

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY,  
MAY 11, 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, Community and Economic Development Director Michael Black, Public Information Specialist Bob Warnick, Police Support Specialist Sheila Jennings, Public Works Director Michael Allen

**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 Thomas.

**2.0 CITIZEN COMMENTS**

2.1 A comment was made regarding the development of the Canyon Racquet Club and the fact that there is a nearby fault line. Mayor Cullimore acknowledged that there is more than one fault line in the area. Community and Economic Development Director Michael Black reported that staff is dealing with scarps and sprays and dozens of fault lines. It was acknowledged that it will be a very difficult piece of property to develop.

2.2 Don Paul Baronson reported that he received a visit from Officer John Lovato about his lawn being too long. During the visit, the officer noticed that Mr. Baronson had dogs and informed him that they need to be registered with the city. When Mr. Baronson attempted to register them, he was told that he could not have six dogs. Mr. Baronson stated that his dogs are well cared for, which his veterinarian will vouch for. He asked that the City consider allowing him to keep all six dogs. Kennel permits allow more than four dogs, however, the permits are only allowed in certain zones and require at least one acre of property. Mr. Baronson stated that according to Officer Lovato, his only option is to pursue a hobby permit, which allows a maximum of four animals. Other possible alternatives were to be explored by staff.

Mayor Cullimore stated that most enforcement actions stem from complaints and that the city rarely seeks out offenders. He explained that the ordinance that is in place is common and no more restrictive than other jurisdictions. Nevertheless, he asked Staff to work with Mr. Baronson to explore other options. Perhaps there would be some neighbors who would love to have a pet.

2.3 Sylvia Ellis, PTA President of Butler Middle School and a member of the School Community Council, stated that both organizations are in support of the school district's bond proposal and the rebuild of Butler Middle School. Ms. Ellis stated that the school is in need of repair and the building is not safe. The PTA and the School Community Council hope that Cottonwood Heights City recognizes the need for Butler Middle School to be rebuilt. She stated that the School Community Council works with Canyons School District and the School Board to provide the community with a safe and adequate learning environment for students.

Mayor Cullimore expressed his support for the bond proposal.

### **3.0 REPORTS/PRESENTATIONS**

#### **3.1 Administration of Oath of Office to Reserve Police Officer Dan Morzelewski**

- 3.1.1 The oath of office was administered to Officer Morzelewski by City Recorder Linda Dunlavy in the work session meeting.

#### **3.2 Recognition of Officer Troy Rasmussen**

- 3.2.1 Officer Rasmussen was recognized by the City Council during the work session. Officer Rasmussen recently received his bachelor's degree from Weber State University.

### **4.0 CANYON SCHOOL DISTRICT BOND PRESENTATION**

- 4.1 Information on the proposed bond was presented by Superintendent Doty and other district representatives. The election is scheduled for June 22, 2010 concurrent with the regularly scheduled primary election. The importance of modernizing buildings was stressed, as well as complying with ADA requirements.

Superintendent Doty said that one possible strategy with regard to grade reconfiguration was to shore up the high school population and even out the middle school population. By taking sixth graders out of the elementary schools, the intent is to give overcrowded elementary schools breathing room. Efforts were tied to maximizing post secondary opportunities for students. It was recognized that students need to have additional education beyond high school in order to be economically self-sufficient.

He explained that the bonding proposal was structured so that there would not be an increase to property tax rates. Property tax and district debt issues were discussed further. A question was raised with regard to how further declining property values could affect the proposal. It was noted that if another slide is seen in assessed valuation to the point that the bonds cannot be issued without a property tax increase, they will not be issued right away. If they are successful in the election, the district will have 10 years to issue the bonds.

A question was raised with regard to how the district will address the remaining repairs. The response was that efforts are being made to develop a 10-year Capital Facilities Improvement Plan. It was expected that to address the remaining projects, deferred maintenance will require at least one more bond issue. The effort was expected to involve multiple phases. Public and private fundraising efforts were discussed. Appreciation was expressed to the Mayor and Council for their support.

### **5.0 STANDING MONTHLY REPORTS**

#### **5.1 Police Report**

- 5.1.1 Police Support Specialist Sheila Jennings presented the April police report. She reported that on April 24 a very successful Drug Take Back event was held in the Smith's parking lot. During the event, 392 pounds of over-the-counter and prescription medications were taken in. The event was done in partnership with the Department of Environmental Quality, Utah Poison Control, the University of Utah School of Pharmacology, CERT, Neighborhood Watch, Animal Control, and the Fire Department.

Ms. Jennings presented the statistical report and stated that on view calls were up 11% from March to April. Between March and April calls for service remained static but many more calls were on view by officers rather than called in. 13 DUI's were issued which was in line with last year's figures. Under traffic accidents, property damage was down while accidents with injuries remained in line with last year's statistics. With regard to investigations, there was a decrease in closed and assigned cases.

