

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK MEETING
HELD TUESDAY, AUGUST 23, 2016 AT 6:01 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CONFERENCE ROOM LOCATED AT 1265 EAST FORT UNION
BLVD., SUITE 250, COTTONWOOD HEIGHTS, UTAH.**

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

Staff Present: City Manager John Park, City Recorder Paula Melgar,
Assistant City Manager Bryce Haderlie, Community and Economic
Development Director Brian Berndt, City Attorney Shane Topham,
Finance Director Dean Lundell, Public Works Director Matt Shipp, Public
Relations Specialist Dan Metcalf, Police Chief Robby Russo, Assistant
Fire Chief Mike Watson Others

Excused: Councilman Scott Bracken

1. Review of Business Meeting Agenda.

In regards to Resolution 2016-74, Chief Russo gave Council a brief summary of the contract for body cameras. Chief Russo explained that this is a five year contract that will make sure body cameras are always available, up-to-date and serviced.

In regards to Resolution 2016-74, the Council commended Finance Director, Mr. Dean Lundell, for being able to negotiate a rate of 1.65% interest rate for the truck financing with Chase Bank.

2. Public Relations Report.

Public Relations Specialist, Mr. Dan Metcalf, provided a report on media coverage of city events as well as newsletter information:

- I-215 Improvements webpage on City website (under City Services)
- News clip of 08/18/2016 from Fox 13 News at Nine – *Women suspected of credit card fraud.*

Mr. Metcalf reported that the City Newsletter was completed and has been sent to printer.

Mr. Metcalf asked Council to send him their photos of *Bites at the Heights* participation. Mayor Cullimore posted his photos on Twitter. Mr. Metcalf suggested ash tagging Cottonwood Heights on it so that it also posts on the City's Twitter account.

3. Public Works Report.

a. Ongoing Public Works Operations.

Mr. Matt Shipp, Public Works Director, gave the Council an update on current and upcoming public works projects. Currently Public works is reported to be working on:

- Recruiting - Half way through hiring staff
- Crews are working on pothole patching; tree trimming; helping with move and working on work order list
- Crews are also training for the snow plowing

Mr. Shipp also reported that he and Mr. Danny Martinez, Public Works Superintendent, are working on the schedule for snow plowing, assignments and possible contingencies

Mr. John Park, City Manager, spoke of storm water pipes – where the ditch goes under the roadway (tanner ditch) is the City’s responsibility. The pipe coming down Fort Union has no bottom and City is working on fixing that issue.

City Council goes into a lengthy discussion with the City Manager and Public Works Director, on the location, direction and possible fixes for mentioned pipe line.

b. Transitioning Public Works.

Mr. Matt Shipp, Public Works Director, updated the Council on the progress of city’s public works services.

Mr. Shipp reported that everything is still on schedule.

Mr. Haderlie informed the Council that he went to see trucks being built and everything looks good there.

Mr. Shipp reported that public utilities, at the new public works site, are ready. A generator is going to be running on the site until Rocky Mountain Power finishes doing their work there.

City Council and Mr. Shipp discussed some of the UDOT construction going on around Cottonwood Heights. Noting unusual was reported.

Mr. Shipp reported that the Indiana truck is now here and that City is currently using the street sweeper on some of their projects.

4. Planning and Economic Development Report.

a. Architecture Review Commission meeting of August 24, 2016.

Mr. Brian Berndt, Economic Development Director, reviewed agenda items for the upcoming Architecture Review Commission meeting. The Architecture Review Commission is looking at the exterior changes for the Canyon Center Heights Apartments.

b. Planning Commission meeting of August 31, 2016.

Mr. Brian Berndt, Economic Development Director, reviewed agenda items for the upcoming Planning Commission meeting.

Four items scheduled for the upcoming Planning Commission:

- New Restaurant on Bengal Blvd, West of Bike Shop – Owner is planning to do an addition to the building to add a bakery and an apartment on top, for workers.
- Lower level parking that Cottonwood Corporate is proposing. This parking is below already approved parking.
- Proposal for another home day care at 2578 East Bengal Blvd.

c. Upcoming Board of Adjustment meeting of September 1, 2016.

