MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING
HELD TUESDAY, MAY 8, 2018 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 Mike Peterson, Council Member Mike Shelton, Council Member Scott Bracken

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

Excused: Council Member Tali Bruce and Council Member Christine W. Mikell

1.0 WELCOME

1.1 Mayor Mike Peterson called the meeting to order at 7:00 p.m. and welcomed those in attendance.

1.2 The Pledge of Allegiance was led by Girl Scout Troop 2483.

2.0 CITIZEN COMMENTS

2.1 Eric Kraan expressed concern with the way Work Sessions are being conducted and believed they run too long. He researched seating arrangements and commented that if the Council made adjustments, it would speed up the Work Sessions. He raised a question regarding the proposed budget elimination of E911 services from the Fire Department.

2.2 Brett Besser asked for an update regarding the cemetery right-of-way issue and Dave Shenneck’s pruning of the grass prior to fire season. He asked if they are looking at having a beer garden at Butlerville Days.

2.3 Mayor Peterson reported that they have an individual keeping track of all comments. Should they require follow-up the Council is aware of citizen comments and will respond.

2.4 Jennifer Shaw reported that she is a former Planning Commission Member and Assistant Professor who teaches courses on environmental science and sustainability. She was present in support of the idle-free ordinance and reported that one minute of idling in a vehicle produces the same amount of carbon monoxide as smoking three packs of cigarettes. Nitrogen oxide is also produced, which is a precursor to ground level ozone. Idling is most common at schools and students are potentially inhaling CO2 and Nitrous Oxides associated with smoking cigarettes. She suggested the City implement a campaign encouraging people to turn their cars off and pass an air quality ordinance.
A Scout Troop 2483 representative reported that exhaust from cars makes up over 50% of air pollution in Utah leading to asthma, lung cancer, and other health problems. Some days, the pollution is so bad that they cannot even go outside to play at recess. They encouraged Cottonwood Heights to join other cities in becoming idle-free.

Lynn Krauss indicated that she recently read a statement by a CHPD Officer claiming inaccuracies and indicated that it is inflammatory and causing chaos throughout the City. She suggested that a policy be implemented about who should be allowed to interact with the media. She believed this kind of information is not helpful to the City and is not helpful to budget discussions.

Kimberly Kraan expressed concern with the proposed fireworks display during Butlerville Days, particularly after the City experienced a fire last year as a result of fireworks. She urged the Council Members to reconsider the fireworks proposal.

Mayor Peterson remarked that the Butlerville Days fireworks display is viewed differently as it is under the control of the Fire Department.

City Manager, John Park, gave a presentation on the proposed tentative budget and stated that under State law, the City is required to provide that information at the first Business Meeting in May. This is not the budget that will guide the City through fiscal year 2018-2019 but is tentative in nature and will be adopted on or before the June 22. It is a work in progress and appropriate changes will be made prior to final adoption. Revenues were reviewed. He stated that property tax is the City’s largest single source of revenue. It was estimated that an increase in sales tax revenue of $335,000 is projected, or just over 3% of what Senate Bill 275 requires. It was noted that the State takes approximately $68,000 from the top.

Class C Road Funds are projected at a zero percent increase as vehicles are becoming more efficient. Energy Sales and Use Tax is present on gas and electric bills and will be decreasing. He reported that Building Permit fees are doing well and total revenue for the fiscal year is projected to increase by only $146,000. Expenditures by type were reviewed. Mr. Park reported that contracted services with UFA are the single largest expenditure and includes a contract with Sunrise Engineering as well as legal and engineering services. Public safety was almost half of the budget spent. He pointed out that they have the tremendous job of finding grants to take care of the roads and last year, they budgeted $50,000 for a pavement condition index study. A committee will present the final report. The emphasis on the budget in the report, even though they have been able to maintain the larger roads, focuses on interior roads that have largely been ignored.

