

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL EMERGENCY MEETING HELD THURSDAY, DECEMBER 5, 2013, AT 11:30 A.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

Members Present: Mayor Kelvyn Cullimore, Councilman Tee Tyler, Councilman Scott Bracken, Councilman Mike Peterson

Excused: Councilman Mike Shelton

Staff Present: City Manager John Park, Community and Economic Development Director Brian Berndt, Public Works Director Mike Allen, Assistant Fire Chief Mike Watson, Public Relations Specialist Stephanie Dickey, Deputy City Manager Linda Dunlavy, Kory Solorio City Recorder, City Attorney Shane Topham, City Engineer Brad Gilson, Police Chief Robby Russo (arrived at 12:07 p.m.)

Others Present: Terracare Vice President of Public Infrastructure Management Justin Stewart, Terracare Project Manager Bryan Kunkel, Terry Fisher, Joan Carman, Anna Trupp, Jeff Williams, Lisa Adams

1.0 **WELCOME**

1.1 Mayor Kelvyn Cullimore called the Emergency Meeting to order at 11:35 a.m. and welcomed those attending.

1.2 City Recorder Kory Solorio reviewed the process for convening an emergency meeting and stated that at 10:45 a.m., she noticed the Mayor and Council, the executive staff, the posting locations, the City website, faxed the newspapers, and posted the notice at City Hall.

1.3 City Attorney Shane Topham reported that under state law, an Emergency Meeting can be held with best notice practical given, an effort made to contact all Members of the public body, and the majority agreeing to the meeting.

1.4 Mayor Cullimore reported that the emergency meeting was called to discuss the outcomes of snow removal under the TerraCare contract and to discuss measures that must be taken to improve that service to the residents. The importance of updating the public on the current situation and actions being taken to resolve the issue were detailed. The Mayor reported that in a recent meeting with representatives of UDOT they agreed to commit resources to help address the current problem. He also reported contact with representatives from SL County who are willing to provide assistance temporarily.

1.5 Terracare Vice President of Public Infrastructure Management, Justin Stewart, reported that the primary thoroughfares have been maintained and are in very good shape as are secondary streets. Priority 3 routes are snow covered and the residential network is ice covered, with intermittent open black top. Due to low temperatures and TerraCare's failure to get the neighborhood streets on a timely basis, the bond between the ice and concrete became impenetrable. High-performance salt from UDOT will be dispersed and TerraCare crews will continue working on the problems until they are solved. The snow removal plan involves the Priority 1 network being completed first, Priority 2 second, followed by Priority

- 3 and the residential network is last. Terracare's equipment was compared to that previously used by Salt Lake County and the question raised of whether there was adequate equipment to handle the snow removal duties. Mr. Stewart stated that the lack of deployment during the initial snowfall was the real cause of the problems in the first snow event, not necessarily the equipment. That said, there were some equipment malfunctions as well. He confirmed that full deployment will take place at the beginning of all succeeding storms and then taper off as the streets are cleared. Additional staffing issues were discussed.
- 1.6 Mayor Cullimore remarked that having researched Terracare over the past year, the City received nothing but positive recommendations. He questioned whether this failure was a one-time occurrence or if there are other circumstances involved that need to be evaluated. He asked TerraCare for an analysis and explanation to ensure confidence moving forward. With another storm coming in a day or two it is critical that we be prepared and not have a repeat of this first storm.
 - 1.7 Mr. Stewart confirmed that errors were made in the beginning and the deployment plan was not properly implemented. There were several new drivers whose inexperience became obvious once conditions worsened. Throughout the storm, the salt application rate was increased. Two road graders are now being used in the post-storm environment in an effort to scrape more of the ice off the road and allow the high performance salt to take effect. He stated that prior to the next storm; experienced drivers will be brought in to work with the newer drivers, ensuring that procedures are correctly followed.
 - 1.8 Mayor Cullimore confirmed that UDOT resources will be utilized. High-performance salt will be used on the hills and road graders in certain areas will continue working on scraping up the embedded ice and snow. Plows will continue to make clean-up efforts where possible. Slushy areas will be plowed followed by an additional layer of salt.
 - 1.9 The reasoning for the transition from Salt Lake County to Terracare was detailed. It was noted that the safety of the roads and the facilitation of the citizens are of utmost importance. The type of service experienced on this first storm will be unacceptable going forward and if not corrected could result in termination of TerraCare for non-performance.
 - 1.10 City Manager John Park agreed to contact UDOT to coordinate resources, and suggested the graders continue working to break down the ice with the plows continuing to maintain the streets.
 - 1.11 Councilman Tyler raised a question regarding a possible contract termination with Terracare for non-performance.
 - 1.12 Mr. Topham reported that there is a hierarchy of remedies that have to be pursued prior to any type of termination. Additional details of the contract were discussed.
 - 1.13 The Council next reviewed the forward progress and steps that need to be completed in order to provide updates to the citizens. Public Relations Specialist Stephanie Dickey will release a statement regarding the contract services to the public and media.

2.0 **ADJOURN EMERGENCY MEETING**

2.1 **MOTION:** Councilman Bracken moved to adjourn the emergency meeting. The motion was seconded by Councilman Tyler and passed unanimously on a voice vote. The emergency meeting adjourned at 1:15 pm.