Mr. Brian Berndt, Economic Development Director, reviewed the agenda for the upcoming Board of Adjustment meeting, including:

- Expansion of non-conforming 2177 E. Longsdale (West of 2300 E. and North of Bengal) – They are just enclosing the back patio.

City Council took a break from the Work Session to open the Business Meeting scheduled for 7:00 p.m.

Work Session was resumed at 7:57 p.m.

5. Public Safety Reports.

a. Unified Fire Authority.

Chief Watson had nothing to add from his presentation at the Business Meeting and was excused to leave.

b. Police Department.

Chief Russo reminded Council of Police Recognition Banquet on Wednesday, August 24th, 2016.

Chief Russo reported on an Officer who responded to a bike being stolen from a little girl; the Officer went to Target and got the little girl a new bike with his own money.

6. City Manager/Assistant City Manager Report.

a. New City Hall Construction Report.

City Manager, Mr. John Park, provided the Council with a report on the progress of the new City Hall and updated the Council on the City Council Conference room which will be used for work sessions.

Mr. Park announced that the City is moving in two weeks and furniture has arrived and has been setup in some of the offices. A timeline of the move is provided for IT and furniture from city hall that will go to the new city hall.

b. Review of Staff Communications.

Each week staff provides informational reports from each department to allow City Council a method of keeping up on the day-to-day activities of the City. This report is available on the internet at www.ch.utah.gov. This agenda item is set aside to allow Council members to ask questions or for staff to bring Council up to date if any changes have occurred since the report was made.

City Council had no questions on report.

c. Policy on Public Use of the New City Hall Facilities.

Mr. Bryce Haderlie, Deputy City Manager, led a discussion about a proposed policy governing the public use of the new city hall facility.

Mr. Haderlie presented a PowerPoint on the fee policy direction the council may want to consider related to the use of the new city hall facility. Mr. Haderlie clarified that this presentation's purpose is to get direction and consensus. A copy of this PowerPoint is attached and incorporated to these minutes by this reference.

Mr. Haderlie advised council that he would revise the current draft and resend it out with the proposed changes.

7. Mayor/City Council Reports.

a. Transcom – Mayor Cullimore.

Mayor Cullimore, who is an appointed member of Transcom, the transportation committee of Wasatch Front Regional Council; reported on their recent meetings and projects related to Cottonwood Heights.

Mayor Cullimore reported that the WFRC new process for requests for next year will be rolled all into one, all at the same time. The group took action on the new improvement program. A Resolution was passed for 2017-1022 approving all transportation programs. All projects approved for the next 5 years.

Another topic discussed was a Congestion Management Report - How to deal with congestion on I-15. The new proposal is going to regulate ingress to the freeway and put meters.

b. Ribbon Cutting Committee- Councilman Mike Peterson.

Councilman Peterson reported on the proposed events for the new city hall ribbon cutting event of September 29.

Mr. Brian Allen will make a final report next Work Session of Tuesday, September 6th, 2016.

Councilman Peterson explained about the events planned and some of the handouts, music performances and recognition of those present.

c. Brighton High Back to School breakfast - Mayor Cullimore.

Mayor Cullimore reported on this event held on Friday, August 19, 2016. This was a well-attended breakfast where all the new high school teachers were introduced.

Mayor Cullimore expressed appreciation for the excellent relationship between the City and the School District.

d. Teacher Appreciation Luncheon.

Council reviewed the recent Teacher Appreciation Luncheon held to honor Teachers of the Year in Cottonwood Heights.

Mayor Cullimore reported that this is one of the best things the city does and teachers are very appreciative. Social media responded well to the posted photos of this event.

e. Butler Elementary Open House and Ribbon Cutting.

Council Members attended these events and discussed their participation. Council reported that they all attended, with the exception of Councilman Bracken who was out-of-town, and represented the city and showed their support for the school district. The school district was very impressed and grateful for the support received by the city.

Walk-on: Councilman Shelton interrupted to inform the council that he had just had received notice from John Morgan with the UCA Board approved for the CAD Grant for over \$6 Million Dollars, and could now go ahead and execute contract with Hexagon and plan a kick-off meeting the week after Labor Day.

