

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, November 14, 2012
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

BRIEFING SESSION

Attendance:

Council Members:

Council Chairman Jerry Rechtenbach
Vice-Chairman Dama Barbour
Council Member Ernest Burgess
Council Member Larry Johnson
Council Member Kristie Overson

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Cheryl Peacock Cottle, City Recorder
Kris Heineman, Deputy Recorder
Mark McGrath, Community Development Director
John Taylor, City Engineer
Scott Harrington, Chief of Finance
Donald Adams, Economic Development Director
Tracy Wyant, Police Precinct Chief

Excused: Mayor Russ Wall

BRIEFING SESSION

1. Review Administrative Report

[18:03:15](#) Chairman Jerry Rechtenbach conducted the Briefing Session, which convened at 6:03 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. Chairman Rechtenbach called for questions on the Administrative Report for the Community Development Department. Community Development Director Mark McGrath commented on recent activity in the building department.

1 **2. Review Agenda**

2
3 18:06:10 The agenda for the City Council Meeting was reviewed.
4

5 **3. Closed Session**

6
7 18:07:05 Council Member Ernest Burgess **MOVED** to adjourn the Briefing Session and convene
8 a Closed Session to discuss the professional competence of an individual at 6:07 p.m. Council
9 Member Dama Barbour **SECONDED** the motion. Chairman Jerry Rechtenbach called for
10 discussion on the motion. There being none, he called for a roll-call vote. The vote was as
11 follows: Barbour-yes, Burgess-yes, Overson-yes, Johnson-yes, and Rechtenbach-yes. **All**
12 **members of the City Council voted and the motion carried by a unanimous vote.**

13
14 **CLOSED SESSION**

15
16 Those in attendance at this Closed Session were: Mayor Russ Wall, City Administrator John
17 Inch Morgan, Council Members Barbour, Burgess, Johnson, Overson, and Rechtenbach, City
18 Attorney John Brems, and City Recorder Cheryl Peacock Cottle. Judge Michael Kwan
19 participated in the meeting via electronic means
20

21 **A meeting of the City Council held on Wednesday, November 14, 2012 was closed to**
22 **discuss the professional competence of an individual, wherein no other items were**
23 **discussed.**

24
25 Council Member Larry Johnson **MOVED** to adjourn this Closed Session at 6:34 p.m. and
26 convene the regular City Council Meeting. Council Member Dama Barbour **SECONDED** the
27 motion. Chairman Jerry Rechtenbach called for discussion on the motion. There being none, he
28 called for a roll-call vote. The vote was as follows: Barbour-yes, Burgess-yes, Overson-yes,
29 Johnson-yes, and Rechtenbach-yes. **All members of the City Council present voted and the**
30 **motion carried by a unanimous vote.**

31
32
33
34
35 **REGULAR MEETING**

36 **Attendance:**

37
38
39 Mayor Russ Wall
40
41

Council Members:

Council Chairman Jerry Rechtenbach
Vice-Chairman Dama Barbour
Council Member Ernest Burgess
Council Member Larry Johnson
Council Member Kristie Overson

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Tracy Wyant, Police Precinct Chief
Cheryl Peacock Cottle, City Recorder
Kris Heineman, Deputy Recorder
John Taylor, City Engineer
Scott Harrington, Chief of Finance
Donald Adams, Economic Development Director
Patrick Tomasino, Building Official

Citizens: Kathy Ricci, Ken Donarski, Charles Christopher, Lynn Handy, Rhetta McIff, Dean Paynter, John Gidney, Pam Manson, Carol Watkins, Alvin Phillips, Jay Ziolkowski, Daryl Gudmunson, Lee Yates, Roger Borgenicht, Celeste Eggert, Kip Howell, Pat Watkins, Richard Flink, Jerry Hanson, Brad Smith, Michelle Yates, Mark Standing, Kyle Standing, Cameron Hulett, Zack Price, David Hansen, Jon Hulett, Members of Scout Troop 491

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

[18:36:31](#) Chairman Jerry Rechtenbach called the meeting to order at 6:36 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

1.1 Opening Ceremonies – Pledge of Allegiance
–Council Member Barbour

[18:37:02](#) Council Member Barbour recognized veteran Carol Watkins, who directed the Pledge of Allegiance.

