

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY,
AUGUST 23, 2011, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

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

Staff Present: City Manager Liane Stillman, City Attorney Shane Topham, Administrative Services Director Linda Dunlavy, Finance Director Steve Fawcett, Planning Director Brian Berndt, Public Works Director Mike Allen, Chief Robby Russo, Assistant Chief Mike Watson, Public Relations Specialist Stephanie Archibald

Also Present: Nancy Dahill, Dick Fisher, Don Antczak, Janet Janke, Jennifer Searle, Bev Clark, Hailey Brewster

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

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

1.2 Councilwoman Omer led the Pledge of Allegiance.

2.0 CITIZEN COMMENTS

2.1 Jennifer Searle expressed concern about the safety of the crosswalk in front of Brighton High School. Many parents traveling west on Bengal Boulevard pull to the side of the road in front of the crosswalk where the curb is painted red. She explained that a “No Parking or Stopping at Any Time” sign is posted, but does not seem to deter motorists who block the view of the other drivers and students waiting across the street. Cars speed past even when there is not a clear view of pedestrians waiting at the crosswalk. Ms. Searle said that her son was nearly hit by a car while crossing the street after school. Ms. Searle said that last year she emailed Officer Bartlett and the school’s Community Council Chair and reported safety issues at the crosswalk and the lack of flashing lights at the end of the day. She received a response stating that crossing guards at the high schools and middle schools are optional. The Police Department reported that they regularly patrol the area and that it is the school’s responsibility to ensure that the flashing lights are on both before and after school. She noted that Officer Soffe, resource officer at Brighton High School was very helpful and provided her with background information on what has been done in the past and offered suggestions. She suggested that the area be patrolled one or two times per week in marked and unmarked cars; that the flashing lights be turned on after school; that orange flags and holders be placed on each side of the crosswalk for students to hold as they cross; and that the red curb be repainted.

Mayor Cullimore commented that this issue came up a few years ago and the City installed barriers to prevent cars from stopping and the motorists instead stopped in the lanes of traffic.

Chief Robby Russo stated that earlier in the week motorists were given a friendly reminder about stopping in front of the red curb, and starting next week officers will issue tickets.

Mike Allen stated that he had some extra flags and holders and would be able to get them installed in the next few days.

The Mayor thanked Ms. Searle for her valuable suggestions.

3.0 **REPORTS/PRESENTATIONS**

3.1 **Administration of Oath of Office – Officer Brian Betenson**

3.1.1 Officer Betenson will receive the oath of office on September 13, 2011.

3.2 **Proclamation of September 4, 2011 as Falun Dafa Day in Cottonwood Heights**

3.2.1 Bev Clark stated that Falun Dafa is an ancient Chinese spiritual practice introduced to the public in 1992 and has no membership, baptism, or clergy. It involves five meditation exercises and various teachings. Ms. Clark stated that there are few Falun Dafa practitioners in Utah but she has invited them to her home for a gathering on September 4, 2011. She thought the proclamation would be a nice gesture and expressed appreciation to the City for making it possible.

3.2.2 Mayor Cullimore read the proclamation in its entirety.

3.3 **Standing Monthly Reports**

Monthly Financial Report

3.3.1 Finance Director Steve Fawcett reported the City's financial statistics for the month of July. He stated that there has been a downturn and the monthly sales tax analysis is not reliable because not all businesses submit their sales taxes on time. On a year-to-year basis, the final numbers for 2011 were about 97.5% of 2010. The City is expected to generate approximately \$4.5 million for the fiscal year, which is substantially over budget. He explained that a number of adjustments need to be made including analyzing the year-end fund balance and pulling balances forward to be included with capital improvements. Mr. Fawcett reported that as of the end of June, the City's revenue budget to actual is a positive \$300,000. On the expenditure side, the City underspent by \$676,000 with a few adjustments remaining to be made.

Mayor Cullimore remarked that there will be as much as \$1 million to rebudget into the new year that was not included in the fiscal 2012 budget.

Mr. Fawcett reported that the books for the fiscal year will be closed preliminarily with an audit planned for October. He noted that a new member to the Audit Committee will need to be appointed to replace Councilwoman Omer after she leaves.

Unified Fire Report

3.3.2 Assistant Chief Mike Watson presented the Unified Fire Report for the month of July. There were 100 fire calls this year which was the same as July 2010. There were 235 medical calls this year compared to 171 last year.

Station 110 had 145 Advanced Life Support (ALS) calls with 62 transports and eleven Basic Life Support (BLS) calls with seven transports. Station 116 received 79 ALS calls with 34 transports and six BLS calls with three transports.

Assistant Chief Watson presented the safety message and reminded everyone that school is starting and more children will be on the road each day which brings a rise in injuries from pedestrian, bicycle, school bus and motor vehicle crashes. He reminded drivers to be more aware.

The customer service message for Stations 110 and 116 were reviewed.

4.0 **ACTION ITEMS**

4.1 **Consideration of Ordinance No. 179 Amending Chapter 3.20 (Development Bonds), Cottonwood Heights Code of Ordinances**

4.1.1 Mayor Cullimore explained that the proposed ordinance amends Chapter 3.20 of the Municipal Code and specifically restricts the type and form of bonds the City will accept.

4.1.2 **MOTION:** Councilman Bracken moved to approve Ordinance Number 179. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote.

4.2 **Consideration of Ordinance No. 180 Amending Chapter 1.08 (Introductory Title) of the Cottonwood Heights Code of Ordinances.**

4.2.1 Mayor Cullimore said that the proposed ordinance defines the titles of Community Development Director and Economic Development Director and clarifies the duties of each.

City Attorney Shane Topham explained that the intent of the ordinance is to make sure that all duties provided by these positions are covered.

4.2.2 **MOTION:** Councilman Thomas moved to approve Ordinance Number 180. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

4.3 **Consideration of Ordinance No. 181 Amending the Consolidated Fee Schedule Concerning Development and Excavation Bonds.**

4.3.1 Mayor Cullimore explained that the proposed ordinance amends the consolidated fee schedule by including the fees for bonding.

4.3.2 **MOTION:** Councilwoman Omer moved to approve Ordinance Number 181. The motion was seconded by Councilwoman Tyler and passed unanimously on a roll call vote.

4.4 **Consideration of Resolution No. 2011-37 Approving Entry Into an Interlocal Agreement for a Mountain Transportation Study with Salt Lake County.**

4.4.1 Mayor Cullimore said that transportation in the canyons continues to be a pressing issue. The City is involved with a committee studying these matters and has agreed to contribute financially. The objective of the committee is to identify how people access the canyons, where they park when they get there, and how they are transported to and from the canyons. The total cost of the study will be \$400,000 with the City's share \$11,000 to be paid over two years.

4.4.2 **MOTION:** Councilman Tyler moved to approve Resolution Number 2011-37. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

- 4.5 **Consideration of Resolution No. 2011-38 Consenting to the Appointment of Laura McCoy to the Architectural Review Committee.**
- 4.5.1 Mayor Cullimore explained that the Architectural Review Committee reviews specific kinds of development in Gateway Overlay Zones primarily to ensure that architecture is consistent with Code and emphasizes the intent of the zoning ordinance. The proposed resolution appoints Laura McCoy to serve on the committee.
- 4.5.2 City Manager Liane Stillman stated that Ms. McCoy has a background in landscape architecture and will be a valuable member of the committee.
- 4.5.3 **MOTION:** Councilman Thomas moved to approve Resolution Number 2011-38 and appoint Laura McCoy to the Architectural Review Committee. The motion was seconded by Councilwoman Omer and passed unanimously on a roll call vote.
- 4.6 **Consideration of Resolution No. 2011-39 Ratifying a Contract for Partial Construction of Mount View Park with Miller Paving.**
- 4.6.1 Mayor Cullimore said that the proposed resolution approves a contract for paving work at Mountview Park.
- 4.6.2 **MOTION:** Councilman Thomas moved to approve Resolution Number 2011-39. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.
- 5.0 **CONSENT CALENDAR**
- 5.1 **Approval of July 26 and August 2, 2011 Minutes.**
- 5.1.1 The minutes stood approved.
- 6.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**
- 6.1 **MOTION:** Councilman Thomas moved to adjourn. The motion was seconded by Councilwoman Omer and passed unanimously on a roll call vote. The business meeting adjourned at 8:00 p.m.

Approved: September 6, 2011