

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD TUESDAY, AUGUST 6, 2019 AT 5:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

**Present:** Mayor Mike Peterson, Council Member Scott Bracken, Council Member Tali Bruce

**Staff Present:** City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, Records Culture and Human Resources Director Paula Melgar, Public Works Director Matt Shipp, Senior City Planner Matt Taylor, Finance and Administrative Services Director S. Scott Jurgens, Assistant Chief of Police Paul Brenneman, Network Administrator Matt Ervin, IT Technician Jill Cohen

**Excused:** Council Member Christine Mikell, Council Member Mike Shelton, Community and Economic Development Director Michael Johnson, and Communications Manager Tim Beery

**WORK SESSION**

Mayor Peterson called the meeting to order at 5:00 p.m. and welcomed those present.

**1.0 2019 Big Cottonwood Marathon & Half Marathon – Alec Fowler with Brooksee.**

Assistant Chief of Police, Paul Brenneman, reviewed the 2019 Big Cottonwood Marathon and Half Marathon route. He stated that it is their intention to open traffic in both directions at 9:00 a.m. and they will require additional staff. Traffic mitigation issues were reviewed. Notification will be provided 10 days in advance to alert residents of the closures. Chief Brenneman explained that adaptations have been made near the finish line to facilitate the flow and decrease emptying times from one hour to 20 minutes.

Alec Fowler from Brooksee reported that they have 4,500 registered participants and this is the second largest running event in the State. Routes were discussed. Groups within the City were encouraged to participate. Mr. Fowler confirmed that businesses within Cottonwood Heights are eligible for the free advertising offer, even if they are outside of the route.

**2.0 Review of Business Meeting Agenda – Mayor Mike Peterson.**

Mayor Peterson reviewed the upcoming business meeting agenda.

Senior City Planner, Matt Taylor, reviewed the Bengal Bend Cove Land Use and Zone Map Amendment. He explained that it was zoned Residential Office and had the right to create another lot. Since then, the property owner put the property up for sale and found a buyer. The new buyer is the applicant. The restrictions were described. Mr. Taylor reported that the Planning Commission was very supportive of the change and determined that lot was not ideally suited for a commercial

or residential office lot. Staff agreed with their position and made a positive recommendation to amend the General Plan and zoning to accommodate the applicant.

Mayor Peterson next discussed the Interlocal Agreement with the Central Wasatch Commission. He clarified that it codifies their agreement to provide funding each year to the Commission along with 10 additional entities. He noted that funding proposed Cottonwood Heights with a seat on that commission, which is currently focused on transportation.

City Manager, Tim Tingey reported that they have negotiated with Holladay City and Millcreek on sharing services for sustainability. They are agreeable to starting out slowly with minimal hours to work toward several items. He confirmed that they are planning on 12 to 18 hours per week with funding of \$7,000 per City. Cottonwood Heights is responsible for the full-time employee.

Mr. Tingey next stated that they approached the school district as they have not had an increase in their contribution toward a School Resource Officer since the City incorporated. The Superintendent and Business Representative agreed to the increase from \$30,000 to \$40,000 in the first year, \$42,500 the following year, and then increasing the pay to \$45,000 per year.

Chief Russo commended Mr. Tingey for his efforts as they have tried for years to increase their contribution without success.

Public Works Director, Matt Shipp reviewed improvements to the restrooms and pavilion at Mountain View Park.

Appointments to the Parks, Trails and Open Space Committee were next discussed.

City Manager, Tim Tingey, reviewed the surplus agenda item and explained that play set pieces are being sold to Kearns High School to be used at their performance of The Little Mermaid.

### **3.0 City Council and Staff Reports.**

#### **a. Interlocal Agreement with Millcreek, Holladay and Cottonwood Heights on Sustainability – Tim Tingey, City Manager.**

Mr. Tingey reported that a full-time employee by the name of Samantha DeSeelhorst had been hired to work on sustainability issues in the City. Her background and experience were described.

Mayor Peterson indicated he met Ms. DeSeelhorst through Council Member Mikell while on a panel at the University of Utah. She was a fellow panel member and recent graduate from the Sustainability and Planning Program. Ms. DeSeelhorst later contacted the City and applied for the position.

