



MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met on Tuesday, June 16, 2020, for a meeting held electronically in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020, and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

Council Members in Attendance:

Dale Cox - Chair	District #2
Rosalba Dominguez – Vice Chair	District #3
Kat Martinez	District #1
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Janet Lopez	City Council Director
Wendell Combs	City Treasurer	Jennifer Kennedy	City Recorder
Brenda Moore	Finance Director	Pattie Johnson	City Council Office Admin.
Craig Burnett	Police Chief	Jennifer Heaps	Chief Communications Officer
Robyn Colton	Human Resources Director	Doug Hill	Chief Administrative Officer
G.L. Critchfield	City Attorney	Rachel Heatley	Director, Humane Society
Chad Pasqua	Assistant Fire Chief		

Chair Cox called the Committee of the Whole meeting to order at 6:00 p.m. with the following statement:

Welcome to the Murray City Council Meetings. We are glad you are viewing our proceedings. Tonight, we have scheduled: Committee of the Whole, a short break, and a Council Meeting.

Because of the current health pandemic, and in order to comply with the Governor's Directive to "Stay Safe, Stay Home," and the Public Health Order issued by the County Health Department and County Mayor, we have determined that an in person meeting, including attendance by the public and the Council is not practical or prudent. Therefore, this meeting will be held remotely through electronic means.

Each person is participating from a separate location. We are totally dependent upon the internet and technology to broadcast this meeting and to ensure that the public has an opportunity to view the proceedings, however, there could be a malfunction that is out of our control. We do not expect any issues but want you to be aware of that possibility.

If you would like to submit citizen comments or public hearing comments please email to city.council@murray.utah.gov they should be less than 3 minutes, include your name and contact information and they will be read into the record.

Approval of Minutes – Mr. Cox called for comments or a motion on the following minutes:

- Committee of the Whole – April 21, 2020.
- Committee of the Whole – May 5, 2020.

Ms. Turner moved to approve both sets of minutes. Ms. Martinez seconded the motion. (Passed 5-0)

Discussion Items:

Animal Control Ordinance Proposal: Kat Martinez and Rachel Heatley.

Advocacy Director, Ms. Heatley from the Humane Society located in Murray's District 1, reported that she approached Ms. Martinez about her thoughts on the ordinance and how it has impacted the Humane Society, and the animals since the initial outbreak of COVID-19. Ms. Heatley thanked the Council for taking swift action on the Fountain of Youth Building. With regard to the pet limit ordinance in Murray, as it stands, the limit is two dogs and two cats. That seems reasonable; however, the Humane Society would like there to be no limit on pets with the caveat that the animals' people have, not become a nuisance. The catalyst was practicality. With Salt Lake County Animal Services taking over animal control services for Murray City, Ms. Heatley stated it makes sense for it to be consistent. She pointed out that in the County- there is no limit on pets.

Ms. Heatley said the current Murray City ordinance impacted their foster pool, as they have relied on foster care for their animals more than ever during COVID-19. They have been working at a reduced capacity, in terms of their workforce and are working by appointment only. The result has been for animals to stay longer. She noted pet limitation laws are antiquated for the following reasons:

- They are overly broad.
- They are redundant.
- They reduce compliance with pet licensing.

In addition, pet limitation laws also penalize responsible pet owners. She explained that the hoarding of animals is a mental illness and involves the following:

- Accumulation of a large number of animals.
- An inability to provide minimum care for the animals.
- Denial of the inability to care for the animals.

Ms. Heatley reiterated by only focusing on the number of pets in a home, they are not correcting hoarding behaviors, and are in turn penalizing responsible pet owners. She said the heart of a pet limit ordinance is nuisance abatement and prevention of animal cruelty. She suggested that enforcement be focused on the actual problem, rather than on ancillary issues, such as the number of animals. What often happens with these types of ordinances is neighbors use them as a weapon in disputes. Ms. Heatley explained that eliminating pet limit laws encourages people to voluntarily comply with pet licensing. When there is a limit on the number of animals, people hide the number of animals they have and will not license them. Pet limit laws do not prevent hoarders from keeping large numbers of animals; they do discourage residents who responsibly care for multiple animals from reporting them to the municipality and paying licensing fees. She asked the Council to consider changing the ordinance.

Council Comments:

- Ms. Martinez commented that she and Ms. Heatley also discussed the issues of when a person's pet gives birth. There is currently no allowance in the ordinance for the babies to remain with the parent animals for the time period allowed by the State Legislature.
- Ms. Turner reported that she has neighbors and constituents who support the proposed ordinance.

Discussion on Murray City Police Department Policies: Mayor Camp and Chief Burnett.

Chief Burnett addressed questions posed by Council Member Martinez in her email dated June 5, 2020. He reviewed the following recommendations made by the Police Use of Force Project and Leadership Conference on Civil and Human Rights:

- Require officers to de-escalate where possible through communication, maintaining distance, slowing things down, and otherwise eliminating the need for use of force. He reported they have a contract with Lexipol, which is comprised of a group of attorneys in California that provide police best practices and policies. The City's policies and procedures will be in line with much of what is taking place in other agencies and the City can change them to fit their specific situation. The policy states that officers should only use the amount of force reasonably necessary given the facts and circumstances.
- Prohibit officers from using maneuvers that cut off oxygen or blood flow, including chokeholds or carotid restraints. Chief Burnett stated they do not train it and it is not in their policy.
- Require officers to intervene and stop excessive or unnecessary force used by other officers and report these incidents immediately to a supervisor.
- Restrict officers from shooting at moving vehicles. Chief Burnett stated the only time an officer would shoot at a car is if lives were in danger. Officers never shoot at or from a moving car.
- Limit the types of force and/or weapons that can be used to respond to specific types of resistance and specific characteristics such as age, size, or disability. Every situation is unique but their training addresses issues to be considered when there is a possibility that force has to be used. They train so that officers know how to respond in specific circumstances.
- Require officers to exhaust all reasonable means before resorting to deadly force.
- Require officers to give a verbal warning when possible before resorting to deadly force. Chief Burnett confirmed State law requires verbal warning be given if feasible before deadly force is used.
- Require officers to report each time they use force or threaten to use force. Chief Burnett explained that the policy requires that when any force is used, a supervisor must be notified.
- Require officers to give a verbal warning when possible before using serious force such as shooting, tasing, or pepper spraying someone.

Chief Burnett affirmed every Murray officer going through Basic Training in the Police Academy is trained in de-escalation tactics and procedures. That is also done within the department at least bi-annually. Several times each year they also do Use of Force Training, which includes Firearms and Deadly Force Training. They also have a virtual simulator at the Training Center where they provide training that allows officers to make decisions and interact with the simulator before any type of force is required, if at all. He reported several officers have also undergone the Crisis Intervention Team Training. He noted it is a very intensive training where they spend at least 40 hours in class discussing mental health issues, how to recognize people who are in distress, how to deal with them, and de-escalation methods.

Chief Burnett confirmed Murray officers are trained to safely interact with people with disabilities. Members of the deaf community have met with them to learn how to communicate. Through VECC (the Salt Lake Valley Emergency Communications Center) they can access ASL (American Sign Language) interpreters in multiple languages.

He reported, although there was a decrease in overall calls, there was an increase in the number of calls from people who are in distress. For these issues, the Mobile Outreach Crisis Team is utilized, which is managed by the University of Utah's Utah Neuropsychiatric Institute. They will come on scene and provide assistance. Officers also benefit from Crisis Intervention Training.

Chief Burnett addressed the question about how officers deal with social workers when dealing with domestic violence calls. He explained the department does not employ social workers, but they have two full-time Victim Advocates and four volunteers who are available 24 hours per day. Additional training officers participate in was noted. Over the past few years, the department has also implemented implicit bias training. Council Members were encouraged to participate in the Citizens Academy.

Mayor Camp expressed great support for the Murray Police Department; extended appreciation to all of them for their efforts and said they all do an outstanding and professional job. He proposed the Council consider adoption of a Joint Resolution of the Mayor and the Municipal Council of Murray City affirming the City's commitment to police accountability and racial justice in City policing practices. His office has been working with the City Attorney to draft a resolution that will be sent out to the Council after the meeting. He asked that each Council Member review the document and recommend changes, additions, or deletions. He hoped they could ultimately agree on a document that can be presented to the Council in the near future, as a joint resolution.

Mayor Camp also proposed the creation of a Public Safety Advisory Board that would include a cross-section of community members. The purpose of the board will be to review the existing Police and Fire Department procedures, policies, standards, and programs, and make recommendations to the Police Chief, Fire Chief, and the Mayor. In addition, the Board may provide timely feedback regarding community concerns and issues. The Mayor considered this to be a proactive rather than a reactive approach to public safety. With no objection from the Council, the Mayor would instruct the City Attorney to draft a proposed ordinance to create the Board, so that it can be discussed at a future Committee of the Whole Meeting.

Council Comments and Discussion:

- Ms. Turner expressed support for both initiatives. She thanked Chief Burnett for his presentation and asked if it would be helpful to provide funding to have a social worker on staff. Chief Burnett said it has never been considered, due to a lack of funding but acknowledged there could be a need.
- Ms. Martinez thanked Mayor Camp for putting forth two proposals. She considered them to be exactly what is needed to move forward proactively. She felt conversations related to public safety could be polarizing, and reported many residents reached out to her to express many concerns. She noted they did not want opinions and comments made public- for fear of appearing anti-police; but wanted to know about Murray's current policies. She expressed great respect for Chief Burnett and thought it was wonderful to know that Murray already has best practices in place. She felt Murray citizens would not be surprised to know that - out of all of the challenges and ways that cities across America are looking at adjusting police procedures- Murray already has strong policies and effective training in place. She appreciated the Chief's thoughtful responses to her questions and was glad the presentation was made available to the public, so citizens could have their questions and concerns addressed. Chief Burnett said the department received many phone calls from the public, as well. Many were supportive and polite, asking the same type of questions, to which they are happy to answer, because that is who they are here for.
- Ms. Dominguez appreciated having the conversation. She thanked Mayor Camp for creating two proposals and she looked forward to reading them to dive further into the matter. She was grateful

for Chief Burnett and asked how de-escalation training was implemented; whether outside help did the training; or, was training part of new orientation, or ongoing internal training. Chief Burnett confirmed training occurs twice per year; there are people on staff who are certified trainers, and experts from outside are utilized for a different perspective on alternative training styles. Ms. Dominguez thought it was important to highlight the topic of de-escalation, and echoed Ms. Turner about the importance of attaining a social worker in the future if necessary.

- Mr. Hales extended appreciation to the Mayor for the proposals. He said Chief Burnett, and Deputy Chief Officer Tarver are greatly appreciated by many. He felt blessed to be part of the Murray City Council and noted during these tough times other city councils were facing far more difficult challenges. He was grateful for all Murray first responders; and the Council for bringing forth interest in this matter and noted the importance of listening to constituents.
- Chair Cox appreciated Chief Burnett and all Murray officers. He said Murray has some of the best and brightest officers in the industry, which was a direct reflection of good leadership.

Announcements: Ms. Lopez had reminders she would email to Council Members.

Adjournment: 6:40 p.m.

Pattie Johnson
Council Office Administrator II