

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING**  
2 **HELD TUESDAY, JANUARY 24, 2017 AT 7:02 P.M. IN THE COTTONWOOD HEIGHTS**  
3 **CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL**  
4 **BOULEVARD, COTTONWOOD HEIGHTS, UTAH**  
5

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

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

15 **Others:** Forest Bend Scout Troop, Scout Pack 4605  
16

17 **An Audio Recording of the meeting is available at:**

18 [http://cottonwoodheights.utah.gov/your\\_government/public\\_meetings/](http://cottonwoodheights.utah.gov/your_government/public_meetings/)  
19

20 **1.0 WELCOME**  
21

22 1.1 Mayor Cullimore called the meeting to order at 7:00 p.m. and welcomed those in attendance.  
23

24 1.2 The Pledge of Allegiance was led by Ollie Pullman from Scout Troop 4605.  
25

26 **2.0 CITIZEN COMMENTS**  
27

28 2.1 Barbara gave her address and stated that the snow plowing services had been going very well  
29 until the most recent storm. Her street was not plowed, which made for a stressful commute.  
30 The snow that was moved covered the sidewalk and was too heavy to shovel. She asked if  
31 the bicycle lane could be used for snow storage in order to leave open access to the sidewalk.  
32

33 2.2 Mayor Cullimore reported that the biggest complaint this year has been that too much snow  
34 is being placed onto the sidewalks or in front of driveways. Representatives from the Public  
35 Works Department were present and now aware of the concerns. They would do their best to  
36 find a remedy.  
37

38 **3.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS**  
39

40 **3.1 Recognition of Officer Chris McHugh promotion to Sergeant.**  
41

42 3.1.1 Chief Russo expressed appreciation for the comradery and dedication of the City's Police  
43 Officers. He introduced Officer Chris McHugh who placed first. Chief Russo was pleased to  
44 promote him to the rank of Sergeant. Sergeant McHugh received his Sergeant badge from his  
45 son and thanked the Police Administration for the opportunity to serve in the City of  
46 Cottonwood Heights.  
47

1 **3.2 Introduction of Police Officer Recruit Brayden Phelps.**

2  
3 3.2.1 Chief Russo introduced new recruit, Brayden Phelps, and welcomed him to the City. Officer  
4 Phelps thanked Chief Russo for the opportunity and looked forward to serving in Cottonwood  
5 Heights. The badge pinning was to take place after Officer Phelps' completion of the  
6 academy.  
7

8 **3.3 Recognition by Chief Watson, Unified Fire Authority, Officer Kevin Salmon, Officer**  
9 **Demitri Shirts, Officer Gary Young, and Officer Damien Olson.**

10  
11 3.3.1 Assistant Fire Chief, Mike Watson, explained that fire fighters cannot do their jobs without  
12 the Police Department. Police officers keep them safe on roadways, block traffic during fires,  
13 help them respond to patients in hostile environments, and protect them from harm. He  
14 referenced the Push to Survive Program, which is a new CPR format. When done correctly,  
15 outcomes are dramatically improved. They have also implemented a recognition of those who  
16 perform CPR. An email commending the City's emergency responders and expressing  
17 appreciation to Cottonwood Heights Officers who assisted in a recent medical emergency call  
18 was read. The officers assisted with CPR, cleared the sidewalks of snow, and helped care for  
19 the patient. Chief Watson awarded the Challenge Coin Life Saving Award to Officer Kevin  
20 Salmon, Officer Demitri Shirts, Officer Gary Young, and Officer Damien Olson. Mayor  
21 Cullimore expressed gratitude to the police officers, fire fighters, and first responders and all  
22 their hard work and dedication to the City.  
23

24 **4.0 PUBLIC COMMENT**

25  
26 **4.1 ZMA 16-002 Strong Zoning Map Amendment - 9121 South Little Cottonwood Road.**

27  
28 4.1.1 Mayor Cullimore reported that the above item is for the proposed rezone of 1.91 acres from  
29 F-1-43 to RR-1-21 at 9121 South Little Cottonwood Canyon Road, as recommended by the  
30 Planning Commission. The applicant intends to subdivide the property into three one-half acre  
31 lots.  
32

33 4.1.2 Community Development Director, Brian Berndt, presented the staff report for ZMA 16-002,  
34 which is a request for a zoning map amendment for the property located at 9121 South Little  
35 Cottonwood Road from a F-1-43 to RR-1-21. The General Plan did not need to be modified  
36 for this request. The Planning Commission recommended approval to the City Council.  
37

38 4.1.3 Mayor Cullimore pointed out that a rezone is actually a change in the law as zoning is a  
39 legislative action on the part of the City Council. The City's practice has always been that  
40 when dealing with a rezone or change to the General Plan, public comment is allowed by the  
41 Council as opposed to a public hearing that is mandated by law.  
42

43 4.1.4 Pam Palmer gave her address as 3523 East 8740 South and stated that she previously sent a  
44 letter to the Council expressing her desire for them to seriously consider using their authority  
45 to conduct a six-month moratorium to get a better vision of open space land use. In this case,  
46 she was caught off guard with the rezone request as she believes it takes away all the sensitive  
47 land requirements, which are important. The lot size is cut in half, the setbacks are altered,  
48 and the widths decrease from 200 to 80 feet.

1 4.1.5 Mr. Berndt explained that regardless of the rezoning, the sensitive lands protections are still  
2 in place. Mayor Cullimore asked Mr. Berndt to verify that that is the case and if there would  
3 be a loss of sensitive land considerations as a result of the zone change. It was noted that the  
4 challenge comes when dealing with privately held properties.  
5

## 6 **5.0 STANDING MONTHLY REPORTS**

### 7 **5.1 Monthly Financial Report – Finance Director, Dean Lundell.**

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9  
10 5.1.1 Finance Director, Dean Lundell, presented the Monthly Financial Report and stated that the  
11 sales taxes received for October 2016 were \$1,600 over budget and November was \$20,000  
12 over budget. Energy tax collections for November were under budget but approximately  
13 \$120,000 over budget for the year. Additional expenses related to the New City Hall were  
14 reviewed. Many were associated with the startup and were not annual expenditures. He  
15 reported that to date they are \$250,000 under budget. Mayor Cullimore congratulated  
16 Mr. Lundell and reported that he recently received a letter recognizing the effort of the Finance  
17 Department from the GFOA.  
18

### 19 **5.2 Unified Fire Report – Assistant Chief Mike Watson.**

20  
21 5.2.1 Assistant Chief, Mike Watson, presented the Unified Fire Report for the month of December  
22 and stated that Station 110 came in 4<sup>th</sup> and Station 116 came in 15<sup>th</sup>. There were 53 fire calls  
23 and 190 medical calls. Station 110 closed with 167 total calls, of which 133 were medical  
24 calls and 34 were fire calls. Station 116 closed with 76 total calls of which 57 were medical  
25 and 19 were fire. Little Cottonwood Canyon received 27 calls for Station 113 and one for  
26 Station 116. December medical calls by type included falls, sick person, traffic accidents, and  
27 fainting. Most December fire calls consisted of alarms and there were several hydrant issues  
28 due to snow. There were six house fires and one shed fire.  
29

30 5.2.2 Station 110 received 53 Advanced Life Support calls (ALS), of which 40 were transports.  
31 There were 80 Basic Life Support (BLS) calls of which 24 were transports. Station 116  
32 received 33 ALS calls with 17 transports. There were 24 BLS with 10 transports. Station 116  
33 came in 9<sup>th</sup> position for total call volume for the 12 months and Station 116 was in 14<sup>th</sup>  
34 position. Station 110 received a total of 298 fire calls and Station 116 received 228 for a  
35 combined total of 526 fire calls. Station 110 responded to 1,125 medical calls and Station 116  
36 responded to 638 for a combined total of 1,763 medical calls.  
37

38 5.2.3 The customer service report included extrication training, talk and demo tours, and solar panel  
39 training. The safety message was the same as was submitted in the previous report. Assistant  
40 Chief Watson confirmed that he would be taking over the Interim Chief Deputy over  
41 Operations position and will be establishing a committee to review their staffing model. They  
42 will also be planning for Draper's exit with a launch scheduled for July 1, 2017.  
43

## 44 **6.0 ACTION ITEMS**

### 45 46 **6.1 Consideration of Resolution 2017-05 Approving an Amended Easement Agreement for** 47 **the Big Cottonwood Canyon Trail.** 48

- 1 6.1.1 Mayor Cullimore reported that the above resolution approves an amended easement  
2 agreement for the Big Cottonwood Canyon Trail. The owners of the Old Mill Corporate  
3 Centre donated an easement right-of-way for the trail to go through their property. While  
4 conducting field engineering they discovered that there was an error in the recording of the  
5 easement, which currently runs through one of the buildings. The proposed resolution will  
6 record the easement in the correct location which will correct the error.  
7
- 8 **6.1.2 MOTION:** Councilman Bracken moved to approve Resolution 2017-05. The motion was  
9 seconded by Councilman Tyler. Vote on motion: Councilman Bracken-Aye, Councilman  
10 Peterson-Aye, Councilman Shelton-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye.  
11 The motion passed unanimously.  
12
- 13 **6.0 CONSENT CALENDAR**
- 14
- 15 **6.1 Approval of minutes for the Work Meeting of November 15, 2016.**
- 16
- 17 **6.1.1 MOTION:** Councilman Peterson moved to approve the minutes of November 15, 2016. The  
18 motion was seconded by Councilman Shelton. Vote on motion: Councilman Bracken-Aye,  
19 Councilman Peterson-Aye, Councilman Shelton-Aye, Councilman Tyler-Aye, Mayor  
20 Cullimore-Aye. The motion passed unanimously.  
21
- 22 **7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**
- 23
- 24 **7.1 MOTION:** Councilman Shelton moved to adjourn the Business Meeting. The motion passed  
25 with the unanimous consent of the Council.  
26
- 27 7.2 The meeting was adjourned at 7:58 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, January 24, 2017.*

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

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD TUESDAY, JANUARY 24, 2017 AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

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

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

**WORK SESSION**

Mayor Kelvyn Cullimore called meeting to order and welcomed those in attendance.

**1.0 Legislative Update.**

1.1 Cottonwood Heights City Lobbyist, Brian Allen, presented the Legislative Update and answered questions. He reported that overall a record number of bills were filed, with over 1,700 pending. He highlighted one unusual bill sponsored by Lincoln Fillmore that focuses on the Police Department. It stipulates that a vehicle can be impounded if a motorist is pulled over and found to have no insurance.

1.2 Another bill of concern was the Asset Forfeiture law and funding for the Justice Reinvestment Act. Mr. Allen mentioned that statewide revenues are up slightly. He noted that the mood of the Legislature is upbeat. The community outreach and Youth City Council have activities going on downtown surrounding the Legislative Session.

**2.0 Review of Business Meeting Agenda.**

2.1 The Business Meeting agenda items were reviewed and discussed.

**3.0 Public Relations Report.**

3.1 Public Relations Specialist, Dan Metcalf, reported on recent media coverage including a story by Fox News 13 regarding mail theft. Several suspects were arrested recently regarding the mail thefts. Mail theft is a federal crime and the United States Attorney has filed charges against the suspects. There is a joint effort by the Cottonwood Heights Police Department and federal authorities regarding ongoing investigations into mail thefts. There was also mention in the news of recent snow storms.

3.2 Mr. Metcalf reported that the newsletter publication is going well and he will be getting help with the newsletter while he is out of town over the summer. He had been working on social media issues and was invited to make a presentation at the Utah Municipal Clerks Association Meeting regarding social media policies and legal issues.