Walk-on: Councilman Tyler reported that Brad Gilson informed him that he has two different designs to show the Neff family to finish the trail and that he has found the money to build it.

8. Calendar of Events.

Councilmember Schedules for the next week/ 2016 Calendar:

- a. **August 24 – Start of School**
- b. **August 24 – CHPD Awards Banquet; 6 p.m.**
- c. **August 30 – No City Council meetings**
- d. **September 7-8 – City Hall will be closed for move to new City Hall**
- e. **September 9 – New City Hall will open for business as usual**
- f. **September 10 – Big Cottonwood Canyon Marathon**
- g. **September 14-16 – ULCT Fall Conference**

- h. Sept. 17 – Bark in the Park Mountview Park from 10 am till 1 pm
- i. September 29 – City Hall Grand Opening & Ribbon Cutting - 4:00 pm
- j. Oct. 12 – City Council/Historic Comm. Mtg; 5:30 pm Union Cemetery
- k. October 13 – Youth City Council Annual Dinner, 6:00 p.m. City Hall
- l. December 6 – City Employees Christmas Party

9. Closed Meeting to Discuss Litigation and the Character and Professional Competence or Physical or Mental Health of an Individual.

Motion to Close Meeting by Councilman Tee Tyler. Second by Councilman Mike Peterson.
Voice Vote – All “Aye”

Meeting Closed at 9:42p.m.

10. ADJOURN.

Motion to close Closed Meeting, Return to the Work Session and Adjourn Work Session, by Councilman Tee Tyler. Second by Councilman Mike Peterson. The motion passed unanimously.

The Work Session was adjourned at 10:20 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY, AUGUST 23, 2016 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

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

Staff Present: City Manager John Park, Assistant City Manager Bryce Haderlie, City Recorder Paula Melgar, City Attorney Shane Topham, Community and Economic Development Director Brian Berndt, Finance Director Dean Lundell, Public Works Director Matt Shipp, Public Relations Specialist Dan Metcalf, Police Chief Robby Russo, Acting Fire Chief Mike Watson

Excused: Councilman Scott Bracken

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:01 p.m. and welcomed those attending.

1.2 Councilman Shelton led the Pledge of Allegiance.

2.0 CITIZEN COMMENTS

2.1 There were no public comments.

3.0 REPORTS/PROCLAMATIONS/RECOGNITIONS

3.1 Standing Monthly Reports

3.1.1 a. Monthly Financial Report – Finance Director Dean Lundell.

3.1.1.1 Finance Director, Dean Lundell, presented the Monthly Financial Report for the month of July.

- He stated that the total amount of sales tax received for fiscal year 2016 was \$5,622,651, which is an increase of 5.70%.
- Franchise fees from cable television totaled \$320,220, which is an increase of 4.77%.
- He reported that the City continues to receive a portion of the E911 revenues generated. Last fiscal year, collections exceeded \$300,000.
- The anticipated overall 2016 budget is approximately \$130,000 above the budgeted revenue number for the year.
- Energy Tax revenue was reported at \$70,000 below budget.
- Expenditures include the July 1, 2016 debt payment for the bond and the police leased vehicle payment which is why expenditures are so high in July.
- The estimated Arts Council revenue totaled just under \$17,000 with total expenditures of \$21,366, which requires a City contribution of approximately \$4,300.

- The beginning balance of unrestricted and unassigned funds for fiscal year 2017 is currently estimated at \$1,173,082. Of that, \$200,000 has been appropriated. The unrestricted assigned General Fund balance will be a 6% reserve to \$1,082,864 which is in addition to the unassigned fund balance. .

3.1.2 b. Unified Fire Report – Acting Fire Chief, Mike Watson.

3.1.2.1 Acting Fire Chief, Mike Watson, presented the report for the month of July 2016 and stated that Station 110 was #6 of all stations in call volume and Station 116 was 14th. Between the two stations, they closed with 62 fire and 166 medical calls. Station 110 closed with 97 medical calls and 36 fire calls. Station 116 closed with 69 medical calls and 26 fire calls. Station 116 took no calls in Big Cottonwood Canyon. Station 116 responded to three calls in Little Cottonwood Canyon and Station 113 (located in Little Cottonwood Canyon) responded to 17. The top three medical calls by category included falls, traffic accidents, and fainting episodes. The top fire calls by category included alarm drops, burns, and smoke investigations. Station 110 received 48 Advanced Life Support (ALS) calls, of which 30 were transports, and 49 Basic Life Support (BLS) calls, of which 21 were transports. Station 116 received 33 ALS calls with 18 being transports and 36 BLS calls with 13 transports.

