

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD TUESDAY, MAY 7, 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 Mike Shelton, Council Member Scott Bracken, Council Member Tali Bruce, Council Member Christine Mikell

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jurges, Public Relations Specialist Tim Beery

WORK SESSION

Mayor Peterson called the meeting to order at 5:04 p.m. and welcomed those present.

City Manager, Tim Tingey introduced new Communications Manager, Tim Beery. Mr. Beery introduced himself and stated that he previously worked as Communications Manager for UDOT Region 2 and began his work in this field through the military. He also served as a Public Affairs Soldier in the Utah National Guard for 11 years. He is married with four children and lives in Saratoga Springs.

Mayor Peterson welcomed the newest member of the Legislature, Senator Kathleen Riebe. Senator Riebe introduced herself and stated that she is a Granite School District teacher and served on the Board for two years. She described the budget and explained they believe there is an unequal tax collection that is being reviewed with a focus on increasing equity in the sales tax. Point of sales tax within each City was discussed.

Mr. Tingey welcomed New Arts Council Member, Caroline Whitmore.

1.0 Rate Differential Philosophy and Rate Study – Mr. Ted Boyer, Member of the Salt Lake City Public Utilities Advisory Committee.

Ted Boyer reported that he is the Cottonwood Heights representative for the Salt Lake City Public Utilities Advisory Committee, which is comprised of volunteers. Recently, there has been pressure from landowners of undevelopable properties in the Canyons to reduce the protected area from 300 feet on either side of the water source. He stated that three bills were recently proposed addressing rate changes. He explained that the infrastructure of Salt Lake City was built in the 1950s and is aging. In addition to stringent environmental regulations, they require upgrading to treat sewer and water. The movement of the prison to the northwest quadrant has accelerated the upgrading of infrastructure and sewer lines and forced them to begin the process in order to accommodate the growth.

For 2019-2020, the proposed grade increases included a 5% increase for water, 18% for sewer, and 10% for stone water. Many capital improvements have been required, a portion of which the rate will cover in addition to the upgrade and bond financing to complete all of the improvements. Mr. Boyer explained that in 2018, the City conducted a rate study to ensure that rates are fair, reasonable, and adequate. The result of the study, which have not yet been approved, confirmed they plan to use a cost of class of service approach. The do not want it to be unduly burdensome on any particular class of customers. The base rate for residential customers was reduced slightly. Salt Lake City purchases their water from the Salt Lake Metropolitan Water System who increased their rates. Mr. Boyer considered Salt Lake City Public Utilities to be a well-run organization and commended the Director. The City is anticipating a population growth of 20 to 25 percent by 2060 and various techniques have been used to conserve water. He confirmed that usage is down by 25% from 2000 to the present.

2.0 Review of Business Meeting Agenda – Mayor Mike Peterson.

Mayor Peterson reviewed the Business Meeting agenda items.

Community and Economic Development Director, Mike Johnson reported that there are three applications for zone changes that have been through the Planning Commission hearing process. All have received positive recommendations. The first was a request for a Zone Map Amendment from R-1-8 (Single-Family Residential) to MU (Mixed-Use) for property located at 1810 East Fort Union Boulevard. The surrounding properties were described. Staff and the Planning Commission both recommended approval.

Mr. Johnson next described a request for a Zone Map Amendment from R-1-8 (Single-Family Residential) to MU (Mixed-Use) for property located at 1648 East and 1680 East Fort Union Boulevard. The properties were rezoned mixed-use the prior year and at the time it was suggested that they include these properties as well. The properties were discussed. Mr. Johnson stated that the General Plan supports the rezone. Height requirements were detailed. There has been interest in the corner properties and they realized that in order to make a mixed-use development feasible while also meeting residential standards, it makes sense to consolidate the properties. No public comments had been received and the Planning Commission unanimously recommended approval.

The Council next discussed a request for a General Plan Land Use Map Amendment from Residential Rural Density to Residential Low Density and a Zone Map Amendment from RR-1-43 to R-1-15 of property located at 3662 East, 3742 East, and 3804 East North Little Cottonwood Road. A land use map was displayed. Mr. Johnson stated that by gross acreage; four lots could be developed on the 5.2 acres. Under the proposed zone and looking at only the subject area, he confirmed that there is the potential for 10 lots. When they take it into account with the adjacent area that is already R-1-15 and based on staff's review and the Engineer's analysis, they felt the property could be maximized to 22 lots under the proposed zone change totaling 26. The net change for both properties developed together was a change of four lots.

