

MINUTES OF THE CITY COUNCIL MEETING HELD APRIL 12, 2005, 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, City Treasurer Gary Harmer, Director of Finance David Muir, Community Development Director Kevin Smith, City Planner Michael Black, City Recorder Linda Dunlavy

OTHERS PRESENT: Kit Lindsey, Brian Harris, Ron Fullmer, Mike Watson, Mr. & Mrs. Mars, Jana Parker, Janet & David Almstead, Leon Carlston, Betty Langeberg, Debbie Tyler, Geoff & Margaret Armstrong, Chad Booth, Jerry Christensen, Susan Stewart, Ken Paulson, Bob Good, Craig Sturm, Catherine Garrett, Debbi Beckstead, Paul Breneman, Detective Burgess, Corbett Ford

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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 Councilman Bracken.

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2.0 **REPORT ON OPEN HOUSE**

2.1 Debbi Beckstead, Open House Chair, reported the winners of the logo contest were Jeimi Woffinden, first place and Brian Berndt, second place. First place winner of the motto contest was Roy Nydegger for "City between the Canyons" and second place winner was Stephanie Casperson for "Cottonwood Heights. Smart. Bold. Beautiful." The hot air balloon ride was won by Nick Flint. 92 DVDs were purchased and they will continue to be sold for \$5.00 each. It is estimated that over 500 people were in attendance and approximately 100 volunteers helped with the open house.

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3.0 **PRESENTATION:** Brian Harris, Artistic Promotions

3.1 Brian Harris, explained that he is sole proprietor of Artistic Promotions, a manufacturer and marketer of bus benches. He has held valid contracts within every municipality where he has operated, paid all appropriate fees, maintained twice the liability coverage required by each municipality, and has not received any complaints in eleven years. He said that bus benches provide a place for people to sit while they are waiting, they

provide advertising space for local businesses, and provide revenue to the City. He said the support from cities is crucial to his business. Mr. Harris said he is willing to work with the City and will provide a list of the benches he owns within the City along with a list of advertisers. Members of the Council posed several questions that Mr. Harris answered.

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4.0 PUBLIC COMMENTS

- 4.1 Ron Fullmer stated that the City should begin looking at the flooding issue inasmuch as two major canyons empty through Cottonwood Heights. He said that Little Dell and Jordanelle are in place along with several retention ponds, but stream debris and erosion are still concerns.

City Manager Liane Stillman said that she met with the City Engineer, Community Development Director and County Flood Control to discuss this issue. She said that there needs to be constant monitoring and cleaning of the culverts when necessary so that there is no blockage of the stream channels. The instant there is any kind of blockage at the culvert the City needs to be apprised of the situation.

Councilman Thomas noted that sandbags have been filled in preparation and materials are available for more to be filled if necessary.

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- 4.2 Craig Sturm said that his website received 36 visits in January; 149 visits in February; 283 visits in March; and 196 visits as of April 12th. Many comments have been in regards to the issue of street lights.

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- 4.3 Caroline Mars, stated that she not opposed to short term rentals, but is opposed to illegal short-term rentals. She stated that she has attended many meetings with the County and in 1996 was promised they would enforce the ordinance against short term rental and no additional units could apply for such a license. In 1996 there were nine short term rentals and there are now 34. Multiple complaints to the County over the past eight years have been ignored. She asked Cottonwood Heights to do what the County has not done and enforce the rules.

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- 4.4 Sue Stewart, stated that the Ridge Crest Elementary principal has petitioned the County for sidewalks in the area, one of which is in front of the school, and asked what she could do to keep the request before the City.

Mayor Cullimore explained the City is currently addressing the issue of sidewalks and asked her to talk to Kevin Smith regarding this issue.

She also said that Draper City has a “Do not solicit list” for people that go door to door and asked if Cottonwood Heights could do the same thing.

City Attorney Shane Topham said that City’s ordinance is compliant but it may be amended to mirror what the other cities are doing on this subject.

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4.5 Jerry Christensen, PTSA president at Brighton High School, said they have determined that they are going to replace the marquee. He said it is a great place for a City gateway and suggested that Cottonwood Heights help fund the marquee.

Mr. Christensen will forward his proposal to Councilman Bracken.

5.0 **REPORTS/PRESENTATIONS**

5.1 **City Manager Report**

5.1.1 Liane thanked the Staff, landlord and volunteers for all of the support for the open house.

5.1.2 In conjunction with Arbor Day the City will have a tree planting at Mill Hollow Park. As an Eagle Scout project 5-7 honey locust trees will be planted. The City qualified for funding through an Arbor Day grant.

5.1.3 The first meeting of the Cottonwood Heights Planning Commission was held last Wednesday.

5.1.4 Ms. Stillman said that she and Councilmen Bracken and Thomas met with Salt Lake County Parks & Recreation and expressed concern about the Bonneville Shoreline Trail and Crestwood Park. Crestwood Park is 56 acres, most of which is undeveloped land. The property has come under constant pressure from development to take or trade parts of this property. The City will have development projects which will impact the Bonneville Shoreline Trail and need to make sure there is parking and access for the public.

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5.2 **Sheriff’s Report – Detective Burgess**

Detective Burgess reviewed the February 2005 calls received by the Sheriff’s department. He noted there was a large drug bust and that by taking this dealer out it has significantly impacted marijuana distribution in this area. After arrests were made the County decided to pursue federal charges for significantly larger penalties and the ability to seize assets.

He also noted that there was a bank robbery at Washington Mutual on March 21st. There has been a series of bank robberies across the valley and there appears to be more than one group involved in the robberies.

He presented the Council with a statistical report for the month of February.

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5.3 Volunteer Coordinator Report – Chad Booth

Chad Booth said that the City has approximately 80 volunteers and there has been discussion about taking the base of volunteers and using them as an information source in surveys. This would keep them interested in volunteering and provide the Council and staff with important information.

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5.4 Justice Court – Betty Langeberg

Betty Langeberg gave a brief update on the Justice Court. During the month of March 297 cases were filed and 150 were disposed. The first trials were held last week and trial dates have been set up with each of the judges.

6.0 PLANNING/PUBLIC WORKS MATTERS

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6.1 Resolution No. 2005-31 expressing Cottonwood Heights' intention to participate in the 31st year Community Development Block Grant program beginning July 1, 2005, and allocating the City's funds to completion of the General Plan

6.1.1 Councilman Antczak moved to approve Resolution No. 2005-31 adopting a one year action plan for the 31st year Community Development Block Grant funding to be used to complete the Cottonwood Heights General Plan. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

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6.2 Resolution No. 2005-32 approving the form of a lease purchase agreement with Zions First National Bank and authorizing the City's entry into such agreement and all related documentation

6.2.1 Councilman Jones moved to approve the lease purchase agreement with Zions First National Bank and to authorize the City to enter into the agreement. The motion was seconded by Councilman Thomas and passed unanimously on a voice vote.

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6.3 Consideration of approval of the Alan Prince 3-Lot Minor Subdivision located at 2384 East 6600 South on 1.07 acres

6.3.1 City Planner Michael Black reviewed the location of the subject property. He explained that this is a three-lot minor subdivision with double frontage on 6600 South and 6660 South. The Planning Commission discussed the option of sidewalks for this area and

wanted the option to install sidewalks at a future time. In researching the issue of sidewalks, Mr. Black found that no more land would need to be dedicated for the sidewalk.

- 6.3.2 City Attorney Shane Topham said that an alternative to requiring posting of a bond, would be to have the landowners execute and deliver a recordable delay agreement covering the improvements that would be recorded as an encumbrance against the subdivision. It would require the owners to put in the improvements at a future time that the City determined the sidewalks should be installed. Because it is recorded against the property, owners are aware of the potential obligation.
- 6.3.3 Discussion was held on the issue of how sidewalk placement should be addressed.
- 6.3.4 City Manager Liane Stillman expressed concern over the approach of having people escrow for the building of sidewalks, explaining that the City could end up subsidizing if the time frame for the installation of the sidewalk is very long.
- 6.3.5 Community Development Director Kevin Smith explained the Capital Facilities Transportation Plan will include recommendations on sidewalk construction and replacement:
- 6.3.6 **MOTION:** Councilman Jones moved to approve the Alan Prince 3-Lot Minor Subdivision and stipulate that the developer place with the City, in a form acceptable to the City, the cost of the sidewalk improvement; and that the money be reserved for the subject property. The motion was seconded by Councilman Thomas and passed unanimously on a voice vote.

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6.4 **Report on General Plan process**

- 6.4.1 An open house will be held on the General Plan Thursday, April 28th from 4:00 p.m. – 7:00 p.m. The consultant will have display boards showing results of the Neighborhood meeting process. Residents will be able to comment on the plans. Public hearings on the General Plan will be held before the Planning Commission in May and the City Council in June.

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6.5 **Community Development Report**

- 6.5.1 City Planner Michael Black reviewed the current planning projects that are taking place within the City.

7.0 **OTHER MATTERS**

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7.1 **Resolution No. 2005-29 approving a contract with the City Manager**

7.1.1 **MOTION:** Councilman Bracken moved to approve a contract with Liane Stillman as City Manager. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

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7.2 **Resolution No. 2005-34 approving a contract with Miller & Miller for prosecutorial services**

7.2.1 **MOTION:** Councilman Antczak moved to approve a contract with Miller & Miller for prosecutorial services. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

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7.3 **Resolution No. 2005-35 approving a deferred compensation plan permitting loans with ICMA Retirement Corporation**

7.3.1 **MOTION:** Councilman Jones moved to approve a plan permitting employees to enter into a deferred compensation plan with ICMA Retirement Corporation. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

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8.0 **CONSENT CALENDAR**

8.1 The minutes of March 22, 2005, were approved.

9.0 **CALENDER OF UPCOMING EVENTS**

April 18 at 2:00 p.m. – General Plan Business Community Meeting

April 28 at 4:00 p.m. – General Plan Open House

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10.0 **ADJOURN TO WORK SESSION**

10.1 Councilman Bracken moved to adjourn. The motion was seconded by Councilman Thomas and passed unanimously on a voice vote. The meeting adjourned at 9:27 p.m.

Cottonwood Heights City Council

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Submitted by:

Linda Dunlavy

City Recorder

Approved: 04-26-2005

Kelvyn Cullimore, Jr., Mayor

Don Antczak, Councilman

Scott Bracken, Councilman

Bruce Jones, Councilman

Gordon Thomas, Councilman