1.2 Reverence – Council Member Barbour (Opening Ceremonies
For December 5, 2012 to be arranged by Youth Council)

Mayor Wall offered the Reverence. He presented a reading regarding freedom that was also rendered during the City's recent Veterans Day event. Mayor Wall thanked all those in attendance who have served in the military.

1 [18:39:47](#) Chairman Rechtenbach recognized scouts from Troop #963 in attendance.
2

3 **1.3 Citizen Comments** 4

5 [18:40:30](#) Chairman Jerry Rechtenbach reviewed the Citizen Comment Procedures for the
6 audience. He then called for any citizen comments.
7

8 There were no citizen comments, and Chairman Rechtenbach closed the citizen comment period.
9

10 **1.4 Mayor's Report** 11

12 Mayor Russ Wall reported on the Strategic Planning Meeting held on Saturday, November 10,
13 2012. He thanked citizens who attended and provided input. The Mayor also reported on the
14 Veterans Day event held on Sunday, November 11, 2012. He thanked those who participated and
15 expressed thanks to the contractors, City Council and staff members for their efforts.
16

17 **1.4.1 Best of Taylorsville Presentation for November - *Rhetta McIff*** 18

19 [18:45:14](#) LARP Chair Rhetta McIff presented the Best of Taylorsville Award for the month of
20 November to Alvin and Joy Phillips. She noted that this property was previously a 40-acre farm.
21 Council Member Ernest Burgess commented that Mr. and Mrs. Phillips are very energy efficient
22 with their gardening.
23

24 [18:53:06](#) Council Member Kristie Overson suggested implementing a Street Beautification
25 Award. Ms. McIff noted that such an award could be implemented through the Mayor's "Adopt
26 a Street" program.
27

28 **2. APPOINTMENTS** 29

30 There were no appointments.
31

32 **3. REPORTS** 33

34 **3.1 Report from Budget Committee - *Lynn Handy*** 35

36 [18:54:49](#) Budget Committee Chair Lynn Handy reported on recent activities of the Taylorsville
37 Budget Committee. He cited a committee of 14 members who are very knowledgeable in
38 finance and accounting. Mr. Handy recognized Lee Yates, Chair of the Economic Development
39 Committee. He also thanked Scott Harrington and Chairman Jerry Rechtenbach for the
40 contributions they make to the Budget Committee.
41

1 [18:58:02](#) Mr. Handy discussed the process involved in potentially joining the Salt Lake
2 Valley Fire District. He cited adjustments listed on the current budget proposal and the need to
3 find \$1.9 million to meet obligations for fire services. He stated that there is a need to maintain
4 and pay for city services.
5

6 [18:59:55](#) Chairman Rechtenbach thanked Mr. Handy for his leadership on the Budget
7 Committee. Chairman Rechtenbach also expressed his respect for members of the Budget
8 Committee.
9

10 **4. CONSENT AGENDA**

11
12 There were no items on the Consent Agenda.
13

14 **5. PLANNING MATTERS**

15
16 There were no planning matters.
17

18 **6. FINANCIAL MATTERS**

19 20 **6.1 *Public Hearing - To Receive Public Comment on the Community*** 21 ***Development Block Grant (CDBG) Funds - Kathy Ricci*** 22

23 [19:00:59](#) CDBG Consultant Kathy Ricci explained that the scheduled Needs Hearing is the first
24 step in the public process for allocating available CDBG funds. She relayed that CDBG
25 applications are on the website and are due on December 5, 2012.
26

27 [19:03:04](#) Chairman Rechtenbach opened the public hearing on this matter and called for
28 comments.
29

30 [19:03:07](#) Roger Borgenicht talked about the use of funding allocated to the Assist Program. He
31 described services provided through the program. He stated that the program performs critical
32 repairs only.
33

34 Council Member Larry Johnson asked about the maximum amount allotted for repairs. Mr.
35 Borgenicht cited a limit of \$2,000 and gave a brief explanation on criteria used to determine
36 recipients.
37

38 [19:07:09](#) Mr. Borgenicht confirmed that only licensed and insured contractors are selected from
39 a pool of 25 contractors. Mayor Wall praised the work that is done through the Assist Program
40 and observed that it is a necessary program.
41

1 [19:11:47](#) Charles Christopher spoke in support of the Assist Program and described services that
2 were recently provided to his mother.

