

MINUTES OF THE CITY COUNCIL MEETING HELD OCTOBER 30, 2007, AT 7:05 P.M., IN THE
COTTONWOOD HEIGHTS CITY COUNCIL CHAMBER

MEMBERS PRESENT: Mayor Kelvyn 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, Public Relations Specialist Bob Warnick, City Treasurer Gary Harmer, John Lovato, Finance Director David Muir

OTHERS PRESENT: Robby Russo, Mike Watson, John Fassett, Larry & Beverly Jensen, Mike Peterson, Debbie Tyler, Mr. & Mrs. Carl Evans, Adam Ginsberg, Don Machin, Ron Fullmer, Stephanie Archibald, Mike Falk, Don & Jerri Harwell, Dana Adams, Terry Homel, Frederick Scott, Tim Misewicz, Janet Janke, S. Richards, Karen McCoy, Chantel McCoy, R. McCoy, Stephen Smith, Jorden Smith, Jennifer Homel, Joe Bowers, Stephanie & Dean Perry, Susan Bowers, Veronica & Dean Perry, Helena Duncan, Clare Duncan, Victoria Bornes, Mary Nestle, Lisa Homel, Angie McFarland, Susan Stewart, Greg Stewart, Dallas Larson, Karl & Mary Wall, Danette Kennelly, Mary Wall, Steve Remeneski, Mr. & Mrs. Kevin Cromar, Garrett Dixon

1.0 **WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

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

1.2 The Pledge of Allegiance was led by Councilman Don Antczak.

2.0 **CITIZEN COMMENTS**

2.1 No comments were received.

3.0 **PUBLIC COMMENTS**

3.1 **Public Comments on the Location, Concept and Design of a Proposed Dog Park at 8100 South Wasatch Blvd.**

3.1.1 Deputy City Manager Kevin Smith explained that since the City incorporated there have been requests for the City to look at a dog park. Various sites around the community were looked at and the one with most promise was on Wasatch Blvd., which is currently a local detention basin. Many believe this is a wetland area, but the basin was built incorrectly making the water pond and is not actually a historic wetland. A notice was published in the Valley Journal a year ago requesting input from residents about the concept of a dog park. In order to get as much input as possible, a mailing to 240 people was sent and much information was received.

3.1.2 Adam Ginsberg, Gilson Engineering, said that the City wants to make the dog park as enjoyable for residents as for dogs. They have looked at many ideas that have been used in coming up with this concept. He explained that the grass that is used tends to be destroyed within the first year or two of use and materials such as crushed limestone and softened granite are easy on the dogs' paws and provide good drainage. The park would include water stations and a walking path

around the entire property. The park would also include water features and agility equipment. He reviewed the proposed concept plan and explained that they are looking to the public for input so that the park is something that everyone can enjoy.

- 3.1.3 Garrett Dixon, Gilson Engineering, explained that the subject property functions as a detention facility and the design of the proposed dog park includes that function. Mr. Dixon reviewed a proposed landscaping design of the project.
- 3.1.4 Mayor Cullimore said that the City attempted to make one of the local parks an off-leash park and it was not successful. There were complaints from dog owners and from park patrons. Many pet owners in the City have commented that there is no where to go in the City for an off-leash opportunity for their pets, and trying to find a location has been challenging.
- 3.1.5 Mayor Cullimore opened the public comment period.
- 3.1.6 Don Machin stated that he lives above the subject property and suggested that the dog park be located behind the fire station on Wasatch Blvd. He said no one knows if this will work because the property is currently owned by the County.
- 3.1.7 Helena Duncan, told the Council she believes it would be a mistake to destroy the wetlands which is a wildlife habitat and open space area and pave it for a dog park. The total cost of the dog park would be over \$750,000 which is money that could be spent on something that everyone can enjoy. She recommended that the area be cleaned up so that it could be enjoyed by everyone.
- 3.1.8 Mary Wall, 3491 East Oakledge Road, believes the park and ride works in the area. In the past snow removal was inefficient due to cars being parked on the road and there were many times that the snow plows could not get through. She said that 100-120 cars park in this area and suggested the City talk to the resorts about the number of cars that use the parking. Ms. Wall is not opposed to a dog park, but believes it should not be at the expense of the park and ride.
- 3.1.9 Carl Wall, 3491 East Oakledge Road, said that he is pet owner but feels that now that the swamp lot has mature trees, cattails and some wildlife such as ducks, owls, raccoons and deer, it is more aesthetically pleasing than Astroturf. He believes the dog park should be built with the proposed city offices where it can be managed efficiently. Mr. Wall said that Wasatch Blvd. is a high speed road and it is not a good location.
- 3.1.10 Veronica Perry said that the City Council would be making a huge mistake by building a dog park in the wetlands. The goal of the dog park would be to support animals, and this location is between two major roads which would be potentially hazardous to the dogs that play there. It would also destroy an existing habitat for other animals. She suggested looking at the land behind the Cottonwood Heights Elementary School because it would be a safe place for dogs to run.
- 3.1.11 Susan Stuart, Parkridge Drive, said that she is opposed to the dog park and the money that would be spent. She said that for the last eight years she has been trying to get sidewalks finished on Parkridge Drive, 1700 East, Brookhill, 7200 South and Chris Lane. Safety for children is lacking and that is more important than a dog park. She asked that money go toward sidewalks for safety.

- 3.1.12 Frederick Scott, Sunny Oak Circle, lives at the north end of the proposed park and agrees with much of what has been said, but believes a dog park is a great idea. He likes the wetlands and does not want to get rid of any park and ride opportunities. He worries that if something is not done with this area it will eventually be commercialized. He stated that he would use the park as a pet owner and would support a wood fence instead of a metal fence. He also questioned whether Astroturf would be good to use.
- 3.1.13 Joe Bowers, said he does not want the dog park and the manicured look of a fence. He said that \$750,000 is a lot of money to spend and suggested the area be cleaned up and trees and vegetation native to Utah wetlands be planted.
- 3.1.14 Steve Romeneski, disagreed with the dog park at a cost of \$750,000 and asked if there is a possibility that the land would be developed commercially.

Mayor Cullimore said that if the County were to choose to sell the property anything could happen, but believes it is unlikely in the near future.

Councilman Bracken explained that the property is designated as a detention basin and the commercial applications would be limited. The drainage system is improperly constructed and half of the \$750,000 is to fix the problem that was created when it was misconstructured.

- 3.1.15 Bob Bonar, Cottonwood Heights resident and General Manager of Snowbird Ski Resort, said that the ski resorts believe that their methodology and financial investment into the creation of the park and ride lot were sound years ago and remain sound today. He said that they were willing to invest in the park and ride lot because the UTA bus system up Big and Little Cottonwood Canyons is important to the City and is environmentally friendly. He said that each of the resorts contributes significant dollars to the ongoing operation of the transit system and hopes the Council continues to recognize the value of the park and ride lot in this location. Mr. Bonar said that the resorts have been negligent in helping to make the area aesthetically pleasing and would be willing to participate in some type of plan.
- 3.1.16 Tim Mesowitz, stated that he likes the proposal but dislikes the proposed location for the dog park. People run their dogs off leash at the park behind the fire station which he believes would be a better location. He believes more could be done to communicate with the residents..
- 3.1.17 Terry Hummel, said she has had children at Canyon View Elementary for 16 years and none of them used lab alive. She sat on the Community Council when the decision was made not to continue to have a relationship with lab alive because there was no transportation and no restrooms; and the principal and teachers did not feel it was beneficial. She also expressed concern about the standing water.
- Councilman Jones noted that West Nile virus has not been a serious concern in Cottonwood Heights, but there have been incidences in surrounding communities.
- 3.1.18 Karen McCoy, said that as she has listened to the conversation and is concerned about how this type of issue becomes divisive. She questioned whether there are other options because there is justification for having an off leash park and that both sides have to compromise.

