

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION
HELD TUESDAY, NOVEMBER 2, 2021, AT 5:00 P.M. IN THE COTTONWOOD
HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST BENGAL
BOULEVARD**

Members Present: Mayor Mike Peterson, Council Member Scott Bracken, Council Member Christine Mikell, Council Member Douglas Petersen

Staff Present: City Manager Tim Tingey, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim, Community and Economic Development Director Michael Johnson, Finance and Administrative Services Director Scott Jorges, Public Works Director, Matt Shipp, Records Culture and Human Resources Director Paula Melgar

Excused: Council Member Tali Bruce, City Attorney Shane Topham

1. Welcome – Mayor Peterson.

Mayor Mike Peterson called the meeting to order at 5:03 p.m. and welcomed those present.

2. Review of Business Meeting Agenda – Mayor Peterson.

Public Works Director, Matt Shipp, introduced the action items and reported that the first action item involved the collection of the Storm Water Fee that the Council implemented during the budget process. He reported that Rocky Mountain Power, through their parent company, PacifiCorp completed the tariff that would allow them to share information for the billing. The Council would be considering the agreement that would allow PacifiCorp to do the monthly billing based on their fee schedule. He commented that there were no surprises with respect to the Fee Schedule. Mr. Shipp confirmed that the rate per invoice would be approximately \$0.40. He noted that when this process began, the fee was over \$1.00 and was not cost-effective at that point. Mayor Peterson noted that several sister cities also use PacifiCorp for their billing. Mr. Shipp expressed appreciation to Rocky Mountain Power for its efforts in working through the process.

Mr. Shipp next introduced the second agenda item and explained that the contract under consideration was for work in the Scottish Drive Subdivision. The proposed contract would be for the replacement of the storm drain line that was discovered after they performed demolition on the roadway to prepare for reconstruction. He added that approximately 700 feet of deteriorated storm drain line would be replaced.

3. Staff Reports.

a. Five-Year Road Plan – Public Works Director, Matt Shipp.

Mayor Peterson reported that Mr. Shipp would be presenting the City's second Five Year Road Maintenance Plan. The City is currently in the fourth year of the initial five-year plan.

Mr. Shipp explained that in 2018 the Council adopted a Road Maintenance Plan. Prior to that, a study concluded that it would take significant monies to repair all of the City's roads. The Council, therefore, decided to fund a maintenance program that would address every road in the City with a maintenance treatment that would stifle the deterioration and extend the life of the roadways. While this was not the ultimate maintenance plan, it encompassed what the City could afford. Mr. Shipp explained that the 2018 Road Maintenance Plan extends to fiscal year 2023. He reported that that Plan is now in year four, which is the 2021-2022 fiscal year.

Mayor Peterson clarified that not all of the work in the Plan is a "band-aid" and in some areas, roads were fully reconstructed. Mr. Shipp agreed and added that a majority of the areas received surface maintenance. He explained the current Plan is broken down by year. He has reported the Plan's progress to the Council quarterly. He explained that the different methods used to maintain the roads include crack sealing, slurry sealing, chip seal, mill and overlay, and complete reconstruction. He noted that some areas were not treated because it was determined that putting a surface treatment on the roadway would have wasted taxpayer dollars because the roads were in such a deteriorated state.

Mr. Shipp reported that the Prospector Subdivision was slated for a slurry seal but due to its condition, they held off. The Grandeur Circle was left off the list as well. He explained that Towne Center Drive, Pineview, and Bridgewater were all part of the plan for this year and next year. He added that the last three locations could not just be surface treated. Mr. Shipp clarified that the deterioration on Prospector and Grandeur Circle was so far down to the base that an overlay would not have been effective. He presented the list of roadways that were not in the five-year plan, but that was addressed through one-time funding programs such as Quarter of the Quarter funds, State and Federal funds, and developers.