Mr. Tingey reported that they had a large number of impressive and qualified applicants. The position will include a lot of planning and dealing with future issues. Millcreek and Holladay were in favor of working together on sustainability and agreed to start slow with limited contributions.

**b. Bengal Bend Cove Land Use and Zone Map Amendment.**

Mr. Taylor reviewed the Bengal Bend Cove Land Use and Zone Map Amendment and stated that it was zoned Residential Office which allows for the creation of one additional lot. Since then, the property owner put the property up for sale and found a buyer who is the current applicant. The restrictions were described. Mr. Taylor reported that the Planning Commission was very supportive of the proposed change and felt the lot was not ideally suited for commercial or residential office development. Staff agreed and made a positive recommendation to each amend the General Plan and zoning map to accommodate the request.

**4.0 Review of Calendars and Upcoming Events**

Council Member Schedules for the next week - 2019 Calendar:

- a. Every Monday in August – 5:00 p.m. to 8:00 p.m. - Bites in the Heights – Food Trucks at Mountain View Park.
- b. August 9 - 6:00 p.m. to 8:00 p.m. - Superhero Bike Ride
- c. August 13 – Primary Election

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

There was no Closed Session.

**6.0 ADJOURN CITY COUNCIL WORK SESSION**

**MOTION:** Council Member Bruce moved to adjourn the Work Meeting. The motion was seconded by Council Member Bracken. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 6:08 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, AUGUST 6, 2019 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS  
CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL  
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

**Present:** Mayor Mike Peterson, Council Member Scott Bracken, Council Member Tali Bruce

**Staff Present:** City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, Senior City Planner Matt Taylor, Records Culture and Human Resources Director Paula Melgar, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jorges, Assistant Chief of Police Paul Brenneman, Network Administrator Matt Ervin, IT Technician Jill Cohen

**Excused:** Council Member Christine Mikell, Council Member Mike Shelton, Community and Economic Development Director Michael Johnson, Communications Manager Tim Beery

**BUSINESS MEETING**

**1.0 WELCOME/PLEDGE**

Mayor Peterson called the meeting to order at approximately 7:00 p.m. and welcomed those present.

The Pledge of Allegiance was led by Leo Weaver from Boy Scout Troop 268.

**2.0 CITIZEN COMMENTS**

Tim Hallbeck commented that the public survey has expanded from 40 to 3,800 residents. The results of each survey question averaged a 3-to-1 response. The largest amount of feedback pertained to where to find information on the website.

**3.0 PUBLIC COMMENTS**

**3.1 Bengal Bend Cove Land Use and Zone Map Amendment – Matt Taylor, Senior Planner.**

Senior City Planner, Matt Taylor presented the staff report and stated that the request is from Eric Corbin, who has requested the Bengal Bend Cove Land Use and Zone Map Amendment for property located at 7683 Bengal Bend Cove. The proposed amendment would change the General Plan from a Neighborhood Commercial designation to Residential Low-Density. The proposed zoning map amendment would change the zoning from Residential Office to Residential Single-Family. Mr. Taylor indicated that the property owner listed the property for sale and Mr. Corbin contracted to purchase it for residential use. Although residential is allowed in the RO zone, it requires additional setbacks next to residential zones. Staff and the Planning Commission both recommended approval.

Mayor Peterson opened the public hearing.

Bob Harbrecht asked if the large trees along the south wall will be removed. The applicant, Eric Corbin confirmed that it is their intention to remove the trees that will impact where they plan to construct a building. Any that can be preserved or trimmed will be.

Lynn Krauss expressed her support for the proposal.

#### **4.0 STANDING QUARTERLY REPORTS**

##### **4.1 Public Works Report - Public Works Director, Matt Shipp.**

Public Works Director, Matt Shipp expressed appreciation to his staff who did a tremendous job during Butlerville Days. He presented the Public Works Report and stated that the Fort Union and Highland Drive Project has been extended five weeks due to weather delays and permitting through Rocky Mountain Power. The original contract was for 120 days and was scheduled to be completed mid-July. He confirmed that they have a new substantial completion date of August 28. Mr. Shipp explained that a few years prior, the Council budgeted their portion of the project which was 6.77% of roughly a \$4.5 million job. At the time, they budgeted the full 6.667% and the project itself came in under budget. He noted that the proposed changes will not impact the original budget.

