

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING**  
2 **HELD TUESDAY, OCTOBER 24, 2017 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS**  
3 **CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL**  
4 **BOULEVARD, COTTONWOOD HEIGHTS, UTAH**  
5

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

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

15 **Others:** Boy Scout Troop 1511  
16

17 **Excused:** Police Chief Robby Russo  
18

19 **1.0 WELCOME**  
20

21 1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:00 p.m.  
22

23 1.2 The Pledge of Allegiance was led by Boy Scout Steve Marchant of Troop 1511.  
24

25 1.3 Mayor Cullimore excused Chief Robby Russo and welcomed Assistant Chief Brenneman.  
26

27 **2.0 ACKNOWLEDGEMENTS**  
28

29 **2.1 Presentation of the Landscape Award to Mrs. Edie Smart by the Mayor and City Council.**  
30

31 2.1.1 Mayor Cullimore stated that the City has established a program to recognize those who do an  
32 extraordinary job of landscaping their property. Councilman Shelton presented the award for  
33 District 1 to Edie Smart and her late husband, Paul.  
34

35 **3.0 CITIZEN COMMENTS**  
36

37 3.1 Jen Fredricksen reported that she recently read the Y2 Analytics Survey, which states that  
38 75% of the Cottonwood Heights residents receive information through the newsletter and 63%  
39 would prefer to receive information through the newsletter. She suggested that more  
40 information be included in the newsletter along with more specifics.  
41

42 3.2 Jan Brewer indicated that she met with City Planner, Michael Johnson, recently regarding  
43 Wasatch Boulevard. She commented that she does not feel that she can get a straight answer  
44 from the City or UDOT with regard to the future of Wasatch Boulevard. She wants to protect  
45 her yard with a sound wall and expressed concern with the safety in the neighborhood and  
46 road widening. She believes the City knows more than they are telling and described how she  
47 and others who back Wasatch Boulevard, have had multiple cars end up in their backyards.  
48 She stressed that something needs to be done.

- 1 3.3 Mayor Cullimore stated that UDOT is performing an Environmental Impact Study for  
2 expansion of North Little Cottonwood Canyon road. That project is expected to include  
3 adding an extra lane northbound out of Little Cottonwood Canyon so that there will be two  
4 lanes to Bengal Boulevard. He noted that funding for the project has been approved and it is  
5 scheduled for 2019. The Mayor acknowledged Ms. Brewer's concerns with UDOT and  
6 suggested the citizens remain vigilant in expressing their concerns to UDOT. He believed  
7 UDOT was making changes based on the City's input, but commented that it will take time.  
8
- 9 3.4 Councilman Peterson validated Ms. Brewer's concerns and pointed out that this is a UDOT-  
10 owned road. As a result, the City has no control over it.  
11
- 12 3.5 Bobbie Kumar expressed concern with construction on Wasatch Boulevard and was opposed  
13 to the removal of a traffic light. She believed the result will be to make it next to impossible  
14 to get out. Mayor Cullimore described the transition and stated that the extra lane will spread  
15 the traffic out and make it easier to get out onto the road once the road is widened.  
16
- 17 3.6 Jay Tardif identified himself as a new resident and expressed concern with having to cross the  
18 southbound lane to access the north lanes on Wasatch. He feared for the safety of his children  
19 and the increase in traffic.  
20
- 21 3.7 Nicki Densley reported that she has been a resident of Cottonwood Heights for 17 years and  
22 asked where Cottonwood Heights stops and UDOT begins. She presented a photo of a car  
23 that, due to driving at a high rate of speed, ended up in her yard. She expressed concern for  
24 the safety of her family and felt there should be intervention to protect them from Wasatch  
25 Boulevard.  
26
- 27 3.8 Shay Tardif commented that she lives just off Wasatch Boulevard and was recently involved  
28 in an accident by someone driving at a high rate of speed. She expressed concern with the  
29 safety of having to make a turn and emphasized the need for City involvement. Mayor  
30 Cullimore understood the frustrations associated with Wasatch Boulevard and has been in  
31 communication with UDOT. He confirmed that the City will do what it can to encourage  
32 UDOT. He and the Council are always open to suggestions and specific ideas. The Mayor  
33 reported that the head of UDOT lives in Cottonwood Heights and takes special interest in what  
34 takes place in the community. He is part of the reason they have been successful in  
35 accelerating the priority for Wasatch Boulevard. The Mayor encouraged citizen comment and  
36 open communication to mitigate the concerns that exist.  
37

