MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, JUNE 13, 2017 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 Pro Tempore Scott Bracken, Councilman Mike Peterson, Councilman
Mike Shelton, Councilman Tee Tyler

Staff Present: City Manager John Park, Assistant City Manager Bryce Haderlie, Interim City
Attorney Spencer Topham, Finance Director Dean Lundell, Assistant Fire
Chief Mike Watson, Police Chief Robby Russo, Community Development
Director Brian Berndt, Community and Economic Development Senior
Planner Michael Johnson, City Recorder Paula Melgar, Public Relations
Specialist Dan Metcalf, Police Administrative Assistant Julie Sutch

Excused: Mayor Kelvyn Cullimore

1.0 WELCOME

1.1 In the absence of Mayor Cullimore, Mayor Pro Tem Scott Bracken called the meeting to order
at 7:00 p.m. and welcomed those in attendance. He introduced Youth City Council Member,
Alex Mulet.

1.2 The Pledge of Allegiance was led by Councilman Shelton.

2.0 ACKNOWLEDGEMENTS/PROCLAMATIONS

2.1 Proclamation in Support of Local First Utah’s Independent’s Week.

2.1.1 Mayor Pro Tem Bracken read a proclamation in support of Utah Local Independent
Businesses who give back to the community in the form of goods, services, time, and talent.
The City Council proclaimed July 1 through July 7, 2017 as Independence Week.

3.0 CITIZEN COMMENTS

3.1 John Tenney gave his address as 3641 Golden Oaks Drive and expressed concern with the
lack of access to Deaf Smith Canyon. He commented that because citizens have taken matters
into their own hands, there is virtually no access. He urged the City Council to mitigate access
issues and stated that the situation has become intolerable. He confirmed that there has been
no access for at least the past year.

3.2 City Manager, John Park, commented that staff is aware of the situation. They have been
working on an Open Space Master Plan that includes part of Deaf Smith Canyon. Councilman
Tyler pointed out that as long as he has been on the Council, they have looked for other ways
to access the mountain. It has been difficult with private property ownership as some of the
areas need to be negotiated in terms of rights-of-way or easements and not necessarily the
purchase of land.
3.3 Councilman Peterson stated that they need to begin looking for ways to mitigate the concerns because all want access to the canyons. Years ago, the Council collaborated with the County to develop plans to construct and build two trailheads in the area in addition to the Timberline Trailhead to Ferguson Canyon.

3.4 Jordan Tenney presented an aerial photograph of Deaf Smith Canyon and expressed concern with canyon access and foothill preservation. Despite consideration of property rights, the public’s adverse use has met all legal requirements to establish a public right-of-way and a prescriptive easement, which is 20 years. With regard to the proposed development, the homes would actually sit on the buried trail.

3.5 Tali Bruce introduced herself and informed the Council that she would be running for the District 3 Council seat.

4.0 PUBLIC COMMENTS

4.1 Planning Commission Recommendation to City Council to Consider a General Plan Use Map Amendment to the Properties at 7380 South Milne Lane and 1314 East Milne Lane (Parcel Nos. 22-29-428-003 & 22-83-010-060).

4.2 Planning Commission Recommendation to City Council to Consider a Zone Map Amendment to the Properties at 7380 South Milne Lane and 1314 East Milne Lane (Parcel Nos. 22-29-428-003 & 22-83-010-060).

4.2.1 (19:17:00) Mayor Pro Tem Bracken reported that agenda items 4.1 and item 4.2 would be addressed together.

4.2.2 City Planner, Michael Johnson, presented the staff report and stated the above request is for a General Plan Land Use Map Amendment from Residential Rural Density to Residential Low Density, as well as a zoning map amendment from R-R-1-21 to R-1-15. The matter was previously heard by the Planning Commission who conducted a public hearing and forwarded a recommendation of denial on the Land Use Map Amendment and voted to recommend denial of the Zoning Map Amendment to the City Council. The Zoning Map Amendment that accompanies the request is from .5-acre single-family residential to 15,000 square-foot minimum lot sizes and single-family residential. Staff conducted a context analysis of the area. Development constraints were discussed.

