

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY, AUGUST 9, 2016 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

Members Present: Mayor Kelvyn Cullimore, Councilman Mike Shelton, Councilman Scott Bracken, Councilman Mike Peterson, Councilman Tee Tyler

Staff Present: City Manager John Park, Assistant City Manager Bryce Haderlie, City Recorder Paula Melgar, City Attorney Shane Topham, Community and Economic Development Director Brian Berndt, Finance Director Dean Lundell, Public Works Director Matt Shipp, Public Relations Specialist Dan Metcalf, Police Chief Robby Russo, Assistant Fire Chief Mike Watson, Police Support Supervisor Candie Terry

Others: Lynne Kraus, Donovan Wilde, Barbara Steward, Bob Olsen, Catherine Robinson

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:01 p.m. and welcomed those attending.

1.2 Councilman Bracken led the Pledge of Allegiance.

2.0 CITIZEN COMMENTS

2.1 Lynn Krauss commented that she appreciates the City's weekly updates and believed that City Council Meeting minutes are missing from the webpage. She requested the citizen survey be made available and updated when the Y2 summary is complete. She expressed opposition to the New City Hall clock tower and felt the City had spent enough. She suggested the money budgeted for the clock tower be used to pay off the bond debt.

2.2 Barbara Steward reported that there are three large potholes on 3120 East. The noise coming from the semi-trucks as they hit the holes creates a disturbance. He asked that the matter be addressed. Councilman Tyler was familiar with the holes and commented that they may need to be razed. Ms. Steward also reported that a nearby neighbor has been building bonfires and without an air conditioner, she is not able to open her windows to get fresh air. Chief Watson explained that bonfires are not permitted and encouraged Ms. Steward to call Fire Dispatch.

2.3 Donovan Wilde, from Holland Equipment, stated that the City's purchase of the snow plow blades was based on the claim that the purchase was previously bid as part of the State contract, which is not the case. He believed the vendor in question misrepresented what is State contract and what is not. The plow was not part of any State contract they are a party to. The estimates provided to the City give the impression that everything is either under MA18-75 or some other contract. Mr. Wilde pointed out that he represents the company that supplies the front plows to UDOT and wanted to see the transparency of the

contract. He believed it was worth mentioning that the City could save \$20,000 on the 10 blades and receive the same equipment as UDOT.

- 2.4 Mayor Cullimore pointed out that they were made aware that the plows were included in the original bid thinking they were a part of the State contract. They went back and rebid the blades separate from the plows. It was his understanding that there were elements to the bid that were beyond the pricing that caused them to make their decision. The City also had to consider whether the plows could be delivered in a timely fashion. Semi Service was able to mount the plows at the same time they were performing other work, which resulted in a more efficient delivery time. It was their failure to understand or rely on information given that was inaccurate. By the time they realized the error and went back out to bid, the City was left with too little time to make a proper decision.
- 2.5 Bob Olsen expressed concern with the gravel pit issue. Along with his neighbor, Terry Jacobsen, who organized the group, they were concerned about work taking place in the middle of the night. They also questioned why there is no dust or noise control. Mayor Cullimore described an email sent to Ms. Jacobsen explaining that the City will work with Granite on nuisance issues that can be abated. When the City was incorporated, a Citizen's Committee was organized to work with the gravel pit. They were extremely responsive and have since moved their operations around, which changes the direction of the noise and dust. The Utah Department of Air Quality performed testing on the fugitive dust being emitted and nothing rose to the level of violating the law. It was, however, understood that the resulting dust is a nuisance. The Mayor suggested the issues be revisited and was confident that Granite will be responsive and willing to address citizen concerns.
- 2.6 Catherine Robinson reported that there have been major changes to the gravel pit in the last 18 months. The generators run all night long, the lights are blinding, and they moved the junk yard so that it is in plain view of the neighbors. She believed the gravel pit operators have the financial ability to clean up the property.
- 2.7 City Manager, John Park, informed those present that he was given a handout that was circulated throughout the neighborhoods that would be entered into the meeting record.

3.0 REPORTS/PROCLAMATIONS/RECOGNITIONS

3.1 Standing Monthly Reports.

3.1.1 a. Police Report – Police Support Supervisor, Candie Terry.

- 3.1.1.1 Police Support Supervisor, Candie Terry, presented the Police Report for the month of July. She reported that there were 473 911 calls, 534 on-view calls, and 938 phone calls. There were 544 Priority 1 calls, 443 Priority 2 calls, and 299 Priority 3 calls. Due to full staffing, response times were down considerably. Priority 1 response times averaged 2:56, Priority 2 averaged 4:17, and Priority 3 averaged 5:12. District 1 received 256 calls, District 2 125, District 3 150, and District 4 received 98. Ms. Terry reported that two automatic car washes have recently been broken into. There were 86 adult arrests and six juvenile arrests. There were 215 traffic citations issued, six DUIs, and 90 warnings. Fifty

overall crashes were reported and 13 with injury. It was noted that recently many citizens have expressed appreciation for the Police Department.

3.1.2 b. Public Works Report – Public Works Director Matt Shipp.

