

MINUTES OF THE CITY COUNCIL MEETING HELD FEBRUARY 8, 2005, AT 7:00 P.M., ON THE SECOND FLOOR OF DYNATRONICS CORPORATION OFFICES, LOCATED AT 7030 PARK CENTRE DRIVE, COTTONWOOD HEIGHTS, UTAH

MEMBERS PRESENT: Mayor Kelvyn Cullimore, Councilman Don Antczak, Councilman Scott Bracken, Councilman Bruce Jones, Councilman Gordon Thomas

STAFF PRESENT: Liane Stillman, Gary Harmer, David Muir

1.0 **Welcome.**

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

2.0 **Public Comments**

2.1 Chuck Schwab, owner of a bus bench advertising company, made a brief presentation to the Council about the program he would propose for Cottonwood Heights. He answered questions regarding the proposed use of bus benches. He said that the bus bench provider carries the responsibility of liability and the standards for benches are set by the City. Each bench needs approval from the landowner, City and UTA. The City could control the type of advertising that is placed on the benches. They promise a 24 hour response time to repair benches that are damaged or otherwise non-functioning. He explained that this proposal gives small local businesses the opportunity to sponsor benches and make residents aware of what is available. Benefits to the city include resting places for bus patrons, no capital expense for building benches, control over placement, design and content, and a \$50 annual fee per year per bus bench. It is estimated we have 32 bus benches presently in Cottonwood Heights. The Council thanked Mr. Schwab for his presentation and indicated they would take his proposal under advisement.

2.2 Caroline Mars asked the Council to consider the benefit of enforcement for short-term rentals. She said people that are not conforming to ordinance should be fined and brought into compliance.

2.3 Craig Sturm stated he is creating a website for the purpose of informing and engaging the residents of the City. The website is cottonwoodheightsadvocate.com. Anyone can post information and comment and he encouraged the citizens and Council to participate on this web site.

2.4 A Scoutmaster asked what services the City will provide directly.

Mayor Cullimore stated that the City will initially provide planning, zoning, business licensing. Salt Lake County is being retained to provide public safety, public works, justice court, and animal services. Mayor Cullimore said the City

will move to have its own justice court in a few years. The City can now begin long-range planning for items such as parks, arts, and recreation.

2.5 Ron Fullmer, believes that the City should look carefully at Mr. Schwab's proposal for benches and believes they could be used for community functions that need high visibility.

2.6 Ken Paulson asked if the City has determined if the total amount of the cost for contracts with the County is less than what residents were paying in property taxes before incorporation.

Mayor Cullimore said that the City is finding that in past years there has been more money paid than the value of the services received. Current contracts are generally either below the previous cost or providing higher levels of services

2.7 Scott Pedler said that with the school closures of Mountview and Cottonwood Heights there are concerns regarding the ways that students will get to school and questioned whether the City has discussed the closures and transfers.

City Manager, Liane Stillman, explained that after a closure is finalized, boundaries are redrawn and the school district is required to put out a safe walking route. Once the City has the route, the City will become involved because it will be responsible for crossing guards and flashing lights. Class B and C road funds can be used for road and sidewalk purposes.

Mayor Cullimore explained that the City asked that the money saved from the closure of the schools be kept in this area, which was agreed to by Jordan School District. The City has an interest in what happens to those properties because the Butler Middle School/Cottonwood Heights Elementary School are located in an area identifiable as a City center area and would be an ideal location for a city office or senior citizen center locations in the future.

3.0 **Reports.**

Sheriff's Report – Lt. Russo

Lt. Russo introduced Ellen Christensen, a new member of the Citizens Advisory Board. She will be assisting with a citizen survey and forming a report card to the Council.

He explained that there are concerns regarding the corner of Fort Union and 2700 East where children wait to cross the street to school and would like to research putting in a barrier to protect the kids as they wait. City Manager Liane Stillman suggested the City sit down with someone from the Public Works Department and

determine what would work best. The Council agreed to move forward and explore the alternatives.

Citizens Police Academy will begin March 24th. Anyone in the community is invited to attend and learn about the Sheriff's Department.

Lt. Russo reviewed the calls for service and statistics for January and February. Cottonwood Heights now has more officers than prior to incorporation. He pointed out that identity theft is doubling every year and residents should be aware of what they can do to protect themselves.

4.0 **Minutes**

- 4.1 Councilman Jones moved to approve the minutes of January 25th and February 1st. The motion was seconded by Councilman Bracken and passed unanimously.

5.0 **Resolution Approving Entry Into an Interlocal Agreement with Salt Lake County for Public Works Services**

- 5.1.1 City Attorney Shane Topham explained that the proposed interlocal agreement for public works services is for a term through June 30, 2005, and there is no overlay included in the contract. The services that will be provided under the contract include general road maintenance, snow removal, sign maintenance, traffic signal maintenance, curb, gutter, and storm drain maintenance. No major projects are included in this contract.

Dave Harrison, a citizen and contract engineer, inquired about the costs associated with specific services provided by the county. He suggested that some services can be more economically obtained from other sources and encouraged the Council to review these more carefully before signing the contract. Mayor Cullimore expressed concern about the new city's ability to manage such projects without hiring more staff and imposing more overhead on the city. Therefore, it may be more economical in the short run to contract with the County even if their rates are slightly higher than market on some items.

