

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, October 19, 2011
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

BRIEFING SESSION

Attendance:

Council Members:

Vice-Chairman Larry Johnson
Council Member Dama Barbour
Council Member Bud Catlin

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
John Taylor, City Engineer
Donald Adams, Economic Development Director

Excused: Mayor Russ Wall, Council Chairman Jerry Rechtenbach, Council Member Morris Pratt

BRIEFING SESSION

1. Review Administrative Report – Community Development Department

18:00:14 Vice-Chairman Johnson conducted the Briefing Session, which convened at 6:00 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein Council Members Barbour, Catlin and Johnson were present. Council Members Rechtenbach and Pratt were excused. It was noted that Mayor Wall was also excused. Vice-Chairman Johnson called for questions on the Administrative Report for the Community Development Department, and there were none.

2. Review Agenda

18:01:23 The agenda for the City Council Meeting was reviewed. It was determined that discussion on Chapter 24 of the Development Code will be postponed until other Council Members are in attendance.

3. Adjourn

18:04:39 The Briefing Session was adjourned at 6:04 p.m.

REGULAR MEETING

Attendance:

Council Members:

Vice-Chairman Larry Johnson
Council Member Dama Barbour
Council Member Bud Catlin

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Cheryl Peacock Cottle, City Recorder
Jessica Springer, Council Coordinator
John Taylor, City Engineer
Donald Adams, Economic Development Director
Michael Kwan, Judge
Marsha Thomas, Judge
Patrick Tomasino, Building Official
Lisa Schwartz, Emergency Response Coordinator

Excused: Mayor Russ Wall, Council Chairman Jerry Rechtenbach, Council Member Morris Pratt

Citizens: Charles Christopher, Kristie Overson, Jay Ziolkowski, Ruth Jacobsen, Jolene Daley, Dan Fazzini, Dave Ballou. 1LT Earl Simmons, Lauren Mead, SSG Sinja Fonua, SFC Zettel Gabriel, Kimberly Forsyth, Patrick Harrison, Geneva Facemyer, Bailey Wyatt, Reagan Gabittas, Joel Gardner, and Aubrey Thomson.

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:30:10 Vice-Chairman Larry Johnson 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 Council Members Barbour, Catlin and Johnson were present. Council Members Rechtenbach and Pratt were excused. It was noted that Mayor Wall was also excused.

1.1 Opening Ceremonies – Pledge of Allegiance – *Council Member Catlin*

18:31:08 Council Member Bud Catlin directed the Pledge of Allegiance.

1.2 Reverence – *Council Member Catlin* (Opening Ceremonies For November 2, 2011 to be arranged by Youth Council)

18:33:07 Vice-Chairman Larry Johnson offered the Reverence.

1.3 Citizen Comments

18:33:25 Vice-Chairman Larry Johnson reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:34:47 Ruth Jacobsen addressed the Council regarding flooding that took place at her home on Misty Drive on July 26 and August 1, 2011. She noted that flooding also occurred at the neighboring Daley home. She described damage on the properties and distributed pictures of such. She cited fixes that the City Engineer has suggested will solve 90% or more of the flooding problem. She referenced the need to have window wells replaced and raised higher. Ms. Jacobsen relayed that her flower beds have all sunk at least 6 to 8 inches, along with her front step and concrete. She relayed her desire to have flooding problems resolved this fall before the spring melt.

18:38:55 City Engineer John Taylor described immediate fixes that have taken place. He noted that the problem is area-wide and involves West Jordan City, UDOT, and Salt Lake County. He said that the City is working with UDOT to solve flooding for typical rain events. Mr. Taylor said that West Jordan is working to maintain canals behind the homes. He said the issue is large, but the City is doing its best to resolve flooding concerns.

18:40:55 Mr. Taylor confirmed for Council Member Barbour that West Jordan City owns the canal behind the subject homes. He agreed to set up a meeting soon with Ms. Jacobsen and to invite Council Member Barbour to attend, as well.

18:41:11 There were no additional citizen comments, and Vice-Chairman Johnson closed the citizen comment period.

