

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

**Wednesday, June 20, 2012**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84129**

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**BRIEFING SESSION**

**Attendance:**

Mayor Russ Wall

**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  
Aimee Newton, Communications Director  
Mark McGrath, Community Development Director  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Jessica Springer, Council Coordinator  
Patrick Tomasino, Building Official  
Aimee Newton, Communications Director

**Excused:** Economic Development Director Donald Adams

**BRIEFING SESSION**

**1. Review Administrative Report**

18:00:41 Chairman Rechtenbach conducted the Briefing Session, which convened at 6:00 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. Council Member Kristie Overson inquired about a home

occupation license for recycling metal. Community Development Mark McGrath gave clarification that nothing is being stored on site. Council Member Overson also asked about any limitation on smoke shops in the City. Mr. McGrath confirmed that there are no regulations to limit smoke shops.

## **2. Review Agenda**

18:03:26 The agenda for the City Council Meeting was reviewed. Council Member Larry Johnson inquired about the time frame for preparing meeting minutes. City Recorder Cheryl Peacock Cottle gave clarification on the turn-around time needed for preparation of the meeting minutes.

18:09:02 City Administrator John Inch Morgan addressed questions on the resolutions that will be presented for Council consideration during the regular meeting. Finance Director Scott Harrington gave clarification on proposed changes to the tentative budget.

18:11:46 City Engineer John Taylor listed costs for the proposed walls at \$150 per foot, plus demolition, sidewalk, grading, and traffic control. He confirmed that this project cannot be put out to bid until there is an official budget allocation.

18:13:56 City Attorney John Brems cited a phone call from the attorney for UPD who has requested additional verbiage in Resolution 12-26, as follows: "...and authorizing and directing the mayor to execute and deliver an assignment of assets utilized by the Police Department with respect to police services." Mr. Brems explained that the need for this change only recently came to the attention of UPD officials once the City made the decision to fully contract.

18:16:49 UFA Battalion Chief Jay Ziolkowski addressed concerns about safety hazards related to fireworks in certain areas of the City. Mayor Wall agreed to issue an executive order based on recommendations from the Unified Fire Authority (UFA). City Administrator John Inch Morgan agreed to meet with Chief Ziolkowski and send a copy of the Executive Order out to the Council.

18:21:09 Council Member Ernest Burgess referenced the procedure for conducting citizen comments. He noted that there should be no rebuttal of citizen comments and all comments should be allowed.

18:22:05 The Mayor observed that if a citizen's comment is blatantly inaccurate, a correction should be made for the record.

18:22:52 Council Member Johnson relayed that many citizens are not aware of recent changes made to the budget. Chairman Rechtenbach noted that ongoing changes to the budget are typical during the budget process and citizens who inquire regarding updates will be provided with the

information. He noted that, although it is impossible to personally contact every resident, the budget changes are available for public inspection through the City website or in the Recorder's Office.

**3. Adjourn**

18:23:55 The Briefing Session was adjourned at 6:23 p.m.

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**REGULAR MEETING**

**Attendance:**

Mayor Russ Wall

**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  
Del Craig, Chief of Police  
Cheryl Peacock Cottle, City Recorder  
Jessica Springer, Council Coordinator  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Wayne Harper, Economic Development Assistant  
Aimee Newton, Communications Director  
Patrick Tomasino, Building Official  
Wayne Dial, Assistant Chief of Police  
Marsha Thomas, Judge  
Cory Snodgrass, Sergeant  
Jean Ashby, Deputy Recorder  
Kristy Heineman, Deputy Recorder  
Dan Moriarty, Police Sergeant  
Tracy Wyant, Police Lieutenant  
Rosie Rivera, Police Lieutenant

**Excused:** Economic Development Director Donald Adams

**Citizens:** Royce Larsen, Charles Christopher, Jennifer Schwendimann, Gordon Wolf, Israel Grossman, Jay Ziolkowski, Suzan Bukovinsky, John Gidney, Ken Cook, Rhett McIff, Brett McIff, John Smith, Pam Manson, Patrice Luong, Dave Ballou, Randall Feil, Jon Springmeyer, Lynn Handy, Curt Cochran, Jared Page, Doug Shupe, Sue Shupe, Yan Wang, Ren Chen, Tom Ollis

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

18:34:08 Chairman Jerry Rechtenbach called the meeting to order at 6:34 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**

18:34:19 Taylorsville Police Chief Del Craig directed the Pledge of Allegiance.