Mr. Shipp reported that in Year One of the program, they put approximately two million square feet of slurry down and used the other treatment methods to a lesser degree. He noted that as part of this work, they did not treat or replace sidewalks, waterways, drive approaches, or ADA ramps.

In Year Two, they nearly doubled the slurry seal projects and were still able to stay under the budget allotted for this program.

Mr. Shipp explained that in Year Three, they undertook a reconstruction project in the Racquet Club area, which is currently under construction. This area was slated for a surface mill and overlay, however, they discovered it was worse than what they thought so they moved forward with reconstruction. As part of the project, they were addressing ADA ramps and curb and gutter but no sidewalks. They also changed out the waterways. He added that the budget estimate for the reconstruction was approximately \$1 million. He reported that Alpen Way also underwent reconstruction. Council Member Mikell stated that there is a significant bump in the project area on Alpen Way and not much in the way of signage. She asked if they could do better with the signage.

Mr. Shipp next presented the Year Four projects and noted that the Council approved the contract for the slurry and area prep. Other chip seal projects would be forthcoming at 7200 South, 3000 East, and a few others.

Mr. Shipp presented a graphic showing the roads that were addressed over the past 3½ years, illustrating that they were able to address many of the roads in the City. He then presented the next Five-Year Road Maintenance Plan and explained that the new Plan would be heavily loaded with reconstruction projects. Reconstruction would include complete removal of curb and gutter, new ADA ramps, full depth reconstruction, and waterways. He presented a photograph of a tire that was dug out of a soft spot on Alpen Way. Mr. Shipp noted that when the road was constructed, tires were used for fill, as was old asphalt and concrete chunks. He indicated that the lack of construction material was causing its deterioration and that they have run into these types of conditions in other locations as well.

Mr. Shipp reported that they have created new construction standards for road construction. He stated that when the roads were built, there was likely a lack of oversight that resulted in items like tires being in the road base. He explained that all of this material would have to be removed and replaced to approximately 24 inches.

In response to an inquiry from Mayor Peterson, Mr. Shipp stated that reconstruction projects like those on Alpen Way would be bid out based on the timing of the budget. He reported that the Alpen Way project was nearly complete as was the Racquet Club project. There were no other projects scheduled for the winter other than crack sealing as weather permits. Mr. Shipp explained that reconstruction was more costly than new construction and maintenance. Therefore, the cost impact of the new Five-Year Maintenance Plan would be greater.

Council Member Petersen asked about the oversight issue, specifically as to Alpen Way, which was estimated to have been built approximately 40 years ago. Mayor Peterson also raised the issue of the 250 manhole covers that were covered over. Mr. Shipp explained that they have estimated approximately 1% of the total square footage for concrete replacement. He presented the new plan moving forward. For year one, the estimate was \$2.4 million, which was broken down by area. The year two estimates were \$2.6 million, followed by \$2.8 million and \$2.4 million. He noted that these were the estimates going forward, with a lot of emphasis on reconstruction in the older subdivisions.

Mayor Peterson commented that many of the upcoming years were estimated to be approximately \$1 million more than previous years. Those estimates would need to be incorporated as part of the budget analysis. Mr. Shipp added that this has been a wonderful program and they have seen a lot of improvement in the reconstruction areas, and a lot of halting of the deterioration. The surface treatments would give them another five years as they work forward. He explained that the plan would likely rotate back to an emphasis on maintenance after the reconstruction projects are completed.

It was noted by Mayor Peterson that there are numerous ways to finance these projects and they could look at the cost-benefit analysis of looking into other financing options if the project demand becomes high. He applauded the efforts put into the Five-Year Road Maintenance Plan,

which has allowed the City to move forward and have an impact. He appreciated the emphasis on the older neighborhoods.

In response to an inquiry from Council Member Petersen regarding the cost, Mr. Shipp explained that they were based on bids they have received for current projects, plus an escalating percentage based on Utah Department of Transportation (“UDOT”) projections. He highlighted the comparison between the prior years’ estimates and actuals and noted that they came pretty close with their numbers.