3.1.2.1 Public Works Director, Matt Shipp, presented the Public Works Report for the month of July. He reported that the Fort Union Boulevard Pedestrian Crossing design is complete and will go out to bid within the week. The intersection project at Fort Union and Highland Drive design is also complete. Power poles have been ordered and are due to arrive in the fall. **Property acquisition is proceeding according to schedule. They are awaiting the signature for the Highland Drive and La Cresta Federal Aid Agreement. The first leg of the chip and seal has been completed. The second leg will begin August 22 and will be followed by a fog seal to complete the project. Mr. Shipp reported that the Creek Road storm drain line will be surfaced and paved this week and the hydro demo will begin this month. He reported that they have figured out a way to leave the trail open during construction.

4.0 ACTION ITEMS

4.1 Consideration of Resolution No. 2016-65 Approving Entry into a Governmental Lease-Purchase Agreement with ZB, National Association, for Public Works Vehicles.

4.1.1 Mayor Cullimore reported that the above resolution approves a Government Lease Purchase Agreement with Zions Bank for three Ford F-550s. They are a part of the new Public Works Agreement and are subject to the Reimbursement Resolution as previously passed.

4.1.2 MOTION: Councilman Bracken moved to approve Resolution Number 2016-65. The motion was seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.2 Consideration of Resolution No. 2016-66 Declaring Police K-9 “Gino” Surplus and Authorizing Sale to Sgt. Michael Alcivar.

4.2.1 Mayor Cullimore reported that the above resolution approves the sale of Police K-9 “Gino” for Sergeant Michael Alcivar.

4.2.2 MOTION: Councilman Tyler moved to approve Resolution Number 2016-66. The motion was seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.3 Consideration of Resolution 2016-67 Declaring Certain Property Surplus (2013 Harley-Davidson Softail Slim).

4.3.1 Mayor Cullimore reported that the above resolution approves declaring a 2013 Harley-Davidson Softail Slim as surplus.

4.3.2 **MOTION:** Councilman Shelton moved to approve Resolution Number 2016-67. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.4 Consideration of Resolution 2016-68 Approving Entry into an Interlocal Agreement for Central Wasatch Commission.

4.4.1 Mayor Cullimore reported that the above resolution approves entry into an interlocal agreement for the Central Wasatch Commission. The Mountain Accord Agreement has been worked on for the past several years and concluded its work within the last year, which resulted in several positive outcomes. They are now moving into the new phase titled Central Wasatch Commission, which will be a new entity that will advise on the use of the Cottonwood Canyons. The commission will include Mayor McAdams from Salt Lake County, Mayor Biskupski from Salt Lake City, Mayor Dolan from Sandy City, and Mayor Cullimore.

4.4.2 **MOTION:** Councilman Peterson moved to approve Resolution Number 2016-68. The motion was seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.5 Consideration of Resolution 2016-69 Approving Entry into an Interlocal Assignment, Assumption and Transfer Agreement for the Central Wasatch Commission.

4.5.1 Mayor Cullimore reported that the above resolution approves entry into a Transfer Agreement for the Central Wasatch Commission. Money was contributed to the Mountain Accord, however, due to the transition to the Central Wasatch Commission, there has been an agreement drafted approving the Assignment, Assumption, and Consent Agreement to transfer the obligations and assets to the new commission. All involved must be a party to the approval of the transfer. The total amount is believed to exceed \$1 million.

4.5.2 **MOTION:** Councilman Tyler moved to approve Resolution Number 2016-69. The motion was seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.6 Consideration of Resolution 2016-70 Approving the Purchase of 10 Installed Snow Plow Blades.

4.6.1 Mayor Cullimore reported that the above resolution authorizes the acquisition of 10 installed snow plow blades.

4.6.2 Councilman Peterson expressed concern with the additional expense involved in the acquisition of the snow plows, but remarked that the City having equipment stored and ready for snow removal is of the highest priority.

4.6.3 MOTION: Councilman Bracken moved to approve Resolution Number 2016-70. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.7 Consideration of Resolution 2016-71 Approving the Purchase of Two Alternate Snow Plow Trucks.

4.7.1 Mayor Cullimore reported that the above resolution approves the purchase of two alternate snow plows. The price is not to exceed \$180,000 for both of the vehicles was at the request of the Council over concern that backup be available.

4.7.2 MOTION: Councilman Tyler moved to approve Resolution Number 2016-71. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.8 Resolution 2016-72 Approving Entry into a Purchase Agreement with Valcom Salt Lake City, LC for a Telephone System.

4.8.1 Mayor Cullimore reported that the above resolution approves a Purchase Agreement with Valcom Salt Lake City, LC for a telephone system for the New City Hall at a purchase price of \$50,000.

4.8.2 MOTION: Councilman Shelton moved to approve Resolution Number 2016-72. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

5.0 CONSENT CALENDAR

5.1 Approval of Minutes for July 26, 2016.

5.1.1 MOTION: Councilman Peterson moved to approve the minutes of July 26, 2016. The motion was seconded by Councilman Bracken. The motion passed with the unanimous consent of the Council.

6.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250

6.1 MOTION: Councilman Tyler moved to adjourn the Business Meeting and reconvene the Work Session. The motion passed with the unanimous consent of the Council.

6.2 The Business Meeting adjourned at 8:05 p.m.