### **1.2 Reverence – Council Member Barbour (Opening Ceremonies For July 11, 2012 to be arranged by Youth Council)**

18:35:16 UFA Battalion Chief Jay Ziolkowski offered the Reverence.

### **1.3 Citizen Comments**

18:39:18 Chairman Jerry Rechtenbach reviewed Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:41:19 John Smith expressed concerns over firework hazards in the City.

18:41:46 Patrice Luong introduced her meditation program and proposed its use to relieve stress to members of the community.

18:45:30 There were no additional citizen comments, and Chairman Rechtenbach closed the citizen comment period.

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

There was no Mayor's Report.

## 2. APPOINTMENTS

There were no appointments.

## 3. REPORTS

There were no reports

## 4. CONSENT AGENDA

### 4.1 Minutes – RCCM 05-16-2012 & CCWS 05-23-12

18:46:13 Council Member Dama Barbour **MOVED** to adopt the Consent Agenda. Council Member Ernest Burgess **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Barbour-yes, Burgess-yes, Overson-yes, Johnson-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

## 5. PLANNING MATTERS

There were no planning matters.

## 6. FINANCIAL MATTERS

### 6.1 Resolution No. 12-24 – Approving an Interlocal Agreement Between Salt Lake County and the City of Taylorsville to Purchase Aerial Photography – *John Inch Morgan*

18:46:45 City Administrator John Inch Morgan presented the subject resolution to approve an interlocal agreement with Salt Lake County for the purchase of aerial photography.

18:47:13 Council Member Kristie Overson **MOVED** to adopt Resolution 12-24 – Approving an Interlocal Agreement Between Salt Lake County and the City of Taylorsville to Purchase Aerial Photography. Council Member Dama Barbour **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Barbour-yes, Burgess-yes, Overson-yes, Johnson-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

**6.2 Ordinance No. 12-12 – Providing for Year-End Amendments to the 2011-2012 Fiscal Year Budget – *John Inch Morgan***

18:48:00 City Administrator John Inch Morgan presented the subject ordinance for the provision of final amendments to the 2011-2012 Fiscal Year Budget. Mr. Morgan noted that the only change from the mid-year budget, as approved by the City Council, is for \$50,000 for police vehicle maintenance and fuel. He clarified that \$50,000 in additional revenue is also being recognized to offset the added expense.

18:49:01 Council Member Dama Barbour **MOVED** to adopt Ordinance 12-12 – Providing for Year-End Amendments to the 2011-2012 Fiscal Year Budget. Council Member Larry Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Barbour-yes, Burgess-yes, Overson-yes, Johnson-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

**6.3 Ordinance No. 12-11 – Adopting a Final Budget; Making Appropriations for the Support of the City of Taylorsville for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013; and Determining the Rate of Tax and Levying Taxes Upon All Real and Personal Property Within the City of Taylorsville, Utah – *John Inch Morgan***

18:49:48 City Administrator John Inch Morgan called for discussion on the Fiscal Year 2012-2013 Budget. He cited one exception and relayed that an additional amount of \$40,586 will be added to the Unified Police Department Budget for an employee to work as a prosecutorial liaison housed at City Hall. Finance Director Scott Harrington noted that the net overall effect on the budget is zero because the capital budget was reduced by that amount.

18:52:05 Council Member Larry Johnson inquired about the amount for real property taxes. Mr. Morgan gave clarification on the combined rate charged for both real property and personal property.

18:52:41 Chairman Jerry Rechtenbach reviewed actions taken by the Council on the budget to date, as follows:

- Proposed raises removed for elected officials, department heads, and new employees.
- Lobbyist moved from the Council Budget to the Non-Departmental Budget.
- Legal services adjusted down.
- Studies adjusted down.
- Elections adjusted down.
- Sister City allocation of \$20,000 was removed.

- Bond payment of \$100,000 for a proposed \$5 million bond for wall projects was removed.
- Tax increase in the amount of approximately \$1,598,000 was removed.
- UFA Contract was reduced by a ½ year amount of \$1,943,000, as a result of joining the Fire District.

18:54:12 Chairman Rechtenbach reviewed items that have been added to the budget, as follows:

- The budget for Court salaries was adjusted up by \$7,489 for market adjustments needed for clerks.
- A shed for the Taylorsville City Cemetery was appropriated in the amount of \$10,000.
- New growth was added to tax revenue in the amount of \$31,357.
- Add packages for various items were added into the Capital Budget in the amount of \$170,000.
- A transfer was made to the Capital Fund from the Fund Balance for the 4100 South Wall Project in the amount of \$265,267, as a one-time appropriation.

18:54:32 Mr. Harrington gave clarification on the resulting difference to the fund balance.

18:56:34 Chairman Rechtenbach confirmed that the current proposed budget is Version “B,” as recently provided by Mr. Harrington.

18:57:34 The addition of \$40,586 to the UPD Budget for the Prosecutorial Liaison was noted.

18:58:17 Chairman Rechtenbach called for any additional changes to the budget.

18:58:24 Mayor Wall asked that the City Council reconsider eliminating a tax increase, with respect to the 4100 South Wall Project. He relayed that there is not currently enough in the budget to complete the project and it should be completed this year.

18:59:08 Council Member Dama Barbour cited her request to Mr. Morgan to put together a budget reflecting a 10% tax increase. She agreed that the wall project is a must.

18:59:44 Chairman Rechtenbach also agreed that the wall project needs to be completed.

18:59:54 Council Member Overson agreed that the idea has merit. She cited reasons that an increase should be implemented this year and said she believes that 10% is appropriate.

19:00:45 Mayor Wall relayed that a 10% increase would result in about \$400,000 in additional revenue; this would translate to about \$2 per month on an average home.

19:01:33 City Attorney John Brems recommended that the ordinance be amended to include a 10% increase if desired.

19:02:04 Chairman Rechtenbach clarified that tonight's budget will be adopted as tentative in order for the City to continue providing services and subject to a truth and taxation hearing on August 14, 2012 when the taxation process will be followed and a tax rate will be set.

19:02:43 Council Member Burgess inquired whether the 10% increase would be earmarked for the wall project. Mayor Wall indicated that would be a decision for the City Council.

19:03:25 Chairman Rechtenbach confirmed that the proposed 10% increase would be independent of joining the Fire District.

19:04:01 Council Member Barbour cited a great need to deal with maintenance issues in the City and inquired about an increase to help in that regard. She questioned what is currently available in the budget for maintenance needs and Mayor Wall indicated that the maintenance budget is minimal and insufficient to address issues in the City.

19:04:45 Council Member Barbour cited specific maintenance needs in the City and noted that Taylorsville's economic development is dependent on maintenance.

19:05:18 Mayor Wall confirmed that maintenance needs are not currently funded adequately and said that Administration is very concerned. He cited the difficulty of finding a balance between those citizens who never want taxes raised and those who want the City to be maintained. He relayed that the City could use another \$100,000 to address areas needing maintenance.

19:06:46 The Mayor confirmed that the 10% tax increase would go into effect in August and be on tax bills the end of this year.

19:07:41 Council Member Johnson cited a 63% increase related to the City joining the Fire District. It was confirmed that residents may be looking at a substantial tax increase next year for public safety. Chairman Rechtenbach noted that the exact level will be determined next year.

19:08:59 Council Member Barbour called for further discussion on maintenance needs.

19:09:23 Mr. Morgan relayed that approximately \$100,000 is spent per year on street-type maintenance. He cited the regular use of community service workers to help with maintenance, but said that maintenance coverage is still insufficient.

19:10:42 Mr. Morgan gave explanation on timing issues for joining the Fire District and setting the tax rate.

19:11:50 Mr. Morgan disclosed that citizens will pay the first tax for the Fire District in 2013 and residents will not see that increase on this year's tax notice.

19:12:48 Council Member Overson stated that there are several places around Taylorsville that don't meet City standards in her opinion.

19:13:27 Council Member Burgess inquired about the exact amount needed for the maintenance budget. Mr. Morgan relayed that in order to keep the City in pristine condition, the maintenance budget should probably be tripled to \$300,000.

19:14:24 Chairman Rechtenbach called for further discussion on the Budget Ordinance.

19:14:48 Council Member Burgess cited \$305,853 allocated for wall projects. Mr. Morgan and Mr. Harrington gave additional explanation regarding new growth on taxes.

19:16:18 Council Member Burgess commented on the need for the wall project. Mayor Wall said he strongly recommends not taking money from another project for the wall project.

19:18:23 Chairman Rechtenbach asked for clarification on earmarking funding for the Redwood Road Project. Mayor Wall gave explanation on funding for that project.

19:19:20 Council Member Johnson suggested that Administration is not willing to shift any money and wants it all at once. He cited proposals to keep taxing. Mayor Wall gave explanation on matching funds for projects.

19:20:40 Mayor Wall observed that the City has done an excellent job of cutting back. He stated that he thinks it is very reasonable to ask citizens to contribute approximately \$3 per month to help maintain their City.

19:22:19 Mayor Wall said that the reasons for investing in the City are not just for aesthetic purposes, but also contribute to economic development. He asked the City Council to consider at least a 15% increase in order to do the wall project and increase maintenance.

19:26:51 Council Member Barbour proposed that a 15% tax increase be implemented this year, as she believes that wall projects and maintenance in the City are very important.

19:28:22 Council Member Burgess observed that if there is insufficient revenue, the only alternative is to increase taxes.

19:28:46 Council Member Overson relayed that she has diligently reviewed the budget and considered varying comments from citizens regarding taxes. She observed that residents chose

to become a City and now must support the City. She stated that she trusts the City, the employees, the Administration, and the City Council. She suggested that, as there is a need for additional money, the only option is to bite the bullet and move forward.

19:30:54 Chairman Rechtenbach observed that citizens voted to incorporate in order to enact vision for the City. He cited the City's Strategic Planning process. He said that, while he is not in favor of an additional 15% tax increase, some commitment must be made.

19:31:57 Chairman Rechtenbach recognized the Budget Committee and their hard work. He cited their recommendations and observed that everything in the budget has been reviewed and endorsed by the Budget Committee. He noted that the decision before the Council is a tough one and that anything imposed affects all residents, including elected officials.

19:33:28 Council Member Burgess noted that there is no other way to accomplish what is needed. Chairman Rechtenbach observed that there is also the option of bonding or indebtedness.

19:34:49 City Attorney John Brems recommended amending the proposed ordinance to be implemented as a resolution. He read proposed verbiage for Resolution 12-25.

Council Member Dama Barbour **MOVED** to adopt Ordinance 12-11, per the previous recommendations made by City John Brems to amend the ordinance to become a resolution with insertion of the prescribed language; that Version B of the 2012-2013 Budget be adopted as a Tentative Budget with a 15% tax increase, with a portion of increased revenue directed to capital projects and to maintenance; that a Truth in Taxation Hearing be scheduled for August 14, 2012; and that the property tax yield be specified. Council Member Kristie Overson **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Barbour-yes, Burgess-no, Overson-yes, Johnson-no, and Rechtenbach-no. **All City Council members voted and the motion failed.**

19:40:02 Chairman Rechtenbach called for an alternative motion.

19:40:18 Council Member Burgess noted that there is no other money to accomplish what is needed. Mayor Wall gave clarification on his basis for the proposed 15% tax increase.

19:42:05 Council Member Overson moved to reconsider the previous motion, but it was noted that such a motion for reconsideration would have to come from the prevailing side of the issue.

19:42:56 Chairman Rechtenbach **MOVED** for the adoption of Ordinance 12-11, with the same recommendations as the previous motion, except that a 10% increase be implemented rather than 15%. **The motion died for lack of a second.**

19:43:48 Council Member Burgess cited safety issues along 4100 South that necessitate the wall project. He expressed serious concern and relayed his desire to complete that proposed project.

19:46:27 Council Member Ernest Burgess **MOVED** to reconsider the original motion containing the 15% tax increase and the modifications suggested by Mr. Brems. Council Member Kristie Overson **SECONDED** the motion. Chairman Rechtenbach called for further discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Barbour-yes; Burgess-yes; Overson-yes; Johnson-no; Rechtenbach-no. **The motion passed with a 3 to 2 vote.**

**6.4     *Resolution No. 12-26 – Approving an Interlocal Agreement By and Among the City of Taylorsville, Salt Lake County, City of Holladay, Riverton City, Herriman City, Midvale City, and the Salt Lake Valley Law Enforcement Service Area with Respect to the Unified Police Department***  
**– John Inch Morgan**

19:48:25 City John Brems called for consideration of the subject resolution to approve an Interlocal Agreement with respect to the Unified Police Department. He recommended one addition to the language in the resolution, as follows: "...and authorizing and directing the Mayor to execute and deliver an assignment of assets utilized by the Police Department for police services."

19:49:42 Council Member Kristie Overson **MOVED** to adopt Resolution No. 12-26 – Approving an Interlocal Agreement By and Among the City of Taylorsville, Salt Lake County, City of Holladay, Riverton City, Herriman City, Midvale City, and the Salt Lake Valley Law Enforcement Service Area with Respect to the Unified Police Department, with the inclusion of additional language as proposed by City Attorney John Brems. Council Member Dama Barbour **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Barbour-yes, Burgess-yes, Overson-yes, Johnson-no, and Rechtenbach-yes. **All City Council members voted and the motion passed with a four-to-one vote.**

**7.       OTHER MATTERS**

There were no other matters

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

There were no new items for subsequent consideration.

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

19:51:23

- 9.1 RDA Meeting – Wednesday, June 20, 2012 – 7:00 p.m.
- 9.2 City Council Briefing Session – Wednesday, July 11, 2012 – 6:00 p.m.
- 9.3 City Council Meeting – Wednesday, July 11, 2012 – 6:30 p.m.
- 9.4 City Council Briefing Session – Wednesday, July 18, 2012 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, July 18, 2012 – 6:30 p.m.
- 9.6 City Council Briefing Session – Wednesday, August 1, 2012 – 6:00 p.m.
- 9.7 City Council Meeting – Wednesday, August 1, 2012 – 6:30 p.m.

**10. CALENDAR OF UPCOMING EVENTS**

19:51:39

- 10.1 Taylorsville Dayzz 2012 – June 28, 2012 – June 30, 2012 – Visit [www.taylorsvilleut.gov](http://www.taylorsvilleut.gov) for event information.

**11. ADJOURNMENT**

19:52:01 Council Member Dama Barbour **MOVED** to adjourn the City Council Meeting. Council Member Larry Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a vote. The vote was as follows: Barbour-yes, Burgess-yes, Overson-yes, Johnson-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 7:52 p.m.

  
Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 07-11-12

*Minutes Prepared by: Cheryl Peacock Cottle, City Recorder*