Ingress issues were described. Mr. Johnson clarified that with or without the zone change when there are developments within sensitive lands, the City can require trails and open space areas to

make connections to other public lands, complete a City's trail network at the request of the Planning Commission as part of the development process. For subdivisions in excess of five acres, there is a 10% open space requirement. If it is a PUD, the requirement increases to 15%. He explained that when the area is subdivided, they will not want a developer to create a lot that has two zoning designations. The odd layout of the three lots and knowledge that the 12.5-acre piece will be developed in conjunction makes for cleaner lines and simpler layout. Mr. Johnson emphasized that the request is simply a conceptual plan and the developer provided an analysis of the potential layout with and without the proposed zoning. He noted that staff recommended approval as well as the Planning Commission with a 5-to-2 vote.

Setback issues were discussed at length.

Mr. Johnson explained that the general feeling from the Planning Commissioners who voted against the project was that a rezone is not necessary to obtain the standards.

Mayor Peterson next reviewed Ordinance 316 approving Enactment of Chapter 19.77 Accessory Dwelling Units item up for action. City Attorney, Shane Topham confirmed that the item was tabled as there were not enough votes to take action.

Finance and Administrative Services Director, S. Scott Jurges described Resolution 2019-25 Adopting a Tentative Budget for the Period of 1 July 2019 Through 30 June 2020. They began with \$2,253,000 for appropriation in the General Fund and made adjustments in revenue but did not change that total. The total revenue change was \$102,657 and represents .52% growth in revenue. Health costs changed with a placeholder of 5% and came in at .5% with a net increase of \$4,056. Healthcare came in at 7%. \$50,000 was allocated for an external market study and a recommendation was received from the Council to instead conduct an internal study. \$10,000 was budgeted to conduct an internal study resulting in a net savings of \$40,000. Funding for a City Survey in the amount of \$15,000 was added. They recommended a \$26,000 cut to the newsletter budget and reduce it to quarterly distribution. The Parade float was previously removed but later added back in.

Mr. Jurges reported that they modified the Fire Department budget to be a net of \$185,656, which represents a 5.11% increase. He confirmed with Chief Watson that that matches with what has gone through with the Finance Committee. The changes included \$597,813 of fund balance where the previous year it was \$695,000. The current projected ending balance was \$3,331,000 and after taking out 6% for City needs and \$485,000 for PPO vacation, \$1,653,000 was available for appropriation at the end of June 2020. They added the East Jordan Canal Trail at a cost of \$25,000 and with Capital Improvements factored through, it would leave a net reduction in fund balance of \$435,000 bringing the ending projected fund balance available for appropriation to \$449,000.

Mayor Peterson thanked Mr. Jurges, the two committees, and staff for their work. He considered what was presented to be an great improvement over the previous year.

Mr. Jurges reported that there are no proposed tax changes and Certified Tax Rates were to be received by June 8. He confirmed that they will not be able to adopt the budget on June 4 but need to adopt it on June 18.

The Council next discussed Resolution 2019-26 Declaring Certain Property Surplus. Surplus items were discussed.

Chief Watson reviewed the consideration of Resolution 2019-27 amending the designated areas closed to the discharge of fireworks for 2019. UFA reassessed the areas that were not previously included. A map was presented. Chief Watson reported that after a site visit and analysis of the surrounding area, an amended restricted area was added.

3.0 Staff Reports

a. Proposed Revisions to the City's Facility Use Policy.

Culture Manager, Ann Eatchel discussed proposed revisions to the City's facilities use policy. She reported that changes to the policy were reviewed and included clarity of language and removal of a small conference room. Building rental hours were to remain the same and rental fees were clarified. Rentals began in August 2016 with 14, 55 in 2017, and 88 in 2018. The current Fee Schedule was presented. Ms. Eatchel confirmed that special circumstances can be approved by the City Manager.

Council Member Shelton expressed concern with the Wear and Tear Fee not being enough to cover expenses. He suggested that the user cover the majority of the cost.

Council Members discussed facility usage at length.