#### 38 **4.0 PUBLIC COMMENT**

- 39
- 40 **4.1 Proposed Zone Map Amendment – 3422 East Fort Union Boulevard; Rezone from R-1-  
41 8 to Mixed Use (Project ZMA-17-004).**  
42
- 43 4.1.1 Mayor Cullimore opened the public hearing at 7:30 p.m.  
44
- 45 4.1.2 Carl Evans reported that he lives immediately east of the Montessori School and received  
46 notice of the rezone. He expressed concern on behalf of himself and his neighbors that the  
47 rezone may include anything from fast food to a retail store or a three or four-story building.  
48 He suggested it remain R-1-8 and not allowed to change to mixed use.

- 1 4.1.3 John Kennington indicated that he lives in Apple Valley just east of the subject property. He  
2 expressed concern with the zone change setting a precedent in the area. If commercial use is  
3 allowed, there will be very little parking and result in increased traffic. He expressed  
4 opposition to the zone change.  
5
- 6 4.1.4 Lynne Krauss had an issue with Fort Union going commercial and rezoning it. She did not  
7 believe the rezone in this particular area makes sense and asked the Council to carefully  
8 consider rezone requests and not just rubber stamp them.  
9
- 10 4.1.5 Eric Kraan commented that most people are unaware that the General Plan states that that  
11 stretch of Fort Union Boulevard actually allows for mixed use and permits the proposed zone  
12 change. He asked when the change was made and executed and wondered why neighbors and  
13 residents are not aware of it. Mayor Cullimore remarked that the City has a General Plan that  
14 forecasts what they think areas will develop into. The City communicates this by specifying  
15 that this is the General Plan for those areas. A General Plan was completed 10 years ago that  
16 identified areas that could potentially develop into commercial. The Mayor noted that it is  
17 not unusual to see development along busy roads as residential uses become less desirable in  
18 those areas. The Mixed-Use zone starts at the Mouth of the Canyon and the underlying  
19 General Plan allows for a change to mixed use. He recommended that citizens review the  
20 General Plan should they wish to see potential changes.  
21
- 22 4.1.6 Jen Fredricksen reported that she was in attendance when the rezone request from the  
23 landowner was presented. At that time, he confirmed that he had owned the property for 10  
24 years. If he was told that it would likely go commercial and has only owned it for 10 years,  
25 she believed it was unfair for the nearby residents to be negatively impacted as a result of his  
26 poor investment. She believes this was premature since they have not specified what they  
27 plan to do with the property. She understands, however, that it is in the Master Plan. Mayor  
28 Cullimore pointed out that the uses are spelled out in the zone and the Code describes what is  
29 and is not allowed in a Mixed-Use zone.  
30
- 31 4.1.7 There were no further public comments. The public hearing was closed.  
32
- 33 **4.2 Proposed Amendment to City Code Chapter 19.82, "Signs".**  
34
- 35 4.2.1 Mayor Cullimore reported that above amendment pertains to signs, primarily at schools.  
36
- 37 4.2.2 The Mayor opened the public hearing.  
38
- 39 4.2.3 Lynne Krauss did not believe it was appropriate to rewrite the Code to benefit one entity or  
40 individual, particularly since the Code was recently updated. She expressed opposition to the  
41 proposed amendment.  
42
- 43 4.2.4 Eric Kraan stated that his opinion was that the size, density, and timing of digital display signs  
44 in Cottonwood Heights should not be increased. He believed it was already prescribed by the  
45 City ordinance and in tune with the consistency of the principle, which is spelled out in the  
46 General Plan.  
47
- 48 4.2.5 There were no further public comments. The public hearing was closed.

