

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, March 19, 2008
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

Chairman Les Matsumura
Vice-Chairman Lynn Handy
Council Member Morris Pratt
Council Member Jerry Rechtenbach

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Cheryl Peacock Cottle, City Recorder
Jessica Springer, Council Coordinator
Mark McGrath, Community Development Director
Keith Snarr, Economic Development Director
Scott Harrington, Chief Financial Officer

Excused: Council Member Bud Catlin

BRIEFING SESSION

1. Review Administrative Report

18:02:53 Chairman Les Matsumura conducted the Briefing Session, which convened at 6:02 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present, except Council Member Catlin who was excused. The Administrative Report was then reviewed.

2. Review Agenda

18:03:22 The agenda for the City Council Meeting was reviewed and discussed.

3. Adjourn

Chairman Matsumura adjourned the Briefing Session at 6:06 p.m.

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

Chairman Les Matsumura
Vice-Chairman Lynn Handy
Council Member Morris Pratt
Council Member Jerry Rechtenbach

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Delwin Craig, Chief of Police
Cheryl Peacock Cottle, City Recorder
Jessica Springer, Council Coordinator
Keith Snarr, Economic Development Director
Scott Harrington, Chief Financial Officer
John Taylor, City Engineer
Kevin Taylor, Court Administrator

Excused: Council Member Bud Catlin

Citizens: Raili Jacquet, Ted Jensen, Keith Sorenson, Peggy Sadler, Garl Fink. Kristie Overson, Elliot Smith, Dee Hansen, John Gidney, Carrie Thomas, Lisa Schwartz, Suzanne Lionelle Bruce Holman, Harlan Christmas, Stacy Staley, Eldon Haacke, Jonathan Taylor, Karen Thomas, Larry Thomas, Jason Smith, Angelo Calacino, Lori Larson, Spencer Larson, Dan Fazzini

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:31:35 Chairman Les Matsumura called the meeting to order at 6:31 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present, except Council Member Catlin who was excused.

1.1 Pledge of Allegiance – Opening Ceremonies – *Chairman Matsumura*

18:31:56 Community Development Director Mark McGrath directed the Pledge of Allegiance.

1.2 Reverence – *Chairman Matsumura* (Opening Ceremonies For April 2, 2008 to be arranged by Youth Council)

18:32:34 Council Coordinator Jessica Springer offered the Reverence.

1.3 Citizen Comments

18:33:10 Chairman Les Matsumura reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:34:34 There were no citizen comments, and Chairman Matsumura closed the citizen comment period.

1.4 Mayor's Report

18:34:42 Mayor Russ Wall reported that he and Council Members Matsumura and Rechtenbach, along with Council Coordinator Jessica Springer and Robin Kishiyama, had the opportunity to attend the Annual Youth Council Conference last week. He cited several awards received by the Taylorsville Youth Council at the conference for their projects and service activities. The Mayor commended members of the Taylorsville Youth Council for their fine representation of the City of Taylorsville.

18:37:12 Council Coordinator Jessica Springer illustrated the Youth Council's display project that won first place at the Youth Council Conference.

18:38:32 The Mayor reported that he recently attended the Salt Lake County Council Meeting where a name change to the Park Library was considered. It was unanimously approved to change the name to the "Taylorsville Library," on the condition that the City of Taylorsville cover costs for the new signage. Consideration to approve this expense will be brought before the City Council in the near future.

18:39:11 Mayor Wall relayed that on April 18, 2008, the Old English Fort District of the Boy Scouts of America, consisting of 150-200 scouts and approximately 50 leaders, will work on the State-owned property at 4800 South and the Jordan River to complete a service project to clean up garbage and eliminate undesirable vegetation in the area. The Mayor noted that individuals from the Utah State Forestry Department and Taylorsville activist/volunteer Adriaan Boogaard will also participate in this project. The City and Salt Lake County will share costs to provide dumpsters at the site. Mayor Wall stated that notice will be given to residents in surrounding neighborhoods.

18:40:42 The Mayor reported on the Home Makeover Project presently being conducted in Taylorsville by the Utah Hearts2Homes organization to benefit a Taylorsville family. He noted that the expense for the project has been 100% covered by volunteer donations.

2. APPOINTMENTS

There were no appointments.

3. REPORTS

3.1 Report on CERT – *Lisa Schwartz*

18:42:57 Mayor Wall introduced Public Safety Committee Member Lisa Schwartz, an activist who has been working diligently on community issues. Ms. Schwartz reported on emergency services and CERT training services within Taylorsville.

