

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING**  
2 **HELD TUESDAY, MAY 23, 2017 AT 6:00 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 Mike Shelton  
8

9 **Staff Present:** City Manager John Park, Assistant City Manager, Bryce Haderlie, Police Chief  
10 Robby Russo, City Attorney Shane Topham, City Engineer Brad Gilson,  
11 Community and Economic Development Director Brian Berndt, Finance  
12 Director Dean Lundell, Public Works Director Matt Shipp, Public Relations  
13 Specialist Dan Metcalf, City Treasurer David Muir  
14

15 **Excused:** Councilman Tee Tyler  
16

17 **1.0 WELCOME**  
18

19 1.1 Mayor Cullimore called the meeting to order at 7:00 p.m. and welcomed those in attendance.  
20 Councilman Tee Tyler was excused.  
21

22 1.2 The Pledge of Allegiance was led by Councilman Mike Peterson.  
23

24 **2.0 ACKNOWLEDGMENTS/PROCLAMATIONS**  
25

26 **2.1 Proclamation on Gun Violence.**  
27

28 2.1.1 Police Chief, Robby Russo, presented the Proclamation on Gun Violence, which declares  
29 June 2, 2017 as National Gun Violence Day. It was recommended that the color orange be  
30 worn to raise awareness and honor victims of gun violence. Chief Russo introduced Dee  
31 Rowland, who spearheaded the Proclamation. He hoped that gun violence and suicide could  
32 be prevented in the City of Cottonwood Heights. Mayor Cullimore read the Proclamation in  
33 its entirety.  
34

35 **2.2 2017 Utah Recreation & Parks Association (URPA) – Awards – LeeAnn Powell.**  
36

37 2.2.1 LeeAnn Powell from the Utah Recreation and Parks Association (URPA) was introduced by  
38 Mayor Cullimore. She explained that URPA represents 1,150 professionals throughout the  
39 state. She would be presenting two awards to members of URPA. The Outstanding  
40 Professional in Management Award a presented to Patti Hansen. Ms. Powell reported that  
41 Ms. Hansen is known for being innovative, hardworking, and willing to collaborate with other  
42 individuals and organizations. Ms. Powell presented the Outstanding Program Award to the  
43 Cottonwood Heights Parks and Recreation Service Area. She reported that the Cottonwood  
44 Heights Parks and Recreation Service Area is known throughout the state as a leader in parks  
45 and recreation by setting trends and training leaders. This particular award recognizes the  
46 City’s After-School Program. The Parks and Recreation Service Area saw a need and brought  
47 groups together and made the program work for everyone. She highlighted Cottonwood  
48 Heights Parks and Recreation Department Director, Ben Hill, and his team.

1  
2 2.2.2 Photographs were taken of the awards presentation. Mr. Hill addressed the success of the  
3 After-School Program. He explained that there have been after school programs in the past  
4 but in response to several teen suicides in Cottonwood Heights, the Parks and Recreation  
5 Department saw a need to improve the program. In conjunction with the Recreation Center  
6 and other groups, changes to the program were made that have been very successful. Mr. Hill  
7 thanked the Mayor and City Council for their support and stated that the program would  
8 continue to grow and expand.  
9

10 **2.3 Introduction of the new POST Graduate, Officer Phelps.**

11  
12 2.3.1 Chief Russo introduced Officer Phelps as a new graduate of Peace Officer Standards and  
13 Training (“POST”). He reported that Officer Phelps represented the City very well at POST  
14 and was awarded the Physical Fitness Award among his graduating class. Chief Russo stated  
15 that Officer Phelps was a great student and will be an asset to the City. Officer Salmon was  
16 also introduced as the Field Training Officer (FTO) who will be working with Officer Phelps  
17 for a few more weeks after which Officer Phelps will be fully trained. Officer Phelps was  
18 awarded his badge before the City Council and it was pinned on him by his mother. Officer  
19 Phelps spoke briefly to the City Council and expressed enthusiasm for the opportunity to serve  
20 and protect the City.  
21

