

MINUTES OF THE CITY COUNCIL MEETING HELD FEBRUARY 12, 2008, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS OF COTTONWOOD HEIGHTS

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, Deputy City Manager Kevin Smith, Finance Director David Muir, Planning Director Michael Black, Public Relations Officer Bob Warnick, Lynn Feveryear,

OTHERS PRESENT: Mike Watson, John Fassett, Ron Fullmer, Heath Lowry, Dan Bartlett, Robby Russo, Beverly & Larry Jensen, Scott Peck, Lincoln Shurtz, Stephanie Archibald, Renita Pullman, Steve Gehrke, Paul Brenneman, Corbett Ford, Detective Thornton

1.0 **WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

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 Gordon Thomas.

2.0 **CITIZEN COMMENTS**

2.1 No comments were received.

3.0 **REPORTS/PRESENTATIONS**

3.1 **Salt Lake County Sheriff's Report**

3.1.1 Detective Ford reviewed the statistics for the month of January. There were 1026 calls for services resulting in 599 cases. Domestic and family offenses were down from last month, as were burglaries. Damaged property, frauds, and larcenies increased from last December. Detective Ford introduced a three year comparison of statistics, which he will continue to use each month.

3.1.2 Detective Ford reviewed a case of forgery that took place at Albertsons and involved Detective Thornton. The case in Cottonwood Heights led to the solving of crimes in other areas by the same perpetrator.

4.0 **ACTION ITEMS**

4.1 **Consideration of Ordinance No. 109 Amending Title 9, Cottonwood Heights Code, to Include New Chapter 9.77 (Fire Restrictions in Wildland Interface Areas)**

4.1.1 Councilman Jones moved to adopt Ordinance No. 109. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

4.2 **Consideration of Ordinance No. 110 Amending Title 2 "Governance and Administration" by Creating a Cottonwood Heights Police Department and an Administrative Services Department**

- 4.2.1 Mayor Cullimore explained that the City Council made a decision to self-provide law enforcement services on January 8, 2008. Ordinance No. 110 amends Title 2 by creating a police department and allowing the City to move forward with establishing the police department. The Administrative Services Department has been reorganized for efficiency.
- 4.2.2 **MOTION:** Councilman Bracken moved to adopt Ordinance No. 110. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.
- 4.3 **Consideration of Resolution No. 2008-09 Approving Entry Into an Independent Contract for Background Checks**
- 4.3.1 Mayor Cullimore said that in order to appoint a police chief, the City is required to do a background check and had to enter into a contract for that service.
- 4.3.2 **MOTION:** Councilman Antczak moved to approve Resolution No. 2008-09. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.
- 4.4 **Consideration of Resolution No. 2008-10 Consenting to the Appointment of the Chief of Police for the Cottonwood Heights Police Department**
- 4.4.1 In order to proceed with forming a police department, Mayor Cullimore explained that the City first had to create the department in the City Code, and then hire a police chief who will be tasked with beginning the process. The city is not yet giving notice of termination to Salt Lake County, that decision will be determined in conjunction with the Chief of Police. Lt. Russo has been selected as Chief. He was appointed by Sheriff Kennard at the inception of the city as the Chief of Police Services for Cottonwood Heights and has been fundamental during the first three years of incorporation. He has gained the trust and confidence of the entire council.
- 4.4.2 **MOTION:** Councilman Antczak moved to approve Resolution No. 2008-10. The motion was seconded by Councilman Thomas.
- 4.4.3 Councilman Thomas welcomed Chief Russo aboard. He said it has been a tough time and believes the City has done the right thing

Councilman Jones said that the time now is to have the controversy die down and the hard work begin. He expressed appreciation for the contribution of all of the law enforcement agencies in the valley, especially Salt Lake County, and looks forward to a long experience with Robby Russo and the officers that are hired to work in the city. Councilman Jones said that the city will be able to enhance law enforcement and public safety.

Councilman Bracken concurred with the comments that were made and looks forward to having a Chief in place.

Councilman Antczak stated that Robby has done a great job for the City and is pleased to have him on board.

Mayor Cullimore stated that there is a great level of trust and confidence in Robby because the Council has worked with him for over two years during the start up of the City. The Council knows his capabilities and he has worked well with the Council. There were extensive interviews

with Robby and he was required to provide a list of people he thought would have negative comments. Some of those people were talked to, and nothing was found past differences of opinion. He commented on the current disciplinary action which is pending with the Sheriff's office, noting that he feels that the Council contributed to that situation and extended an apology to Chief Russo for the roll that they played. The Council took a position believing the contract with the County was more firm than it was and put Chief Russo in an awkward situation of abiding by the City's contract or abiding by Sheriff Department policies.

**VOTE:** The motion passed unanimously on a roll call vote.

- 4.4.4 Chief Russo expressed his appreciation for the Council's confidence and believes it is time to move forward and take law enforcement in Cottonwood Heights to the next level. He said that he believes that everyone did what they believed was the right thing to do. He intends to network with sister cities throughout the valley and develop relationships that will make law enforcement more efficient and effective.
- 4.4.5 Mayor Cullimore recognized Lt. Fassett for the professional way he has handled a very difficult position.
- 4.5 **Consideration of Resolution No. 2008-11 Approving Amended Rules and Procedures for the Cottonwood Heights Board of Adjustment**
- 4.5.1 **MOTION:** Councilman Jones moved to approve Resolution No. 2008-11. The motion was seconded by Councilman Antczak and passed unanimously on a roll call vote.
- 5.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**
- 5.1 Councilman Jones moved to adjourn the business meeting and reconvene the work session. The motion was seconded by Councilman Bracken and passed unanimously on a voice vote. The business meeting adjourned at 7:40 p.m.