4.2.3 The applicant, Andrew Flamm, gave a brief history of the property and stated that access has always been an issue. The rezone request is due to the cul-de-sac only being allowed to be 600 feet in sensitive lands. With the rezone, they will be able to get a 1,000-foot cul-de-sac. They have proposed to build a bridge to access the property and alleviate traffic off Milne Lane. A trail has been proposed that would allow access to maintain the creek and serve as an amenity to the community. It is not just an easement, and is a separate parcel that will be maintained by the HOA that creates separation from the creek and gets them out of the sensitive lands. Mr. Flamm proposed 10 residential lots with an 850-foot cul-de-sac. Getting out of the PUD and having the rezone approved would allow them to assure that traffic will remain in the cul-de-sac and that Milne Lane is only used for emergencies. An agreement
was proposed with the property owners that would be needed to obtain a construction easement.

4.2.4 There were no public comments.

4.3 Planning Commission Recommendation to City Council to Consider a Zone Map Amendment to the Property Located at 7941 South Wasatch Boulevard (Parcel #22-36-105-120).

4.3.1 Mr. Berndt presented the staff report and displayed an aerial map of the property. The request was to rezone the property from R-1-8 to R-2-8. The land use is currently Residential Medium Density, which allows for R-2-8 zoning and meets the General Plan standard for the area. The Planning Commission forwarded the request to the City Council with a positive recommendation.

4.3.2 John Vanderveer was present representing the applicant, J.B. Management. He was confident that after completion of a traffic study, UDOT will allow access to their road. If the regulations can be met, they may be able to construct five twin homes, or 10 units on the property. The estimated asking price will be in the $400,000s.

4.3.3 Councilman Tyler commented that a very important aspect of the proposal is the ingress/egress to the project. He raised a question with regard to the reasoning behind the Honeywood Cove HOA not wanting to extend Honeywood Cove Hill Lane. Mr. Vanderveer confirmed that he received a letter from the HOA stating that they are not interested in extending the lane. He was unclear as to the exact reasoning behind it. He was also agreeable to a right turn only egress.

4.3.4 There were no public comments.

5.0 PUBLIC HEARING

5.1 Public Hearing on the proposed Budget for 2017-2018 Fiscal Year.

5.2 Public Hearing for Consolidated Fee Schedule to be implemented on July 1, 2017.

5.2.1 Finance Director, Dean Lundell, stated that he would be combining Items 5.1 and 5.2 and presented the proposed budget for the 2017-2018 Fiscal Year and Fee Schedule to be implemented on July 1, 2017. The revenue budgets were reviewed. The current year property tax budget is $6,899,089 compared to the previous year's budget of $6,849,089. Mr. Lundell confirmed that the City received its certified tax rate and the budget proposes adopting that rate. Sales tax revenue is budgeted at $5,906,000, Municipal Energy Taxes are $2,170,000, and Class C Road monies were at $1,315,000. He indicated that the City has a total budget for 2018 of $19,179,000. Allocated funds for sidewalk replacement, hazard mitigation, street striping, laptops for the Police Department, and other projects were reviewed.

5.2.2 Mayor Pro Tem Bracken opened the public hearing. There were no comments. The public hearing was closed.
Mr. Park remarked that next week the Council will hold a Business Meeting to pass the budget. The City typically does not receive the certified tax rate until right before the requirement but by law they are required to pass the budget by June 22, 2017. Later in this meeting, the Council will adopt an tentative budget amendment for the current year’s budget and vote on it on June 27, 2017.

6.0 STANDING MONTHLY REPORTS


6.1.1 Police Administrative Assistant, Julie Sutch, presented the Police Report for the month of May 2017 and stated that 387 9-1-1 calls were received, 545 on-view calls, and 959 phone calls. There were 544 Priority 1 calls received, 473 Priority 2 calls, and 333 Priority 3 calls. Priority 1 response times averaged 4:24, Priority 2 averaged 6:01, and Priority 3 averaged 7:11. District 1 top reports included accidents, thefts, alarms, and burglaries. There were 91 adult arrests and five juvenile arrests. Arrests by offense were discussed. There were 200 traffic citations issued, seven DUIs, and 159 warnings. It was reported that the ‘Click It or Ticket’ event took place over Memorial Day weekend. There were 41 crashes with property damage and 14 with both damage and injuries.

6.1.2. Chief Russo provided further information on some of the reported numbers. He stated that vehicle burglaries are up. He encouraged citizens to report suspicious circumstances. A homicide involving a DUI was described. Chief Russo stated that the Police Department recently participated in active shooter training and reviewed the procedures.