The City Council adjourned to the Business Meeting at 6:57 pm.

The City Council resumed the Work Session at 8:50 pm.

The Council continued to review the proposed revisions to the City's Facility Use Policy. Fee increases were discussed at length.

Mr. Eatchel addressed alcohol use within the facility, should it be allowed. She confirmed that they will only allow beer and wine and will only be permitted when in full compliance with the Alcohol Beverage Control requirements and may not be served to an event to which the general public is invited. Service would only take place at a truly private event and only served by a licensed City approved alcohol server. Insurance requirements were discussed.

Mr. Topham confirmed that they will not have insurance through the trust or any alcohol related claims. If there is an alcohol claim, he believed they will not have insurance through the trust to defend them or pay a claim. He stated that they must have outside insurance and emphasized why insurance from the alcohol server is important.

Council Member Bracken expressed concern with our City Hall being the only one that allows alcohol service in that it could become a regional draw for such events. It could be like Mounview Park, as the only park with a slash pad in the region, was overutilized when it opened. He suggested a one year delay of implementing the alcohol policy to see the impact of the new fees on reservations.

He suggested the subject of permitting alcohol at City Hall would be a good question on a public survey to the citizens of Cottonwood Heights.

Council Member Shelton believed these types of rentals will take a greater portion of time and require more explanation. He emphasized the importance of ensuring that coverage is sufficient and that all requirements are followed.

Council Member Mikell stated that the Debt Service Fund Building Bonds in 2014 and 2016 were \$1.126 million. She believed that all residents should have the ability to use this building with or without wine. She was opposed to feeling like there is a part of the community that could use it for that purpose but cannot.

Mr. Tingey believed if they are addressing costs, there are strict requirements but can make it work.

Mayor Peterson agreed with Mr. Tingey with his main concern being liability. He commented that the policy is restrictive enough that the use of rentals with alcohol will be minimal and would provide protection to those who chose to utilize the facilities. It was noted that rental of the facilities is a public service.

b. Wasatch Boulevard Master Plan.

Mayor Peterson reported that they have received a commitment from UDOT to work closely with the City of Cottonwood Heights to listen to their position and the Wasatch Boulevard Master Plan will represent the City's position. He emphasized the importance of how the plan should represent the City's view on how the corridor should be developed.

Mr. Johnson presented the staff report and reviewed the goals and scenarios created. He highlighted what each scenario is intended to achieve in relation to the goals. The plan began in the fall of 2017 with the creation of a Stakeholder Group and Steering Committee. Three scenarios were created and tested and the public hearing process was initiated with the Planning Commission consisting of multiple meetings. He pointed out that they want to focus development in the area near the gravel pit site with a mixed-use development that includes canyon recreation, pedestrian accommodation, trail access and includes a major transit hub.

The second planning objective was to create a connective network of paths and trails for transportation and recreation along the entire corridor. The third planning objective was to balance the livability, roadway capacity, and sustainable canyon access south of Cottonwood Canyon. Mr. Johnson confirmed that this would be handled with sensitivity. They want to maintain the aesthetic and character of the corridor through native landscape, medians, and limiting additional canyon parking along the corridor. He explained that UDOT has the right-of-way to build a five-lane cross section, a buffer, landscape buffer, and a shared use path on one side, but not both. Traffic calming issues were discussed. He reported that the preferred scenario is similar to Scenario three, where recreation villages scored the highest against the quantitative analysis compared to the project goals. The preferred incentives transit priority along the corridor included gravel pit development and putting a strong emphasis on active transportation and recreation.

Council Member Mikell asked for more information regarding how UDOT is feeling about the Wasatch Plan. Mr. Johnson confirmed that they are involved in the process and understand what is emphasized in the plan. Meetings have been held with UDOT to address goals and objectives to ensure that there are no issues. They are making traction on lowering the speed limit concept and credited many of the residents who have expressed concerns. UDOT has engaged Cottonwood Heights to work on a Corridor Agreement, which is essentially an Access Management Agreement through the Wasatch Boulevard corridor. He made sure that the scope includes recommendations from the Wasatch Master Plan in the Final Corridor Agreement.

Mr. Tingey suggested the matter be addressed again at the first meeting in June.

