

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK MEETING
HELD TUESDAY, SEPTEMBER 13, 2016 AT 6:06 P.M. IN THE COTTONWOOD
HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST
BENGAL BLVD, 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, Finance Director Dean Lundell, Public Works Director Matt Shipp, Public Relations Specialist Dan Metcalf, Police Chief Robby Russo, Others

Others Present: Ms. Nancy Tingey Canyons School District, Battalion Chief Coldwell

Excused: Fire Chief Mike Watson

Mayor Cullimore welcomes everyone to the first City Council Work Session in the new City Hall and introduces Ms. Nancy Tingey, from Canyon School District, the first speaker.

1. Canyons School District.

Ms. Nancy Tingey from Canyons School District reported on the District's activities in the past month. Ms. Tingey thanked council members for their support during the Butler Elementary ribbon cutting.

Ms. Tingey spoke of the first day of school and how smooth it went. The children were able to walk in to school on a red carpet, feeling like celebrities. The top schools published by Deseret News. 6 of the top 25 schools Middle school 1 or 2 in each of the categories as well as the High Schools. The flag display for 9/11 and channel 2 displayed the students who were not born during this event.

Ms. Tingey reported on the Safety Utah App, which is a result of legislation from a couple of years ago that allows for students to get help if in need of emotional help or report a concern with a fellow student. The app has proven very successful with a report of over 2,000 students having received help through this app. Other programs reported on were, the No-Idle campaign which promotes better air quality.

Ms. Tingey also mentioned a new ballot proposal which attempts to make a constitutional amendment to how the trust fund is managed. Ms. Tingey requested that the City Council consider the proposal. Ms. Tingey clarified that the School District Board has not taken a position but is allowed to inform people but cannot advocate in favor or against the ballot and

further informed council that change is to remove limitation and calculate fund on a rolling average. Growth funds would then be considered for distribution.

Ms. Tingey expressed her appreciation for good communication on road works projects.

Ms. Tingey informed council that the Butler Elementary playground should be ready next spring.

2. **Review of Business Meeting Agenda**

Mayor Cullimore reviewed the Agenda for the Business Meeting.

Mayor Cullimore reviewed Action Items and quickly explained each Resolution being considered.

3. **Public Relations Report**

Public Relations Specialist, Dan Metcalf, will provide a report on media coverage of city events as well as newsletter information. Newsletter should be ready tomorrow and have a draft ready for next week. Hardware and software system needed to display calendars, special events and videos should be acquired by next week. The time lapse video would be ready for the ribbon cutting ceremony.

Mr. Metcalf is also working on promoting *Bite in the Park* and the app *Civic Life* is still being tested.

Video reports shown:

- ABC News at 4 – Cottonwood Heights big move to new City Hall. Sept. 7, 2016
- Fox 13 News – Cottonwood Heights city move to new City Center. Sept. 8, 2016
- ABC News at 4 - Race in Cottonwood Heights for Cottonwood Race - Saturday
- Chanel 2 News – Cottonwood Heights celebration of 9/11 at Brighton High School by students and the graduating class.

4. **Public Works**

a. **Public Works Operations Report.**

Mr. Matt Shipp, Public Works Director, reported on public works projects from this past week including plans for projects by UDOT projects.

Mr. Shipp reported that some of the equipment is still underway.

b. **Report on Transitioning Public Works.**

Transition report is attached and incorporated to these minutes by this reference.

Mr. Shipp reported that the new Public Works trailers have been installed and employees were excited to move in. All Public Works positions have been filed, including the seasonal positions.

Mr. Shipp thanked his Public Works employees for all the help they provided other employees with the move.

Councilman Mike Peterson reported that he attended a meeting last week with residents and it was exciting to be able to report to some detail the new Public Works Department plans. The residents were really excited.

6. Public Safety Reports.

a. Unified Fire Authority.

Battalion Chief Coldwell reported on the loyalty piece being added to the new UFA Vision Statement. This was a recommendation by Mayor Cullimore to UFA Administration.

Chief Coldwell expressed appreciation for the opportunity to work with Cottonwood Heights and informed council that there are no new fires to report.

Mayor Cullimore updated council on the UFA Audit, which should be ready by the end of the month. State auditor is mainly looking at misuse of funds and policy violations.

Council stopped Work Session to adjourn to the Business Meeting which started at 7:02 p.m.

Council resumed Work Session at 8:03 p.m., after a brief break.

5. Planning and Economic Development Report.

a. Planning Commission meeting of September 14th, 2016.

Mr. Brian Berndt, Community Development Director, reported on the upcoming September 14, 2016 Planning Commission meeting.

