

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY,
AUGUST 13, 2013, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

Members Present: Mayor Kelvyn Cullimore, Councilman Mike Shelton, Councilman Scott Bracken, Councilman Tee Tyler, Councilman Mike Peterson

Staff Present: City Manager John Park, Police Chief Robby Russo, City Planner Larry Gardner, Public Works Director Mike Allen, Assistant Fire Chief Mike Watson, Public Relations Specialist Stephanie Archibald, City Attorney Shane Topham, Deputy City Manager Linda Dunlavy

Others Present: Nancy Dahill, Jae Park, Dr. Laurel Harris, Thomas Cobb, Jeremy Stone, Phil Goss, Debra Cobb, Becky Dennison, Dave Jensen, Roger Fouse, Brandi Logan, Leeh Knighton

1.0 **WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

- 1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:00 p.m. and welcomed those attending.
- 1.2 The Pledge of Allegiance was led by Councilman Tyler.

CITIZEN COMMENTS

- 2.1 Dr. Laurel Harris presented a handout to the Mayor and Council Members. She reported that the City of Holladay recently changed their ordinance to reflect a change made by Salt Lake County Animal Control that there shall be no limit on the number of dogs or cats a single person may own. She feels that responsible pet owners should be allowed to determine how many animals they can emotionally and financially care for. It is Dr. Harris' experience that when a pet ownership problem occurs as a result of excessive numbers, it is usually due to neighbors turning a blind eye or through retribution, municipal officers whose hands are legally tied, or a veterinarian who fails to report it. She suggests any new instruction allow for an amnesty period for owners to allow their previous number of pets to be grandfathered in.
- 2.2 Thomas Cobb stated that many of those present tonight were voicing their support for Constitutional freedoms and represent a small portion of the group's prolific presence in the community. When there is no risk to the protection of the public, additional laws are unnecessary. He noted that no member of the general public has ever been killed by a privately owned exotic pet. Taking away an individual's rights is vastly different than being asked to enforce those rights. Mr. Cobb detailed the delineation between a hobby and a business.
- 2.3 Jeremy Stone, identified himself as the owner of boaconstrictor.com, and stated that he has a large collection of boa constrictors located in Utah County. He is of the understanding that Mr. Cobb is a responsible keeper and believes this issue infringes on the private rights of citizens. He remarked that when laws like this are established, it hurts his business and he can no longer sell to hobbyists.
- 2.4 Phil Goss, President of the United States Association of Reptile Keepers, has seen several local ordinances revised because City officials realize they don't have the manpower or resources to enforce the regulations. He noted that there are currently over 40,000 households with reptiles as pets.
- 2.5 Mayor Cullimore reported that the Council's efforts are more policy driven than safety driven. The only issue and question driving the discussion about a potential change to the ordinance has to do

with asking for the appropriate public policy within an R-1 Residential Zone. He explained that it difficult to find municipal ordinances for exotic pets.

- 2.6 Debra Cobb commended the Mayor and Council for taking time to proceed correctly and in a professional manner.
- 2.7 Becky Dennison stated that after researching the issue, she is of the understanding that Mr. Cobb's animals are well cared for. She reported that they are kept in a small habitat and require little maintenance and they are kept within the confines of his home.
- 2.8 Dave Jensen reported that in 2010, the Utah Division of Wildlife Resources sought public input on a proposal to keep and breed up to 27 rattlesnakes with State approval and a license, which ultimately was defeated. He believes violators should be punished, and not just those who play by the rules. He further detailed Federal, State and County tiers of regulation already in place. The Mayor and Council were commended for being patient and objective.
- 2.9 Roger Fouse reported that he owns a pet store in Tooele. He stated that no one gets more upset about irresponsible pet keeping than those who have a passion for animals.

3.0 **PUBLIC HEARING**

3.1 **Public Hearing to receive input on the proposed modifications to the compensation schedule for the elective and statutory officers of the City of Cottonwood Heights**

- 3.1.1 **MOTION:** Councilman Bracken moved to open the public hearing. The motion was seconded by Councilman Peterson and passed with the unanimous consent of the Council.
- 3.1.2 There were no public comments.
- 3.1.3 **MOTION:** Councilman Peterson moved to close the public hearing. The motion was seconded by Councilman Shelton and passed with the unanimous consent of the Council.

4.0 **REPORTS/PROCLAMATIONS/RECOGNITIONS**

4.1 **Standing Monthly/Quarterly Reports**

July Police Report

Police Support Specialist, Sheila Jennings presented statistics for the month of July. She reported that response times for Priority 1 calls averaged 5.06 minutes while Priority 2 calls averaged 6.50 minutes and Priority 3 calls averaged 9.1 minutes.

Ms. Jennings noted that one robbery was reported. Assaults doubled and there was a rise in burglaries. Arrests were lower than the previous month with a decline in juvenile arrests. There were 231 traffic citations issued with 39 warnings and eight DUI's. Traffic crashes increased from the previous month with a total of 52 traffic accidents resulting in 6 injuries.

A complete copy of the report is available on the City's website.

4.2 **Public Works Report**

Public Works Director Mike Allen presented the public works report for the month of July. He reported that the chip seal project on Top of the World Drive and Prospector Drive has been completed.

Mr. Allen reported that the Union Park Landscape median project is underway. The electrical work is expected to be completed in the near future and the concrete work is progressing. There were issues with the drainage box; however, tomorrow a new design will be presented to the contractor. He estimates the project is halfway completed.

Mr. Allen informed the Council that the 7200 South Safe Sidewalk Project is ongoing. Noticing was delivered on Monday outlining the project to effected residents.

Councilman Shelton expressed concern regarding the City halting construction due to water line issues.

Mr. Allen reported that water meter issues were not contemplated and the matter is in the process of being resolved. Work is expected to be completed within the next two weeks.

Mr. Allen reported on the storm drain mapping project indicating that 114 manholes were discovered this year that need to be raised. The total of discovered manholes since incorporation is approaching 400.

The Trip Hazard Sidewalk Cutting Program contract will soon be on the agenda for approval.

Mayor Cullimore suggested an education campaign take place to make citizens aware of the consequences of sidewalk hazards and ask for their help identifying problem areas.

A complete copy of the report is available on the City's website.

Councilman Peterson was excused from the remainder of the meeting at 7:49 p.m.

5.0 **ACTION ITEMS**

5.1 **Consideration of Resolution No. 2013-36 Consenting to Appointment to the Arts Council**

5.1.1 Mayor Cullimore explained that the proposed resolution is consenting to the appointment of Shaun Davis and Lindy Davis to the Arts Council. They will replace Brian Allen and Cheryl Ivy.

5.1.2 **MOTION:** Councilman Shelton moved to approve Ordinance No. 2013-36. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote. Commissioner Peterson did not participate in the vote.

5.2 **Consideration of Ordinance No. 208-A Approving a Re-zone of Properties Located at 9200 South Wasatch Boulevard from R-1-15 to R-1-8 and Amending the Zoning Map**

5.2.1 Mayor Cullimore explained that the proposed ordinance is to approve or deny the rezone of properties at 9200 South Wasatch Boulevard. The property owner is seeking to change the zoning from Single-Family Residential R-1-15 to Single-Family Residential R-1-8. The change will increase the permitted number of homes to approximately four per acre rather than three.

- 5.2.2 Planner Larry Gardner reported that the only Planning Commission comments pertained to the connection to the existing roads and subdivisions, which will be addressed as the project develops.
- 5.2.3 **MOTION:** Councilman Tyler moved to approve Ordinance No. 208-A. The motion was seconded by Councilman Shelton and passed unanimously on a roll call vote. Commissioner Peterson did not participate in the vote.
- 5.3 **Consideration of Ordinance No. 208-D Denying a Re-zone of Properties Located at 9200 South Wasatch Boulevard from R-1-15 to R-1-8 and Amending the Zoning Map**
- 5.3.1 This proposed ordinance was not acted on.
- 5.4 **Consideration of Ordinance No. 209-A Approving a Re-Zone of Properties Located at 1979 La Cresta Drive and 6747 South Highland Drive from R-1-8 to RO and Amending the Zoning Map**
- 5.4.1 Mayor Cullimore explained that the proposed ordinance is consistent with the General Plan and will follow redevelopment more appropriate for a frontage on a major road. The consensus with the neighborhood, Planning Commission, and City Council is that an RO Zone will be appropriate in the proposed location.
- 5.4.2 **MOTION:** Councilman Bracken moved to approve Ordinance No. 209-A. The motion was seconded by Councilman Shelton and passed unanimously on a roll call vote. Commissioner Peterson did not participate in the vote.
- 5.5 **Consideration of Ordinance No. 209-D Denying a Re-zone of Properties Located at 1979 La Cresta Drive and 6746 South Highland Drive from R-1-8 to RO and Amending the Zoning Map**
- 5.5.1 This proposed ordinance was not acted on.
- 5.6 **Consideration of Ordinance No. 210 Establishing an Amended Compensation Schedule for Elective and Statutory Officers**
- 5.6.1 Mayor Cullimore explained that the proposed ordinance sets the salary range for the City Manager, Recorder, Budget Officer, Treasurer, Chief of Police, City Attorney, City Council, and Mayor.
- 5.6.2 **MOTION:** Councilman Bracken moved to approve Ordinance No. 210. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote. Commissioner Peterson did not participate in the vote.
- 6.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**
- 6.1 **MOTION:** Councilman Bracken moved to adjourn and reconvene the work meeting. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote. The business meeting adjourned at 7:57 p.m.

MINUTES APPROVED: 09-24-2013