18:48:33 Ms. Schwartz addressed several questions from the Council and provided additional information. City Administrator John Inch Morgan stated that this plan dovetails the City's emergency plan.

4. CONSENT AGENDA

4.1 Minutes – RCCM 03-05-08

18:55:18 Council Member Lynn Handy **MOVED** to adopt the Consent Agenda. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Catlin-excused, Pratt-yes, and Handy-yes. **All City Council members present voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

5.1 Appeal of the Planning Commission Decision of February 26, 2008 Regarding Property Located at 2715 West 5400 South

18:56:14 Community Development Director Mark McGrath illustrated the subject property on aerial photos and vicinity maps and described the surrounding area. He displayed the proposed site plan for America First Credit Union and the landscape plan for the project. He cited proposed elevations for the building. Mr. McGrath stated that the Taylorsville Planning Commission denied the application for this project because of its inconsistency with the Small Area Master Plan. He provided additional background information on the application process

and clarified recommendations rendered by the Taylorsville Planning Commission on this project to date.

19:04:02 Mr. McGrath described several important conditions that should be attached if the City Council overturns the Planning Commission's decision and approves the project.

19:06:23 Mr. McGrath stated that members of the Planning Commission representing both sides of the vote have been invited to address the Council on this issue. He said that Ted Jensen will represent the two members who voted in favor of the application and Scott Bolton will speak as representative for those members who voted against the application.

19:08:27 Council Member Rechtenbach stated that this type of development is desirable for the area and suggested that taking a hard line on these types of projects may be detrimental to the City. Mr. McGrath made clarifications on the development and reviewed concepts contained in the Small Area Master Plan.

19:11:51 Previous problems with the development of the subject property were addressed.

19:12:29 Council Member Pratt inquired about the Planning Commission's concerns over the location of the proposed building.

19:13:22 Mr. McGrath acknowledged some challenges with the slope of the subject property.

19:14:42 Mayor Wall noted that Mr. McGrath is giving his professional opinion and said that Mr. McGrath's recommendation does not reflect the opinion of the Administration. The Mayor stated that he believes the Small Area Master Plan is the reason the property has not previously been developed.

19:16:23 Flexibility with the number of parking stalls and landscaping for the proposed project was discussed.

19:18:40 Council Member Rechtenbach noted that America First Credit Union is very experienced with developing successful projects. Additional discussion ensued and concerns were expressed.

19:21:34 Chairman Matsumura called for comments from representatives of the Taylorsville Planning Commission.

19:22:38 Planning Commission Chair Scott Bolton described concerns of five members of the Planning Commission regarding plans for the project. He described reasons the application was denied.

19:25:16 Mr. Bolton addressed questions from Council Members and stated that the denial was based on the Small Area Master Plan.

19:26:51 Ted Jensen spoke regarding the project and described reasons that he and Planning Commissioner Staley voted against denial of the application. He cited State Law which stipulates that General Plans are not legally binding. Mr. Jensen stated his opinion that the proposed development project is reasonable.

19:31:20 Elliott Smith, representing Pangea Development, addressed the Council and requested that Council Members overturn the Planning Commission's decision to deny their application. He cited time that has been spent to develop a plan that will be favorable to the City and the neighborhood. Mr. Smith requested that if the City Council votes in favor of the project, Staff be given opportunity to review conditions that are placed. He cited conditional approval that has been granted from UDOT on the project. He stated that pulling the building to the corner would greatly impact operations of the Credit Union.

19:37:05 Dee Hansen, of America First Credit Union, recognized representatives of America First Credit Union in attendance and called for questions from the Council.

19:38:27 Mr. Hansen addressed questions about the proposed location of the building and the grade on the property. He cited challenges with moving the building to the corner of the property and cited potential issues with safety and security. He referenced an oversight with the landscape plan.

19:42:51 Karen Thomas, Vice President of America First Credit Union, gave reasons for the additional parking stalls that are being proposed for the project. She cited customer service and safety issues and stated that America First anticipates a good partnership with the City.

19:44:55 Mr. Hansen illustrated a revised site plan that has been developed to provide pedestrian connectivity and to be more compatible with the existing UTA Station. He also referenced plans to match existing architecture in the area.

19:48:09 Mr. McGrath confirmed that the Planning Commission has not yet seen the revised site plan.