Staff also utilized fund balance in the budget and have increased costs in the Unified Fire Authority (UFA) of approximately 4.4% due to employees being given a 2.1% cost of living increase. UFA created a new model depicting how they are charging various cities and Cottonwood Heights is one of three that operates under contract, which saves citizens a tremendous amount of money. Mr. Park explained that the cost of inflation is rising at a faster rate than the City’s revenues, which in turn requires an increase in revenue. He reviewed essential functions that include Police, Fire, Planning and Zoning, Public Works, Emergency Management, and support functions and reiterated that this is a starting point for the City Council to begin their deliberations and look at non-essential functions.
This year they intend to increase reserves and keep unrestricted funds between $600,000 and $800,000 through a property tax increase, storm water fee, road improvement fee, and other various fees. The Capital Fund has a balance of $850,000 that is designated primarily for interior roads. There is also the Sidewalk 50/50 match program, trip hazard mitigation, and acquisition of a new loader. He noted that they have resources to make changes to the budget as specified by the City Council. Staff would present the tentative budget prior to the June 12 meeting. Due to interest, a special public hearing was scheduled beginning at 6:00 p.m. rather than 7:00 p.m.

Mayor Peterson confirmed that the tentative budget was received just before tonight’s meeting. The Council reviewed it and gave staff instruction who will return with a detailed fiscal amount and each proposed reduction. He confirmed that meetings are open to the public and he encouraged citizens to attend.

Mayor Peterson read into the record the following three comments sent via email:

Steve Brand from Hillside Tire and Service was disappointed in the safety cuts and did not understand why anyone would consider eliminating police officers and firemen. As a business owner, he was greatly concern and opposed to the proposed reductions.

Charlene Wright was opposed to cuts to the Public Safety budget and believed there were other ways to cut the budget.

Dave Nelson asked the Council if they would be willing to cancel Butlerville Days or other non-essential services to get to a balanced budget.

Katherine Peterson stated actions of the Cottonwood Heights Police Department have resulted in two chronic nuisances in three years. She reported that two of her neighbors have harassed her after a police officer violated her confidentiality by telling the neighbors about her call. She was told that if she wants peace and quiet she should move elsewhere. Ms. Peterson emphasized the importance of police officers respecting citizens and providing confidentiality. She recommended the Police Department budget be reviewed and changes made in the department leadership.

Ed Schwartz thought it was unfortunate to be facing a budget crisis. It was no surprise to him that they are sitting in a beautiful public building and paying over $1 million per year for the next 20 plus years in addition to bloating the Police Department. Because property taxes have flatlined and sales tax revenue is not expected to increase dramatically, he asked why decisions were made that put the City a fiscal crisis. He commented that it is time to make severe cuts and was agreeable to officers taking a pay cut. He urged the City to implement budget constraints and diligently respond to the needs of the public.

Jin Frederickson commented that instead of losing four officers, they should look at the City Manager and general government salaries, which reflect an increase of nearly 17% or $200,000 per year. She preferred to see cuts in salaries and contract services than lose a police officer. She asked if the City has a proposal from the UPD that could be used as a comparison. The Butlerville Days budget is $110,000 currently year-to-date and shows they are already $30,000...
over budget. She stated that the IT salary is set at $80,000 and expressed disappointment in elimination of the newsletter.

2.21 Kathryn Cunningham reported that events are what bring people together. She looked forward to Butlerville Days each year. She commented that the newsletter has been beneficial and she believed other things can be changed instead.

2.22 Erika Cunningham asked if all events will be canceled with the new budget and why there is suddenly a huge gap requiring cuts and layoffs. She emphasized the need for community gatherings and urged the Council to keep those events.