4.0 Review of Calendars and Upcoming Events.

Councilmember Schedules for the next week - 2019 Calendar:

- a. May 17 – 6:00 p.m. to 8:00 p.m. – Superhero Bike Ride
- b. July 26 – Starting at 4:00 p.m. - Butlerville Days
- c. July 27 – All Day – Butlerville Days
- d. July 12, 13, 15, 18, 19, 20 – (check website for times) - Little Mermaid performance at Butler Middle Scholl

5.0 Closed Meeting to Discuss Litigation, Property Acquisition and/or the Character and Professional Competence or Physical or Mental Health of an Individual Security Procedures – Assistant Chief Paul Brenneman.

MOTION: At 10:14 p.m. Council Member Bracken moved to close the Work Session to convene the Closed Meeting. Council Member Bruce seconded the motion. The motion passed with the unanimous consent of the Council.

6.0 ADJOURN CITY COUNCIL WORK SESSION

The Work Session adjourned at the conclusion of the Work Session at 10:49 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, MAY 7, 2019 AT 7:03 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 Mike Shelton, Council Member Scott Bracken, Council Member Tali Bruce, Council Member Christine Mikell

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jurges, Public Relations Specialist Dan Metcalf.

BUSINESS MEETING

1.0 WELCOME/PLEDGE

Mayor Peterson called the meeting to order and welcomed those present.

The Pledge of Allegiance was led by Council Member Shelton.

2.0 CITIZEN COMMENT

Ellen Birrell stated that urban sprawl contributes to a sedentary lifestyle and poor air quality. She believed that affluence and more cars does not equal health and wellbeing. She attended the Central Wasatch Committee Meeting where UDOT seemed to dismiss citizen input and urged the Cottonwood Heights City Council to request a qualitative and quantitative report of that meeting. She suggested using the finalized Master Plan as an influential tool and encouraged collaboration with nearby cities, UTA, and UDOT since 55% of the small particulate in chemical air pollution is attributed to car exhaust. She stated that the Intermodal Center at the mouth of Big Cottonwood Canyon is promoted as a canyon recreation access point year-round. She discouraged housing track down zoning and variance applications. She was opposed to the third scenario of the draft that features recreation villages along Wasatch Boulevard.

Nancy Hardy asked the Council to oppose the proposed ADU as it has not been updated in the past year. Her opinion was that restrictions should be in place prior to approval. She stated that the implications of the ADU not meeting safety standards should be clear. She asked if police can enforce things if they are driving to and from work or notice something that was not called in.

Police Chief, Robby Russo clarified that officers have Statewide jurisdiction and can write tickets or enforce the law on any activity that occurs in their presence.

Robert Jacobs expressed gratitude for those involved in the fireworks and appreciated the YouTube channel broadcasting City meetings. He believed the ADU Ordinance allows for a single-family home to be turned into a duplex although sold as a grandmother complex. He encouraged the Council Members to oppose the ordinance, start the process again, and create a good ordinance for the City.

Tim Hallbeck commented that the ADU ordinance should be removed from discussion. He appreciated the effort that has gone into it but believed it should be more specific. He offered to work with Mr. Johnson regarding graffiti-proof repairable signage. He remarked that the roundabout looks interesting and will mitigate traffic but believed the flaws include traffic no longer being regulated. He also suggested the construction of pedestrian bridges.

Council Member Mikell encouraged Mr. Hallbeck to include the Parks, Trails and Open Space committee in the sign placement.

Roberta Woolridge stated that parking is already an issue and believed ADUs will only exacerbate the problem.

Eddie Wight expressed opposition to the ADU ordinance and discouraged moving second families into an R-1 home. She loves this country and her she felt that adopting the ADU ordinance would destroy the American dream.

LeAnn Walker stated that the Wasatch Boulevard Master Plan is the law and citizens need time to get used to it. She commented that the view from her living room is now the post of the High-T intersection. She feared she will lose her home and be unable to get into another. With a sensitive back, any disruption will be damaging. She wanted to remain in her home as she needs her neighbors to assist her.

Mayor Peterson thanked Ms. Walker for her attendance and confirmed they will take her concerns seriously.

3.0 PUBLIC COMMENT

3.1 ZMA-19-001 –Request by Nathan Anderson (City and Resort Properties) for a Zone Map Amendment from R-1-8 (Single-Family Residential) to MU (Mixed-Use) of Property located at 1810 East Fort Union Boulevard - Community and Economic Development Director, Michael Johnson.

