

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL LEGISLATIVE
BREAKFAST HELD MONDAY, JANUARY 8, 2018 AT 7:30 A.M. MARKET STREET
GRILL AT 2985 EAST COTTONWOOD PARKWAY, COTTONWOOD HEIGHTS, UTAH**

Legislators Present: Representative Marie H. Poulsen
Representative Robert Spendlove

City Representatives: Mayor Mike Peterson
Councilmember Scott Bracken
Councilmember Mike Shelton
Councilmember Tali Bruce
City Attorney, Shane Topham
City Manager, John Park
Police Chief, Robby Russo
Assistant City Manager, Bryce Haderlie
Community Development Director, Brian Berndt
City Recorder, Paula Melgar

Others: ULCT Executive Director, Cameron Diehl
CH State Lobbyist, Greg Curtis
CH State Lobbyist, Brian Allen
ULCT, Rachel Otto
City Contract Engineer, Brad Gilson

Excused: Councilmember Christine Watson Mikell
Ch State Lobbyist, Chantel Nate

1.0 INTRODUCTIONS

1.1 Mayor Peterson called the meeting to order at 7:45 a.m. and welcomed those in attendance.

1.2 Prior to the meal being served, Cameron Diehl, Executive Director of the Utah League of Cities and Towns (ULCT), stated that it is their intention to get their document before every Legislator and City and County official. He explained that it specifies where local control is defined. They are using it as a guide as they evaluate legislation. The priorities of the League were reviewed.

2.0 JUSTICE REINVESTMENT INITIATIVE (JRI)

2.1 Mayor Peterson reviewed the Justice Reinvestment Initiative (JRI) and discussed jail overcrowding and related issues. He stated that funding of treatment alternatives is described in the initiative. He emphasized that they support the concept and follow through of the funding needs.

2.2 Police Chief, Robby Russo, reported that due to of jail overcrowding and Operation Leaf Blower, which pushed the homeless population from Rio Grande into surrounding communities, they have seen an increase in crime and Hepatitis A. Treatment options were

1 reviewed. Chief Russo commented that there needs to be a penalty associated with the
2 treatment.

3 4 **3.0 TRANSPORTATION TASK FORCE**

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6 3.1 Mayor Peterson stated that their concern with the task force is that the recommendation would
7 authorize or compel local governments to participate in regional corridor planning, although
8 they do not agree with certain aspects of it. The disincentive was of concern to Cottonwood
9 Heights.

10
11 3.2 Community Development Director, Brian Berndt, liked the City of Bountiful's idea to provide
12 a corridor, but retain the rural community feel. He recommended that care be taken in
13 handling this issue.

14
15 3.3 ULCT representative, Rachel Otto, presented recommendations from the UTA Governance
16 Structure and stated that the League has been engaged in this issue throughout the interim.
17 They are pushing back on the idea that cities will be punished for not participating in a
18 Corridor Area Plan. She reported that the Chairs seem to be receptive to the idea and they
19 appear to be going in the direction of cities being incentivized to participate as they have been
20 doing with MPOs, however, they will not be punished for not doing so.

21 22 **4.0 FIREWORKS**

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24 4.1 Mayor Peterson stated that they are strongly in favor of reducing the number of days fireworks
25 are allowed. They still feel as though all cities are not the same with respect to geographic
26 makeup and this is not a one size fits all issue. They are concerned and in favor of having
27 more localized authority to potentially impose restrictions for years when unique fire hazard
28 conditions exist.

29
30 4.2 Representative Marie H. Poulsen reported that she has participated in discussions in which the
31 stakeholder has been involved. They have made significant progress, but as far as the City is
32 concerned, she was not convinced they have gone far enough. The duration has been reduced
33 to one day prior and two days after the holiday. They have also granted concessions for fire
34 authorities to ban areas due to historical problems, which would allow a greater ban than has
35 done in the past. She fought for a larger perimeter, has kept her legislation open, and was
36 receptive to the City's input.

37
38 4.3 City Manager, John Park, remarked that a 200-foot buffer is not enough, especially with the
39 canyon winds. He recommended more professional input be received.

