

1 MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
2 HELD TUESDAY, FEBRUARY 27, 2018 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS
3 CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL
4 BOULEVARD, COTTONWOOD HEIGHTS, UTAH
5

6 **Members Present:** Mayor Mike Peterson, Council Member Mike Shelton, Council Member
7 Tali Bruce, Council Member Scott Bracken, Council Member Christine
8 Watson Mikell
9

10 **Staff Present:** City Manager John Park, Assistant City Manager Bryce Haderlie, Community
11 and Economic Development Director Brian Berndt, City Recorder Paula
12 Melgar, City Treasurer Dave Muir, Police Chief Robby Russo, Assistant Fire
13 Chief Mike Watson, Public Works Director Matt Shipp, City Attorney Shane
14 Topham, Public Relations Specialist Dan Metcalf
15

16 **1.0 WELCOME**
17

18 1.1 Mayor Mike Peterson called the meeting to order at 7:00 p.m. and welcomed those present.
19

20 1.2 The Pledge of Allegiance was led by Scout Troop 706.
21

22 **2.0 CITIZEN COMMENT**
23

24 2.1 Eric Kraan expressed concern that City Council Work Sessions are being held at 5:00 p.m.
25 and commented that it will be difficult for many to attend at that time. It was his understanding
26 that staff and the Council still attach Accessory Dwelling Unit (ADU) occupancy to the tenant
27 rather than a structure. He was opposed to the proposed rezone of 6690 Highland Drive due
28 to the shape of the property and believed it will intrude on the rights of the neighbors. He
29 reported that he attended the Citizens Advisory Committee for Wasatch Boulevard Meeting
30 where persistent issues of safety, traffic, and parking relative to increased density and the road
31 being used to serve three different users was discussed. He asked the Council to create clarity
32 in terms of their goals for Wasatch Boulevard.
33

34 2.2 Brian Ruben identified himself as the developer and an owner of the proposed rezone property
35 located at 6672 and 6690 Highland Drive. He reported that they have met with the adjacent
36 property owners and presented the proposed plans. The response received was very positive.
37 Two items of concern were light pollution and aesthetically pleasing fencing. They are
38 owner/occupants and are willing to work with the neighbors to create a positive relationship.
39

40 2.3 Karen Terrace reported that she is a resident of Cottonwood Heights and expressed concern
41 with the crosswalk located on 2300 East and Camino. Flags were placed but she believed that
42 flashing lights are also needed. She has repeatedly witnessed students waiting to cross the
43 crosswalk which is located on the crest of the hill. She pointed out that vehicles often exceed
44 the 35-mph speed limit, which creates an unsafe condition. Ms. Terrace identified an
45 additional traffic concern at Bengal Boulevard and Highland Drive where she has seen
46 pedestrians nearly be struck at least once a week. City Manager, John Park, stated that staff
47 agreed with the need for flashing lights on 2300 East. They are currently conducting a study
48 in the area and agree that something additional is needed.

- 1
2 2.4 Jin Frederickson expressed gratitude to the Council for their willingness to participate in
3 informal discussions. She spoke with a UDOT representative recently regarding a traffic
4 study at Kings Hill and Wasatch Boulevard who suggested the removal of the stop sign for
5 those turning right. She asked if the Police Department can provide enforcement in that
6 location. She believed the ADU Ordinance was premature due to congestion issues without
7 any mitigation for traffic. Public transportation is diminishing, and she opposed increasing
8 density.
9
- 10 2.5 Nancy Hardy expressed concern with the gravel pit and suggested an open house be held to
11 allow citizens to review the property and design. She suggested a parking structure and public
12 transportation access be added in the area and believed a visitor's center would also be
13 beneficial.
14
- 15 2.6 Nicki Grace commented that ADUs are poor quality rentals with shared heating, air
16 conditioning, and ventilation. Homes that are converted from single-family to multi-family
17 put stress on the property, sewer, water, garbage, electrical, and landscaping. She was of the
18 opinion that landlords do little maintenance and seldom maintain the exterior. She
19 commented that ADUs are not single-family units and she opposed the proposed Ordinance
20 claim that it will preserve the character of single-family neighborhoods by imposing
21 standards. Market rentals that are legally zoned and well managed have the potential to
22 devalue neighboring properties and can result in an area becoming blighted. If a homeowner
23 requires rental income, they cannot afford to provide proper maintenance. She urged the
24 Council to leave R-1 single-family as R-1 only and strictly enforce Code violations.
25
- 26 2.7 Tim Hallbeck commented on how well City streets are snow plowed. He asked if Bengal
27 Boulevard and Highland Drive can be added to the infrastructure for crossing guards and if
28 plans or community participation are in place to ensure school safety. Police Chief, Robby
29 Russo, confirmed that they are trained in active shooter situations and utilize the schools in
30 scenario training. He stated that they have a solution for every school and have never heard
31 of utilizing citizens in such cases. He noted that they would be opposed to doing so. He
32 remarked that teachers should teach. It the job of the Police Department to create and maintain
33 a safe environment.
34

