

MINUTES OF THE CITY COUNCIL MEETING HELD DECEMBER 8, 2009, IN THE CITY COUNCIL CHAMBER AT COTTONWOOD HEIGHTS CITY OFFICE

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

EXCUSED: Councilmember Thomas

STAFF PRESENT: City Manager Liane Stillman, City Attorney Shane Topham, Deputy City Manager Kevin Smith, Chief Robby Russo, Assistant Chief Mike Watson, Public Information Specialist Bob Warnick, Assistant Chief Paul Brenneman, Sgt. Chris Gebhardt

ALSO PRESENT: Councilman-elect Tee Tyler, Larry and Beverly Jensen

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 Jones

2.0 **CITIZEN COMMENTS**

2.1 John Stephens, property owner, asked how the Council felt about having short-term rentals for a single-family residence within the city. He would like to rent out his property which is located between Big and Little Cottonwood Canyon as a high end luxury rental. After pulling up the city regulations he discovered that it is a right only for those in a condominium association complex. He believes that he should have the same rights. He asked how he could appeal this requirement so he could proceed in renting his property.

City Attorney Shane Topham explained that the City went through a two year process in order to get a handle on the short-term rental issue, and the current ordinance was passed after a great deal of work. The current ordinance caps the number of short-term rental properties. To be able to rent his house would require an amendment to that ordinance to increase the cap. The amendment process would take at least three months.

Councilman Jones said that when the City incorporated, short-term rentals were very controversial and divisive. The City studied the issue for a long period of time and the present ordinance is a balance. Even though the process is possible, it was thought out and the Planning Commission and Council would have to be convinced the ordinance is wrong.

Mr. Stephens will contact Michael Black regarding the process.

3.0 **REPORTS**

3.1 **Monthly Public Works Report**

3.1.1 Deputy City Manager Kevin Smith reviewed the current public works projects. He reviewed the pavement management in the city which has been completed until spring. The city will start to gear up for the Fort Union pavement project. He will be holding informational meetings and contacting the business community so that they are aware of the project. He noted that the City will also start a systematic study of the storm drains beginning in the early spring.

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3.1.2 Mr. Smith reviewed the public works contract, the trip hazard mitigation contract and the street sweeping contract.

3.1.3 The bridge on the Big Cottonwood Canyon Trail is being constructed and the asphalt has been completed. Final completion is expected in early spring.

3.1.4 A copy of the complete report is available to the public.

3.2 Monthly Police Department Report

3.2.1 Sgt. Gebhardt reviewed the statistics for the month of November. Priority 1 response time was just over four minutes, which is the lowest it has been this year. He said that even though calls were down, thefts, frauds and assaults increased this month.

He explained to those in attendance the differences between a burglary, a robbery, and a theft.

3.2.2 District 1 experienced an increase in frauds and thefts; District 2 saw an increase in domestic calls, but a decrease in overall crimes; District 3 saw an increase in domestic calls, frauds, assaults and theft; and District 4 experienced an increase in burglaries and thefts, with an overall decrease in crime.

3.2.3 Sergeant Gebhardt pointed out that 37 percent of all traffic stops resulted in a written citation; 27 percent were written warnings; and 36 percent were verbal warning. Through the month of November there have been 217 DUI arrests.

4.0 ACTION ITEMS

4.1 Consideration of Ordinance No. 146 Regarding the Dedication of Private Roads

4.1.1 Deputy City Manager Kevin Smith explained that the proposed ordinance establishes a process whereby homeowners' associations or business owners could petition the City to consider making a private street a public street.

4.1.2 **MOTION:** Councilman Antczak moved to approve Ordinance No. 146. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

4.2 Consideration of Resolution No. 2009-65 Approving Stop Sign Removal Policy

4.2.1 Mayor Cullimore said that the proposed Stop Sign Removal Policy has been discussed at Council meetings for the last year and have had many comments from the public. The proposed policy establishes a process by which citizens or elected officials can petition to have unwarranted stop signs in the City removed.

4.1.2 **MOTION:** Councilman Bracken moved to approve Resolution No. 2009-65. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

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4.3 Consideration of Resolution No. 2009-66 Consenting to the Reappointment of James Holtkamp to the Board of Adjustment

4.3.1 MOTION: Councilman Jones moved to approve Resolution No. 2009-66. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

5.0 CONSENT CALENDAR

5.1 Approval of November 10 and November 24, 2009 Minutes

5.1.1 The minutes were approved as submitted.

6.0 ADJOURN

6.1 MOTION: Councilman Bracken moved to adjourn the business meeting and reconvene the work session. The motion was seconded by Councilman Antczak and passed unanimously on a voice vote. The business meeting adjourned at 8:05 p.m.

Approved: January 26, 2010