1.4 Mayor's Report

18:41:18 City Administrator John Inch Morgan noted that Mayor Wall is excused from the meeting. On the Mayor's behalf, Mr. Morgan recognized the newly selected 2011-2012 Taylorsville Youth Ambassadors, as follows: Bailey Wyatt, Reagan Gabittas, Joel Gardner, Kimberly Forsythe and Aubrey Thomson.

18:43:37 Mr. Morgan described functions and responsibilities of the Youth Ambassadors. He also reviewed eligibility requirements for Youth Ambassadors. Mr. Morgan distributed name tags to the new ambassadors and thanked the parents in attendance.

2. APPOINTMENTS

2.1 Paul Sommer, Economic Development Committee – *Vice-Chairman Johnson*

18:46:31 Vice-Chairman Johnson recognized Paul Sommer and nominated him to serve as a member of the Economic Development Committee.

18:47:13 Council Member Dama Barbour **MOVED** to appoint Paul Sommer as a member of the Economic Development Committee. Council Member Bud Catlin **SECONDED** the motion. Vice-Chairman Johnson called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-yes, Barbour-yes, Rechtenbach-excused, Johnson-yes, and Pratt-excused. **All City Council members present voted in favor and the motion passed.**

2.2 Ordinance No. 11-18 – Appointing Municipal Inspectors – *John Inch Morgan*

18:47:47 City Administrator John Inch Morgan explained that the subject ordinance is being brought back to the City Council to appoint those individuals employed as Code Enforcement Personnel as the City's Municipal Inspectors.

18:48:36 Council Member Bud Catlin **MOVED** to adopt Ordinance No. 11-18 – Appointing Municipal Inspectors. Council Member Dama Barbour **SECONDED** the motion. Vice-Chairman Johnson called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-yes, Barbour-yes, Rechtenbach-excused, Johnson-yes, and Pratt-excused. **All City Council members present voted in favor and the motion passed.**

3. REPORTS

3.1 Community Covenant – *1LT Earl Simmons*

18:49:12 1LT Earl Simmons distributed information regarding a Community Covenant Program to support those who serve in the military. He explained that the intent of the program is to encourage cities and town across the country to formally commit their support to service members (current and former) and military families residing within their communities. Lt. Simmons relayed that the initiative in Utah began in early 2010 with a Community Covenant Citation read on the floors of the Utah House and Senate. He then presented a video regarding the Community Covenant Program.

18:55:45 Lt. Simmons inquired whether Taylorsville would like to participate with Community Covenant in support of the program. He said that a City volunteer is needed to serve as a liaison between the Community Covenant Program and the City. He noted that 60 of 300 Utah Cities have already signed up.

City Administrator John Inch Morgan expressed the support of Administration for the program and encouraged the Council to join, as well. He said that either he or a member of his staff will act as liaison. Council Members present stated their full support of the Community Covenant Program.

18:59:32 Mr. Morgan described the Veterans Memorial that will be presented during the upcoming Veterans Day Celebration Event on November 11, 2011 at Taylorsville City Hall.

3.2 Quarterly Report, UFA – *Jay Ziolkowski, Battalion Chief*

19:00:25 UFA Battalion Chief Jay Ziolkowski began his report by presenting a short video regarding fire fighters and legislation.

19:02:18 Chief Ziolkowski confirmed that the two busiest UFA stations are 117 and 118 in Taylorsville. Council Member Johnson said that he hasn't had time to read the report provided, but questioned how many fires there have been in Taylorsville recently. Chief Ziolkowski reported that there were only two fires in the previous quarter, resulting in relatively little damage, and there have been no fires so far in the current quarter. The Chief also gave clarification on Fire Hydrant Inspections and relayed that every hydrant is checked annually.

19:05:50 Council Member Barbour thanked fire fighters for their service in Taylorsville.

3.3 Court Report – Judge Kwan

19:06:04 Judge Michael Kwan presented a report on court activities during the month of August, 2011. He reviewed statistics for traffic cases, criminal cases, and small claims cases.