3.1.2.2 The UFA was continuing their investigation of the recent fires and was putting together, at the request of West Jordan's Fire Chief, a task force of investigators. They believe that many of the fires are related and intentionally set.

A Special Board Meeting was scheduled to discuss filling the longer term appointments for the vacant Fire Chief and Deputy Chief positions. Chief Watson added that with the recent news articles from *The Salt Lake Tribune*, KSL, *The Deseret News*, *City Weekly*, their employees are as enraged as the public about what appears to be inappropriate use of UFA funds. It is his goal to rebuild trust with board members and employees during his service as interim Chief.

3.1.2.3 Mayor Cullimore pointed out the UFA situation is similar to when they were trying to create the new school district. He believes the change in management is necessary. Legal counsel, Karl Hendrickson, has also submitted his resignation. There is an ongoing State Audit as well as an internal forensic audit, both independent of each other. The agency is looking at violations of policy where the State Auditor will be looking for misappropriation of funds for personal benefit. The UFA is trying to identify where the problem arose and put procedures in place to prevent it from happening again. For instance, the Chief Financial Officer will be required to report directly to the board rather than the Chief. The Chief Legal Officer will likely be required to report similarly and is there to facilitate command staff and provide assistance. Travel procedures will be submitted in advance and will require approval.

3.1.2.2 The Customer Service Report included the new upgraded, self-contained breathing apparatus. Training took place at the training tower and familiarized the fire fighters with the equipment. The Back to School safety message included reminding residents that

school is back in session. This means more pedestrian traffic at different times of the day and safety issues associated with crossing the street.

4.0 ACTION ITEMS

4.1 Consideration of Resolution 2016-73 Approving the Purchase of Radios for the City's Public Works Department.

4.1.1 Mayor Cullimore reported that the above resolution approves the acquisition of two-way radios for use on the City's snow plows and other Public Works vehicles, with a cost not to exceed \$13,661.

4.1.2 **MOTION:** Councilman Tyler moved to approve Resolution Number 2016-73. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously. Councilman Bracken was absent and did not vote.

4.2 Consideration of Resolution 2016-74 Approving a Master Services and Purchasing Agreement with Taser International, Inc. for Police "Body Cameras" and Related Hardware, Software and Services.

4.2.1 Mayor Cullimore reported that the above resolution approves a Purchase Agreement with Taser International for "Body Cameras". The 2017 budget included this purchase, which will greatly benefit not only the public, but the Police Department as well.

4.2.2 **MOTION:** Councilman Shelton moved to approve Resolution Number 2016-74. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Petersen-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously. Councilman Bracken was absent and did not vote.

4.3 Consideration of Resolution 2016-75 Accepting Chase Bank's Financing Bid for the Lease Purchase of \$2,519,243 in Public Works Equipment.

4.3.1 Mayor Cullimore reported that the above resolution approves the financing of the Public Works equipment at a rate of 1.65% over 10 years.

4.3.2 **MOTION:** Councilman Peterson moved to approve Resolution Number 2016-75. The motion was seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman Petersen-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously. Councilman Bracken was absent and did not vote.

5.0 CONSENT CALENDAR

5.1 Approval of Minutes for July 19 and 26, 2016 Business Meeting & Work Session. Also, the August 9 Business Meeting.

5.2 MOTION: Councilman Peterson moved to approve the minutes of July 19 and 26, 2016 and August 9, 2016. The motion was seconded by Councilman Tyler. The motion passed with the unanimous consent of the Council. Councilman Bracken was absent and did not vote.

6.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250

6.1 MOTION: Councilman Shelton moved to adjourn the Business Meeting and reconvene the Work Session. The motion passed with the unanimous consent of the Council.

6.2 The Business Meeting adjourned at 7:45 p.m.