

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING**
2 **HELD TUESDAY, MARCH 27, 2018 AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS**
3 **CITY COUNCIL CONFERENCE ROOM LOCATED AT 2277 EAST BENGAL**
4 **BOULEVARD, COTTONWOOD HEIGHTS, UTAH**
5

6 **Members Present:** Mayor Mike Peterson, Mike Shelton, Scott Bracken, Tali Bruce, Christine
7 Mikell
8

9 **Staff Present:** City Manager John Park, Assistant City Manager Bryce Haderlie, City
10 Attorney Shane Topham, City Recorder Paula Melgar, Police Chief Robby
11 Russo, Assistant Fire Chief Mike Watson, Community Development Director
12 Brian Berndt, Public Works Director Matt Shipp, Finance Director Dean
13 Lundell, Public Relations Specialist Dan Metcalf, Senior Planner Michael
14 Johnson, City Planner Andrew Hulka, Assistant Police Chief Paul Brenneman
15

16 **Others:** Youth City Council Member Nick Tygason
17

18 **1.0 WELCOME**
19

20 1.1 Mayor Mike Peterson called the meeting to order at 7:00 p.m.
21

22 1.2 The Pledge of Allegiance was led by Council Member Shelton.
23

24 **2.0 CITIZEN COMMENTS**
25

26 2.1 Police Chief, Robby Russo, reported that two weeks earlier he sent out a tweet referencing the
27 Brighton High School Anti-Violence Protest. It was intended to be a matter of fact statement
28 but was perceived by many as disrespectful. He stated that nothing could be further from his
29 intent. They contacted the school who requested two officers. He sent 10 officers to ensure
30 that the event was not disturbed, and that there was no violence toward those participating. He
31 thought it was unfortunate for some students to use the opportunity for that purpose; however,
32 he personally supported the concept. He explained that staff routinely trains for such a scenario
33 and takes it very seriously. Chief Russo reiterated that there was no ill intent and he never
34 imagined his words would be taken as demeaning. The notion that officers would ever make
35 fun of students was simply not true. He apologized if his words were offensive.
36

37 2.2 Patsy Young was grateful for the Police Department. She recognized the importance of paying
38 attention to the budget, but also realized the importance of personal safety. Her family was
39 involved in a recent situation where she had become exceptionally grateful for the Police
40 Department have a quick response time.
41

42 2.3 Margaret Flynn identified herself as a Brighton High School student and thanked Chief Russo
43 for his words. She was one of the organizers of the walk-out honoring those who died. She
44 wanted to see the Police Department as well as City personnel support students in their political
45 efforts. She also hoped to see the Police Department and social media outlets refrain from
46 pushing a political agenda.
47

- 1 2.4 Declan Gleason was identified as a student who participated in the walk out at Brighton High
2 School. He commented that the City's police officers have taken an oath to uphold the
3 community. He believed they should not make matter of fact statements and the officers should
4 support students who want a safer school. He expressed opposition to Chief Russo's tweet and
5 encouraged the Cottonwood Heights Police Department (CHPD) and public sector to show
6 more support to those who have died from gun violence and establish safer gun laws.
7
- 8 2.5 Neve Lany thanked Chief Russo for his statement and stated that it was a mourning service,
9 not a political event. To her the negative feedback seemed odd. She commented that the
10 students who left to go to alternate locations rather than support the walkout were instructed
11 by teachers not to do so. She considered it a beautiful event and asked the Council Members
12 if they had seen the videos or attended the walkout.
13
- 14 2.6 Suzanne Houghton identified herself as a 35-year-old resident and expressed appreciation to
15 the students who were present to share their views. She was appreciative of the Police
16 Department and their quick response time. She agreed with the previous statement that the
17 budget does not account for safety.
18
- 19 2.7 Ian Adams was present on behalf of the Utah Fraternal Order of Police where he serves as
20 Executive Director. He explained that they are the largest police organization in the State and
21 represent over 3,200 active law enforcement personnel and the legal, political, and media
22 interests of their members. Mr. Adams attended a recent budget meeting and wished to discuss
23 the direction of the budget planning of the Police Department. Following the meeting, he
24 received calls from members who were concerned with the tone and comments made by some
25 Council Members. This caused the officers to feel that their accomplishments and sacrifices
26 were not adequately addressed. Others expressed concern that the City was paying a premium
27 for police services. Because the budget has been well managed in the past, the Police
28 Department has been able to accomplish its mission. Mr. Adams stated that their goal is to
29 maintain an above average experienced and professional work force. Part of their success
30 comes from the good relationships with the Council and staff. He noted that Officer
31 Morzelewski caught a serial robber while off-duty, Officers Incardine and Salmon paid for a
32 room for a transient woman who was having a hard time. Officer Laufaha shoveled snow from
33 an elderly resident's driveway. All of these services were done out of a sense of dedication to
34 providing premier police services. He reported that Cottonwood Heights is the only department
35 he was aware of in the Salt Lake Valley and perhaps the State that is not suffering from a
36 critical manpower shortage. The Cottonwood Heights Police Department has delivered on the
37 higher level of service desired. He urged the Council to not make the mistake of shortchanging
38 the officers in an effort to save money up front and instead consider the sacrifices of those
39 officers.
40
- 41 2.8 Kayli Roller, a 17-year resident, had a specific experience with the Police Department and
42 expressed gratitude for their service. Her son has special needs and although they have secured
43 their home, he manages to get out if the opportunity arises. The Police Department has rescued
44 their son multiple times. She was grateful for their quick response times and believed it is
45 necessary and extremely important to their family.
46
- 47 2.9 Sheila Jennings, a 26-year resident, stated that the Council has a difficult job. She was very
48 pleased with on the progress and work being done on behalf of the citizens. Most recently, the