19:08:12 The judge relayed that \$10,000 is the limit for small claims cases.

19:09:21 Judge Kwan reviewed statistics for Court expenses and revenues. He illustrated comparisons on case and work loads, i.e. projected filings, YTD comparisons, and Revenue Analysis and Projections. The Judge relayed that there has been an opening in the Court since July that has not been able to be filled.

19:12:38 Judge Kwan said he attributes the drop in traffic case filings to a shortage of officers that are assigned to traffic enforcement. City Administrator John Inch Morgan confirmed that Taylorsville previously had six dedicated traffic officers in 2006 and also previously had allocations for traffic overtime. He said he believes there are now four officers assigned to traffic enforcement. He noted that police officers are being used to address high priority calls.

19:13:54 Mr. Morgan explained that all three of the new police officers recently hired are currently in training, but may be eventually assigned to traffic or direct enforcement.

19:17:10 It was agreed that Police Chief Del Craig should be in attendance before continuing discussion on police staffing assignments.

19:18:15 Judge Kwan reviewed revenue trends in the Court. He also discussed Expense Analysis and Projections.

19:19:10 The Judge presented a rhetorical question regarding whether crime should be profitable. He stressed that the value of the Court isn't only revenue driven and the ultimate goal for the Court is to reduce crime.

19:20:22 Council Member Barbour agreed that the goal is not to make a profit in the Court, but cited the importance of not losing money. She suggested that other departments are also monitored for revenue and expense. Council Members congratulated Judge Kwan on his efforts in the Court.

19:21:57 Council Member Catlin cited the ideal achievement of voluntary compliance, but noted that all Courts are interested in counting revenue, as it is a by-product of levying fines. Judge Kwan agreed that revenue should be accounted, but also referenced the other values that should be attributed to the Justice Court.

19:25:35 Judge Kwan explained that he struggles with “apples to oranges” comparisons with other Courts. He suggested that the Taylorsville Court includes more expenses in its budget than some other Courts, i.e. budgeting for Bailiffs, etc. Council Member Catlin suggested that the Judge meet with the City Administrator and the Chief Financial Officer in a luncheon meeting to discuss budgeting tactics.

19:27:25 Mr. Morgan agreed that the Taylorsville Court accounts differently than other cities. He suggested showing “compare and contrast” data, possibly during a mid-year budget session. Mr. Morgan said that this would be a way to compare the Taylorsville Court fairly with other Courts.

19:28:15 Judge Kwan cited challenges currently experienced in the Court, i.e. low employee salaries, declining case load, and the loss of employees due to low compensation. He also described inadequate Court facilities and said another courtroom would be advantageous. The Judge suggested a short-term fix of using the City Council Chambers during the day and noted that safety issues would then need to be addressed. He commended Taylorsville Police Officers for their efforts. He cited a need for appropriate funding in order to provide adequate enforcement to ensure public safety.

19:33:02 Vice-Chairman Johnson requested that Chief Craig be invited to discuss police staffing issues at a future meeting.

19:37:13 Council Member Catlin suggested not having a second courtroom off-site, but agreed that using the City Council Chambers during the day may be a good option

4. CONSENT AGENDA

4.1 Minutes – RCCM 10-05-11

19:39:10 Council Member Bud Catlin **MOVED** to adopt the Consent Agenda. Council Member Dama Barbour **SECONDED** the motion. Vice-Chairman Johnson called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-yes, Barbour-yes, Rechtenbach-excused, Johnson-yes, and Pratt-excused. **All City Council members present voted in favor and the motion passed.**

5. PLANNING MATTERS

5.1 Discussion Regarding the Proposed Land Development Code, Chapters 23, 24 & 25 – *Mark McGrath*

19:39:46 It was noted that, as determined in the Briefing Session, discussion on Chapter 24 of the Development Code will be postponed until the next City Council Meeting. Community Development Director Mark McGrath called for review of Chapters 23 and 25.

