

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY, APRIL 28, 2015, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

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

Staff Present: City Manager John Park, Deputy City Manager Linda Dunlavy, Public Relations Specialist Dan Metcalf, City Attorney Shane Topham, Community and Economic Development Director Brian Berndt, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, Finance Director Steve Fawcett, City Engineer Brad Gilson

Excused: Public Works Director Mike Allen

Others Present: Scout Troop 3609, Mike Lasater, Steven Brand, Roni Brand, Ben Hill, Maren Hill, Gary McGee, Jill McGee, Pink Evans, Margarita Satini, Lynne Kraus, Nancy Hardy, Pamela Palmer

1.0 **WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

1.1 Mayor Cullimore called the meeting to order at 7:00 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was led by Carson Swenson of Scout Troop 3609.

2.0 **INTRODUCTION: Cottonwood Heights Parks and Recreation Service Area Director, Ben Hill**

2.1 Mayor Cullimore introduced Cottonwood Heights Parks and Recreation Service Area Board of Trustee Chair, Bart Hopkin, who will be introducing the Board of Trustees and new Cottonwood Heights Park and Recreation Service Area Director, Ben Hill.

2.2 Mr. Hopkin acknowledged Board Members Debbie Tyler and Carl Evan. He thanked Councilman Peterson for his 15 years of service on behalf of the Parks and Recreation Program. Due to his retirement, the Board went through an extensive interview process and selected Ben Hill as the new Parks and Recreation Service Area Director.

2.3 Mr. Hill commented that he looks up to Councilman Peterson and appreciates all he has enabled him to learn. His experience includes working at recreation centers throughout the County and he has a Master's Degree in Parks and Recreation Management from the University of Utah.

3.0 **ADMINISTRATION OF OATH OF OFFICE TO NEW POLICE OFFICERS**

3.1 Mayor Cullimore expressed appreciation to the Police Department for their dedication and service.

3.2 Police Chief, Robby Russo, introduced Ricardo Franco and Vickie Bagshaw as new police officers in the City. He thanked the families of the officers for their support. The Oath of Office was administered.

3.3 Vickie Bagshaw came to Cottonwood Heights from South Jordan and is excited to be a member of the Cottonwood Heights Police Department. She has four years' experience in her career.

3.4 Ricardo Franco, a Cottonwood Heights resident, has been involved in law enforcement for over 10 years. He previously served in Park City and West Valley City.

3.5 Chief Russo introduced Steven Brand, owner of Hillside Tire, and stated that he is one of the founding members of the Honorary Colonel Program which is an organization that helps and supports officers in the Cottonwood Heights Police Department. Chief Russo stated the he is proud to have Mr. Brand be an Honorary Colonel and thanked him for his support. Mr. Brand was presented an Honorary Colonel Badge and ID card from the Cottonwood Heights Police Department.

4.0 **CITIZEN COMMENTS**

4.1 Nancy Hardy addressed a previous suggestion she made that a City-wide survey be conducted seeking input from citizens about what future development they want to see in the City. She referenced surveys other cities have completed.

4.2 Jill McGee stated that her passion is working to make Cottonwood Heights the incredible City it should be. Enhancing it and making needed changes is of utmost importance to her.

5.0 **REPORTS/PROCLAMATIONS/RECOGNITIONS**

5.1 **Monthly Financial Report**

Finance Director, Steve Fawcett, presented the Financial Report for the month of March 2015 and stated that revenue is approximately \$68,000 under budget. Sales taxes is approximately \$50,000 under budget. Property taxes are expected to be very close to budget. Class C Road Funds are projected to be on budget with expenditures projecting to be under budget by \$200,000. Mr. Fawcett stated that the fiscal year should end \$100,000 to \$300,000 over budget. He projects growth in sales tax for the upcoming year.

5.2 **Unified Fire Report**

Assistant Fire Chief, Mike Watson, presented the Unified Fire Report for the month of March. He stated that in term of call volume Station 110 came in 5th and Station 116 came in 17th overall among all UFA Stations. There were a total of 60 fire calls and 244 medicals for the month. Station 110 had 183 total medical calls with 94 Advanced Life Support (ALS) calls resulting in 54 transports; and 89 Basic Life Support (BLS) calls resulting in 9 transports. Station 116 had 46 total medical calls with 25 Advanced Life Support (ALS) calls resulting in 2 transports; and 21 Basic Life Support (BLS) calls with 0 transports.

Chief Watson stated that ambulance transports are tracked through a system called Zoll. Fire and medical call volumes are pulled from FDM. There is a discrepancy this month, Station 116 had a total of 45 medical calls, however, they closed on the FDM with 50. Zoll shows 113 medical calls while the FDM shows 192. Starting next month data will be pulled from VECC, which will be more consistent.

The customer service report included scout troop training, a talk and demo, an EMT ride-a-long, PALS practice training, safety training, rope/knot training, ventilation, a hazmat refresher, and a flood exercise, three station tours, a talk and demo, and a wild land training. The safety message pertained to spring cleaning with an emphasis on checking fire extinguishers and smoke detectors. Emergency preparedness awareness was advised.

6.0 ACTION ITEMS

6.1 **Consideration of Ordinance Number 240-A Approving a General Plan Amendment for Medium Density Residential, and Denying a General Plan Amendment for Residential Office, for Property Located at 8559-8595 South Wasatch Boulevard**

6.1.1 Mayor Cullimore stated that the proposed ordinance allows for action to approve or deny a General Plan amendment from Low Density Residential to Medium Density Residential, for property located at 8559-8595 South Wasatch Boulevard.

6.1.2 City Attorney, Shane Topham, stated that Mr. Neff made application several years ago to rezone his property at 8559-8595 South Wasatch Boulevard. The application was placed on hold and later, at his request, revived and a public hearing held before the Planning Commission. They voted to recommend the City Council deny the R-2-8 rezone request. The Council considered it and requested it be remanded to the Planning Commission and that staff determine whether there was another zoning proposal that would be appropriate for the property. Staff determined that the only zone they could support would be the R-O Zone. That proposal came before the Commission who recommended the City Council grant approval. They took additional comment and currently there are two proposals for approval or denial of the General Plan amendment and rezone. Mr. Topham is of the understanding that the Council determined that the R-O Zone would be a more aggressive approach and potentially open up quasi-commercial uses for that stretch of Wasatch Boulevard. It also includes an R-2-8 approach. He drafted Ordinance Number 240-A approving a General Plan amendment from Low Density Residential to Medium Density Residential. Once the General Plan amendment issue is resolved, there is another set of alternative ordinances, 241-A and 241-D. Number 241-A would approve the rezone of the property to R-2-8 but deny the rezone of the property to R-O. 241-D would deny both the R-2-8 and R-O rezone. Should the Council choose to keep the R-1-8 in effect, he believes it would be appropriate to enact Ordinance 240-D denying both of the General Plan amendments and enact Ordinance 241-D denying both rezone requests. If they were to proceed with the R-2-8 rezone, they would enact Ordinance Number 241-A approving the R-2-8 rezone and deny the R-O rezone.

6.1.3 Mayor Cullimore commented that this matter has received a great deal of public comment and the sentiment of the Council has been to reflect what has been heard from the community, which is that the commercial type R-O Zone would not be an appropriate use in this location.

6.1.4 **MOTION:** Councilman Peterson moved to adopt Ordinance 240-A approving a General Plan Amendment for medium density residential, and deny a General Plan Amendment for Residential Office, for property located at 8559-8595 South Wasatch Boulevard. The motion was seconded by Councilman Shelton.

6.1.5 Councilman Tyler stated they have received a fairly significant amount of feedback from both the Planning Commission and City Council. He commented that this process has been difficult based on the property's surroundings. This action will keep the zoning primarily residential.

6.1.6 Mayor Cullimore concurred with Councilman Tyler's comments.

6.1.7 Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

6.1.8 Mayor Cullimore confirmed that the General Plan will be modified to allow for medium density.

6.2 **Consideration of Ordinance Number 240-D Denying a General Plan Amendment on Property Located at 8559-8595 S. Wasatch Boulevard**

6.2.1 The above ordinance was deemed unnecessary as a result of the previous motion.

6.3 **Consideration of Ordinance Number 241-A Approving a Rezone from R-1-8 to R-2-8, and Denying a Rezone from R-1-8 to RO, of Property Located at 8559-8595 S. Wasatch Boulevard and Amending the Zoning Map**

6.3.1 Mayor Cullimore stated that the proposed ordinance is an action to approve a rezone from R-1-8 to R-2-8, and deny a re-zone from R-1-8 to RO of property located at 8559-8595 South Wasatch Boulevard and amending the zoning map.

6.3.2 **MOTION:** Councilman Tyler moved to approve Ordinance No. 241-A approving a re-zone from R-1-8 to R-2-8, and denying a re-zone from R-1-8 to RO, of property located at 8559-8595 South Wasatch Boulevard and amending the zoning map. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

6.4 **Consideration of Ordinance Number 241-D Denying a Re-zone and Zoning Map Amendment for Property Located at 8559-8595 S. Wasatch Boulevard from R-1-8 to either R-O or R-2-8**

6.4.1 The above ordinance was deemed unnecessary as a result of the previous motion.

6.5 **Consideration of Resolution Number 2015-19 Consenting to an Appointment to the Historic Committee**

6.5.1 Mayor Cullimore stated that the proposed resolution is for the appointment of Max Evans to the Cottonwood Heights Historic Committee.

6.5.2 **MOTION:** Councilman Peterson moved to approve Resolution Number 2015-19 consenting to an appointment to the Historic Committee. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

6.6 **Consideration of Resolution Number 2015-20 Consenting to an Appointment to the Planning Commission**

6.6.1 Mayor Cullimore stated that the proposed resolution is for the appointment of Craig Bevan from District 1 to the Cottonwood Heights Planning Commission.

6.6.2 **MOTION:** Councilman Shelton moved to approve Resolution Number 2015-20 consenting to an appointment to the Planning Commission. The motion was seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

6.7 **Consideration of Resolution Number 2015-21 Authorizing the Engagement of Modern Display Service Inc. for Design and Construction of a Parade Float**

6.7.1 Mayor Cullimore stated that the proposed resolution approves the City entering into a contract with Modern Display for design and construction of a parade float.

6.7.2 **MOTION:** Councilman Bracken moved to approve Resolution Number 2015-21 authorizing the engagement of Modern Display Services, Inc. for design and construction of a parade float. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

6.8 **Consideration of Resolution Number 2015-22 Approving a Performance Contract with Big Door Entertainment for 2015 Butlerville Days**

6.8.1 Mayor Cullimore stated that the proposed resolution approves a contract with Big Door Entertainment for 2015 Butlerville Days.

6.8.2 **MOTION:** Councilman Shelton moved to approve Resolution Number 2015-22 approving a performance contract with Big Door Entertainment for 2015 Butlerville Days. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

7.0 **CONSENT CALENDAR**

7.1 **Approval of Minutes for April 14, 2015**

7.2 The minutes stood approved.

8.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**

8.1 **MOTION:** Councilman Tyler moved to adjourn the business meeting and reconvene the work session meeting. The motion passed unanimously on a voice vote. The business meeting adjourned at 8:04 p.m.

Minutes approved: 05/12/2015