

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK MEETING
HELD TUESDAY, NOVEMBER 15, 2016 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 Peterson, Councilman Mike Shelton, 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

Mayor Cullimore called the Work Meeting to order at 6:00 pm.

1. Geri Richards – JustServe.org.

Geri Richards with Justserve.org presented information regarding the organization and stated this is a program that provides a clearing house for service projects in a community. This is a new program to Utah, but has been going on throughout major cities including Los Angeles and Phoenix. The program is sponsored by the LDS Church with collaboration of other religious entities and nonprofit organizations.

Ms. Richards introduced the City Council to the JustServe.org website (www.justserve.org), which provides web visitors with a variety of examples of opportunities to serve. Its purpose is to serve the public and is not a political program. Individuals can also submit their own project by signing in and providing information on the project. The website is very user friendly. Additional ways to provide service were discussed.

Walk-On by City Manager John Park.

Unified Fire Authority Fire Marshal, Brad Larson, provided City Council with a brief explanation on the International Fire Code (IFC), how it works, and the process for code approval. He also explained the deep involvement of Utah in working with IFC in passing legislation for new codes or change to codes. Several of the City's codes that require updating were reviewed. It was noted that the Builders Association expressed concern with the IFC with respect to codes that affect several items including subdivisions.

2. Public Relations Report.

Public Relations Specialist, Dan Metcalf, presented the Public Relations Report and stated that there was no media coverage this week. The Citizen Dashboard is underway and training will be available in a few weeks. He reported that the City's social media audience has doubled from two years ago, and on November 28 the City Hall will host the Christmas Tree Lighting event.

3. Planning and Economic Development Report.

a. Fort Union Area Plan.

Community and Economic Development Director, Brian Berndt, discussed the Executive Summary and introduced the proposed Fort Union Area Plan. Pedestrian, beautification, and development options were discussed. The plan was recently reviewed by the Planning Commission who recommended approval to the Council.

Mayor Cullimore asked Mr. Berndt to prepare a few PowerPoint slides to present his key points for those that are more visual and asked if he would focus on four elements and highlight those items. Mr. Berndt agreed to do so for the next meeting.

b. Zoning Text Amendments.

Mr. Berndt reviewed the proposed changes to the Mixed Use and Supplementary and Qualifying Rules chapters from the Zoning Ordinance. He explained that several things in the current code are based on size. Staff felt it would be helpful to have more flexibility with regard to the size of a particular use. Individual uses for the mixed-use zone were reviewed. The Planning Commission reviewed and recommended the proposed amendments to the City Council

Mr. Berndt provided the Council with a redlined copy of the highlighted text changes and key points. He reported that he would email the redlined document to the Council to make their proposed changes. Once he receives their feedback, he will collect the information and compile the proposed changes for the Council to review. A copy of the redlined text was attached and incorporated to the minutes.

Mayor Cullimore described the difference between primary and incidental uses. The City Council expressed their views regarding the allowable number of children at a home day care and believed it should be six or 12.

Next discussed was Chapter 19.1.44 regarding the definition and additional clarification of retaining walls. Mayor Cullimore believed the language should read, “*a required wall is one that has been approved or determined by the City Engineer to be necessary for safety, utility, structure planning or other purpose that is embodied by the concept of public health safety and welfare.*” If someone wants to build an oversized wall that is potentially offensive to the neighbors, there is no reason for it other than personal preference. He was also in favor of allowing it to go higher if it is determined by the City Engineer to be necessary for safety, mitigation of geological conditions, or special circumstances that are not self-imposed. Personal preference should be exercised but limited by the impact it may have on the surrounding neighbors.

Assistant City Manager, Bryce Haderlie, stated that while working in other areas, they reviewed the surrounding properties to determine what constitutes a happy medium. Councilman Tyler believed infrastructure and draining also need to be considered. The difference between a retaining wall and fence and allowable total height of the two together was reviewed. If the wall is six feet from grade to the top for the neighbor, they have a reasonable expectation that they will not have a wall that measures eight feet. Measurements from cut and fill were also considered. Mayor Cullimore

confirmed that a retaining wall is a separate, defined structure to the same height limitations and should be distinguished from a fence. A Council Member confirmed that the height of a retaining wall is measured from the adjoining property owner's perspective. Staff confirmed that all retaining walls must be reviewed by the City Engineer and the height goes back to the original limitation with a conditional use.

City Manager, John Park, asked if definitions would be presented in two weeks. Mr. Berndt explained that he is trying to get the two topics out of the way before bringing definitions before the City Council. He will return with cleaned up language from the mixed-use discussion at the following meeting.

Councilman Bracken expressed concern with the moratorium placed on accessory buildings. Staff confirmed that the accessory building issue is separate. City Attorney, Shane Topham, stated that at times they have enacted temporary zoning regulations, which are sometimes called moratoriums. They can be in place for up to six months when major changes are taking place. What the City has now is a pending ordinance rule that states that when they are materially amending a portion of the zoning Code Title 19, they can defer approval of applications that are impacted by the changes being discussed for a period of time. Mr. Topham reported that Mayor Cullimore could direct staff to go ahead on whatever basis he believed was safe.

Walk on by Community and Economic Developer, Brian Berndt.

Mr. Berndt described a walk on item concerning the meeting with the BYU students to discuss various aspects of Wasatch Boulevard. The meeting was held at City Hall and was very well attended. Councilman Peterson reported that there were very few who wanted to see the road widened. They hoped to see slower traffic, one lane, and to push traffic to Highland Drive. He appreciated a suggestion that was made to continue the two-lanes an additional 200 feet past Honeycomb Hill and Wasatch Boulevard but make the right lane a right turn only prior to the intersection.

4. Public Safety Reports.

a. Public Works Update.

Public Works Director, Matt Shipp, reported on Public Works projects from the past week including progress on the new Public Works site on 3000 East.

Mr. Shipp reported that the previous day all of the equipment and trucks were tested and scenarios were presented to see how snow plow drivers would handle different situations. Drivers were teamed up to back each other up in the event a truck goes down. The GIS was tested earlier in the day and everything worked well.

Mr. Shipp respectfully asked the Council Members and the Mayor to refer calls for service to the Public Works Department hotline. They were prepared to take the complaints and hoped to take the burden from the Council. A log would be kept for Council reference.

Councilman Tee Tyler expressed concern with where snow will be stored. Staff reassured the Council that the snow plow drivers know where to pack the snow.

A video was presented of Public Works employee, Rick Dickey, driving one of the new trucks and navigating through some of the narrow streets in the City.

Mayor Cullimore requested that crack sealing work to be done at Town Crest Drive and explained that the road had work done to it a few years back and putting down crack sealing now may be financially beneficial to the City later. Mr. Shipp informed the Mayor that the crack seal will be in the Public Works yard the following day and he would take care of it.

5. Public Safety Reports.

a. Unified Fire Authority.

Acting UFA Chief, Mike Watson, reported on the UFA Fire Chief recruiting efforts. He stated that they are down to three candidates. Mayor Cullimore commented that they are very qualified candidates and UFA cannot go wrong with any of them. He confirmed that one of the candidates is local.

1. UFA Board of Directors Meeting.

Chief Watson and Mayor Cullimore reported on the UFA Board Meeting held on November 15, 2016.

It was reported that Draper City is moving forward with their own Fire Department and have proposed a separation date of July 1, 2017.

The UFA and UFSA administration need to appoint a Treasurer and agree on compensation. Mayor Cullimore explained to those in attendance that by contract a Treasurer or Administrator can be designated but the UFSA does not control them and does not control their pay. He discussed the UFSA's need to have an Administrator and a Treasurer.

Chief Watson next described the UFA overtime budget as being slightly over and his plans to slow down on hiring. A plan was being put in place to address specialized positions and how they will be distributed and better resourced throughout the valley.

He next discussed West Jordan City responding to calls but reported that they do not contribute any resources to UFA. Mayor Pender agreed to speak with the West Jordan Mayor and discuss his concerns.

It was reported that the UFA Audit is ongoing and they are continuing to receive new information. He would be making a recommendation for the new Chief position the following Monday.

b. Police Department.

Chief Russo reported on noteworthy events of the week. He explained that the Cottonwood Heights Police Department (CHPD) attended the funeral services of fallen West Valley Police Officer, Cody Brotherson. As the body is not left attended, the CHPD helped cover shifts allowing West Valley Officers to attend the funeral.

Chief Russo was able to make a presentation at the *Mothers Against Drunk Drivers* event and described it as a good experience. He noted that they are starting a program for package theft prevention during the Holiday Season.

It was reported that Officer Galieti, is retiring as a School Resource Officer. Officer Potter would take his place and has been involved in extensive D.A.R.E. training.

Chief Russo informed the Council that he has enlisted two new recruits. The offer letter was under review with City Manager, John Park. He also reported that body cameras are being fine-tuned and expected to be out December 1. Officers have been working together to address issues.

6. City Manager/Assistant City Manager Report.

a. New City Hall Report.

Mr. Park provided a progress report on the remaining items to complete the punch list for the new City Hall. Various ideas for better office signage inside City Hall were described as well as better exterior entrance signage. Councilman Tyler asked about the total price of the building. Mr. Park explained that they are working on the total and contingencies.

The Council took a break allowing Mr. Park to conduct an internal field trip to address concerns with the Council Chambers.

b. Mount View Park.

Mr. Park led a discussion with the Council on gate locking concerns expressed by Councilman Tyler at the November 8 City Council Meeting. Also discussed was the status of park improvements including turf and building security. The Police Department preferred the gates stay open. Councilman Tyler believed that the neighbors should have been notified since after two years of locked gates they were worried about them being left unlocked. The Council expressed concerns with transients and other suspicious individuals accessing the area. Councilmen Tyler confirmed that there have been burglaries in the neighborhood. Chief Russo explained they occurred because the homeowner kept leaving his garage door open.

c. Community Survey.

Assistant City Manager, Bryce Haderlie, reported on possible directions to take with the recently completed Community Survey.

Mayor Cullimore explained that the survey has a lot of data but the most recent version is more accessible and better understood. He believed it should be a source document. The survey data was posted on the City's webpage. Survey results and citizen comments were discussed.

The Council asked Mr. Haderlie to make the survey results available to the public and inform the residents that they will be utilized and beneficial in directing City policy, budget, and other important items.

d. Review of Staff Communications.

It was reported that weekly staff provides informational reports from each department to allow the City Council with a method of keeping up on the day-to-day activities of the City. The report was available on the City's website.

Mayor Cullimore asked Public Relations Specialist, Dan Metcalf, to project the staff report for the Council's review. A copy of the report was attached and incorporated by reference.

Mr. Topham reported on the recent Valley Law Enforcement Attorney's Meeting. It took place at City Hall and those who attended were very impressed with the new building.

Walk-On by Mr. John Park.

Mr. Park wished to address Recognitions and Proclamations made to Cottonwood Heights residents. He wished to recognize individuals based on recommendations by neighbors and generated by residents. The possibility of a "Good Neighbor" award was discussed.

Mayor Cullimore pointed out that he would like to develop a grassroots program where every month someone is recommended by other neighbors for recognition. The interaction between the community and the Council was very important and such a program could increase the association between communities.

Mayor Cullimore and Mr. Park explained that on the Fort Union UTA bus issue would be resolved by the end of the year.

7. Mayor/City Council Reports.

a. Council of Governments Legislative Luncheon – Mayor Cullimore.