Community and Economic Development Director, Mike Johnson, presented the staff report and stated that the request is for a zone map modification zone change to property located at 1810 East Fort Union Boulevard. The property is located immediately east of the Fire Station. Existing zoning was reviewed. He explained that when considering a zone map amendment, the General Plan is always the first place referenced. Although not a binding designation, it is the future designation that the general plan identifies for properties within the City. The subject property is identified as mixed-use which means the City has a General Plan and the Fort Union Master Plan envisions the mixed-use type of redevelopment for the residential properties along Fort Union. He confirmed that

staff recommended approval and this item has been reviewed by the Planning Commission who also recommended unanimous approval.

Mayor Peterson opened the public hearing.

Robert Jacobs stated that the entire area is a Planned Unit Development (PDD) and questioned how that will remain if the City continues with the zoning changes. He suggested the proposal be made as part of a PDD application. He believed they were the perfect building blocks and recommended implementation. He asked if it was worthwhile to table the request and determine if it is possible to develop a PDD along Fort Union.

Mr. Johnson explained the PDD is a development option that also applies to properties in the Tier 2 zone, which are one acre or larger. It would not apply to this specific property with the Fire Station nearby. Tier 3 in the PDD includes an additional process that is required. There are not actually any development incentives and without modifying the ordinance, they do not envision a Tier 3 PDD being utilized when the mixed-use ordinance is a more straight forward process. He believed the mixed-use and PDD ultimately can achieve something similar, however, in larger notes the PDD requires a different process.

Nancy Hardy commented that she was involved in the corridor study in which residents from all areas were represented. They came up with a walkable design that included moving traffic to I-215, wider sidewalks, and making the area more walkable without taking property.

Mayor Peterson confirmed that those design elements are still a part of the Fort Union Master Plan and will continue in other areas.

There were no further public comments. Mayor Peterson closed the public hearing.

3.2 ZMA-19-002 –Request by John Prince (Prince Assets LLC) for a Zone Map Amendment from R-1-8 (Single-Family Residential) to MU (Mixed-Use) of Property located at 1648 East and 1680 East Fort Union Boulevard - Community and Economic Development Director, Michael Johnson.

Mr. Johnson presented the staff report and stated that the request is very similar to the previous request in terms of current zoning and General Plan land use designation. The General Plan for the area envisions a mixed-use land use designation and as reviewed, a PDD technically could apply if chosen. He commented that the mixed-use helps the City achieve the General Plan and Fort Union Master Plan goals. He noted that there were no public comments received on the matter at the Planning Commission level where they recommended approval.

Mayor Peterson opened the public hearing.

Eric Kraan was in favor of the mixed-use development. He noted that one of the developers mentioned a bike program and asked the Council to look into creating bike lanes along Fort Union Boulevard.

There were no further public comments. Mayor Peterson closed the public hearing.

3.3 ZMA-19-003 –Request by Eric Despain (Robert V Despain Trust and Rola V, LLC) for a General Plan Land Use Map Amendment from Residential Rural Density to Residential Low Density and a Zone Map Amendment from RR-1-43 to R-1-15 for Property located at 3662 East, 3742 East and 3804 East North Little Cottonwood Road -Community and Economic Development Director, Michael Johnson.

Mr. Johnson presented the staff report and stated that the request is a zone map amendment and includes a General Plan land use designation amendment for three properties at the address listed. A property map was displayed. The current zoning is RR-1-43 (rural residential) with a minimum lot size of one acre. The Granite Oaks development is zoned R-1-15 and was approved prior to annexation. The potential impact takes into account the subject property and the existing R-1-15 property owned by the same owner/applicant. The three properties up for rezone total 5.2 acres and allow for density of approximately four lots. He explained that the General Plan land use designation are rural residential and suggests a maximum density of two lots per acre. Staff recommended approval as did the Planning Commission with a of 5-to-2 vote. Those who were opposed felt that the same benefits could be achieved and required regardless of the zone change and land use amendment.

