

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION  
HELD TUESDAY, DECEMBER 13, 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 Shelton, Councilman Mike Peterson, Councilman Tee Tyler

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

**Youth City Council:** Adrianna Stack – 1<sup>st</sup> year Member of the Cottonwood Heights Youth City Council – Brighton High School Student

**1. Canyons School District.**

Amber Shill, Canyons School Board Representative for Cottonwood Heights, reported on several issues concerning the community. Ms. Shill reported that the brightness of the sign at Butler Junior High School was adjusted to be less obtrusive. In addition, the new field (retention basin) on the corner is not quite draining. The district is aware of the situation and are monitoring it.

Ms. Shill reported that the Board recently voted on the new 2017-2018 school calendar and the 2018-2019 calendar is in the early planning stages. Mayor Cullimore requested that a copy of the new calendar be provided to the Arts Council to assist them in their planning.

A Christmas Card Art Contest was held and two Brighton High School students won the contest.

Dannie Martin received awards with one being *The Deseret News* Ms. Volleyball which is the top volleyball player in the State and the other being *The Salt Lake Tribune's* Player of the Year.

Megan Okumura from Hillcrest High School was voted Miss Teen Utah and placed 4<sup>th</sup> in the Miss Teen USA pageant.

Ms. Shill reported that the Canyons Resort has maintained its AAA bond rating per the bond rating firm Fitchratings.

Ms. Shill stated that the School Board Business Administrator recently received two budgeting awards.

One of the original board members, Robert Green, did not run again and attended his last meeting as a board member the previous week.

It was noted that the Utah School Association performed their realignment and reassigned Hillcrest as a 6A school. All other schools in the area were given a 5A rating. The ability of a player's transfer status was also discussed. The rules were also changed regarding transferring players. The rules now specify that if an athlete transfers and plays one game on a varsity team, their eligibility is set only that sport. If, however, an athlete transfers three times, they are disqualified from playing sports for 12 months.

Ms. Shill concluded her remarks by recognizing two Christmas events. First, Ashton Polson had a tree done for her at the Festival of Trees by a club at Brighton High School. Second, a group of third graders at Bella Vista Elementary did the decorations for the Christmas Tree at Zions.

A question was raised to Ms. Shill as to whether Butler Elementary Kindergarten was moving to a full-day. Ms. Shill responded that it was not moving to a full day. She also stated that more discussion regarding the full-day kindergarten was to come.

Another question regarding the Brighton High School portables was brought up and whether they are being utilized. Ms. Shill responded that they are being used by Drivers Education and possibly for other classroom needs.

## **2. Park and Ride Lot.**

City Engineer, Brad Gilson, gave a history of the property at 8000 South Wasatch Boulevard and discussed the drainage and outfall of the property. The first issue was whether the property was a designated as a jurisdictional wetland. It was determined to not be a wetland.

There was also discussion on the agreement with Snowbird to asphalt the Park & Ride lot. It was mentioned that there was an agreement in place but that it wasn't necessarily tied to that specific location. Using the lot as a dog park was discussed and whether the County would allow it due to the drainage going into the nearby creek. The current policy would need to be considered as it is near the creek and the potential for contaminated drainage going into the creek.

Mr. Gilson explained that the current design of the parking lot includes 43 parking stalls. The challenging nature of the parking was discussed and how to best utilize the parking lot as both parking in the winter for skiers and the year-round popularity of the dog park. There was some question as to whether the lot could accommodate both. The budget for the current dog park design included all the amenities including mild grading and the import of gravel. The budget also included the price of relocating some of the parking that may not get built at that location. It was decided that Mr. Gilson would make a request and take over maintenance and work on the drainage issues.

## **3. Review of Business Meeting Agenda.**

Items to be addressed during the Business Meeting were mentioned and the Work Session adjourned at 6:56 p.m. The work Session resumed at 8:00 p.m.

## **4. Public Relations Report.**

Public Relations Specialist, Dan Metcalf, reported on the following media coverage and City events:

- Discovery Channel Report on the prototype of a drone developed by George Matus, a local 19-year-old. The Discovery Channel negotiated with the City to shoot a segment in Mountain View Park. The drone called a “Teal” is the fastest drone in its class. A short video of the Discovery Channel segment was presented in the meeting.
- KSL Radio reported on the New Cottonwood Heights Public Works Department and how they have taken over City services that were previously provided by outside sources. There was a short presentation of the segment played during the meeting.
- Fox 13 News had a segment regarding serial burglaries that have occurred in the area.
- Fox 13 News reported on the new and improved UTA Ski-bus service in Cottonwood Heights at the bottom of Big Cottonwood Canyon.
- News at 5 reported on drug rings and it was reported that federal charges were filed on Cottonwood Heights resident, Aaron Shamo. The segment was shown for the Council.
- A radio report was played of a DUI incident that took place in Cottonwood Heights. Carter Folger, the driver, killed a woman and injured two others.
- Fox 13 News reported on former Brighton High School athlete, Osa Masina, who was ordered to face trial on sex crime charges. The news clip was played in the meeting.

