

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING**
2 **HELD TUESDAY, JULY 25, 2017 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY**
3 **COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD,**
4 **COTTONWOOD HEIGHTS, UTAH**
5

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

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

15 **Excused:** Councilman Mike Shelton
16

17 **1.0 WELCOME**
18

19 1.1 Mayor Cullimore called the meeting to order at 7:05 p.m.
20

21 1.2 The Pledge of Allegiance was led by Councilman Tyler.
22

23 **2.0 PUBLIC COMMENT**
24

25 2.1 Jill McGee a Big Rock Lane resident, stated that in January, she saw large bulldozers taking
26 out trees on the West edge of their property. She ran out waving her arms and the trucks
27 stopped. Minutes later the trees to her north and along her property line were removed. She
28 was able to speak with Dave at Ensign Engineering, the engineering firm for the developer of
29 Giverny that authorized the grubbing of the property, and showed him the devastation and
30 marred property lines. A police report was filed and Ms. McGee spoke with Community
31 Development Director, Brian Berndt and City Planner, Michael Johnson about the issues. She
32 believed things were not properly presented to the Planning Commission as the developer has
33 raised the grade of the property behind their home by 10 to 12 feet. The six-foot fence required
34 as part of the Settlement Agreement is well below the new grade of the road rendering the
35 fence virtually useless. In addition, the hours of operation are not being respected and lights
36 and engines are going all hours. Their backyard has become a paved parking lot and seven
37 days per week 15 to 20 cars per day, park around their home. They hope to reach a resolution
38 and requested that the City grant a variance so that the developer can construct a 10-foot fence
39 near the road behind their property. The McGees would be willing to settle for a less
40 expensive wood fence and asked the Council to grant the variance as one approach to solving
41 the problem.
42

43 2.2 Mayor Cullimore stated that the McGees have been very thoughtful with regard to what they
44 have proposed. The Council will look at that and determine if it is enough to mitigate the
45 situation as there may be more that can be done. Mrs. McGee confirmed that the developer
46 has spoken with her husband. She did not feel that now was the time to reveal all that has
47 been communicated but they never received an apology for the removal of their trees.
48

1 2.3 Gary McGee gave his address as 3502 East Big Rock Lane and stated that they considered
2 various options for fencing and expressed their concerns to Mr. Berndt. They are requesting
3 a 10-foot fence as the six-foot fence does not provide any privacy. The developer sent a
4 certified letter requesting that they not come on the property due to safety concerns. He stated
5 that the Smith's home that the developer purchased was never included as part of the
6 development and was a separate .50-acre parcel with residential zoning not included in the
7 Giverny plat. The home is currently being utilized as a sales office contrary to zoning and
8 they have not received notice from any of the entities operating there. He confirmed that there
9 is a police report on file for trespassing and destruction of property.

10
11 2.4 Lieutenant Mark Askerlund reported that he will be retiring next week and thanked the City
12 Council, staff, and Cottonwood Heights citizens for giving him the opportunity to serve the
13 community the past nine years. He expressed gratitude for working under the leadership of
14 Chief Robby Russo and the City of Cottonwood Heights. He described Chief Russo as the
15 best Police Chief he has had the pleasure of working with.

16
17 2.5 Mayor Cullimore thanked Lieutenant Askerlund and stated that he has been instrumental in
18 the development of the Cottonwood Heights Police Department. He stated that Lieutenant
19 Askerlund should take tremendous pride in knowing that he was instrumental in helping to
20 form what he affectionately calls the best Police Department in the State. Lieutenant
21 Askerlund has been a mentor and a great example to his peers.

22
23 2.6 Julie Askerlund stated that Mark has enjoyed working in the City and he exemplifies many of
24 the characteristics that a police officer should have. She thanked Chief Russo for his
25 friendship and leadership.

26
27 2.7 Councilman Peterson expressed his personal gratitude and stated that Lieutenant Askerlund
28 took him for his first ride-along.

29
30 **3.0 STANDING MONTHLY REPORTS**

31
32 **3.1 Monthly Financial Report – Finance Director Dean Lundell.**

33
34 3.1.1 Finance Director, Dean Lundell, presented the Monthly Financial Report for the month of
35 June 2017 and stated that sales tax revenue has been slightly above what was budgeted for.
36 The Energy Tax is on budget. Expenditures were as expected and we are anticipated to realize
37 a \$600,000 surplus in the budget. The Fund Balance graph was discussed. Mr. Lundell
38 confirmed that the City will have approximately \$2.3 million in unassigned funds at the end
39 of the year. Revenue was good this year and expenditures were in check. Mayor Cullimore
40 added that statistics show that Cottonwood Heights citizens pay less of their income in
41 municipal taxes than any other city in the State. Property taxes are in the middle third of
42 property tax rates for the County. It was reported that the audit is scheduled and staff was
43 working to close out books.

44
45 **3.2 Unified Fire Report – Assistant Chief Mike Watson.**

46
47 3.2.1 Assistant Chief, Mike Watson, presented the Unified Fire Report for the month of June 2017.
48 He reported that there were 48 fire calls between both stations and medical calls closed at 132.