19:48:53 City Attorney John Brems stated that the Council's options are to uphold the Planning Commission's decision, overturn the Planning Commission decision, or send the application back to the Planning Commission. He stated that the Council could also approve the plan and create new conditions or change the conditions.

Mr. Smith stated that the site plan has not been dramatically altered from that plan presented to the Planning Commission.

19:51:12 Council Member Pratt suggested that other Planning Commissioners in attendance be invited to comment.

19:52:31 Chairman Matsumura stated that he feels the Planning Commission has already been well represented.

19:53:00 Additional questions and comments from the Council were addressed.

19:55:09 Options before the Council were reviewed. City Attorney John Brems stated that in the past the Council has taken the matter under advisement in Closed Session and then rendered a written decision.

19:55:30 Council Member Jerry Rechtenbach **MOVED** to overturn the Planning Commission's decision to deny the application, and approve the application including the recommended 15 conditions and staff recommendations. Council Member Lynn Handy **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. Council Member Morris Pratt inquired about the addition of any other conditions. Council Member Rechtenbach suggested including the revised site plan. Dee Hansen stated that the revised plan has been given to the Planning Commission. It was clarified that America First will purchase the property and will be the tenant. Elliot Smith requested that the Council grant Planning Staff the authority to give final conditional use approval. Mark McGrath gave clarification on the usual process for final conditional use approval. Council Member Jerry Rechtenbach amended his motion to include granting Planning Staff the authority to give the final conditional use approval. Council Member Handy reaffirmed his second. There being no further discussion, Chairman Matsumura called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Catlin-excused, Pratt-yes, and Handy-yes. **All City Council members present voted in favor and the motion passed unanimously.**

6. FINANCIAL MATTERS

6.1 ***Public Hearing*** – 6:30 p.m. – To Receive Public Comment Regarding Monetary Appropriation to Participate in the Study Referred to as a “Blueprint Jordan River – A Lake-to-Lake Vision” – *John Inch Morgan*

20:02:35 City Administrator John Inch Morgan stated that any time money is allocated to a private entity a public hearing is required. He referenced a private/public partnership with the “Blueprint Jordan River – a Lake to Lake Vision” and stated that the City is being asked to

appropriate \$7,212.00 for the project. He noted that City Administration feels the project is worthwhile and is in favor of making the allocation.

20:04:27 Chairman Matsumura opened the public hearing on this matter and called for citizen comments.

20:04:41 Dan Fazzini spoke in favor of the appropriation for the proposed project along the Jordan River Parkway. He stated that this will be a great asset to the community.

20:06:56 There were no additional citizen comments, and Chairman Matsumura declared the public hearing closed.

20:07:12 Mr. Morgan affirmed that this appropriation will be included in the current year budget and will come out of the Council Studies budget line.

Council Member Morris Pratt **MOVED** to approve appropriation in the amount of \$7,212.00 from the Council Studies budget line for the Blueprint Jordan River Project. Council Member Lynn Handy **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Catlin-excused, Pratt-yes, and Handy-yes. **All City Council members present voted in favor and the motion passed unanimously.**

6.2 Resolution No. 08-11 – Appropriation Resolution Adopting the One Year Action Plan for 34th Year Community Development Block Grant Funding, Home Investment Partnership Funding (2008-2009) and Approving Interlocal Cooperation Agreement Between the City of Taylorsville and the U.S. Department of Housing and Urban Development – *Mayor Wall*

20:08:32 Mayor Wall presented the subject resolution for Council consideration and stated that this is the final step in appropriating CDBG funds.

20:09:35 Council Member Morris Pratt **MOVED** to adopt Resolution No. 08-11 – Appropriation Resolution Adopting the One Year Action Plan for 34th Year Community Development Block Grant Funding, Home Investment Partnership Funding (2008-2009) and Approving Interlocal Cooperation Agreement Between the City of Taylorsville and the U.S. Department of Housing and Urban Development. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Catlin-excused, Pratt-yes, and Handy-yes. **All City Council members present voted in favor and the motion passed unanimously.**

6.3 Resolution No. 08-09 – A Resolution Declaring Police Vehicles, Depreciated Assets and Equipment as Surplus Property – *John Inch Morgan*

20:10:18 City Administrator John Inch Morgan cited a list of police vehicles, depreciated City assets and equipment. He requested that these items be declared as surplus property. He presented the subject resolution for Council consideration. Mr. Morgan stated that the police cars will be sold at auction. He relayed that the K-9 dog is no longer able to function in the Police Department, due to health problems and will either be put down or placed in the home of a former Taylorsville Police Handler.

