

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL WORK MEETING  
HELD TUESDAY, NOVEMBER 13, 2018 AT 5:00 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, Council Member Christine Mikell

**Staff Present:** City Manager Tim Tingey, Finance and Administrative Services Director S. Scott Jurges, City Attorney W. Shane Topham, City Recorder Paula Melgar, Police Chief Robby Russo, Police Lieutenant Dan Bartlett, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Public Relations Specialist Dan Metcalf.

**Excused:** Council Member Tali Bruce

**WORK SESSION**

**1.0 Public Relations Report – Dan Metcalf.**

Mayor Peterson explained that the local news station reported that Cottonwood Heights would be holding a public hearing regarding the Wasatch Boulevard Master Plan. He confirmed there was nothing scheduled and the news channel proceeded on their own without verifying with the City first. He stated this is something that is progressing and several adjustments were being reviewed.

Public Relations Specialist, Dan Metcalf, presented a KUTV 2 News report focusing on the Wasatch Boulevard Master Plan. He clarified this is a long-range plan that would allow them to be ready when proposals come in for development. He emphasized that statements in the news report were inaccurate and were not reflected in the final recommendation of the draft plan. Details were available on the City's website. News reports were reviewed.

Mayor Peterson welcomed new Finance Director, Scott Jurges.

**2.0 Review of Business Meeting Agenda.**

The agenda items were reviewed and discussed.

City Attorney, Shane Topham, described the new appointee procedure. He reported that the Community Development Renewal Agency Chief Executive Officer has traditionally been the City Manager and the City would need to appoint a Treasurer, which was previously filled by the City's Finance Director. He explained that Resolution 2018-06 would approve the appointment of Tim Tingey as the Agency's CEO and Scott Jurges as Treasurer. Resolution 2018-07 approves a State Statute that requires the CDRA Board to authorize preparation of an amendment to a previously adopted project area plan. He stated that Resolution 2018-67 described the elected officers and those appointed Must be covered by a third-party fidelity bond to ensure they are honest especially in financial dealings with City funds.

### **3.0 City Council and Staff Reports.**

#### **a. Discussion of Sustainability Policy – Alene Bentley and City Manager Tim Tingey.**

Alene Bentley from Rocky Mountain Power reported that they have been aggressive in their move to adopting more renewable clean energy. In the late 1980s, Utah Power merged with Pacific Power which brought in hydroelectric power. As a six-state company, all of those resources are shared. Renewable energy was discussed. Ms. Bentley explained that there are currently 45,000 customers who are purchasing renewable energy in 100-kilowatt hour blocks. Last year they built a 20-megawatt solar arm in Millard County that is fully subscribed with a waiting list. They are in the midst of energy vision 20/20 and will be adding 150 megawatts of new wind. They are currently repowering over 900 megawatts of existing wind. She commended the City for looking to the future to reach their goals. The municipal goal will be easily met with a grant from the Blue Sky Renewable Energy Program and the subscribers' solar program.

Lindsey Bebe, a Sierra Club representative, indicated that she has been working for the last four years to transition Utah to a clean energy state. She stressed the importance of coal economics as compared to current renewable resources. Renewables are now cheaper than coal and she emphasized its importance in understanding how to transition to taking care of workers and communities that rely on these resources. IRP statistics were reviewed.

Mayor Peterson thanked Mses. Bentley and Ms. Bebe for their efforts and suggested further discussion take place during the December 18, 2018 business meeting.

#### **b. ADU's Resolution Discussion - Community Development Director Michael Johnson.**

Community Development Director, Michael Johnson, presented a brief report and stated they have held five City Council Meetings, five Planning Commission Meetings, and one joint meeting where feedback was received. They refined the draft to the point that they feel they have addressed many of the concerns. Allowances were reviewed.

#### **c. Transportation Choice Fund Priorities - Community Development Director Michael Johnson.**

#### **d. Storm Drain Reimbursement ILA Agreement - Public Works Director, Matt Shipp.**

Public Works Director, Matt Shipp, reported that along the south side of Brighton High School the City's water is creating an issue with the construction of the new baseball field. A storm water system is needed. Possible solutions were described. Mr. Shipp stated they have received a cost estimate and have agreed to the unit pricing. An Interlocal Agreement was to be presented for approval at the next Business Meeting.

#### **e. TRCC Grant Extension – Public Works Director, Matt Shipp.**

**4. Review of Calendars and Upcoming Events.**

**Council Member Schedules for the Next Week - 2018 Calendar:**

- a. November 14 – 8 to 9 a.m. - Cottonwood Connect.
- b. November 22-23 City Offices closed for Thanksgiving Holiday.
- c. November 22 - 9 a.m. - Thanksgiving 5K @ CH Recreation Center.
- d. November 26 – 5 p.m. to 7:30 p.m. - “Light Up the Heights” Tree Lighting.
- e. December 3 – 7:30 p.m. – Holiday Concert – Butler Middle School.
- f. December 12 – 8 a.m. to 9 a.m. – Cottonwood Connect.
- g. December 14 – Noon to 2 p.m. - Sub for Santa.
- h. December 24-25 City Offices closed for the Christmas Holiday.
- i. January 28, 2019 & April 22, 2019 – 7:30 p.m. – Masterworks Concerts – Butler Middle School.

**5. CLOSED MEETING**

At 9:22 p.m. Councilmember Mike Shelton moved to move to a Closed Meeting to discuss the Character and Professional Competence or Physical or Mental Health of an Individual. The motion was seconded by Councilmember Scott Bracken. All Yes. The motion passed unanimously.

At 11:22 p.m. Councilmember Scott Bracken moved to close the Closed Meeting, resume the Work Session and adjourn. The motion was seconded by Councilmember Mike Shelton. All Yes. The motion passed unanimously.

**6. ADJOURN**

The meeting adjourned at approximately 11:22 p.m.

**MINUTES OF THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY HELD  
TUESDAY, NOVEMBER 13, 2018 AT 6:30 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, Council Member Christine Mikell

**Staff Present:** City Manager Tim Tingey, Finance and Administrative Services Director S. Scott Jurges, City Attorney W. Shane Topham, City Recorder Paula Melgar, Police Chief Robby Russo, Police Lieutenant Dan Bartlett, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Public Relations Specialist Dan Metcalf

**Excused:** Council Member Tali C. Bruce

**1.0 WELCOME**

Mayor Peterson welcomed those in attendance.

**2.0 ACTION ITEMS**

**2.1. Consideration of Resolution 2018-06 Electing Officers and Appointing Staff.**

Mayor Peterson reported that the above Resolution appoints Tim Tingey as the Agency's Chief Executive Officer and Scott Jurges as the Agency's Treasurer.

City Attorney, Shane Topham, reported that the CEO position has traditionally been held by the City Manager and the Treasurer has been filled by the City's Finance Director. This would also approve and ratify all of the Agency's current officers and staff.

**MOTION:** Council Member Bracken moved to approve Resolution 2018-06. The motion was seconded by Council Member Shelton. Vote on motion: Council Member Bracken-Aye, Council Member Mikell-Aye, Council Member Shelton-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**2.2 Consideration of Resolution 2018-07 Authorizing Preparation of an Amendment to the Project Area Plan for the Canyon Centre CDA.**

Mayor Peterson reported that the above Resolution authorizes preparation of an amendment to the Project Area Plan for the Canyon Centre CDA.

Mr. Topham reported that the Project Area Plan has not been amended since 2011. It is anticipated it will be on for public hearing and then for potential approval on December 18, 2018.

**MOTION:** Council Member Shelton moved to approve Resolution 2018-17. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Bracken-Aye, Council Member Mikell-Aye, Council Member Shelton-Aye and Mayor Peterson-Aye. The motion passed unanimously.

### **2.3 Approval of November 13, 2018 Minutes.**

The Agency's Board will approve the minutes of their November 13, 2018 meeting through the following process. The recorder will prepare the minutes and email them to each member. The members will have five days to review the minutes and provide any changes to the Recorder. If, after five days there are no changes, the minutes will stand approved. If there are changes within those five days, then the process will be repeated until the changes are made and the members are in agreement. At that time the minutes shall be deemed approved by the board.

### **3.0 ADJOURN CDRA MEETING**

**MOTION:** Council Member Bracken moved to adjourn. The motion was seconded by Council Member Mikell. The motion passed with the unanimous consent of the Council.

The CDRA Meeting adjourned at 6:41 p.m.

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING  
HELD TUESDAY, NOVEMBER 13, 2018 AT 7:03 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, Council Member Christine Mikell

**Staff Present:** City Manager Tim Tingey, Finance and Administrative Services Director S. Scott Jurges, City Attorney W. Shane Topham, City Recorder Paula Melgar, Police Chief Robby Russo, Police Lieutenant Dan Bartlett, Community and Economic Development Director Michael Johnson, Public Works Director Matt Shipp, Public Relations Specialist Dan Metcalf

**Excused:** Council Member Tali C. Bruce

**Others:** Police Officer Kyler Burroughs, Boy Scout Staten Sparks

**BUSINESS MEETING**

**1.0 WELCOME/PLEDGE**

Mayor Peterson called the meeting to order and welcomed those present.

The Pledge of Allegiance was led by Boy Scout Staten Sparks.

Mayor Peterson explained that the local news station reported Cottonwood Heights would be holding a public hearing regarding the Wasatch Boulevard Master Plan. He explained that as a City, they are not aware of that report and it was unclear as to where the news received that information.

Community Development Director Michael Johnson confirmed there is nothing scheduled for discussion or vote regarding the Wasatch Boulevard Master Plan. The plan is not a development itself, a decision on this plan does not constitute the ability to built tall buildings or widen roads. The plan is a long-range planning vision for the east bench of the City that gives its officials a tool and guidelines for that area.

**2.0 ACKNOWLEDGMENTS**

**2.1 Introduction of Officer Kyler Burroughs by Police Chief Robby Russo and Administration of Oath of Office.**

Chief Russo introduced the newest member of the Cottonwood Heights Police Department, Officer Kyler Burroughs. He appreciated Officer Burroughs' exceptional character and welcomed him and his family to the Cottonwood Heights Police Department.

The Oath of Office was administered by City Recorder, Paula Melgar.

Officer Kyler Burroughs reported that he comes with 1 ½ years' experience and was previously employed at the airport. He was excited to serve and protect the citizens of Cottonwood Heights.

### **3.0 CITIZEN COMMENTS**

Robert Jacobs believed the Accessory Dwelling Unit item (ADU) is really just a license to have a duplex and allows two separate families to live in the same house. He expressed concern with the increase in traffic and parking. He suggested that ADUs be treated similar to a rental property.

Nancy Hardy raised the question of who represents the citizens in enforcing the City's codes and ordinances. She asked why they are not advised of rules and expectations from the beginning.

Eric Kraan was disappointed that the assisting ability issue was removed from the agenda. He encouraged the review of Vision Zero.

Larry Davis asked if Rocky Mountain Sustainability Meetings are open to the public.

John Kennington asked the Council to advance and adopt the proposed Clean Energy and Sustainability policy. He was in full support of the policy and believed it speaks to how power is generated and distributed in the region, which is directly related to addressing two of the most environmental problems. He asked if the proposal to change the zoning designations to several properties along Fort Union Boulevard has advanced.

Jenny Nazzaro expressed her support for the Sustainability Policy. She was concerned about the Wasatch Development Plan and entering onto Wasatch Boulevard from her neighborhood. She supported the reduction in speed and the pedestrian multi-use pathway.

Chuck Brainerd supported the Sustainability Policy. With four ski resorts near the City, he encouraged the City Council to vote in favor of the Resolution and possibly strengthen the language.

Greg Schiffman was alarmed by the fact that Cottonwood Heights has allowed massive development along Wasatch Boulevard. He believed that such development will have a negative impact on the Canyons and destroy part of the Wasatch. He believed that the transportation solution falls short by being too conservative. Widening will only delay the inevitable of turning it into a traffic nightmare. He recommended working with the resorts and legislature to find a permanent solution to addressing a transportation solution.

Lynne Kraus expressed support for the Sustainability Policy and commended Cottonwood Heights for leading the way. She believed it sets a positive example for surrounding cities. She appreciated the glass recycling bin and the support of the residents.

Emily \_\_\_\_\_ was agreeable to reducing the speed along Wasatch Boulevard. She expressed concern with the widening of Wasatch Boulevard and remaining environmentally conscious.

#### **4.0 STANDING MONTHLY REPORTS**

##### **4.1 Police Report – Police Lieutenant, Dan Bartlett.**

Police Department Lieutenant, Dan Bartlett, presented the Police Report for the month of October and stated that they received 1,699 calls for service with 433 on-view calls. Priority 1 response times averaged 4:30. The overall crime report was down for the month and there were 126 arrests. There was an increase in traffic citations and warnings were being issued in an effort to reduce the number of accidents in the City. There was also an increase in traffic accidents. Lieutenant Bartlett reported that there have been six Narcan saves, three attended deaths, and one unattended death. They participated in Red Ribbon Week where they provided a K-9 and SWAT truck demonstration. The safety message included being attentive when having packages delivered. He recommended tracking items and retrieving them quickly as it is Christmas time and theft is high.

##### **4.2 Public Works Report – Public Works Director, Matt Shipp.**

Public Works Director, Matt Shipp, presented the Public Works Report for the month of October and stated that the fence around the Public Works yard has been installed to allow for storage. The glass recycling bin has been placed and is getting a great deal of use. Preparations for snow plowing were underway and four new plow drivers have been hired. Ongoing projects included Grandeur Circle and Pine Rock Circle storm drainage. The Giverny Development has plans to restripe within the week. Staff was unsure of the progress on the High T intersection. Mr. Shipp noted that all main streets, crossings, and fog lines have been striped throughout the City and all signs along Racquet Club Drive have been installed and are receiving a positive response.

Council Member Mikell stated that at one point they had discussed having a committee of residents. She asked if that is still a consideration.

Mr. Johnson was not sure if that had occurred but stated that it certainly could be.

#### **5.0 ACTION ITEMS**

##### **5.1 Consideration of Ordinance 309 Approving Master License Agreement with ExteNet Systems, Inc.**

Mayor Peterson reported that the above Ordinance approves a Master License Agreement with ExteNet Systems, Inc. for the right to install, maintain, and operate “small cell” wireless facilities in the City’s right-of-way as authorized by SB 189 enacted by the 2018 Utah Legislature.

**MOTION:** Council Member Shelton moved to approve Ordinance 309. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Mikell-Aye, and Mayor Peterson-Aye. The motion passed unanimously.

**5.2 Consideration of Ordinance 310 Granting Amended and Restated Telecommunications Franchise to ExteNet Systems, Inc.**

Mayor Peterson reported that the above Ordinance grants an Amended and Restated Telecommunications Franchise to ExteNet Systems, Inc. to install a fiber-optic cable telecommunications system in the City's right-of-way to service future "small cell" facilities authorized by SB 189 enacted by the 2018 Utah Legislature.

**MOTION:** Council Member Bracken moved to approve Ordinance 310. The motion was seconded by Council Member Mikell. Vote on motion: Council Member Bracken-Aye, Council Member Shelton-Aye, Council Member Mikell-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.3 Consideration of Resolution 2018-67 Approving Statutory Bonds for Elected and Appointed Officers.**

Mayor Peterson reported that the above Resolution approves statutory bonds for elected and appointed officers for the City.

**MOTION:** Council Member Mikell moved to approve Resolution 2018-67. The motion was seconded by Council Member Bracken. Vote on motion: Council Member Bracken-Aye, Council Member Shelton, Council Member Mikell-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**5.4 Consideration of Resolution 2018-68 Approving Entry into An Amendment to the Interlocal Agreement with Salt Lake County for the Grant of TRCC Funds for Improvements to Mountainview Park.**

Mayor Peterson reported that the above Resolution approves entry into an amendment to the Interlocal Agreement with Salt Lake County for a grant of TRCC Funds for improvements to Mountainview Park in the amount of \$105,000.

**MOTION:** Council Member Bracken moved to approve Resolution 2018-68. The motion was seconded by Council Member Shelton. Vote on motion: Council Member Bracken-Aye, Council Member Shelton, Council Member Mikell-Aye, Mayor Peterson-Aye. The motion passed unanimously.

**6.0 CONSENT CALENDAR**

**6.1 Approval of the City Council Business Meeting Minutes of June 19 and October 23, 2018. Also, Approval of the Work Session Minutes of August 28 and 31, September 4, 9 and 18, and October 2, 9 and 23, 2018.**

**MOTION:** Council Member Shelton moved to approve City Council Business Meeting Minutes of June 19 and October 23, 2018, the Work Session Minutes of August 28 and 31, September 4, 9 and 18, and October 2, 9 and 23, 2018. The motion was seconded by Council Member Mikell. The motion passed with the unanimous consent of the Council.

## **7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**

**MOTION:** Council Member Bracken moved to adjourn the Business Meeting. The motion was seconded by Council Member Shelton. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 8:05 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, November 13, 2018.*

Teri Forbes

Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes Approved: December 18, 2018