1 **5.0 REPORTS**

2  
3 **5.1 Presentation from Wasatch Front Waste and Recycling (WFWRD).**

4  
5 5.1.1 Mayor Cullimore introduced Pam Roberts from the Wasatch Front Waste and Recycling.  
6 Ms. Roberts was present to discuss a needed district-wide fee increase for waste and recycling  
7 services. She reported that the last fee increase was in 2014. Salt Lake County requires them  
8 to receive authorization to implement a fee increase from a majority of the governing bodies  
9 that have representation on their board. They were mandated to provide waste collection  
10 services for residents in the district and have nearly 83,000 homes district wide and 10,000 in  
11 Cottonwood Heights. They have experienced increased costs and need to account for them as  
12 well as truck repair and maintenance costs. Ms. Roberts commented that they have not had  
13 an increase in fuel costs. They have reduced capital purchases and plan to sustain a rotating  
14 six-truck replacement schedule going forward. Currently, they are at a four-year replacement  
15 schedule. Ms. Roberts reported that there is a driver shortage and they are seeking to hire and  
16 retain qualified drivers. Revenue, repair, and replacement issues were discussed. She  
17 explained that they are pushing the replacement schedule and reducing that expenditure from  
18 \$3 million per year to \$1.8 million going forward. Cash balances were next discussed.  
19

20 5.1.2 Mayor Cullimore reported that a fund balance buffer should be based on expenditures that  
21 arise unexpectedly. He explained that guarding against something, as opposed to saying they  
22 want to have a 20% fund balance at all times without an explanation, seemed like an unwise  
23 use of funds. The balance should be used to help defer expenses or make capital purchases.  
24 He suggested they reduce the proposed rate increase to 10%, as long as it doesn't jeopardize  
25 the fund. He recommended that they articulate more specifically the need for the increase.  
26

27 5.1.3 Ms. Roberts remarked that if there is an emergency, they want to be able to respond in the  
28 event of an emergency. The public hearing for the board to take public comment was  
29 scheduled for November 16 at 6:00 p.m. The monthly charge per home tentatively adopted  
30 by the Board was proposed to be increased from \$14.75 to \$17.00. The philosophy was to  
31 move commodities from the second can and divert more waste to green. She confirmed that  
32 they are proposing a rate of \$17.00 per month per home. Their cost is \$19.72 per home. The  
33 difference will come from the fund balance and they intend to spend down the cash year end  
34 going into next year. The former division district was set up to spend the fund balance to have  
35 a steady cash flow since they start billing as they receive quarterly revenue. With the fee  
36 increase, 2018 will end at \$6.5 million, 2019 will end at \$5.5 million, 2020 will be \$4 million,  
37 and 2021 will be \$2 million with a likely rate increase going into effect in 2022. Ms. Roberts  
38 confirmed that the fund balance will increase initially due to time compounding.  
39

40 5.1.4 Mayor Cullimore reported that the Council would like to discuss the matter further and  
41 requested that a succinct explanation of the fee increase be made available for City residents  
42 to review. Councilman Bracken reported that there are 13 municipalities that need a majority  
43 vote in order for it to pass, or seven votes and district-wide approval.

44 **5.2 Annual Operating and Capital Budget Proposed Amendment for the 2017-2018 Fiscal**  
45 **Year.**

46  
47 5.2.1 Finance Director, Dean Lundell, reported that the budget is typically amended several times  
48 throughout the year. The most significant modification typically pertains to capital projects,

1 which are budgeted over several years. As a result, some projects can take many years to  
2 complete. Capital projects from the end of the year that need to be carried forward included  
3 the Fort Union and Highland Drive intersection widening, the Public Works site, the Traffic  
4 Adaptive Study, the Brown Sanford Inventory, Prospector streetlights, and the Hawk  
5 crosswalk.

