

MINUTES OF THE CITY COUNCIL MEETING HELD JULY 12, 2005, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS.

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, Community Development Director Kevin Smith, City Planner Michael Black, City Recorder Linda Dunlavy

OTHERS PRESENT: Mike Watson, Gordon Nicholl, Doug Shelby, Robby Russo, Corbett Ford, Kathy McKittrick, Jill & Gary McGee, Geoff Armstrong, Jerri Harwell, Mike Peterson, Soren Simonsen, Kelly Gillman, Sharon Sherley, Dorothy Williams, Mary Nicholla, James Willhite, Tom White, Bob Good, Clarence Montgomery, Ruth Fox, Ralene Young, Gary Huntsman

1.0 **WELCOME/PLEDGE**

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 Mayor Cullimore.

2.0 **PUBLIC COMMENTS**

2.1 Joe DiNero, 7391 Camelback Circle, said a home is being built across the street from him on Butler Hills Drive, that he believes has exceeded the height variance. He hired an engineer to do the surveying on the height, met with Mayor Carroon, was stonewalled by them for weeks, and during that time lost his due process. He said that a water meter (fire hydrant) should also be installed, but the developer has a letter from Salt Lake County exempting them from having a water meter (fire hydrant). He asked for a copy of the letter and was told he could not have one. He stated that he would be very frustrated if any money from Cottonwood Heights is used to supplement this building project. Mr. DiNero gave his information to Liane Stillman for review.

2.2 Clarence Montgomery, 2751 Carol Drive, said that Salt Lake County did a very poor job on patching some the roads in the Steffensen Heights subdivision.

Mayor Cullimore explained that the City has a contract with Salt Lake County for doing road repairs. He said that a Capital Facilities Plan is currently being done which will tell the City the condition of the roads and sidewalks, and help prioritize the road improvements that need to be made.

2.3 Ralene Young, 6720 South Stonehaven, said that the streets need to be swept in her area.

Kevin Smith explained that Ms. Young should call the City and if there is an area that needs attention the City will indicate that to the County so they can take care of it.

### **3.0 REPORT/PRESENTATIONS**

#### **3.1 City Manager Report**

- 3.1.1 City Manager Liane Stillman stated that the Old Mill Citizens Committee is a group that will work in conjunction with industry on issues that have to do with coexisting between residential properties and the gravel and asphalt industry. Jackie Hibbard will chair the committee.
- 3.1.2 Ms. Stillman said that Butlerville Days, which is the City's first event, will be held July 25<sup>th</sup>. The Committee has been meeting every Monday for the last three months. The Chair is Ron Fullmer, and he has done a terrific job in recruiting people and getting the event off the ground. Ms. Stillman reviewed the events of the day.
- 3.1.3 Ms. Stillman said that the Council has been paying attention to the fire danger in the foothills due to the weather. Battalion Chief Watson has stated that the danger in the foothills continues to worsen with the hot dry weather and at this time Draper is the only city to impose a ban. He believes it is inevitable that others will also impose a ban and the fire department would support the City in a fireworks ban if that is what is decided by the Council
- 3.1.4 Ms. Stillman reviewed upcoming events.

#### **3.2 Sheriff's Report**

- 3.2.1 Corbett Ford reviewed the crime statistics for the month of May. There was an increase in property burglaries and false burglar alarms and a decrease in vehicle burglaries. He noted that gas drive-offs are being seen as a national problem at this time, as gas prices continue to rise. Deputies responded to 972 calls which generated 658 cases. Deputy Ford said that they are seeing an increase in the use of heroin by the youth. He noted that a young man from Cottonwood Heights died of a heroin overdose last month. He encouraged everyone to attend the Night Out Against Crime at Butler Park.
- 3.2.2 Lt. Robby Russo said that the Oak Creek Drive 'Brighton Jump' area had another rollover this week and the City needs to look at the area before there is a fatality. He asked to schedule his traffic officer to present recommendations on traffic calming for the area. The area of the Cottonwood Heights Recreation Center and Banbury Road is also a concern Lt. Russo would like to address. These items will be scheduled for the next meeting.

### **4.0 PLANNING/PUBLIC WORKS MATTERS**

#### **4.1 Ordinance No. 24 Adopting the General Plan**

- 4.1.1 Mayor Cullimore explained that one of the requirements of a new City is to develop and adopt a General Plan which addresses land use, zoning, urban trails, economic development, parks and open space, transportation, housing, and annexation. This plan tries to anticipate the future uses of property and how the City could develop. The Planning Commission reviewed the General Plan, held public hearings and made recommendations to the City Council. The Council then reviewed the plan and held a public hearing. The Council has decided not to formally adopt the

General plan until July 19<sup>th</sup> in order to review the changes that have been made since the public hearings.

**4.2 Ordinance No. 25 Adopting a Land Use Ordinance and Zoning Map**

4.2.1 Community Development Director Kevin Smith reviewed the proposed Zoning Map.

4.2.2 Doug Shelby, Walker Development, expressed concern about the zoning of the gravel pit property. He stated the County allowed 20,000 square foot lot minimums on that property and now the City is placing a one acre minimum on the property.

Mayor Cullimore stated that the zoning would be changed to match what the County had on the property which would be F-1-21.

4.2.3 Bob Goode, asked if there is a mechanism to appeal the zoning map.

City Attorney Shane Topham explained that an appeal would be to the Third District Court within 30 days of the decision.

4.2.4 Joe DiNero, said that the property located at 7416 Butler Hills Drive is shown on the zoning map as R-2 and it should be R-1.

4.2.5 Gordon Nicholl, explained that the owner of the property being discussed came before the Cottonwood Heights Community Council and requested a change to R2 which was denied.

4.2.6 Mayor Cullimore proposed that adoption of the Land Use Ordinances and Zoning map be postponed to Thursday, July 14<sup>th</sup> at 4:00 p.m.

**4.3 Ordinance No. 26 Adopting a Subdivision Ordinance**

4.3.1 **MOTION:** Councilman Antczak moved to approve Ordinance No. 26 adopting a subdivision ordinance. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

**4.4 Consideration of granting a utility easement to Utah Power and Light at 7320 South Wasatch Blvd.**

4.4.1 Community Development Director Kevin Smith said that this process started with Salt Lake County prior to incorporation and Utah Power and Light is asking to replace the wooden pole with a metal pole and move the lines across the street to the south. He requested that approval of this easement be subject to review by the City Attorney.

4.4.2 **MOTION:** Councilman Jones moved to approve the granting of the utility easement to Utah Power and Light subject to review of the contract by the City Attorney. The motion was seconded by Councilman Bracken and passed unanimously on a voice vote.

5.0 **OTHER MATTERS**

5.1 **Appointment of a City Council member to the VECC Board**

- 5.1.1 **MOTION:** Councilman Jones moved to appoint Councilman Thomas as a member of the VECC Board. The motion was seconded by Councilman Bracken and passed unanimously on a voice vote.

5.2 **Appointment of a member and alternate to the UFA Board**

- 5.2.1 Mayor Cullimore explained that a member will be appointed to the Unified Fire Authority Board tonight, but the alternate will be placed on a future agenda once the Unified Fire Authority has amended their agreement to make provisions for an alternate.

- 5.2.2 **MOTION:** Councilman Antczak moved to appointment Mayor Cullimore as a member of the Unified Fire Authority Board. The motion was seconded by Councilman Jones and passed unanimously on a voice vote.

5.3 **Resolution No. 2005-55 approving a License Agreement with the LDS Church for a Fireworks Launch Site for Butlerville Days**

- 5.3.1 **MOTION:** Councilman Bracken moved to approve Resolution NO. 2005-55. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

5.4 **Confirmation of City Manager Appointment of Kevin Smith to the WFRC Regional Growth Committee**

- 5.4.1 Councilman Thomas moved to confirm the appointment of Kevin Smith to the Technical Advisory Committee of the Regional Growth Committee of the WFRC. The motion was seconded by Councilman Antczak and passed unanimously on a voice vote.

5.5 **Confirmation of City Manager Appointment of Brad Gilson to the Transcom Technical Advisory Committee**

- 5.5.1 Councilman Bracken moved to confirm the appointment of Brad Gilson to the Technical Advisory Committee of Transcom of the WFRC. The motion was seconded by Councilman Antczak and passed unanimously on a voice vote.

6.0 **CONSENT CALENDAR**

- 6.1 The minutes of June 28, 2005 were approved.

7.0 **CALENDAR OF UPCOMING EVENTS**

- 7.1 Mayor Cullimore reviewed the upcoming events.

8.0     **ADJOURNMENT TO WORK SESSION**

8.1     The Business Meeting adjourned at 8:45 p.m.

**Approved: July 19, 2006**

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Kelvyn Cullimore, Jr., Mayor

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Don Antczak, Councilman

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Scott Bracken, Councilman

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Bruce Jones, Councilman

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Gordon Thomas, Councilman