3
4 Celeste Eggert, of the Road Home Homeless Shelter, spoke about services provided to homeless
5 individuals. She cited a 260% increase in the number of people coming to the shelter over the
6 past few years and referenced innovative housing programs that have been successful.

7
8 [19:10:31](#) Ms. Eggert referenced a large increase in children coming to the shelter. Council
9 Member Johnson asked about health care services. Ms. Eggert commented that there are medical
10 and dental clinics that offer services to individuals at the shelters. She noted that Taylorsville is
11 very supportive of this program.

12
13 [19:14:21](#) Council Member Ernest Burgess inquired about a resource guide for assistance
14 programs that may be obtained. Mr. Christopher referenced a booklet titled “55 and Older” as a
15 good resource for assistance information.

16
17 [19:15:08](#) There were no additional comments, and Chairman Rechtenbach declared the public
18 hearing closed.

19
20 [19:15:39](#) Mayor Wall described the process for determining the allocation of CDBG funds. He
21 explained that he and Ms. Ricci will meet to review applications and make recommendations. It
22 was confirmed that recommendations will be brought before the Council the first of February,
23 2013.

24
25 [19:17:01](#) Council Member Larry Johnson suggested that those who have taken time to present
26 information at this hearing be given priority consideration for CDBG funds.

27
28 [19:17:57](#) Council Member Barbour inquired about the status of the Taylorsville Food Pantry.
29 Mayor Wall reported that the Food Pantry in Taylorsville is not doing well and is experiencing a
30 food shortage. He asked that those who may participate in food drives or service projects
31 consider donating to the Taylorsville Food Pantry.

32
33 [19:19:23](#) Mayor Wall asked that those who wish to coordinate food drop-offs call City
34 Administrator John Inch Morgan to make arrangements. Contact information for Mr. Morgan
35 was provided.

36
37 [19:20:13](#) Council Member Overson noted that CDBG funds cannot be used to purchase food, but
38 can be used to fund improvements to the facility.

39
40 [19:21:16](#) Mayor Wall confirmed that the Food Pantry is available to all citizens in need and not
41 just to Taylorsville residents.

1 **6.2 Discussion of FY 2012-2013 Budget Adjustments - John Inch Morgan**

2
3 19:22:39 Chairman Rechtenbach explained that the budget has been re-opened to make
4 adjustments to cover funding for fire services in the City. He cited budget proposals provided by
5 Administration at last week's meeting. He noted that he has requested Council Members to
6 bring forward alternate budget proposals, if desired. He cited three options before the Council, as
7 follows: (1) adopt Administration's proposal; (2) adopt alternative proposal; or (3) adopt
8 something in-between.

9
10 19:25:02 Chairman Rechtenbach described his own budget proposal. He inquired about the
11 \$50,000 amount in the budget for neighborhood cleanup within Council Districts (\$10,000 in
12 each district) and suggested reducing that total amount to \$20,000.

13
14 19:28:42 Chairman Rechtenbach asked about Non-Departmental Books Subscriptions and
15 Memberships. Finance Manager Scott Harrington explained that memberships are for
16 professional organizations, with the biggest expense being for the City's ULCT membership.

17
18 19:30:40 Chairman Rechtenbach addressed the line item for \$175,000 for insurance under non-
19 departmental. John Inch Morgan advised that this fund pays premiums and direct payouts. Mr.
20 Harrington advised that he has been in discussion with the Trust regarding the upcoming year's
21 premium rate and stated he will have more information within the week. Chairman Rechtenbach
22 suggested reducing this item to \$50,000.

23
24 Chairman Rechtenbach brought up street light maintenance and referenced the LED lighting
25 changeover. He requested changing that amount to \$50,000. Mr. Harrington stated it is possible
26 to reduce the amount, with the understanding that adjustments may be needed at the end of the
27 year. Council Member Dama Barbour emphasized that decisions being made at this time will
28 affect next year's budget.

29
30 19:47:05 Council Member Dama Barbour outlined her recommendations for modifying the
31 amended mid-year budget proposal provided by Administration. She suggested restoring \$80,000
32 to streetscape maintenance; moving the transfer of salary from the Economic Development
33 Department back to the Mayor's Budget; removing \$100,000 for the bike trails; and removing
34 \$199,414 from the Prairie View project, which would leave \$60,000 for engineering to start
35 work on that project. She advised taking the remainder of the funds needed from the fund
36 balance. She commented that the fund balance would then be at 12.31%. She stated that this
37 proposal keeps intact those things that she believes are necessary to help keep property values up
38 and attract retail businesses.

39

1 Council Member Larry Johnson commented on the hiring of the Mayor's Assistant and asked for
2 clarification. Mayor Wall gave explanation. Discussion was held regarding the placement of
3 funding for this position.
4

5 [20:00:17](#) Council Member Kristie Overson asked for clarification about police overtime. Mayor
6 Wall gave explanation. He noted that only seizure money and grant money is to be recognized.
7

8 [20:02:11](#) City Administrator John Inch Morgan gave explanation on recognizing grant revenue.
9 He asked Chief Wyant to evaluate how revenue will be used with recommendations for some
10 police traffic overtime. He stated that he will recommend that some of the grant money be
11 allocated for traffic overtime.
12

13 [20:04:15](#) Council Member Kristie Overson asked about funding the UFA in its entirety from the
14 fund balance. She inquired as to what the remaining percentage would then be. John Inch
15 Morgan commented that it would be 10%, or a little less. He explained that the fund balance
16 money on hand is used to "cash flow" the City, rather than taking out tax anticipation notes, as
17 some cities must do. Mr. Morgan indicated that he is not comfortable with the fund balance
18 being below 12% and is most comfortable at 13%.
19

20 [20:09:13](#) Council Member Overson clarified that she is trying to identify extremes so that the
21 Council and Administration can meet somewhere in the middle.
22

23 [20:09:33](#) Mr. Harrington confirmed that Council Member Overson's proposal would reduce the
24 fund balance to 10.8%.
25

26 [20:10:55](#) Council Member Dama Barbour inquired as to what the lowest fund balance percentage
27 has been in recent years. Mr. Morgan reported that four years ago the fund balance was at 9%.
28

29 [20:11:58](#) Council Member Johnson inquired about recent personnel raises and market
30 adjustments. Mr. Morgan confirmed that no elected officials or department heads received
31 raises, but other employees will receive their 3% raises through the year. He acknowledged that a
32 handful of employees have already received market adjustments. Council Member Johnson
33 asked about travel and training for Council Members. Mr. Morgan gave clarification.
34

35 [20:28:07](#) Council Member Johnson said he believes the Prairie View project and bike trails can
36 wait. He added that he would like to save as much in the fund balance as possible.
37

38 [20:24:16](#) Council Member Ernest Burgess commended the Administration for their budget
39 suggestions and stated that he has no other recommendations.
40
41

1 [20:29:07](#) Discussion was held regarding producing new budget documents with the budget
2 options discussed.

3
4 [20:29:38](#) Mr. Morgan commented that, due to the public hearing being held on December 5,
5 2012, he recommends publishing only one budget proposal.

6
7 [20:30:14](#) Chairman Rechtenbach summarized the recommended budget amendments, as follows:
8 remove bike trails, \$80,000 in street maintenance, Economic Development position left in the
9 Mayor's budget, reduce street lights by \$50,000; reduce payout lawsuit to \$50,000 and reduce
10 studies by \$10,000. Mr. Harrington explained that the total net adjustments are \$105,000.
11 He added that the shortfall would be reduced to \$1.4291 Million. If the remainder were taken
12 from the fund balance, it would be reduced to 12.3%.