Upcoming night closures will take place from 9:00 p.m. to 5:00 a.m. to allow for paving. The 2018-2019 road maintenance projects have all been completed. The 2019-2020 projects have been put out to bid and include approximately 3.5 million square feet of surface treatment along with crack sealing and various potholing projects. Mr. Shipp confirmed that the Scottish Drive Subdivision is slated for reconstruction. 3000 East is also being prepared for bid and once underway, should not take more than four days to finalize.

Mr. Shipp reported that Holladay City approved their budget for their portion of the project and will reimburse Cottonwood Heights for the work. They are in the process of negotiating a contract for the 2300 East roundabout project and they hope to have it signed with UDOT by the following week. This is a City-sponsored project but utilizes federal funds so the oversight is from UDOT. As a result, they must follow their process. Mr. Shipp next reviewed the Stormwater Master Plan and explained that they are in the process of reviewing the statements of qualification requests. Once completed, they will present a contract to the Council to update the Master Plan.

##### **4.2 Unified Fire Report – Assistant Chief Mike Watson**

Assistant Chief, Mike Watson, presented the Quarterly Fire Report and stated that with respect to overtime, they have changed their queries but questioned the results of the most recent report for Station 110. Analytic candidates were being interviewed and they are close to having a finalist vetted. June closed with 93 total calls, 64 medical, and 29 fire calls. During the quarter, Station 110 received 82 Advanced Life Support (ALS) calls of which 70 resulted in transport and 96 Basic Life Support (BLS) calls of which 31 resulted in transport. There was a total of 178 calls with 101 resulting in

transports. Chief Watson reported that Station 116 zone closed with 45.2% of total calls resulting in transports. He commented that Butlerville Days went as smooth as he has ever seen it.

Mayor Peterson reported that he received numerous comments of appreciation from citizens who attended Butlerville Days and felt it a safe event.

## **5.0 ACTION ITEMS**

### **5.1 Consideration of Ordinance 329-A Approving a General Plan Amendment for Real Property Located at 7683 Bengal Bend Cove from Neighborhood Commercial to Residential Low Density.**

Mayor Peterson reported that the above Ordinance approves a General Plan Amendment for property located at 7683 Bengal Bend Cove from Neighborhood Commercial to Residential Low Density.

**MOTION:** Council Member Bracken moved to approve Ordinance 329-A. The motion was seconded by Council Member Bruce. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

### **5.2 Consideration of Ordinance 330-A Approving the Re-zone of Real Property Located at 7683 Bengal Bend Cove from RO (Residential Office) to R-1-8 (Residential Single-Family) and Amending the Zoning Map.**

Mayor Peterson reported that the above Resolution approves the rezoning of real property located at 7683 Bengal Bend Cove from Residential Office to R-1-8 Residential Single-Family and amending the zoning map.

**MOTION:** Council Member Bracken moved to approve Ordinance 330-A. The motion was seconded by Council Member Bruce. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

### **5.3 Consideration of Resolution 2019-38 Approving Entry into an Interlocal Agreement with the Central Wasatch Commission.**

Mayor Peterson reported that the above Resolution approves entry into an Interlocal Agreement with the Central Wasatch Commission (CWC). It involves a contribution to the CWC where Cottonwood Heights is one of 10 members representing nine different entities that advises on issues ranging from canyon transportation to secondary trail access, trail improvements, and proposed legislation to help maintain the canyons.

Council Member Bruce expressed gratitude for CWC Executive Director, Ralph Becker, for providing City Council with updates of CWC activities; and explained that prior to the next year's agreement renewal, public comment would be heard to receive feedback from residents on the city's continue support of CWC. It was noted that the CWC is a revolving entity. She confirmed that funding carries on year-to-year and will public comment will continue to be taken.

