

MINUTES OF THE CITY COUNCIL MEETING HELD MAY 13, 2008 AT 7:00 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, Public Relations Specialist Bob Warnick, Planning Director Michael Black, Finance Director David Muir, Chief of Police Robby Russo, Mike Dolan

OTHERS PRESENT:

**1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

1.1 Mayor Cullimore opened the business meeting at 7:05 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was led by Jack Hallenburg, Troop 411.

**2.0 CITIZEN COMMENTS**

2.1 Tiffany Reiman, Meadow Drive, said that the street lights have been out for five years. Several have called the power companies and the city and they are still not working. It is a huge concern because of the safety issue since many have had cars broken into; and cars are unable to see things until the last second. She would like help in resolving this issue.

2.2 Greg Wittwer said that it is their understanding that there is a break in the underground lines. He said the neighbors have tried to address this through the policy, but it does not cover maintenance. The residents are anxious to get light on the street and have gone to putting spotlights on front porches.

2.3 Brady Long said the streets in the neighborhood run east to west and have fabulous views of the mountains. By considering cobra overhead lighting there would be a zigzag completely eliminating the view and diminishing the value of the homes on the street. He was told by the power company and members of the city council that the reason there is no power to the lights is because the original wiring was buried in the street, not encased in any conduit. Rocky Mountain Power said there is opportunity to tie into power behind the homes where power runs and do legs up to the front of each lot.

2.4 Ted Caputo said that five years ago a contractor found the break, marked the street and said it would be an easy fix if he could get approval to dig up the asphalt. He said that they are not asking for anything other than what they had before. .

2.5.1 Mayor Cullimore said that this is a valid concern and the cause of the problem, the solution and the cost need to be determined and budgeted for. The issue of why the lights are not working needs to be addressed.

Deputy City Manager Kevin Smith said that Salt Lake County and Rocky Mountain Power have looked at the situation. The lighting system is approximately 40 years old and parts are no longer made. They think there are multiple breaks in the wiring. He said that the entire system would

need to be replaced because it cannot be repaired. Mr. Smith will facilitate a meeting with the neighbors and the experts.

Mayor Cullimore asked if those with poles in front of their house would be willing to have it attached to their power.

The residents would like to keep the existing fixtures and have them retrofitted if possible.

Councilman Thomas will report back to the neighbors as soon as there is concrete information.

### **3.0 PUBLIC HEARINGS**

#### **3.1. Consideration of a Proposed Outdoor Smoking Ban**

3.1.1 Mayor Cullimore explained that most cities and the County have already passed ordinances banning smoking in public parks because of the health issue, and it is the intent of the City Council to make parks and other public properties in the City smoke free.

3.1.2 Mike Peterson, Director of the Parks and Recreation Service Area, which manages the majority of the green space, parks and recreation facilities within the City, complimented the City on the initiative to pass the proposed ordinance.

3.1.3 Greg Wittwer expressed support for the proposed ordinance which will help to keep the air clean and the parks clean.

3.1.4 Mayor Cullimore closed the public hearing.

#### **3.2 Consideration of a Proposed Zone Change on Property located at 6753 South 1300 East and 6761 South 1300 East from ORD (Office, Research and Development) Zone to NC (Neighborhood Commercial) Zone**

3.2.1 Tee Tyler, representing Craig Worthington, explained that Craig Worthington and Surety Title purchased the subject property which includes two residential homes. Mr. Worthington plans to remove the existing homes and build a new home office for Surety Title. It would be a single-story building. The proposal meets the master plan and will be an improvement to the City.

3.2.2 Mayor Cullimore opened the public hearing. No comments were received.

3.2.3 Mayor Cullimore closed the public hearing.

### **4.0 REPORTS/PRESENTATIONS**

#### **4.1 Sheriff's Office Report**

4.1.1 Lt. Fassett stated that there were 916 calls received in April resulting in 592 cases which is a slight increase from the previous month. A search warrant was served on Ensign Circle for distribution of marijuana and mushrooms to high school students. Follow up has been done and a case built against the homeowner.

Lt. Fassett reminded people to make sure citizens get their parade requests in early so that the Sheriff's Office can help with as many as possible. He also noted that August 6<sup>th</sup> is the national "Night Out Against Crime".

- 4.1.2 City Manager Liane Stillman requested that the Sheriff's office give attention to the high school graduation and that there not be any time off approved for any officers. The City would hope that the canyon units would also be available because the canyons are an attraction.

#### 4.2 **April Financial Report**

- 4.2.1 Finance Director David Muir presented the April Financial Report to the City Council. He is currently working on the property tax reconciliation. The year to date interest is \$438,000 and the city has one more debt service payment on July 1, 2008.

#### 5.0 **ACTION ITEMS**

- 5.1 **Consideration of Resolution No. 2008-30 tentatively approving an amended compensation schedule for elective and statutory officers; providing for public inspection of such schedule; and establishing the time and place of a public hearing to consider adoption of such schedule**

- 5.1.1 Mayor Cullimore explained that there is a requirement to post the compensation schedule yearly for the elected and statutory officers who include the Mayor, Council, City Manager, City Recorder, City Treasurer, Finance Director and the City Attorney. The annual salary of the Mayor is \$18,000 and each City Council member is \$12,000 with an automatic cost of living factor which is 4.1% this year. The range for City Manager is \$100,000 to \$110,000; City Recorder is \$65,000 to \$75,000; Director of Finance is \$70,000 to \$80,000; City Treasurer/Budget Officer is \$55,000 to \$65,000; and the City Attorney has an hourly rate. Mayor Cullimore pointed out that the City is mid to low range on most of the salaried positions.

- 5.1.2 Mayor Cullimore opened the public comment period.

- 5.1.3 Brady Long asked for a copy of the budget which will be posted in the next few days.

- 5.1.4 **MOTION:** Councilman Antczak moved to approve Resolution No. 2008-30. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

- 5.2 **Consideration of Resolution No. 2008-31 tentatively adopting an amended budget for the period of 1 July 2007 through 30 June 2008; tentatively adopting a tentative budget for the period of 1 July 2008 through 30 June 2009; providing for public inspections of such budgets; and establishing the time and place of a public hearing to consider adoption of such budgets**

- 5.2.1 City Treasurer Gary Harmer reviewed the tentative budget for the upcoming year. He reviewed the revenues and expenditures noting that approximately \$10 million will be spent on capital projects and \$9 million on public safety which includes police, fire and ordinance enforcement. The total budget is \$23,801,169 and no tax increase is anticipated.

Mr. Harmer noted that the revenue is flat with the exception of the grant money that the City received and expenditures are flat with the exception of capital projects and public safety. The big story is the start-up costs associated with the new police department. The public hearing on the final budget will be held June 17, 2008.

5.2.2 Mayor Cullimore opened the public comment period. No comments were received.

5.2.3 **MOTION:** Councilman Antczak moved to approve Resolution No. 2008-31. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

5.3 **Consideration of Resolution No. 2008-32 Regarding Surplus Property**

5.3.1 Mayor Cullimore explained that this resolution sets a process for posting information regarding any surplus property so that any citizen interested in surplus property can be notified and have an opportunity to bid on the property.

5.3.1 **MOTION:** Councilman Jones moved to approve Resolution No. 2008-32. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

5.3.2 David Muir stated that the Council is required to set a minimum price on items whose reasonable value exceeds \$5,000. A minimum bid of \$15,000 has been recommended for the motorcycles that are for sell.

The Council agreed to the \$15,000 minimum bid for a period of 30-days. If the motorcycles have not sold in that time the minimum bid will be adjusted.

**AMENDMENT TO MOTION:** Councilman Jones moved to amend the motion to include the minimum bid price and time frame. The motion was seconded by Councilman Thomas and passed unanimously on a voice vote.

5.3 **Consideration of Resolution No. 2008-33 Consenting to ARC Appointments**

5.3.1 Mayor Cullimore stated that this resolution will reappoint Neil Stowe, Robin Taylor and Niels Valentineer to a second term on the Architectural Review Commission.

5.3.2 **MOTION:** Councilman Thomas moved to approve Resolution No. 2008-33. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

5.4 **Consideration of Resolution No. 2008-34 Approving a Renewal Agreement with Verite for Hosting the City's Website**

5.4.1 Councilman Bracken moved to approve Resolution No. 2008-34. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

5.5 **Consideration of Resolution No. 2008-35 Approving a "Games and Activities" Contract with Custom Events, Inc. for 2008 Butlerville Days**

5.5.1 **MOTION:** Councilman Jones moved to approve Resolution No. 2008-35. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

5.6     **Consideration of Ordinance No. 115 Amending Chapter 14.12 “Standards for Roadway Development” of the Cottonwood Heights Code**

5.6.1   Deputy City Manager explained that the proposed amendment will standardize policies for roadway development which used across the valley. The city has the ability to modify the policies if necessary.

5.6.2   **MOTION:** Councilman Antczak moved to adopt Ordinance No. 115. The motion was seconded by Councilman Thomas 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 Thomas and passed unanimously on a voice vote. The business meeting adjourned at 8:10 p.m.