Mr. Shipp reported that the new Five-Year Plan will likely come back before the Council for consideration during the next budget cycle. He would update the Council as the plan is refined.

b. Trails Along Murray Power Lines – Community and Economic Development Director, Michael Johnson.

Community and Economic Development Director, Michael Johnson, reported that the Council requested an analysis of the feasibility of developing a trail underneath a power line owned by Murray City. He presented a graphic showing the location of the proposed trail and explained that the power line starts on 26 acres of recently acquired City property and heads north to the High T intersection crossing Little Cottonwood Road. He reported that the power line is owned by Murray City and includes an easement that in some areas encroaches 15 to 20 feet in the plat. In other areas, it is within the UDOT right-of-way. The graphics presented showed the location of the power line with a 50-foot buffer on both sides to illustrate a potential trail corridor.

Mr. Johnson reported that the preliminary feedback from Murray City showed that they did not have any major issues with developing a trail within the easement. The challenge would come with working with the private property owners and UDOT. He explained that a trail would impact several private properties and, depending on trail placement, the UDOT right-of-way. He explained that the next step would be to approach the private property owners to see if they would be willing to accommodate a trail that might encroach on their property. They would also do the same with UDOT.

Mr. Johnson stated that the Environmental Impact Study (“EIS”) as part of UDOT’s EIS process identified a multi-use trail along Wasatch Boulevard that currently would end at the High T. The City suggested to UDOT that the trail should continue past the High T down to the Little Cottonwood Canyon Park-and-Ride. This would provide a complete multi-use trail system within the UDOT right-of-way. He had spoken with EIS Staff and inquired about the likelihood of the trail being continued beyond the High T intersection. EIS Staff indicated that the City’s comments were helpful, but no decision had been made. They would not know UDOT’s position until the final record of decision comes out in 2022.

Mr. Johnson stressed that if UDOT continues the trail through the High T to the mouth of Little Cottonwood Canyon, it would be fully within UDOT’s right-of-way and built at UDOT’s expense, as opposed to the City trying to negotiate with property owners and building it at City’s expense. He acknowledged that the alignment would change if UDOT extended the trail, but it would still be in the same general area. If Staff were to provide a recommendation at this point,

they would suggest waiting until UDOT's record of decision. If UDOT decides to extend the trail, the issue would become one of timing. Conversely, if the trail extension is not included in their record of decision, the City could pursue it through private property owners.

Mayor Peterson asked if this was being included in the Trails Master Plan. Mr. Johnson stated that the trail would be along the road and the Plan identified a trail that is similar to what UDOT proposed. He explained that a trail within the right-of-way would connect Little Cottonwood Canyon to Big Cottonwood Canyon down into the City of Holladay and potentially to Ferguson and Bonneville Shoreline.

In response to a comment from Council Member Peterson, Mr. Johnson clarified that the power line crossed Wasatch Boulevard. If UDOT were to include the proposed trail in the EIS, they would likely continue the multi-use path as they have shown it along the east side of Wasatch Boulevard. He stated that as a City, they might still need to look at a trail connection across to the City's portion of Wasatch Boulevard. He commented that the power line appears to be right on the property line of the private properties. They would need to analyze the easement to determine its exact location. Mr. Johnson added that whatever direction the Council chooses to pursue, they would either deal with private property owners or UDOT.

Mayor Peterson felt that UDOT would be cooperative. Council Member Mikell related that the feedback she has heard was that everyone loves the idea of a trail on the east side but there is nothing on the west side. She felt that any chance they have to obtain an easement on the west side of Wasatch Boulevard would be a welcome amenity to every resident in District Four. She also stated that many people who access the DeSpain parcel on their bicycles must ride along Wasatch Boulevard, which can be a scary endeavor. She remarked that anything the City could do to get even a portion of those cyclists off the road would be welcome from a safety perspective. It was noted that many cyclists of all ages use Wasatch Boulevard to access that parcel.