Mr. Berndt explained that the Planning Commission will be addressing:

- The Canyon Centre Heights – These are condominium apartments and the owner wanted to revise the architecture. A copy of the plan is attached and incorporated to these minutes by this reference.
- Public Works site plan – will be going for a Public Hearing. A copy of the plan is attached and incorporated to these minutes by this reference.
- Bengal and 2700 East – Building an adjacent building to the current restaurant and an apartment on top.

b. Monthly Development Report.

Mr. Berndt also read through the Community Activity Report. A copy of this report is attached and incorporated to these minutes by this reference.

6. Public Safety Reports.

b. Police Department.

1. Review of Big Cottonwood Canyon Marathon Event.

Chief Russo reported that the Cottonwood Marathon went well and Police seems to have traffic patterns down. There were some problems with people leaving the parking lot but Chief Russo reported having a different plan for next year. Most of the problem is people stopping to ask for directions before proceeding out of the parking lot.

City Manager, John Park, suggested a flyer with directions on how to go north or south from the parking lot. Chief Russo liked that idea or to maybe expand the intersection to pull those with questions, away from the exit and let traffic remain fluid.

Mayor Cullimore provided Council with some marathon statistics:

- Over 5,000 runners
- All 50 states were represented and
- Countries, included: Mexico, Canada, Honduras, Brazil, England and Germany
- Average age: 38 years of age.
- 72% of runners were from Utah.

Council and Mayor discussed a few alternatives from having the marathon at Fort Union, to address some concerns presented by residents, but Mayor felt that people will become more accustomed and better prepared as years go by. Other alternatives have been looked at and Fort Union still comes in as the best route.

Council and Mayor commended Chief Russo and his Police Officers for a job very well done.

Chief Russo explained that his officers are paid by marathon. UFA brings in their on-duty crew but they end up having to leave the area to respond to calls but maybe it would be better to have UFA bring in off-duty employees and have them paid by the marathon, such like PD does. This is something the Chief would like to run by Fire Chief Mike Watson.

Chief Russo also reported the first DUI at the marathon; a .13 at 10 a.m.

Chief Russo informed Council that Officers and staff moved all of the evidence, something Chief Russo was concerned about, and everything is here and now they are just trying to get settled.

7. City Manager/Assistant City Manager Report.

a. New City Hall Construction Report.

City Manager John Park, provided the Council with a report on the City Staff move into the new City Hall. Mr. Park was very excited for the new building and being moved in.

Mayor requested that a clock be put in the Council Chambers. Also, City Manager and Council remarked that flags are too small for the Council Chamber. Other issues are doors which lock and don't lock, but that is being worked out.

Mr. Park commended IT Manager Chris Robinson, and all of the Public Work crew, including Mr. Phil Egbert, for all the work they have been doing. They all have gone above and beyond.

Mayor and City Manager agreed that whatever is not working according to plan needs to be addressed now so that contractor can correct things now. Overall, Council is really satisfied with the results.

Council stated that they would like to tour the new City Hall at the end of the meeting.

b. Review of Staff Communications.

Each week staff provides informational reports from each department to allow City Council a method of keeping up on the day-to-day activities of the City. This report is available on the internet at www.ch.utah.gov. This agenda item is set aside to allow Council members to ask questions or for staff to bring Council up to date if any changes have occurred since the report was made.

Council had no questions had this time.

c. Policy on Public Use of the New City Hall Facilities.

Mr. Bryce Haderlie, Deputy City Manager, emailed the proposed policy governing the public use of the new city hall facility with the changes proposed at the last meeting and his addressing new changes and/or suggestions through City Council's emails.

Mayor and Council agreed to read the policy and provide feedback to Mr. Haderlie, so that Mr. Haderlie can bring policy back at the following meeting.

Walk-on. City Manager, Mr. John Park, reported on the LPC Meeting for the League of Cities and Towns. There were three resolutions proposed to the general membership: The first resolution was from Vernal City, asking the state to let cities regulate fireworks. The second resolution was from COG (Council of Governments) asking the same thing but aimed more towards the type, length and governmental control. LPC wanted to combine both resolutions but there was dissension because the days of letting off fireworks should be consistent up and down the Wasatch front. The third resolution was from the Board of Directors of the League, asking for the ability for the cities to maintain their property tax levy without going through truth in taxation. As inflation takes housing prices, tax rates go down and a inflation based tax and asked legislation to look at that.

The Mayor went updated on the gas tax and the Hold Harmless counties and cities. The bottom line in addressing that is the number goes back to 2 hold harmless cities and funds go down to 1.2 million from 11 million dollars and UDOT plans to identify, after the first of the month, what cities will not get for their audits.

Provo Mayor mentioned a bill proposing use of number 311 for a suicide line, but Provo has been using number 311 as an information line for years, along with a couple of other cities.

8. **Mayor/City Council Reports.**

a. **South SL Valley Mosquito Abatement Meeting – Councilman Tyler.**

Councilman Tyler reported on the recent South Salt Lake Valley Mosquito Abatement meeting in which it was discussed the current condition of the district. There are now at 48 live West Niles pools, 1 death and 4 human cases. There are zero travel related or transmission of Zika.

Councilman Tyler reported that nationally, Zika is up to 2,920 cases that are travel related, and there are 23 local cases in Florida.

Walk-on: Association of Municipal Councils – Councilman Tyler

Councilman Tyler reported on the recent meeting with the Association of Municipal Councils, in which Mr. Steve Gray, with the Department of National Resources, who deals with wild animal issues for cities was present and led an interesting discussion. Most of the discussion centered around a Mike Lanell, an expert on raccoon and skunks. Apparently, raccoons are not indigenous to Utah and therefore, if caught they are to be euthanized, not relocated.

Also, part of the discussion was how many cities are dealing with an urban deer control problem. There is an individual, who is an archer, which has been contracted by a few counties, to kill deer. The meat and all other parts of the animals are donated.

Another speaker was Ms. Talia Butler with Salt Lake City Animal Services, which spoke highly of Sandy City's dog and cat issues, how they deal with it and their no kill policy, which means only 90% not a 100% because they still euthanize the animals that are too sick and can't be rehabilitated. Salt Lake County provides specialists for birds, reptiles and fish in addition to dogs and cats. Salt Lake County provides, and Sandy City is about to adopt it, free vaccines and microchipping of dogs and cats.

b. **Valley Emergency Communications Center – Councilman Shelton.**

Councilman Shelton reported on the recent Valley Emergency Communications meeting, in which a special meeting was called to discuss a bonding requirement for the CAD System. VECC was authorized to bond. VECC and Salt Lake City will incur additional interest charges that were not previously foreseen.

Walk-on: Councilman Shelton reported that the Arts Council met and discussed in length marketing because of the attendance at the last play. Proposed ideas included a greater cooperation with Butlerville Days in terms of marketing and also sponsorship.

Councilman Shelton informed the City Council that there was a reported \$7,000. loss, which is about normal, but the Arts Council is hoping to improve on that.

9. **Calendar of Events.**

Councilmember Schedules for the next week/ 2016 Calendar:

- a. **September 14-16 – ULCT Fall Conference**
- b. **Sept. 17 – Bark in the Park Mountview Park from 10 am till 1 pm**
- c. **September 29 – City Hall Grand Opening & Ribbon Cutting - 4:00 pm**
- d. **Oct. 12 – City Council/Historic Comm. Mtg; 5:30 pm Union Cemetery**
- e. **October 13 – Youth City Council Annual Dinner, 6:00 p.m. City Hall**
- f. **October 28 – Monster Mash on Ice 5-7 pm CH Rec. Center**
- g. **December 6 – City Employees Christmas Party**

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

City Council and Mayor had no items for a closed meeting at this time.

11. **ADJOURN.**

Councilman Tee Tyler made a Motion to adjourn Work Session, subject to the walk-through the building. The motion passed unanimously.

The Work Session was adjourned at 10:00 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY, AUGUST 23, 2016 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

Members Present: Mayor Kelvyn Cullimore, Councilman Mike Peterson, Councilman Michael Shelton, Councilman Tee Tyler

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

Excused: Councilman Scott Bracken

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:01 p.m. and welcomed those attending.

1.2 Councilman Shelton led the Pledge of Allegiance.

2.0 CITIZEN COMMENTS

2.1 There were no public comments.

3.0 REPORTS/PROCLAMATIONS/RECOGNITIONS

3.1 Standing Monthly Reports

3.1.1 a. Monthly Financial Report – Finance Director Dean Lundell.

3.1.1.1 Finance Director, Dean Lundell, presented the Monthly Financial Report for the month of July.

- He stated that the total amount of sales tax received for fiscal year 2016 was \$5,622,651, which is an increase of 5.70%.
- Franchise fees from cable television totaled \$320,220, which is an increase of 4.77%.
- He reported that the City continues to receive a portion of the E911 revenues generated. Last fiscal year, collections exceeded \$300,000.
- The anticipated overall 2016 budget is approximately \$130,000 above the budgeted revenue number for the year.
- Energy Tax revenue was reported at \$70,000 below budget.
- Expenditures include the July 1, 2016 debt payment for the bond and the police leased vehicle payment which is why expenditures are so high in July.
- The estimated Arts Council revenue totaled just under \$17,000 with total expenditures of \$21,366, which requires a City contribution of approximately \$4,300.

- The beginning balance of unrestricted and unassigned funds for fiscal year 2017 is currently estimated at \$1,173,082. Of that, \$200,000 has been appropriated. The unrestricted assigned General Fund balance will be a 6% reserve to \$1,082,864 which is in addition to the unassigned fund balance. .