20:13:31 Mr. Morgan addressed questions regarding the status of the police vehicles. He clarified that the K-9 will not be replaced and the City will continue utilizing the two remaining dogs that were previously purchased with donated funds.

20:15:59 Council Member Jerry Rechtenbach **MOVED** to adopt Resolution No. 08-09 – A Resolution Declaring Police Vehicles, Depreciated Assets and Equipment as Surplus Property. Council Member Lynn Handy **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Catlin-excused, Pratt-yes, and Handy-yes. **All City Council members present voted in favor and the motion passed unanimously.**

6.4 Budget and Strategic Planning Issues for Fiscal Year 2008-2009 – *John Inch Morgan*

20:16:35 City Administrator John Inch Morgan presented budget recommendations to the Council for Fiscal Year 2008-2009. He stated that he would like to give Council Members opportunity to identify inclusions to the budget.

20:18:05 Council Member Pratt stated that he is not in favor of any type of tax increase this year. Mr. Morgan cited a slight tax increase that is being proposed to accommodate inflationary needs.

20:19:57 Chairman Matsumura asked about a Pay for Performance and/or a Cost of Living increase for employees. Mayor Wall noted that no cost of living increases were given last year. Mr. Morgan gave clarification on increases for employees and affirmed that only one increase will be awarded, as appropriate, and will be based on supervisory recommendations. He stated that the logistical arrangement for determining when increases will be awarded is yet to be worked out by Administration. Mr. Morgan addressed questions about pay ranges being implemented for police officers.

20:24:33 Council Member Rechtenbach called for justification for funds being allocated to VTV/Channel 17.

20:25:35 Council Member Handy asked about grants and government monies that are available in the coming year. Mr. Morgan stated that the City has been most successful with public safety grants and less successful with service-type grants. He noted that Joy Jensen has been assigned the task of grant writing.

20:26:56 Mr. Morgan called for direction from the Council on the Storm Drain fee and whether the fee should be collected with property tax. Council Member Pratt noted that having the fee included with property taxes would preclude private entities from being assessed.

20:28:24 Scott Harrington cited costs of nearly \$80,000.00 per year to administer the utility, which entails sending out bills, processing payments, etc. He noted that this amount is included in the budget.

20:30:34 Mr. Morgan stated that these costs were included in the fee and are being recovered. He stated that much more is received from tax-exempt properties than what is expended to administer the utility.

20:30:43 Mayor Wall stated that a grant application in the amount of \$850,000.00 has been submitted to Representative Cannon and Senator Bennett's office to offset storm drain expense but no reply has been received to date.

20:31:50 Mr. Morgan asked Department Heads to identify budget requests for the Council.

20:32:50 Community Development Director Mark McGrath cited a significant decrease (approximately \$100,000.00) in his department's budget compared to last year. He stated that he feels his department is severely short-handed with Code Enforcement personnel and that he will be requesting additional help with Code Enforcement and with Customer Service in future years, but not this year. Mr. McGrath cited a request for a part-time employee in order to bring on Kathy LeMay, who currently contracts with the City for building plan review services. He referenced funds needed for emergency inspections. He said that he is asking for \$30,000.00 for development of a small area master plan. He cited potential areas for utilizing a small area master plan. Mr. McGrath referenced funds being requested for an Urban Design Branding Plan to address City gateways and street aesthetics. He also referenced a request for \$5,000 to study building fee schedules. He stated that the capital equipment line item has been greatly reduced this year and cited a request for a police radio for the Code Enforcement Officer. Mr. McGrath stated that he is asking for a \$14,000.00 allocation for a full-size scanner to accommodate large site plans and drawings. He cited ways that electronic copies of plans can assist in emergency situations.

20:45:49 Court Administrator Kevin Taylor addressed the Council regarding budget requests for the Court. He cited a need to increase the legal defender budget to accommodate more people

coming into court who qualify for indigent defense services. He also requested that Judge Thomas' hours be increased and she be made a full-time judge. Mr. Taylor suggested appropriating funds to do an efficiency study for the Court.

20:48:24 Mr. Taylor addressed questions regarding public defender services and the criteria for receiving services. He stated that he anticipates a \$10,000.00 increase to the Court budget.

20:49:47 Mr. Morgan stated that the Police, Administration, and Economic Development will report on budget needs at the April 16th City Council Work Session. The Council requested that the budget discussion be moved to the April 2nd City Council Meeting where the three remaining City departments will present budget needs.

20:50:57 Mayor Wall gave clarification on the potential consideration for a cost of living tax increase and the previous Council decision to have a truth in taxation hearing each year.

7. OTHER MATTERS

7.1 Resolution No. 08-12 – A Resolution Amending the Council Internal Policies with Respect to Request to Place Matters on Agenda – *John Brems*

20:54:02 City Attorney John Brems cited previous direction given by the Council to allow for compensation to the Planning Commission for required attendance at a City Council Meeting. He presented a resolution calling for an amendment to the Council Internal Policies regarding the placement of matters on an agenda. Mr. Brems noted that the change to the Zoning Ordinance to accommodate additional stipends will go before the Planning Commission and then be brought back to the Council. He clarified that the only change to the Council Policies is in paragraph 16.3.

20:56:31 Council Member Pratt called for additional clarification and Mr. Brems provided information.

20:56:13 Council Member Lynn Handy **MOVED** to adopt Resolution No. 08-12 – Amending Council Internal Policies with Respect to Request to Place Matters on Agenda. Council Member Morris Pratt **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Catlin-excused, Pratt-yes, and Handy-yes. **All City Council members present voted in favor and the motion passed unanimously.**

Chairman Matsumura called for any additional items under Other Matters.

20:57:34 Council Member Handy relayed positive comments he has received from constituents regarding the 5400 South Wall. Discussion was held about the possibility of duplicating the wall in other areas of the City. City Administrator John Inch Morgan cited a cost of \$51.00 per foot for the fence. The prospect of participating in cost with residents was discussed.

20:59:47 Council Member Pratt stated that his constituents have commented favorably on the notice included with the recent storm drain billings. Mr. Morgan stated that the City has a contract in place with a concrete pumping firm and is willing to communicate with property owners and evaluate drainage problems on properties within the City as needed.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

21:02:08 Council Member Jerry Rechtenbach requested an update on the status of capital projects. Mr. Morgan stated that this can be provided at the April 2, 2008 City Council Meeting and City Engineer John Taylor will provide a report in Council packets for that meeting.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

21:03:13

- 9.1 City Council Briefing Session – April 2, 2008 – 6:00 p.m.
- 9.2 City Council Meeting – April 2, 2008 – 6:30 p.m.
- 9.3 City Council Work Session – April 16, 2008 – 6:00 p.m.
- 9.4 City Council Briefing Session – April 23, 2008 – 6:00 p.m.
- 9.5 City Council Meeting – April 23, 2008 – 6:30 p.m.

10. CALENDAR OF UPCOMING EVENTS

21:03:33

- 10.1 Taste of Taylorsville – March 28, 2008 – 6:30 p.m. – Taylorsville High School Cafeteria – Booths, food and family fun. Sponsored by Taylorsville Exchange Club and the Valley Journals. Cost is \$8 per person or \$20 per family. Obtain a discount coupon from any participating Taylorsville restaurant or in the March issue of the Taylorsville/Kearns Journal.
- 10.2 Taylorsville Symphony, Free Concert – April 16, 2008 – 7:30 p.m. – Taylorsville High School Auditorium.
- 10.3 C.E.R.T. Training – Starting Saturday, April 26, 2008 for three consecutive Saturdays 8:00 a.m. to 5:00 p.m., the third Saturday ending at 1:00 p.m.; at the City of Taylorsville Council Chambers. Cost is \$30; registrations are due by April 18th at 5:00 p.m. For more information or to print the registration form visit: www.unifiedfire.org.
- 10.4 Town Meeting – Wednesday, April 30, 2008 – 6:00 p.m. – City of Taylorsville Council Chambers. The Mayor and City Council will answer your questions. Bring your comments and suggestions.

11. ADJOURNMENT

21:05:15 Council Member Morris Pratt **MOVED** to adjourn the City Council Meeting. Council Member Lynn Handy **SECONDED** the motion. Chairman Matsumura called for discussion. There being none, he called for a vote. The vote was as follows: Matsumura-yes, Rechtenbach-yes, Catlin-excused, Pratt-yes, and Handy-yes. **All City Council members present voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:05 p.m.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 04-02-08

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder