

MINUTES OF THE CITY COUNCIL MEETING HELD JANUARY 23, 2007, 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, City Treasurer Gary Harmer, Finance Director David Muir, Public Relations Specialist Robert Warnick, Planning Director Michael Black, Associate Planner Glenn Symes

OTHERS PRESENT: Mike Watson, Robby Russo, Larry & Bev Jensen, Richard Cook, Dave Rose, Frank Linthral

1.0 **WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

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

1.2 The Pledge of Allegiance was led by Councilman Don Antczak.

2.0 **CITIZEN COMMENTS**

2.1 No comments were received.

3.0 **REPORTS/PRESENTATIONS**

3.1 **Proclamation Thanking Cottonwood Heights Birthday Party Chair, Mardi Lessey**

3.1.1 Mayor Cullimore read the Proclamation thanking Mardi Lessey for chairing the second annual birthday party and for the participation of her committee in making the event such a successful occasion. (See attached). He expressed appreciation to Mardi for all of the City activities she is involved in.

Ms. Lessey thanked the members of the Council, the Sheriff's office, and the Unified Fire Authority for their participation at the birthday party.

3.2 **Division Commander's Award to Deputy Heath Lowry**

3.2.1 Lt. Robby Russo explained that division commanders have the ability to issue awards to those individuals who distinguish themselves in their respective areas. He presented the Division Commander's Award to Deputy Heath Lowry for his help in resolving issues within the City. Deputy Lowry was instrumental in working with City Engineer Brad Gilson on the 'Brighton Bump' issue; and went the extra mile to show care and compassion to a Cottonwood Heights' family who lost a loved one in a traffic accident.

3.3 **Unified Fire Report and Special Presentation**

3.3.1 Chief Watson presented the December 2006 fire report. There were 210 medical calls down from 234 calls in December 2005; and fire calls were at 80 compared with 65 calls in the same time period. He reminded people that fireplace chimneys should be cleaned annually to prevent the build-up of creosote, and cautioned people not to leave home while a fire is burning in the

fireplace. He also recommended that people leave slow running water on at night during the freezing temperatures to prevent pipes from freezing and flooding. The customer service messages for Station 110 and 116 were reviewed.

- 3.3.2 Chief Watson reviewed year-end data for Cottonwood Heights which showed an increase in calls from 3,088 in 2005 to 3,142 in 2006. He explained that January and December were the busiest months for medical calls and July was the busiest month for fire calls.
- 3.3.3 Chief Watson made a special presentation to Councilman Thomas for his completion of the CERT class. He expressed his appreciation to Councilman Thomas, who has been charged with emergency preparedness programs for the City, for his commitment to emergency planning. Chief Watson also noted that 96 Cottonwood Heights' residents have participated in CERT training this year.

4.0 **ACTION ITEMS**

4.1 **Consideration of Ordinance No. 79 Amending Section 19.78 "Planned Unit Developments" of the Cottonwood Heights Municipal Code**

- 4.1.1 Planning Director Michael Black stated that the City has been working on the PUD ordinance for five months and placed a moratorium on PUD applications while going through this process. The Planning Commission and Staff are recommending approval of the proposed ordinance to the City Council.
- 4.1.2 Mayor Cullimore opened the public comment period.
- 4.1.3 Sue Barlow, 2725 East Creek Road, reminded the Council that changing Section 19.78.16(e) "Supplementary PUD Regulations" and placing a maximum length of 500 feet on a cul-de-sac in a PUD could affect her property as well as the future development of other planned unit developments. She said the proposed ordinance states that "the scope of PUD approval should be evaluated relevant to the individual circumstances present at each individual location." She asked the Council to reconsider the 500-foot maximum length limit.
- 4.1.4 Dave Rose explained that he is interested in the project that may be developed on the Steele/Barlow property. He believes the PUD ordinance is meant to give the Planning Department flexibility for unique parcels of land as described in the first paragraph of the proposed ordinance which states "this chapter is enacted to provide for greater flexibility in the design of buildings, yards, courts and circulation that would otherwise not be possible through the strict application of zoning district regulations." He said that these types of provisions have a great impact on property owners and the ability of the City to deal with uniquely situated parcels of land.
- 4.1.5 Mayor Cullimore asked if this issue was discussed by the Planning Commission.

Michael Black stated that the issue was brought to the attention of the Planning Commission, but there was no one in attendance to speak against it. Mr. Black explained that having a longer street does not necessarily provide a better development and is inconsistent with good planning principles. A shorter cul-de-sac length promotes better land use strategies and better use of land through clustering and preservation of open space. Mr. Black noted that the PUD ordinance is

provided in part to give people the opportunity to create developments and staff the opportunity to help them create developments that are consistent with the goals of the City. He also noted that he has been given direction to review Title 14 and take care of the length of cul-de-sacs in that title.

- 4.1.6 Richard Cook questioned whether the length of the road could be the same as the requirement of the Unified Fire Authority which is 700 feet.

Mr. Black believes substantial justice would be done at a length of 600 feet.

- 4.1.7 **MOTION:** Councilman Antczak moved to amend Ordinance 79 by changing the length of a cul-de-sac from 1,000 feet to 600 feet. The motion was seconded by Councilman Bracken.

DISCUSSION: Councilman Bracken stated that he prefers the length of a cul-de-sac be consistent with other parts of the code.

Mayor Cullimore pointed out that because of the way the State legislature has changed land use laws in the last year, the City has to be very specific in what is allowed in its ordinances.

VOTE: The motion passed unanimously on a voice vote.

- 4.1.8 Sue Barlow said that the cul-de-sac needs to be long enough to go around an existing house and develop the property in the back, and knows that a 700 foot cul-de-sac would work.

- 4.1.9 Brad Steele asked what length a lane can go beyond a cul-de-sac.

Mr. Black said that it is dependent on the fire regulations and is looked at on a case by case basis.

- 4.1.10 **MOTION:** Councilman Antczak moved to adopt Ordinance No. 79 as amended. The motion was seconded by Councilmember Thomas and passed unanimously on a roll call vote.

- 4.1.11 Mayor Cullimore asked staff to be particularly attentive to assisting the developers of the Steele property on Creek Road in finding solutions to their unique development challenges that may be imposed by a 600 ft maximum length on a cul-de-sac

4.2 **Consideration of Resolution No. 2007-02 Consenting to Re-Appointments to the Board of Adjustment**

- 4.2.1 Mayor Cullimore explained that this Resolution will reappoint Debbie Tyler and Noor Al-Hasan to the Board of Adjustment for five year terms.

- 4.2.2 City Manager Liane Stillman stated that these Board members went through a peer review and staff review on the points of their contributions to the City and came highly recommended for reappointment.

- 4.2.3 **MOTION:** Councilman Bracken moved to approve Resolution No. 2007-02. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

4.3 **Consideration of Resolution No. 2007-03 Adopting a Policy Regarding Reductions and Waivers of Certain City-Imposed Fees**

4.3.1 **MOTION:** Councilman Antczak moved to approve Resolution No. 2007-03 adopting a policy for reductions and waivers of certain types of City-imposed fees. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

4.4 **Consideration of Resolution No. 2007-04 Adopting a Citizen-Initiated Traffic Calming Policy**

4.4.1 Mayor Cullimore commended Staff for the concept and the work done on the traffic-calming policy which is very useable.

4.4.2 **MOTION:** Councilman Thomas moved to approve Resolution No. 2007-04 adopting a citizen-initiated traffic calming policy. The motion was seconded by Councilmember Bracken and passed unanimously on a roll call vote.

4.5 **Consideration of Resolution No. 2007-05 Supporting Delta Airlines, Inc.**

4.5.1 **MOTION:** Councilman Jones moved to approve Resolution No. 2007-05 supporting Delta Airlines as a stand-alone airline. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

5.0 **CONSENT CALENDAR**

5.1 **Approval of January 9, 2007 Minutes**

5.1.1 The minutes were approved as amended.

6.0 **ADJOURN BUSEINSS MEETING AND CONVENE ANNUAL COTTONWOOD HEIGHTS COMMUNITY DEVELOPMENT AND RENEWAL AGENCY MEETING**

6.1 Councilman Jones moved to adjourn the business meeting and convene the Community Development and Renewal Agency Meeting. The motion was seconded by Councilman Bracken and passed unanimously on a voice vote. The business meeting adjourned at 8:16 p.m.

Approved: February 13, 2007

Kelvyn Cullimore, Jr., Mayor

Don Antczak, Councilman

Scott Bracken, Councilman

Bruce Jones, Councilman

Gordon Thomas, Councilman