MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, DECEMBER 20, 2016 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 Kelvyn Cullimore, Councilman Scott Bracken, Councilman Mike
Shelton, Councilman Mike Peterson, Councilman Tee Tyler

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

Others Present: Russell Olsen with Larson & Rosenberger, LLC., Michael Odrabina

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:00 p.m. and welcomed those
attending.

1.2 Councilman Peterson led the Pledge of Allegiance.

1.3 Councilman Bracken introduced Youth City Council, Michael Odrobina, from Hillcrest High
School.

2.0 CITIZEN COMMENTS

2.1 Pamela Palmer gave her address as 3523 East 8740 South and thanked those who made the
Town Hall Meeting possible. She reported that BYU students teamed up with the City to
survey the residents to help determine the future of Wasatch Boulevard. Nearly 100 residents
were also present to discuss traffic problems, future growth, density, and clean air. It was
noted that the survey was very user friendly. She expressed dismay when the Planning
Commission approved a rezoning and a zone map change to 9121 South North Little
Cottonwood Road. She suggested a moratorium be imposed on development, rezoning, or
zone map changes along the Wasatch Corridor until the survey results can be reviewed, an in-
depth study conducted, and an effort made to work with citizens to plan for the future.

2.2 City Attorney, Shane Topham, reported that a temporary zoning ordinance can be in place for
no more than six months and the City Council would need a compelling reason to take such
action. There were no further comments.
3.0 REPORTS/PROCLAMATIONS/RECOGNITIONS


3.1.1 Russell Olsen, from Larson & Rosenberger LLC., presented the 2016 Audit and Comprehensive Annual Financial Report. He reported that they have audited the City’s financial statements, which are the responsibility of City management. It was the auditors’ responsibility to issue their opinion on the statements. It was their opinion that the statements are clean and materially correct. They considered the City’s internal controls and compliance and found no issues. Mr. Olsen reported that the State of Utah requires City Treasurers to be bonded for a certain amount of money, which is determined by the prior year’s revenue. It was determined that this did not comply numerically with the requirements and it was recommended that the City make sure that the Treasurer’s bond is adequate. He pointed out that in years where cities have received bond money, their bond revenue skyrockets the first year but stabilizes afterward. Staff confirmed that they understand the process.

3.1.2 Mayor Cullimore expressed appreciation to staff for their hard work, which resulted in the City being the recipient of several distinguished awards over the past decade.

4.0 Standing Monthly Reports.


4.1.1 City Treasurer, David Muir, presented the Financial Report for the month of November 2016 and stated that sales tax is on track and projected to be several hundred thousand over budget. The Energy Use Tax is at approximately 13%, which equates to $250,000. He noted that the cable television tax was expected to gain momentum.

4.1.2 Mayor Cullimore reported that the unassigned General Fund balance was approximately $2.1 million. That reserve increased this year due to the large revenue year, but speaks to the fact that they still have $1 million of spendable unassigned balance. Some of that has been appropriated into the current year’s budget, as it is every year. The Municipal Energy Tax is expected to trend over budget by 13%.


4.2.1 Acting Chief, Mike Watson, presented the November 2016 Fire Report and stated that both Stations 110 and 116 had their slowest month of the year. Together both stations closed with 39 fire calls and 108 medical calls. Big Cottonwood Canyon received four canyon calls and Little Cottonwood Canyon had three. November medical calls were reviewed. Chief Watson reported that the top fire call categories included alarms, smoke investigations and arching lines or lines down. Station 110 transported 24 of 37 Advanced Life Support Calls (ALS) and 16 of 37 Basic Life Support Calls (BLS) for a total of 40 transports. Station 116 transported 11 of 15 ALS calls and 7 of 19 BLS calls. The customer service report was reviewed. Chief Watson expressed gratitude to those in the community who took the time to prepare meals for public servants and welcome them into their homes. The safety message included children walking to school in the cold, car safety issues, and carbon monoxide and smoke detector maintenance. The procedure for a gas line break was described.
4.2.2 Chief Watson reported that new UFA Fire Chief, Dan Peterson, of Medford, Oregon will begin work on January 17, 2017. He is very people-oriented and has started making appointments to meet with crew members and others on the team.

4.2.3 Mayor Cullimore commended Chief Watson for leading the UFA and for the fine work he has done to keep the agency together and the difficult decisions that came with it.

5.0 ACTION ITEMS

5.1 Ordinance 263-A Approving McCormick General Plan Amendment.

5.1.1 Mayor Cullimore reported that the above Ordinance approves the McCormick General Plan Amendment. As explained to the Council, the underlying land use for most of Fort Union was changed to a mixed-use zoning or land use designation. The McCormick properties were not included in that grouping but have applied to have their underlying land use and an actual rezoning change approved. This has gone through the Planning Commission, who recommended approval and a public hearing was held. Councilman Bracken commented that of properties along the corridor, this property predates the zoning change.

5.1.2 MOTION: Councilman Tyler moved to approve Ordinance 263-A. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, and Mayor Cullimore-Aye. The motion passed unanimously.

5.2 Ordinance 263-D Denying McCormick General Plan Amendment.

5.2.1 The above item was deemed unnecessary.

5.3 Ordinance 264-A Approving McCormick Rezone.

5.3.1 Mayor Cullimore reported that the above Ordinance approves the rezone to the underlying land use.

5.3.2 MOTION: Councilman Bracken moved to approve Ordinance 264-A. The motion was seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, and Mayor Cullimore-Aye. The motion passed unanimously.

5.4 Ordinance 264-D Denying McCormick Rezone.

5.4.1 The above item was deemed unnecessary.

5.5 Resolution 2016-97 Approving Independent Contractor Agreement with Kim Horiuchi for Editing Services.

5.5.1 Mayor Cullimore introduced Kim Horiuchi, a former editor for *The Deseret News* and former member of the Canyons School District and Jordan School District Boards. She was
instrumental in working with the mayors on the east side to create the Canyons School District and was one of the original members of the Butlerville Days Committee.

5.5.2 MOTION: Councilman Peterson moved to approve Resolution Number 2016-97. The motion was seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, and Mayor Cullimore-Aye. The motion passed unanimously.

5.6 Resolution 2016-98 Approving Storm Water Discharge and Ditch Maintenance Agreement with Little Cottonwood Tanner Ditch Company.

5.6.1 Mayor Cullimore reported that the above Resolution approves an agreement for storm water discharge and ditch maintenance agreement with Little Cottonwood Tanner Ditch Company.

5.6.2 Mr. Topham stated that the Little Cottonwood Tanner Ditch Company is a private irrigation company and a non-profit corporation that is separate from the City. The surrounding cities began using the ditch system to carry storm water. Salt Lake City entered into a maintenance agreement for many years where the County paid a portion of the maintenance costs associated with the ditch and performed other maintenance in exchange for being able to use the ditch for storm water purposes. They have since left the storm water business and the agreement was terminated. The proposed Resolution approves Cottonwood Heights entry into the Ditch Maintenance Agreement, which provides for the City to pay a portion of the maintenance costs incurred by the company and performing other maintenance obligations and indemnities if the ditch overflows. He believed this to be an acceptable compromise.

5.6.3 MOTION: Councilman Tyler moved to approve Resolution Number 2016-98. The motion was seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, and Mayor Cullimore-Aye. The motion passed unanimously.

5.7 Resolution 2016-99 Authorizing Disposal of Unclaimed Property or Property No Longer Needed as Evidence.

5.7.1 Mayor Cullimore reported that the above Resolution authorizes the disposal of unclaimed property or property no longer needed by the Police Department Evidence Program as authorized by Utah law. The resolution approves such disposition for certain items in the City's possession.

5.7.2 Chief Russo explained that the Police Department normally purges evidence they have taken and retained until the Court has disposed of the evidence. These are cases that are no longer needed for trial. Some of the items include pre-loaded gift cards and he recommended they be used to cover public costs throughout the City.

5.7.3 Mayor Cullimore explained that property is disposed of by being sold and put it in a City fund. With it being almost like cash, the recommendation was that it be deployed to subsidize City needs as permitted by statute. He also confirmed that this will be the last resolution for the year, and sets a record for the number of resolutions in a single year.
5.7.4 MOTION: Councilman Peterson moved to approve Resolution Number 2016-99. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, and Mayor Cullimore-Aye. The motion passed unanimously.

6.0 CONSENT CALENDAR

6.1 There were no consent calendar items.

7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250

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

7.2 The Business Meeting adjourned at 7:56 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 20, 2016.

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Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: January 10, 2017