19:41:12 Mr. McGrath explained that Chapter 23 contains all of the miscellaneous development standards for the City's various commercial districts, i.e. building setbacks and heights, construction standards, etc. He said that the new code differs from the existing code in that it contains more specific zoning classifications and regulations.

19:41:23 Council Member Barbour inquired whether this chapter addresses materials. Mr. McGrath confirmed that the chapter discusses materials for screening walls on page 6. He noted that the new code is more comprehensive and will provide better guidance and answers for developers and builders relating to building standards.

19:44:14 Chapter 25, containing the Landscape Standards Ordinance, was addressed. Mr. McGrath stated that this new code is a more comprehensive guide with better language related to landscaping than that in the existing code.

19:44:53 Concrete standards were discussed. Vice-Chairman Johnson presented his concerns regarding the requirement for stamped concrete when using colored concrete. He cited a desire to avoid such limitations. Mr. McGrath explained that the requirement is for aesthetics purposes.

19:47:15 Mr. McGrath gave clarification on the current park strip ordinance.

19:52:17 Additional discussion ensued regarding park strip and landscape standards. Mr. McGrath stated that he can bring the chapter back with alternative language. Council Member Barbour stated that park-strip maintenance is the number one issue to her.

19:53:31 Economic Development Director Donald Adams noted that this language is directed to more intense business zones and doesn't apply to most of the City. He suggested that, from an economic development point of view, the use of patterning is desirable for quality developments. Council Member Barbour re-emphasized the importance of maintenance.

19:55:30 Mr. McGrath asked for direction from the Council regarding differentiation between residential area and commercial standards.

19:57:25 Mr. Adams noted that this ordinance covers a very defined park strip area. He stated his opinion that this specific requirement in a public right-of-way is not out of line.

19:58:18 Vice-Chairman Johnson inquired about weed management on Redwood Road. Mr. Morgan confirmed that the City is responsible for that maintenance, and it is being handled through the use of community service workers. He cited the impact of excessive rain on ability to control weeds.

19:58:54 Judge Michael Kwan confirmed that community service crews are being used regularly. Mr. Morgan indicated that the crews are supervised through Administration and are actually sent out three times a week and also two Saturdays per month.

20:00:33 Mr. Morgan noted that some sections of 5400 South are the responsibility of the State. He described efforts made through the community service program to maintain weeds.

20:00:57 It was determined that discussion of the Development Code will begin with Chapter 24 at the next Council Meeting.

6. FINANCIAL MATTERS

6.1 ***Resolution No. 11-30 – A Resolution Accepting the FY 2011 Emergency Management Performance Grants from the State of Utah Department of Public Safety in the Amounts of \$6,563.00 and \$2,438.00 - John Inch Morgan***

20:01:26 City Administrator John Inch Morgan described the subject grants and indicated that they are annual grants used for emergency equipment. He clarified that these grants were not anticipated in the budget. He explained that the subject resolution allows Administration to book the funds received into the budget and authorize expenditures. Mr. Morgan said that the grant amounts will be brought back at mid-year for budget adjustments.

20:03:09 Council Member Dama Barbour **MOVED** to adopt Resolution No. 11-30 – A Resolution Accepting the FY 2011 Emergency Management Performance Grants from the State of Utah Department of Public Safety in the Amounts of \$6,563.00 and \$2,438.00. Council Member Bud Catlin **SECONDED** the motion. Vice-Chairman Johnson called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-yes, Barbour-yes, Rechtenbach-excused, Johnson-yes, and Pratt-excused. **All City Council members present voted in favor and the motion passed.**

20:03:36 Mr. Morgan recognized Emergency Response Coordinator Lisa Schwartz, who briefly joined the meeting, for her efforts in securing emergency grants.

7. OTHER MATTERS

7.1 Resolution No. 11-29 – Requesting the Recertification of the Taylorsville Justice Court – *John Brems*

20:04:12 City Attorney John Brems called for approval of the subject resolution to approve recertification of the Taylorsville Justice Court. He noted that his opinion letter has now been included with the resolution.