Mr. Metcalf updated the Council on the newsletter and the current design to be approved. It was reported that Kim Horiuchi has been retained to proofread and backup the Public Relations position. A resolution would be presented the following week for the agreement to allow Ms. Horiuchi to start work.

Mr. Metcalf discussed the Citizen Dashboard and having the Public Works and other departments use it. It was Mr. Metcalf’s intent to have the program be fine-tuned before expanding it.

Mayor Cullimore suggested there be a column in the newsletter regarding Public Works projects and upcoming issues facing the City including snow removal and parking in the streets during snow storms. Mr. Metcalf remarked there are few events currently on the calendar and suggested more be listed.

## **5. Public Works Report.**

### **a. Snow Removal Plans and Performance.**

Public Works Director, Matt Shipp, agreed to provide the Council with a review of the City’s performance of snow removal over the past week and any plans for changes in the future. He explained that this was in inaugural effort by the City’s new Public Works crews in doing snow removal City-wide.

**b. Public Works Facilities and Development Plans.**

Mr. Shipp provided the Council with a report on the status of construction of the salt shed as well as other development plans for the site on 3000 East along with a report of any remaining milestones related to completing the initiation of the City's new Public Works Department.

**6. Planning and Economic Development Report.**

**a. Planning Commission Meeting of December 7, 2016.**

Community and Economic Development Director, Brian Berndt, reported on the most recent Planning Commission Meeting. A zone map amendment was proposed on the two-acre property north of the Salt Lake City property near the road that goes up to the water tank. The property is currently zoned Forestry (F-143). The request was to change it to RR-121. Other items discussed by the Planning Commission were the McCormick/Macintosh property, the day care center clean up, and the service station/restaurant expansion.

Mr. Berndt reviewed the Monthly Report district by district. The Planning Commission Meeting also discussed the signed Access Agreement for the dental office and insurance agency on Highland Drive and rezoning of the property on Little Cottonwood.

Mr. Berndt reported on the Giverny plat and stated that the Planning Commission is in the final stages with respect to the plat. The plans are still moving forward and will be recorded as soon as all of the conditions of approval are met.

Mr. Berndt reported on the first PDD concept plan for the 40-acre Dean property at the gravel pit in District 4. There was discussion on the specific plans. Mr. Berndt stated that going forward the concept plan will be reviewed by the Planning Commission and the City Council.

**b. Fort Union Plan Discussion (Continued).**

It was reported that staff will continue their presentation regarding the long-term vision for development of Fort Union Boulevard.

**c. Monthly Development Report.**

Staff updated the City Council on development projects for November 2016. Mr. Berndt reviewed the monthly report district by district and the associated development plans.

A house on Red Birch Cove was discussed for which there was a request to build a 1,500-square foot garage. Due to the zoning setback restrictions, Mr. Berndt asked for direction on how to proceed with the garage plans. The Council suggested using the existing Code and approve the request if it meets the Code requirements with the additional five-foot setback.

Knudsen's corner was next discussed. A question was raised as to whether the City of Holladay had contacted Mr. Berndt regarding any impact the design might have on access to the City's trail. Mr. Berndt indicated that he had not been in contact with anyone from the City of Holladay.

**7. Public Safety Reports.**

**a. Unified Fire Authority.**

UFA Acting Chief, Mike Watson, reported on upcoming events including a meeting to approve the new Fire Chief Contract. He noted that on December 21, the new paramedics will complete their training. Mayor Cullimore reported that he met New Fire Chief, Dan Peterson, and was very impressed. A final contract was still being negotiated and was expected to be ready for review within the next few days. Mr. Peterson's plan was to work in Cottonwood Heights for at least five years.

Mayor Cullimore reported that a Finance Committee Meeting is scheduled for Friday to approve the 2016 financials. The financials and the fund balance looked good for the end of fiscal year 2016.

Mayor Cullimore reported briefly on the audit. He had reviewed it and had sent it on to staff. The audit was also sent to the State Auditor for feedback regarding inconsistencies. The report was expected to be ready by December 20 for presentation at the Board Meeting. Before going public, Chief Jensen will have 24 hours to review the report. There will then be discussion about when and how to release it to the public. It was noted that the State Auditor's concerns pertained to bonuses paid out in the last five years and other miscellaneous expenses.

Mayor Cullimore and the Council agreed that the City and the UFA are lucky to have Chief Jensen and his leadership. The morale amongst the UFA personnel had remained high under the leadership of Chief Jensen.

**b. Police Department.**

Chief Robby Russo reported on the noteworthy events of the past week.

**1. Implementation of Body Cameras.**

Chief Russo showed a sample of the body cameras in action in an actual traffic stop. The Council commented on the effectiveness of the camera and how it becomes a great witness of events. Discussion on how the videos are stored, reviewed, and used as evidence were also brought to light.

Chief Russo reported on the recruit going through the Police Academy in January. Mayor Cullimore and the Council expressed an interest in meeting him and his family. Chief Russo agreed to introduce them to the City Council at a future meeting.

The Citizens Academy was discussed along with the different plans going forward. The current plan was to double the size of the academy due to complaints of it being too small last year. The Council determined that because the Citizens Academy was such a success that doubling the size to around 40 was a good idea. The announcement of recruiting would be published in the newsletter.