6  
7 **6.0 STANDING MONTHLY REPORTS**

8  
9 **6.1 Monthly Financial Report – Finance Director, Dean Lundell.**

10  
11 6.1.1 Mr. Lundell presented the Monthly Financial Report for the month of September 2017 and  
12 stated that the Arts Council balance that was carried forward was \$13,307.00. There is a  
13 resolution to tentatively authorize the proposed budget amendment that will be available on  
14 the City’s website. The public hearing will take place in three weeks. Mr. Lundell reported  
15 that sales taxes for July 2017 were lower than budgeted and the Municipal Energy Tax shows  
16 a trend that is lower than expected. He explained that expenditures were slightly higher than  
17 the previous year and less than what was budgeted. The auditors spent three days performing  
18 field work and are on schedule to complete the work early.

19  
20 **6.2 Unified Fire Report – Assistant Chief, Mike Watson.**

21  
22 6.2.1 Unified Fire Assistant Chief, Mike Watson, presented the Fire Report for the month of  
23 September 2017. He reported that Jeran Blackham was hired as the new IT Director. On  
24 November 1, Bill Brass will return to USAR as Program Manager. Assistant Chief Watson  
25 reported that Station 110 closed with 20 fire calls and 106 medical calls. Station 116 closed  
26 with 21 fire calls and 47 medical calls. There were 10 Big Cottonwood Canyon calls, of which  
27 Station 116 responded to one. Little Cottonwood Canyon received 10 calls and Station 116  
28 was not asked to assist. Medical calls by type included falls, sick person, and psych and  
29 behavioral calls. Fire calls by type included alarms, flooding/hydrant problems/public assists,  
30 and burns/barbecue/trash fires. Station 110 received 41 Advanced Life Support (ALS) calls  
31 with 25 transports. There were 65 Basic Life Support (BLS) with 23 resulting in transport.  
32 The customer service report for Station 110 included three station tours and two off-site talk  
33 and demos. Station 116 gave three tours to a total of 79 people. The safety message detailed  
34 Halloween safety tips.

35  
36 **7.0 ACTION ITEMS**

37  
38 **7.1 Consideration of Ordinance 279 Amending City Code Section 19.83.110, “Antennas**  
39 **Located on Utility Poles.”**

40  
41 7.1.1 Mayor Cullimore reported that the first two action items deal with amending the City Code to  
42 allow cell phone antennas. The request was determined to comply with federal law and brings  
43 the City Code into compliance.

44 **7.1.2 MOTION:** Councilman Bracken moved to approve Ordinance 279. The motion was  
45 seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman  
46 Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye.  
47 The motion passed unanimously.  
48

1 **7.2 Consideration of Ordinance 280 Adopting City Code Chapter 19.83A, “Wireless**  
2 **Communication Facilities in the Public Right-of-Way.”**  
3

4 7.2.1 Mayor Cullimore reported that the above ordinance is similar to the first and involves small  
5 cell antennas that will boost signals in localized areas, result in smaller facilities on poles and  
6 in rights-of-way.  
7

8 **7.2.2 MOTION:** Councilman Shelton moved to approve Ordinance 280. The motion was  
9 seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman  
10 Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye.  
11 The motion passed unanimously.  
12

13 **7.3 Consideration of Ordinance 281 Amending the Cottonwood Heights Consolidated Fee**  
14 **Schedule.**  
15

16 7.3.1 Mayor Cullimore reported that the above ordinance amends the Cottonwood Heights Fee  
17 Schedule to bring it into compliance relative to the ordinance passed recently on home  
18 occupations and makes a few housekeeping modifications to the fee schedule.  
19

20 **7.3.2 MOTION:** Councilman Tyler moved to approve Ordinance 281. The motion was seconded  
21 by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-  
22 Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion  
23 passed unanimously.  
24

25 **7.4 Consideration of Resolution 2017-57 Approving a Tentative Amendment to the City’s**  
26 **Budget for 2017-2018 Fiscal Year and Setting a Public Hearing.**  
27

28 7.4.1 Mayor Cullimore reported that the above resolution approves a tentative amendment to the  
29 City’s budget for the 2017-2018 fiscal year and sets a public hearing for November 14, 2017.  
30

31 **7.4.2 MOTION:** Councilman Bracken moved to approve Resolution 2017-57. The motion was  
32 seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman  
33 Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye.  
34 The motion passed unanimously.  
35

36 **7.5 Consideration of Resolution 2017-58 Approving the City’s Entry into a Memorandum**  
37 **of Understanding with Canyons School District.**  
38

39 7.5.1 Mayor Cullimore reported that the above resolution formalizes the Memorandum of  
40 Understanding with Canyons School District concerning the Butler Middle School  
41 Auditorium and its use. It was noted that this has been a labor of love by many. All were  
42 thanked for their efforts.  
43

44 **7.5.2 MOTION:** Councilman Shelton moved to approve Resolution 2017-58. The motion was  
45 seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman  
46 Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye.  
47 The motion passed unanimously.  
48

1 **7.6 Consideration of Resolution 2017-59 Approving the City’s Entry into an Interlocal**  
2 **Agreement with Salt Lake County Concerning Cost-Sharing for the 2017-2022 UPDES**  
3 **Media Campaign.**  
4

5 7.6.1 Mayor Cullimore reported that the above resolution approves the UPDES Agreement  
6 pertaining to the City’s obligation and ensures that they are offering proper education in  
7 conjunction with the correct use of the storm sewers in the City. It is an approximately \$5,000  
8 per year contribution that runs through 2022.  
9

10 **7.6.2 MOTION:** Councilman Peterson moved to approve Resolution 2017-59. The motion was  
11 seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman  
12 Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye.  
13 The motion passed unanimously.  
14

15 **7.7 Consideration of Resolution 2017-60 Approving Entry into a Consulting Agreement**  
16 **with GeoStrata and J-U-B Engineers for a Pavement Condition Study and Pavement**  
17 **Management Program.**  
18

19 7.7.1 Mayor Cullimore reported that the above resolution approves entry into a Consulting  
20 Agreement with GeoStrata Engineering and Geosciences, LLC and other providers for  
21 pavement management programming. As part of the City’s budgeting and goal setting for the  
22 year, one of the key priorities was determined to be identification of infrastructure needs in  
23 the City. This particular contract will authorize the recipients to proceed with that analysis.  
24 It is approximately a \$150,000 contract in which they will examine and rank all City roads  
25 and give feedback in the form of a report that identifies the work needed to bring the roads to  
26 the level set by the Council to improve infrastructure.  
27

28 **7.7.2 MOTION:** Councilman Bracken moved to approve Resolution 2017-60. The motion was  
29 seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman  
30 Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye.  
31 The motion passed unanimously.  
32

33 **8.0 CONSENT CALENDAR**  
34

35 **8.1 Approval of City Council Business Meeting Minutes for September 26, 2017. Also,**  
36 **Approval of City Council Work Session Minutes for October 10 and October 17, 2017.**  
37

38 8.1.1 Mayor Cullimore reported that the approval of the September 26, 2017 minutes would be  
39 tabled to a future meeting.  
40

41 **8.1.2 MOTION:** Councilman Peterson moved to approve the City Council Work Session Minutes  
42 of October 10 and October 17, 2017. The motion was seconded by Councilman Shelton. Vote  
43 on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye,  
44 Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.  
45

46 **9.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**  
47

- 1 **9.1 MOTION:** Councilman Tyler moved to adjourn the Business Meeting. The motion was  
2 seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman  
3 Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye.  
4 The motion passed unanimously.  
5  
6 9.2 The meeting adjourned at 8:50 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 24, 2017.*

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10 Teri Forbes  
11 T Forbes Group  
12 Minutes Secretary  
13  
14 Minutes approved: November 28, 2017