22 **2.4 Youth City Council: Swearing-in of Newly Elected Officers.**

23  
24 2.4.1 Councilmember Scott Bracken described the purpose of the Youth City Council and their  
25 functions. Youth City Council Mayor, Nick Tygesen, asked the members of the Executive  
26 Council to stand to be sworn-in. Photographs were taken of the Youth City Council. City  
27 Recorder, Paula Melgar, swore in the members of the Executive Council of the Youth City  
28 Council.  
29

30 **3.0 CITIZEN COMMENTS**

31  
32 3.1 Keith Griffall gave his address as 8022 Oakhill Circle and commented on the community  
33 clean-up effort. He commented that as a result of several late winter storms, debris and broken  
34 trees have accumulated in his cul-de-sac. In the past 12 years, the City has placed two  
35 dumpsters in his neighborhood and City employees have been diligent to remove them once  
36 they are full. This year there was only one left and there was enough trash to fill three  
37 dumpsters. When Mr. Griffall requested another dumpster, the City refused to bring one.  
38 They instead offered to bring a green bin at a cost of \$40 per month. Mr. Griffall agreed to  
39 provide two green bins at additional cost but was informed that they would not be available  
40 until June.  
41

42 3.2 Councilman Bracken responded to Mr. Griffall and reported that this service is provided by  
43 the Wasatch Front Waste and Recycling District of which Cottonwood Heights is a member.  
44 Councilman Bracken serves on the board of that Agency representing the City. Supervisors  
45 were aware of the issue and it was being addressed. He noted that there were not as many  
46 bins placed this year due to dumpsters not being filled completely in the past. Mr. Griffall  
47 was disappointed that staff was not courteous when he requested more bins. He pointed out  
48 that several bins were placed in areas of the City that were unused and other areas that could

1 use more dumpsters. Councilman Bracken informed Mr. Griffall that he would be sure and  
2 address the issues with the agency.

3  
4 3.3 Lareesa Sumsion, a Coachman Circle resident, was concerned about a blind spot near her  
5 home. She indicated that she and her family have nearly been in three accidents due to the  
6 blind spot. Ms. Sumsion suggested that a mirror be placed in the area. The City Council  
7 agreed to have the City Engineer look into the issue on Coachman Circle and Bengal, east of  
8 the cemetery. Dawn Sumsion, Lareesa's mother, reported that it is difficult to pull out onto  
9 Bengal Boulevard because of speeding.

10  
11 3.4 LeAnn Earhart reported that she resides near Kings Hill Drive at the mouth of Deaf Smith  
12 Canyon. She was concerned about emails that have been circulating with regard to public  
13 access to that portion of the canyon and private property rights. The City Council studied  
14 maps of the area with Ms. Earhart and identified the area being discussed. Ms. Earhart stated  
15 that Golden Hills Canyon Road is private and deeds show that it is private property with no  
16 public access. Ms. Earhart reported that the public access road to the canyon access point is  
17 located further south on Little Cottonwood Canyon Road. The issue has become contentious  
18 with the public trying to access the canyon from her private road because the 'no trespassing'  
19 and 'private property' signs are not being respected. Chief Russo asked what signage was  
20 there to direct people to the correct street. There was discussion regarding proper signage.

21  
22 3.5 Mayor Cullimore asked Chief Russo if there was proper signage and if crossing onto public  
23 property would be a crime. Chief Russo stated that it would be considered criminal trespass  
24 and the person could be cited. Ms. Earhart commented that she and her neighbors all support  
25 enforcing their private property rights. Some of the problems she has witnessed include being  
26 confronted by dogs on her property, drug paraphernalia littering the ground, and unattended  
27 fires. Mayor Cullimore asked Ms. Earhart if she had discussed this problem with the Forest  
28 Service. Ms. Earhart agreed that this would be a good suggestion and she agreed to follow up  
29 and report back to Chief Russo. Mayor Cullimore reported that staff is aware that the trailhead  
30 in the area is in need of more development and they were working on a long-term solution.