2.23 Mayor Peterson reiterated that it is tentative budget and will change dramatically.

2.24 Cliff Burningham identified himself as the President of local 1696 International Association of Firefighters and is a 20-year firefighter with UFA. He represents those serving in the City and expressed concern with cuts and staffing as they will create a significant decrease in efficiency and how they operate. Approximately 80% of the calls they receive are medical in nature and the proposed cut would mean one less person performing CPR. In the case of a structure fire, there is an OSHA requirement referred to as “two in and two out”. Without staffing, they will be forced to wait until a second crew arrives to provide assistance. Mr. Burningham noted that Cottonwood Heights City has not raised taxes in 13 years and urged the Council to consider alternative resources and options. Law enforcement is seeing great competition for officers and the Fire Department is challenged with that as well.

2.25 Kirk Humphrey identified himself as an 18-year resident and made the decision to locate to Cottonwood Heights because of the quality Fire and Police Departments. Reducing the level of service would impact their efficiency. He expressed opposition to the reduction.

2.26 Mike Lasater recognized the Council Members for their efforts and identified himself as the current President of the Honorary Colonels of the Cottonwood Height Police Department and indicated that he is a supporter of law enforcement. He noted that what the City has is special and not common in surrounding cities. He remarked that it takes a lot of time and money to recruit and attract good people. He urged the Council Members to keep them. He stated that tourism is a large part of the City and he considered it to be important for the community to be held in the highest regard to enable those tourism dollars and for the area to continue to be seen as a skiing destination. He believed there to be a culture within the Police Department and stated that once someone starts poking holes in that, there are negative effects as culture is something that grows and cannot be forced.

2.27 Kevin Salmon was present on behalf of the Cottonwood Heights Police Department and addressed budget cuts. He understood it was their intention to reduce operating costs of both police and fire services but emphasized that it should not be done at the risk of the citizens. He commented that short-staffing essential emergency services is not acceptable. He stated that the loss of those positions will greatly impede the ability of law enforcement to effectively and efficiently respond to emergencies and calls for service in the City. A 10% cut would result in officers working with two officers and one supervisor, which is just enough to handle one call by phone and one in person. If there is a need to transport an offender, this leaves one officer and one supervisor on duty. The situation would also be the same if an officer calls in sick or
takes a vacation. Staffing shortfalls will result in response times decreasing from three to four minutes to five minutes to hours depending on call volume and type of calls. This would result in placing lives in danger and allotting time for criminals to evade capture as well as accidents not being cleared in a timely manner.

2.28 Officer Salmon stated that along with the physical threat and danger to the community that comes with reductions, so does the quality of policing due to time constraints placed on them to handle call volume. Because of the City’s favorable reputation, they have been able to recruit the best officers from agencies across the State, and if cuts are made, it will negatively impact morale and theirs will become a reactionary department. He stated that Cottonwood Heights established their own department for multiple reasons including better staffing, control, and quality policing for citizens. He asked the Council to look at other options for rebuilding infrastructure or budget constraints.

2.29 Kevin Davis reported that he helps local governments go from fiscal uncertainty to fiscal self-sufficiency. He reviewed the staffing document from last year’s budget and highlighted what he believed were items that can be eliminated. He suggested there be more focus on the core functions of the City.

2.30 Tim Halbeck requested Bryce Haderlie remain on the City’s payroll and believed that reducing Fire Department numbers was short-sighted. He was in favor of a tax increase or fees to ensure that City employees get what they deserve and that the level of service is maintained. In terms of the deficit, it was his understanding that $10 to $12 per year increase along with a .10% sales tax increase should put the City where they need to be.

2.31 Karen Brown stated that she worked on the City’s feasibility study and felt this was not the best solution to address the budget issue. She believed that a personnel reduction would pose a risk to the lives of the residents and they are obligated to national, state and city standards. When those standards are compromised, it jeopardizes the way things are done and incurs additional costs later. She believed that a decline in morale is also a risk and can be detrimental to employees.

2.32 Becky Henriksen reported that she has been a long-time resident and serves as chair of the Arts Council. She believed that cutting funding for the arts would be a huge mistake as they are the heart and soul of the community. She noted that she has dedicated hundreds of hours to helping establish programs and activities. After 10 years they are now beginning to grow the program and have a positive effect on residents. She presented a pamphlet on arts activities throughout the City and stated that they are currently holding auditions for the summer musical. If funding is cut for the arts, these programs will be eliminated. She opposed reducing the part-time producer position as she has secured thousands of dollars of grant money. She urged the City to not take away their ability to make Cottonwood Heights a better place to live.