20:04:31 Council Member Dama Barbour **MOVED** to adopt Resolution No. 11-29 – Requesting the Recertification of the Taylorsville Justice Court. Council Member Bud Catlin **SECONDED** the motion. Vice-Chairman Johnson called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-yes, Barbour-yes, Rechtenbach-excused, Johnson-yes, and Pratt-excused. **All City Council members present voted in favor and the motion passed.**

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

20:05:00 Vice-Chairman Johnson inquired about the status of the Employee Appeals Board Ordinance that was discussed previously. City Attorney John Brems relayed that the ordinance is currently being reviewed. Vice-Chairman Johnson asked whether it might be ready for presentation during November. Mr. Brems stated that he will need to check with Mayor Wall regarding the status of the ordinance. Mr. Johnson suggested that the Mayor be asked to bring the ordinance back for discussion as soon as possible.

20:06:13 Geneva Facemyer, of Bennion Circle, requested an opportunity to address the Council. She stated that a group of Taylorsville residents are concerned for the safety of children and animals in Taylorsville in relation to recent attacks by Pit Bulls.

20:10:25 City Administrator John Inch Morgan suggested that Ms. Facemyer be allowed to state her issue, but that discussion be postponed until such time as it is scheduled and noticed on a City Council Agenda.

20:11:01 Council Member Catlin suggested that future discussion be scheduled for the Pit Bull issues, as requested. He recommended that Kelly Davis from Animal Services be invited to attend and address concerns.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

20:11:36

- 9.1 City Council Briefing Session – Wednesday, November 2, 2011 – 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, November 2, 2011 – 6:30 p.m.
- 9.3 City Council Work Session – Wednesday, November 9, 2011 – 6:00 p.m.
- 9.4 City Council Briefing Session – Wednesday, November 16, 2011 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, November 16, 2011 – 6:30 p.m.
- 9.6 Board of Canvassers Meeting - General – Tuesday, November 22, 2011 – 6:00 p.m.

10. CALENDAR OF UPCOMING EVENTS

20:12:13

- 10.1 **Veterans Day Poster and Essay Contest – Deadline is October 21, 2011 at 7:00 p.m. – All students grades 1st through 8th are invited to participate – for more information contact Patricia at 801-963-5400 or pkimbrough@taylorsvilleut.gov**
- 10.2 **Halloween Night at the Museum – October 31, 2011 – 6:00 p.m. to 8:00 p.m. – Taylorsville Bennion Heritage Center, 1488 West 4800 South**
- 10.3 **Early Voting – October 25 - November 4 (weekdays only) - 10:00 a.m. to 4:00 p.m. - Taylorsville City Hall is an Early Voting Location.**
- 10.4 **General Election – November 8, 2011 – 7:00 a.m. to 8:00 p.m. – Assigned voting precincts. For more information contact Cheryl Cottle at 801-963-5400 or ccottle@taylorsvilleut.gov**
- 10.5 **Veterans Day Parade and Event – November 11, 2011 – Parade begins at 11:00 a.m., Event begins at 12:15 p.m. – This is a community event sponsored by the City of Taylorsville and the United Veterans Council of the Greater Salt Lake and County. For more information contact Patricia Kimbrough at 801-963-5400 or pkimbrough@taylorsvilleut.gov**

Upon request, City Recorder Cheryl Peacock Cottle confirmed that the deadline for online and in-office voter registration in Salt Lake County is October 24, 2011.

11. ADJOURNMENT

20:15:44

Council Member Dama Barbour **MOVED** to adjourn the City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Vice-Chairman Johnson called for discussion. There being none, he called for a vote. The vote was as follows: The vote was as follows: Catlin-yes, Barbour-yes, Rechtenbach-excused, Johnson-yes, and Pratt-excused. **All City Council members present voted in favor and the motion passed.** The meeting was adjourned at 8:15 p.m.

A handwritten signature in cursive script that reads "Cheryl Peacock Cottle". The signature is written in black ink and is positioned above the printed name of the City Recorder.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 11-02-11

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder