pandemic will be over by April 15.

MOTION: Council Member Bruce moved to approve Resolution 2020-09. Council Member Petersen seconded the motion. Vote on motion: Council Member Mikell-Aye, Council Member Bruce-Aye, Council Member Bracken-Aye, Council Member Petersen-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

4.3 Consideration of Resolution 2020-10 Approving an Amended and Restated Interlocal Agreement with Murray City Concerning the Big Cottonwood Trail.

Public Works Director, Matt Shipp reported that the City will be installing the Porcupine Trail. It is in front of Porcupine Grill and connects the Big Cottonwood Canyon Trail to the west Park and Ride. It will serve as a bicycle and walking path that will make this connection. Mr. Shipp stated that the agreement being considered tonight is an amendment to an existing agreement with Murray City. This amendment will include a legal description of where the trail will go as part of the project.

MOTION: Council Member Bracken moved to approve Resolution 2020-10. Council Member Bruce seconded the motion. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Bruce-Aye, Council Member Mikell-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

4.4 Consideration of Resolution 2020-11 Accepting a Bid and Approving a Contract with DRD Paving, LLC for the Porcupine Connector Trail Project.

Mayor Peterson noted that the cost of the bid is \$196,000. Mr. Shipp explained that the reason the City is moving forward with the project is because the funding comes from two grants that have been received from the State and Utah Outdoor Recreation. The City is required to apply for the Outdoor Recreation Grant by June 30 of this year. Mr. Shipp noted the City has already received a one-month extension. Any required match from the grants has already been spent. There was no match for the Outdoor Recreation Grant.

MOTION: Council Member Bruce moved to approve Resolution 2020-11. Council Member Mikell seconded the motion. Vote on motion: Council Member Mikell-Aye, Council Member Bruce-Aye, Council Member Bracken-Aye, Council Member Petersen-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

4.5 Consideration of Resolution 2020-12 Approving and Ratifying an Agreement with the State of Utah for Installation of an Electronic Vehicle Charging Station at City Hall.

Community and Economic Development Director, Michael Johnson reported that the above resolution is a Reimbursement Agreement and involves a rebate program offered by the Department of Environmental Quality through the State of Utah. With this agreement, the City has two years to construct and install an electric vehicle charging station. There will be two plugs for two vehicles in the City Hall parking lot. Upon completion, the City can submit a reimbursement claim and receive \$1,900 back. This brings the total cost to just under \$2,000.

MOTION: Council Member Bruce moved to approve Resolution 2020-12. Council Member Mikell seconded the motion. Vote on motion: Council Member Mikell-Aye, Council Member Bruce-Aye, Council Member Bracken-Aye, Council Member Petersen-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

5.0 CONSENT CALENDAR

5.1 Approval of the City Council Meeting Minutes of January 7, February 18, and March 3, 2020.

MOTION: Council Member Bruce moved to approve the consent calendar. Council Member Petersen seconded the motion. Vote on motion: Council Member Mikell-Aye, Council Member Bruce-Aye, Council Member Bracken-Aye, Council Member Petersen-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

6.0 ADJOURN CITY COUNCIL BUSINESS MEETING AND MOVE TO WORK SESSION/CLOSED MEETING.

MOTION: Council Member Bracken moved to adjourn the Business Meeting and close the Open Session and open the Closed Session. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 7:33 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, April 7, 2020.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: April 28, 2020