- 3.1.19 City Manager Liane Stillman stated the City has a large senior citizen demographic which is typically the demographic that are pet owners. The book *Micro Trends*, also gives the statistic that there are twice as many families with pets as there are with children. She said that the City has a responsibility to make sure there are places to separate pets and people and the input tonight will be helpful in making a determination of how to best address this issue.
- 3.1.20 Mike Peterson, Cottonwood Heights Parks and Recreation, explained that he manages the parks in the city and has dealt with the issue of dogs off-leash in Bywater Park. He expressed support for the concept of a dog park because of the daily problems and concerns when there are dogs off leash in people parks. He said that dog parks are the latest trend across the nation because as land becomes less available, dog owners are forced to move into people parks which is a conflict. 42 percent of all homes in the nation have dogs and the City needs to take some action to provide a place for them.
- 3.1.21 Crystal Owens, said that as a physician living across the street from the drainage area, she has not seen a mosquito problem and does not consider it a public safety hazard. She said the concept of a dog park is good, but is concerned with the park and ride which is well utilized during the winter. She does not want to see those cars parked in front of her home.
- 3.1.22 Stephanie Toby said that when Bywater was used as a dog park, it was nice to take the dogs out and let them run. She has been going behind the cemetery to run her dogs which is nice but costly to get burrs out of the dog's feet. She asked the Council to consider the park and take into consideration how much it would be used.
- 3.1.23 Louise McDonald said she has had the same experience as the previous speaker. She lives across the street from the proposed park and would love to see a dog park there or somewhere else. She agreed that the park and ride is needed.
- 3.1.24 Jennifer Hummel said she is appreciative that the Council is taking the needs of pet owners into consideration and would like a park close by. She said that dual use of the property for a detention basin and dog park is a great idea. Ms. Hummel said that she spends much of her tax money on schools and parks where she can't go because dogs are not allowed and the dog park would be a great place for dog owners to recreate with dogs responsibly. She suggested that the license fee be increased to hire someone to keep the park clean.
- 3.1.25 Michael Fryer asked if the area near the fire station property has been considered.
- Mayor Cullimore said every park is eligible for consideration as a dog park; it is a question of what park you take out of service for use by people so dogs can use the park without conflict.
- 3.1.26 Steven Smith, resident of unincorporated county said that as a dog owner he supports the concept. He said there may be a way to look at the how the drainage could be improved, maintain the wet lands in the corner, expand the parking lot and still have a dog park
- 3.1.27 Dana Adams said the area is too small and is needed for a park and ride area.
- 3.1.28 Shantaye McCoy asked if the wetlands will be eliminated if the drainage is corrected.

Mayor Cullimore said it will ultimately have to be redesigned so that it can do the job it was intended to do and could limit the water that is there.

- 3.1.29 Ron Fullmer said that when he had dogs he had to take them to remote locations to let them run. He said that not everyone will be pleased, but the City cannot dismiss the value of pets to people. He believes the concept and location are good.

Mayor Cullimore said if a dog park were to be located in this area, it would only be done if the park and ride issue could be resolved and there could be equal or better access for a park and ride in the vicinity. He said there does not seem to be much opposition to a dog park as a concept and there is recognition of the need, the question is whether this is right place.

- 3.1.30 Councilman Bracken said he lives near the skate park which was built for a specific demographic and when it is opened the kids go there and have fun. He also believes there is a distinct need for the dog park. Councilman Bracken stated that this subject has been noticed on 13 agendas for discussion in the past 18 months and encouraged the residents to sign up for notifications through the City's web page.

- 3.1.31 Mayor Cullimore closed the public comment period.

4.0 **REPORTS/PRESENTATIONS**

4.1 **Cottonwood Heights Parks & Recreation Quarterly Report**

- 4.1.1 Mike Peterson introduced Carl Evans and Janet Janke, trustees. Mr. Peterson gave an update on the summer and fall programs of the Cottonwood Heights Parks and Recreation Service District. The service area acts as the Parks & Recreation department for the City. He said that the quality and number of activities have increased over the past year. He reviewed the aquatics programs, ice skating programs, fitness programs; community sports programs including tennis, soccer, football, and lacrosse. Mr. Peterson reviewed the parks located within the city and the facilities that are contained in each.

Mr. Peterson noted that they collaborate with the County on programs and try to facilitate bringing any activity he can to the City. He noted that \$2.36 million was allocated for ice rink renovation through Zoo, Arts, and Park funding.

The City has cosponsored several events with the Recreation Center including the birthday party last January, Butlerville Days, Easter Egg Hunt, Bark in the Park, movie night, Relay for Life and the Cottonwood Heights Thanksgiving 5K run

4.2 **Unified Fire Report**

- 4.2.1 Chief Watson introduced Battalion Chief Dave Linhoff and reviewed the statistics for the month of September. There were 114 fire runs compared to 68 the year before and a 162 medical runs compared to 189 the year before.

Chief Watson encouraged residents to have their furnaces, smoke detectors and carbon monoxide detectors checked to make sure that they are working correctly.

4.2.2 Chief Watson reviewed the customer service message for Station 110 and Station 116.

4.3 **July Financial Report**

4.3.1 Finance Director David Muir reviewed the September financial report. He stated that the sales tax collection is being evaluated and matched with the business licenses. The cable franchise fee was received in October but was not included in this report, but was in excess of what was budgeted. He noted that the summary page of the monthly report will be placed on the web page each month.

4.4 **Public Works Report**

4.4.1 Deputy City Manager Kevin Smith reviewed current public works projects. He explained that prep work for the spring overlay and chip seals is being done. They are crack sealing east of Wasatch which will then have a slurry seal in the spring. Fort Union Blvd. from Highland to 3000 East will also be crack sealed. There will be testing to try and determine why the outside lanes on Fort Union Blvd. between 1300 East and Highland Drive are failing. Mr. Smith reviewed the trip hazard mitigation contract which is almost complete for this year.

The public meeting regarding the 1495 East intersection will be held November 8, 2007. Letters were sent to residents living west of Mount View Elementary to 1300 East.

Additional information on the current public works projects is available in the monthly printed report.

5.0 **ACTION ITEMS**

5.1 **Consideration of Ordinance No. 101 Amending Title 19, Adding a New Chapter 19.87, "Site Plan Review for Permitted and Conditional Uses"**

5.1.1 **MOTION:** Councilman Jones moved to adopt Ordinance No. 101 amending Title 19 by adding a new chapter for site plan reviews for permitted and conditional uses. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

5.2 **Consideration of Resolution No. 2007-41 Consenting to Appointments and Terms to the Historic Committee**

5.2.1 Councilman Antczak introduced Kevin Cromar, Chair of the Historic Committee.

5.2.2 Kevin Cromar, Historic Committee Chair introduced the members of the Committee, Dr. Ronald G. Coleman, Tom Shimizu, David Hales, Jeri Harwell, Melt Stelter, Sylvia Orton and Gayle Conger.

5.2.3 **MOTION:** Councilman Antczak moved to approve Resolution No. 2007-41. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

5.3 **Consideration of Resolution No. 2007-42 Approving an Aerial Mapping Services Agreement**

5.3.1 Planning Director Michael Black explained that an RFP was noticed for the cities in the south end of the County for aerial mapping. This will cost the city \$11,000 and will give the City aerials,

digital train mapping and two-foot contours for the entire city. This will enable the city to do 3-D modeling which will show different perspectives of a building location. This will give the City slope data for the mountainside so that it can be classified.

5.3.2 **MOTION:** Councilman Bracken moved to approve Resolution No. 2007-42 for aerial mapping services. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

5.4 **Consideration of Resolution No. 2007-43 Approving an Interlocal Agreement with Salt Lake County for ZAP Funding**

5.4.1 **MOTION:** Councilman Bracken moved to approve Resolution No. 2007-43 approving an Interlocal Agreement with Salt Lake County for ZAP funding. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

6.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**

6.1 Councilman Jones moved to adjourn. The motion was seconded by Councilman Antczak and passed unanimously on a voice vote. The business meeting adjourned at 10:00 p.m.

Approved: January 8, 2007

Kelvyn Cullimore, Jr., Mayor

Don Antczak, Councilman

Scott Bracken, Councilman

Bruce Jones, Councilman

Gordon Thomas, Councilman