

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY, OCTOBER 11, 2011, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS**

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

Staff Present: City Manager Liane Stillman, Administrative Services Director Linda Dunlavy, Police Support Specialist Sheila Jennings, Public Works Director Mike Allen, City Attorney Shane Topham

ALSO PRESENT:

**1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

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

1.2 Mayor Cullimore led the Pledge of Allegiance.

1.3 Councilman Bracken introduced Natalie Callahan, Youth City Council representative. Natalie serves as a representative on the Planning Commission.

**2.0 CITIZEN COMMENTS**

2.1 Ron Fullmer commended the Council for selecting Mike Peterson to represent District 3. He said that he has worked closely with Councilman Peterson on the Butlerville Days Committee in the past.

2.2 Terry Matson, Ridgecrest Elementary School Principal, expressed appreciation to the Police Department, Unified Fire Authority and City Council for the support they have given the school. Ms. Matson said she enjoys working in a city where she receives so much support and where the Police Department is exceptional and helpful with a variety of situations that occur. She noted that Officer Galieti serves as the school resource officer and goes above and beyond in helping support the school and assisting with traffic issues on a daily basis. UFA recently assisted when an aerial photo of the school was taken. Ms. Matson submitted cards written by students to police officers, firemen, and members of the City Council.

**3.0 APPOINTMENT OF NEW COUNCIL MEMBER**

**3.1 Consideration of Resolution No. 2011-40 Approving an Appointment to Fill a Mid-Term Vacancy on the Cottonwood Heights City Council**

3.1.1 Mayor Cullimore explained that the proposed resolution needs to be passed in order to formally appoint Mike Peterson as the new District 3 city council member. Nicole Omer, who was elected to represent District 3, resigned her position to accept employment out-of-state. Twelve individuals applied for the vacant position, and all were qualified to serve. Each candidate submitted a letter of application and a resume, interviews of all applicants were held and Mr. Peterson was selected to fill the unexpired term.

3.1.2 **MOTION:** Councilman Bracken moved to approve Resolution No. 2011-40, approving an appointment to fill a mid-term vacancy on the Cottonwood Heights City Council. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

- 3.1.3 Councilman Tyler pointed out that this is the first time in the short history of Cottonwood Heights City that a City Council Member has been appointed. He considered Mike Peterson to be a very good choice to serve.

### 3.2 **Administration of the Oath of Office to Mike Peterson**

- 3.2.1 Judge Robin Reese administered the Oath of Office to Mike Peterson. Councilman Peterson introduced his family before taking his place on the stand with the Council. He thanked the Mayor and City Council Members for their vote of confidence and support.

## 4.0 **REPORTS/PRESENTATIONS/PROCLAMATIONS**

### **Standing Monthly Reports**

#### 4.1 **September Police Report**

- 4.1.1 Police Support Specialist Sheila Jennings, presented the September Police Report. She reported that the Police Banquet was held and awards presented. Data pertaining to calls for service by source was presented with 9-1-1 and phone-in calls remaining steady. It was noted that there was a significant increase in the number calls for service over the previous year. Response times remained under five minutes for Priority 1 calls and continue improving for Priority 2 and 3 calls. The overall UCR crime view was presented. Homicide statistics were reported and remained at zero until September when negligent homicide charges were filed against a mother whose seven-month old infant drowned.

Ms. Jennings reported that burglaries decreased substantially in August, which was due in part to an arrest made by Detective Davies. Three people were arrested and at least ten other persons were linked to the burglary ring. Burglaries occurred in Cottonwood Heights, Sandy, Millcreek, Bluffdale, South Jordan and Orem and over \$100,000 in property were stolen.

Ms. Jennings reported that the new police officers are doing an outstanding job. Traffic citations and DUIs were at an all time high of 31 for the month September. The DEA-sponsored Drug Take Back event is scheduled for October 29 in the Target parking lot from 10:00 a.m. to 2:00 p.m. The intent is to remove expired or unused prescriptions and over-the-counter drugs from homes and safely dispose of them.

#### 4.2 **Quarterly Victim Advocate Report**

- 4.2.1 This report was postponed to a future meeting.

#### 4.3 **Monthly Public Works Report**

- 4.3.1 Public Works Director, Mike Allen, reported that the overlay on Fort Union completes the asphalt work for this fiscal year. With regard to the ADA ramp project that Mr. Buxton referenced in his comments, Mr. Allen said that typically the city does work in an area where a need has been expressed, but no requests have been received this year. New cross gutters were poured in the Greenfield area and one more is planned for the 3000 East area.

Mr. Allen reported that the East Jordan Canal Project was bid and the agreement is in the process of being completed. The water will come out of the canal and will be shut off on October 15. Construction will then commence two weeks later and is expected to take 120 days.

Mr. Allen reported on the Salt Lake County Public Works and Street Sweeping contracts

Mr. Allen reported on the City's Street Lighting Program noting that a street light was recently installed on Valiant Drive which the residents felt was too bright. In response, the city will install a new fixture and reduce the size of the light. A street light has also been installed on Deer Creek Road and Vera Circle as requested.

A complete copy of the public works report is available on the City's webpage.

## 5.0 ACTION ITEMS

### 5.1 Consideration of Ordinance No. 183 Repealing Chapter 5.78 "Scavengers" and Enacting Chapter 9.35 "Scavenging" of the Cottonwood Heights Code of Ordinances

5.1.1 Mayor Cullimore explained that the city regularly receives complaints from residents about people scavenging in the dumpsters. When the City was incorporated, the City adopted an ordinance which was a carryover from the County that allowed for a license to scavenge. As a result, police officers began to stop people and ask for their license. Many then began to apply for a license that the City was not set up to issue. As a result, the City Council decided to make the verbiage in the city code consistent with the signage on the dumpsters, which is that items deposited in dumpsters are property of Salt Lake County and scavenging is prohibited.

5.1.2 **MOTION:** Councilman Tyler moved to approve Ordinance No. 183 repealing Chapter 5.78 and enacting Chapter 9.35 of the Cottonwood Heights Code of Ordinances. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

### 5.2 Consideration of Ordinance No. 184 Amending Title 12 "Subdivisions"

5.2.1 Mayor Cullimore explained that Ordinance 184 involves a technical cleanup of Title 12 relating to subdivisions.

5.2.2 City Attorney Shane Topham said that periodically various titles in the Code of Ordinances are reviewed to make sure they conform to the law and practices. A periodic review was conducted of Title 12 concerning subdivisions and changes were made to bring it into compliance.

5.2.3 **MOTION:** Councilman Thomas moved to approve Ordinance No 184 amending Title 12. The motion was seconded by Councilman Peterson and passed unanimously on a roll call vote.

### 5.3 Consideration of Resolution No. 2011-41 Approving Entry into an Interlocal Cooperative Easement Agreement with Murray City for the Big Cottonwood Trail

5.3.1 Mayor Cullimore told the Council that the proposed agreement is significant and has taken a long time to negotiate. He expressed appreciation to City Manager Liane Stillman and City Attorney Topham for the work they have done to negotiate the agreement. He explained that the trail goes through the McGee Springs area, which is the water source for Murray City and they are understandably protective of the area. The City has reached an agreement that will allow the City to have an easement through McGee Springs for the Big Cottonwood Trail going under Wasatch Boulevard and coming out near the park and ride on the other side. Appreciation was extended to

the City of Murray for their cooperation and those involved in facilitating the agreement on behalf of Cottonwood Heights.

Ms. Stillman reported that the funding comes from a federal grant.

Mr. Topham stated that the initial term is 10 years after which it automatically rolls for one-year periods. Murray City has the option to terminate if they feel their water shed is being jeopardized.

- 5.3.2 **MOTION:** Councilman Tyler moved to approve Resolution No. 2011-41 approving entry into an Interlocal Cooperative Easement Agreement with Murray City for the Big Cottonwood Trail. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

6.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**

- 6.1 **MOTION:** Councilman Peterson moved to adjourn the Business Meeting and reconvene the Work Session. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote. The business meeting adjourned at 8:00 p.m.