

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL LEGISLATIVE BREAKFAST HELD FRIDAY, JANUARY 20, 2017 AT 7:30 A.M. AT THE MARKET STREET GRILL, LOCATED AT 2985 EAST COTTONWOOD PARKWAY, COTTONWOOD HEIGHTS, UTAH

Legislators Present: Senator Brian Shiozawa
Senator Wayne Niederhauser
Representative Marie H. Poulsen
Representative Robert Spendlove
Representative Steve Eliason

City Representatives: Mayor Kelvyn Cullimore
Councilman Scott Bracken
Councilman Mike Peterson
Councilman Mike Shelton
Councilman Tee Tyler
City Manager, John Park
Chief of Police, Robby Russo
Assistant City Manager, Bryce Haderlie
City Attorney, Shane Topham
City Recorder, Paula Melgar

Others: City Lobbyist, Brian Allen
Assistant to Brian Allen, Chantel Nate
Utah League of Cities and Towns (ULCT), Cameron Diehl
City Contract Engineer, Brad Gilson

1.0 INTRODUCTIONS

- 1.1 Mayor Cullimore called the meeting to order at 7:30 a.m. and welcomed those in attendance.
- 1.2 The Pledge of Allegiance was led by Mayor Cullimore.

2.0 DISCUSSION ON UPCOMING LEGISLATIVE SESSION ISSUES WITH LOCAL ELECTED REPRESENTATIVES

- 2.1 Prior to the meal being served, there was a brief overview of bills the Legislature was working on. These included a Comprehensive Homeless Bill and a Suicide Prevention Bill. Mayor Cullimore asked if there was anything the City could do to help the Legislators. It was determined that the current bills were fairly straight forward.
- 2.2 Senator Shiozawa spoke briefly about legislation relevant to the Cottonwood Heights area. Two resolutions discussed were the Clean Air and Public Education bills that deal with the environment. The other initiative addressed the homeless initiative and refugee population. Senator Shiozawa mentioned that if the jail problem were resolved it would help with the homeless issue. He discussed issues that are driving up the cost of healthcare. He considered pre-existing conditions to be a discriminator, keeping young adults on their parents' insurance,

and taking away lifetime limits. Senator Shiozawa mentioned that one of his bills seeks funding for medical marijuana research.

- 2.3 Representative Marie Poulsen spoke briefly about issues she has been working on in the Legislature. These included school assessments and determining a way to conduct them. Representative Poulsen was also working on licensure and easing the ability for people to come to Utah and gain a license in various areas. She mentioned that as a member of the minority party she has the opportunity to work on a number of committees and continues to forge ahead with numerous issues and bills.
- 2.4 Representative Robert Spendlove spoke briefly about the committees he was serving on. The issues they are facing include the State Board of Education. One of the bills addresses childhood homelessness which is not always identified when speaking of general homelessness. Another bill Representative Spendlove was involved with pertained to student debt and the various issues associated with it. His bill would initiate more education and information for those receiving student loans so that they know exactly what they are getting. The last issue Representative Spendlove discussed was Medicaid and the potential for a block grant to cover Medicaid for the State of Utah to alleviate issues going forward.
- 2.5 Mayor Cullimore identified the major developments that occurred in the City over the past year. These included the organization of a City Public Works Department and the opening of a New City Hall Building. Mayor Cullimore commented on legislative ideas that may help the City in the future, including how the City's money can be better overseen. Two ideas the Mayor had, included a well-defined whistleblower policy and an internal audit function, to help control and curb questionable agency spending.
- 2.6 Cameron Diehl from the Utah League of Cities and Towns (ULCT), commented on what had taken place at the League over the past few days. He reported that there were audit findings that implied an alleged embezzlement. The audit had since been turned over to law enforcement who will pursue potential prosecution. Mr. Diehl also reported that former Executive Director, Ken Bullock, resigned as a result of the audit. The audit suggested that staff beyond the former Executive Director and former Chief Financial Officer were found to be in complete compliance with the law.
- 2.7 Mayor Cullimore discussed other upcoming issues affecting the City. The first pertained to the Justice Reform Initiative (JRI). The Mayor reiterated the City's position that moving criminals out of jail and into treatment was a good idea. One problem with the current JRI concept was that the program funding has fallen short, which leaves many in need of help and unable to enter treatment. Other issues such as offenders being turned away due to overcrowding, only make the Initiative more ineffective. The result was that those needing treatment are being released. It was noted that most misdemeanor crimes go unpunished due to overcrowding and the reclassification of crimes. The funding gap was discussed and how it needs to be filled to support cities that are funding the jail but unable to use it. The discussion led to the conclusion that success of the JRI is dependent on funding the program from start to finish.