Council Member Mikell suggested thinking about the definition of a "trail," and whether it should include dirt paths. She felt that this would come down to the property owners and whether this was an exclusive easement. She offered that a compromise might be to focus on a trail on the west side for now since any small trail that they could add to the City would be a welcome improvement. She suggested approaching this in stages and focusing on the landowners on the west side first. Looked at as a whole, this idea might seem more daunting than if they break it down into smaller segments. Mr. Johnson confirmed that Staff would enthusiastically pursue whatever direction the Council wished.

There was discussion about the so-called "Jeep Trail" located on City property that nearly connects to the Quarry Trail. Mayor Peterson commented that there are many people in District Four, and other Districts, who ride that path on their mountain bikes to get to the Quarry Trail. Mr. Johnson stated that if the trail were on the east side, they would need to focus on connecting it to the west side; however, in the interim, they could also start looking at the west side. He reiterated that there was the chance that UDOT would build a multi-use trail within its right-of-way at its expense.

Council Member Mikell appreciated that UDOT might build the trail but added that could be years away. She repeatedly hears from those on the west side that it is too dangerous to get to the east side. She wondered if this could be another push point to communicate to UDOT that they need crossings. The Council has previously discussed how to get more underground or overpasses along Wasatch Boulevard.

Council Member Petersen added that the crossing might also slow traffic to make the roadway safer. It was noted by Mayor Peterson that they have had that discussion with UDOT, who agreed that underground crossings would be palatable. He noted that with the City's Trails Master Plan they would need to codify this in some form as they work through it with the new Council.

Council Member Mikell suggested Staff visit the area from the Lagoon up to the Bonneville Shoreline Trail ("BST"), which has underpasses, overpasses, and power line easements. She felt it would illustrate how to bridge the urban to rural interface.

Mayor Peterson confirmed that the Council fundamentally supports using the power line easement to provide connectivity to both sides of Wasatch Boulevard and to the canyon, understanding that EIS would be a part of that process. He liked the suggestion of defining what the trail itself would include, be it asphalt or other surfaces.

Mr. Johnson noted that the Plan showed connectivity along the corridor and cross-access to the City's portion of Wasatch Boulevard and once adopted, would be codified into a Plan. He asked whether the Council wanted this brought back for the next Council Retreat. Mayor Peterson felt the next step would be to incorporate this into the Trails Master Plan and modify the Plan to address connectivity to the Bonneville Shoreline and the west side of Wasatch Boulevard. They could then start prioritizing in smaller pieces as suggested by Council Member Mikell. He referenced his involvement in the Jordan River Parkway as an example of how to approach a comprehensive plan.

Council Member Bracken added that once they get the Plan together, they can involve the lobbyists to obtain funding so that the Plan does not sit on the shelf. Mayor Peterson added that once there is an implementation schedule, then funding would need to be addressed.

In response to an inquiry from Council Member Mikell about the number of property owners that would be affected on the west side, Mr. Johnson replied that one area has a condominium with 12 owners. He confirmed that they still need to determine exactly where the easement runs and where UDOT's right-of-way sits to determine the number of property owners potentially affected.

c. Parks, Trails and Open Space Committee Recommendation for Open Space Funding – Community and Economic Development Director, Michael Johnson.

Mayor Peterson explained that the Parks, Trails, and Open Space Committee ("PTOS") requested this agenda item for the Council's consideration of additional funding or the creation of a fund for open space. Mr. Johnson stated that the discussions during the last City Council

Meeting indicated a desire to include a Parks, Trails, and Open Space line item in the budget similar to a capital-type project budget that would be funded annually for PTOS projects. He added that part of the desire to include this in the budget was to avoid having to rely on grant funding to do all of the City's PTOS projects and instead proactively budget funds as a project line item. Mr. Johnson indicated that because it would be a budget item it would ultimately be up to the Council, but stated that Staff supports the idea, as does the PTOS Committee.

Council Member Bracken asked if there was an amount suggested for inclusion in the budget. Mr. Johnson stated that the PTOS Committee had not suggested an amount but noted that any budgeted amounts should be enough to cover some of the larger parks projects they want to complete. Mayor Peterson commented that the Council could certainly allocate monies each year as part of the budget process. Other options would be to look at another funding source. Mayor Peterson referenced prior discussions about how Cottonwood Heights was one of two cities that does not implement the Telecommunications Tax. If there was support for implementing that tax, they could dedicate those funds to acquisition. They could also look at what the County has done in creating a fund with different revenue sources and referenced the County's use of Track Funds. Mayor Peterson noted that they could create an Enterprise Fund but that must have a revenue source.

Finance and Administrative Services Director Scott Jurgens commented that if the main revenue source comes from the City, it would not create an Enterprise Fund, per se unless the source of funds is identified. Mayor Peterson felt that this was a great idea conceptually. They have currently allocated \$700,000 to the capital line item for open space. He mentioned the Bonneville Shoreline and acquisitions along that corridor on the foothills as a high priority to protect that land. He noted that the City could not support a lot of money going into that line item each year but if they put smaller amounts in each year and the fund could support it, he felt it would be a good idea conceptually.

Council Member Bracken did not recall the City ever putting anything close to \$700,000 into the parks since they have always funded projects through grants. Mayor Peterson noted that the City matched many of those grant funds. Council Member Bracken stated that being able to match grant funds would be a good reason to have the fund as a budgeted item. It was noted that the PTOS has stated that if money is dedicated to parks, trails, and open space that would indicate that these types of projects are a priority. Historically, projects were undertaken based on need at the moment.

Council Member Mikell commented that a good example of making these projects a priority would be installing signage at Ferguson Canyon. While this would not have a high cost, these signs have been requested and if there was even a small amount of money allocated to that, PTOS could have requested the funds. Mayor Peterson agreed but interpreted the idea as providing funds for open space acquisition only. Mr. Johnson clarified that the budgeted funds would be for PTOS projects, including acquisition, small projects, and larger projects.

Council Member Mikell noted that as this Council ends, they could implement something for the next Council to expand upon.

Mayor Peterson asked about PTOS' priority list. Mr. Johnson commented that they were obtaining more cost information but because there was not a budget for those items, they would have to come back to the Council to request funds. PTOS requests were not in the last budget process because the needs did not yet exist.

Mayor Peterson felt that they could approve a smaller project like a pollinator garden with no budget adjustment by utilizing existing funds. He explained that the money set aside to maintain Butler Park was never transitioned and could be used for some of the smaller PTOS projects if the Council agreed that they are viable and within already allocated park funds. He added that they could communicate to PTOS that they have identified monies in the current budget that were allocated to open space or parks and could be used to meet the identified priorities. The next Council could then take it from there. He also did not discount that this Council had allocated \$700,000 for open space.

Council Member Bracken felt that they already had given the go-ahead on signage. Mr. Johnson clarified that there was support for the project; they just did not have a cost for those projects. He confirmed that they would prepare cost projections and bring them back to the Council for consideration of funding.

d. Police Advisory Committee Discussion – City Manager, Tim Tingey, and Chief of Police, Robby Russo.

Mayor Peterson stated that as part of the Council's Retreat this past year they identified four items regarding police reform. They discussed training and meeting the different ethnic minority groups. The third item they looked at was the police motto/logo, which he reported they were getting citizen input on that through a survey. The fourth item was the consideration of a Police Advisory Committee.

City Manager, Tim Tingey reported that the Council asked him and Chief Russo to talk with other cities, including Police Chiefs and City Managers, to learn how their respective Citizen Advisory Boards are working. He reported that House Bill 415 sets forth the elements that are allowed and those that are strictly prohibited. The primary takeaway is that the Citizen Advisory Boards do not have jurisdiction separate from that of the Police Chief. The bill provides that the Police Chief has the discretion to follow or not follow any recommendations made by the Board. Mr. Tingey explained that Citizen Advisory Boards do not have independent authority from the Chief of Police, and they do not have authority to overrule hiring or appointment proposals, among other strict limitations under State Code.