1 Station 110 closed with 119 total calls and Station 116 closed with 61. Big Cottonwood
2 Canyon received 13 calls for which Station 116 helped four times. Little Cottonwood Canyon
3 received 12 calls and Station 116 was not dispatched to any of them. Top medical call
4 categories included falls, traffic accidents, and fainting. Top fire call categories included
5 alarms, burns and barbecue, and flooding or hydrant problems. Station 110 transported 21 of
6 36 Advanced Life Support (ALS) calls and 18 of 47 Basic Life Support (BLS) calls. Station
7 116 transported half of their ALS calls and less than one-third of their BLS calls or 19 of their
8 49 calls. Mayor Cullimore pointed out that there is no longer a full-time staffed ambulance at
9 Station 116. District 1 closed with 23 fire calls, District 2 had seven, District 3 had nine, and
10 District 4 had five for a total of 44 calls. District 1 closed with 48 medical calls, District 2
11 had 17, District 3 had 37, and District 4 had 19.
12

13 3.2.2 The safety message included tips for water safety, especially to ensure that children playing
14 near water at swimming pools are safe and watched out for. Parents were encouraged to talk
15 to their children about CPR, life jackets, seat belts, staying hydrated, BBQ grill safety, and
16 not leaving children in cars. Helmets were recommended when participating in outdoor
17 wheeled sports.
18

19 3.2.3 Councilman Peterson asked how many fires were reported this past weekend compared to the
20 4th of July. Assistant Chief Watson reported that it was drastically different. During a 24-
21 hour period over July 24th there were 15 fire calls in UFA's full footprint and they were just
22 shy of 60 on July 4th. He believed the first key factor was publicity, followed by weather.
23 The publicity piece was overwhelmingly helpful. He confirmed that the gas meter was
24 impinged during the recent fire and they were grateful they did not have complications.
25

26 **4.0 ACTION ITEMS**

27 **4.1 Consideration of Ordinance 276 Granting to Rocky Mountain Power an Electric** 28 **Distribution System Franchise.** 29

30
31 4.1.1 Mayor Cullimore reported that the above Ordinance grants Rocky Mountain Power an electric
32 distribution system franchise. Ms. Bentley from Rocky Mountain Power was present and he
33 thanked her for being a great support and representing the interests of the City.
34

35 4.1.2 Ms. Bentley stated that as the City permits new development, Rocky Mountain Power will
36 begin looking for a new substation. Regulations require that it be demonstrated to the Public
37 Service Commission that their assets are used and useful. They lag development a bit and
38 cannot build ahead of it. It must be demonstrated that the investment is prudent and there is
39 recovery of their customers' investment their customers make. They purchased the property
40 alongside the City's property off of 3000 East for a new substation and feel like that was the
41 site that minimized impacts to the community. It will be built when there is a demand for it.
42 They will begin the Conditional Use Process at least 24 months ahead of when they anticipate
43 the substation will be needed. Ms. Bentley stated it has been a pleasure to work with the City.
44

45 4.1.3 Mayor Cullimore remarked that Ms. Bentley has always been very responsible and expressed
46 his gratitude for her service. He appreciated the work done on the movement of the power
47 poles on Fort Union and Highland Drive.
48

1 **4.1.4 MOTION:** Councilman Bracken moved to approve Ordinance 276. The motion was
2 seconded by Councilman Peterson. Vote on motion: Councilman Bracken-Aye, Councilman
3 Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed
4 unanimously.
5

6 **4.2 Consideration of Resolution 2017-50 Approving Appointment of Two Additional**
7 **Commissioners to the Central Wasatch Commission.**
8

9 4.2.1 Mayor Cullimore reported that the above Ordinance approves the appointment of two
10 additional members to the Central Wasatch Commission. Cottonwood Heights is a part of
11 that Commission. The two new appointees included Carlos Braceras from UDOT as well as
12 Andy Beerman who will represent the Wasatch Back geographical area. New appointees must
13 be approved by a vote of all of the Councils participating in the Central Wasatch Commission.
14

15 **4.2.2 MOTION:** Councilman Tyler moved to approve Resolution 2017-50. The motion was
16 seconded by Councilman Bracken. Vote on motion: Councilman Bracken-Aye, Councilman
17 Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed
18 unanimously.
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20 **4.3 Consideration of Resolution 2017-51 Approving an Agreement for Engineering Services**
21 **with Gilson Engineering.**
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23 4.3.1 Mayor Cullimore reported that the above Resolution approves an agreement for engineering
24 services with Gilson Engineering. He commented that the City has a major drain line called
25 the Ferguson Canyon outfall. It is captured on Prospector and runs into a drain under Wasatch
26 Boulevard onto what is now the Canyon Centre property. The line is in need of serious
27 improvements that the work being engineered by Gilson Engineering upon approval of this
28 contract.
29

30 **4.3.2 MOTION:** Councilman Peterson moved to approve Ordinance 2017-51. The motion was
31 seconded by Councilman Tyler. Vote on motion: Councilman Bracken-Aye, Councilman
32 Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed
33 unanimously.
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35 **5.0 CONSENT CALENDAR**
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37 **5.1 Approval of minutes for the City Council Business Meeting June 20, 2017.**
38

39 **5.2 MOTION:** Councilman Peterson moved to approve the City Council Business Meeting
40 minutes of June 20, 2017. The motion was seconded by Councilman Bracken. Vote on
41 motion: Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye,
42 Mayor Cullimore-Aye. The motion passed unanimously.
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44 **6.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**
45

46 **6.1 MOTION:** Councilman Tyler moved to adjourn the Business Meeting. The motion passed
47 unanimously.
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6.2 The meeting adjourned at 8:14 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, July 25, 2017.*

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10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary
13
14 Minutes approved: August 22, 2017