

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING**
2 **HELD TUESDAY, APRIL 24, 2018 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY**
3 **COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD,**
4 **COTTONWOOD HEIGHTS, UTAH**
5

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

9 **Staff Present:** City Manager John Park, Assistant City Manager Bryce Haderlie, City
10 Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief
11 Mike Watson, Public Works Director Matt Shipp, Finance Director Van Tran,
12 Public Relations Specialist Dan Metcalf, Senior Planner Michael Johnson, City
13 Planner Andrew Hulka
14

15 **1.0 WELCOME**
16

17 1.1 Mayor Mike Peterson called the meeting to order at 7:00 p.m.
18

19 1.2 The Pledge of Allegiance was led by Council Member Bruce.
20

21 **2.0 CITIZEN COMMENTS**
22

23 2.1 Bob Jacobs stated that he has been a resident for 40 years and read language from the General
24 Plan regarding the intent of Cottonwood Heights. He opposed the Accessory Dwelling Unit
25 (ADU) Ordinance and believed that going from 25 units to 35 units is a 50% increase. He
26 asked why the City would raise the allowed density. He commented that he would like to be
27 able to go to the City's website and link to the agenda items for further review.
28

29 2.2 Ashley Miller reported that she is the Police Director for Breath Utah and serves on the State
30 Air Quality Advisory Board and the Salt Lake County Environmental Health and Quality
31 Commission. She was contacted by multiple Cottonwood Heights residents asking how they
32 can implement an idle-free ordinance. She works closely on idle-free issues and stated that
33 this is an excellent strategy in improving local air quality as the State is unable to show
34 attainment with the current implementation plan. She encouraged the Council to continue their
35 idle-free efforts.
36

37 2.3 Katherine Peterson commented that she would like to enjoy the peace and quiet of her home
38 and unfortunately there is a nuisance issue on her street. She claimed that her neighbor has
39 been racing his highly amped RC cars back and forth in front of her home. She presented video
40 evidence of the nuisance to the Council.
41

42 2.4 Jenny Nazarro expressed concern with air pollution in the valley, which ranks among the
43 lowest air quality in the country. She was disturbed to see many cars idling while picking up
44 their children from school, which fills the air with toxic fumes. Many are unaware that idling
45 wastes gas, contributes to poor air quality, and is harmful to everyone around them. She
46 reported that after further discussion with other residents, there has been tremendous support
47 in just a few days. The ordinances from surrounding cities are similar in detail and designed

1 with reasonable rules and appropriate exceptions. She suggested that no idling signs be placed
2 throughout the City.

3
4 2.5 Kathy Collins reported that parking along Bengal Boulevard outside of Mountain Estates Drive
5 prohibits them from seeing clearly when pulling out and poses a safety concern. The law states
6 that parked cars must be 30 feet from the intersection. She asked the Council to require parking
7 be set back even farther.

8
9 2.6 Kathleen Reibe identified herself as the elected Utah State School Board Representative. She
10 made information available regarding facts detailing events taking place throughout the State.
11 She was available to help with any concerns and asked that parking for electric cars be
12 considered.

13
14 2.7 Annette York was present to advocate for idling regulations and expressed concern with the
15 toxicity level rising, which affects life-sustaining forces. She considered regulation to be a
16 great way to educate citizens and make the public aware of the effects. She had learned that
17 breathing in the toxins from exhaust are permanent and cumulative.

18
19 2.8 Art Lipson stated he has lived in Cottonwood Heights for 27 years and expressed concern with
20 the density of housing and the use of secondary apartments that will produce crowding. He
21 preferred to keep the density low.

22
23 2.9 Nancy Hardy reported that she attended the previous Work Session where ADUs were
24 discussed. She asked if those who participated in the survey are aware of details and specifics
25 of an ADU. She noted that most citizen comments expressed concern and raised questions
26 regarding ADUs. She asked the Council to include those responses in the survey. She also
27 asked if the City is defining ADU as a use or the structure of a home. Limiting the number of
28 ADU per year was suggested.

29
30 2.10 Jin Fredericksen asked if a Facebook live stream could be utilized for City meetings as well as
31 streaming audio. She reviewed the ADU accessory website and noted that she has an issue
32 with research content. She believed that most plans are restrictive and encouraged the Council
33 to review Sandy City's Ordinance as she believed it was indicative of how Cottonwood Heights
34 should implement their own.

35
36 2.11 Eric Kraan was a proponent of idle-free proposals and plastic bags among other regulations.
37 Because of parking needs during construction across the street from Brighton High School, he
38 believed the City should promote walk and bike to school programs to improve the safety and
39 health of the community. He also addressed cycling concerns on the Big Cottonwood Canyon
40 Trail and stated that roots are erupting and creating unsafe conditions for those that use the
41 path. He stated that there are painted street arrows in need of attention on Honeywood Cove.

42 43 **3.0 PUBLIC COMMENT**

44 45 **3.1 Exotic Pet Ordinance.**

46
47 3.1.1 City Planner, Mike Johnson, presented the staff report and stated that the proposed exotic pet
48 ordinance is specific to miniature goats and pigs, which are currently limited to agricultural

1 residential zones on lots that meet certain size requirements. The proposed draft would permit
2 certain species of goats and pigs in all single-family residential zones in the City. It is a
3 compilation of similar ordinances and expertise that have all been combined. He noted that
4 provisions are built in to limit the size and ensure they are the proper breeds. All miniature
5 goats will be required to be dehorned, spayed or neutered to eliminate odor, and because they
6 are companionship animals, the current draft ordinance requires no more or no less than two
7 miniature goats, vaccinations, and an enclosure. He stated that miniature pigs are required to
8 be certified by a licensed breeder to confirm that they are, in fact, miniature.
9

10 3.1.2 Mayor Peterson opened the public hearing.
11

12 3.1.3 Slater Douglas reported that he serves on the Youth City Council and is a member of the Utah
13 Animal Rights Coalition. He lives next to a miniature goat and expressed concern with its
14 well-being. He believed a backyard is not the proper habitat for a farm animal as they need to
15 socialize with other goats. He wanted the animal to be happy and believed they should not be
16 confined.
17

18 3.1.4 Carol Lasson commented that she has experienced the joy that the pygmy goat has brought to
19 its owner. It is well taken care of and are more popular as backyard companion goats. She
20 stated that they are popular because they are small and cute. She expressed support for the
21 proposed ordinance.
22

23 3.1.5 Jennifer Ford identified herself as the owner of the pygmy goat and asked if it is mandatory
24 that the companion pet be a goat. She owns a black lab that lives in the backyard with the goat
25 and asked if that is an acceptable companion animal.
26

27 3.1.6 Erica Weiss gave her address as 2466 Sundown Avenue and reported that she has another
28 neighbor with two goats in her backyard who originally claimed they were visiting for one
29 week. Within a few hours, she observed the goats on their porch, driveway, flower gardens,
30 and property and they can be heard at all hours of the day. An audio file was presented
31 displaying the sound from the neighboring goats. She stated that the disposal of waste and
32 urine was of concern along with the vermin that will be present due to the waste. Their life
33 expectancy is 12 to 15 years and she asked where a pygmy goat would be relinquished should
34 there be an irresponsible owner. She expressed opposition to the proposed ordinance.
35

36 3.1.7 Jin Fredericksen stated that she is a pet lover and bunny owner. She believed that if those who
37 own the goats are responsible pet owners and the pet is given the space and care it needs, she
38 did not object to the ordinance. She suggested that verbiage be added to include rescue shelters
39 along with certified breeders.
40

41 **3.2 Planned Development District Zone Change.** 42

43 3.2.1 Mr. Johnson presented the Planned Development District (PDD) zone change and clarified that
44 it is a text amendment that would precede any formal development application. He noted that
45 this is just a change to the underlying language. A map currently exists detailing not where
46 PDDs exist, but where the ordinance could be applied with a development application. PDD
47 density was reviewed. He stated that the Planning Commission unanimously recommended
48 approval based on the findings set forth. The Council has the final say in developments applied

1 in the PDD zone. The mixed-use zone currently allows 35 units per acre for residential projects
2 and does not exceed what is found in the current mixed-use ordinance. The existing maximum
3 density in Tier II, which is 25 units to the acre, was established as the minimum density to be
4 considered transit and supported by UTA. The guard rails that are placed on the PDD proposals
5 include that the site plan promote transient-oriented development and the Commission felt that
6 because of the legislative control placed on the process, increasing the density from 25 to 35
7 was palatable.

8
9 3.2.2 The applicant, Chris Longson, was present on behalf of ICO and said the State is growing
10 quickly and multi-family will be one of the main growth vehicles due to lack of land. He
11 confirmed that there are always concerns regarding protection of single-family neighborhoods.
12 High density housing developments in the City were reviewed.

13
14 3.2.3 Mr. Johnson clarified that the proposed text amendment would precede any development-
15 specific application. When an application comes in specific to development, there is an
16 arduous public noticing and input process built in to the ordinance.

17
18 3.2.4 Eric Kraan expressed concern with the process, which pertains to the City accommodating
19 developers by expanding the location of the PDD zone. He believes that the City is moving
20 blindly in a process without a clear objective as to their intent. He repeated his request to the
21 Planning Commission and the purpose of the City to accept a density increase from 25 to 35 in
22 the dwelling ceiling. Along with the increased density, he suggested they raise the floor for
23 below market rate units from 10% to 15% setting aside 2.5% for households earning less than
24 30% of the City's median income.

25
26 3.2.5 Nancy Hardy stated that there is a delicate balance to increasing density without decreasing the
27 quality of life and character of Cottonwood Heights. She asked if increasing the density of the
28 PDD is in the best interest of the developer and the residents.

29
30 3.2.6 Jin Fredericksen noticed the five-acre parcel for ICO that was previously mixed-use and
31 believed this was due to there being a potential applicant. Because the applicant has returned
32 with a request for a density increase, she felt that they are the parameters and cannot be changed
33 to suit one development. She suggested that there is not a clear focus as to what they are doing
34 with the City as a whole and noted that they are doing a lot to accommodate one developer.

35
36 3.2.7 Lynn Krauss stated that density means something to the citizens and believed it felt like it is a
37 text amendment or zone change, it always feels like it goes in the direction of the developer.

38
39 3.2.8 Bob Jacobs asked how the City will justify not allowing others to have a 35 unit per acre density
40 when they have already allowed one developer to have it. There were references to transit-
41 oriented development and Mr. Jacobs asked if there is a transit hub associated with the
42 proposal.

43
44 3.2.9 There were no further public comments. Mayor Peterson closed the public hearing.
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1 **4.0 STANDING MONTHLY REPORTS**

2
3 **4.1 Monthly Financial Report – Finance Director Van Tran.**

4
5 4.1.1 Finance Director, Van Tran, presented the monthly financial report for the month of March
6 2018 and stated that even though property taxes are increasing, the certified rate fluctuates
7 and has been reduced to 4.02%. Based on the 2017-2018 actuals, sales tax is actually trending
8 higher. She presented a graph with anticipated tax rates. Energy Tax was trending below
9 what was budgeted mainly due to usage. Class C Road Funds were trending above and there
10 was still one additional payment to receive. She reported that wages and benefits are below
11 budget but progressing as anticipated.
12

13 **4.2 Unified Fire Report – Assistant Chief Mike Watson.**

14
15 4.2.1 Assistant Fire Chief, Mike Watson, presented the monthly Unified Fire Report for March
16 2018. He reported that Station 110 finished in the 15th position and Station 116 finished 13th.
17 Station 110 closed with 102 total calls, 87 of which were medical and 15 were fire. Station
18 116 closed with 63 total calls, 44 of which were medical and 19 were fire. Top categories
19 included falls and traffic accidents with alarms being the top fire call. Station 110 had 47
20 Advanced Life Support (ALS) calls, of which 28 resulted in transports and 40 Basic Life
21 Support (BLS) calls, of which 16 resulted in transport. Station 116 closed with 17 ALS
22 transports and nine BLS transports. The customer service report included a Certified Training
23 Course at City Hall, station tours, and the Easter Egg Hunt. The safety message detailed
24 Automatic External Defibrillators and their success while used during CPR.
25

26 **5.0 ACTION ITEMS**

27
28 **5.1 Consideration of Resolution 2018-21 Designating Areas Closed to Discharge of**
29 **Fireworks Due to Historical Hazardous Environmental Conditions and Adopting a Map**
30 **Showing the Boundaries of Such Areas.**
31

32 5.1.1 Mayor Peterson reported that the above Resolution designates areas closed to the discharge of
33 fireworks through the season. A detailed map was reviewed.
34

35 **5.1.2 MOTION:** Council Member Bracken moved to approve Resolution 2018-21. Council
36 Member Shelton seconded the motion. Vote on motion: Council Member Shelton–Aye,
37 Council Member Bracken–Aye, Council Member Mikell–Aye, Council Member Bruce–Aye,
38 and Mayor Peterson–Aye. The motion passed unanimously.
39

40 **5.2 Consideration of Resolution 2018-22 Approving a Performance Contract with the**
41 **Wayne Hoskins Band for 2018 Butlerville Days.**
42

43 5.2.1 Mayor Peterson reported that the above Resolution approves a performance contract with the
44 Wayne Hoskins Band for the 2018 Butlerville Days.
45

46 **5.2.2 MOTION:** Council Member Bracken moved to approve Resolution 2018-22. The motion
47 was seconded by Council Member Shelton. Vote on motion: Council Member Shelton–Aye,

1 Council Member Bracken-Aye, Council Member Bruce-Aye, Council Member Mikell-Aye
2 and Mayor Peterson-Aye. The motion passed unanimously.

3
4 **5.3 Consideration of Resolution 2018-23 Declaring Certain Property Surplus.**

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6 5.3.1 Mayor Peterson reported that the above Resolution declares certain property surplus at a rate
7 that the City could typically sell them for.

8
9 **5.3.2 MOTION:** Council Member Bruce moved to approve Resolution 2018-23. The motion was
10 seconded by Council Member Mikell. Vote on motion: Council Member Shelton-Aye,
11 Council Member Bracken-Aye, Council Member Bruce-Aye, Council Member Mikell-Aye
12 and Mayor Peterson-Aye. The motion passed unanimously.

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14 **6.0 CONSENT CALENDAR**

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16 **6.1 Approval of the City Council Budget Retreat Minutes of March 26, 2018 and the Work**
17 **Session Minutes of March 27, 2018.**

18
19 **6.2 MOTION:** Council Member Shelton moved to approve the minutes of the City Council
20 Budget Retreat of March 26, 2018 and the Work Session of March 27, 2018. The motion was
21 seconded by Council Member Bruce. The motion passed with the unanimous consent of the
22 Council.

23
24 **7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION.**

25
26 **7.1 MOTION:** Council Member Shelton moved to adjourn the Business Meeting. The motion
27 was seconded by Council Member Bruce. The motion passed unanimously.

28
29 7.2 The meeting adjourned at 8:51 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, April 24, 2018.*

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