Those that have created Citizen Advisory Boards include the Unified Police Department ("UPD"), Salt Lake City, West Valley, West Jordan, Murray, South Jordan, South Salt Lake, and Provo. Mr. Tingey reported that they have spoken to individuals from each of these communities. He reported that the approaches of each of these jurisdictions are all very different, so they were categorized as Broad Advisory role, Advisory Review role, and a General Public Safety role.

Mr. Tingey explained that UPD, Provo, West Jordan, and South Jordan have all implemented the Broad Advisory role approach. The Boards in those communities serve as a communications bridge between the police and the community. They also review broader issues that the Police Chief requests specific input on such as emergency management or Neighborhood Watch. The Boards in these communities might also include insight on policies or other concerns such as uniform and grooming standards and/or input on surveys and suggestions to enhance communication between the department and the community. He reiterated that this approach emphasizes a broad advisory role on issues that were coordinated through the Chief of Police.

In response to an inquiry, Mr. Tingey believed that in most of these jurisdictions, each city's Executive Branch appointed the members to the Citizen Advisory Board, subject to confirmation by the City Council. He explained that the Advisory Review approach they found in Salt Lake City, South Salt Lake, and West Valley. Chief Russo confirmed that South Salt Lake formalized its Board and hired two full-time employees in the Department to coordinate.

Mr. Tingey reported that the Advisory Review approach assesses citizen complaints of police misconduct, citizen input on use of force, and other complaints. These Boards also require substantial training. He added that the Board's input would be provided to the Chief of Police.

In response to an inquiry, Chief Russo reported that the South Salt Lake Police Department was up to 76 personnel, noting that their daytime population was high due to the industrial neighborhoods.

Mr. Tingey explained that Murray City is the only municipality that uses the General Public Safety role. This approach focuses on public safety and looks at both police and fire issues and insights related to public safety in general. He provided more details of each city's approach in the packet.

Mayor Peterson asked how the Boards in the different municipalities were created. Mr. Tingey believed that they were created by ordinance, and they have looked at some of the ordinances. Mayor Peterson noted that a Citizen Advisory Board would be similar to a PTOS, Arts Council, or Historic Committee where the membership flows through the Council. Mr. Tingey reported that in South Salt Lake and Murray City, the Boards were created by ordinance. He recalled that in South Jordan, they created their Board administratively. He would like to obtain more understanding regarding the creation of these Boards.

Mayor Peterson felt that consistency would be important, and if they were to create a Board they should do it similar to the way they created PTOS, with an ordinance that clearly defines the Board's role and responsibilities.

Council Member Bracken liked the concept of the Public Safety approach. He felt that the first approach, specifically as it pertains to emergency management, should also involve the Fire Department. He noted that the biggest difference between Cottonwood Heights and Murray City was that the latter has their own Fire Department, so the question would become how a Board would work with Unified Fire Authority ("UFA"). He stated that from a UFA standpoint, they would want to keep things as consistent and uniform as possible. Board input could potentially

be an issue with the way that UFA was managed overall. Mayor Peterson commented that UFA has put forth the image of wanting to allow each municipality to have its own identity.

Assistant Fire Chief, Riley Pilgrim, added that this would be the opportunity they have been looking for because they want to be integrated as Cottonwood Heights' Fire Department. This would allow them to receive input from the community and get engaged at that level. He stressed that because the Board would be advisory, the UFA could adjust its policies to address community input. He stated that even though UFA is a big organization, they were willing to be flexible with each of their communities to provide the service that they want.

