



NOTICE OF COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION **AMENDED** AGENDA

Notice is hereby given that the **Cottonwood Heights City Council** will hold a **Work Session** at approximately **4:00 p.m.**, or soon thereafter, on **Tuesday, February 1, 2022**, in the Cottonwood Heights City Council Work Room located at 2277 East Bengal Boulevard, Cottonwood Heights, Utah. The public may remotely hear the open portions of the meeting through live broadcast by connecting to <http://mixlr.com/chmeetings>.

Each citizen desiring to attend the Zoom Work Session must register in advance for the “webinar” (i.e., this City Council work session) as follows:

https://cwh.zoom.us/webinar/register/WN_X8Ld3sJETK2czIA2Jeqp9w Each registrant will receive a confirmation email containing information about joining the webinar.

- 4:00 p.m.**
1. **WELCOME** – *Mayor Weichers*
 2. **Cottonwood Heights Parks and Recreation Service Area Report** – *Executive Director Ben Hill (20 min)*
 3. **REVIEW OF BUSINESS MEETING AGENDA** – *Mayor Weichers (15 min.)*
 4. **COMMITTEE REPORTS**
 - a. **Parks Trails and Open Space** – Chair Greg Reid and past Chair Jennifer Follstad Shah *(15 min)*
 - b. **Historic Committee** – Chair Jim Kichas *(15 min)*
 - c. **Arts Council** – Chair Laura Garcia *(15 min)*
 5. **STAFF REPORTS**

(Each week the city council and staff provide informational reports as a method of keeping up on the day-to-day activities of the city. This agenda item is set aside to allow council members to ask questions or for staff to bring the council up to date of any changes since the report was made).

 - a. **Title 8 and Title 9 Ordinance Discussion on Animals, Vehicles and Nuisances** – *City Attorney Shane Topham and Police Chief Robby Russo (10 min)*
 - b. **Mid-Valley Active Transportation Plan Introduction** – *Community and Economic Development Senior Planner Andrew Hulka (15 min)*
 - c. **Clarification of Planning Commission Bylaws** – *Community and Economic Development Director Michael Johnson (5 min)*

6. **REVIEW OF CALENDARS AND UPCOMING EVENTS***
 - a. City Hall will be closed Monday, February 21, 2022, in observance of Presidents Day
 - b. Cottonwood Heights Arts Council Willy Wonka Musical Auditions – March 11-12, 2022, at City Hall
 - c. Cottonwood Heights Butlerville Days – July 28-30, 2022 (*Volunteers and Sponsors needed. For more information, visit Butlervilledays.com or call Ann Eatchel at 801-550-8225*)

**All events are subject to COVID-19 restrictions and changes. For more information, please visit ch.utah.gov*

7. **POSSIBLE CLOSED MEETING TO DISCUSS LITIGATION, PROPERTY ACQUISITION AND/OR THE CHARACTER AND PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**
8. **ADJOURN CITY COUNCIL WORK SESSION**



NOTICE OF COTTONWOOD HEIGHTS CITY COUNCIL BUSINESS MEETING AGENDA

Notice is hereby given that the **Cottonwood Heights City Council** will hold a **Business Meeting** beginning at approximately **7:00 p.m.**, or soon thereafter, on **Tuesday, February 1, 2022**, in the Cottonwood Heights City Council Chambers located at 2277 East Bengal Boulevard, Cottonwood Heights, Utah. The public may remotely hear the open portions of the meeting through live broadcast by connecting to <http://mixlr.com/chmeetings>.

Civility and decorum should be applied in all discussions and debate. Difficult questions, tough challenges to a point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. Public officials and the public are encouraged to refrain from making belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments.

Citizens may make live verbal comments during the “Citizen Comment” portion of this meeting through the City’s “Zoom webinar” process. Each citizen desiring to make a citizen comment must register in advance for the “webinar” (i.e., this City Council business meeting) as follows:

https://cwh.zoom.us/webinar/register/WN_ohilOhjITguJhZpmeSnnyw

NOTE THAT THE “WEBINAR” ACCESS LINKS EMAILED TO THE REGISTRANT ARE UNIQUE TO THAT INDIVIDUAL. USE OF A SHARED REGISTRANT LINK WILL RESULT IN NOT BEING ADMITTED TO THE “WEBINAR” OR BEING REJECTED BY THE SYSTEM AND/OR HOST. EACH INDIVIDUAL MUST REGISTER INDIVIDUALLY AND ONLY USE THE LINK EMAILED TO THEM.

Each registrant will receive a confirmation email containing information about joining the webinar, and registrants who have entered the webinar’s “waiting room” will be admitted to the webinar one at a time for purposes of making their citizen comments to the City Council. Citizen comments also may be given in writing by submitting the comments to pmelgar@ch.utah.gov by 5:00 p.m. on the meeting date. In the interest of time and those attending the meeting live, however, **submitted written comments** will be entered into the record and distributed to the City Council, but **will not** read at the public meeting.

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| 7:00 p.m. | 1.0 | WELCOME |
| | 2.0 | PLEDGE OF ALLEGIANCE |
| | 3.0 | ACKNOWLEDGMENTS |
| | 3.1 | Citation in Honor of Mike Peterson – Introduced by Utah State Representative Gay Lynn Bennion |

4.0 **CITIZEN COMMENTS**

("During each regular city council meeting (specifically excluding work sessions), there will be a period not to exceed sixty minutes for citizen comment." (Cottonwood Heights Code of Ordinances 2.30.160 (B))

City Manager Tim Tingey will admit into the record written public comments submitted to the City Recorder prior to 5:00 p.m. on the meeting date.

5.0 **ACTION ITEMS**

5.1 Consideration of **Resolution 2022-08** Approving Appointments to the Arts Council.

(By this resolution, the council will approve the manager's re-appointments of Joy Henrichsen and Laura Garcia to the city's Arts Council).

5.2 Consideration of **Resolution 2022-09-A** Declaring a Parking Permit Area on a Portion of Racquet Club Drive.

(This resolution will approve creation of a parking permit area on a portion of Racquet Club Drive pursuant to Cottonwood Heights Code Chapter 11.22).

OR

Consideration of **Resolution 2022-09-D** Denying Declaration of a Parking Permit Area on a Portion of Racquet Club Drive.

(This resolution will deny creation of a parking permit area on a portion of Racquet Club Drive pursuant to Cottonwood Heights Code Chapter 11.22).

5.3 Consideration of **Resolution 2022-10** Accepting a Request for Defense and Indemnification.

(Three city police officers were named as the original defendants in a civil rights lawsuit filed in or about November 2021 concerning their response to an alleged domestic violence incident at an "extended stay" hotel in the city on 8 December 2018. Those employees filed with the city requests for indemnification pursuant to the Governmental Immunity Act of Utah, which were accepted by the city, with a reservation of rights, pursuant to city council Resolution 2021-60 dated 16 November 2021. The city is required to accept such requests and provide defense and indemnity to the city employees to the extent that the subject acts or omissions occurred (a) during performance of the employees' duties; (b) within the scope of the employees' employment by the city; or (c) under color of authority. See Utah Code Ann. 63G-7-902. Subsequently, the plaintiffs in this lawsuit amended their complaint to name additional defendants, including CHPD Chief Robert Russo. Chief Russo also has filed with the city a request for indemnification pursuant to the state's immunity act cited above. This resolution will accept that request for defense and indemnification subject to a reservation of rights if the subject acts or omissions did not occur within the proper parameters).

5.4 Consideration of **Resolution 2022-11** Accepting a Request for Defense and Indemnification.

(Former CHPD officer Casey Davies is named as a defendant in a lawsuit recently filed in Utah state court. Mr. Davies has filed with the city a request for indemnification pursuant to the Governmental Immunity Act of Utah. The city is required to accept such requests and provide defense and indemnity to its employees to the extent that the subject acts or omissions occurred (a) during performance of the employees' duties; (b) within the scope of the employees' employment by the city; or (c) under color of authority. See Utah Code Ann. 63G-7-902. This resolution will accept Mr. Davies' request for defense and indemnification subject to a reservation of rights).

5.5 **Consideration of Resolution 2022-12 Approving Disposal of Unclaimed Property or Former Evidence.**

(From time to time, the city disposes of items of unclaimed property and property no longer needed as evidence as authorized by Utah law. This resolution will approve such disposition for certain items in the city's possession).

6.0 **CONSENT CALENDAR**

Approval of the City Council Work Session and Business Meeting Minutes for January 18, 2022.

7.0 **ADJOURN CITY COUNCIL BUSINESS MEETING**

PUBLIC COMMENT PROCEDURE

During each City Council business meeting (specifically excluding work sessions), there will be a period not to exceed 60 minutes for citizen comment. (Code of Ordinances 2.30.160 (B)). Any person wishing to comment on any item not otherwise on the agenda for public comment may address the City Council during the Public Comment period. Any person wishing to comment during the Public Comment period shall request recognition by the Mayor and upon recognition, approach the microphone and state their name, state if they are a resident of Cottonwood Heights and either provide their address or their Council district; and then address the City Council. Any person wishing to comment shall limit their comments to no more than three (3) minutes unless more or less time is specified by the Mayor. Citizen groups who are present will be asked to appoint a spokesperson, who shall limit their comments to no more than five (5) minutes unless more or less time is specified by the Mayor. All comments shall be directed to the City Council.

No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate or dialogue with the Mayor, City Council or City Staff during the meeting.

The City Council may choose to limit the amount of time allotted to public comment on a specific issue. In such cases, special procedures for determining who will be allowed to speak and the order of such speakers will be determined by the Council. In the interest of time and those attending the meeting live, submitted written comments will be entered into the record, distributed to the City Council but not read at the public meeting.

On Friday, January 28, 2022, at 11:30 a.m. a copy of the foregoing AMENDED notices was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City, by the Office of the City Recorder. The Agendas were also posted on the City's website at www.ch.utah.gov and the Utah Public Notice website at <http://pmn.utah.gov>

DATED THIS 28th day of January 2022

Paula Melgar, City Recorder

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Councilmember will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions. In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder, at (801) 944-7021 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711. If you would like to submit written comments on any agenda item, they should be received by the City Recorder no later than Tuesday at noon. Comments can be emailed to pmelgar@ch.utah.gov.)