## 31 32 **4.0 STANDING MONTHLY REPORTS**

### 33 34 **4.1 Monthly Financial Report – City Treasurer, Mr. David Muir.**

35  
36 4.1.1 City Treasurer, David Muir, presented the Monthly Financial Report for April 2017. A copy  
37 of the report is attached and incorporated into these minutes by reference. Mr. Muir reported  
38 on several budget line items and stated that Property Taxes are \$22,000 under budget and  
39 delinquent taxes are \$30,000. He expected the budget goal to be met. Energy Use Taxes will  
40 be \$130,000 to \$150,000 over budget and Franchise Taxes are \$35,000 over budget. He noted  
41 that this is the second year that Franchise Tax Revenue will exceed \$300,000.

42  
43 4.1.2 Mr. Muir discussed the issue of City Road Funds and specifically an issue with Salt Lake  
44 County's portion of road fees that were expected to be reduced due to the population decrease  
45 but did not. He commented on that the rules governing the breakdown of fees by county per  
46 population, which have decreased even though the County received nearly double the amount  
47 of revenue. This means that cities are proportionally receiving less, which he found surprising.  
48 Mr. Muir also addressed Court fine revenues, which are down slightly. He stated that overall

1 the budget looks like it will meet expectations, although it shows that the City is over budget  
2 because some accounts are paid quarterly. He expected that to even out throughout the year.  
3 Mr. Muir identified the Fund 65 Employee Benefits on page 10 and explained that this will  
4 be an allocated fund in the General Fund next year and will not be reported as Fund 65 going  
5 forward. Overall, the budget was in good shape, even though expenses appeared to be up in  
6 some categories. Mr. Muir reported that the Municipal Energy Tax is also where it should be  
7 and revenues may increase slightly.

#### 8 9 **4.2 Unified Fire Report – Assistant Chief, Mike Watson.**

10  
11 4.2.1 Assistant Fire Chief, Mike Watson, presented the Unified Fire Report for the month of April.  
12 He compared the footprint of stations in the City to the entire Unified Fire Authority and  
13 discussed trends over the last five years for both fire and medical calls. Station 110 has been  
14 down slightly over the last 12 months, although January was higher. Station 116 calls were  
15 trended downward over the 12-month average on both medical and fire calls. Crews were  
16 called to the Big Cottonwood Canyon Fires on two occasions. He referenced the Bar Graph  
17 showing a snapshot of the calls. Station 108 calls were high during the Winter Season due to  
18 skiers. Chief Watson also showed a map of calls broken down by District for 2016. He  
19 compared the heat map, which showed the number of fire calls for each district.

#### 20 21 **5.0 ACTION ITEMS**

##### 22 23 **5.1 Consideration of Resolution 2017-36 Directing the Planning Commission to Commence** 24 **Proceedings to Amend Title 19 Concerning “Small Cell” Facilities in the Public Right-** 25 **of-Way.**

26  
27 5.1.1 Mayor Cullimore introduced the above resolution. City Attorney, Shane Topham, discussed  
28 the need for more cell signals due to demand. He reported that the cell phone companies have  
29 come up with a solution to increase signals called “densifying”. Densifying involves cell  
30 phone companies installing small scale cell (“small cell”) towers or repeater equipment  
31 between the macro towers (large 70-foot towers). This allows the signal to be repeated and  
32 more available for use. It is a new concept to place cell phone equipment in public rights-of-  
33 way. Densifying typically requires a small box to be mounted on an already existing utility,  
34 such as a Rocky Mountain Power poles. The cell companies are also seeking to mount the  
35 repeaters on City power poles and/or in residential neighborhoods. This is an issue because  
36 the public wants to maintain the residential nature of neighborhoods but also wants cell phone  
37 service. The first cell phone provider approached the City last year, which staff thought this  
38 an anomaly. Many companies are now asking to place cell phone infrastructure in those areas,  
39 including some third parties, who then sell or lease their repeaters to cell phone companies  
40 such as Verizon or AT&T. Rather than enter into a standalone franchise agreement with the  
41 providers, it was suggested that a new chapter be added to the Land Use Code regulating how  
42 that can occur. The proposed resolution is the method by which the City Council directs the  
43 Planning Commission to initiate the legal process to amend Title 19.