13
14 [20:45:37](#) Mr. Morgan agreed to send out a modified narrative and modified budget. Chairman
15 Rechtenbach noted that he would like to see a vote on December 5, 2012 following the public
16 hearing and further discussion. Mr. Morgan conveyed that he will prepare a budget resolution to
17 adopt amendments.

18 19 **7. OTHER MATTERS**

20 21 **7.1 Ordinance 12-31 - An Ordinance of the Taylorsville City Council Approving** 22 **a Request for Indemnification and Legal Representation Stemming from a** 23 **Complaint Filed Against Michael Kwan - *John Brems***

24
25 [20:48:38](#) City Attorney John Brems presented the subject ordinance to consider approving a
26 request for indemnification and legal representation stemming from a complaint filed against
27 Judge Michael Kwan.

28
29 [20:49:32](#) Council Member Kristie Overson **MOVED** to adopt Ordinance 12-31 - An Ordinance
30 of the Taylorsville City Council Approving a Request for Indemnification and Legal
31 Representation Stemming from a Complaint Filed Against Michael Kwan. Council Member
32 Dama Barbour **SECONDED** the motion. Chairman Rechtenbach called for discussion on the
33 motion. There being none, he called for a roll call vote. The vote was as follows: Barbour-yes,
34 Burgess-yes, Overson-yes, Johnson-yes, and Rechtenbach-yes. **All City Council members**
35 **voted in favor and the motion passed unanimously.**

36 37 **8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)**

38
39 There were no new items for subsequent consideration.

40
41

1 **9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)**
2

- 3 **9.1 Planning Commission Meeting - Tuesday, November 27, 2012 - 6:00 p.m.**
4 **9.2 City Council Briefing Session - Wednesday, December 5, 2012 - 6:00 p.m.**
5 **9.3 Regular City Council Meeting - Wednesday, December 5, 2012 - 6:30 p.m.**
6 **9.4 City Council Work Session - Wednesday, December 12, 2012 - 6:00 p.m.**
7 **9.5 City Council Briefing Session - Wednesday, December 19, 2012 - 6:00 p.m.**
8 **9.6 Regular City Council Meeting - Wednesday, December 19, 2012 - 6:30 p.m.**
9

10 **10. CALENDAR OF UPCOMING EVENTS**
11

- 12 **10.1 *Messiah Sing-a-Long*, sponsored by Taylorsville Arts Council - Saturday,**
13 **December 1, 2012 - 7:00 p.m., Taylorsville City Hall.**

14 **10.2 *Economic Development Holiday Open House*, Tuesday, December 11, 2012 -**
15 **3:30 p.m. to 5:30 p.m., Taylorsville City Hall. Public is invited. RSVP to:**
16 **Jean Ashby at jashby@taylorsvilleut.gov or 801.963.5400 ext 3059**

17 **10.3 *Taylorsville Symphony Orchestra Concert* , Taylorsville High School**
18 **Auditorium, Friday, December 14, 2012 - 7:30 p.m.**

19 **10.4 *Santa Visits Taylorsville*, Saturday, December 15, 2012 - 2:00 p.m. to 3:00**
20 **p.m., Taylorsville Bennion Heritage Center located at 1488 West 4800 South.**
21 **Bring the family to see Santa in a unique Victorian home setting. Free**
22 **admission.**
23

24 **11. ADJOURNMENT**
25

26 20:52:22 Council Member Dama Barbour **MOVED** to adjourn the City Council Meeting.
27 Council Member Larry Johnson **SECONDED** the motion. Chairman Rechtenbach called for
28 discussion. There being none, he called for a vote. The vote was as follows: Barbour-yes,
29 Burgess-yes, Overson-yes, Johnson-yes, and Rechtenbach-yes. **All City Council members**
30 **voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:53 p.m.
31
32
33

34 _____
35 Cheryl Peacock Cottle, City Recorder

36 Minutes approved:

37
38 *Minutes Prepared by: Cheryl Peacock Cottle, City Recorder and Kristy Heineman, Deputy Recorder*
39