

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY, FEBRUARY 23, 2010, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS**

**Members Present:** Mayor Kelvyn Cullimore, Councilman Scott Bracken, Councilwoman Nicole Omer, Councilman Gordon Thomas, Councilman Tee Tyler

**Staff Present:** City Manager Liane Stillman, Deputy City Manager Kevin Smith, City Attorney Shane Topham, Finance Director Steve Fawcett, Chief Robby Russo, Assistant Chief Mike Watson, Public Information Specialist Bob Warnick, Administrative Services Director Linda Dunlavy, Planning Director Michael Black

**Also Present:** Ron Fullmer, Heath Lowry, Joe Scott, Everet Bulkey

**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 Tyler.

**2.0 CITIZEN COMMENTS**

2.1 There were no citizen comments.

**3.0 REPORTS/PRESENTATIONS**

**3.1 Monthly Financial Report – Finance Director Steve Fawcett.**

3.1.1 Mr. Fawcett presented the monthly financial report for the period ending January 31, 2010. He pointed out that the majority of property taxes have been received by the city and the final reconciliation was expected the end of March including final delinquencies from prior years. He estimated the collection rate to be close to 98%. Mr. Fawcett commented that sales tax collection is two months behind. He reported that the State Tax Commission discovered an error where telecommunications companies reported sales taxes collected as county sales tax rather than local sales tax and the necessary adjustment will be made.

There are currently no problems or issues with departmental budgets with regard to the rate of expenditure and all are still within budget. He expected there to be some savings at year end that will enhance the fund balance or help offset revenue deficiencies.

**3.2 Monthly Unified Fire Report.**

3.2.1 Assistant Chief Mike Watson presented the January 2010 fire report. January 2007 had the most fire calls for a January in recent years and noted that 2007 and 2008 were both big years for medical calls. January 2010 had the lowest number of fire calls seen to date. In January there were 14 traffic accident calls, 11 traumatic injury calls, and 10 falls. Assistant Chief Watson reported that the ban has been lifted on station tours. Anyone desiring a tour was encouraged to contact him directly.

Chief Watson reviewed the safety message which centered around cooking and heating, which are the leading causes of fire and injury. He also reviewed the customer services message for Stations 110 and 116 was given.

- 3.2.2 In response to reports that there has been some crossover in Midvale and Murray, Chief Watson stated that multi-agency training is underway and they are currently in the process of securing a commercial building in Sandy.

#### 4.0 ACTION ITEMS

##### 4.1 Consideration of Ordinance No. 153 Amending Chapter 19.76 “Supplemental and Qualifying Regulations.

- 4.1.2 Mayor Cullimore explained that the proposed ordinance deals primarily with rear setbacks in the R-1 zones. When the city incorporated, the county ordinances were adopted which allowed for 15-foot rear setbacks. Subsequently, because of the way new homes were being built, staff recommended the setback be increased to 20 feet. Citizens protested because they thought the change would create a hardship, particularly to the owners of corner lots.

- 4.1.2 City Planner Michael Black reported that staff proposed a city-initiated ordinance amendment that was reviewed by the Planning Commission and they recommended denial to the city council.

- 4.1.3 Councilwoman Omer stated that the process was lengthy and stressed that the issue was thoroughly considered.

- 4.1.4 Councilman Bracken reported that there was a height requirement, which he considered an asset for redevelopment.

- 4.1.5 Planning Commissioner Joe Scott reported that he voted for the change because he did not feel the issue had been properly vetted. He believed that the majority of property owners in the city purchased their land more than five years ago and did so with the understanding that they had a 15-foot setback. He proposed to the planning commission that the word “corner” be removed.

- 4.1.6 **MOTION:** Councilman Bracken moved to approve Ordinance Number 153. The motion was seconded by Councilwoman Omer and passed unanimously on a roll call vote.

##### 4.2 Consideration of Resolution No. 2010-09 Adopting a One-Year Action Plan for FY-10-11 Community Development Block Grant and Authorizing an Interlocal Cooperation Agreement Between Cottonwood Heights, the U.S. Department of Housing and Urban Development and Other Governmental Entities.

- 4.2.1 City Manager Liane Stillman explained that every year the federal government awards Community Development Block Grants (CDBG) that are designed to benefit disabled and low-income individuals. The city receives about \$88,200 that must be spent according to federal guidelines. The city council has the discretion to award 15% to worthy non-profit organizations of which there were 10 applicants. The city council took input at the last meeting and held a work session discussion on how to expend the 15%. The remainder of the money will be used to fund a senior citizen facility using CDBG funds received over multiple years.

- 4.2.2 Mayor Cullimore stated that the allocation determined by the council was as follows:

ASSIST - \$8,500  
YWCA Women's Shelter - \$1,000  
The Road Home Midvale Shelter - \$2,500  
Rape Recovery Center - \$500  
Utah Food Bank 2-1-1- \$1,000  
Utah Food Bank Food Box - \$2,000

The mayor reported that the balance will go toward the city project.

- 4.2.3 **MOTION:** Councilman Thomas moved to adopt Resolution Number 2010-09. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote.
- 4.3 **Consideration of Resolution No. 2010-10 Approving a Grant from the Utah State Arts Council for FY10-11.**
- 4.3.1 Ms. Stillman stated that the Utah State Arts Council is anticipating producing a city performance this summer and are anxious to begin receiving funding. She noted that the city did not have a formal arts council until one year ago. In a separate matter, the city qualified for a humanities grant and ZAP money that was used for arts purposes.
- 4.3.2 **MOTION:** Councilman Tyler moved to adopt Resolution Number 2010-10. The motion was seconded by Councilwoman Omer and passed unanimously on a roll call vote.
- 5.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**
- 5.1 **MOTION:** Councilman Thomas moved to adjourn. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote. The business meeting adjourned at 7:40 p.m.