6.2 Public Works Report – Assistant City Manager Bryce Haderlie, for Public Works Director Matt Shipp.

6.2.1 Assistant City Manager, Bryce Haderlie, presented the Public Works Report for the month of May 2017. He reported that crews are currently working on cross gutter repairs. The Butler Elementary solar crossing signal has been installed, right-of-way cleanup is underway, and the street sweeper continues to run throughout the City. The parking signs on Banbury were discussed.

6.2.2 Mr. Haderlie reported on hours allocated per task given the idea of where staff is putting most of their efforts. He explained that snow plowing utilized the greatest number of hours and general tasks. Work pertaining to asphalt or the roadway was second.

6.2.3 Councilman Peterson expressed concern with the frontage road that runs next to I-215 just west of 2300 East between the street and sound wall. He reminded staff that it is in need of upkeep and maintenance.
7.0 ACTION ITEMS

7.1 Consideration of Resolution 2017-39 Tentatively Adopting an Amended Budget for the Period of 1 July 2016 Through 30 June 2017; Providing for Public Inspection of Such Budget; Establishing the Time and Place of Public Hearing To Consider Adoption of Such Budget; and Providing for Newspaper Publication of Such Public Hearing.

7.1.1 Mayor Pro Tem Bracken reported that the above Resolution tentatively adopts the amended budget for July 1, 2016 through June 30, 2017 and establishes the date of a public hearing.

7.1.2 Mr. Lundell reviewed the Amended Budget for the Period of July 1, 2016 and June 30, 2017 and stated that it is the last budget amendment for the year. Specific items are being amended and include salary reallocation, $22,000 for the Police Department, CDRA expenses, an insurance increase, and $35,000 for additional items.


7.2 Consideration of Resolution 2017-40 Authorizing the Purchase of a Pothole Patching Apparatus from Holland Equipment.

7.2.1 Pro Tem Mayor Bracken reported that the above resolution authorized the acquisition of a pothole patching apparatus from Holland Equipment for use by the City's Public Works Department.

7.2.2 Mr. Haderlie explained that the truck pulling the pothole equipment will dump pea gravel-like material into a hopper. It then goes into the machine and sprays out the back. The debris can be blown out with air by changing the triggers and can shoot an asphalt emulsion with gravel into the hole at the same time.

7.2.3 MOTION: Councilman Peterson moved to approve Resolution 2017-40. The motion was seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, and Mayor Pro Tempore Bracken-Aye. The motion passed unanimously.

7.3 Consideration of Resolution 2017-41 Authorizing Entry into an Interlocal Agreement with Cottonwood Heights Parks and Recreation Service Area for Landscaping, Maintenance, Park Management and Event Coordination Services.

7.3.1 Mayor Pro Tem Bracken reported that the above resolution authorizes entry into an interlocal agreement with Cottonwood Heights Parks and Recreation Service Area for landscaping, maintenance, park management, and event coordination services with the Cottonwood Heights Parks and Recreation Service Area.

7.3.2 MOTION: Councilman Tyler moved to approve Resolution 2017-41. The motion was seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Tyler-Aye, Councilman Peterson-Aye, and Mayor Pro Tempore Bracken-Aye. The motion passed unanimously.

7.4 **Consideration of Resolution 2017-42 Approving Arts Council Appointments.**

7.4.1 (20:42:40) Mayor Pro Tem Scott Bracken explained that the proposed resolution reappoints Jannalee Hunsaker and Elise Hogan to the Arts Council.

7.4.2 Councilman Shelton expressed appreciation to Ms. Hunsaker and Ms. Hogan and their contribution to the Arts Council.

7.4.3 **MOTION:** Councilman Shelton moved to approve Resolution 2017-42. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, and Mayor Pro Tempore Bracken-Aye. The motion passed unanimously.

8.0 **CONSENT CALENDAR**

8.1 **Approval of Minutes for the City Council Work Session of April 4 and 11, 2017. Approval of City Council Business Meeting Minutes for April 25 and May 9, 2017.**

8.1.1 **MOTION:** Councilman Peterson moved to approve the minutes of the Work Sessions of April 4 and April 11, 2017 and the Business Meeting of April 25 and May 9, 2017. The motion was seconded by Councilman Tyler. The motion passed with the unanimous consent of the Council.

9.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**

9.1 **MOTION:** Councilman Peterson moved to adjourn the Business Meeting and Reconvene the Work Session. The motion passed with the unanimous consent of the Council.

9.2 The meeting adjourned at 8:43 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, June 13, 2017.

[Signature]

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