

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD TUESDAY, SEPTEMBER 3, 2019 AT 5:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

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

**Staff Present:** City Manager Tim Tingey, Police Chief Robby Russo, Public Works Director Matt Shipp, Community and Economic Development Director Michael Johnson, Records Culture and Human Resources Director Paula Melgar, Finance and Administrative Services Director S. Scott Jurgens, City Attorney Shane Topham, Assistant Fire Chief Mike Watson, Senior Planner Matt Taylor, IT Network Administrator Matt Ervin

**Excused:** Council Member Shelton, Council Member Mikell, Communications Manager Tim Beery

**WORK SESSION**

Mayor Peterson called the meeting to order at 5:01 p.m. and welcomed those present.

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

Mayor Peterson reviewed the upcoming business meeting agenda.

**2.0 City Council and Staff Reports**

**a. Communications Plan Discussion – City Manager Tim Tingey and Kim Horiuchi.**

Mayor Peterson introduced Kim Horiuchi and stated that she is a freelance editor for Deseret News and a former member of the Canyons School District Board.

City Manager, Tim Tingey expressed appreciation to Ms. Horiuchi for her expertise in the design elements included in the newsletter. He emphasized the importance of communication in the City and stated that they are always striving to continuously improve. He stated that public noticing is provided through the City newsletter, public open houses, educational events, email lists on the website, as well as multiple social media sources. He confirmed that they will continue to work on the social media elements in order to get out information quickly and in a timely manner. The City's website design was described. Mr. Tingey reported that they are looking at having a video series that focuses on City matters.

Kim Horiuchi reviewed the City newsletter and stated that after five years, she concurred it was in need of an update. She stated that residents are interested in hearing the thoughts of the elected officials and the redesign will place that column on the front. The layout was described.

Mr. Tingey reiterated that their focus will continue with social media, the website, and continuing with the newsletter. The website was expected to be ready October 1 with the new newsletter in November.

**b. Outdoor Lighting – Senior Planner, Matt Taylor.**

Senior City Planner, Matt Taylor, reviewed the Outdoor Lighting Plan. The proposed ordinance was intended to bring a simple, straight forward ordinance that anyone can use. He emphasized the importance of conserving energy and natural resources and increasing health and safety. Tools that achieve multiple objectives were described. He explained that the ordinance will apply to all land uses with the exception of single-family homes. The ordinance will also apply to interior remodels affecting more than 50% of a structure. He noted that the Planning Commission felt strongly that staff should prepare standards for single-family residential and they have a well-balanced and reasonable standard most can implement. The Council recommended staff amend the language to make it an optional standard. Mr. Taylor reviewed the language and stated that they amended the definition of net acre and provided clarification on applicability. Chief Robby Russo suggested that automatic switching controls be recommended rather than required. Seasonal decorations may be illuminated as many are having permanent lighting installed at their homes that may be illuminated for up to 180 non-consecutive days per year.

Community and Development Director, Mike Johnson, reported that there is language addressing residential lighting; however, if the Council decides to make lighting a requirement, the wording can be revised.

Mr. Tingey clarified that currently with single-family residential, lighting is an optional element so enforcement is not built into the ordinance as currently drafted. If the Council would like to include non-optional as a requirement, they would need to reevaluate the standards to ensure that they are objective and consistent. Mr. Taylor reviewed the lighting options.

**c. East Jordan Canal Trail.**

Mr. Tingey next reviewed the East Jordan Canyon Trail and described the funding. The trail is owned by Salt Lake City and the City would need to have an agreement in place before moving forward. He indicated that Public Works Director, Matt Shipp, has been heavily involved and will be proposing the first step in the project during the Business Meeting.

Mayor Peterson stated that trails are not difficult to maintain if constructed correctly. He suggested they take advantage of every opportunity before they are gone. Mr. Tingey described the trail design and believed it would increase walkability.

City Attorney, Shane Topham reported they reached an agreement with Salt Lake City who came back with a one sentence change asking Cottonwood Heights to monitor the trail and the surrounding ground. He confirmed that the land is owned by Salt Lake City and Cottonwood Heights would be obtaining a revocable license to use the trail. He changed the sentence and agreed that Cottonwood Heights would do its best to monitor the trail and promptly inform Salt Lake City of any

encroachments. They will also cooperate with any efforts to enforce property rights. The change had yet to be accepted and negotiations would continue.

**d. Wasatch Boulevard Planning Efforts**

Mr. Johnson gave a brief update on the Wasatch Boulevard planning and stated that UDOT has organized a design activity. He stated that a process overview will be provided relative to design and aesthetics. Activity procedures were described. The intention was to review aesthetics, design, landscaping, and amenities that will then become the design standards. He indicated that the process is the result of their planning efforts and emphasized the importance of having as many in attendance as possible.

**3.0 Review of Calendars and Upcoming Events**

Council Member Schedules for the next week - 2019 Calendar:

- a. September 21st – 10 am to 1 pm – Bark in the Park at Mountainview Park
- b. September 21st – 8 am to 11 am – Firehouse Breakfast - Open House and Pancake Breakfast
- c. October 1st through the 31st – Art Show Reception at City Hall
- d. October 3rd – 7 pm to 9 pm – Art Show Awards at City Hall
- e. October 12th – 7pm – Rhythm in the Heights at Butler Middle School
- f. October 25th – Monster Mash at the CWHRC
- g. November 5th – General Election
- h. December 2nd – Light the Heights at City Hall

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

**MOTION:** Council Member Bracken moved to close the Open Session and open the Closed Session for the discussion of pending litigation. The motion was seconded by Council Member Bruce. The motion passed with the unanimous consent of the Council.

The City Council was in Closed Session from 6:29 p.m. to 6:37 p.m.

**5.0 ADJOURN CITY COUNCIL WORK SESSION**

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

The Work Session adjourned at 6:37 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, SEPTEMBER 3, 2019 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS  
CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL  
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

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

**Staff Present:** City Manager Tim Tingey, Police Chief Robby Russo, Public Works Director Matt Shipp, Community and Economic Development Director Michael Johnson, Records Culture and Human Resources Director Paula Melgar-City Recorder, Finance and Administrative Services Director S. Scott Jorges, City Attorney W. Shane Topham, Assistant Fire Chief Mike Watson, Public Relations Specialist Tim Beery, Senior Planner Matt Taylor, City Planner Andrew Hulka, Assistant Police Chief Paul Brenneman

**Excused:** Council Member Shelton, Council Member Mikell

**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 Assistant Fire Chief, Mike Watson.

**2.0 PROCLAMATIONS AND RECOGNITIONS**

**2.1 Recognition of Youth Project for Public Safety Personnel – Mayor Peterson.**

Mayor Peterson introduced Jamie Jackson along with her children, Tatum and Gabe Jackson.

Jamie Jackson stated that her children attend Butler Elementary School and participated in last year's reflections contest. The theme was "Heroes Around Us" where her children's entries honored UFA fallen hero, Firefighter Matthew Burchett, and the Cottonwood Height Police Department.

Chief Watson stated that Tatum and Jamie previously presented him with the plaque at the Butlerville Days medical trailer. He displayed Tatum's Reflections entry and stated that Firefighter Matthew Burchett was a dear friend. They worked together in the Wildland Bureau from 2000 to 2003 and became close friends. At the time of the accident, Officer Burchett had been a Battalion Chief for Draper Fire Department for four months.

Gabe Jackson stated that when he heard that theme for Reflections was "Heroes Around Us", the Police Department was who he thought of.

Police Chief, Robby Russo displayed the badge made by Gabe that stated “solve the problem” on the backside and expressed his gratitude.

### **3.0 CITIZEN COMMENTS**

Tim Hallbeck reported that he has sent out approximate 3,800 resident surveys and has received 53 responses. In the responses, residents asked for direction locating specific items on the website. Residents also asked for speed enforcement along Highland Drive and Hollow Mill Drive. Feedback on the roundabout was reviewed.

Eric Kraan stated that conventional safety includes historical incidents before justifying taking measures while systematic safety recognizes that certain elements create unsafe conditions and prevents injuries before they occur. He believed the first principal of systematic principal is speed control and separation and emphasized the need for bike safety. Bengal Boulevard, 2700 East, and Fort Union Boulevard all run next to schools where additional protection is needed. He recommended using funding for a Safe Rides for School Project and prioritizing safety by connecting bike routes to schools and places children patronize. He is a supporter of tactical organizing and would like to see the canal trail have crushed rock. He suggested that residents provide maintenance.

### **4.0 PUBLIC COMMENT**

#### **4.1 Proposed Outdoor Lighting Ordinance – Senior Planner, Matt Taylor.**

Senior Planner, Matt Taylor stated that light pollution is defined as light that is not wanted since too much or too little light can be detrimental to the health, safety and welfare of the public. In preparation for the lighting ordinance, staff considered consolidating the existing ordinances into a comprehensive standard that generates a single comprehensive approach to regulating lighting. He reported that they surveyed several municipalities on the principals of conserving energy and resources, improving the enjoyment of private property from light trespass, and other nuisance violations. Lighting issues were described. He explained that when they began revising the Code, they went forward with a land use approach that would affect all land uses with the exception of single-family residential zones. The Planning Commission initially asked staff to prepare standards for residential single-family zones but later recommended that those standards be made optional.

Mayor Peterson opened the meeting to public comment.

Ken Garner reported that he is an Electrical Engineer by trade and an award-winning Lighting Designer who has been designing commercial properties for 28 years. He commented that streetlights throughout the City were installed years ago near the power source and their locations are not ideal. He believed that calling a fixture full cut off is debatable and the ordinance should define exactly what that means. Full cut off may actually impact historic light fixtures and limits choice. He stated that glare at the property line plays an important role in light trespass as do height restrictions.

Eric Kraan asked what the City plans to do about upgrading and creating full cut off lighting. He stated that glare can impact pedestrian safety and cause issues when driving or walking. He

suggested the City assist in upgrading residential lighting fixtures and appropriate some of the funds received through the Energy Tax.

There were no additional comments. The public comment period was closed.

## **5.0 ACTION ITEMS**

### **5.1 Consideration of Resolution 2019-49 Approving an Appointment to the Arts Council.**

Mayor Peterson reported that the above Resolution approves an appointment to the Arts Council. Mr. Tingey reported that he met with Laura Garcia and the appointment is for a volunteer position to be filled by a resident in the community to serve on the Arts Council. Ms. Garcia's has experience and a degree in Fine Arts.

**MOTION:** Council Member Bruce moved to approve Resolution 2019-49. 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.

### **5.2 Consideration of Resolution 2019-50 Approving an Interlocal Agreement with Salt Lake City for the East Jordan Canal Trail.**

Mayor Peterson reported that the above Resolution approves an Interlocal Agreement with Salt Lake City for the East Jordan Canal Trail. Mr. Tingey reported that the City received funding from a grant to facilitate the East Jordan Canal opportunity. He felt it was an important connection and measures approximately 1,300 feet. Salt Lake City is the owner of the property and the agreement will allow Cottonwood Heights to utilize the land for the trail. He recommended approval.

**MOTION:** Council Member Bracken moved to approve Resolution 2019-50. 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 2019-51 Authorizing and Directing the Inspection and Reporting on the Condition of Lexi Lane in Connection with its Proposed Dedication.**

Mayor Peterson reported that the above Resolution authorizes and directs the inspection and reporting on the condition of Lexi Lane in connection with its proposed dedication. Mr. Johnson explained that there is an ordinance in the City Code that allows residents to petition to dedicate privately owned streets to be accepted by the City and become a private street. The Resolution directs the Petitioner to prepare an Inspection Report using their own engineer guided by the City Engineer. The report will be presented to the City Council within 45 days detailing any deficiencies in the road that would be required to meet City road standards.

**MOTION:** Council Member Bruce moved to approve Resolution 2019-51. 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 for July 16, 2019.**

**MOTION:** Council Member Bruce moved to approve the City Council Work Session and Business Meeting Minutes of July 16, 2019. Council Member Bracken seconded the motion. The motion passed with the unanimous consent of the Council.

**7.0 ADJOURN CITY COUNCIL BUSINESS MEETING.**

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

The meeting adjourned at 7:41 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, September 3, 2019.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: September 17, 2019