- 2.8 The issue of short-term rentals was discussed and how the community is affected by the Airbnb concept. The balance of allowing short-term rentals was brought up as the issue most cities are trying to find.
- 2.9 Most Utah communities, with the exception of one small southern Utah town, allow and regulate short-term rentals. The City was concerned with “one size fits all” regulations due to the size and diversity of the communities across the state. The City also expressed a desire to be involved in the design of the policies and regulations pertaining to short-term rentals. The definition of short-term rental for discussion purposes was defined as any rental that is less than 30 days.
- 2.10 Mayor Cullimore brought up for discussion the City's support of Lincoln Fillmore's Special District Bill. The bill specifies that taxes cannot be raised without all of the City Councils approving the increase with a two-thirds vote. The City felt that the bill goes a long way toward giving accountability back to the special districts.
- 2.11 Mayor Cullimore next discussed legislation that controls business licenses and home occupations and the strain it puts on the City to be restricted in terms of deciding what makes sense in the community. The City's decision was to go after offenders rather than change the law associated with home-based businesses. Fees were discussed with respect to home occupations. It was proposed that these types of businesses pay a fee for the license and issue a waiver if the business has no impact on the neighbors.
- 2.12 Online sales tax issues were discussed as well the current situation where taxes are charged for online shopping. The City was of the opinion that a single rate and single tax source would be best.
- 2.13 Future sponsorship of legislation was brought up and the free speech involved in sponsoring a bill. As long as a sponsor is in place, there are no restrictions on bringing legislation to the State other than the processes to deal with the legislation. Land use and land use events were discussed and the success of those bills as long as they go through the proper channels.
- 2.14 Transportation funding issues were discussed. Mayor Cullimore expressed appreciation to the Legislators’ support of Bill 362. The City expressed its displeasure with Proposition 1 not passing and being unsure how to proceed and maintain the State's road protocol. Mayor Cullimore stated that maintaining the roads and funding the improvements without the funding would require assistance from the Legislators in terms of finding or obtaining funding for the City. The Mayor inquired about the other half of the funding from SB-420, which passed two years ago, and when the remaining funding would be released. Infrastructure and growth along the Wasatch Front over the next 30 years was discussed as well as how the population doubling will impact the community. The Legislature hoped to obtain funding and support from constituents to provide infrastructure to support future growth.
- 2.15 Senator Wayne Niederhauser discussed the need for infrastructure and how many societal problems are linked to transportation. He addressed the Justice Reinvestment Initiative and the need to have the ability to arrest offenders so that they have access to rehabilitation rather than release them back onto the street to proliferate more crime. He also addressed the homeless problem and the need to get the homeless out of the Rio Grande area. It was

mentioned that there have been strides toward helping the homeless situation by moving families to Midvale. The need to get homeless women in a separate situation was also discussed and how spreading out the homeless population will help.

- 2.16 Senator Niederhauser brought up the fact that with education being a big part of the funding problems the State faces, issues such as infrastructure and homelessness can potentially be set aside until a sufficient revenue stream begins that will allow the State to deal with all of the issues. Senator Niederhauser was opposed to raising income taxes and referred to it as a tax on productivity since it is imposed on productive members of society. He was more supportive of raising taxes that do not penalize productivity like gas and property taxes.
- 2.17 In conclusion, Senator Neiderhauser expressed a desire to increase the revenue streams and spend that money on infrastructure. He responded to a question regarding the upcoming Legislative priorities and felt that the three issues receiving the most attention this year were education, federal concerns, and homelessness/JRI.
- 2.18 Senator Neiderhauser was asked how Cottonwood Heights could help during the upcoming Legislature Session. Senator Neiderhauser commented that the City was doing a great job. He commented that Mayor Cullimore was very involved in the process and was doing as good as any mayor in the State in terms of being involved.

3.0 ADJOURN

- 3.1 **MOTION:** Councilman Tee Tyler moved to adjourn the Meeting. The motion passed unanimously.
- 3.2 The meeting adjourned at 8:40 a.m.