Council Member Bracken recalled that historically, Cottonwood Heights could not do the things they wanted to do locally with UFA because UFA's direction came from the top. Mayor Peterson added that the ordinance would need to be sensitive to those issues. He acknowledged that both police and fire are important in terms of public safety. He referenced Council Member Mikell's advocacy of a fourth firefighter at Station 116. This is the type of situation where the citizens could ask questions and work through issues like staffing and Neighborhood Watch. Council Member Bracken added that neighbors like the involvement of the Fire Department in Neighborhood Watch. Chief Russo commented that UFA has done a good job tailoring their services to what they want to see in Cottonwood Heights.

Council Member Bracken stressed that his comments should not be considered negative in any way. He felt that the issue would need to be considered.

Mayor Peterson liked the idea of a Board that would be a combination of the Broad Advisory and Public Safety approach. As they work through the language of an ordinance, they could get the right language to define the roles, responsibilities, and expectations of the Board. He added that fundamentally, they would want to give citizens the ability to have regular input on a scheduled formal basis. Council Member Bracken suggested that Mr. Tingey look at the PTOS Ordinance to see if there were ways for it to be improved.

Council Member Petersen added that when he was Emergency Preparedness before he was elected, the coordination and communication between all of the entities was great.

Council Member Mikell liked the recommendation of combining the Broad Advisory and Public Safety approach. Mayor Peterson explained that Mr. Tingey could take this feedback back to City Attorney, Shane Topham to see how long it would take to prepare a draft ordinance. Council Member Mikell commented that this seemed like something that would start small and grow over time. She referenced the August 6 event and how a Board could potentially bridge the gap over that incident.

Mayor Peterson reiterated that this would allow citizens to provide input. He liked the PTOS Committee format and everything that gives a good representation of the City. He felt that they would likely want seven to nine members because if the Board becomes too big, it will be difficult to manage. Mr. Tingey stated that he would want to sit down with the Police and Fire Chiefs to work through a potential model. Mayor Peterson suggested looking at Murray City's

ordinance with an emphasis on establishing consistency with Cottonwood Heights' current ordinances.

Chief Russo added that they would want to ensure that the ordinance would not create a policy for UFA that might impact an entire footprint of a much larger organization. Mayor Peterson emphasized that these Boards were not policymakers. In response to an inquiry from Council Member Petersen, Chief Russo explained that the longer-tenured Boards were productive and provide feedback on policies and citizen concerns. Mayor Peterson cautioned about comparing Cottonwood Heights to Salt Lake City or West Valley, as they would need to customize this program through the ordinance to meet the needs of the City.

4. Review of Calendars and Upcoming Events.

- a. **Brighton High School – Full Circle, a Historic Committee Exhibit – November 1-19 (tentative dates) City Hall.**
- b. **City Hall will be Closed on November 11 in Observance of Veterans Day.**
- c. **City Hall will be Closed November 25 and 26 in Observance of the Thanksgiving Holiday.**
- d. **Light the Heights – November 29 – City Hall.**

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

MOTION: Council Member Bracken moved to go into a Closed Meeting to discuss property acquisition. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

The City Council was in Closed Session from 6:27 p.m. to 7:00 p.m.

6. Adjourn City Council Work Session.

MOTION: Council Member Bracken moved to move to adjourn the Work Session. The motion was seconded by Council Member Petersen. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 7:00 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING HELD TUESDAY, NOVEMBER 2, 2021, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD

Members Present: Mayor Mike Peterson, Council Member Scott Bracken, Council Member Christine Mikell, Council Member Douglas Petersen

Staff Present: City Manager Tim Tingey, Police Chief Robby Russo, Assistant Fire Chief Riley Pilgrim, Community and Economic Development Director Michael Johnson, Finance and Administrative Services Director Scott Jorges, Records Culture and Human Resources Director Paula Melgar

Excused: Council Member Tali Bruce, City Attorney Shane Topham

1.0 WELCOME

Mayor Peterson called the meeting to order at 7:06 p.m. and welcomed those present.