Mayor Cullimore discussed agenda items from the Council of Governments meeting held on November 10, 2016. At the luncheon, he presented a bill that was passed by the Legislature to decriminalize drug possession charges from felony to misdemeanor, with the purpose being to direct perpetrators to drug and mental treatment. He reported that the jail is booking and releasing as many as 8,000 inmates because of overcrowding, with the justification that they are misdemeanor arrests. The weight was shifted from the State to municipalities and Class A misdemeanors have gone from 610 charges per quarter to 2,000. The State has shifted everything to the lower courts and are being turned away, rather than booked. The result is more criminals on the streets. Turning the offenders away has also caused a rise in prostitution. He emphasized that although they agree with the concept

of trying to provide treatment, rather than incarceration, it must be a complete program. Without a program, crime will continue to increase. Chief Russo reiterated that drug charges include heroine, methamphetamines, and other drugs.

b. Wasatch Front Regional Council (WFRC) Transportation Coordinating Committee (Trans Com) Meeting – Mayor Cullimore/

Mayor Cullimore reported on the recent Wasatch Front Regional Council (WFRC) Transportation Coordinating Committee Meeting. He reported that Trans Com serves as the policy advisory body to the Regional Council on short range transportation planning and programming. The main report included the letters of intent that were submitted. They have \$25 to \$27 million of surface transportation program funding to disburse and have received \$182 million in requests. There was seven times more funding requested, which is typical. Other requests were discussed.

c. Wasatch Front Waste and Recycling District Board Meeting – Councilman Bracken.

Councilman Bracken reported on the recent Wasatch Front Waste and Recycling District Board Meeting. The public hearing was held and the proposed budget was approved. A new fee increase was presented for new home constructions that was to be presented to City Council at the Business Meeting scheduled for November 29.

Councilman Bracken remarked that next year the board will have a New Chair, New Board Members, and no meetings will be held in December.

d. South Salt Lake Valley Mosquito Abatement Meeting – Councilman Tyler.

Councilman Tyler reported on the recent South Salt Lake Valley Mosquito Abatement Meeting. The 2017 calendar year budget of \$1,507,000 was also approved. The budget was improved to include an increase from \$115,000 to \$190,000 on insecticides, including an aerial spray, if needed. Pay increases for five full-time employees were discussed. Time was also spent discussing the Annual Special District Convention. A new member was to be appointed from Millcreek and the Mosquito Social was scheduled for December 12.

e. Historic Committee Meeting – Councilman Peterson.

Councilman Peterson reported on the recent Historic Committee Meeting and the progress of writing the City's history. They were working on the design, publishing, photos, and reducing the number of pages from 200 to approximately 100 pages.

Councilman Peterson explained that a Review Committee will be appointed to review the book and there should be a book draft ready within the next 30 days. He added that there is a new opportunity for a Salt Lake County grant and there will be an upcoming recommendation sent the City Council on how to determine historic sites.

8. **Calendar of Events.**

Council Member Schedules for the next week/ 2016 Calendar:

- a. **Nov 22 – No Council Meeting – Thanksgiving Week.**
- b. **Nov 24 - Thanksgiving Day 5K – Race starts at 9 a.m.**
- c. **Nov 28 – Tree Lighting at 7 p.m. at City Hall.**
- d. **Nov 29 – City Council Meeting.**
- e. **December 6 – City Employees Christmas Party – No Council Mtg.**
- f. **December 27 – No Council Meeting – Christmas Holiday.**

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

At 11:00 p.m. Councilman Tee Tyler moved to go into a Closed Meeting to discuss pending litigation. Councilman Peterson second the motion. The motion passed with the unanimous consent of the Council.

The Council was in a Closed Meeting from 11:00 p.m. to 11:31 p.m.

Councilman Tee Tyler moved to close the Closed Meeting at 11:31 p.m., go back to the Work Session, and adjourn the Work Session. Councilman Peterson second the motion. The motion passed with the unanimous consent of the Council.

10. **ADJOURN**

City Council Work Session adjourned at 11:31 p.m.