40
41 4.4 Chief Russo stated that based on a recent event, they had to charge under the reckless burning
42 statute because it is not a strict liability offense. If a firework starts a fire, whether intentional
43 or not, it should be a strict liability offense and charged as such.

44 45 **5.0 TAX REFORM**

46
47 5.1 Mayor Peterson reviewed the new tax overhaul and stated that it will greatly affect personal
48 taxes. With Proposition 13 in California years ago and the current Truth in Taxation process,

1 the only thing not available is the ability to handle inflation without going through the Truth
2 in Taxation process.

3
4 5.2 Mr. Park stated that the issue with the local option sales tax is realizing the effect it will have
5 on residents when making policy. He explained that it is the only tax with inflationary value.

6
7 5.3 Representative Robert Spendlove reported that the tax reform estimate will mean \$100 million
8 to \$200 million in revenue to the State largely due to the component of federal of tax reform,
9 which is the state and local taxes paid. He did not believe there was much interest among the
10 Legislature in keeping that revenue, which raises the question of how to return the revenue.
11 He believed it provides the opportunity to cut taxes and for the exploration of those options.

12 13 **6.0 AIR QUALITY**

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15 6.1 Mayor Peterson stated that air quality is of concern and as a state, they have made great
16 progress with Tier 3 gasoline issues, the Radon Act, and tax credits. He explained that poor
17 air quality affects outside corporations considering relocating to Utah. He emphasized the
18 importance of this topic.

19 20 **7.0 SMALL CELL TOWERS**

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22 7.1 Mayor Peterson stated that as a City, they recently passed ordinances dealing with the small
23 cell tower issues that allow for local control. City Attorney, Shane Topham, stated that they
24 believe they can deal with it locally. After much research, they established an approach that
25 has been successful.

26
27 7.3 Ms. Otto reported that they have been meeting with representatives from AT&T and
28 introducing them to the nuances of Utah towns. She thanked the City of Cottonwood Heights
29 for taking the lead and passing their ordinances.

30 31 **8.0 ADDITIONAL DISCUSSION**

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33 8.1 Mayor Peterson identified low-income housing as an item of discussion, which is usually
34 associated with some form with mass transit. He asked that this be handled with sensitivity.

35
36 8.2 Representative Poulsen appreciated communication between the City and welcomed
37 comments at any time. She stated that she is committed to follow through with the fireworks
38 legislation and has opted to use her influence with the Dunnigan Bill. She serves on the
39 Educational Standing, Retirement, Infrastructure, Transportation, Appropriations, and
40 Political Subdivisions.

41
42 8.3 Representative Spendlove expressed gratitude for the opportunity to be in attendance and
43 always looks forward to the City's perspective. He stated that leadership approached him with
44 an opportunity to serve on an unofficial working group with the Governor's Office, Senate,
45 and the House to develop a tax reform proposal. He was currently working on an issue
46 regarding the nursing initiative. He reported that there is a shortage of 1,000 nurses throughout
47 the state and they are encouraging universities to introduce more nurses into the field. He
48 currently has a bill addressing the shortage, but stated that it may be turned into an

1 appropriation. They also have a bill to expand Medicaid to 100% of poverty, contingent on
2 the enhanced match of Federal to State funding. Self-driving cars was another item he was
3 passionate about. With a recent murder in Sandy City, he has been working with domestic
4 violence advocates and law enforcement and will be running a bill to enhance the penalties
5 for domestic violence abuse.
6

7 8.4 Representative Poulson stated that they intend to watch out for the interests of those they
8 represent. Medical marijuana advocates are in the senate and he believed this will be
9 addressed in the future. He, however, was unaware of who was pursuing the matter.
10

11 8.5 Councilmember Tali Bruce asked what was being done to improve air quality. Representative
12 Spendlove reported that they are working on Tier 3. Currently, 57% of emissions are from
13 cars, 11% from industry, and 32% from homes. Helping people understand the impact from
14 homes was a focus. The use of solar power was reviewed.
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16 **9.0 ADJOURN**
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18 9.1 The meeting adjourned at 9:12 a.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood*
2 *Heights City Council Legislative Breakfast held Monday, January 8, 2018.*

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10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary

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14 Minutes approved: January 23, 2018