2.0 PLEDGE AND ACKNOWLEDGEMENTS

The Pledge was led by Council Member Christine Mikell.

3.0 CITIZEN COMMENTS

Nathan Parrish [His comments were inaudible and the audio was silent for the next two minutes.] was able to computer generate a flow test and was grateful because it would have flooded his yard again. Mr. Parrish stated that the flooding was horrible during the significant rains, and created a sinkhole in his yard, while the neighbors across the street see accumulation in their driveways. Mr. Parrish understood that there would be a lot of maintenance projects that these funds would be used toward; however, his street has no line, and they suffer the consequences of that. In addition, the road has been resurfaced so many times that a rainbow shape has been created that has exacerbated the issue of runoff into the neighboring yards. He received 15 signatures from his neighbors. He requested that the funds raised from the tax revenue be used to promptly repair the area on Virginia Hills Drive.

Mayor Peterson reported that he grew up on Virginia Hills Drive and that road was constructed in 1954. He recalled that when the large home was constructed on the north end, stormwater efforts were undertaken. He encouraged Mr. Parrish to meet with Public Works Director, Matt Shipp and appreciated Mr. Parrish's interest in the condition of the street.

Mr. Parrish reported that he spoke with Mr. Shipp to schedule a meeting. Mayor Peterson added that as they prepare together the long-range plan on stormwater, Virginia Hills was one of the streets that will have unique challenges.

Tim Halbeck told some jokes.

There were no further citizen comments.

4.0 ACTION ITEMS

4.1 Consideration of Resolution 2021-54 Approving Entry into a Service Agreement with PacifiCorp.

Mr. Shipp introduced explained that the resolution would allow PacifiCorp to perform the collection of the City's monthly Equivalent Residential Unit Fee. PacifiCorp has similar agreements with other cities. He explained that PacifiCorp is the mother corporation of Rocky Mountain Power and has been working on a tariff that would allow them to do the billing.

Council Member Bracken noted that they were entering into an agreement because the City does not have its own utility with its own billing. Mr. Tingey added that Cottonwood Heights shares utilities with different water districts, so this is the only entity that covers all residents. Mayor Peterson added that the cost of doing this has gone down over the years.

MOTION: Council Member Bracken moved to approve Resolution 2021-54 approving entry into a Service Agreement with PacifiCorp. The motion was seconded by Council Member Petersen. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Mikell-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

4.2 Consideration of Resolution 2021-55 Approving and Ratifying a Bid and Awarding a Construction Contract for the Alta Hills Storm Drain Project.

Mayor Peterson reported that the proposed project would cost \$219,000. Mr. Shipp introduced this Resolution and explained that the contract would cover a stormwater project that is part of the original Scottish Drive Reconstruction Project where asphalt was removed, and repairs were made to curb and gutter. In the process of reconstruction, they discovered a buried storm drain line that they did not know existed. They determined that the storm drain line was significantly deteriorated and required replacement. Approximately 700 linear feet would be replaced with a new reinforced concrete pipe storm drain line.

MOTION: Council Member Petersen moved to approve Resolution 2021-55 approving and ratifying a bid awarding a Construction Contract for the Alta Hills Storm Drain Project. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Mikell-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

5.0 CONSENT CALENDAR

5.1 Approval of the City Council Work Session and Business Meeting Minutes for October 19, 2021.

MOTION: Council Member Petersen moved to approve the City Council Work Session and Business Meeting Minutes for October 19, 2021. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Mikell-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

6.0 ADJOURN CITY COUNCIL BUSINESS MEETING.

MOTION: Council Member Petersen moved to adjourn the Business Meeting. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Petersen-Aye, Council Member Bracken-Aye, Council Member Mikell-Aye, Mayor Mike Peterson-Aye. The motion passed unanimously.

The meeting adjourned at 7:22 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Work Session and Business Meeting held Tuesday, November 2, 2021.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: December 14, 2021