After some discussion this item was continued to the next business meeting.

6.0 **Resolution Approving Entry Into an Interlocal Agreement with Salt Lake County for Planning and Development Services**

This item was continued to the next business meeting.

7.0 **Resolution No. 05-17 Consenting to Appointment of the Planning Commission**

7.1 Mayor Cullimore explained that the Planning Commission is comprised of seven members and two alternates and selection was based on districts as required by city ordinance. Following are the recommended members:

District 1: J. Thomas Bowen
District 2: Geoff Armstrong
District 3: Gordon Nicholl
District 4: Doug Haymore
At-Large: Sue Ryser, District 1
At-Large: Jim Keane, District 3
At-Large: JoAnn Frost District 4
Alternates: Jerri A. Harwell, District 1
Blaine Davis, District 2

7.2 **MOTION:** Councilman Bracken moved to approve Resolution No. 05-17 appointing the Planning Commission members. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

8.0 **Resolution No. 05-18 Consenting to Appointment of the Board of Adjustment.**

8.1 Mayor Cullimore stated that the following individuals have been recommended as members of the Board of Adjustment.

District 1: Bob Wilde
District 2: James Holtkamp
District 3: Farrell Jensen
District 4: Debbie Tyler
At-Large: Fred Lundberg
Alternate: Noor Ul-Hasan

8.2 **MOTION:** Councilman Thomas moved to approve Resolution No. 05-18 appointing members to the Board of Adjustment. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

9.0 **Resolution No. 05-19 Approving an Independent Contract Agreement with City Treasurer, Gary Harmer**

9.1 **MOTION:** Councilman Antzack moved to approve Resolution No. 05-19, for an Independent Contract Agreement with Gary Harmer, City Treasurer. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

10.0 **Resolution No. 05-20 Contracting with Legal Counsel**

10.1 **MOTION:** Councilman Jones moved to approve Resolution No. 05-20, contracting for legal services with Shane Topham. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

11.0 **Ordinance No. 05-16 amending the bonding department for the City's Director of Finance**

11.1 **MOTION:** Councilman Thomas moved to approve Ordinance No. 05-16 amending the bonding for the Director of Finance. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

12.0 **Ordinance No. 05-17 Amending the agreement with Comcast.**

12.1 **MOTION:** Councilman Bracken moved to adopt Ordinance No. 05-17 amending the franchise agreement with Comcast of Utah II. The motion was seconded by Councilman Antzack and passed unanimously on a roll call vote. The adoption of this ordinance insures that cable TV fees being imposed previously by the County are now paid to the City.

13.0 **Appointment of Representative to the Fire District and alternate**

13.1 Mayor Cullimore noted that this is not an appointment to the Unified Fire Authority; it is an appointment to represent the City on the Board of the Fire District.

13.2 **MOTION:** Councilman Antzack moved to appoint Mayor Cullimore to represent the City on the Board of the Fire District. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

14.0 **Report from Liane Stillman, City Manager**

14.1 City Manager Liane Stillman updated the Council on the progress of the City offices. Delays in the delivery of office furniture will push back the occupancy to mid or late March.

14.2 City Manager Stillman reviewed proposed criteria for selecting building services, engineering and the General Plan. She asked for recommendations to the proposed criteria. The Council will review and make comments.

14.3 City Manager Stillman gave an update on personnel. She noted that all positions have been filled and she is working on contract personnel including prosecutorial services and indigent defense services.

- 14.4 A resident, Doug Shelby, asked for an update on the Wasatch Pacific project known as Big Cottonwood Estates. Mayor Cullimore said that development of the subdivision will come to the City for approval, but the road permits to construct the road from Big Cottonwood Canyon road to the subdivision up the side of the canyon have already been or will soon be issued by the County.
- 14.5 Bob Goode asked for an update on the Blaine Walker project. Mayor Cullimore and Councilman Jones responded that the project was still in the hands of the County and a County Planning Commission will have final disposition over the county staff's most recent recommendation to deny the project. UDOT has reluctantly given access approval onto Wasatch Blvd, but the seismic concerns remain unresolved and the premise for recommending the project be denied on safety considerations. It is likely the developer will try to redesign the project to overcome the seismic concerns and start over with the City Planning Commission. Mr. Goode expressed concern that a Planning Commission not comprised of Cottonwood Heights residents might make a decision adverse to the interests of the community. The Mayor indicated that if county planning staff recommended the project be denied, it would be unlikely that the planning commission would go contrary to that recommendation.
- 15.0 Adjournment
- 15.1 Councilman Thomas moved to adjourn. The motion was seconded by Councilman Antczak and passed unanimously. The meeting adjourned at 9:25 p.m.

Submitted by:
Linda Dunlavy
City Recorder

Approved: 03-08-2005

Kelvyn Cullimore, Jr., Mayor

Don Antczak, Councilman

Scott Bracken, Councilman

Bruce Jones, Councilman

Gordon Thomas, Councilman