

MINUTES OF THE TAYLORSVILLE CITY COUNCIL MEETING

Wednesday, December 16, 1998

6:30 p.m.

Council Chambers

2520 West 4700 South

Taylorsville, Utah 84118

ATTENDANCE

Council Chairman Bruce Wasden

City Staff

Mayor Janice Auger

Director of Administrative Services

John Inch Morgan

Council Members

City Recorder Jerry Medina

Ken Cook

Treasurer Frank Adams

Bud Catlin

Deputy Recorder Carel Hicks

Jim Dunnigan

City Attorney John Brems

Keith Sorensen

Excused

Community Development Director

Glenn Graham

Citizens: Captain Lee Smith, Norma Lloyd, Rick Pizza, Ralph Carlson, Sandy Beckstead

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

Chairman Wasden called the meeting to order at 6:31 p.m. and welcomed those in attendance.

Pledge of Allegiance/Reverence

The Pledge of Allegiance was led by Council Member Jim Dunnigan. The Reverence was offered by Council Member Keith Sorensen.

Citizen Comments

Sandy Beckstead expressed concern about the new sidewalk installed in front of her home on 4800 South.

Mayor's Report

Mayor Auger reported reprints of the Taylorsville article in *Government West Magazine* have arrived. She reported topics that were discussed at the recent Legislative luncheon included the sales tax on food, open space and homeless shelter needs. She further reported the City's first annual Taylorsville Sing-In was a great success.

2. COMMITTEE REPORTS

Budget Review

Advisor Cook reported the committee met with Mayor Auger on December 3, 1998, and resolved some outstanding issues. The next meeting is scheduled for January 5, 1999.

Ordinance Review

Advisor Dunnigan reported the committee met December 15, 1998, to compile City Council Rules and Procedures. They are approximately halfway through it. An initial draft will be presented to the Council for review and comments in the near future.

Leisure Activities, Recreation & Parks

Advisor Sorensen discussed expenses for improvements to Vista Park using the ZAP tax monies. Mr. Sorensen also distributed a budget for the South Salt Lake County Mosquito Abatement District.

Public Safety

Advisor Catlin reported the next meeting is scheduled for January 28, 1999. The committee is pleased to see their School Crossing sign recommendations are being considered by the City Council.

Economic Development

Advisor Wasden reported the next meeting is scheduled for the third Thursday in January 1999.

3. APPOINTMENTS

Consideration of appointment to Citizen Committee

Council Member Sorensen moved to ratify Mayor Auger's appointment of Rick Pizza Jr. to the Economic Development Committee. Council Member Catlin seconded the motion. The Council voted all in favor and the motion carried by a unanimous vote.

4. FINANCIAL MATTERS

Consideration of Resolution 98-48 Approving an Agreement to Purchase Approximately 24 Acres of Real Property Located at or Near 5200 South 1130 West for \$697,000 Which Contains a Provision to Increase the Purchase Price of the Subject Property to an Amount Not to Exceed \$1,050,000 and Authorizing and Directing the Mayor to Execute and Deliver the Same

City Attorney John Brems presented information on the real estate purchase agreement with respect to this property. The agreement contemplates that a down payment be made and two subsequent payments. The initial total purchase price will be \$697,000 and there is a provision that allows that price to be increased if land is removed from a meander corridor problem and from a wetlands problem. The initial down payment will be \$350,000. In exchange for that, the City will receive title to the property and will give back to the seller a promissory note which is nonrecourse to take care of the binding future City Council problems and will be secured by a trust deed on the property. The City will lease the property back to the seller so he can operate his radio station for a period of between twenty and twenty-four months. A provision will be added to the contract, prior to closing, that will insure the City has access to the property to make improvements that will not interfere with the reasonable business operations of the tenant. There is a possibility to increase the purchase price. The Jordan River may have at one time run on the property. If it has, the State owns the property the river ran on and it is held in public trust. There is also a potential wetlands on the property. Those parts of the property are exceptions and are not included in the purchase of the property. If the exceptions are removed, the price of the property will increase. The down payment will not change. A phase one environmental report has been completed on the property. The report came back clean but the building still needs to be examined to see if an asbestos problem exists. The title report has some exceptions to title. One of the conditions for closing the transaction is that those exceptions are removed. The exceptions are identified in the agreement. The contract can be terminated at any time prior to closing for any reason at the City's sole and absolute discretion. It is anticipated that the closing will occur prior to December 31, 1998. An offset provision has also been included in the agreement. If for any reason the current owner does not timely vacate the property, the City can offset what is owed on the subsequent payments. The offset is in exhibit B, paragraph six. Chairman Wasden asked Mr. Ralph Carlson, who resides at 741 West 4800 South and is the owner of the property being considered, if he wanted to address the Council. Mr. Carlson informed the Council that he has a letter from the State releasing the meander. He gave the Council a copy of the letter. He also addressed the Council regarding the wetlands near 5400 South. Mr. Carlson is expecting to receive a letter from the Corps of Engineers clarifying the area designated as wetlands. Mayor Auger clarified that the down payment is one third of the maximum purchase price regardless of whether or not the property is cleared of the meander and wetlands problems. Only the second and third payments may vary depending on the clearing of the problems. Mr. Carlson inquired about a \$50,000 tax certificate. Chairman Wasden informed Mr. Carlson the certificate will be addressed after the property is cleared and no promise of a certificate is being given at this time. Council Member Sorensen moved to adopt Resolution 98-48 Approving an Agreement to

Purchase Approximately 24 Acres of Real Property Located at or Near 5200 South 1130 West for \$697,000 Which Contains a Provision to Increase the Purchase Price of the Subject Property to a Total Amount Not to Exceed \$1,050,000 and Authorizing and Directing the Mayor to Execute and Deliver the Same subject to final review and approval of the Mayor and City Attorney. Council Member Cook seconded the motion. The Council roll call vote was as follows: Council Members Catlin, Cook, Dunnigan, Sorensen and Chairman Wasden in favor with no one in opposition. The motion carried by a unanimous vote.

Consideration of Resolution 98-77 Appropriating an Amount Not to Exceed \$375,000 from the Capital Projects Fund for Purchase of Approximately 22 to 24 Acres of Real Property Located at or Near 5200 South 1130 West

City Attorney, John Brems explained the proposed amount includes closing costs. John Inch Morgan, Director of Administrative Services, informed the Council that the surveyor's costs have increased due to additional work he has been requested to do for the City. Mayor Auger requested the title and part of the body of the Resolution be amended to identify a portion of the money is for the initial payment for purchase of the property, closing costs and other expenses. Council Member Sorensen moved to adopt Resolution 98-77 Appropriating an Amount Not to Exceed \$375,000 from the Capital Projects Fund for Purchase of Approximately 22 to 24 Acres of Real Property Located at or Near 5200 South 1130 West as amended to include in the Resolution that the \$375,000 includes initial down payment of the property, closing costs and other peripheral costs. Council Member Catlin seconded the motion. The Council roll call vote was as follows: Council Members Catlin, Cook, Dunnigan, Sorensen and Chairman Wasden in favor with no one in opposition. The motion carried by a unanimous vote.

Consideration of Resolution 98-75 Appropriating \$75.00 from the Capital Projects Fund for Signage at Atherton Park

Council Member Dunnigan moved to adopt Resolution 98-75 Appropriating \$75.00 from the Capital Projects Fund for Signage at Atherton Park. Council Member Catlin seconded the motion. The Council roll call vote was as follows: Council Members Catlin, Cook, Dunnigan, Sorensen and Chairman Wasden in favor with no one in opposition. The motion carried by a unanimous vote.

Consideration of Resolution 98-76 Appropriating an Amount Not to Exceed \$20,943 for School Crossing Signs

John Inch Morgan, Director of Administrative Services, prefaced the resolution. Replacement of current school crossing signs, with new fluorescent signs, is based on recommendations made by the Public Safety Committee. Mr. Morgan reported a telephone bid was conducted. Salt Lake County will furnish and install the signs for the same price as the lowest bidder who would only manufacture the signs. He presented the Council with three different proposals, depending on the number of signs the Council decides to replace now. The money would come from money

budgeted for surface transportation. Council Member Cook moved to adopt Resolution 98-76 Appropriating an Amount Not to Exceed \$20,943 for School Crossing Signs. Council Member Catlin seconded the motion. The Council roll call vote was as follows: Council Members Catlin, Cook, Dunnigan, Sorensen and Chairman Wasden in favor with no one in opposition. The motion carried by a unanimous vote.

Review of Justice Court startup expenses

Mayor Auger reviewed the Justice Court startup expenses and reported the actual costs for the startup of the Justice Court came to \$26,060.31 under budget. The video arraignment is the only startup item left to be completed. Mayor Auger explained Judge Kwan recently had a free trial of an arraignment system that works over the telephone line. The Judge believes that system would probably work out well for the City and the cost would be considerably less than the video arraignment. If the Salt Lake County Sheriff's department decides to go to that system, it would make sense for Taylorsville do to so also.

5. OTHER MATTERS

Consideration of adopting Policy regarding Rules and Regulations Governing Atherton Park

Council Member Sorensen suggested deleting the word only from item #1. Mayor Auger suggested rewording item #8 to read "small children are discouraged in the off-leash area and parents are responsible for their supervision." Council Member Cook moved to adopt the Atherton Park Rules as amended on item one with the deletion of "only" at the end of the sentence and on item eight from "off-leash area. Parents are solely responsible for their children and they must supervise them closely at all times" to "off-leash area and parents are responsible for their supervision." Council Member Sorensen seconded the motion. The Council voted all in favor and the motion carried by a unanimous vote.

Review and approval of minutes December 2, 1998 meeting

Council Member Dunnigan moved to adopt the minutes of the December 2, 1998 meeting as amended to include "Moore" after Randi Lee as the Youth Council Chairperson. Council Chairman Wasden seconded the motion. The Council voted all in favor and the motion carried by a unanimous vote.

6. PUBLIC MEETING/NOTICE (NEXT MEETING)

The next regularly scheduled City Council meeting will be held Wednesday, January 6, 1999 at 6:30 p.m. with a work session scheduled one half hour before the regular meeting at 6:00 p.m.

7. NEW ITEMS FOR DISCUSSION AND CARRYOVER (No Action)

Chairman Wasden complimented the staff for the Open House that was held December 15, 1998.

Council Member Sorensen voiced concerns over the sidewalk project on 4800 South as presented by Sandy Beckstead earlier in the meeting.

8. CALENDAR OF UPCOMING EVENTS

The Swearing In Ceremony for the newly elected County Officials on January 4, 1999 at 12:00 noon in the Salt Lake County Commission Chambers.

9. ADJOURNMENT

Council Member Sorensen moved to adjourn. Council Member Catlin seconded the motion. The Council voted all in favor and the motion carried. The meeting adjourned at 8:00 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Taylorsville City Council meeting held Wednesday, December 16, 1998.



Carel Hicks
Taylorsville Deputy Recorder



Jim Dunnigan
City Council Chairman

Minutes Approved: 1/06/99