44  
45 **5.1.2 MOTION:** Councilman Bracken moved to approve Resolution 2017-36. The motion was  
46 seconded by Peterson. Vote on motion: Councilman Peterson-Aye, Councilman Bracken-  
47 Aye, Councilman Shelton-Aye, Mayor Cullimore-Aye. The motion passed unanimously.  
48

1 **5.2 Consideration of Resolution 2017-37 Appointing the Mayor as the City’s Designee to the**  
2 **Central Wasatch Commission.**

3  
4 5.2.1 Mayor Cullimore reported that the Central Wasatch Commission was formed as an agency to  
5 oversee the use of the Canyons east of Cottonwood Heights. It is a follow up to the Mountain  
6 Accord process. There will be five initial commissioners and it is proposed that one of those  
7 commissioners be the Mayor of Cottonwood Heights along with the Mayors of Salt Lake  
8 County, Sandy and Salt Lake City. A member of the SL County Council will also be  
9 appointed. Certain others such as a representative of the Wasatch Back will have an  
10 appointee, as well as the Utah Department of Transportation (UDOT). The CWC will be  
11 tasked with addressing such things as transportation, canyon access, environmental and  
12 recreation issues. The proposed resolution would appoint the Cottonwood Heights Mayor to  
13 the Central Wasatch Commission.

14  
15 5.2.2 **MOTION:** Councilman Shelton moved to approve Resolution 2017-37. The motion was  
16 seconded by Councilman Peterson. Vote on motion: Councilman Peterson-Aye, Councilman  
17 Bracken-Aye, Councilman Shelton-Aye, Mayor Cullimore-Aye. The motion passed  
18 unanimously.

19  
20 **5.3 Consideration of Resolution 2017-38 Approving and Agreement for Building Services**  
21 **with Sunrise Engineering, Inc.**

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23 5.3.1 Mayor Cullimore reported that the above resolution is needed to approve an agreement with  
24 Sunrise Engineering, Inc. Since becoming a City, Cottonwood Heights has contracted with  
25 Sunrise Engineering to serve as the building services provider, including plan reviews and  
26 inspections. It was noted that there is a good rapport between the City and Sunrise  
27 Engineering. The proposed contract became competitive with City opening the contract to  
28 other bidders. In the end, Sunrise lowered its contract price and won the bid, while saving the  
29 City money.

30  
31 5.3.2 **MOTION:** Councilman Peterson moved to approve Resolution 2017-38. The motion was  
32 seconded by Councilman Bracken. Vote on motion: Councilman Peterson-Aye, Councilman  
33 Bracken-Aye, Councilman Shelton-Aye, Mayor Cullimore-Aye. The motion passed  
34 unanimously.

35  
36 **6.0 CONSENT CALENDAR**

37  
38 **6.1 Approval of Minutes for the City Council Work Session of January 24, February 28, and**  
39 **March 21, 2017. Also, Approval of City Council Business Meeting Minutes of**  
40 **April 11, 2017.**

41  
42 6.1.1 **MOTION:** Councilman Shelton moved to approve the Consent Calendar. The motion was  
43 seconded by Councilman Peterson. Vote on motion: Councilman Peterson-Aye, Councilman  
44 Bracken-Aye, Councilman Shelton-Aye, Mayor Cullimore-Aye. The motion passed  
45 unanimously.

1 **7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**

2

3 **7.1 MOTION:** Councilman Bracken moved to adjourn the Business Meeting and Reconvene the  
4 Work Session. The motion was seconded by Councilman Shelton. The motion passed with  
5 the unanimous consent of the Council.

6

7 7.2 The meeting adjourned at 8:09 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, May 23, 2017.*

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10 Teri Forbes  
11 T Forbes Group  
12 Minutes Secretary  
13  
14 Minutes approved: June 27, 2017