Chief Russo brought up the need for a Public Order Unit (POU) which involves officers being fully equipped with full riot gear and shields. Negotiations had been ongoing with Sandy and Murray cities for the three to join forces in the event of a situation involving the need to protect citizens and

protesters. There would be communication between the three cities as they discuss upcoming training and events.

Calls for service with respect to the Target and Home Depot issues were discussed. The gift card issue was discussed and a memo regarding the matter would be provided to the Council for review. The main concern with the gift cards was accountability and tracking how they are used.

**8. City Manager/Assistant City Manager Report**

**a. City Hall Report.**

City Manager, John Park, reviewed current punch list items for the City Hall. First was the granite sign and lights, which were to be installed in the next week. Mr. Park also discussed the utility room in the back of the shop, which is the back corner on the east side. The double door has never really closed properly and he thought they had finally come up with a solution.

Mr. Park reported that the etched glass on the Multi-Purpose Room should be completed by the end of the year. The same group was also fixing the gash on the aluminum storm front door at the back of the Multi-Purpose Room. Mr. Park brought up two other items needing attention and stated that Boswell would be putting up the tack able soundproofing as well as cutting holes for the data ports and plugs. Last, Mr. Park discussed signage for the inside and outside of City Hall to eliminate confusion as to where to enter and exit.

It was reported that the issue of timers for the Council Chambers had been ordered. The original timers had no buzzers.

**b. Review of Staff Communications.**

There were no questions from the Council.

**9. Mayor/City Council Reports.**

Councilman Tyler reviewed issues identified by citizens during the previous night's Mosquito Abatement Board Meeting. The 2017 budget was questioned. One citizen commented that the City was spending too much on aerial spraying. Currently, \$85,000 is set aside for aerial spraying. Councilman Tyler discussed Senator Fillmore's proposed bill that states that tax increases and annual budgets, city by city, must be approved by the State annually.

Councilman Tyler reported on The Legislative Policy Committee Meeting held the prior day and the ideas brought up at the meeting. Councilman Tyler reported that Susan Wood announced that the Utah League of Cities and Towns will be posting stories on [www.DeseretNews.com](http://www.DeseretNews.com). They will post 10 at a time on the site so the City can respond on the website.

The Committee also discussed the issue of sales taxes Amazon will be charging. They will be credited to the zip codes where the packages are delivered.

At the meeting, it was also reported that Airbnb will begin paying Transit Room Taxes to cities where they have rentals. Councilman Tyler received a mailer relative to the short-term rental issue.

The mailer discussed the ‘unequal’ treatment between hotels and short-term rentals. Cottonwood Heights was again mentioned as a model for the Short-Term Rental Code.

Representative Mike Schultz discussed land use and LUDMA and reported that LUDMA would not be modified this year.

**a. Audit Committee Report – Mayor Cullimore.**

Mayor Cullimore reported on the Audit Committee Meeting held just prior to the City Council Work Meeting. The audit was deemed to a clean audit with no significant deficiencies. One finding was that the City failed to report the increase in revenue for the bond. The Mayor was grateful for the great job the Audit Committee did on the completion of the audit.

**b. Holiday in the Heights – Councilman Shelton.**

The painted power poles project was discussed and the need to get the project going. A meeting was planned to discuss the painted power pole project. The Arts Council was prepared to move the project forward.

Two New Council Members were present at the last Arts Council Meeting and were a great addition. Councilman Shelton reported on the Arts Council event featuring Peter Breinholt that was held on December 10 at Butler Middle School. Attendance was around 200 which was less than anticipated. The marketing of the event was discussed and what could be done to help improve attendance in the future.

**c. City Holiday Party.**

The City’s Holiday Party was a great success. It was mentioned that shifting things around to make more room in the Event Hall was recommended in the future.

**10. Calendar of Events**

Councilmember Schedules for the following week/2016 Calendar were as follows:

- a. December 26, 2016 – City Hall Will be closed for Christmas Holiday.
- b. December 27, 2016 – No Council Meeting – Christmas Holiday.
- c. January 2, 2017 – City Hall will be closed for the New Year Holiday.
- d. January 25, 2017 – Local Officials Day at the Legislature.
- e. January 28, 2017 – Volunteer Appreciation Dinner.

Mayor Cullimore reminded the Council that a Legislator Breakfast needs to be scheduled before the Legislative Session begins. It was suggested that it be held on Friday, January 6; Tuesday, January 10; or Wednesday, January 11.

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

*At 10:34 p.m. Councilman Tyler moved to close the Work Meeting and go into Closed Meeting to discuss property acquisition, litigation and personnel issues. Councilman Peterson seconded the motion. The motion passed with the unanimous consent of the Council.*

The City Council was in closed session from 10:34 p.m. to 11:10 p.m.

*At 11:10 p.m. Councilman Tyler moved to close the close the Closed Meeting, go back into the Work Session, and adjourn. Councilman Peterson seconded the motion. The motion passed with the unanimous consent of the Council.*

**ADJOURN**

The meeting adjourned at 11:10 p.m.