

**City of Taylorsville**  
**CITY COUNCIL MEETING**  
*Minutes*

**Wednesday, September 17, 2008**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

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**BRIEFING SESSION**

**Attendance:**

Mayor Russ Wall

**Council Members:**

Chairman Les Matsumura  
Vice-Chairman Lynn Handy  
Council Member Bud Catlin  
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  
Michael Meldrum, City Planner  
John Taylor, City Engineer

**Others:** Lynda Sperry

**BRIEFING SESSION**

**1. Review Administrative Report**

Chairman Les Matsumura conducted the Briefing Session, which convened at 6:01 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. The Administrative Report for the Community Development Department was then reviewed.

**2. Review Agenda**

The agenda for the City Council Meeting was reviewed and discussed. Mayor Wall thanked Roger Livingston for providing dinner for those present.

3. The Briefing Session was adjourned at 6:06 p.m.
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## **REGULAR MEETING**

### **Attendance:**

Mayor Russ Wall

### **Council Members:**

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

### **City Staff:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Michael Meldrum, City Planner  
Delwin Craig, Chief of Police  
Cheryl Peacock Cottle, City Recorder  
Jessica Springer, Council Coordinator  
John Taylor, City Engineer

**Citizens:** Lynda Sperry, David Teigland, Raili Jacquet, Jay Ziolkowski, Donna Bies, Sandra Darren, Karen Cruz, Armando Lucero, Nelson Cruz, Linda White, Vickie Bravo, Ruth Taney, Nyuol Nyuol, Isaiah Nyuol, Mack Nyuol, Brian Pitts

## **1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS**

18:30:59 Chairman Les Matsumura called the meeting to order at 6:30 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

### **1.1 Pledge of Allegiance – Opening Ceremonies – *Councilman Pratt***

18:31:21 Council Member Morris Pratt directed the Pledge of Allegiance.

### **1.2 Reverence – *Councilman Pratt* (Opening Ceremonies For October 1, 2008 to be arranged by Youth Council)**

18:31:56 Council Member Morris Pratt offered the Reverence. He asked those present to observe one moment of silence in honor of recent hurricane victims.

### **1.3 Citizen Comments**

18:33:48 Chairman Les Matsumura reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:34:35 Lynda Sperry described her concerns regarding garbage, noxious weeds, and invasive trees that exist along a ditch near her home at approximately 4700 South and 500-1000 West. She cited safety issues with the ditch and problems with rodents and mosquitoes. Ms. Sperry confirmed that the ditch is not very accessible and is in a narrow and steep area.

18:38:30 Mayor Wall stated that Administration will contact Bob Workman, the Ditch Master, regarding maintenance of the ditch. He stated that the City will follow up with Ms. Sperry on what might be done to solve the problems.

18:39:57 Ms Sperry cited a commitment from her Homeowners Association to donate \$1,000 toward cleanup efforts along the ditch.

18:40:55 Linda White, representing tenants in the Settlers Point Apartments, cited residents' concerns over the property owner's intentions to remove private patio fences at the complex. She said that the guarantee of privacy fencing is contained in a legal lease with tenants.

18:42:58 Vickie Bravo, stated similar concerns regarding the potential removal of privacy fences on patios at Settlers Point. She reported that Management has not been willing to listen to residents' concerns.

18:45:03 Ms White displayed pictures of the complex and existing fencing.

18:47:25 Ruth Taney cited concerns with increasing crime rates if fencing is removed.

18:48:28 Council Member Rechtenbach asked for clarification on the issue and Ms. Taney stated that the new owners are removing all private patio fences throughout the complex.

18:49:55 Ms. White explained that 130 Taylorsville residents are being effected by removal of the fences. She provided copies of a petition that has been signed by tenants.

18:50:52 Chairman Matsumura stated that the City is not able to intervene with a private entity on private property. He suggested that residents seek opinion from an attorney regarding their legal rights.

18:51:34 Mayor Wall stated that City Planner Michael Meldrum has investigated the situation and has found no violations of City code existing on the property.

18:51:56 City Planner Michael Meldrum stated that the fencing does meet city code and confirmed that there is fencing along the neighboring canal.

18:53:26 There were no additional citizen comments, and Chairman Matsumura closed the citizen comment period.

