

MINUTES OF THE CITY COUNCIL MEETING HELD DECEMBER 30, 2008 AT 7:00 P.M.
IN THE CITY COUNCIL CHAMBER.

MEMBERS PRESENT: Mayor Kelvyn H. Cullimore, Councilman Don Antczak,
Councilman Scott Bracken, Councilman Bruce Jones, Councilman Gordon Thomas

STAFF PRESENT: City Manager Liane Stillman, City Attorney Shane Topham, Deputy City
Manager Kevin Smith, Planning Director Michael Black, City Treasurer Gary Harmer, Finance
Director David Muir, Police Chief Robby Russo, Assistant Chief Paul Brenneman, Public
Relations Specialist Bob Warnick, Chief Mike Watson

ALSO PRESENT: Stephanie Archibald, Russell Olsen, Mr. & Mrs. Dirk Hooiman, Dan Nixon,
Mike Roe

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Cullimore opened the meeting at 7:00 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was led by Councilman Jones.

2.0 CITIZEN COMMENTS

2.1 No citizen comments were received.

3.0 REPORTS/PRESENTATIONS/PROCLAMATIONS

3.1 Unified Fire Report

3.1.1 Assistant Chief Watson reviewed the statistics for November 2008. There were 63 fire
calls compared to 70 in November 2008 and 162 medical calls compared to 152 last year.
He reminded people to discard their trees due to dryness and increased flammability, and
to keep candles, matches and lighters out of the reach of children.

Chief Watson went over the customer service message for Stations 110 and 116.

3.2 November Financial Report

3.2.1 Finance Director David Muir reviewed the November financial report. Mr. Muir said
that the annual financial statement preparation is complete and the ending fund balances
from the prior year-end are reflected in the November report. He also noted that most
property taxes will be collected over the next month and that sales tax collections are two
months behind the merchant's collection.

City Treasurer Gary Harmer told the Council that he is tracking the sales tax estimates
and the point of sale is up, probably because of the kind of businesses that are located
within the City.

3.3 Presentation of Audit Report for FY08

- 3.3.1 Russell Olsen, Larson & Rosenberger, reviewed the Independent Auditor's Report and Management Letter. The Auditor's Report states that the financial statements have been audited and an opinion issued that the statements are presented fairly in all respects and are materially correct.
- 3.3.2 Mr. Olsen also explained that auditing standards require the auditor to report on compliance and internal controls. There were no instances of non-compliance in the audit testing in accordance with government auditing standards. However, there were some follow up items of internal control from last year and one significant deficiency related to proper recording of assets. That problem related to properly booking the value of the roads and infrastructure inherited from the county. Dave Muir identified some errors in that process and corrected them. Even though the error was found by our staff and not the County, it is reported as a significant deficiency because it relates to a prior year.
- 3.3.3 Mayor Cullimore noted that the Audit Committee met yesterday and received a detailed report from the auditors and reviewed all control deficiencies.

4.0 PUBLIC HEARINGS

4.1 Public Hearing to Receive Input on an Amended Budget for the Period of 1 July 2008 Through 30 June 2009

- 4.1.1 Mayor Cullimore opened the public hearing.
- 4.1.2 Gary Harmer reviewed the proposed amendments to the FY08-09 budget. He explained that in the past the city has done a budget amendment at the end of the year. However, because of the high interest in the City's new police department, the Council wanted to make sure that residents knew how the department was progressing since its inception. Most of the adjustments relate to the police department. Mr. Harmer distributed a summary of the changes to the current year budget which are as follows: salaries and wages increased by \$190,389 because two additional employees were hired than was originally contemplated; contracted services increased \$50,521 for recruitment costs; police supplies including firearms, tasers, ammunition, vests; office supplies, computer hardware and software, telephones, was under budgeted by \$258,247; gasoline, oil, equipment, fleet repairs, extra vehicles and radios was under budgeted by \$118,765. Mr. Harmer noted that even with these adjustments the actual costs are still in line with the original feasibility study.
- 4.1.3 No comments were received from the public.
- 4.1.4 Mayor Cullimore closed the public hearing.

5.0 ACTION ITEMS

5.1 **Consideration of Ordinance No. 131 rezoning Approximately 1.62 Acres of Real Property Located at 6723, 6753 and 6761 South 1300 East from Neighborhood Commercial to Mixed Use and Amending the Zoning Map (a/k/a Cubes Self Storage Zone Change)**

5.1.1 City Planner Michael Black explained that the proposed ordinance is to rezone property on approximately 1300 East 6700 South from Neighborhood Commercial to Mixed Use. He stated that there has been much input from the residents in this area. The Planning Commission and staff recommend approval of the zone change because they believe it is appropriate for this area.

5.1.2 Dan Nixon, applicant, stated that he owns and operates seven other storage facilities like the one being proposed. He has met with neighbors about this concept and has support from the neighborhood for the proposed use.

5.1.3 Mayor Cullimore expressed appreciation to the applicant for the efforts that have been made with the residents in the area.

5.1.4 Dirk Hooiman told the Council that the process was very transparent and the neighborhood coalesced on the proposed development and obtained signatures from those abutting the property so that the Council would know that they spoke with one voice in support of this zone change.

5.1.5 Councilman Thomas noted that there have been certain commitments made to the neighbors by the applicant that he expects to be honored. The neighbors present noted that some of the promises have already been fulfilled.

5.1.6 **MOTION:** Councilman Antczak moved to adopt Ordinance No. 131. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

5.2 **Consideration of Ordinance No. 132 Establishing a Schedule for Regular Meetings of the Council, the Planning Commission and the Board of Adjustment**

5.2.1 Councilman Bracken moved to adopt Ordinance No. 132. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

5.3 **Consideration of Resolution No. 2008-74 Consenting to Reappointments to the Cottonwood Heights Historic Committee**

5.3.1 Councilman Antczak moved to approve Resolution No. 2008-74. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

5.4 Consideration of Resolution No. 2008-75 Consenting to Appointments to the Board of Adjustment

5.4.1 Councilman Antczak moved to approve Resolution No. 2008-75. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

5.5 Consideration of Resolution No. 2008-76 Consenting to an appointment to the Architectural Review Commission

5.5.1 Councilman Thomas moved to approve Resolution No. 2008-76. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

5.6 Consideration of Resolution No. 2008-77 Adopting an Amended Budget for the Period of 1 July 2008 Through 30 June 2009

5.6.1 Councilman Bracken moved to approve Resolution No. 2008-77. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

5.7 Consideration of Resolution No. 2008-78 Ratifying an Independent Contractor Agreement for Design and Modification of a City Trailer

5.7.1 Councilman Antczak moved to approve Resolution No. 2008-78. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

5.8 Consideration of Resolution No. 2008-79 Approving a Memorandum of Understanding with Utah Department of Corrections for Sexual Assault Felony Enforcement

5.8.1 Councilman Jones moved to approve Resolution No. 2008-79. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

6.0 CONSENT CALENDAR

6.1 Approval of November 18 and December 9, 2008 Minutes

6.1.1 The minutes were approved as submitted.

7.0 ADJOURNMENT

7.1 Councilman Antczak moved to adjourn the business meeting and reconvene the work session. The motion was seconded by Councilman Thomas and passed unanimously on a voice vote. The business meeting adjourned at 8:15 p.m.