

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD TUESDAY, DECEMBER 18, 2018 AT 5:32 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH

Members Present: Mayor Mike Peterson, Council Member Mike Shelton, Council Member Scott Bracken, Council Member Tali C. Bruce, Council Member Christine Mikell

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, City Recorder Paula Melgar, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Finance and Administrative Services Director S. Scott Jorges, Public Relations Specialist Dan Metcalf, Community Development Senior Planner Matt Taylor

WORK SESSION

Mayor Peterson called the meeting to order and welcomed those present.

1.0 Public Relations Report - Dan Metcalf.

Public Relations Specialist, Dan Metcalf, provided the Monthly Media Report which included:

- * A KUTV news report on a chimney fire and the Santa Fe Apartment complex fire.
- * A KUTV news report on Cottonwood Heights Public Works Department and snow plowing.
- * A report on the Cottonwood Heights Police Department K-9 units.
- * Multiple TV reports of car break ins.
- * Royal Farms Apartments storage unit break ins.
- * Check forgery report.
- * Alpha Coffee donations to the troops.

2.0 Review of Business Meeting Agenda – Mayor Mike Peterson.

Mayor Peterson reviewed the upcoming business meeting agenda items and a meeting he attended earlier in the day. He confirmed that the UFA has 27 new hires coming on soon.

3.0 City Council and Staff Reports.

a. Proposed Sustainability Resolution – City Manager, Tim Tingey.

City Manager, Tim Tingey, reported that the proposed Sustainability Resolution was first discussed in June 2018 and was discussed again at the October 23 meeting. He reviewed the proposed resolution and stated that the direction was to provide modifications. Specific verbiage to be added was discussed. Items included specific time frames for City operations through 2022 and those already within the City by 2032 where renewable energy and goals were set.

Council Member Bracken reported that he sent out red lines and acknowledged things the City has done and will continue to provide such as street lighting. He included a comment from the CMAC regarding air quality and a reduction of fossil fuel consumption. Concerns with the Public Works Yard were expressed. He suggested that completion of the Public Works Yard be more reasonably attainable and suggested the completion date be moved from 2022 to 2025.

Council Member Mikell emphasized the importance of recognizing that an ordinance is something they expect to enforce while a resolution is an opinion of a goal or something they desire.

Council Member Bruce stated that there are details still to be discussed with regard to a Sustainability Manager and Committee and recommended language be included that addresses both of those goals. The process of establishing a Sustainability Committee was discussed.

Mr. Tingey understood the importance of a Sustainability Committee but recommended moving forward with the current issues first. Mayor Peterson was in also in favor of the committee, but believed it was premature. His preference was to get the resolution passed first. Mr. Tingey indicated that staff will work to modify the document and include information on the priorities using the current dates.

4.0 Review of Calendars and Upcoming Events.

Council Member Schedules for the Next Week - 2018 Calendar:

- a. December 24-25 City offices will be closed for the Christmas Holiday;**
- b. January 1, 2019 City offices will be closed for the New Year;**
- c. January 9 – 8 am – CHBA Cottonwood Connects Social;**
- d. January 28 – 7:30 pm – Masterworks Concerts – Butler Middle School;**
- e. February 12 – 5 pm till 7 pm – Death by Chocolate at City Hall; and**
- f. April 22 – 7:30 pm – Masterworks Concerts – Butler Middle School.**

Lisa Romney, Regional Business Manager with Rocky Mountain Power, reported that she had enjoyed working with Cottonwood Heights but has accepted a new position with the University of Utah. She introduced Travis Jones who would be will be taking over her position. Mr. Jones has been with Rocky Mountain Power for 17 years and has a background in education management operations.

5.0 ADJOURN

MOTION: Council Member Bracken moved to adjourn the Work Meeting and convene in the CDRA Work Session. The motion was seconded by Council Member Bruce. The motion passed with the unanimous consent of the Council.

The CDRA Meeting adjourned at 6:26 p.m.

MINUTES OF THE COTTONWOOD HEIGHTS COMMUNITY DEVELOPMENT AND RENEWAL AGENCY BUSINESS MEETING HELD TUESDAY, DECEMBER 18, 2018 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD HEIGHTS, UTAH

Members Present: Mayor Mike Peterson, Council Member Mike Shelton, Council Member Scott Bracken, Council Member Tali C. Bruce

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, City Recorder Paula Melgar, Public Works Director Matt Shipp, Community and Economic Development Director Michael Johnson, Finance and Administrative Services Director S. Scott Jurges, Public Relations Specialist Dan Metcalf, Community Development Senior Planner Matt Taylor

1.0 WELCOME

CDRA Board Chair, Mike Peterson, called the meeting to order and welcomed those present.

2.0 PUBLIC HEARING

2.1 The Board Will Accept Public Comments on the Proposed Second Amendment to the Project Area Plan and Proposed Amended Project Area Budget for the Canyon Centre Community Development Area.

Chair Mike Peterson opened the meeting to public comments on the proposed second amendment to the project area plan and the proposed amended project area budget for the Canyon Centre CDA.

Jason Burningham, CDRA Financial Advisor, reported that the above item has been noticed and a 30-day period provided to the public along with the second amended area plan and the amended budget, which has been available for inspection. He presented a brief overview and explained that this is a culmination of a process in which they have been working with other participants and taxing entities who helped form the plan, budget, and ultimately the financing. The CDA was first created in 2011 with multiple purposes consisting of economic development, job creation, and better utilization at the mouth of the canyon for a parking structure. He explained that since that time, necessary changes have been made and include the base year for 2010 being modified to 2016 with the trigger date of 2015 being moved to no later than tax year 2021. Tax increment is based on the total assessed value of these projects once built. Taxes that would be levied on the properties would come to the CDRA to be used for specific purposes such as a parking structure, park facilities and to facilitate in the development rather than flow to the other taxing entities. A tax graph was displayed. Mr. Burningham noted that base year taxes reflect approximately \$50,000 per year in tax revenue that flows to the taxing entities over a 25-year period. The 25%, which is in addition and passes through because of the development being constructed on the site, is \$119,000 per year over 25 years.

Mr. Burningham explained that the second amended budget plan reflected \$550,000 annually, or \$13.6 million over the life of the project area, which will be partly used toward administering the project area. The school district passes through 100% with 30% going back to them. He confirmed that it also includes a parking structure loan, tax increment reimbursement, park improvements, and the county parking structure loan repayment.

Mayor Peterson opened the public hearing. There were no public comments. The public hearing was closed.

3.0 ACTION ITEMS

3.1 Consideration of Resolution 2018-08 Approving Amendments to the Project Area Plan and the Project Area Budget for the Canyon Centre Community Development Area (CDA).

MOTION: Board Member Bracken moved to approve Resolution 2018-08. The motion was seconded by Board Member Shelton. Vote on motion: Board Member Bracken-Aye, Board Member Shelton-Aye, Board Member Bruce-Aye, Board Member Mikell, and Board Chair Peterson-Aye. The motion passed unanimously.

3.2 Consideration of Resolution 2018-09 Approving and Ratifying Amendments to Interlocal Agreements with Various Taxing Entities Concerning the Canyon Centre CDA.

MOTION: Board Member Shelton moved to approve Resolution 2018-09. The motion was seconded by Board Member Bruce. Vote on motion: Board Member Bracken-Aye, Board Member Shelton-Aye, Board Member Bruce-Aye, Board Member Mikell, and Board Chair Peterson-Aye. The motion passed unanimously.

3.3 Consideration of Resolution 2018-10 Approving Amendment No. 1 to the Interlocal Agreement for Salt Lake County's Provision of \$7.75 Million in Funding for the Canyon Centre CDA.

Board Member Bracken explained that the above Resolution would free up \$1.7 million in the current RDA fund, which allows for opportunities within the City.

MOTION: Board Member Bruce moved to approve Resolution 2018-10. The motion was seconded by Board Member Bracken. Vote on motion: Board Member Bracken-Aye, Board Member Shelton-Aye, Board Member Bruce-Aye, Board Member Mikell, and Board Chair Peterson-Aye. The motion passed unanimously.

3.4 Consideration of Resolution 2018-11 Approving the form of the Development Agreement and its Related Documents for the Canyon Centre CDA.

MOTION: Board Member Bracken moved to approve Resolution 2018-11. The motion was seconded by Board Member Mikell. Vote on motion: Board Member Bracken-Aye, Board Member

Shelton-Aye, Board Member Bruce-Aye, Board Member Mikell, and Board Chair Peterson-Aye. The motion passed unanimously.

3.5 Approval of December 18, 2018 Minutes.

The Agency board will approve the minutes of their December 18, 2018 meeting through the following process: The Recorder will prepare the minutes and email them to each member. The members will have five days to review the minutes and provide any changes to the recorder. If, after five days there are no changes, the minutes will stand approved.

MOTION: Board Member Shelton moved to approve the minutes of December 18, 2018. The motion was seconded by Board Member Bracken. Vote on motion: Board Member Bracken-Aye, Board Member Shelton-Aye, Board Member Bruce-Aye, Board Member Mikell, and Board Chair Peterson-Aye. The motion passed unanimously.

4.0 ADJOURN CDRA BUSINESS MEETING

MOTION: Board Member Bruce moved to adjourn. The motion was seconded by Board Member Bracken. The motion passed with the unanimous consent of the Board.

The CDRA Meeting adjourned at 7:30 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, DECEMBER 18, 2018 AT 7:30 P.M. IN THE COTTONWOOD HEIGHTS
CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL
BOULEVARD, COTTONWOOD HEIGHTS, UTAH**

Members Present: Mayor Mike Peterson, Council Member Mike Shelton, Council Member Scott Bracken, Council Member Tali C. Bruce, Council Member Christine Mikell

Staff Present: City Manager Tim Tingey, City Attorney W. Shane Topham, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, City Recorder Paula Melgar, Community and Economic Development Director Michael Johnson, Finance and Administrative Services Director S. Scott Jurges, Public Relations Specialist Dan Metcalf, Public Works Director Matt Shipp

BUSINESS MEETING

1.0 WELCOME/PLEDGE

Mayor Peterson called the meeting to order and welcomed those present.

The Pledge of Allegiance was led by Boy Scout Brian Heel.

2.0 CITIZEN COMMENTS

David Richardson commented that he has worked many years on air quality issues and energy efficiency. He encouraged the City's involvement.

Lynn Krauss was disappointed to find that the Fort Union Land Use Map Amendment was not on tonight's agenda. She stated that the matter was voted on by the Planning Commission on November 7, 2018 at which time they moved to forward a positive recommendation to the City Council. Staff informed her that this was a temporary change and she hoped it would be viewed as a more permanent change. She felt this was a small step toward retaining the character of the City. Ms. Krauss asked that property owner comments be reviewed and their wishes honored.

Nancy Hardy distributed a handout to the Council and suggested the City's website contain a link to current City projects and include the status and updates for each. A quarterly question and answer meeting was recommended. Ms. Hardy stated that she has a Beautify Cottonwood Heights wish list that includes replacing old jersey barriers, simplifying signage, placing divider poles at the High-T intersection, and adding a large map and interactive lobby televisions.

Larry Seeborg expressed concern with the safety of the Creek Road entrance. He recently spoke with the City Engineer who indicated that a 45-foot width was needed to accommodate three lanes of traffic, two bike paths, and curb space. He found that when Ivory Homes poured the curb, they were lacking space and were seven or eight feet short of the 45 feet needed to accommodate all of the lanes. He was in favor of acceleration and deceleration lanes to ensure safety.

Eric Kraan expressed disappointment in hearing about the Creek Road issues. He commented that complete street and Vision Zero initiatives are not being considered. He believed the organizational chart of the City needs to be revisited. He was concerned that there is not a formal review process in place for the position of Chief of Police and stated that the Council Members only reviewed his performance on a daily and weekly basis. He suggested that performance reviews not be left to the City Council who can mandate that the City Manager conduct them. He was unclear whether this directive had been given.

William Cosgrove identified himself as a Pediatrician who has been part of the Cottonwood Heights community for 37 years. He reported that there are 10,000 children in the City and he was concerned about accumulating exposure to particles and chemicals in air pollution, which is linked to lung disease and cancer. He explained that the burning of hydrocarbons spreads multiple poisons into the air. It has been determined that even low levels of exposure adversely affect chromosomes. He emphasized that the City Council has the privilege of extending the lives of citizens by committing to clean energy and reducing poisons in the air.

Anna McNamera was present with respect to Resolution 2018-88 and has participated in the Municipal Alternate Voting Methods Pilot Project otherwise known as Ranked Choice Voting. She supported this type of voting and believed it provides a more accurate representation for voters. She was excited to see the City moving in this direction. She felt it was relevant to address term limits to ensure that they are representing a diverse group of people. She understood that the Council is considering setting the year 2032 to become 100% sustainable.

Rochelle Kaplan expressed support for the City's 100% Renewable Energy Resolution and suggested the utilization of solar and wind energy. She encouraged the establishment of a Sustainability Committee to help achieve their goals. She also supported Ranked Choice Voting and voter rights aimed at increasing voter participation throughout the State.

Ace Slagle serves as the Communications Director for the Young Democrats Club at Brighton High School and works with March for Our Lives Utah. She expressed support for the Clean Air Initiative and explained that the proposed amendment is non-partisan and intended to benefit the health of all. She emphasized the importance of putting goals in place to ensure the safety of the citizens.

Will McCarville stressed the importance of clean air and energy and asked the Council to consider the clean air policy sooner rather than later. He challenged staff to be bold and move up the sustainability date.

Jim Lamarre expressed support for the adoption of a Sustainability Resolution and Energy Policy. He encouraged the Council to vote in favor of the issue, establish a Sustainability Committee, and hire a Sustainability Manager. He commented that these types of commitments are being made across the County and corporations would like to be part of a community that is demonstrating leadership and committing to support this issue.

Samara Shah identified herself as a fifth grader at Butlerville Elementary School. She stressed the importance of keeping the air clean and healthy for people and animals. She has a friend with asthma

that cannot play outside on weekends due to poor air quality. She asked the City Council to make a commitment to clean energy.

Samantha Stott expressed her support for clean energy and the importance of clean water. She previously lived in North Dakota and worked alongside Native Americans who were fighting to protect their land and water. She urged the City Council to work quickly without compromise and do all they can to make their surroundings better.

Shawn Ryan echoed the previous comments made and asked the Council to vote in favor of the Environmental Sustainability Policy and Committee. He moved to Utah for the skiing and believed that approving the resolution will make the City stand out.

Council Member Bracken remarked that they previously discussed the importance of documenting in the resolution some of the things they have always done as a City. He explained that the use of solar power in the New City Hall was considered but unfortunately they found that there was a 47-year payback. He noted that they will be discussing the possibility of solar again in the near future.

Council Member Bruce was moved by the comments made and appreciated those who expressed their support. There were no further citizen comments.

3.0 PUBLIC COMMENTS

3.1 PDD-18-001 Walsh Property Rezone & Development Plan 6784 South 1300 East.

Community and Economic Development Director, Michael Johnson, presented the staff report and stated that the Planned Development District Ordinance (PDD) is found in Chapter 19.51 of the existing City Code. It does not grant any building entitlement or right on any property in the City but grants the ability to apply for a PDD zone by following a list of procedures. The subject property is referred to as the Walsh property and is 5.93 acres in size. There is currently one single-family home on the property and is surrounding by existing development on all sides. The proposal consists of three multi-family residential buildings with some live/work mixed use units. The process for an applicant making application in any PDD zone was reviewed.

Mr. Johnson reported that the Planning Commission held its first public hearing on this item in mid-June 2018. Over the course of seven Planning Commission Meetings, they took a great deal of public comment, debated the merits of the project, and thoroughly reviewed the application. For any portion of a development in a PDD area with architectural appurtenances exceeding a certain height, the City's Architectural Review Committee (ARC) is required to review and sign off on the change. This took place at their last meeting. Mr. Johnson explained that it is a legislative decision and represents a zone change to the property. It includes more detail than a typical zone change and comes to the Mayor and City Council for final consideration.

Mr. Johnson reported that the current zoning of the property is R-1-8 with a single-family residential neighborhood directly to the south that accesses Fort Union Boulevard. The surrounding properties were described. The land use designation had not been modified for the subject property since the City's incorporation. He pointed out that if a proposal were to come in for a zone change from R-1-8

to High-Density Residential, which would correspond with the residential multi-family zone, the General Plan does support the request as presently adopted. The PDD Tier map was discussed. Mr. Johnson stated that an applicant cannot apply for a rezone under the PDD unless it falls within one of the designated tiers.

Mr. Johnson explained that the proposal consists of two different items. One is the proposed ordinance text that will apply and become law on the property. The second is the Development Plan where the PDD differs from other zone changes. The allowed uses would consist primarily of multi-family residential units with live/work units to satisfy a non-residential or retail commercial requirement. The development standards propose a maximum height of four stories or 50 feet and would exclude the architectural appurtenances. The PDD requires below market rate housing. He explained that the original proposal was for 10% of all units to be senior housing units, which would be designed and built to be ANSI compliant and leased at a 10% price reduction to qualifying seniors. Staff recommended a further definition of what is allowed in the mixed-use live/work units in term of administrative professional office, studios and residential uses with a home office component. Staff requested that the senior housing proposal be stricken altogether and replaced with a straight forward, enforceable, clear below market rate standard that is affordable to households not earning more than 50% of the area median income.

Lighting standards were next discussed. Mr. Johnson stated they have been changed to comply more closely with the City's existing lighting standards for height and cut offs especially when adjacent to residential development. A Tree Preservation Provision Plan was added to be prepared by a Certified Arborist that would be submitted and reviewed by staff prior to any disturbance of the land. The fencing requirements were strengthened to require an eight- reinforced vinyl fence adjacent to single-family residential and six-foot vinyl fencing along the remaining boundaries.

Mr. Johnson explained that the Development Plan is essentially the site plan put into words. The proposed property layout was described. Buildings are proposed to be four-stories with the first-floor as structured parking with mixed-use units and three levels of residential plus mixed-use units on the second level. The density was proposed at 33.6 units per acre if the mixed-use live/work units are not included or 34.4 units per acre if included. The proposed roof height is 42 feet with parapets and decorative appurtenances up to 54 feet. Setbacks were reviewed. Mr. Johnson stated that in addition to the site plan, the Development Plan includes a Traffic Impact and Circulation Plan within the site, a Pedestrian Circulation Plan, a Parking Plan, an Open Space Plan, an Amenities Plan, a Transit Access Plan, a Lighting Plan, and a Building Massing Plan that will become a part of the PDD ordinance, if adopted.

Council Member Bracken raised a question with respect to the pedestrian access through the adjacent condominium complex. Mr. Johnson confirmed that a pedestrian access is included.

Access issues were next reviewed. Mr. Johnson explained that a bridge would be constructed over the creek and the development would be accessed from 6720 South and include a turnaround, which has been reviewed by the Unified Fire Authority. He emphasized that they have worked with the applicant to ensure that as many existing mature trees are preserved as possible and that adequate buffering is provided. New trees would be planted to a minimum of two-inch caliper and evergreens

would be planted at a minimum of five feet. Major concerns with the project included justification for the increase in height, below market rate housing and traffic impact.

Mr. Johnson next described the live/work units. He stated that there are five total, two each in Buildings A and B, with the fifth unit located on the southwest corner of building C. These are two-story units accessed from the ground level both inside and outside the parking structure. The benefit of the PDD zone is that developments can be tailored to fit the context of the property where they are located. He clarified that the staff interpretation is that it is reasonable for the live/work units to justify the additional height.

Below market rate housing was discussed. Mr. Johnson reviewed the provision language directly out of the PDD ordinance. Staff felt that the proposal does not meet the standard or requirement to meet 50% of the area median income. The recommendation is to strike the proposal altogether and replace it with substantial language to ensure that 10% of the units in the buildings meet the requirement of being affordable. The proposed language provides regulatory ability to ensure that happens. He confirmed that the Traffic Impact Study has been conducted and staff recommended that once finalized and approved by the City Engineer, the City will follow whatever recommendations are made as part of the approved study. The Planning Commission made a motion to recommend approval with various conditions. The motion ultimately failed 3-to-4, which resulted in a recommendation of denial. Mr. Johnson stated that the staff recommendation included replacement of the senior housing provision with true below market rate housing, a Tree Preservation Plan, eight-foot solid fencing, implementation of all mitigation measures recommended in the final traffic study approved by the City Engineer, and other minor modifications.

Kris Longson from ICO Development, provided a brief overview of the proposed project, which was first presented 15 months ago. Throughout the process, there was incorporation into the PDD and then a change from 25 units per acre to 35. Setbacks were discussed. They agreed to the eight-foot fencing and reiterated that they must meet all requirements of the PDD as outlined. He noted that the setbacks were adjusted and they have worked with an Arborist to identify the preservation of the existing mature trees. Building C was substantially redesigned and moved further from the property line. They also reconfigured the fire access and turnaround, as suggested.

Wade Budge, from ICO Development, was familiar with the property and was a neighbor to the Walsh family growing up. He reviewed the senior units and stated that as per the Code, the two options include either proposing a senior housing component in a PDD or alternatively pursuing affordable housing. They consulted with their business team and architects and pursued the option of senior units. He emphasized the importance that when a Code is applied, it is applied in a manner that is consistent with both what the courts and statutes say about interpreting codes. If there is a question as to the interpretation, deference was given to the least restrictive interpretation proposed by the applicant. He believed the confusion comes from the requirement in the Code that every unit in a PDD that is going to the 10% standard be a below market rate unit. Ivory suggested to staff and the Planning Commission that the word ‘collectively’ was inadvisably used because when used, the rest of the ordinance does not make sense. Specific language was described. Mr. Budge commented that if the Council wants more of a suggestion, recommendation, or requirement, the best option would be to do a pending ordinance and modify and clarify the ordinance to better refine the intent.

Mr. Budge next reviewed the live/work units. He reported that they submitted information on how these are emerging units that are seen in surrounding cities. They are sought after by those avoiding a commute and hope to give clients the option of living in the space. The units are built to commercial standards with storefronts, dedicated parking, and a commercial feel. Their plan to enhance the environment around the creek is substantial and will provide benefits in terms of aesthetics and flood control. Enhancements and upgrades to the units include being a long-term owner and building to a higher level resulting in the ability to achieve a 20% higher rental rate than elsewhere in the market.

Mayor Peterson opened the public hearing.

Theresa Reich expressed opposition to the Walsh rezone and stated that it does not meet the affordable or senior resident ratios, as specified, and is not effectively enforced. She believed the proposal does not meet the PDD requirement to reach the 50-foot height. Traffic was of concern and she stated that it cannot be fixed as it already has an E rating, which is just one up from the lowest F rating. She urged the Council Members to deny the proposal.

Larry Wier reported that he lives south of the Walsh property. He urged the Council to leave the property single-family, which would eliminate traffic issues, trees loss, and light pollution.

Jerri Harwell looked up the median income for Cottonwood Heights and asked how affordable the senior units can really be. She urged the Council to listen to the recommendation of the Planning Commission and consider the effects of the proposal. The parking allowance of 1.8 cars was of concern and she asked for clarification of emergency evacuation should the need arise.

David Walsh identified himself as a member of the family who owns and is proposing the property be developed by ICO Development. He is one of 11 children and was present representing all of them. The property has been in their family for 70 years. Numerous changes had taken place during that time and he understood that the proposal may not be popular with the neighbors. He also recognized the potential impact. The surrounding properties that were sold and developed were described. Along with ownership, there are incumbent rights. He explained that they did not oppose the neighbors as their properties were developed in a different housing type and accommodated the growth of the area. He requested they be given the same property rights as any other property owner that is similarly situated. They have been under agreement with ICO for over one year and are ready to move forward. They chose ICO because of their strong ties and commitment to the area and their reputation. He stated that a number of his family members have visited ICO properties in other areas and felt justified in recommending them to the other family members who were not able to attend. They met with ICO to ascertain the progress on each and were shown a list of items that have been modified at a cost of more than \$100,000. He commented that not much more can be done to accommodate the neighbors' concerns and asked that the request be considered fairly.

Jared Crocker asked that the public comment be continued as this is the busiest time of the year. The PDD is not a proposal for Cottonwood Heights or the citizens and he recommended it be rejected by the City Council. He raised a question about how the scope of property use is determined. A blanket approach was discouraged and he believed the land use designation does not guarantee approval of a zoning change application or imply an ethical obligation to City officials to approve such an application. He stated that the proposal would significantly negatively affect Cottonwood Heights.

He commented that it is not the details of the proposal that are the problem but the proposal in the proposed location. Packing people into one portion of the City is short-sighted and sets in motion the dynamics of urban decay, which will impact the entire City.

Krista Perkins encouraged the City Council to follow the recommendation of the Planning Commission and deny the rezone as it negatively impacts the safety, pollution, traffic and residents of the area. She expressed opposition to the proposed project.

Eric Kraan stated that the PDD Tier map was amended in November 2017. At that time, he asked about its purpose and benefits. He believed the PDD is simply a tool to accomplish a Master Plan that the City has enacted and the proposal fails to meet the goals because of the geographic location of the property. He emphasized the importance of maintaining open space to accommodate the high density and stated that it is a valuable space that will be used by all.

Mayor Peterson confirmed that the matter will be placed on a future agenda for further discussion in a work session before bringing it back for a vote.

There were no further public comments. Mayor Peterson closed the public hearing.

4.0 STANDING MONTHLY REPORTS

4.1 Comprehensive Annual Financial Report (CAFR) Finance Director, Scott Jurges and City Treasurer, Dave Muir.

Finance and Administrative Services Director, Scott Jurges, introduced Russell Olsen from Larson and Company who performed the financial audit.

Mr. Olsen presented the CAFR and Audit Report and stated that their opinion was that in all material respects, the financial statements are correct. He confirmed that the Audit Committee also reviewed the report. The Management Letter was their opportunity to communicate on the governance of the City if they had any issues with performing the audit. The findings all pertained to State compliance issues set forth on page 9 where there is a relatively new law requiring cities upload their meeting minutes on the Central Public Notice website. He stated that the Utah Retirement Systems enrollment requires new hires be enrolled immediately and action from the City was recommended. The final finding was that the CRDA Fund expenditures are in excess of the final budget and recommended that not happen. Mr. Olsen, however, believed it may have been overlooked in the transition of staff.

Mr. Jurges reviewed the Budget Book and the Annual Financial Report and stated that they reflect the budget adopted and both the CAFR and budget items. He confirmed that they will be posted on the City's website for further review.

5.0 ACTION ITEMS

5.1 Consideration of Ordinance 311 Approving the 2nd Amended Project Area Plan for the Canyon Centre CDA.

Mayor Peterson reported that the above Ordinance approves the Second Amended Project Area Plan

for the Canyon Centre CDA.

MOTION: Council Member Bracken moved to approve Ordinance 311. The motion was seconded by Council Member Shelton. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

5.2 Consideration of Ordinance 312 Adopting a Schedule for the 2019 Regular Meetings of City's Public Bodies.

Mayor Peterson reported that the above Ordinance approves adoption of a schedule for the 2019 regular meetings of the City's public bodies.

MOTION: Council Member Shelton moved to approve Ordinance 312. The motion was seconded by Council Member Bruce. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

5.3 Consideration of Resolution 2018-73 Authorizing the Salt Lake County Housing Authority to Operate within Cottonwood Heights.

Mayor Peterson reported that the above Resolution authorizes the Salt Lake County Housing Authority to operate within Cottonwood Heights.

MOTION: Council Member Bruce moved to approve Resolution 2018-73. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

5.4 Consideration of Resolution 2018-74 Approving Appointments to the Arts Council.

The above item was continued until January 2019.

5.5 Consideration of Resolution 2018-75 Approving Appointments to the Historic Committee.

The above item was continued until January 2019.

5.6 Consideration of Resolution 2018-76 approving a "Justice Assistance Grant" through the Utah Commission on Criminal and Juvenile Justice.

Mayor Peterson reported that the above Resolution approves a city's entry into a "Justice Assistance Grant" administered by the Utah Commission on Criminal and Juvenile Justice.

MOTION: Council Member Bracken moved to approve Resolution 2018-76. The motion was seconded by Council Member Bruce. Vote on motion: Council Member Bracken-Aye, Council

Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

5.7 Consideration of Resolution 2018-77 Authorizing Participation in the Municipal Alternate Voting Methods Pilot Project.

Mayor Peterson reported that the above Resolution authorizes participation in the Municipal Alternate Voting Methods Pilot project.

MOTION: Council Member Shelton moved to approve Resolution 2018-77. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Bruce-Aye, Council Member Mikell, Mayor Peterson-Aye. The motion passed unanimously.

6.0 CONSENT CALENDAR

6.1 Approval of the City Council Meeting Minutes of November 13 and November 27, 2018.

MOTION: Council Member Bruce moved to approve the City Council Business Meeting Minutes of November 13 and November 27, 2018. The motion was seconded by Council Member Shelton. The motion passed with the unanimous consent of the Council.

7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION

MOTION: Council Member Bruce moved to adjourn the Business Meeting. The motion was seconded by Council Member Bracken. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 9:51 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood Heights City Council Business Meeting held Tuesday, December 18, 2018.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: January 22, 2019