

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY,
OCTOBER 9, 2012, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

MEMBERS PRESENT: Mayor Kevlyn Cullimore, Councilman Scott Bracken, Councilman Mike Peterson, Councilman Mike Shelton

EXCUSED: Councilman Tee Tyler

STAFF PRESENT: City Manager Liane Stillman, Administrative Services Director Linda Dunlavy, Community and Economic Development Director Brian Berndt, City Attorney Shane Topham, Police Chief Robby Russo, Assistant Chief Mike Watson, Public Works Director Mike Allen, Public Relations Specialist Stephanie Archibald, Police Support Specialist Sheila Jennings, Victim Assistance Coordinator April Ryce

ALSO PRESENT: Nicole Coombs, Demetri Shirts and family

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Cullimore called the meeting to order at 7:05 p.m. and welcomed those attending.

1.2 Councilman Peterson led the Pledge of Allegiance.

2.0 CITIZEN COMMENTS

2.1 Todd Leeds commented that at a prior meeting there was discussion about a turn lane to be located at the Zions Bank project at the corner of Highland Drive and Fort Union Boulevard. He asked if there was anything citizens could do to expedite the turn lane.

Mayor Cullimore replied that the turn lane will go in, but not until next year.

Mr. Leeds next stated that he has submitted several emails regarding bicycles to Mayor Cullimore and copied to Councilman Shelton, but has not received any response from Councilman Shelton.

Councilman Shelton replied that when an email is sent to the Mayor and he is copied, the Mayor responds because he represents the Council as a whole, and he has not believed he should respond. He noted he will try to do so in the future.

3.0 REPORTS/PRESENTATIONS/RECOGNITIONS

3.1 Administration of Oath of Office to New Police Officer

3.1.1 Chief Russo stated that Officer Demetri Shirts came to Cottonwood Heights from Murray City and is pleased to have him as the newest member of the Police Department.

The Oath of Office was administered by City Recorder Linda Dunlavy.

Officer Shirts thanked the Mayor and Council for the opportunity to work in the city. He said that Cottonwood Heights is very welcoming with a much different atmosphere than he was used to. His decision to change departments was based on high praise for Chief Russo from other police officers.

Standing Monthly/Quarterly Reports

3.2 September Police Report

Police Support Specialist Sheila Jennings presented the statistics for the month of September. She reported that 911 calls were up over September 2011, but down from August. Priority 1 crimes consisted of two assaults on Officer Damien Olsen, the first of which was a drug assist and the other a medical assist. There were also two robberies reported as well as 357 citations and 14 DUIs written.

Arrests were down from last month, but up from September 2011 and juvenile arrests remained constant. While responding to a call, Officer Tazoi discovered marijuana growing at a nearby residence and arrested the occupant.

Ms. Jennings reviewed statistics by City Council District. The following were highlighted in her report. In District 1 two sex offenses and an intoxicated individual arrested at Mountview Park were reported ; District 2 reported juvenile issues and the arrest of a suspect that was linked to a home invasion in Sandy; District 3 reported one rape, which was later determined to be incorrect ; and District 4 reported a crash landing by a paraglider and the recovery of a West Valley Police car in the area.

Crime prevention reminders were given including the suggestion that children wear reflective clothing and carry flashlights while trick or treating. Ms. Jennings said that children should be supervised and that parents should take steps to protect their children while trick or treating.

She also cautioned residents to lock their vehicles and keep packages out of site when shopping.

A complete copy of this report can be found on the City's website.

3.3 Victim Advocate Report

Victim Assistance Coordinator April Ryce presented the quarterly victim advocate report. She noted that the annual review for the VOCA Grant was recently submitted, which covers the period from July 1, 2011, through June 30, 2012.

Data was next presented and broken down by crime type. Ms. Ryce explained that the numbers in the domestic violence category are typically high due to the entire family unit being involved in many reports. Adult sexual assault victims, elder abuse, and adults molested as children were discussed.

Mayor Cullimore asked what recourse a victim had when as an adult they determine to report molestation as a child. Ms. Ryce replied that in those cases perpetrators can be prosecuted because there is not a statute of limitations.

The following services are provided by the victim advocates: crisis counseling occurs immediately following an incident, usually on scene and follow-up contact is also provided. There is not therapy or group treatment provided and there is not a crisis hotline. Shelter is provided when appropriate as well as information and referral services. Ms. Ryce said that the majority of her work involves criminal justice support and advocacy, and efforts are being made to increase services offered to victims of identity theft.

She commended her new assistant, Alexandra Perez and thanked the Council for approving hiring her. She also mentioned that she planned to bring on an additional volunteer after the first of the year.

A complete copy of the report is available on the City's webpage.

3.4 **Public Works Report**

Public Works Director Mike Allen presented the public works report and reviewed the active projects in the city. He reported that the asphalt maintenance with Salt Lake County has been completed as well as work on Fort Union and 2300 East. The Danish Road project has also been completed.

Trip hazard mitigation is expected to be completed within the next two weeks and the start date for the Big Cottonwood Canyon Trail project is October 12 with an estimated completion date of December 10.

Mr. Allen said that he received feedback on the recent traffic calming projects and the counts show improvement.

A complete copy of this report is available on the City's webpage.

4.0 **ACTION ITEMS**

4.1 **Consideration of Ordinance No. 194 Amending Chapter 14.32 "Sidewalk Use and Maintenance"**

4.1.1 Mayor Cullimore explained that state code allows cities to have ordinances requiring property owners to be responsible for the maintenance of the sidewalk, curb, and gutter that abuts their property and the proposed ordinance will bring the city code into compliance with the state code. The proposed ordinance adds wording to specify that it will be the responsibility of each owner and occupant of real property abutting or fronting any street, highway, or alley within the City to repair and maintain in good condition all public curbs, curb ramps, gutter, strips, sidewalks, and other land and improvements across or immediately abutting such owners or occupant's property located between the curb line of the street and the property line to include removal of all litter, weeds, and noxious vegetation.

4.1.2 **MOTION:** Councilman Peterson moved to approve Ordinance Number 194. The motion was seconded by Councilman Shelton and passed unanimously on a roll call vote.

4.2 **Consideration of Ordinance No. 195 Amending Chapter 2.180 "Employee Appeals Board"**

4.2.1 Mayor Cullimore said that the City has not yet been required to convene an Employee Appeals Board. The current code requires the appeals board to be comprised of city employees as well as a representative from the city council. In considering how a situation might be handled, a potentially awkward situation could be created by asking employees to serve as judges of their peers. The proposed ordinance changes the employee appeal board to allow a third party knowledgeable in employee law or arbitration to handle the process.

4.2.2 **MOTION:** Councilman Bracken moved to approve Ordinance Number 195. The motion was seconded by Councilman Peterson and passed unanimously on a roll call vote.

4.3 **Consideration of Resolution No. 2012-56 Approving a Notice of Impending Boundary Action Concerning the Tavaci Disconnection**

4.3.1 Mayor Cullimore reported that the proposed resolution is a historic first for the City and will approve a notice of impending boundary action, which is the final action necessary to disconnect the Tavaci project from the City and allow it to go back into the unincorporated county. A lawsuit was filed after the property owner was unsuccessful in obtaining the desired zoning and petitioned the City to disconnect. The City declined, and a lawsuit ensued which was settled and allowed the disconnection. The city previously submitted the proper mapping and documentation.

4.3.2 **MOTION:** Councilman Shelton moved to approve Resolution 2012-56. The motion was seconded by Councilman Peterson and passed unanimously on a roll call vote.

4.4 **Consideration of Resolution No. 2012-57 Consenting to an Appointment to the Planning Commission**

4.4.1 Mayor Cullimore said that the proposed resolution consents to the appointment of Jeremy Lapin to the Planning Commission. Mr. Lapin will represent District 2 and replace Joe Scott who has moved out of the City. Councilman Bracken reported that Jeremy Lapin is a municipal engineer, which will bring a different perspective to the Planning Commission and believes he will be a valuable addition to the Planning Commission.

4.4.2 **MOTION:** Councilman Bracken moved to approve Resolution 2012-57. The motion was seconded by Councilman Peterson and passed unanimously on a roll call vote.

5.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**

5.1 **MOTION:** Councilman Bracken moved to adjourn the business meeting and reconvene the work session. The motion was seconded by Councilman Shelton and passed unanimously on a voice vote. The business meeting adjourned at 8:13 p.m.