35 **PUBLIC HEARING**

36 **3.1 Public Hearing to Receive Input on the Proposed Amendment for the 2017-2018** 37 **Cottonwood Heights Budget.** 38

- 39
- 40 3.1.1 City Treasurer, Dave Muir, reported that the proposed budget amendments include a K-9
41 donation in the amount of \$3,500, state forfeiture grants in the amount of \$7,000, and the
42 payroll alignment of payroll and benefits to reflect the actual payroll and benefits being
43 received.
44
- 45 3.1.2 Mayor Peterson opened the public hearing. There were no public comments. The public
46 hearing was closed.
47

1 **4.0 STANDING MONTHLY REPORTS**

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3 **4.1 Monthly Financial Report –City Treasurer, David Muir.**

4
5 4.1.1 Mr. Muir presented the Financial Report for the month of January 2018 and stated that the
6 City is \$100,000 over budget. The Sales Tax trend line is positive and expected to remain
7 above budget. Energy taxes were slightly below what was projected. Class C Road Funds
8 were lower with 13% reduction year-to-date. Month-to-month trend lines were reviewed. He
9 confirmed that wages and benefits were below budget.

10
11 **4.2 Unified Fire Report – Assistant Fire Chief, Mike Watson.**

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13 4.2.1 Assistant Fire Chief, Mike Watson, presented the Unified Fire Report for the month of January
14 2018. He reported that Station 110 closed in 7th position with 117 total calls. Station 116
15 closed in 14th position with 60 total calls. Total medical calls for both stations closed at 150.
16 Station 110 calls closed with 117 total calls, 102 of which were medical and 15 fire. Station
17 116 calls closed with 60 total calls, 48 of which were medical and 12 fire. Top categories
18 included falls, traffic accidents, falls, and psych and behavior. Top fire categories included
19 alarms, persons locked out/in, and smoke investigations. He reported that there were
20 difficulties in reporting station statistics, which would be available at a later date. The safety
21 message included information regarding the aerial apparatus located at Station 110. The
22 apparatus requires more manpower to operate than a fire engine and is staffed for four
23 positions with an additional two ambulance positions. Chief Watson reported that Station 116
24 has four positions for the fire engine and although it no longer includes an ambulance, it is
25 their intent to track ambulance transports for their zone.

26
27 **5.0 ACTION ITEMS**

28
29 **5.1 Consideration of Ordinance 290-A Approving a Rezone of 6672 and 6690 South**
30 **Highland Drive.**

31
32 5.1.1 Community Development Director, Brian Berndt, reported that the above ordinance is a
33 request to rezone two pieces of property on Highland Drive. The layout was reviewed. He
34 stated that the General Plan for the area shows the property as Residential Office. The
35 Planning Commission reviewed the rezone and forwarded a positive recommendation of
36 approval with a 4-to-2 vote.

37
38 5.1.2 Council Member Mikell hoped to hear additional comments from neighboring property
39 owners.

40
41 5.1.3 Mr. Ruben reported that several neighbors were present at the meeting when the original
42 proposal was presented. At the conclusion of that meeting, they spent additional time with
43 residents describing the proposed plan and architectural impact as well as the plan for the
44 property border. The two primary concerns of those in attendance were light pollution and
45 fencing. Mr. Ruben explained that the lighting is intended to be primarily used as a theft
46 deterrent. They will work with the abutting neighbors toon a fencing design they both can
47 agree on. He confirmed that because the proposal is for a medical facility, they will not be
48 operating during evening and weekend hours.

1 5.1.4 Mr. Park pointed out that there were concerns raised about the proposed building not reflecting
2 the look of a residential office. Mr. Ruben stated that they were able to review design plans
3 with the neighbors and believed they were understood that the proposed would be aesthetically
4 pleasing.
5

6 **5.1.5 MOTION:** Council Member Shelton moved to approve Ordinance 290-A. The motion was
7 seconded by Council Member Bracken. Vote on motion: Council Member Shelton-Aye,
8 Council Member Bracken-Aye, Council Member Bruce-Aye, Council Member Mikell-Aye,
9 Mayor Peterson-Aye. The motion passed unanimously.
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11 **5.2 Consideration of Ordinance 290-D Denying a Rezone of 6672 and 6690 South Highland**
12 **Drive.**
13

14 5.2.1 The above item was deemed unnecessary.
15

16 **5.3 Consideration of Ordinance 291 Approving Amendment and Restatement of Chapter**
17 **19.92, Cottonwood Heights Code, Regarding the City's Land Use Appeal Authority.**
18

19 5.3.1 Mayor Peterson reported that the above Ordinance approves an amendment to discontinue the
20 use of the Board of Adjustment and the hiring a Hearing Board Officer.
21

22 **5.3.2 MOTION:** Council Member Bracken moved to approve Ordinance 291. The motion was
23 seconded by Council Member Bruce. Vote on motion: Council Member Shelton-Aye,
24 Council Member Bracken-Aye, Council Member Bruce-Aye, Council Member Mikell-Aye,
25 Mayor Peterson-Aye. The motion passed unanimously.
26

27 **5.4 Consideration of Ordinance 292 Approving Amendment to the City's Budget for 2017-**
28 **2018 Fiscal Year.**
29

30 5.4.1 Mayor Peterson reported that the above Ordinance approves an amendment to the City's
31 budget for the 2017-2018 fiscal year.
32

33 **5.4.2 MOTION:** Council Member Bruce moved to approve Ordinance 292. The motion was
34 seconded by Council Member Shelton. Vote on motion: Council Member Shelton-Aye,
35 Council Member Bracken-Aye, Council Member Bruce-Aye, Council Member Mikell-Aye,
36 Mayor Peterson-Aye. The motion passed unanimously.
37

38 **5.5 Consideration of Resolution 2018-12 Expressing Opposition to House Bill 135.**
39

40 5.5.1 Mayor Peterson reported that the above Resolution deals with extra territorial rights of the
41 Salt Lake City Water Department and other jurisdictions protecting water rights in the
42 foothills. This may eliminate water rights that provide water to the City.
43

44 5.5.2 Due to a conflict, Council Member Bracken indicated that he would abstain from the vote.
45

46 **5.5.3 MOTION:** Council Member Bruce moved to approve Resolution 2018-12. The motion was
47 seconded by Council Member Mikell. Vote on motion: Council Member Shelton-Aye,

1 Council Member Bracken-Abstain, Council Member Bruce-Aye, Council Member Mikell-
2 Aye, Mayor Peterson-Aye. The motion passed unanimously with one abstention.

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4 **5.6 Consideration of Resolution 2018-13 Approving Disposal of Unclaimed Property and**
5 **Former Evidence.**

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7 5.6.1 Mayor Peterson reported that the above Resolution approves disposal of unclaimed property
8 and former evidence.

9
10 5.6.2 Chief Russo stated that from time to time they clear out police cases and purge stored evidence
11 items that are no longer needed. The items consist of bicycles, air compressors, ladders, etc.
12 The items were to be sent to an auction company where they will be auctioned off and the
13 proceeds returned to the City, minus a commission. A second group of items included gift
14 cards that can be converted for City use.

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16 **5.6.3 MOTION:** Council Member Bracken moved to approve Resolution 2018-13. The motion
17 was seconded by Council Member Bruce. Vote on motion: Council Member Shelton-Aye,
18 Council Member Bracken-Aye, Council Member Bruce-Aye, Council Member Mikell-Aye,
19 Mayor Peterson-Aye. The motion passed unanimously.

20
21 **6.0 CONSENT CALENDAR**

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23 **6.1 Approval of Business Meeting Minutes for February 13, 2018 and Work Session Minutes**
24 **of January 23 and February 6, 2018.**

25
26 6.1.1 **MOTION:** Council Member Shelton moved to approve the Minutes for the City Council
27 Business Meeting of February 13, 2018 and the Minutes of the Work Sessions of January 23
28 and February 6, 2018. The motion was seconded by Council Member Bruce. The motion
29 passed with the unanimous consent of the Council.

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31 **7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**

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33 7.1 Council Member Shelton moved to adjourn. The motion was seconded by Council Member
34 Bruce. The motion passed with unanimous consent of the Council.

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36 7.2 The meeting adjourned at 8:02 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood*
2 *Heights City Council Business Meeting held Tuesday, February 27, 2018.*

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10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary
13
14 Minutes approved: March 27, 2018