

MINUTES OF THE CITY COUNCIL MEETING HELD APRIL 8, 2008 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, Public Relations
Specialist Bob Warnick, Planning Director Michael Black, Associate Planner
Glenn Symes, Finance Director David Muir, Chief of Police Robby Russo,
Assistant Chief Paul Brenneman

OTHERS PRESENT: Gordon Nicholls, Larry & Beverly Jensen, Stephanie Archibald, Heath Lowry,
Paul Brenneman, Corbett Ford, Mike Watson, Ron Fullmer, Jon Fassett, Heath
Lowry, Lynn Feveryear, Vera Winn, Jacob Floisand, Terry Jeffs, Jordan Boren,
Carson Poch, Kevin Bryant, Michael Savas, Callie Thakeray, Kendra McGarrity,
Katherine Dew, Ann Bracken, Asia Pham, Nikos Liodakis, Serge Olszansky, Ed
Holiday, Scott Sargent, Marty Pierson, Ellen Mears, Edy Wright, D.G. Wright,
Russ and Jeannie Harmer, Cathy Maxfield, Mike Peterson, Don Machin, Tim
Williams, Richard Blanck, David Evans, Gerald Ream, Chris Cage, Patti Hansen,
Sabah Ul-Hasan, P.J. Nakamura, Janet Janke, Debbie Tyler, Dan Morzelewski,
Amber Kassapakis, Phil Marsala, Zane Smith, Clay Davis, Sarah James, Roger
Borgenicht, Karen Wiley, Renita Pullman, Wyatt Davis, Sadie Nilson, Hillary
Yung, Christina Gracken, Emily Shelton, Tori Parker, Lindsey Searle

1.0 **WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

1.1 Mayor Cullimore opened the business meeting at 7:05 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was led by Jacob Floisand, Troop 609.

2.0 **CITIZEN COMMENTS**

2.1 Ron Fullmer said that regarding 1495 East, if it is closed from egress, the neighborhood needs the
opportunity for egress in another location.

3.0 **PUBLIC HEARING**

3.1 **Public Hearing to Receive Comments on the proposed use of the Community Development
Block Grant for FY 08-09**

3.1.1 Mayor Cullimore explained that each year the federal government allocates money for
Community Development Block Grants with a portion of that money available for nonprofit
organizations.

3.1.2 Karen Wiley, Community Development Coordinator, explained that the funding for this grant is
through the Department of Housing and Urban Development. Last year the City received
\$90,000 and this year the City will receive \$88,200. The City has a maximum of \$13,230 that
can be given out to applicants for "soft costs". The balance can be used for planning projects,
housing, and other eligible costs. She urged everyone to let the congressional delegation know
how important the funding is, and the impact it has on the community. This year the soft cost
portion of the application process was combined so that one application from the nonprofit

organizations went to the eleven participating cities and the county. In the application they were to address how many residents were served from all of the jurisdictions and the amount of money needed from each jurisdiction to run the programs provided.

- 3.1.3 City Manager Liane Stillman said that the City received applications from the Food Bank and ASSIST after the deadline. These are both applicants that the City Council has funded in the past.

Ms. Wiley said that ASSIST is eligible for funding from the hard cost portion of the grant since their program is housing related. The Food Bank did miss the deadline and the County has not been accepting soft cost applications, but they do have a housing program that is eligible for funding from the hard cost portion of the grant the City could consider.

- 3.1.4 Mayor Cullimore opened the public hearing.

- 3.1.5 Celeste Eggert, Road Home Homeless Shelter Development Director, thanked the Council for past support The Road Home has received. CDBG funding is critical for nonprofit agencies and she encouraged the Council to contact the congressional delegation regarding the importance of the CDBG funds. The Road Home is the largest homeless shelter in the state and last year provided shelter to an unduplicated 3,862 individuals. They also have a housing program and case management program to help people get back on their feet. They are requesting funds for the basic shelter downtown and the winter shelter which is located in Midvale.

- 3.1.6 Roger Borgenischt, ASSIST, explained that they provide critical home repair programs for low income residents; as well as accessibility assessment and design. Last year ASSIST participated in eleven critical repairs in Cottonwood Heights working with license, insured professionals. The average cost of those repairs was \$969 per month.

- 3.1.7 Mayor Cullimore closed the public hearing.

- 3.2 **Public Hearing to Receive Comments on a Proposed General Plan Amendment at property located at 8559-8595 South Wasatch Blvd., Cottonwood Heights, UT. The applicant is proposing to change the General Plan designation from Low-Density Residential to Medium-Density Residential**

- 3.2.1 Glenn Symes explained that this is a request for a general plan amendment on five properties located on Wasatch Blvd. The request is to change the general plan from low density residential to medium density residential. If approved it would allow single-family attached units such as town homes or duplexes on an 8,000 square foot lot size, which would allow up to ten units. Staff and the Planning Commission have recommended denial of this request.

- 3.2.2 Mark Neff, applicant, explained that this parcel is composed of residual parcels when Wasatch Blvd. was constructed through the area. He believes the present zone is inappropriate for this area and that there are health and safety issues due to high traffic and high sound problems. He stated that as he has tried to market the property, it has not been appropriate for single-family residential. The buildable area is restricted because much of the front yard area is occupied by the frontage road. Mr. Neff believes town or twin homes is a better use because the area is isolated, and there is no interaction between neighborhoods. The property across the street is zoned R-2-8.

- 3.2.3 Mayor Cullimore opened the public hearing. He explained that this property was originally zoned by Salt Lake County for single-family development. The applicant is seeking to change the general plan, which does not change the zoning, but is an initial step toward changing the zoning.
- 3.2.4 Richard Olsen said that he lives close to the intersection and neighbors make comments about the trash and the unsightliness and wish it would be better maintained or kept clean. The neighbors are also concerned about the traffic that might be created in that area and the ability to get on and off of Wasatch Blvd. He believes fewer units would be more desirable.
- 3.2.5 Debra Olsen expressed concern about the geological study that has been done in this area showing fault lines across this piece of property.
- 3.2.6 Ed Hobday, homeowner, expressed concern about the added density and the effect it will have on the traffic.
- 3.2.7 Ellen Mears asked if anyone has considered what will happen to Wasatch Blvd in 10-15 years. There are no bike paths designated and she believes the City should consider reserving space on each side of the road for bicycle traffic.
- Mayor Cullimore explained that there is 25-feet past the road before you get to the applicant's property and the setback for building would be 25-feet beyond that.
- 3.2.8 Phil Marsello said the less people that are located in that area the better off everyone will be. He questioned how the City could give any kind of approval for building in this area, due to the possibility of earthquakes.
- 3.2.9 Les Harbor, property owner, said it is important that the developer does not cut into the hillside as they develop.
- 3.2.10 Don Machin commented that there is a traffic problem and no building should be approved.
- 3.2.11 Mayor Cullimore closed the public hearing.

3.3 **Public Hearing to Receive Comments on a Proposed General Plan Amendment at property located at 1642, 1648, 1680, 1690 East Fort Union Blvd., and 6943 South 1620 East, Cottonwood Heights, UT. The applicant is proposing to change the General Plan designation from Low-Density Residential to Neighborhood Commercial**

- 3.3.1 Mayor Cullimore opened the public hearing. No comments were received. The applicant has requested that this public hearing be continued.
- 3.3.2 Mayor Cullimore continued the public hearing to a future meeting.

4.0 **REPORTS/PRESENTATIONS**

4.1 Presentation of Awards to Cottonwood Heights City from the Utah Parks and Recreation Association

- 4.1.1 Mr. Steve Carpenter, Utah Recreation and Parks Association Executive Director, explained that this association represents local, regional, state and federal agencies and has been in existence for 57 years. The mission of the association is to advance membership and professional staff in providing quality programs to serve the communities. The programs that are offered on a city level make cities better places to live.

Mr. Carpenter said that over the last 15 years Cottonwood Heights has received more awards than any other community. The following awards were received this year: Outstanding Program Award – Bark in the Park; Outstanding Program Award – Thanksgiving 5K Race; Outstanding Volunteer of 2008 – Edy Wright; Great Western Park and Playground Professional for 2008 – Dan Morzeleski

4.2 Youth City Council Report

- 4.2.1 Katherine Dew, representing the Youth City Council, explained that during the past year the Youth City Council has helped with Bark in the Park, the Easter Egg Hunt, tied blankets for Primary Children's Hospital, and will be participating in Butlerville Days. All members show up to volunteer at these activities. This year the students attended the Youth City Council Leadership Conference at Utah State University which has been established to provide opportunity for youth, develop citizenship and leadership, and an understanding of government. Ms. Dew said that attending the conference brought the Youth City Council closer as group. The members in attendance introduced themselves to the Council.

Mayor Cullimore commented that the Youth City Council represents the City well and works hard in the community.

4.3 Salt Lake County Sheriff's Report – Detective Ford

- 4.3.1 Steve Moore, Citizen Advisory Board reviewed the quarterly survey done for April-June, 2007. The surveys are done from a list of burglary, larceny, vandalism, and traffic cases. The survey is done at random, and victims, witnesses and complainants are surveyed. The Board asks what kind of contact they have had with the department, whether they are a victim, complainant, or witness; whether it is a traffic involvement or other, and the urgency of the call. They question about response time, relationship with dispatch, relationship with deputy during the incidence, and the resolution.

Those called are asked to respond by excellent, good adequate, inadequate, unacceptable, or no response on a scale of 0-5. Response time averaged 4.33; deputy 4.36; dispatch 4.5; resolution 3.49. This is better than other eastside precincts and the citizens appreciate it. 22 positive comments and five negative comments were received.

- 4.3.2 Detective Ford stated that for the month of March there were 864 calls for service resulting in 468 cases, which is drop in the number from the previous month. Burglaries and damaged properties were down, and frauds and stolen vehicles rose slightly. Detective Ford said that the "Night Out Against Crime" will be held Wednesday, August 6th and challenged the City Council to have a Neighborhood Block Party in each District that the

Sheriff's Office can attend. Written material regarding this event will be given to the Council next month.

4.4 Administration of Oath of Office to Assistant Chief of Police Paul Brenneman

4.4.1 Mayor Cullimore said the City is excited to begin swearing in the members of the new Police Department. Paul Brenneman has been a loyal officer in the Sheriff's office for many years, and has served Cottonwood Heights very well over the past three years. Mayor Cullimore particularly applauded Sergeant Brenneman's professionalism in working through some difficult situations between the city and the Sheriff's Office this past year.

4.4.2 The oath of office was administered by Linda Dunlavy, City Recorder.

5.0 ACTION ITEMS

5.1 Consideration of Resolution No. 2008-20 Ratifying Entry Into a Second Amendment to Office Lease with WLA UPU-1-2, LLC for Additional Office Space

5.1.2 Councilman Antczak moved to approve Resolution No. 2008-20 for additional space for the police department. The motion was seconded by Councilman Thomas and passed unanimously on a roll call vote.

5.2 Consideration of Resolution No. 2008-21 Ratifying Entry Into a License Agreement with the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints for the Staging of the Butlerville Days Fireworks

5.2.1 Councilman Bracken moved to approve Resolution No. 2008-21 ratifying entry into a license agreement with the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints for the staging of the Butlerville Days fireworks. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.

5.3 Consideration of Resolution No. 2008-22 Ratifying Entry Into an Agreement with Lantis Productions, Inc for Fireworks Display

5.3.1 Councilman Thomas moved to approve Resolution No. 2008-22 ratifying entry into an agreement with Lantis Productions for a fireworks display. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

5.4 Consideration of Resolution No. 2008-23 Ratifying Entry Into an Agreement with Spillman Technologies

5.4.1 Councilman Antczak moved to approve Resolution No. 2008-23 ratifying entry into an agreement with Spillman Technologies. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

5.5 Consideration of Resolution No. 2008-24 Approving Participation in the Utah Public Safety Noncontributory Retirement System

- 5.5.1 Councilman Bracken moved to approve Resolution No. 2008-24 approving participation in the Utah Public Safety Noncontributory Retirement System. The motion was seconded by Councilman Jones and passed unanimously on a roll call vote.

6.0 CONSENT CALENDAR

6.1 Approval of January 22, February 12, February 26, March 11, March 25, 2008 Minutes

- 6.1.1 The minutes were approved as submitted.

7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION

- 7.1 Councilman Antczak moved to adjourn the business meeting and reconvene the work session. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote. The business meeting adjourned at 8:45 p.m.