MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION HELD
TUESDAY, APRIL 12, 2016 AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY
COUNCIL CONFERENCE ROOM LOCATED AT 1265 EAST FORT UNION
BOULEVARD, SUITE 250, COTTONWOOD HEIGHTS, UTAH

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

Staff Present: City Manager John Park, Assistant City Manager Bryce Hadlerlie, Battalion
Fire Chief Brad Larsen, City Recorder Linda Dunlavy, Community and
Economic Development Director Brian Berndt, Finance Director Dean
Lundell, Police Chief Robby Russo, Public Relations Specialist Dan Metcalf

WORK SESSION

Mayor Kelvyn Cullimore called the meeting to order and welcomed those in attendance.

1.0 Review of Business Meeting Agenda.

1.1 The Mayor and the City Council reviewed the Business Meeting Agenda.

2.0 Public Relations Report.

2.1 a. Media Coverage.

2.1.1 Public Relations Specialist, Dan Metcalf, reported on the following media stories with a
Cottonwood Heights City connection:

• Alzheimer’s disease in Utah. The disease is showing a disturbing trend in Utah. It was
noted that rates could triple by 2050. A story highlighted an elderly Cottonwood Heights
couple who are facing Alzheimer’s. It was reported that medical professionals believe
there is a connection between heart and brain disease.

• Good 4 Utah, Behind the Badge Police Profile. The story highlighted Cottonwood Heights
City Police Department Officer, Braden Wyatt, who comes from a long line of police
officers including uncles, his father, and grandfather. This line of work has been a lifelong
dream of Officer Wyatt’s and he looked forward to serving the community.

• It was reported that Ryan Phillips, a Cottonwood Heights resident who worked as a
Dispatcher for the Unified Police Department was killed in a motorcycle accident when a
car made a left-hand turn in front of him and he was unable to stop. The accident was
under investigation.

2.1.2 Mr. Metcalf updated the Council on other media involving the City. He mentioned that News
5 would broadcasting live from the Cottonwood Heights Park later in the evening to highlight
recent changes. He also gave a report regarding the newsletter. He wanted to highlight the
City’s “Great Shakeout” Earthquake preparedness for the public and media.
3.0 Planning and Economic Development.

3.1 Planning Commission Meeting.

3.1.1 Community and Economic Development Director, Brian Berndt, reported on recent Planning Commission Meetings. A public hearing was held on a preschool on Summerhill Drive. Mr. Berndt explained that generally, an “in-home daycare” is not a prohibited home occupation and must be allowed; however, daycare cannot be the primary use, and an applicant must follow the Conditional Use application process. This specific Code provision was perceived by some Council Members to be vague or inconsistent with other Code provisions and may not fully comply with the Utah Land Use, Development, and Management Act (LUDMA). Mr. Berndt reported that the Planning Commission concluded the public hearing and will vote next week on the Conditional Use Permit. Some of the issues to be addressed included parking and the use of the backyard for a playground.

3.1.2 Mr. Berndt reported that the Planning Commission has some important decisions coming up, including two rezoning applications involving Little Cottonwood Canyon. The Planning Commission also heard the remainder of the Kesler rezone that was left open from the previous month. They also heard the Despain rezone. The items would be voted on next week. Mr. Berndt addressed other City Code amendments being considered by the Planning Commission, including the Mixed-Use Chapter.

3.1.3 Council and staff discussed the Home Occupation Permits and Conditional Use applications. A question was raised about the aforementioned In-Home Daycare Conditional Use application. It was noted that a Conditional Use Permit is a Code provision that allows an applicant to pursue the desired use but with restrictions. There was concern expressed about the issue as brought up recently by the Utah League of Cities and Towns. It was recommended by the City’s legal counsel and the League that cities follow the process and not give in to the political clamor often associated with Conditional Use applications. There was discussion on the number of children allowed with an in-home daycare. It appeared to the Council that the Home Occupation Permit process for in-home daycare was at odds with the provisions of the Code set forth for Conditional Use applications. The Council recommended that the Code be amended to remedy the inconsistencies with the Code provisions.

3.2 Mountview Park Upgrades.

3.2.1 The Mountview Park upgrades were discussed earlier in the meeting.

4.0 Public Safety Reports.

4.1 Unified Fire Authority.

4.1.1 Fire Battalion Chief, Brad Larsen, presented the report on behalf of Assistant Fire Chief, Mike Watson. He discussed the latest edition of the International Fire Code, which was updated every three years to keep up with new technology and changes. Fire Battalion Chief Larsen described the latest version of the International Fire Code and how it was drafted and approved by the Utah State Legislature. Fire Battalion Chief Larsen reported that it was drafted by fire
professionals, engineers, and architects including many from the State of Utah. The Code was
generally adopted throughout the world once approved. The first rough drafts were
thoroughly vetted, especially in Utah by the Fire Marshall’s Association and the Utah Code
Committee.

4.1.2 The Code Committee reviews suggested changes as they relate to Utah. It then goes to another
committee consisting of industry professionals, fire officials, business professionals,
ingenieurs, and architects. From there, it goes to the Uniform Building Code Commission and
then to the State Legislature. The Unified Fire Authority is very involved in the process and
stays on top of the needed changes. Fire Battalion Chief Larsen gave a recent example of
House Bill 330, which would not allow cities to make or adopt a Fire Code reference that was
more restrictive than what was in the International Fire Code; however, they left out the
Appendices, which pertain to access and water supplies, which were critical in the
development of neighborhoods. When the UFA brought that to the Legislature’s attention,
they added an exception back into the Code to allow cities to adopt the Appendices. It was
noted that the UFA has a good relationship with the representatives that implemented the
changes. The latest version of the Code will go into effect July 1, 2017.

4.2 b. Police Department.

4.2.1 Police Chief, Robby Russo, reported on noteworthy events involving the Police Department.
He mentioned that he heard back from the Trust regarding the Willow Creek Agreement. It
was reported that the Agreement does not seem to be a viable option. The long-term remedy
may have to be a legislative solution.

4.2.2 Councilman Scott Bracken mentioned that he recently drove by the new City Hall construction
site and noticed that the gate was open. He called Dispatch to report it and there was an issue
with police finding the correct address. There was no incident but Chief Russo was asked to
follow up on the address issue.

5.0 City Manager/Assistant City Manager Report.

5.1 a. New City Hall Construction Report.

5.1.1 City Manager, John Park, reported on construction of the new City Hall building. The metal
roof was being installed and the HVAC units were ready to be installed. Mr. Park forwarded
photographs to the Council Members. He indicated that the Police Station was nearly
complete. There were questions regarding on-going maintenance and upkeep. Mr. Park stated
that the intent is for Public Works to handle most of the building and grounds maintenance
but some jobs would be contracted out. There was discussion regarding the monument sign.
It was noted that Mr. Park was trying to prepare an RFP for data connection, email service,
etc. He had been working with staff on the RFP, but indicated that he may need additional
help.
Review of Staff Communication.

A question was raised regarding sales tax collection, issues regarding the Utah State Tax Commission collecting sales taxes for the correct city, and Cottonwood Heights not being listed for the local portion of the tax. It was reported that this will be an ongoing issue when businesses change hands or City boundaries are not noted correctly.

Update on Transitioning Public Works.

There was brief discussion on road repairs and installation of “Idle Free” signs at schools. Students recently held an assembly encouraging people to turn off their cars. The Mayor was asked to be present at the event.

Arts Council Appointments.

Mr. Park reported that there will be five members appointed to the Arts Council.

Update on Citizen Survey.

Mr. Park was looking for providers to manage the citizen survey and methods of delivery. He was seeking areas of concern and questions from the Council and Mayor so they can formulate survey questions. One citizen requested that the survey include land use questions. The goal was to make sure the questions are fair and not slanted one way or another. There was discussion regarding how to get citizens to respond to the survey so that all demographics and age groups are reached. A third-party survey provider would be utilized who is unbiased. The hope was that this will result in a better outcome.

Utah City Management Association Annual Meeting.

Mr. Park reported on the recent Utah City Management Association (UCMA) Annual Meeting. Speakers discussed topics such as citizen surveys. There was a breakfast for students working on their MPA Degrees and a Meet and Greet with various city administrators. The highlight of the meeting was the keynote speaker, Peter Kageyama, author of the books, Love Where You Live and For the Love of Cities. Mr. Park ordered copies of the books for each of the Council Members.

Update on Budget.

Mr. Park reported on the annual budget. A rough draft had been completed and a final budget would be ready by June 22, 2017. The public hearing on the budget would be held on June 14, 2016, at a Special Business Meeting.
sessions they thought were most helpful. There was discussion of grants and funding for the construction of trails with an emphasis on trails for cities. Information on technology security was also presented. It was reported that there were an increasing number of threats each year from countries such as Russia and North Korea. Ransomware is also becoming an increasing threat. Other noteworthy conference topics included “Communication under Stress”, “50 Ideas in 50 Minutes”, as well discussions on social media, the Government Records and Management Act (GRAMA), personal communication, LUDMA, and property taxes.

6.2 b. Mosquito Abatement.

6.2.1 A report from the Mosquito Abatement District was given. Proper protocol was discussed in the event certain diseases are identified in the mosquito population. The first step would be to notify the Health Department. It was reported that the Mosquito Abatement District recently hired seasonal employees who would go out in teams and address problem areas. Citizens could request “spot treatment” of certain areas, such as backyards just prior to a barbeque. An article regarding mosquito abatement was recently published and will be included in the newsletter.


6.3.1 There was a report regarding the Association of Municipal Councils (AMC). The AMC Meeting included a discussion regarding a report on the number of parks, golf courses, skating rinks, and a list of priorities with an emphasis on maintaining open space. There was also an emphasis on sports parks and dog parks.

7.0 Calendar of Events.

7.1 Councilmember Schedules for the following week were as follows:

a. Emergency Preparedness Shakeout Drill – April 16, 9:30-12:30 p.m.
b. Citizens Academy Graduation – May 18, 6:30 p.m. at City Hall.
c. Memorial Day – May 30 OFFICES ARE CLOSED.
d. Brighton High School Graduation – June 2, 2:00-4:00 p.m. at the Maverick Center, WVC.
e. Earth Day – April 22, 3:00 p.m. at 2277 Bengal Boulevard.

8.0 Closed Meeting to Discuss Litigation, Property Acquisition and the Character and Professional Competence of Physical or Mental Health of an Individual.

8.1 MOTION: Councilman Shelton moved to close the Open Session and open the Closed Session. The motion was seconded by Councilman Tyler. The motion passed with the unanimous consent of the Council.

9.0 ADJOURN

9.1 The Work Session adjourned at 8:06 p.m.
I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood Heights City Council Work Session held Tuesday, April 12, 2016.

[Signature]

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: August 22, 2017