

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY, SEPTEMBER 25, 2012, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

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

Staff Present: City Manager Liane Stillman, City Attorney Shane Topham, Administrative Services Director Linda Dunlavy, Community and Economic Development Director Brian Berndt, Police Chief Robby Russo, Assistant Chief Mike Watson, Public Works Director Mike Allen, Finance Director Steve Fawcett, City Engineer Brad Gilson, Public Relations Specialist Stephanie Archibald

Also Present: Vicki Kartchner

**1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

- 1.1 Mayor Cullimore called the meeting to order at 7:00 p.m. and welcomed those attending.
- 1.2 Councilman Tyler led the Pledge of Allegiance.
- 1.3 Councilman Bracken introduced Youth City Council representative Derrick, who serves on the Social Committee and is a junior at Brighton High.

**2.0 CITIZEN COMMENTS**

- 2.1 Vicki Kartchner lives on the property west of Butler Fields and will soon be enclosed on two sides by tennis courts. She said that she has called Superintendent Doty, as well as school board member Kim Horiuchi. She spoke to the school board on this matter, but did not feel like she was heard. She started a petition and gathered 378 signatures opposed to breaking up the green space with tennis courts. One of her concerns is parking since whenever soccer or football games are held there is always a shortage. She presented a rendering of an alternative to the proposed design suggesting moving the tennis courts to the southeast corner of the property behind the middle school, which would be a better use of space and allow for more parking. Ms. Kartchner pointed out that if parking is brought to the west end, it will alleviate issues in surrounding neighborhoods and the need for additional parking. She felt that her only other alternative was to ask the Mayor to speak to Superintendent Doty and reach a resolution that benefits everyone.

Mayor Cullimore reported that he followed up, presented a plan, and sent an email to Dr. Doty and to Kim Horiuchi asking for responses. Although additional parking is desirable, the Mayor stated that the school district is not inclined to change the project because of the cost involved. They also say that Ms. Kartchner's plan is more costly than the one proposed. Mayor Cullimore emphasized that he is not in favor of moving the courts to the district's proposed location due to the impact of the green space.

Councilman Peterson stated that he has been involved with many park designs and believes fencing and landscaping could mitigate much of the impact. He explained that the middle school and high school would be opposed to locating the tennis courts behind the middle school. The PE Department feels that they have continuously lost green space to everyone and the high school wants it closer to the campus. He noted that the project has already been bid and much of the grading and design work is done.

Councilman Peterson suggested Ms. Kartchner meet with the school district to discuss details of the fencing and buffering.

- 2.2 Michael Falk, 7768 South 2325 East said that the recent traffic calming project has turned the neighborhood into a raceway. He said that the speed tables have not hindered traffic speeds and suggested the stop signs be put back up.

Councilman Bracken asked Mr. Falk to clarify the locations in question.

Mr. Falk replied that the stop signs on Dolphin, Newport Way, and Nantucket need to be replaced. He commented that the neighbors have voiced their concerns and feel they are being stonewalled.

Mayor Cullimore said that he considered Mr. Falk's statement to be unfair noting that Councilman Bracken has spent endless hours looking for solutions. He pointed out that more time has been spent on 2325 and Nantucket than any other street in the City. The Mayor reported that speed tables had been presented to the citizens and they were satisfied with that solution.

Councilman Bracken indicated that he presented the plans to Mr. Falk and others and explained that closing the road and reducing the volume are not realistic options. Pedestrian issues were also addressed with respect to the speed tables, which added eight inches of additional height at the intersection. He also noted that studies have shown that the 85<sup>th</sup> percentile speed on 2325 and Nantucket is 31 or 32 miles per hour.

The project cost upward of \$20,000, which Mr. Falk considered a waste of money.

Mayor Cullimore thought that was unfortunate and stated that no other street has received as much attention as Mr. Falk's.

Mayor Cullimore added that Councilman Bracken has spent an incredible amount of time advocating for these streets and considered Mr. Falk's claim that he is not listening and stonewalling the residents to be offensive.

Councilman Bracken remarked that the traffic volume issue has been discussed extensively and determined to be the nature of the street. He considered the solution of the speed tables, which would increase the visibility for kids and pedestrians, to be a resolution in response to the traffic calming application. With regard to stop signs, Councilman Bracken reported that many motorists do not stop as they do not feel the stop signs ought to be there. He did not believe that the speed tables had turned the street into a speedway and reported that counts and monitoring have been scheduled to determine if there has been a change.

Mr. Falk stated that due to commuters being unaware that construction has been completed, traffic volume is down, but will soon increase.

Mayor Cullimore said that short of installing speed bumps, the Council has done everything possible to resolve the problem. He remarked that there are consequences of speed bumps such

as the difficulty of snow plowing, the challenge it poses to emergency response vehicles, and trying to get citizens to agree on a location. Studies have shown that with the speed tables, 85% of motorists travel within an acceptable range. Councilman Bracken stated that he would be in contact with Mr. Falk after the analysis is reviewed.

### 3.0 **REPORTS/PRESENTATIONS/RECOGNITIONS**

#### **Standing Monthly Reports**

#### 3.1 **Monthly Financial Report**

- 3.1.1 Finance Director, Steve Fawcett, presented the monthly financial report for August. He pointed out that with fuel prices on the rise, consumers tend to spend their available resources on fuel and have less to spend on discretionary purchases, which impacts sales tax revenue. The Mayor's and Council budgets are 43% spent and \$300,000 goes to insurance costs.

Mr. Fawcett detailed how the fund balance is kept below 18%. He authorized a transfer of approximately \$700,000 from the fund balance to the capital projects fund prior to year end, which brought the total transfer to over \$1.4 million. \$2.9 million was appropriated and available for the city center and the parks. In addition, the current available fund balance in the General Fund is just over \$900,000. He stated that \$150,000 could be appropriated toward road maintenance or pavement management. Snow removal last year did not require a substantial amount of money and there was approximately a \$300,000 lapse of available funding appropriated for the County to do maintenance work.

The audit is underway and will be presented in October.

A complete copy of this report is available on the City's website.

#### 3.2 **Unified Fire Report**

- 3.2.1 Assistant Chief Mike Watson presented the statistics for the month of August. 201 medical calls and 93 fire calls were received which is down from the previous year. Station 110 received 126 medical calls and 61 fire calls; and Station 116 received 75 medical calls and 32 fire calls. The reasons for most of the August medical calls were traffic accidents, falls and unknown problems.

Ambulance transports were next detailed with Station 116 receiving a total of 73 Advanced Life Support (ALS) calls resulting in 27 transports; and 4 Basic Life Support (BLS) calls resulting in 2 transports. Station 110 received a total of 89 ALS calls resulting in 39 transports and 11 BLS calls resulting in 6 transports.

Chief Watson reviewed the customer service report for Stations 116 and 110.

September is Fire and Fall Prevention Month. A program has been developed for older adults to help them live safely at home for as long as possible. At age 65, older adults are twice as likely to be killed or injured by fires or fall compared to the population at large. Chief Watson reminded residents that if you smoke, smoke outside; keep space heaters at least three feet away from combustibles; be careful in the kitchen; and if clothes catch fire, stop, drop and roll.

#### 4.0 **ACTION ITEMS**

##### 4.1 **Consideration of Resolution No. 2012-51 Adopting a Policy Governing Political Activities in Butlerville Days Parade**

4.1.1 Mayor Cullimore said that the proposed resolution clarifies who is allowed to ride in the Butlerville Days parade. Elected officials that were on a Cottonwood Heights ballot are allowed in the parade.

4.1.2 **MOTION:** Councilman Peterson moved to approve Resolution 2012-51. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote.

##### 4.2 **Consideration of Resolution No. 2012-52 Adopting a Policy Governing Commercial and Non-Profit Sales in City-Owned Parks**

4.2.1 Mayor Cullimore explained that the proposed resolution makes it unlawful to sell or engage in any commercial activity in a City-owned park or playground, whether for profit or otherwise, without the prior written consent of the City's Community Development Director or other City designee.

4.2.2 **MOTION:** Councilman Tyler moved to approve Resolution 2012-52. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

##### 4.3 **Consideration of Resolution No. 2012-53 Approving and Ratifying a Bid and Awarding a Contract to Quicksilver Concrete, Inc., for Speed Bump Projects Along 6675 South Between 2300 East and Nye Drive**

4.3.1 Mayor Cullimore reported that this resolution deals specifically with a contract for the 6675 South Speed Bump Project.

4.3.2 **MOTION:** Councilman Peterson moved to approve Resolution 2012-53. The motion was seconded by Councilman Shelton and passed unanimously on a roll call vote.

##### 4.4 **Consideration of Resolution No. 2012-54 Ratifying a Consulting Agreement with Jessica Winitzky for Preparation of a Comprehensive Written Examination for a Sergeant Promotional**

4.4.1 Mayor Cullimore stated that the proposed resolution approves a contract to retain Professor Winitzky to draft the sergeant's promotional exam so that there is variation from the past and will make the testing more challenging. The contract is for \$1,200.

4.4.2 **MOTION:** Councilman Tyler moved to approve Resolution 2012-54. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote.

##### 4.5 **Consideration of Resolution No. 2012-55 Approving an Independent Contractor Agreement with Pavement Restoration, Inc. for Asphalt Rejuvenation of Certain Public Streets**

4.5.1 Mayor Cullimore reported that the proposed resolution is for pavement restoration comprising approximately 750,000 square feet of road that will be treated with a topical treatment. The proposed area is located between Bengal Boulevard and Banberry and 2700 East and Silver Lake Drive. The contract is for approximately \$94,000 and has proven to be beneficial.

4.5.2 **MOTION:** Councilman Bracken moved to approve Resolution 2012-55. The motion was seconded by Councilman Shelton and passed unanimously on a roll call vote.

5.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**

5.1 **MOTION:** Councilman Peterson moved to adjourn and reconvene the work meeting. The motion was seconded by Councilman Bracken and passed unanimously on a roll call vote. The business meeting adjourned at 8:13 p.m.