1 Public Works Department has shown huge progress and proven that local control is best. She
2 was alarmed while attending the prior City Council Meeting where there was discussion about
3 cost versus quality of service. She attested to the fact that the City gets what they pay for as
4 she was a resident at the time of the City's incorporation. At that time, a business alarm turned
5 out to be a substantial burglary and because of a long response time, an officer assigned to
6 Cottonwood Heights was in Herriman and Magna. This resulted in an even bigger problem.
7 Last month, there was a domestic dispute next door and the police response time was minimal.
8 The person who left the scene was soon found and arrested. Ms. Jennings commented that the
9 suspect had an active warrant and was a registered sex offender. She works in police services
10 and has witnessed the benefits of the City having its own Police Department. She asked the
11 Council to not cut funding for services. She has worked closely with Chief Russo who takes
12 great care in the funding he is given. She suggested that the answer is not reduction, but public
13 education. Ms. Jennings welcomed the opportunity to further discuss the matter and
14 recommended that if the Council was looking to cut funding they should look elsewhere.
15

16 2.10 James Jones reported that he has been a servant of the City since 1985 and has taken the FEMA
17 courses, worked as a Building Commissioner, and had the opportunity to work with the Police
18 Department. He believed it was important to know that you get what you pay for. He took it
19 upon himself to speak to 75 people regarding the subject and of those, 93% do not want change.
20

21 2.11 Isaac Reese identified himself as a senior at Brighton High School. He expressed concern with
22 the tweet associated with the student walk out. He believed it would take 40 minutes round
23 trip for students to travel to the 7-Eleven to purchase items, where the walkout only took 20
24 minutes. Regardless of the motivation behind the tweet, the perception was that it was a
25 political statement discrediting the March for Our Lives Movement. He believed the tweet did
26 nothing helpful or supportive to the community and in turn caused a divide within the
27 Cottonwood Heights Community and worked to further distance the youth from working with
28 and trusting the Cottonwood Heights Police Department. He stated that the relationship was
29 already strained, and he believed it was logical that they would be better off repairing their
30 reputation rather than causing more harm. He stated that both the Salt Lake City Police
31 Department and CHPD claim that their social media accounts are not monitored. He suggested
32 a professional take them over.
33

34 2.12 Anna McNamor commented that community members recently spoken about the condition of
35 infrastructure and are looking for more engagement from City leaders regarding the
36 sustainability of the community. She believed it was vital for the City to appoint someone to
37 serve as a Sustainability Director to address issues such as road maintenance, natural issues,
38 open space issues, and idling. She was impressed with the youth for their leadership and
39 opposed the twitter comment as well as the time it took for City officials to make a statement.
40

41 2.13 Mayor Peterson pointed out that they are unable to respond to every comment or question
42 because of time constraints, but each is addressed when they go to the Work Session following
43 the Business Meeting.
44

45 2.14 Mike Hansen thanked Chief Russo for his comments and noted that he did not find the tweet
46 offensive. He reminded those present that 10 officers were sent when only two were requested.
47 He reported that Council Member Bruce has found ways to encourage attendance at City
48 meetings and asked that she hold meetings with her constituents at City Hall rather than her

1 place of business or the Library. He believed that transparency is extremely important and
2 having listened intently to the budget discussions, he found there were things inappropriately
3 discussed along with calls that were made. His business is located in Millcreek and under the
4 care of the UPD he has had terrible service with a 20-minute emergency response time. He
5 has experienced many positive experiences while living in his Cottonwood Heights
6 neighborhood since the inception of the CHPD and believed that reducing services in police
7 would not be favorable.
8

9 2.15 Council Member Bruce commented that she would be happy to hold meetings on a Wednesday
10 evening at City Hall. She stated that she has been reserving rooms at Whitmore Library so as
11 not to impose on the City facility.
12

13 2.16 Shawn Ferre reported that he has lived in Cottonwood Heights his entire life and expressed
14 gratitude to the Police Department. Contrary to some views that have been expressed, he
15 believed they were doing a fantastic job and care about the community. He feels safer with
16 their quick response time and their positive actions are frequently seen in the media. He often
17 sees officers at public events, mingling with citizens as well as working, and he was opposed
18 to their services being reduced.
19

20 2.17 Craig Weston, a 21-year resident stated that when they were under the Sheriff's Department,
21 his home was broken into and all they gave him was a case number. Having young children,
22 the lack of protection created fear and an unsafe environment. He has had many great
23 experiences with Cottonwood Heights Police Officers and they are premiere individuals who
24 connect with the community. He has been involved with Ute Conference Little League
25 Football that involves 800 children on a given Saturday. The impact the officers have had has
26 been incredible. It was his opinion that downsizing the visibility of the police officers is
27 dangerous and believed critically dangerous for the safety of his family and neighbors.
28

29 2.18 Jaren Davis reported that he was present two weeks earlier regarding a situation that took place
30 in his neighborhood involving two frustrated neighbors. Both families admitted they might
31 never participate in retail venues within the City but have since changed their hearts and are
32 grateful for the Council's action. He thanked the Council for their compassion and willingness
33 to listen to help correct the community. He admired Chief Russo for his dedication, honesty,
34 and character and believed he has no malice in his heart.
35

36 2.19 Bob Jacobs commented that he has lived in the same home since 1976 and has seen a big
37 improvement in government. He commended the Brighton High students for their action. He
38 agreed with holding informal meetings and encouraged the City to distribute notices on the
39 specifics about when they are to be held. He asked that care be taken when considering the
40 Accessory Dwelling Unit (ADU) issue. He believed this would eliminate R-1 zoning if
41 approved. He opposed the ADU Ordinance and asked how enforcement will be handled.
42

43 2.20 Nancy Hardy appreciated the passion expressed for the Police Department and stated that
44 growth in the City is inevitable. She encouraged a well thought out plan that encourages growth
45 and beautification. She believed that projects are being pushed without the needed
46 infrastructure and ensuring that it is good for the residents. She supported the increased density
47 for the Tier 2 Planned Unit Development (PUD) and commented it was acceptable to have
48 varying density.

- 1 2.21 Tim Halbeck stated that all of his experiences with the Cottonwood Heights Police Department
2 over the past seven years have been positive. He supported a tax increase to maintain the
3 current level of service. He also applauded the Brighton High students who supported the walk
4 out.
5
- 6 2.22 Eric Kraan expressed concern with Ordinance 19.76 regarding fences and identified
7 inconsistencies he has found in the language. He questioned the appointment of a realtor to
8 represent District 3 on the Planning Commission and believed that the policy should be further
9 reviewed. He appreciated Council Member Mikell emphasizing the importance of bicycle
10 lanes in conjunction with road work and expressed concern with the Wasatch Front Regional
11 Council and the way projects are funded. He asked that discussions to be open to public
12 hearings before being moved over to the engineer and presented it to interlocal agencies.
13
- 14 2.23 Jin Fredricksen commended the youth for their comments and believed Chief Russo to be a
15 wonderful person. She did not mind paying more to preserve the City and maintain the safety
16 of the community. She thanked Council Member Bruce for her involvement and informal
17 meetings and had found it to be a very inviting environment. Advance notice was requested
18 for meetings where the ADU issue will be discussed.
19
- 20 2.24 Ryan Carrier expressed opposition to the tweet and the time that elapsed before the issue of the
21 tweet was addressed by the City Council.
22
- 23 2.25 Nicole Bolke was present in support of maintaining police services at the current level. As an
24 18-year resident she considered the level of service the County provides to be sub-par. She
25 was not in favor of outsourcing to the County and supported maintaining local control and
26 access. She commented that the job the Police Department does also includes observation of
27 changes in normal behavior. She appreciated their knowledge and understanding of those
28 variances.
29
- 30 2.26 Council Member Mikell requested that students who suggested they would like to see more
31 support from the City Council submit their ideas and allow the Council to take them into
32 consideration.
33
- 34 2.27 Mayor Peterson concurred with Council Member Mikell and encouraged students to be more
35 involved. He noted that he and the Council are open for discussion at any time.
36
- 37 2.28 A student addressed the Council and stated that they are a part of the system and want to be
38 treated like equal citizens. He expressed frustration with being talked down to and believed
39 that doing so is contrary to democracy.
40
- 41 2.29 Mayor Peterson apologized for anything that may have been taken as demeaning and applauded
42 the action of the students. He encouraged further discussion and stated that as a Council, they
43 are more than willing to further explore their strategy and plans to meet their goals.
44
- 45 2.30 Robert Jacobs considered Mayor Peterson to be the humblest person he has ever met. He
46 suggested that cell phone use fines be increased as more are killed by distracted driving than
47 guns.
48

1 **3.0 STANDING MONTHLY REPORTS**

2
3 **3.1 Monthly Financial Report – City Treasurer David Muir.**

4
5 3.1.1 City Treasurer, David Muir, presented the Financial Report for the month of March 2018. He
6 reported that there was a 14% increase over the last three-year average and stated that they are
7 currently 5% above budget. Sales taxes are trending well and overall, the budget cumulative
8 was \$130,000. A check was received from the Old Mill Homeowners Association after having
9 partnered with them on a wall, with a balance of \$39,000 remaining. He stated that Municipal
10 Energy Taxes are down between 3% and 4% and Class C Road Funds are above the average.
11 The General Expenditure trend was on target with wages and benefits falling below expected.
12 CDRA funds in the amount of \$41,000 were received and inception to date totaled \$73,000.
13

14 **3.2 Unified Fire Report – Assistant Chief Mike Watson.**

15
16 3.2.1 Assistant Chief, Mike Watson, presented the monthly Unified Fire Report for March 2018.
17 He reported that call volume was down for both fire and medical calls. Station 110 came in
18 9th with a total of 83 calls. Station 116 came in 15th. Station 110 closed with 85 calls with 74
19 medical calls and 11 fire calls. Station 116 closed with 57 calls with 44 medical and 13 fire
20 calls. Top calls included falls and sick person, traffic accidents, and psych and behavioral
21 calls. Fire calls included alarms, flooding and hydrant problems, and shed and house fires.
22 Station 110 received 36 Advanced Life Support (ALS) calls of which 22 resulted in transport.
23 There were 44 Basic Life Support (BLS) calls of which 15 resulted in transport. Station 116
24 closed with 20 total transports. The safety message included changing smoke alarm batteries
25 and testing smoke detectors and carbon monoxide detectors. It was reported that
26 approximately 85% of homes have detectors but it was predicted that one-third are not
27 working.
28

29 **4.0 ACTION ITEMS**

30
31 **4.1 Consideration of Ordinance 293 Approving Amendments to Chapter 19.76**
32 **(supplementary and Qualifying Rules and Regulations) of the Cottonwood Heights Code**
33 **of Ordinances.**

34
35 4.1.1 Mayor Peterson reported that the above ordinance approves amendments to Chapter 19.76,
36 Supplementary and Qualifying Rules and Regulations of the Cottonwood Heights Code of
37 Ordinances for maximum height in retaining walls and accessory buildings.
38

39 4.1.2 Council Member Mikell reported that the ordinance affects her personally. She did not think
40 the Council had spent the time needed to vote one way or the other. She asked that the matter
41 be continued.
42

43 4.1.3 Council Member Shelton stated that some are on the other end of the spectrum and feel like
44 they have exhausted the conversation.
45

46 **4.1.4 MOTION:** Council Member Mikell moved to continue Ordinance 293. The motion was
47 seconded by Council Member Bruce. Vote on motion: Council Member Shelton–Nay,

1 Council Member Bracken–Nay, Council Member Mikell–Aye, Council Member Bruce–Aye,
2 Mayor Peterson–Nay. The motion failed 3-to-2.

3
4 **4.1.5 MOTION:** Council Member Shelton moved to approve Ordinance 293. The motion was
5 seconded by Council Member Bracken.

6
7 4.1.6 Council Member Mikell expressed disappointment that her request to continue was denied.
8 She felt that additional time was needed to consider the matter. She requested an additional
9 two weeks to allow her to make a determination.

10
11 4.1.7 Vote on motion: Council Member Shelton–Aye, Council Member Bracken–Aye, Council
12 Member Mikell–Nay, Council Member Bruce–Nay, Mayor Peterson–Nay. The motion failed
13 3-to-2.

14
15 4.1.8 City Attorney, Shane Topham, addressed procedural issues in order to proceed.

16
17 **4.1.9 MOTION:** Council Member Mikell moved to reconsider denial of Ordinance 293 and
18 continue it to be reconsidered in two weeks. Council Member Bruce seconded the motion.
19 Vote on motion: Council Member Shelton–Aye, Council Member Bracken–Aye, Council
20 Member Mikell–Aye, Council Member Bruce–Aye, Mayor Peterson–Aye. The motion
21 passed unanimously.

22
23 **4.2 Consideration of Ordinance 294 Adopting New Part 7 (Parks, Trails and Open Space**
24 **Advisory Committee) of Chapter 2.140 (Standing Advisory Committees; Volunteers) of**
25 **the Cottonwood Heights Code of Ordinances.**

26
27 4.2.1 Mayor Peterson reported that the above ordinance adopts a new part 7 of Chapter 2.140 of the
28 Cottonwood Heights Code of Ordinances.

29
30 **4.2.2 MOTION:** Council Member Bracken moved to approve Ordinance 294. The motion was
31 seconded by Council Member Bruce. Vote on motion: Council Member Shelton–Aye,
32 Council Member Bracken–Aye, Council Member Bruce–Aye, Council Member Mikell–Aye,
33 Mayor Peterson–Aye. The motion passed unanimously.

34
35 **4.3 Consideration of Resolution 2018-16 Approving Appointments to the Planning**
36 **Commission.**

37
38 4.3.1 The above item was removed from the agenda.

39
40 **4.4 Consideration of Resolution 2018-17 Approving Entry into an Interlocal Agreement**
41 **with Salt Lake County for TRCC Funding.**

42
43 4.4.1 Mayor Peterson reported that the above resolution approves entry into an Interlocal
44 Agreement where Salt Lake County will grant \$105,000 of TRCC funds to the City for use in
45 expanding the restrooms and install a shade structure at Mountainview Park.

46
47 **4.4.2 MOTION:** Council Member Bracken moved to approve Resolution 2018-17. The motion
48 was seconded by Council Member Shelton. Vote on motion: Council Member Shelton–Aye,

1 Council Member Bracken–Aye, Council Member Bruce–Aye, Council Member Mikell–Aye,
2 Mayor Peterson–Aye. The motion passed unanimously.

3
4 **4.5 Consideration of Resolution 2018-18 Approving Entry into an Interlocal Agreement**
5 **with the City of Holladay for Justice Court Services.**

6
7 4.5.1 Mayor Peterson reported that the above resolution approves entry into an Interlocal
8 Agreement with the City of Holladay for Justice Court services.

9
10 **4.5.2 MOTION:** Council Member Shelton moved to approve Resolution 2018-18. The motion
11 was seconded by Council Member Mikell. Vote on motion: Council Member Shelton–Aye,
12 Council Member Bracken–Aye, Council Member Bruce–Aye, Council Member Mikell–Aye,
13 Mayor Peterson-Aye. The motion passed unanimously.

14
15 4.5.3 Council Member Bruce asked staff take note of the contract being entered into and requested
16 that nine months prior to it coming to fruition, a minimum of three quotes from cities for this
17 type of partnership be obtained.

18
19 **5.0 CONSENT CALENDAR**

20
21 **5.1 Approval of City Council Strategic Meeting minutes of February 9, 2018 and City**
22 **Council Business Minutes of February 27, 2018. Also, Approval of the City Council**
23 **Work Session Minutes of March 13, 2018.**

24
25 **5.2 MOTION:** Council Member Shelton moved to approve the minutes of the City Council
26 Strategic Meeting minutes of February 9, 2018, the City Council Business Meeting minutes
27 of February 27, 2018, and the City Council Work Session Meeting minutes of March 13, 2018.
28 The motion was seconded by Council Member Bruce. The motion passed with the unanimous
29 consent of the Council.

30
31 **6.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION**

32
33 **6.1 MOTION:** Council Member Bracken moved to adjourn the Business Meeting. The motion
34 was seconded by Council Member Shelton. The motion passed with the unanimous consent
35 of the Council.

36
37 6.2 The meeting adjourned at 8:51 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood*
2 *Heights City Council Business Meeting held Tuesday, March 27, 2018.*

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9



10 Teri Forbes
11 T Forbes Group
12 Minutes Secretary
13
14 Minutes approved: May 8, 2018