2.33 Max Jackson reported that he works at Brighton High School and believes this is an efficiency problem. He suggested they put money where it is most useful. After reviewing the budget, he noted that a large portion goes to Canyons School District and encouraged the Council to reconsider cutting Police Department personnel.
Randy Whitehead commented that cutting the things that make Cottonwood Heights a community and eliminating things that put their lives on the line for the citizens would be detrimental. He urged the Council to reconsider.

Carl Churchill stated that he has lived all over the world and chose to move to Cottonwood Heights and open a business to help pay taxes that help fund the City. He appreciated the Police Department who provides the safety and security for his business and family and was agreeable to tax increases if that is what is required to maintain their quality of life.

Kathleen Riebe stated that she is a Member of the State School Board and is running for a seat on Senate District 8. She requested that when the City is looking to balance the budget, that they give all civil servants the tools they need to ensure success.

Jamie Jackson expressed opposition with cutting police and fireman. She previously served as Chairman of Butlerville Days and urged the Council to reconsider making cuts for this event as well.

Ted Boyer identified himself as the Coordinator for Emergency Preparedness for the Butler District, which is about one-fifth of Cottonwood Heights. He also serves as the Co-Director of Neighborhood Watch. Mr. Boyer pointed out that the State Legislature reduced pension benefits for police officers in the last year, making it increasingly difficult to recruit people into police and fire work. Emergency preparedness planning in the City is based on the assumption of current staffing. A reduction would affect their ability to respond in the event of an emergency. He urged the Council to review other sources of revenue.

Mike Hansen stated he has been a volunteer for the Butlerville Days Committee and most recently worked with Mr. Boyer on neighborhood watch. He believed people think the City is in peril and the past administration was a mess leaving citizens with problems. His opinion was that the air needs to be cleared. When an ordinance is adopted, it is taxing on City staff, requires an attorney to draft it. He believed those types of requests need to be more closely scrutinized. He commented that the Police Department has outstanding leadership and asked the Council to further support them.

Aabri Kimball reported that she serves on the Butlerville Days Parade Committee and asked the Council not to cut the events. She also expressed opposition to staffing cuts for the Police and Fire Departments. She was willing to pay more in taxes to maintain the current level of service.

Kimberly Kraan stated that there is a lot of misinformation being circulated. She suggested filming meetings and streaming them online to involve more citizens. She asked if there is a statistical analysis that exists on the interlocal agreement.

Mindi Hamilton stated that when reviewing each line item, there is not a single member of the community who wants police officers and fire personnel to be laid off. She preferred that the contract be reinstated with UPD than make cuts. She stated that they have had positive interactions with the officers and does not want them to lose their jobs.
2.43 Chuck Koehn reported that he has been a resident of Cottonwood Heights for 60 years and is a retired firefighter. Cutting fire from a four to three-man engine crew is a real problem. He pointed out that one man makes a huge difference and cautioned them to use wise judgement for safety’s sake. He currently serves on the Butlerville Days Committee and felt there were a lot of issues that could be covered without making the proposed cuts. He opposed the budget cuts and asked that other reductions be considered instead.

2.44 Dan Jacobsen indicated that his background is in cost accounting and he had looked at the matter from an analytic perspective. Cottonwood Heights is built-out and revenues will not be increasing drastically in the next several years. He believed the Police Department is bloated and spending has to slow down. He challenged the administration to look at the costs before raising taxes.

2.45 Mayor Peterson reiterated that this is a tentative budget. Opportunities such as tonight’s meeting give citizens the opportunity to be heard by the elected officials. As a new Council, they scrutinize the budget and asked staff to come back with an itemized fiscal impact with each of the proposed cuts. He confirmed that they will be evaluating each one over the next several weeks and make adjustments. They will then return for the public hearing scheduled for June 12 to present the changes.

2.46 Council Member Bracken stated that the budget issue is partly self-imposed and comes largely due to deterioration of the roads. This is the year they finally have a study completed and noted that the results will be in soon showing big numbers. It was noted that close to $1 million extra was budgeted for roads with no revenue changes, which is a major hurdle. He expressed his support for the Police Department and commented that they do a very good job. He noted that figures for the Butlerville Days parade float were inaccurate by a factor of 10 due to a decimal being out of place. Other comments commonly received include that a small city like Cottonwood Heights does not need to do certain things. On the 2010 census, Cottonwood Heights was identified as the 21st largest city in the State of Utah out of 264. While having a suburban feel, he stated that they are large enough to have their own Police Department. He confirmed that keeping the Fire Department whole will equate to a 7.25% increase in property taxes as will the Police Department.

2.47 Council Member Shelton thanked those in attendance and remarked that this is a big deal to the City and the Council will continue to work diligently. He expressed appreciation to those who have shared their passions and expressed what is most important to them. Information has come forward based on ideas that are not entirely accurate and they will do their best to convey information to better understand how they come to what is a very difficult set of decisions. He clarified that the City has raised approximately $2.1 million in taxes over the last several years and they will continue to do so. They will continue to evaluate the median income of those being taxed and not demand a greater percentage of that median income than was done previously. An item he believed is not widely understood is that delaying work on major road construction projects has a cost impact that is mind boggling. In a period of five years, a city can go from maintaining a road that is measured between $.35 and $1.00 per square foot to a cost that exceeds $4.00 per square foot. This is a significant challenge and a difficult problem to solve. He emphasized that the police are very dedicated and the Council has the greatest respect and appreciation for them. He noted that the City’s police officers continue to do a tremendous job in a difficult environment. The firefighters are a very important part of
the community as well and are valued greatly. He expressed deep gratitude for those in Public Works and all other positions throughout the City. He hoped those who leave tonight’s meeting unsure do not feel any less of their appreciation and respect.

3.0 STANDING MONTHLY REPORTS


3.1.1 Police Lieutenant Dan Bartlett presented the monthly police report for the month of April 2018. He reported that they received 1,650 calls for service with 436 on-view calls. Response times for Priority 1 averaged 4:00 minutes, Priority 2 averaged 6:00 minutes, and Priority 3 averaged 7:00 minutes. The Utah Crime Reports overview included 68 classified crimes, which is down from the previous year. There were 87 adult arrests and 12 juvenile arrests. He noted that traffic citations will show a steady decline as the department is no longer able to mandate how many tickets are written by officers due to a change in legislation. The number of accidents decreased from previous months, largely due to weather. Officer Potter, who teaches D.A.R.E. in six schools, attended all six graduations that involved approximately 550 students. They also participated in the Citizens Academy graduation. He reported that the safety message included motorcycle safety and urged both drivers of vehicles and motorcycles to use caution while on City streets.


3.2.1 Public Works Director, Matt Shipp, presented the monthly report for April 2018 and stated that a majority of the work was spent in the streets with snowplowing along with basic standard public works activities. The final engineering review was complete and they were ready to bid out the Fort Union and Highland Drive Intersection Project. The projects out for bid were identified on the current agenda and include the agreement for Staker Parsons located on 2700 East. Resurfacing will begin on Fort Union in June as well and should be completed within four days. They were preparing the 2300 East project for bid where they received a grant from catnip funding to do restriping from Bengal Boulevard to 6200 South. He confirmed that an expert will be coming in to discuss the proposed roundabout. This has not yet been designed but they have schematics available of what they believe it will look like and will follow up with an open house.

4.0 ACTION ITEMS

4.1 Consideration of Resolution 2018-24 Adopting a Tentative Budget for the Period of 1 July 2018 Through 30 June 2019; Providing for Public Inspection of Such Budget; Establishing the Time and Place of a Public Hearing to Consider Adoption of such Budget; and Providing for Newspaper Publication of Such Public Hearing.

4.1.1 Mayor Peterson reported that the above Resolution adopts a tentative budget for July 1, 2018 through June 20, 2019.

4.1.2 MOTION: Council Member Shelton moved to approve Resolution 2018-24. The motion was seconded by Council Member Bracken. Vote on motion: Councilman Shelton–Aye, Councilman Bracken–Aye, and Mayor Peterson–Aye. The motion passed unanimously.
4.2 Consideration of Resolution 2018-25 Approving the Appointment of Michael Johnson as the City’s Community and Economic Development Director.

4.2.1 Mayor Peterson reported that the above Resolution approves the appointment of Michael Johnson as the City’s Community and Economic Development Director.

4.2.2 MOTION: Council Member Bracken moved to approve Resolution 2018-25. The motion was seconded by Council Member Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, and Mayor Peterson-Aye. The motion passed unanimously.

4.3 Consideration of Resolution 2018-26 Approving a Firework Display Contract with Lantis Productions for 2018 Butlerville Days.

4.3.1 Mayor Peterson reported that the above Resolution approves a fireworks display contract with Lantis Productions for 2018 Butlerville Days in the amount of $12,5000.

4.3.2 Assistant Fire Chief, Mike Watson, stated that the City will work closely with the Code Enforcement Fire Official and Lantis Productions will be required to apply for a permit. In order for that permit to be granted, specific parameters must be followed.

4.3.3 MOTION: Council Member Bracken moved to approve Resolution 2018-26. The motion was seconded by Council Member Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, and Mayor Peterson-Aye. The motion passed unanimously.

4.4 Consideration of Resolution 2018-27 Approving a Contract with City of Fun Carnival for 2018 Butlerville Days.

4.4.1 Mayor Peterson reported that the above Resolution approves a contract with City of Fun Carnival for 2018 Butlerville Days carnival rides and “Midway”. This is a revenue producer for the City and offsets some of the costs of Butlerville Days.

4.4.2 MOTION: Council Member Shelton moved to approve Resolution 2018-27. The motion was seconded by Council Member Bracken. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, and Mayor Peterson-Aye. The motion passed unanimously.

4.5 Consideration of Resolution 2018-28 Approving a Contract with Custom Events for 2018 Butlerville Days.

4.5.1 Mayor Peterson reported that the above Resolution approves a contract with Custom Events for 2018 Butlerville Days.

4.5.2 MOTION: Council Member Bracken moved to approve Resolution 2018-28. The motion was seconded by Council Member Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, and Mayor Peterson-Aye. The motion passed unanimously.
4.6 Consideration of Resolution 2018-29 Approving a Bid and Awarding a Construction Contract to Staker Parson Companies for 2700 East Street Improvements.

4.6.1 Mayor Peterson reported that the above Resolution approves a $488,412.45 bid and awards a construction contract to Staker Parson Companies for street improvements to 2700 East from Fort Union Boulevard to Bridgewater Drive.

4.6.2 MOTION: Council Member Bracken moved to approve Resolution 2018-29. The motion was seconded by Council Member Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Bracken-Aye, and Mayor Peterson-Aye. The motion passed unanimously.

5.0 CONSENT CALENDAR

5.1 Approval of City Council Business Meeting Minutes of March 27, 2018 and the Work Session Minutes of April 6, 2018.

5.2 MOTION: Council Member Shelton moved to approve the minutes of the City Council Strategic Meeting of March 27, 2018 and the Work Session Minutes of April 6, 2018. The motion was seconded by Council Member Bracken. The motion passed with the unanimous consent of the Council.

6.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION.

6.1 MOTION: Council Member Shelton moved to adjourn the Business Meeting. The motion was seconded by Council Member Bracken. The motion passed unanimously.

6.2 The meeting adjourned at 9:51 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, May 8, 2018.

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: June 12, 2018