Development standards were discussed. Mr. Johnson emphasized that the property is located in a sensitive lands area of the City based on its steep slopes, potential for fault activity and water shed. The land use ordinance was described. In the event of development, language allows the City to require trails, open space, and recreational amenities either as shown on the master plan connecting to nearby public lands or trails also required by the Planning Commission. He noted that the applicant is aware of the provision and any subdivision of five acres or greater is required to dedicate a minimum of 10% of the property to open space.

Mayor Peterson opened the public hearing.

Nancy Hardy remarked that it seems that the City most often grants approval to landowners and does not care as much about the residents. She was in favor of different size zoning and believed it allows the City to maintain its character. She encouraged the City to be aware of issues that may cause overcrowding.

Eric Kraan stated that if they continue to plan for urban sprawl, it will not be walkable and will increase additional vehicle trips. He believed it was irresponsible to continue on such a path.

Ellen Birrell expressed concern with the walkability and suggested that criteria when looking at additional housing projects include standards regarding the ability for children to bicycle or walk to school. If they don't have shops and services, they should be denied. She encouraged the preservation of Cottonwood Heights by denying applications for those seeking higher density.

LeAnn Walker (inaudible as she want near a microphone).

There were no further public comments. Mayor Peterson closed the public hearing.

4.0 ACTION ITEMS

4.1 Consideration of Ordinance 316-Approving Enactment of Chapter 19.77, “Accessory Dwelling Units.”(This Ordinance will Approve Enactment of New Chapter 19.77 of the City’s Code of Ordinances Concerning Accessory Dwelling units.)

OR

Consideration of Ordinance 316-D Denying Enactment of Chapter 19.77, “Accessory Dwelling Units.”(This Ordinance will Deny Enactment of New Chapter 19.77 of the City’s Code of Ordinances Concerning Accessory Dwelling Units.)

MOTION: Council Member Shelton moved to approve Ordinance 316-A. The motion failed for lack of a second.

MOTION: Council Member Mikell moved to approve 316-D. Mayor Peterson seconded the motion.

Council Member Bracken stated that the concept of ADUs is not new and exists elsewhere in the City, although unauthorized. He expressed concern with the proposal not adequately addressing the parking issue, however, he agreed with the vast majority of the remainder of the ordinance. He believed there was a distinct difference between R-2 and owner/occupied properties and absentee landlords.

Council Member Shelton stated that one of the priorities is for the law to be evenly applied to all residents. He believed a vote to deny the ordinance was a vote to uphold the current ordinance. By upholding the current ordinance, they will do what the minority of the people in the survey have indicated they did not want. It is saying to those living in this type of arrangement that ADUs are not permitted in the City Code and there is no way to remedy it other than quitting. When voting to deny, they are voting for the enforcement of the current ordinance. To him, the majority of those surveyed, and those representing the City, Planning Commission and staff, that is not the course they would choose. He did not support rejecting the ordinance.

Council Member Mikell believed that if they are going to do something right, they should do it right the first time. She could not support the ordinance in its current form and believed that a better ordinance could be created. While she agreed with some of Council Member Shelton’s comments, they struggle because they have not always followed the Planning Commission. She recommended going back to the community, creating a working group of people, and have them inventory how many and where ADUs exist and focus on enforcement.

Council Member Bruce believed that voting for denial of the ordinance is actually a vote for the 40% who wanted to leave the issue as-is. She was concerned that it will continue to be ignored. She agreed that they should get it right the first time. with regard to her personal vote, she currently has an ADU in her home that she could stand to profit from by voting in favor of the ordinance. She

indicated that she would recuse herself from the vote. A pathway to citizens living legally was recommended.

Mayor Peterson confirmed his support for having an ADU and believed it is necessary and appropriate. The current language has strengths but he was concerned about the lack of attention to the parking problem. Although he respects that there should be a pathway, it is not guaranteed and is sometimes not possible. He supported denial of the request.

City Manager, Tim Tingey explained that staff will support the Council's decision but stated that complaints will be enforced although difficult.

Vote on motion: Council Member Mikell-Aye, Council Member Bracken-Aye, Council Member Shelton-Nay, and Mayor Peterson-Aye, Council Member Bruce-Abstained. The motion passed 3-to-1 with one abstention.

4.2 Consideration of Resolution 2019-25 Adopting a Tentative Budget for the Period of 1 July 2019 Through 30 June 2020; Providing for Public Inspection of Such Budget; Establishing the Time and Place of a Public Hearing to Consider Adoption of Such Budget; and Providing for Newspaper Publication of Such Public Hearing.

Finance and Administrative Services Director, S. Scott Jurges presented the Finance Report and stated that the City has four funds but operate primarily out of the General Fund. Early projections of the beginning fund balance were that they would have an ending fund balance for the current budget year of \$3,929,000. They are required to reserve 6% at \$1,191,000 and \$485,000 for accrued PTO and vacation which leaves \$2,253,000 available for appropriations. Revenues were reviewed. Property taxes projected a growth of \$55,000. They projected an increase in sales tax of \$109,000. A reduction of \$23,000 was recommended for Franchise Tax bringing in a net of \$325,000. Road cut fees will receive an additional \$1,678 and Class C Road Funds were currently budgeted at \$1,315,000. Staff recommended it be reduced to \$1,240,000.

Mr. Jurges confirmed that the combined changes total a \$78,000 decrease. When combining the different revenue categories, there is an approximate \$102,000 net increase or .5% of overall growth in revenue. The Cost of Living increase that is applicable to all employees would be 1.9% with a net impact of \$142,000 and the merit increase of 3.7% or \$255,000. Healthcare was projected to come in at .5% for a net of \$4,056. overall IT costs included a net change of \$136,000 with additional other cuts totaling \$14,000. Community and Economic Development reflected a net increase of \$51,000 with a \$20,000 reduction for two Interns and normal turnover with an increase for a New Planning Technician. Police Department reductions totaled \$61,000 and included a part-time Investigator. Leased equipment and Fire reflected an increase of \$185,000 or a 5.11% increase. Public Works had a combined savings of \$155,000.

Mr. Jurges explained that the City's engineering contract was eliminated in the amount of \$285,000 and adding a City employee Engineer in addition to the cost for services yielded a net savings of \$125,000. The overall impact to the General Fund was just under \$600,000 of Fund Balance and was in line with the adopted budget. The ending fund balance would be \$331,000 before any under expenditures. The beginning balance in the Capital Improvements Fund that was available for

appropriation totaled \$884,000 with \$2,000,060 for Public Works, \$1,650,000 for Street-type funding, \$117,000 for sidewalk projects, \$292,000 for storm water projects, and \$2,000,000 for trails projects. Ferguson Canyon parking required a match of \$125,000 and the East Jordan Canal Trail funding of \$225,000. \$200,000 was to be received from the State resulting in a net funding of \$25,000 for the City.

Impact fees were discussed. Mr. Jurgens described the Debt Service Plan and stated that with a minimum \$620 in fund balance and expenses of \$1.8 million, they will have a transfer from the General Fund to cover the plans resulting in the same \$620 fund balance at year end. The CDRA fund had a projected fund balance for the current year of just under \$3.5 million. He noted that there are fund summaries included in the staff report for the review of the Council.

MOTION: Council Member moved to approve Resolution 2019-25. Council Member Bruce seconded the motion. Vote on motion: Council Member Mikell-Aye, Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, and Mayor Peterson-Aye. The motion passed unanimously.

4.3 Consideration of 2019-26 Declaring Certain Property Surplus.

Mayor Peterson reported that the above Resolution declares certain property surplus and includes a computer that is no longer needed.

MOTION: Council Member Mikell moved to approve Resolution 2019-26. Council Member Shelton seconded the motion. Vote on motion: Council Member Mikell-Aye, Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

4.4 Consideration of Resolution 2019-27 Amending the Designated Areas Closed to Discharge of Fireworks for 2019.

Mayor Peterson reported that the above Resolution amends the designated areas closed to discharge of fireworks for 2019 and expanding those areas.

MOTION: Council Member Bruce moved to approve Resolution 2019-27. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Mikell-Aye, Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Mayor Peterson-Aye. The motion passed unanimously.

5.0 CONSENT CALENDAR

5.1 Approval of the City Council Meeting Minutes for April 2, 2019.

MOTION: Council Member Shelton moved to approve the City Council Meeting Minutes of April 2, 2019. The motion was seconded by Council Member Bruce. The motion passed with the unanimous consent of the Council.

6.0 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 8:41 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, May 7, 2019.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: June 4, 2019