## 5.2 **Monthly Public Works Report**

- 5.2.1 Public Works Director Michael Allen presented the Public Works Report and stated that bids were opened for concrete work to be performed this year. A contractor is now in place and has begun work on ADA ramps. The Fort Union Pavement Project is expected to begin approximately June 1, 2010. A pre-construction meeting will be held next week.

Mr. Allen next reported on the mapping and condition index of the storm drain. He stated that an intern is working with Staff full-time to check the condition of the pipes and prepare the system for mapping. Each pipe is being indexed and the condition specified. To date 63 manholes buried by asphalt have been raised.

The City's Unwarranted Stop Sign Program was discussed. A meeting was held with Town Crest residents the previous week and the city is in the process of purchasing the speed signs and getting them installed.

## 6.0 **ACTION ITEMS**

### 6.1 **Consideration of Resolution No. 2010-25 Approving an Amendment to the Financial Advisory Services Agreement.**

- 6.1.1 Mayor Cullimore reported that the proposed resolution was to bring the agreement with Lewis, Young, Robertson & Burningham up to date and include financial consulting services for the Canyon Center Community Development Area. Approval of the resolution will authorize the city to pay for the services.

- 6.1.2 **MOTION:** Councilman Bracken moved to approve Resolution No. 2010-25. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

### 6.2 **Consideration of Resolution No. 2010-26 Approving an Asset Purchase Agreement with Rocky Mountain Power (Meadow Drive Area Street Lights).**

- 6.2.1 Mayor Cullimore stated that this resolution deals with an older section of the community where the streetlights need attention. Rocky Mountain Power has indicated that they cannot be repaired, and as a result, the city purchased the streetlights and plans to repair them. The intent was for the city to ensure that the residents of the area have good streetlights.

- 6.2.2 **MOTION:** Councilman Thomas moved to approve Resolution Number 2010-26. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote.

### 6.3 **Consideration of Resolution No. 2010-27 Tentatively Adopting an Amended Budget for the Period of 1 July 2009 through 30 June 2010; Tentatively Adopting a Tentative Budget for the Period of 1 July 2010 through 30 June 2011; Providing for Public Inspection of Such**

**Budgets Establishing the Time and Place of Public Hearing to Consider Adoption of Such Budgets; and Providing for Newspaper Publication of Such Public Hearings.**

- 6.3.1 The proposed resolution tentatively adopts the amended current year budget and the FY10-11 budget. It also establishes a date for the Council to hold a public hearing and receive input. Mayor Cullimore commented that the tentative budget proposes no tax or fee increases.
- 6.3.2 **MOTION:** Councilwoman Omer moved to approve Resolution Number 2010-27. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote.
- 6.4 **Consideration of Resolution No. 2010-28 Tentatively Approving a Proposed Amended Compensation Schedule for Elective and Statutory Officers; Providing for Public Inspection of Such Schedule; Establishing the Time and Place of Public Hearing to Consider Adoption of Such Schedule and Providing for Newspaper Publication of Such Public Hearing.**
- 6.4.1 The above matter was relative to the budget and is statutorily required.
- 6.4.2 **MOTION:** Councilman Thomas moved to approve Resolution Number 2010-28. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.
- 6.4.3 Mayor Cullimore reported that the tentative budget is at \$14 million. Overall expenses in the budget were reduced by approximately \$500,000 from last year. Capital budgets were also reduced because sales taxes are down. The city was still expected to have a combined fund balance at the end of fiscal year 2011 of nearly \$6 million.
- 6.5 **Consideration of Resolution No. 2010-29 Urging Citizen Participation in the Canyons School District Bond Election for School Construction.**
- 6.5.1 Mayor Cullimore wholeheartedly endorsed the above resolution. The intent of the district is to improve the value of neighborhoods by improving the condition of neighborhood schools. He considered the proposed resolution to be an important step in that direction.
- 6.5.2 **MOTION:** Councilman Bracken moved to approve Resolution Number 2010-29. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.
- 6.6 **Consideration of Resolution No. 2010-30 Approving the Acquisition of Property for a Trailhead and Bonneville Shoreline Trail Easement.**
- 6.6.1 Mayor Cullimore reported that this item was postponed.
- 7.0 **CONSENT CALENDAR**
- 7.1 **Approval of April 27, 2010 Minutes**
- 7.1.1 The minutes were approved as submitted.
- 8.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**

- 8.1 **MOTION:** Councilman Bracken moved to adjourn. The motion was seconded by Councilwoman Omer and passed unanimously on a roll call vote. The business meeting adjourned at 8:34 p.m.