#### **1.4 Mayor's Report**

18:54:26 Mayor Russ Wall reported on 12 bids that the City recently received for the Vista Park Baseball Field project. He noted that all but one bid received was over what is currently budgeted for the baseball park. He stated that Administration will keep the Council informed once a bid is accepted.

18:55:44 City Administrator John Inch Morgan commented on the lowest bid received from S&L Landscape and noted that it is \$200,000 below the next lowest bid. Mr. Morgan stated that references for S&L Landscape will be checked and if favorable, they will be awarded the contract at \$3.7 million. He reported that the total allocation for the project was \$3.8 million and project alternatives will not be an option at this time. Mr. Morgan described specifics of the alternatives for the baseball park.

18:59:52 Mr. Morgan confirmed that if the contract is finalized soon, work on the baseball field project could begin this fall.

### **2. APPOINTMENTS**

#### **2.1 Appoint David Teigland, Chair of the Ordinance Review Committee – *Chairman Matsumura***

18:53:46 Council Chairman Matsumura recognized David Teigland and nominated him to serve on the Ordinance Review Committee.

Council Member Lynn Handy **MOVED** to appoint David Teigland as Chair of the Ordinance Review Committee. Council Member Rechtenbach **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Handy-yes, Matsumura-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

### **3. REPORTS**

There were no reports.

#### 4. CONSENT AGENDA

##### 4.1 Minutes – RCCM 09-03-08

19:01:39 Council Member Jerry Rechtenbach **MOVED** to adopt the Consent Agenda. Council Member Bud Catlin **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: Pratt-yes, Handy-yes, Matsumura-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

#### 5. PLANNING MATTERS

##### 5.1 ***Resolution No. 08-35 Declaring Intent to Adjust the Common Boundary of the City of Taylorsville and Murray City at Approximately 6000 South and 1250 West – Michael Meldrum***

19:02:36 City Planner Michael Meldrum illustrated the proposed boundary adjustments on aerial photos and reviewed the boundary adjustment process. He stated that if the City adopts a resolution indicating intent to adjust the common boundary, then a public hearing must be scheduled no less than 60 days after such adoption. He cited the date of November 19, 2008 as the first City Council Meeting when a public hearing might be scheduled. He stated that after the public hearing, the City may adopt an ordinance adjusting the common boundary.

19:05:24 Mr. Meldrum addressed questions of the Council regarding the history of previous boundary adjustments.

19:05:56 Council Member Catlin expressed concerns about Sewer and Water Districts' lack of willingness to provide service. He suggested seeking legislative help to remedy the situation.

19:06:58 Council Member Pratt noted that this particular boundary adjustment was first addressed by the Council approximately a year ago.

19:07:53 Council Member Rechtenbach stated similar issues with Murray City and Taylorsville Bennion. He agreed that help should be sought from legislators.

19:08:38 Mayor Wall indicated that it was previously agreed to proceed with adjustments for this particular property parcel and then seek a better policy in the future through work with the legislature.

19:09:16 Brian Pitts, of Boulder Development Company, presented the perspective of the property owner and stated that the landowner is elderly and is hoping to resolve this issue. He

said that Murray has assured him that once the Taylorsville City Council moves forward with the boundary adjustment process on this property, Murray City will follow suit. Mr. Pitts made clarification on the process for providing sewer service to the area.

19:14:26 Council Members suggesting “holding the line” on boundary adjustments once this particular parcel is considered.

19:15:08 Council Member Lynn Handy **MOVED** to adopt Resolution No. 08-35 Declaring Intent to Adjust the Common Boundary of the City of Taylorsville and Murray City at Approximately 6000 South and 1250 West. 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: Pratt-yes, Handy-yes, Matsumura-yes, Rechtenbach-yes, and Catlin-no. **All City Council members voted and the motion passed with a four to one vote.**

19:15:58 Council Member Catlin gave explanation on his negative vote and voiced his objections to the actions of the public utility in “picking and choosing” areas to provide service.

## 6. FINANCIAL MATTERS

### 6.1 ***Resolution No. 08-36 Approving a Governmental Lease Purchase Agreement with Wells Fargo Brokerage Services Regarding the Purchase of a New 2008 Ford Senior Citizen Van and a 2004 Ford 15 Passenger Van – John Inch Morgan***

19:17:02 City Administrator John Inch Morgan presented the subject resolution regarding a lease purchase agreement with Wells Fargo for a 2008 Ford Senior Citizen Van and a 2004 Ford 15 Passenger Van. He stated that it is advantageous to the City to surplus its old van and purchase the 2004 van from UFA, which is in better condition. He cited annual payments of \$16,244 at a 4.45% rate. Mayor Wall stated that the new van is not restricted to the use of senior citizens, as the grant was written to cover any city use; therefore, the van can be used for Youth City Council activities.

19:20:29 Council Member Morris Pratt **MOVED** to adopt Resolution No. 08-36 Approving a Governmental Lease Purchase Agreement with Wells Fargo Brokerage Services Regarding the Purchase of a New 2008 Ford Senior Citizen Van and a 2004 Ford 15 Passenger Van. 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: Pratt-yes, Handy-yes, Matsumura-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

**6.2 Ordinance No. 08-24 Amending Government Records Access and Management Act Record Request Fee and Service Charge Schedule –  
*John Inch Morgan***

19:21:13 City Administrator John Inch Morgan presented the subject ordinance regarding amendments to the Government Records Access and Management (GRAMA) Fee Schedule. He stated that this amendment is being made to accommodate requests submitted to the Police Department. He asked Police Chief Del Craig to give further background information and explanation.

19:22:00 Chief Craig cited a need to update fees to accommodate subpoena requests, etc. He said that the proposed new fees will cover actual costs to provide a variety of records that are being requested from the Police Department through the GRAMA process.

19:22:55 Mr. Morgan confirmed that the only adjustment in fees is for the Police Department and other fees will remain the same.

19:23:24 Council Member Bud Catlin **MOVED** to adopt Ordinance No. 08-24 – Amending Government Records Access and Management Act Record Request Fee and Service Charge Schedule. Council Member Lynn **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: Pratt-yes, Handy-yes, Matsumura-yes, Rechtenbach-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

**7. OTHER MATTERS**

19:23:53 Council Member Handy inquired about a recent project to remove weeds along the 5400 South Wall. He noted that weeds have now returned in the area.

19:24:16 City Administrator John Inch Morgan explained that the weeds are difficult to maintain along that area. He cited potential safety problems with using youth groups to remove weeds.

19:26:00 Council Member Catlin suggested putting discussion on a future Work Session regarding legislative assistance to force Taylorsville Bennion Improvement District to service all customers. He said that the City should be pro-active on this issue.

19:26:46 Mayor Wall cited recent communication that he has had with Senator Waddoups and noted that he and Council Member Rechtenbach recently met with her to discuss this issue. He said that the City has not been holding regular “Breakfasts with Legislators,” as was done in the past, but could consider rescheduling such a venue in the future.

19:28:27 Council Member Pratt cited the recent Annual Board Meeting for the Food Bank. He reported that food has been provided for 11,600 individuals during the past year.

## 8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

19:29:05 There were no new items for subsequent consideration.

## 9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

19:29:09

- 9.1 City Council Work Session – September 24, 2008 – 6:00 p.m.
- 9.2 City Council Briefing Session – October 1, 2008 – 6:00 p.m.
- 9.3 City Council Meeting – October 1, 2008 – 6:30 p.m.
- 9.4 City Council Work Session – October 8, 2008 – 6:00 p.m.
- 9.5 City Council Briefing Session – October 15, 2008 – 6:00 p.m.
- 9.6 City Council Meeting – October 15, 2008 – 6:30 p.m.

19:30:27 Mayor Wall confirmed that a Town Meeting will be held on the fifth Wednesday in October on October 29, 2008.

## 10. CALENDAR OF UPCOMING EVENTS

19:29:36

- 10.1 Ribbon Cutting, Synergy Staffing, 5578 S. Redwood Rd., September 23, 2008, at 1:00 p.m.
- 10.2 Taylorsville Arts Council Presents *HONK! Musical Tale of “Ugly Duckling”* – September 25, 26, 27 & 29 – 7:30 p.m. at Eisenhower Junior High Auditorium, 4351 S. Redwood Road (Matinee Sept. 27 at 2:00 p.m.). Tickets are five dollars per person. For more information, call Andi at 801-450-2496.

## 11. ADJOURNMENT

19:31:01 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: Rechtenbach-yes, Pratt-yes, Catlin-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 7:31 p.m.

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Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 10-01-08

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder