MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, MAY 23, 2017 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

Staff Present: City Manager John Park, Assistant City Manager, Bryce Haderlie, Police Chief
Robby Russo, City Attorney Shane Topham, City Engineer Brad Gilson,
Community and Economic Development Director Brian Berndt, Finance
Director Dean Lundell, Public Works Director Matt Shipp, Public Relations
Specialist Dan Metcalf, City Treasurer David Muir

Excused: Councilman Tee Tyler

1.0 WELCOME

1.1 Mayor Cullimore called the meeting to order at 7:00 p.m. and welcomed those in attendance. Councilman Tee Tyler was excused.

1.2 The Pledge of Allegiance was led by Councilman Mike Peterson.

2.0 ACKNOWLEDGMENTS/PROCLAMATIONS

2.1 Proclamation on Gun Violence.

2.1.1 Police Chief, Robby Russo, presented the Proclamation on Gun Violence, which declares June 2, 2017 as National Gun Violence Day. It was recommended that the color orange be worn to raise awareness and honor victims of gun violence. Chief Russo introduced Dee Rowland, who spearheaded the Proclamation. He hoped that gun violence and suicide could be prevented in the City of Cottonwood Heights. Mayor Cullimore read the Proclamation in its entirety.

2.2 2017 Utah Recreation & Parks Association (URPA) – Awards – LeeAnn Powell.

2.2.1 LeeAnn Powell from the Utah Recreation and Parks Association (URPA) was introduced by Mayor Cullimore. She explained that URPA represents 1,150 professionals throughout the state. She would be presenting two awards to members of URPA. The Outstanding Professional in Management Award a presented to Patti Hansen. Ms. Powell reported that Ms. Hansen is known for being innovative, hardworking, and willing to collaborate with other individuals and organizations. Ms. Powell presented the Outstanding Program Award to the Cottonwood Heights Parks and Recreation Service Area. She reported that the Cottonwood Heights Parks and Recreation Service Area is known throughout the state as a leader in parks and recreation by setting trends and training leaders. This particular award recognizes the City’s After-School Program. The Parks and Recreation Service Area saw a need and brought groups together and made the program work for everyone. She highlighted Cottonwood Heights Parks and Recreation Department Director, Ben Hill, and his team.
2.2.2 Photographs were taken of the awards presentation. Mr. Hill addressed the success of the After-School Program. He explained that there have been after school programs in the past but in response to several teen suicides in Cottonwood Heights, the Parks and Recreation Department saw a need to improve the program. In conjunction with the Recreation Center and other groups, changes to the program were made that have been very successful. Mr. Hill thanked the Mayor and City Council for their support and stated that the program would continue to grow and expand.

2.3 Introduction of the new POST Graduate, Officer Phelps.

2.3.1 Chief Russo introduced Officer Phelps as a new graduate of Peace Officer Standards and Training ("POST"). He reported that Officer Phelps represented the City very well at POST and was awarded the Physical Fitness Award among his graduating class. Chief Russo stated that Officer Phelps was a great student and will be an asset to the City. Officer Salmon was also introduced as the Field Training Officer (FTO) who will be working with Officer Phelps for a few more weeks after which Officer Phelps will be fully trained. Officer Phelps was awarded his badge before the City Council and it was pinned on him by his mother. Officer Phelps spoke briefly to the City Council and expressed enthusiasm for the opportunity to serve and protect the City.

2.4 Youth City Council: Swearing-in of Newly Elected Officers.

2.4.1 Councilmember Scott Bracken described the purpose of the Youth City Council and their functions. Youth City Council Mayor, Nick Tygesen, asked the members of the Executive Council to stand to be sworn-in. Photographs were taken of the Youth City Council. City Recorder, Paula Melgar, swore in the members of the Executive Council of the Youth City Council.

3.0 CITIZEN COMMENTS

3.1 Keith Griffall gave his address as 8022 Oakhill Circle and commented on the community clean-up effort. He commented that as a result of several late winter storms, debris and broken trees have accumulated in his cul-de-sac. In the past 12 years, the City has placed two dumpsters in his neighborhood and City employees have been diligent to remove them once they are full. This year there was only one left and there was enough trash to fill three dumpsters. When Mr. Griffall requested another dumpster, the City refused to bring one. They instead offered to bring a green bin at a cost of $40 per month. Mr. Griffall agreed to provide two green bins at additional cost but was informed that they would not be available until June.

3.2 Councilman Bracken responded to Mr. Griffall and reported that this service is provided by the Wasatch Front Waste and Recycling District of which Cottonwood Heights is a member. Councilman Bracken serves on the board of that Agency representing the City. Supervisors were aware of the issue and it was being addressed. He noted that there were not as many bins placed this year due to dumpsters not being filled completely in the past. Mr. Griffall was disappointed that staff was not courteous when he requested more bins. He pointed out that several bins were placed in areas of the City that were unused and other areas that could
use more dumpsters. Councilman Bracken informed Mr. Griffall that he would be sure and address the issues with the agency.

3.3 Lareesa Sumsion, a Coachman Circle resident, was concerned about a blind spot near her home. She indicated that she and her family have nearly been in three accidents due to the blind spot. Ms. Sumsion suggested that a mirror be placed in the area. The City Council agreed to have the City Engineer look into the issue on Coachman Circle and Bengal, east of the cemetery. Dawn Sumsion, Lareesa’s mother, reported that it is difficult to pull out onto Bengal Boulevard because of speeding.

3.4 LeAnn Earhart reported that she resides near Kings Hill Drive at the mouth of Deaf Smith Canyon. She was concerned about emails that have been circulating with regard to public access to that portion of the canyon and private property rights. The City Council studied maps of the area with Ms. Earhart and identified the area being discussed. Ms. Earhart stated that Golden Hills Canyon Road is private and deeds show that it is private property with no public access. Ms. Earhart reported that the public access road to the canyon access point is located further south on Little Cottonwood Canyon Road. The issue has become contentious with the public trying to access the canyon from her private road because the ‘no trespassing’ and ‘private property’ signs are not being respected. Chief Russo asked what signage was there to direct people to the correct street. There was discussion regarding proper signage.

3.5 Mayor Cullimore asked Chief Russo if there was proper signage and if crossing onto public property would be a crime. Chief Russo stated that it would be considered criminal trespass and the person could be cited. Ms. Earhart commented that she and her neighbors all support enforcing their private property rights. Some of the problems she has witnessed include being confronted by dogs on her property, drug paraphernalia littering the ground, and unattended fires. Mayor Cullimore asked Ms. Earhart if she had discussed this problem with the Forest Service. Ms. Earhart agreed that this would be a good suggestion and she agreed to follow up and report back to Chief Russo. Mayor Cullimore reported that staff is aware that the trailhead in the area is in need of more development and they were working on a long-term solution.

4.0 STANDING MONTHLY REPORTS

4.1 Monthly Financial Report – City Treasurer, Mr. David Muir.

4.1.1 City Treasurer, David Muir, presented the Monthly Financial Report for April 2017. A copy of the report is attached and incorporated into these minutes by reference. Mr. Muir reported on several budget line items and stated that Property Taxes are $22,000 under budget and delinquent taxes are $30,000. He expected the budget goal to be met. Energy Use Taxes will be $130,000 to $150,000 over budget and Franchise Taxes are $35,000 over budget. He noted that this is the second year that Franchise Tax Revenue will exceed $300,000.

4.1.2 Mr. Muir discussed the issue of City Road Funds and specifically an issue with Salt Lake County’s portion of road fees that were expected to be reduced due to the population decrease but did not. He commented on that the rules governing the breakdown of fees by county per population, which have decreased even though the County received nearly double the amount of revenue. This means that cities are proportionally receiving less, which he found surprising. Mr. Muir also addressed Court fine revenues, which are down slightly. He stated that overall
the budget looks like it will meet expectations, although it shows that the City is over budget because some accounts are paid quarterly. He expected that to even out throughout the year. Mr. Muir identified the Fund 65 Employee Benefits on page 10 and explained that this will be an allocated fund in the General Fund next year and will not be reported as Fund 65 going forward. Overall, the budget was in good shape, even though expenses appeared to be up in some categories. Mr. Muir reported that the Municipal Energy Tax is also where it should be and revenues may increase slightly.

4.2 Unified Fire Report – Assistant Chief, Mike Watson.

4.2.1 Assistant Fire Chief, Mike Watson, presented the Unified Fire Report for the month of April. He compared the footprint of stations in the City to the entire Unified Fire Authority and discussed trends over the last five years for both fire and medical calls. Station 110 has been down slightly over the last 12 months, although January was higher. Station 116 calls were trended downward over the 12-month average on both medical and fire calls. Crews were called to the Big Cottonwood Canyon Fires on two occasions. He referenced the Bar Graph showing a snapshot of the calls. Station 108 calls were high during the Winter Season due to skiers. Chief Watson also showed a map of calls broken down by District for 2016. He compared the heat map, which showed the number of fire calls for each district.

5.0 ACTION ITEMS


5.1.1 Mayor Cullimore introduced the above resolution. City Attorney, Shane Topham, discussed the need for more cell signals due to demand. He reported that the cell phone companies have come up with a solution to increase signals called “densifying”. Densifying involves cell phone companies installing small scale cell (“small cell”) towers or repeater equipment between the macro towers (large 70-foot towers). This allows the signal to be repeated and more available for use. It is a new concept to place cell phone equipment in public rights-of-way. Densifying typically requires a small box to be mounted on an already existing utility, such as a Rocky Mountain Power poles. The cell companies are also seeking to mount the repeaters on City power poles and/or in residential neighborhoods. This is an issue because the public wants to maintain the residential nature of neighborhoods but also wants cell phone service. The first cell phone provider approached the City last year, which staff thought this an anomaly. Many companies are now asking to place cell phone infrastructure in those areas, including some third parties, who then sell or lease their repeaters to cell phone companies such as Verizon or AT&T. Rather than enter into a standalone franchise agreement with the providers, it was suggested that a new chapter be added to the Land Use Code regulating how that can occur. The proposed resolution is the method by which the City Council directs the Planning Commission to initiate the legal process to amend Title 19.

5.1.2 MOTION: Councilman Bracken moved to approve Resolution 2017-36. The motion was seconded by Peterson. Vote on motion: Councilman Peterson-Aye, Councilman Bracken-Aye, Councilman Shelton-Aye, Mayor Cullimore-Aye. The motion passed unanimously.
5.2 **Consideration of Resolution 2017-37 Appointing the Mayor as the City’s Designee to the Central Wasatch Commission.**

5.2.1 Mayor Cullimore reported that the Central Wasatch Commission was formed as an agency to oversee the use of the Canyons east of Cottonwood Heights. It is a follow up to the Mountain Accord process. There will be five initial commissioners and it is proposed that one of those commissioners be the Mayor of Cottonwood Heights along with the Mayors of Salt Lake County, Sandy and Salt Lake City. A member of the SL County Council will also be appointed. Certain others such as a representative of the Wasatch Back will have an appointee, as well as the Utah Department of Transportation (UDOT). The CWC will be tasked with addressing such things as transportation, canyon access, environmental and recreation issues. The proposed resolution would appoint the Cottonwood Heights Mayor to the Central Wasatch Commission.

5.2.2 **MOTION:** Councilman Shelton moved to approve Resolution 2017-37. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Peterson-Aye, Councilman Bracken-Aye, Councilman Shelton-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

5.3 **Consideration of Resolution 2017-38 Approving and Agreement for Building Services with Sunrise Engineering, Inc.**

5.3.1 Mayor Cullimore reported that the above resolution is needed to approve an agreement with Sunrise Engineering, Inc. Since becoming a City, Cottonwood Heights has contracted with Sunrise Engineering to serve as the building services provider, including plan reviews and inspections. It was noted that there is a good rapport between the City and Sunrise Engineering. The proposed contract became competitive with City opening the contract to other bidders. In the end, Sunrise lowered its contract price and won the bid, while saving the City money.

5.3.2 **MOTION:** Councilman Peterson moved to approve Resolution 2017-38. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Peterson-Aye, Councilman Bracken-Aye, Councilman Shelton-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

6.0 **CONSENT CALENDAR**

6.1 **Approval of Minutes for the City Council Work Session of January 24, February 28, and March 21, 2017. Also, Approval of City Council Business Meeting Minutes of April 11, 2017.**

6.1.1 **MOTION:** Councilman Shelton moved to approve the Consent Calendar. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Peterson-Aye, Councilman Bracken-Aye, Councilman Shelton-Aye, Mayor Cullimore-Aye. The motion passed unanimously.
7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION

7.1 MOTION: Councilman Bracken moved to adjourn the Business Meeting and Reconvene the Work Session. The motion was seconded by Councilman Shelton. The motion passed with the unanimous consent of the Council.

7.2 The meeting adjourned at 8:09 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, May 23, 2017.

Teri Forbes
T Forbes Group
Minutes Secretary
Minutes approved: June 27, 2017