3.1.2 b. Unified Fire Report – Acting Fire Chief, Mike Watson.

3.1.2.1 Acting Fire Chief, Mike Watson, presented the report for the month of July 2016 and stated that Station 110 was #6 of all stations in call volume and Station 116 was 14th. Between the two stations, they closed with 62 fire and 166 medical calls. Station 110 closed with 97 medical calls and 36 fire calls. Station 116 closed with 69 medical calls and 26 fire calls. Station 116 took no calls in Big Cottonwood Canyon. Station 116 responded to three calls in Little Cottonwood Canyon and Station 113 (located in Little Cottonwood Canyon) responded to 17. The top three medical calls by category included falls, traffic accidents, and fainting episodes. The top fire calls by category included alarm drops, burns, and smoke investigations. Station 110 received 48 Advanced Life Support (ALS) calls, of which 30 were transports, and 49 Basic Life Support (BLS) calls, of which 21 were transports. Station 116 received 33 ALS calls with 18 being transports and 36 BLS calls with 13 transports.

3.1.2.2 The UFA was continuing their investigation of the recent fires and was putting together, at the request of West Jordan's Fire Chief, a task force of investigators. They believe that many of the fires are related and intentionally set.

A Special Board Meeting was scheduled to discuss filling the longer term appointments for the vacant Fire Chief and Deputy Chief positions. Chief Watson added that with the recent news articles from *The Salt Lake Tribune*, KSL, *The Deseret News*, *City Weekly*, their employees are as enraged as the public about what appears to be inappropriate use of UFA funds. It is his goal to rebuild trust with board members and employees during his service as interim Chief.

3.1.2.3 Mayor Cullimore pointed out the UFA situation is similar to when they were trying to create the new school district. He believes the change in management is necessary. Legal counsel, Karl Hendrickson, has also submitted his resignation. There is an ongoing State Audit as well as an internal forensic audit, both independent of each other. The agency is looking at violations of policy where the State Auditor will be looking for misappropriation of funds for personal benefit. The UFA is trying to identify where the problem arose and put procedures in place to prevent it from happening again. For instance, the Chief Financial Officer will be required to report directly to the board rather than the Chief. The Chief Legal Officer will likely be required to report similarly and is there to facilitate command staff and provide assistance. Travel procedures will be submitted in advance and will require approval.

3.1.2.2 The Customer Service Report included the new upgraded, self-contained breathing apparatus. Training took place at the training tower and familiarized the fire fighters with the equipment. The Back to School safety message included reminding residents that

school is back in session. This means more pedestrian traffic at different times of the day and safety issues associated with crossing the street.

4.0 ACTION ITEMS

4.1 Consideration of Resolution 2016-73 Approving the Purchase of Radios for the City's Public Works Department.

4.1.1 Mayor Cullimore reported that the above resolution approves the acquisition of two-way radios for use on the City's snow plows and other Public Works vehicles, with a cost not to exceed \$13,661.

4.1.2 **MOTION:** Councilman Tyler moved to approve Resolution Number 2016-73. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously. Councilman Bracken was absent and did not vote.

4.2 Consideration of Resolution 2016-74 Approving a Master Services and Purchasing Agreement with Taser International, Inc. for Police "Body Cameras" and Related Hardware, Software and Services.

4.2.1 Mayor Cullimore reported that the above resolution approves a Purchase Agreement with Taser International for "Body Cameras". The 2017 budget included this purchase, which will greatly benefit not only the public, but the Police Department as well.

4.2.2 **MOTION:** Councilman Shelton moved to approve Resolution Number 2016-74. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Petersen-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously. Councilman Bracken was absent and did not vote.

4.3 Consideration of Resolution 2016-75 Accepting Chase Bank's Financing Bid for the Lease Purchase of \$2,519,243 in Public Works Equipment.

4.3.1 Mayor Cullimore reported that the above resolution approves the financing of the Public Works equipment at a rate of 1.65% over 10 years.

4.3.2 **MOTION:** Councilman Peterson moved to approve Resolution Number 2016-75. The motion was seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman Petersen-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously. Councilman Bracken was absent and did not vote.

5.0 CONSENT CALENDAR

5.1 Approval of Minutes for July 19 and 26, 2016 Business Meeting & Work Session. Also, the August 9 Business Meeting.

5.2 MOTION: Councilman Peterson moved to approve the minutes of July 19 and 26, 2016 and August 9, 2016. The motion was seconded by Councilman Tyler. The motion passed with the unanimous consent of the Council. Councilman Bracken was absent and did not vote.

6.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250

6.1 MOTION: Councilman Shelton moved to adjourn the Business Meeting and reconvene the Work Session. The motion passed with the unanimous consent of the Council.

6.2 The Business Meeting adjourned at 7:45 p.m.