MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, JULY 25, 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 Kelvyn Cullimore, Councilman Scott Bracken, Councilman Mike Peterson, Councilman Tee Tyler

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

Excused: Councilman Mike Shelton

1.0 WELCOME

1.1 Mayor Cullimore called the meeting to order at 7:05 p.m.

1.2 The Pledge of Allegiance was led by Councilman Tyler.

2.0 PUBLIC COMMENT

2.1 Jill McGee a Big Rock Lane resident, stated that in January, she saw large bulldozers taking out trees on the West edge of their property. She ran out waving her arms and the trucks stopped. Minutes later the trees to her north and along her property line were removed. She was able to speak with Dave at Ensign Engineering, the engineering firm for the developer of Giverny that authorized the grubbing of the property, and showed him the devastation and marred property lines. A police report was filed and Ms. McGee spoke with Community Development Director, Brian Berndt and City Planner, Michael Johnson about the issues. She believed things were not properly presented to the Planning Commission as the developer has raised the grade of the property behind their home by 10 to 12 feet. The six-foot fence required as part of the Settlement Agreement is well below the new grade of the road rendering the fence virtually useless. In addition, the hours of operation are not being respected and lights and engines are going all hours. Their backyard has become a paved parking lot and seven days per week 15 to 20 cars per day, park around their home. They hope to reach a resolution and requested that the City grant a variance so that the developer can construct a 10-foot fence near the road behind their property. The McGees would be willing to settle for a less expensive wood fence and asked the Council to grant the variance as one approach to solving the problem.

2.2 Mayor Cullimore stated that the McGees have been very thoughtful with regard to what they have proposed. The Council will look at that and determine if it is enough to mitigate the situation as there may be more that can be done. Mrs. McGee confirmed that the developer has spoken with her husband. She did not feel that now was the time to reveal all that has been communicated but they never received an apology for the removal of their trees.
2.3 Gary McGee gave his address as 3502 East Big Rock Lane and stated that they considered various options for fencing and expressed their concerns to Mr. Berndt. They are requesting a 10-foot fence as the six-foot fence does not provide any privacy. The developer sent a certified letter requesting that they not come on the property due to safety concerns. He stated that the Smith’s home that the developer purchased was never included as part of the development and was a separate .50-acre parcel with residential zoning not included in the Giverny plat. The home is currently being utilized as a sales office contrary to zoning and they have not received notice from any of the entities operating there. He confirmed that there is a police report on file for trespassing and destruction of property.

2.4 Lieutenant Mark Askerlund reported that he will be retiring next week and thanked the City Council, staff, and Cottonwood Heights citizens for giving him the opportunity to serve the community the past nine years. He expressed gratitude for working under the leadership of Chief Robby Russo and the City of Cottonwood Heights. He described Chief Russo as the best Police Chief he has had the pleasure of working with.

2.5 Mayor Cullimore thanked Lieutenant Askerlund and stated that he has been instrumental in the development of the Cottonwood Heights Police Department. He stated that Lieutenant Askerlund should take tremendous pride in knowing that he was instrumental in helping to form what he affectionately calls the best Police Department in the State. Lieutenant Askerlund has been a mentor and a great example to his peers.

2.6 Julie Askerlund stated that Mark has enjoyed working in the City and he exemplifies many of the characteristics that a police officer should have. She thanked Chief Russo for his friendship and leadership.

2.7 Councilman Peterson expressed his personal gratitude and stated that Lieutenant Askerlund took him for his first ride-along.

3.0 STANDING MONTHLY REPORTS


3.1.1 Finance Director, Dean Lundell, presented the Monthly Financial Report for the month of June 2017 and stated that sales tax revenue has been slightly above what was budgeted for. The Energy Tax is on budget. Expenditures were as expected and we are anticipated to realize a $600,000 surplus in the budget. The Fund Balance graph was discussed. Mr. Lundell confirmed that the City will have approximately $2.3 million in unassigned funds at the end of the year. Revenue was good this year and expenditures were in check. Mayor Cullimore added that statistics show that Cottonwood Heights citizens pay less of their income in municipal taxes than any other city in the State. Property taxes are in the middle third of property tax rates for the County. It was reported that the audit is scheduled and staff was working to close out books.

3.2 Unified Fire Report – Assistant Chief Mike Watson.

3.2.1 Assistant Chief, Mike Watson, presented the Unified Fire Report for the month of June 2017. He reported that there were 48 fire calls between both stations and medical calls closed at 132.
Station 110 closed with 119 total calls and Station 116 closed with 61. Big Cottonwood Canyon received 13 calls for which Station 116 helped four times. Little Cottonwood Canyon received 12 calls and Station 116 was not dispatched to any of them. Top medical call categories included falls, traffic accidents, and fainting. Top fire call categories included alarms, burns and barbecue, and flooding or hydrant problems. Station 110 transported 21 of 36 Advanced Life Support (ALS) calls and 18 of 47 Basic Life Support (BLS) calls. Station 116 transported half of their ALS calls and less than one-third of their BLS calls or 19 of their 49 calls. Mayor Cullimore pointed out that there is no longer a full-time staffed ambulance at Station 116. District 1 closed with 23 fire calls, District 2 had seven, District 3 had nine, and District 4 had five for a total of 44 calls. District 1 closed with 48 medical calls, District 2 had 17, District 3 had 37, and District 4 had 19.

3.2.2 The safety message included tips for water safety, especially to ensure that children playing near water at swimming pools are safe and watched out for. Parents were encouraged to talk to their children about CPR, life jackets, seat belts, staying hydrated, BBQ grill safety, and not leaving children in cars. Helmets were recommended when participating in outdoor wheeled sports.

3.2.3 Councilman Peterson asked how many fires were reported this past weekend compared to the 4th of July. Assistant Chief Watson reported that it was drastically different. During a 24-hour period over July 24th there were 15 fire calls in UFA’s full footprint and they were just shy of 60 on July 4th. He believed the first key factor was publicity, followed by weather. The publicity piece was overwhelmingly helpful. He confirmed that the gas meter was impinged during the recent fire and they were grateful they did not have complications.

4.0 ACTION ITEMS

4.1 Consideration of Ordinance 276 Granting to Rocky Mountain Power an Electric Distribution System Franchise.

4.1.1 Mayor Cullimore reported that the above Ordinance grants Rocky Mountain Power an electric distribution system franchise. Ms. Bentley from Rocky Mountain Power was present and he thanked her for being a great support and representing the interests of the City.

4.1.2 Ms. Bentley stated that as the City permits new development, Rocky Mountain Power will begin looking for a new substation. Regulations require that it be demonstrated to the Public Service Commission that their assets are used and useful. They lag development a bit and cannot build ahead of it. It must be demonstrated that the investment is prudent and there is recovery of their customers’ investment their customers make. They purchased the property alongside the City’s property off of 3000 East for a new substation and feel like that was the site that minimized impacts to the community. It will be built when there is a demand for it. They will begin the Conditional Use Process at least 24 months ahead of when they anticipate the substation will be needed. Ms. Bentley stated it has been a pleasure to work with the City.

4.1.3 Mayor Cullimore remarked that Ms. Bentley has always been very responsible and expressed his gratitude for her service. He appreciated the work done on the movement of the power poles on Fort Union and Highland Drive.
4.1.4 MOTION: Councilman Bracken moved to approve Ordinance 276. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.2 Consideration of Resolution 2017-50 Approving Appointment of Two Additional Commissioners to the Central Wasatch Commission.

4.2.1 Mayor Cullimore reported that the above Ordinance approves the appointment of two additional members to the Central Wasatch Commission. Cottonwood Heights is a part of that Commission. The two new appointees included Carlos Braceras from UDOT as well as Andy Beerman who will represent the Wasatch Back geographical area. New appointees must be approved by a vote of all of the Councils participating in the Central Wasatch Commission.

4.2.2 MOTION: Councilman Tyler moved to approve Resolution 2017-50. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

4.3 Consideration of Resolution 2017-51 Approving an Agreement for Engineering Services with Gilson Engineering.

4.3.1 Mayor Cullimore reported that the above Resolution approves an agreement for engineering services with Gilson Engineering. He commented that the City has a major drain line called the Ferguson Canyon outfall. It is captured on Prospector and runs into a drain under Wasatch Boulevard onto what is now the Canyon Centre property. The line is in need of serious improvements that the work being engineered by Gilson Engineering upon approval of this contract.

4.3.2 MOTION: Councilman Peterson moved to approve Ordinance 2017-51. The motion was seconded by Councilman Tyler. Vote on motion: 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 the City Council Business Meeting June 20, 2017.

5.2 MOTION: Councilman Peterson moved to approve the City Council Business Meeting minutes of June 20, 2017. The motion was seconded by Councilman Bracken. Vote on motion: Councilman Bracken-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Cullimore-Aye. The motion passed unanimously.

6.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION

6.1 MOTION: Councilman Tyler moved to adjourn the Business Meeting. The motion passed unanimously.

6.2 The meeting adjourned at 8:14 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, July 25, 2017.

__________________________
Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: August 22, 2017