#### **4.0 Finance Report.**

4.1 Finance Director, Dean Lundell, informed the City Council that the Annual Report is available on the City's website or in his office. A copy of the Annual Report and the Budget Policy and Procedures are attached and incorporated into these minutes by reference. Mr. Lundell introduced upcoming finance topics and a calendar of events. Planned budget topics included budgetary policies, procedures, and long-term policies. Mr. Lundell highlighted some of the upcoming scheduled budget events, including the following:

- \* February 21, 2107 - Finance Retreat. One important topic will be the Public Works Budget.
- \* May 9 - Adopt a tentative budget.
- \* June 13, 2017 - Budget Public Hearing.

4.2 Mr. Lundell presented the budget policies and answered questions. He guided the City Council through the following:

- \* Operations – each fund will be balanced.
- \* Current expenditures will be covered with current revenue.
- \* Capital Facilities Maintenance.
- \* Budget Checks and Balances.
- \* Productivity.
- \* Operating Functions/Performance Indicators (focus on each department).
- \* Long-Term Capital Plan.
- \* Prioritization of Capital Asset Maintenance.
- \* Funding Sources before asking for asking project to be approved.
- \* Lowest Cost Finance Proposal.
- \* Debt Management.
- \* Revenue Estimated Accurate.
- \* Reserve Balance.
- \* Accounting/Auditing.
- \* Definitions to follow best practices.
- \* Debt Limits.
- \* Budget Controls.
- \* Future Projections/Revenue Trends (Telecom Tax and Storm Water Fee).
- \* Debt Analysis.
- \* Growth Areas

4.3 Mayor Cullimore requested that Mr. Lundell provide three positive points and three concerns in the introductory paragraph for future discussion.

#### **5.0 Public Works Report.**

5.1 Public Works Director, Matt Shipp, reported on various Public Works activities described below.

**5.2 a. Snow Removal Plans and Performance; Road Conditions.**

5.2.1 Mr. Shipp reported that the official snow accumulation in the City was 16 inches. He presented photographs and reported that snow plows began work early and had a very long season. They were commended for doing a great job. It was reported that the snow removal team had been very efficient and put less salt down overall but did more work than for prior storms. Mr. Shipp answered questions from the City Council and reported that his team addressed complaints and legitimate concerns but are getting better every day. The hotline was very effective and snow plows quickly addressed problems. The public was being educated on how the hotline works and there was a pattern in terms of plowing. It was noted that main streets are done first followed by individual streets.

5.2.2 The City Council stated that an update of the on-line map would be helpful for the public. The snow removal team had also been addressing black ice issues. It was reported that roads that have traditionally been closed during winter storms were plowed by the snow crew and remained open. If there was a problem with a specific road, the best way to report a problem was through direct calls to City Hall. Mr. Shipp reported that there is Road Pot Hole Repair Plan and a new policy has been drafted. He welcomed comments and input from the City Council regarding the plan. He noted that a limited amount of work can be done to repair pot holes during the winter months.

**5.3 b. Public Works Facilities and Development Plans.**

5.3.1 Mr. Shipp reported on the punch list for City Hall. He indicated that the heating system has been repaired and signage is in place. With regard to the HVAC, the Engineer has not provided all of the specifications and is coordinating with the City and other providers to resolve the issues. Another roof leak was discovered but determined to be an HVAC-related problem and was addressed. The cable television wiring was installed incorrectly and will need to be fixed. The gate on the secure parking also has an issue and needs to be repaired. Mr. Shipp reported that the City Council is holding back funds until the repairs are made.

**6.0 Public Safety Reports.**

**6.1 a. Unified Fire Authority.**

**6.1.1 1. Report on the UFA Board Meeting – Chief Watson.**

6.1.1.1 Unified Fire Authority (UFA) Assistant Chief, Mike Watson, gave an update regarding the UFA Audit Report. The Audit Report was released the day after the State Report, so there had not been much public feedback or recent news reports. The Audit Report indicated that there were violations of the law and policy and procedures will have to be reviewed. The Attorney's Office was also reviewing the procedures for criminal complaints. Overall, the audit did a good job of identifying problematic individuals and not the "rank and file" staff.