**MOTION:** Council Member Bracken moved to approve Resolution 2019-38. The motion was seconded by Council Member Bruce. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.4 Consideration of Resolution 2019-39 Approving Entry into an Interlocal Agreement with the City of Holladay and the City of Millcreek for Sustainability Services.**

Mayor Peterson reported that the above Resolution approves entry into an Interlocal Agreement with the City of Holladay and the City of Millcreek for Sustainability Services. They have taken a position to work toward a more sustainable environment within the City and the City and will be collaborating with Holladay and Millcreek to formulate those efforts.

Council Member Bruce was excited about the proposed Resolution coming to fruition and working toward the formation of a Sustainability Committee as well.

**MOTION:** Council Member Bruce moved to approve Resolution 2019-39. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.5 Consideration of Resolution 2019-40 Approving Entry into an Interlocal Agreement with Canyons School District for School Resource Officer Services.**

Mayor Peterson reported that the above Resolution approves entry into an Interlocal Agreement with the Canyons School District for School Resource Officer services. The school district participates in a percentage of the funding of overtime and as expenses increase, the agreement has remained unchanged. The proposed Resolution increases their contribution to School resource Officers.

City Manager, Tim Tingey, reported that the school district is a great partner and he appreciated working with them on this process.

**MOTION:** Council Member Bracken moved to approve Resolution 2019-40. The motion was seconded by Council Member Bruce. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.6 Consideration of Resolution 2019-41 Accepting a Bid and Approving Entry into a Construction Contract for the Mountain View Park Pavilion.**

Mayor Peterson reported that the above Resolution accepts a bid and approves entry into a Construction Contract for Mountain View Park and includes a small pavilion on the south end in the amount of \$132,000.

**MOTION:** Council Member Bruce moved to approve Resolution 2019-41. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.7 Consideration of Resolution 2019-42 Declaring Certain Property Surplus.**

Mayor Peterson reported that the above Resolution declares certain property surplus. Mr. Tingey reported that the proposed Resolution surpluses some of the stage set from the last City play to Kearns High School.

**MOTION:** Council Member Bruce moved to approve Resolution 2019-41. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.8 Consideration of Resolution 2019-43 Approving an Appointment to the Parks, Trails and Open Space Committee.**

Mayor Peterson reported that the above Resolution approves an appointment to the Parks, Trails and Open Space Committee.

Mr. Tingey introduced Michael Minson, the Committee's newest member, and stated that he is an attorney with a desire to facilitate parks, trails and open space projects in the community. He has wanted to serve on the Committee for quite some time and would be part of District 1.

**MOTION:** Council Member Bruce moved to approve Resolution 2019-43. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.9 Consideration of Resolution 2019-44 Approving an Interlocal Agreement with Canyons School District for Bussing Services.**

Mayor Peterson reported that the above Resolution approves an Interlocal Agreement with the Canyons School District for Bussing Services. They are supporting the Big Cottonwood Canyon marathon by contracting with the Canyons School District for 30 busses. He confirmed that the City will be reimbursed 100% by the marathon for the expenses incurred.

**MOTION:** Council Member Bruce moved to approve Resolution 2019-44. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.10 Consideration of Resolution 2019-45 Approving a Reimbursement Agreement with Brooksee, LLC for Reimbursement and Indemnification Concerning the 2019 Big Cottonwood Marathon and Half.**

Mayor Peterson reported that the above Resolution approves a Reimbursement Agreement with Brooksee, LLC for reimbursement and indemnification concerning the 2019 Big Cottonwood Marathon and Half Marathon.

**MOTION:** Council Member Bruce moved to approve Resolution 2019-45. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**6.0 CONSENT CALENDAR**

**6.1 Approval of the City Council Meeting Minutes of July 2, 2019.**

**MOTION:** Council Member Bracken moved to approve the City Council Work Session and Business Meeting Minutes of July 2, 2019. Council Member Bruce seconded the motion. The motion passed with the unanimous consent of the Council.

**7.0 ADJOURN CITY COUNCIL BUSINESS MEETING.**

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

The meeting adjourned at 7:52 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, August 6, 2019.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: September 17, 2019