

# COTTONWOOD HEIGHTS

## ORDINANCE NO. 217-A

### AN ORDINANCE APPROVING THE RE-ZONE OF REAL PROPERTY LOCATED AT 7900 SOUTH HIGHLAND DRIVE FROM RR-1-21 (RURAL RESIDENTIAL) TO RO (RESIDENTIAL OFFICE) AND AMENDING THE ZONING MAP

**WHEREAS**, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 *et seq.*, as amended (the “Act”), provides that each municipality may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

**WHEREAS**, pursuant to the Act, the municipality’s planning commission shall prepare and recommend to the municipality’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represents the planning commission’s recommendations for zoning the area within the municipality; and

**WHEREAS**, the Act also provides certain procedures for the municipality’s legislative body to adopt or amend the land use ordinance and zoning map for the city; and

**WHEREAS**, on 14 July 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) enacted its Ordinance No. 25 adopting a land use ordinance for the City and codifying such ordinance as Title 19 of the City’s code of ordinances (the “*Code*”); and

**WHEREAS**, pursuant to its Ordinance No. 25, the Council also adopted a zoning map for the City (the “*Zoning Map*”); and

**WHEREAS**, on 19 February 2014, the City’s planning commission (the “*Planning Commission*”) held a public hearing on a zone change application by Michael Wright (Predico Properties) requesting the re-zone of a parcel of real property located at 7900 South Highland Drive in the City (the “*Property*”) from RR-1-21 (Rural Residential) to RO (Residential Office), at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed re-zone; and

**WHEREAS**, such public hearing before the Planning Commission was preceded by all required legal notices; and

**WHEREAS**, on 5 March 2014, the Planning Commission recommended approval of such proposed re-zone of the Property, and forwarded such recommendation to the Council for final action; and

**WHEREAS**, on 25 March 2014, the Council met in regular meeting to consider, among other things, such proposed re-zone of the Property; and

**WHEREAS**, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed re-zone was discussed, and recommendations of City staff, the Council has determined that it is in the

best interest of the health, safety and welfare of the citizens of the City to approve the re-zone of the Property as specified below;

**NOW, THEREFORE, BE IT ORDAINED** by the city council of the city of Cottonwood Heights as follows:

Section 1. **Approval of Re-zone**. The Council hereby re-zones the Property from RR-1-21 (Rural Residential) to RO (Residential Office).

Section 2. **Adoption of Amended Zoning Map**. The Council hereby amends the City's zoning map to reflect the re-zone of the Property effected by this ordinance (this "*Ordinance*"), and hereby adopts the amended zoning map that is attached as an exhibit hereto as the City's current zoning map.

Section 3. **Action of Officers**. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. **Severability**. All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. **Repealer**. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. **Effective Date**. This Ordinance, assigned no. 217-A, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder, or such later date as may be required by Utah statute.

**PASSED AND APPROVED** this 25<sup>th</sup> day of March 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By \_\_\_\_\_  
**Kelvyn H. Cullimore, Jr., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kory Solorio, Recorder**

**VOTING:**

|                          |     |     |     |     |
|--------------------------|-----|-----|-----|-----|
| Kelvyn H. Cullimore, Jr. | Yea | ___ | Nay | ___ |
| Michael L. Shelton       | Yea | ___ | Nay | ___ |
| J. Scott Bracken         | Yea | ___ | Nay | ___ |
| Michael J. Peterson      | Yea | ___ | Nay | ___ |
| Tee W. Tyler             | Yea | ___ | Nay | ___ |

**DEPOSITED** in the Recorder's office this 25<sup>th</sup> day of March 2014.

**POSTED** this \_\_\_ day of March 2014.

617294.1

# COTTONWOOD HEIGHTS

## ORDINANCE NO. 217-D

### AN ORDINANCE DENYING THE RE-ZONE OF REAL PROPERTY LOCATED AT 7900 SOUTH HIGHLAND DRIVE FROM RR-1-21 (RURAL RESIDENTIAL) TO RO (RESIDENTIAL OFFICE) AND AMENDING THE ZONING MAP

**WHEREAS**, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 *et seq.*, as amended (the “*Act*”), provides that each municipality may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

**WHEREAS**, pursuant to the Act, the municipality’s planning commission shall prepare and recommend to the municipality’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represents the planning commission’s recommendations for zoning the area within the municipality; and

**WHEREAS**, the Act also provides certain procedures for the municipality’s legislative body to adopt or amend the land use ordinance and zoning map for the city; and

**WHEREAS**, on 14 July 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) enacted its Ordinance No. 25 adopting a land use ordinance for the City and codifying such ordinance as Title 19 of the City’s code of ordinances (the “*Code*”); and

**WHEREAS**, pursuant to its Ordinance No. 25, the Council also adopted a zoning map for the City (the “*Zoning Map*”); and

**WHEREAS**, on 19 February 2014, the City’s planning commission (the “*Planning Commission*”) held a public hearing on a zone change application (the “*Application*”) by Michael Wright (Predico Properties) requesting the re-zone of a parcel of real property located at 7900 South Highland Drive in the City (the “*Property*”) from RR-1-21 (Rural Residential) to RO (Residential Office), at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed re-zone; and

**WHEREAS**, such public hearing before the Planning Commission was preceded by all required legal notices; and

**WHEREAS**, on 5 March 2014, the Planning Commission recommended approval of such proposed re-zone of the Property, and forwarded such recommendation to the Council for final action; and

**WHEREAS**, on 25 March 2014, the Council met in regular meeting to consider, among other things, such proposed re-zone of the Property; and

**WHEREAS**, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed re-zone was discussed, and recommendations of City staff, the Council has determined that it is in

the best interest of the health, safety and welfare of the citizens of the City to deny such re-zone of the Property, notwithstanding the Planning Commission's recommendation of approval, based on the Council's finding, *inter alia*, that such re-zone would be incompatible with the surrounding residentially-zoned properties and neighborhood;

**NOW, THEREFORE, BE IT ORDAINED** by the city council of the city of Cottonwood Heights as follows:

Section 1. **Denial of Re-zone**. The Council hereby denies the Application to re-zone the Property from RR-1-21 (Rural Residential) to RO (Residential Office).

Section 2. **Action of Officers**. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **Severability**. All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. **Repealer**. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. **Effective Date**. This Ordinance, assigned no. 217-D, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder, or such later date as may be required by Utah statute.

**PASSED AND APPROVED** this 25<sup>th</sup> day of March 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By \_\_\_\_\_  
**Kelvyn H. Cullimore, Jr., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kory Solorio, Recorder**

**VOTING:**

|                          |     |     |     |     |
|--------------------------|-----|-----|-----|-----|
| Kelvyn H. Cullimore, Jr. | Yea | ___ | Nay | ___ |
| Michael L. Shelton       | Yea | ___ | Nay | ___ |
| J. Scott Bracken         | Yea | ___ | Nay | ___ |
| Michael J. Peterson      | Yea | ___ | Nay | ___ |
| Tee W. Tyler             | Yea | ___ | Nay | ___ |

**DEPOSITED** in the Recorder's office this 25<sup>th</sup> day of March 2014.

**POSTED** this \_\_\_ day of March 2014.

617295.1

# COTTONWOOD HEIGHTS

## ORDINANCE NO. 218-A

### AN ORDINANCE APPROVING A GENERAL PLAN AMENDMENT FOR REALTY AT 2489-2495 EAST CREEK ROAD

**WHEREAS**, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 *et seq.*, as amended (the “Act”), provides that each municipality shall prepare and adopt a comprehensive, long-range general plan; and

**WHEREAS**, the Act requires the municipality’s planning commission to prepare the general plan and submit it to the municipality’s legislative body; and

**WHEREAS**, the Act also provides certain procedures for the municipality’s legislative body to adopt and amend the general plan; and

**WHEREAS**, on 26 July 2005, following full compliance with the procedures for formulation, public hearing and recommendation specified in UTAH CODE ANN. §§10-9a-401 through -404, the city council (the “Council”) of the city of Cottonwood Heights (the “City”) enacted its Ordinance No. 24 adopting a general plan (with all previous amendments, the “Plan”) for the City; and

**WHEREAS**, as authorized by statute, the Plan includes a land use element and an official map (collectively, the “Land Use Element”) allocating to each parcel of land in the City a specific land use designation authorized by the Plan; and

**WHEREAS**, in response to an application (the “Application”) by Paul Shaw Building Group to amend (the “Amendment”) the Land Use Element affecting certain realty located at approximately 2489-2495 East Creek Road in the City from Rural Residential to Low Density Residential, on 19 February 2014, following all required notices, a public hearing was held before the Planning Commission concerning the proposed Amendment, where citizens were given the opportunity to provide written or oral comment concerning the Amendment; and

**WHEREAS**, a photocopy of the Amendment to the Land Use Element of the Plan proposed by the Application is attached as an exhibit to this ordinance and is incorporated herein by this reference; and

**WHEREAS**, on 5 March 2014, following the public hearing on the Amendment, the Planning Commission voted to recommend the Amendment to the Council for adoption, and thereafter recommended that the Council approve the Amendment; and

**WHEREAS**, the Council met in regular meeting on 25 March 2014 to consider, among other things, approving and adopting the Amendment to the Land Use Element of the Plan; and

**WHEREAS**, at such public meeting, the Council accepted additional public comment concerning the Amendment; and

**WHEREAS**, after careful consideration of the recommendations of the Planning Commission, the comments at the public hearings and public meetings, and other pertinent information, and otherwise being fully advised, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to amend the Plan by adopting the Amendment to the Land Use Element as proposed by the Application, and to ratify the Plan, as so amended, as the City's general plan;

**NOW, THEREFORE, BE IT ORDAINED** by the city council of the city of Cottonwood Heights as follows:

Section 1. ***Adoption of New Plan.*** The Council hereby adopts the attached Amendment to the Land Use Element, and hereby ratifies the Plan, as so amended, as the City's general plan. From and after the effective date of this ordinance (this "*Ordinance*"), the Plan shall be deemed amended as specified by the Amendment for all purposes.

Section 2. ***Future Amendment of General Plan.*** Pursuant to the authority granted in the Act, the Council shall have, and hereby expressly reserves, the right to hereafter further amend the Plan at any time or from time to time hereafter for any purpose upon recommendation by the Planning Commission following all appropriate public notices and hearings required by the Act.

Section 3. ***Action of Officers.*** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. ***Severability.*** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. ***Repealer.*** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. ***Effective Date.*** This Ordinance, assigned no. 218-A, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by Utah statute.

**PASSED AND APPROVED** this 25<sup>th</sup> day of March 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By \_\_\_\_\_  
Kelvyn H. Cullimore, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
**Kory Solorio, Recorder**

**VOTING:**

|                          |     |     |     |     |
|--------------------------|-----|-----|-----|-----|
| Kelvyn H. Cullimore, Jr. | Yea | ___ | Nay | ___ |
| Michael L. Shelton       | Yea | ___ | Nay | ___ |
| J. Scott Bracken         | Yea | ___ | Nay | ___ |
| Michael J. Peterson      | Yea | ___ | Nay | ___ |
| Tee W. Tyler             | Yea | ___ | Nay | ___ |

**DEPOSITED** in the Recorder's office this 25<sup>th</sup> day of March 2014.

**POSTED** this \_\_\_ day of March 2014.

617269.1

# COTTONWOOD HEIGHTS

## ORDINANCE NO. 218-D

### AN ORDINANCE DENYING A GENERAL PLAN AMENDMENT FOR REALTY AT 2489-2495 EAST CREEK ROAD

**WHEREAS**, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 *et seq.*, as amended (the “Act”), provides that each municipality shall prepare and adopt a comprehensive, long-range general plan; and

**WHEREAS**, the Act requires the municipality’s planning commission to prepare the general plan and submit it to the municipality’s legislative body; and

**WHEREAS**, the Act also provides certain procedures for the municipality’s legislative body to adopt and amend the general plan; and

**WHEREAS**, on 26 July 2005, following full compliance with the procedures for formulation, public hearing and recommendation specified in UTAH CODE ANN. §§10-9a-401 through -404, the city council (the “Council”) of the city of Cottonwood Heights (the “City”) enacted its Ordinance No. 24 adopting a general plan (with all previous amendments, the “Plan”) for the City; and

**WHEREAS**, as authorized by statute, the Plan includes a land use element and an official map (collectively, the “*Land Use Element*”) allocating to each parcel of land in the City a specific land use designation authorized by the Plan; and

**WHEREAS**, in response to an application (the “*Application*”) by Paul Shaw Building Group to amend (the “*Amendment*”) the Land Use Element affecting certain realty located at approximately 2489-2495 East Creek Road in the City from Rural Residential to Low Density Residential, on 19 February 2014, following all required notices, a public hearing was held before the Planning Commission concerning the proposed Amendment, where citizens were given the opportunity to provide written or oral comment concerning the Amendment; and

**WHEREAS**, a photocopy of the Amendment to the Land Use Element of the Plan proposed by the Application is attached as an exhibit to this ordinance and is incorporated herein by this reference; and

**WHEREAS**, on 5 March 2014, following the public hearing on the Amendment, the Planning Commission voted to recommend the Amendment to the Council for adoption, and thereafter recommended that the Council approve the Amendment; and

**WHEREAS**, the Council met in regular meeting on 25 March 2014 to consider, among other things, approving and adopting the Amendment to the Land Use Element of the Plan; and

**WHEREAS**, at such public meeting, the Council accepted additional public comment concerning the Amendment; and

**WHEREAS**, after careful consideration of the recommendations of the Planning Commission, the comments at the public hearings and public meetings, and other pertinent information, and otherwise being fully advised, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to deny the proposed Amendment to the Land Use Element, notwithstanding the Planning Commission's recommendation for the Council to approve the Amendment;

**NOW, THEREFORE, BE IT ORDAINED** by the city council of the city of Cottonwood Heights as follows:

Section 1. **Denial of Amendment.** The Council hereby denies the attached Amendment to the Land Use Element.

Section 2. **Future Amendment of General Plan.** Pursuant to the authority granted in the Act, the Council shall have, and hereby expressly reserves, the right to hereafter further amend the Plan at any time or from time to time hereafter for any purpose upon recommendation by the Planning Commission following all appropriate public notices and hearings required by the Act.

Section 3. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. **Severability.** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. **Effective Date.** This Ordinance, assigned no. 218-D, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by Utah statute.

**PASSED AND APPROVED** this 25<sup>th</sup> day of March 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By \_\_\_\_\_  
**Kelvyn H. Cullimore, Jr., Mayor**

**ATTEST:**

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**Kory Solorio**, Recorder

**VOTING:**

|                          |         |         |
|--------------------------|---------|---------|
| Kelvyn H. Cullimore, Jr. | Yea ___ | Nay ___ |
| Michael L. Shelton       | Yea ___ | Nay ___ |
| J. Scott Bracken         | Yea ___ | Nay ___ |
| Michael J. Peterson      | Yea ___ | Nay ___ |
| Tee W. Tyler             | Yea ___ | Nay ___ |

**DEPOSITED** in the Recorder's office this 25<sup>th</sup> day of March 2013.

**POSTED** this \_\_\_ day of March 2013.

617297.1

# COTTONWOOD HEIGHTS

## RESOLUTION No. 2014-10

### A RESOLUTION CONSENTING TO APPOINTMENTS TO THE COTTONWOOD HEIGHTS ARTS COUNCIL

**WHEREAS**, section 2.140.401 of the COTTONWOOD HEIGHTS CODE (the “Code”) establishes the “Cottonwood Heights Arts Council” (the “Arts Council”) for the city of Cottonwood Heights (the “City”); and

**WHEREAS**, Code §2.140.403(B) provides that the Arts Council shall consist of up to 13 members who are City residents, who may be from geographically diverse parts of the City, and who may be selected to assure adequate representation of each of the various artistic disciplines; and

**WHEREAS**, Code §2.140.104 provides that members of the Arts Council shall be appointed and removed by the city manager (the “Manager”) with advice and consent of the city council (the “Council”) to staggered three-year terms, so that the terms of office of approximately one-third of the members expire each year; and

**WHEREAS**, the Manager has (a) re-appointed **Shaun Davis, Wendy Merrell and Christi Jones** to new three year terms due to the expiration of their prior terms of office; and (b) appointed **Richard Randolph** and **Sarah Ricketts** to fill the vacancies on the Council arising from the resignations from the Council of Emmaree Josephson and Maradon Nettleship; and

**WHEREAS**, the Manager has requested that the Council give its advice and consent to such appointments; and

**WHEREAS**, the Council met on 25 March 2014 to, among other things, (a) consider the re-appointment or appointment, as applicable, of **Shaun Davis, Wendy Merrell, Christi Jones, Richard Randolph** and **Sarah Ricketts** to fill the vacancies on the Arts Council as specified above; and (b) ratify and consent to the current composition of membership of the Arts Council; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to the foregoing re-appointments and appointments to the Arts Council as proposed by the Manager;

**NOW THEREFORE, BE IT RESOLVED** by the Cottonwood Heights city council that the Council hereby (a) consents to the re-appointment or appointment, as applicable, of **Shaun Davis, Wendy Merrell, Christi Jones, Richard Randolph** and **Sarah Ricketts** to fill the vacancies on the Arts Council as specified above; and (b) ratifies and gives advice and consent to the status of the following individuals as all of the current members of the Arts Council as of the date of this resolution for the terms of office set forth opposite each name:

| <u>Name</u>     | <u>Term Expires</u> |
|-----------------|---------------------|
| Rebecca Kitchen | 1 February 2016     |
| John Russell    | 1 February 2016     |

Sarah Ricketts 1 February 2016  
Chante' T. McCoy 1 February 2016

Shaun Davis 1 February 2017  
Wendy S. Merrell 1 February 2017  
Christi Jones 1 February 2017  
Richard Randolph 1 February 2017

Becky Henriksen 1 February 2015  
Bob Ithurrealde 1 February 2015  
Lindy Davis 1 February 2015  
Karen B. McCoy 1 February 2015  
Suzanne Neddo 1 February 2015

This Resolution, assigned no. 2014-10, shall take effect immediately upon passage.

**PASSED AND APPROVED** effective 25 March 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By \_\_\_\_\_  
**Kelvyn H. Cullimore, Jr., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kory Solorio, Recorder**

**VOTING:**

|                         |         |         |
|-------------------------|---------|---------|
| Kelvyn H. Cullimore, Jr | Yea ___ | Nay ___ |
| Michael L. Shelton      | Yea ___ | Nay ___ |
| J. Scott Bracken        | Yea ___ | Nay ___ |
| Michael J. Peterson     | Yea ___ | Nay ___ |
| Tee W. Tyler            | Yea ___ | Nay ___ |

**DEPOSITED** in the office of the City Recorder this 25<sup>th</sup> day of March 2014.

**RECORDED** this \_\_\_ day of March 2014.

# COTTONWOOD HEIGHTS

## RESOLUTION NO. 2014-11

### A RESOLUTION CONSENTING TO APPOINTMENTS TO THE COTTONWOOD HEIGHTS HISTORIC COMMITTEE

**WHEREAS**, section 2.140.602 of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the “Code”) establishes the “Cottonwood Heights Historic Committee” (the “*Historic Committee*”) for the city of Cottonwood Heights (the “*City*”); and

**WHEREAS**, Code §2.140.602(A) provides that the Historic Committee shall consist of a minimum of five members and a maximum of eleven members who are City residents with a demonstrated interest, competence or knowledge in history or historic preservation, and who are appointed for staggered three-year terms; and

**WHEREAS**, Code §2.140.104 provides that members of the Historic Committee shall be appointed and removed by the city manager (the “*Manager*”) with advice and consent of the city council (the “*Council*”), and that the terms of office of the initial members shall be staggered as necessary so that the terms of office of approximately one-third of the members expire each year; and

**WHEREAS**, the Council met on 25 March 2014 to, among other things, (a) consider the re-appointment of **John Glauser** and **Dean Smart** to the Historic Committee, due to the expiration of their prior terms of office, and (b) ratify and consent to the current composition of membership of the Historic Committee; and

**WHEREAS**, the Manager has nominated **John Glauser** and **Dean Smart** to so serve on the Historic Committee; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to give advice and consent to such re-appointments to the Historic Committee as proposed by the Manager;

**NOW THEREFORE, BE IT RESOLVED** by the city council of the city of Cottonwood Heights that the Council hereby gives advice and consents to the re-appointment of **John Glauser** and **Dean Smart** to the Historic Committee, and hereby ratifies and gives advice and consent to the status of the following individuals as all of the current members of the Historic Committee for the terms of office set forth opposite each name:

| <u>Name</u>                  | <u>Term Expires</u> |
|------------------------------|---------------------|
| John Glauser (Vice-Chairman) | 1 January 2017      |
| <hr/>                        | 1 January 2017      |
| Dean F. Smart                | 1 January 2017      |
| <br>                         |                     |
| Don Antczak                  | 1 January 2015      |
| Jerry Christensen            | 1 January 2015      |

Gayle Conger 1 January 2015  
Jerri Harwell 1 January 2015  
Carol Woodside 1 January 2015

Beverly S. Lund 1 January 2016  
Sylvia Orton 1 January 2016  
M. Tom Shimizu (Chairman) 1 January 2016

This Resolution, assigned no. 2014-11, shall take effect immediately upon passage.

**PASSED AND APPROVED** effective 25 March 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By \_\_\_\_\_  
Kelvyn H. Cullimore, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Kory Solorio, Recorder

**VOTING:**

|                          |         |         |
|--------------------------|---------|---------|
| Kelvyn H. Cullimore, Jr. | Yea ___ | Nay ___ |
| Michael L. Shelton       | Yea ___ | Nay ___ |
| J. Scott Bracken         | Yea ___ | Nay ___ |
| Michael J. Peterson      | Yea ___ | Nay ___ |
| Tee W. Tyler             | Yea ___ | Nay ___ |

**DEPOSITED** in the office of the City Recorder this 25<sup>th</sup> day of March 2014.

**RECORDED** this \_\_\_ day of March 2014.

617299.1

# COTTONWOOD HEIGHTS

## RESOLUTION No. 2014-12

### A RESOLUTION CONSENTING TO APPOINTMENTS TO THE BOARD OF ADJUSTMENT

**WHEREAS**, on 14 January 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) enacted Ordinance No. 05-13 creating the City’s board of adjustment (the “*Board*”); and

**WHEREAS**, thereafter, Ordinance No. 05-13 was codified as chapter 19.92 of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the “*Code*”); and

**WHEREAS**, §19.92.020 of the Code provides that the Board shall consist of five regular members and one or more alternate members appointed by the City’s manager (the “*Manager*”), with the advice and consent of the Council, for staggered five-year terms, not to exceed two consecutive terms; and

**WHEREAS**, the policy of the Council in cases involving a Board member who has served one or more partial terms (due to, for example, replacing a Board member who resigns before his/her term of office is completed) is to aggregate such service so that such member serves a maximum of ten consecutive years (which is equivalent to two consecutive five-year terms), thereby requiring a final term of office that is shorter than the normal five-year term; and

**WHEREAS**, **William R. Good**, and alternate member of the Board, recently has died; **Bob Wilde**, a regular member of the Board, recently has resigned to fill an LDS mission; and the term of office of **Don Antczak**, an alternate member of the Board who has served since 25 May 2010, has expired; and

**WHEREAS**, the Council met on 25 March 2014 to, among other things, consider (a) appointing **Rich Robinson** to a five-year term of office to replace Bob Wilde; (b) appointing **Don Antczak** to a new, five-year, term of office, and (c) ratifying and consenting to the current composition of membership of the Board; and

**WHEREAS**, the Manager has nominated Messrs. Robinson and Antczak to such terms of office; and

**WHEREAS**, the Council has given advice for such appointments as proposed by the Manager; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to such appointments as proposed by the Manager;

**NOW THEREFORE, BE IT RESOLVED** by the city council of the city of Cottonwood Heights that the Council hereby (a) consents to the appointment of **Rich Robinson** to a five-year term of office as a regular member of the Board, to replace Bob Wilde; (b) consents to the re-appointment of **Don Antczak** as an alternate member of the Board for a new, five-year term; and (c) ratifies and consents to the status of the following individuals as all of the current members of the Board for the terms of office set forth opposite each name:

| <u>Name</u>    | <u>District</u> | <u>Initial Term Expires</u> |
|----------------|-----------------|-----------------------------|
| James Adinaro  | 1               | 13 January 2016             |
| James Holtkamp | 2               | 13 January 2015             |
| Noor Ul-Hasan  | 2               | 13 January 2015             |
| Rich Robinson  | 3               | 13 January 2019             |
| Doug Folsom    | 4               | 13 January 2017             |
| <br>           |                 |                             |
| Don J. Antczak | 3 (Alternate)   | 13 January 2019             |

This Resolution, assigned no. 2014-12, shall take effect immediately upon passage.

**PASSED AND APPROVED** effective 25 March 2014.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By \_\_\_\_\_  
**Kelvyn H. Cullimore, Jr., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kory Solorio, Recorder**

**VOTING:**

|                          |                 |
|--------------------------|-----------------|
| Kelvyn H. Cullimore, Jr. | Yea ___ Nay ___ |
| Michael L. Shelton       | Yea ___ Nay ___ |
| J. Scott Bracken         | Yea ___ Nay ___ |
| Michael J. Peterson      | Yea ___ Nay ___ |
| Tee W. Tyler             | Yea ___ Nay ___ |

**DEPOSITED** in the office of the City Recorder this 25<sup>th</sup> day of March 2014.

**RECORDED** this \_\_\_ day of March 2014.

617300.1

# COTTONWOOD HEIGHTS

## RESOLUTION NO. 2014-13

### A RESOLUTION CONSENTING TO AN APPOINTMENT TO THE PLANNING COMMISSION

**WHEREAS**, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) met on 25 March 2014 to consider, among other things, the proposed appointment as a regular member of the City’s planning commission (the “*Commission*”) of alternate Commission member **James S. Jones** to fill the vacancy resulting from the resignation of former regular Commission member **Lindsay Holt**; and

**WHEREAS**, section 19.05.070 of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the “*Code*”) provides that any vacancy occurring on the Commission by reason of expiration of term of office or otherwise shall be filled by the City’s manager (the “*Manager*”) with the advice and consent of the Council; and

**WHEREAS**, the Manager has nominated **James S. Jones**, of District 3, to fill the vacancy on the Commission resulting from the resignation of Ms. Holt, with such appointment to be effective through 30 June 2015 (i.e., for the balance of Ms. Holt’s term of office as a regular Commission member); and

**WHEREAS**, the Council has given advice for the above-described appointment to the Commission for the term proposed by the Manager; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to the appointment to the Commission of Mr. Jones as proposed by the Manager;

**NOW THEREFORE, BE IT RESOLVED** by the Cottonwood Heights city council that the Council hereby consents to the appointment to the Commission described above, and hereby consents to, confirms and ratifies the status of the following individuals as all of the members of the Commission as of 25 March 2014, for the terms of office set forth opposite each name:

| <u>Name</u>      | <u>District</u>         | <u>Term Expires</u> |
|------------------|-------------------------|---------------------|
| Janet Janke      | 1                       | 30 June 2016        |
| Jeremy D. Lapin  | 2                       | 30 June 2015        |
| James S. Jones   | 3                       | 30 June 2015        |
| Paxton Guymon    | 4                       | 30 June 2016        |
| Gordon Walker    | 4 (at large)            | 30 June 2014        |
| Dennis Peters    | 2 (at large)            | 30 June 2014        |
| Perry A. Bolyard | 1 (at large)            | 30 June 2015        |
| Joe Demma        | 3 (alternate, at large) | 30 June 2014        |

This Resolution, assigned no. 2014-13, shall take effect immediately upon passage.

PASSED AND APPROVED 25 March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By \_\_\_\_\_  
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Kory Solorio, Recorder

VOTING:

|                          |         |         |
|--------------------------|---------|---------|
| Kelvyn H. Cullimore, Jr. | Yea ___ | Nay ___ |
| Michael L. Shelton       | Yea ___ | Nay ___ |
| J. Scott Bracken         | Yea ___ | Nay ___ |
| Michael J. Peterson      | Yea ___ | Nay ___ |
| Tee W. Tyler             | Yea ___ | Nay ___ |

DEPOSITED in the office of the City Recorder this 25<sup>th</sup> day of March 2014.

RECORDED this \_\_\_ day of March 2014.

617301.1