**6.2 b. Police Department.**

6.2.1 Police Chief, Robby Russo, reported that a police car was crashed. An outside agency was investigating the accident. He reported that a few employees have left the department and there are some new hires.

**7.0 City Manager/Assistant City Manager Report.**

**7.1 a. New City Hall Report.**

7.1.1 City Manager, John Park, reported on the punch list to be completed on the construction at City Hall. A copy of the punch list was provided to the City Council. The HVAC systems, specifically the heating system, still had issues. The engineer had not received the specs from the installer to determine what the next step should be. There were changes in the Police Station (faucet/hose bib installation) that the City will do on its own because the cost will be significantly less than the contractor. The roof leak was still a problem but it was being addressed. The on several occasions various subcontractors have penetrated the roof but have not accepted responsibility. As a result, the General Contractor hired a roofing contractor who is addressing all of the problems related to the roof leaks. There was also a problem identified with the co-axle cable that was installed incorrectly and caused the cable television to not work. That subcontractor was contacted and the cable issues will be resolved. It was also mentioned that the building is being used at certain times as a rental by other agencies. In a situation where an agency loans its space to the City, the City will return the favor without charge.

**7.2 b. Unified Fire Authority Audit Report.**

7.2.1 Mr. Park reported on the UFA Audit Report and stated that the Utah League of Cities and Towns (ULCT) is mandatory reading for all Directors. He commented that it would behoove the City Council to also review the reports, as there is much to learn. Mr. Park gave examples of improper credit card use and answered questions.

**7.3 c. Review of Staff Communications.**

7.3.1 There was nothing to report.

**8.0 Mayor/City Council Reports.**

**8.1 a. Jordan River Commission Meeting – Councilman Tyler.**

8.1.1 Councilman Tee Tyler reported that there was nothing to report. The prior meeting was cancelled due to a snowstorm and there was no quorum at the most recent meeting.

**8.2 b. Wasatch Front Waste and Recycling District Board Meeting – Councilman Bracken.**

8.2.1 Councilman Scott Bracken reported that there are new hires who will perform seasonal work. It was reported that Pam Roberts, Executive Director of the Wasatch Front Waste and

Recycling District, was appointed to the Utah Local Government's Trust Board. The following changes were also made to the District Chair and Vice Chair positions: Board Member, Jim Brass (Murray City) turned over Chair duties to Board Member, Craig Tischner (Herriman City). Councilman Bracken turned over his duties as Vice Chair to Steve Gunn (Holladay City).

8.2.2 Councilman Bracken reported that the 4<sup>th</sup> Quarter Financial Report was reviewed and the Board was studying a policy manual regarding organizational issues, including controller duties to ensure that finances are managed properly. Councilman Bracken reported that the budget was balanced without fee increases. He also reported that recycling participation is up by members. The Board discussed a pay increase for drivers, which will help retain quality drivers.

**8.3 c. Legislative Breakfast – Mayor Cullimore and City Manager, John Park.**

8.3.1 Mr. Park reported that the Legislative Breakfast was a success with better participation than expected. It was determined that the venue was excellent and the timing being so close to the Legislative Session helped increase participation.

**9.0 Calendar of Events.**

9.1 Councilmember Schedules for the following week were as follows:

- a. January 25 – Local Officials Day at the Legislature
- b. January 28 – Volunteer Appreciation Dinner; 6:00 p.m. at City Hall
- c. February 14 – No Council Meeting – Business Meeting on the 7<sup>th</sup>
- d. February 20 (Monday) – Presidents Day – City Hall will be closed
- e. February 21 – Special Council Retreat Meeting
- f. March 7 – CHBA Quarter Luncheon at City Hall
- g. April 5-7 – ULCT Meetings in St. George

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

10.1 There was no closed meeting.

**11.0 ADJOURN**

11.1 **MOTION:** Councilman Tee Tyler moved to adjourn. The motion passed with the unanimous consent of the Council.

11.2 The Work Session adjourned at 9:43 p.m.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood Heights City Council Work Session held Tuesday, January 24, 2017.*



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Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes approved: