

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

**Wednesday, January 5, 2011**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

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**BRIEFING SESSION**

**Attendance:**

Mayor Russ Wall

**Council Members:**

Council Chairman Morris Pratt  
Vice-Chairman Jerry Rechtenbach  
Council Member Dama Barbour  
Council Member Bud Catlin  
Council Member Larry Johnson

**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  
Scott Harrington, Chief of Finance  
Keith Snarr, Economic Development Director  
Donald Adams, Grants Manager  
Del Craig, Chief of Police

**Others:** Joel Gardner, Kristie Overson

**BRIEFING SESSION**

**1. Review Administrative Report**

18:03:55 Chairman Morris Pratt 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. Council Member Dama Barbour introduced her counter-part from the Youth Council, Joel Gardner. Chairman Pratt called for questions on the Administrative Report, and there were none.

## 2. Review Agenda

18:04:03 The agenda for the City Council Meeting was reviewed. Grants Manager Donald Adams gave information on the VAWA Grant. He explained that there is an in-kind equipment match of approximately \$13,000.

## 3. Closed Session

### a. Strategy Session to Discuss Pending Litigation

Council Member Dama Barbour **MOVED** to adjourn the Briefing Session and convene a Closed Session to discuss pending litigation and also a strategy session to discuss the sale and purchase of real property at 6:08 p.m. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-yes, and Rechtenbach-yes. **All members of the City Council voted and the motion carried by a unanimous vote.**

### CLOSED SESSION

Those in attendance at this Closed Session were: Council Members Barbour, Catlin, Johnson, Pratt and Rechtenbach; Mayor Russ Wall, City Administrator John Inch Morgan; Police Chief Del Craig; City Attorney John Brems; and City Recorder Cheryl Peacock Cottle. Minutes for the Closed Session were taken and are now on file as a Protected Record.

Council Member Jerry Rechtenbach **MOVED** to adjourn this Closed Session at 6:39 p.m. and convene an additional Closed Session to discuss the sale and purchase of real property. Council Member Larry Johnson **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-yes, and Rechtenbach-yes. **All members of the City Council present voted and the motion carried by a unanimous vote.**

### b. Strategy Session to Discuss the Sale and Purchase of Real Property

### CLOSED SESSION

Those in attendance at this Closed Session were: Council Members Barbour, Catlin, Johnson, Pratt and Rechtenbach; Mayor Russ Wall, City Administrator John Inch Morgan; City Attorney John Brems; Community Development Director Mark McGrath; and City Recorder Cheryl Peacock Cottle. Minutes for the Closed Session were taken and are now on file as a Protected Record.

Council Member Dama Barbour **MOVED** to adjourn the Closed Session at 7:05 p.m. and reconvene the regular City Council Meeting. Council Member Larry Johnson **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-yes, and Rechtenbach-yes. **All members of the City Council present voted and the motion carried by a unanimous vote.**

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## **REGULAR MEETING**

### **Attendance:**

Mayor Russ Wall

### **Council Members:**

Council Chairman Morris Pratt  
Vice-Chairman Jerry Rechtenbach  
Council Member Dama Barbour  
Council Member Bud Catlin  
Council Member Larry Johnson

### **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  
Keith Snarr, Economic Development Director  
Donald Adams, Grants Manager  
Michael Kwan, Judge

**Citizens:** John Gidney, Jay Ziolkowski, Lynn Handy, Kristie Barbour, Raili Jacquet, Lynn Adams, Aubrey Thompson, Reagan Gabbitas, Kristen Brunson, Joel Gardner, Matthew Pham, Cathy McKittrick, Monica Sanchez, Maria Magallanes, Mitch Haycock, Spencer Braithwaite, Israel Grussman

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

19:09:40 Chairman Morris Pratt called the meeting to order at 7:09 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  
– Youth Council**

19:10:07 Aubrey Thompson directed the Pledge of Allegiance.

**1.2 Reverence – Youth Council (Opening Ceremonies  
For January 19, 2011 to be arranged by Council Member Johnson)**

19:11:17 Kristen Brunson offered the Reverence.

**1.3 Citizen Comments**

19:11:35 Chairman Morris Pratt reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

There were no citizen comments, and Chairman Pratt closed the citizen comment period.

**1.4 Mayor's Report**

19:13:08 Mayor Russ Wall recognized Lynn Adams, of the United Veterans Council, and referenced the 2<sup>nd</sup> Annual Veterans Day Event held on November 11, 2010. He noted that the Veterans Day Parade will be held for the next two years in Taylorsville. Mayor Wall reported that the event was a successful, well-attended event, but it would be desirable to have more youth in attendance. He relayed that Representative Johnny Anderson will run a bill in the State Legislature that encourages school districts to have Veterans Day Programs, i.e. assemblies, field trips to Veterans Day Celebrations, etc., for students.

19:14:45 Mayor Russ Wall read a Citation of Appreciation that was received by the City of Taylorsville from the United Veterans Council. The Mayor indicated that the award will be displayed in the trophy case at Taylorsville City Hall.

19:16:02 Mayor Wall reported that the City is working hard to raise funds for the Veterans Memorial at the City Center and is committed to not utilize City funds, but rather have the community fund the memorial. The Mayor relayed that a meeting was recently held with Scott Anderson of Zions Bank, who deemed the memorial a worthwhile project and agreed to donate \$50,000 toward such. Mayor Wall clarified that Zions Bank is not expecting anything in return for the donation.

19:17:17 Mayor Wall also relayed that there is interest in the State Legislature for running a bill that will match private contributions raised by municipalities up to 50% of the cost of the project. He said that there is support for such a bill in the Senate leadership and the House leadership.

19:18:38 Council Member Johnson inquired about the possibility of arranging a flyover with the National Guard at future Veterans events. Mayor Wall explained that the approval process has been completed every year, but flyovers are based on existing weather conditions, existing traffic patterns, and availability. He indicated that approval will be sought again this year by Executive Assistant Patricia Kimbrough.

19:20:08 Council Member Dama Barbour recognized the importance of remembering the community's past and recognizing veterans. She thanked Zions Bank for their generous contribution. She inquired about the total projected approximate cost of the Veterans Memorial. Mayor Wall presented an estimate of between \$250,000 and \$350,000 and said he believes it will be closer to \$350,000.

19:21:00 Council Member Dama Barbour introduced her Taylorsville Youth Council Counter-Part, Joel Gardner.

## 2. APPOINTMENTS

### 2.1 Lee Yates, Economic Development Committee – *Chairman Morris Pratt*

Chairman Pratt nominated Lee Yates and nominated him to serve on the Economic Development Committee.

19:21:59 Council Member Jerry Rechtenbach **MOVED** to appoint Lee Yates as a member of the Economic Development Committee. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

## 3. REPORTS

### 3.1 Youth Council – *Maria Magallanes, Youth Council Chair*

19:22:31 Youth Council Chair Maria Magallanes reported on recent activities and upcoming events for the Taylorsville Youth Council. She cited the *Sub for Santa Project* conducted by the Youth Council and indicated that members adopted a Taylorsville family of six for the project. She relayed that Youth Council Members are currently preparing for the Spring Leadership Conference at Utah State University and are also interviewing for new members for the Youth Council.

### **3.2 Justice Court – Judge Michael Kwan**

19:23:39 Judge Michael Kwan reviewed recent activity in the Taylorsville Justice Court, as outlined on the Court Report included in the Council packet.

19:24:25 Judge Kwan confirmed that the slides containing updated information are now inserted in the presentation.

19:33:00 Council Member Rechtenbach asked for clarification on the data presented. Judge Kwan cited annual Court expenses that occur only at the beginning of the fiscal year. He gave additional explanation on ebbs and flows of revenue stream in the court.

19:41:31 The Judge confirmed that court interpreters' rates/time are now being tracked to give better control of the use of interpreters in the courtroom. He clarified that different languages are billed at different prices.

19:44:36 Judge Kwan presented a need to bring in temporary help in the Court at night and asked for the Council to take a leap of faith that doing so will recover the costs through case review and collection.

19:46:14 Council Member Johnson inquired about raising the fee for traffic school to \$50.

19:47:47 Chief of Finance Scott Harrington estimated that increasing the traffic school fee could bring in approximately \$24,000 in additional revenue per year.

19:49:38 Judge Kwan confirmed that he doesn't anticipate a budget adjustment in the court salary budget at the end of year.

19:51:51 Mayor Russ Wall noted that it is important that the Council understands that the Court cannot hire employees above its current number of allocations. He clarified that the Council must approve any additional allocation of employees or any movement of budget from one department to another; Administration may approve the movement of money within the Court budget from one budget line to another. The Mayor further explained that the Council may choose to open the budget at any time and make changes, but without action of the Council, the only thing that can be done is an authorization by the Mayor to budget lines within a department. The Mayor suggested that a representative from the Council meet with Administration and the Judge to discuss the proposal of hiring temporary employees in the Court.

19:55:29 Council Member Johnson inquired about the process necessary for increasing the fee for traffic school. Mayor Wall said that if the Council makes a recommendation to change a fee, a study must first be conducted, along with a public hearing.

19:56:38 After discussion, Mayor Wall agreed to bring back information on the appropriate process for increasing a fee and then get further direction from Council.

19:57:44 Council Member Catlin suggested that the Judge submit a detailed proposal in conjunction with the mid-year budget adjustments. The Judge clarified his intent to bring in skilled workers employed by other courts who are looking for part-time work.

Council Member Rechtenbach stated that he is not in favor of increasing the court budget and said that funds for any collection project, or the hiring of temporary workers, should come out of the current court budget.

20:00:19 Chairman Pratt voiced concern over what the Court might have to cut if extra workers are hired. Judge Kwan cited additional revenue from grants.

20:01:49 Mr. Harrington gave explanation on the way that grants are accounted for in the budget.

20:02:42 Chairman Pratt asked Mr. Harrington to clarify discrepancies with expenses contained on the report. Mr. Harrington reported that code enforcement fines fall under "fines," but they are not listed under the court, because the Administrative Law Judge assesses such fines. Mr. Harrington agreed to run a separate report for the Council, eliminating the code enforcement fines, if desired.

20:07:24 Mr. Harrington gave explanation on electronic payment service, which is the fee imposed by the court for online credit card payments. He noted that the financials provided to the Council at the end of the month are City-wide numbers and are not specific to the Court. He gave additional clarification on shortages and overages related to credit card payments.

20:07:21 Council Member Catlin asked for additional clarification on the way code enforcement fines are tracked.

20:09:07 City Administrator John Inch Morgan noted that there is a separate line item in the budget revenue section for code enforcement fines.

20:09:51 Mr. Harrington agreed to send the Council a separate report run just for the Court that does not include code enforcement data.

20:10:19 Mr. Harrington clarified that the Court charges a \$5 fee for electronic payments, but some actual costs to the City are slightly less. He noted that the City is charged a percentage of each transaction and the \$5 fee is an average.

#### 4. CONSENT AGENDA

##### 4.1 Minutes – RCCM 12-01-10

20:11:49 Chairman Pratt called for a clarification on the minutes from December 1, 2010 regarding the Mayor's estimate of the cost for the Veterans Memorial. Mayor Wall indicated that the actual cost is unknown. Council Member Larry Johnson **MOVED** to adopt the Consent Agenda. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-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. 10-11 – Accepting the 2010 Violence Against Women Act Grant in the Amount of \$35,857.13 – Chief Del Craig, Donald Adams***

20:13:39 Chief Del Craig presented the subject resolution to accept the 2010 Violence Against Women Act (VAWA) Grant in the Amount of \$35,857.13. He indicated that the grant was applied for and written by Grants Manager Donald Adams. Chief Craig said that enough money to fund a detective position was originally requested, but the award given was approximately half of that amount. He said that the Police Department will come back with a proposal as to how the grant will be implemented. He clarified that there is an in-kind equipment match, i.e. car, computer, etc.

20:14:55 Council Member Catlin inquired whether this is a single year grant or a multi-year grant. Chief Craig indicated that he has been told by the grant administrator that if success is shown, the concept is to support the grant year-to-year. He stated that he anticipates making a presentation regarding the investigative unit at a future City Council Meeting.

20:16:26 Council Member Rechtenbach asked about the actual cost of this grant to the City. Chief Craig said that he proposed using equipment that the City already has, i.e. car, computer, etc., to support the position. He suggested several options for utilization of the grant funds: (1) hire a part time person; (2) ask the City Council to reallocate funds for the rest of the position; or (3) contracting.

20:17:53 City Administrator John Inch Morgan confirmed that the revenue will be recognized at mid-year and that there are no obligations, other than equipment, required from the City.

20:18:26 Mayor Wall said that the City may choose to partner with other agencies.

20:19:06 Chairman Pratt requested that more background information on grants be included in future Council packets for informational purposes.

20:19:09 Council Member Dama Barbour **MOVED** to adopt Resolution No. 10-11 – Accepting the 2010 Violence Against Women Act Grant in the Amount of \$35,857.13. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

## 7. OTHER MATTERS

### 7.1 ***Ordinance No. 11-01 – Approving Requests for Indemnification and Legal Representation Stemming From a Lawsuit Filed in the United States District Court Against City of Taylorsville and Taylorsville City Police Department – John Brems***

20:20:04 City Attorney John Brems presented the subject ordinance for indemnification for individuals in a lawsuit recently filed against the City. He noted that further requests for indemnification from additional individuals will likely come back before the Council, as needed.

20:20:44 Council Member Jerry Rechtenbach **MOVED** to adopt Ordinance No. 11-01 – Approving Requests for Indemnification and Legal Representation Stemming From a Lawsuit Filed in the United States District Court Against City of Taylorsville and Taylorsville City Police Department. Council Member Dama Barbour **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

### 7.2 ***Council Elections for 2011 Council Chairman and Council Vice Chairman – Council Chair Pratt***

20:21:53 City Recorder Cheryl Peacock Cottle presented nominations received for the 2011 City Council Chair and Vice Chair, and a vote was conducted. Deputy Recorder Jessica Springer tallied the votes and the City Recorder announced council election results, as follows: Jerry

Rechtenbach as 2011 City Council Chair and Council Member Larry Johnson as 2011 City Council Vice-Chair.

20:24:33 Newly-elected Council Chairman Jerry Rechtenbach conducted remainder of the meeting.

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

There were no new items for subsequent consideration.

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

20:25:07

- 9.1 RDA Meeting – Wednesday, January 5, 2011 – 7:00 p.m.
- 9.2 City Council Work Session – Wednesday, January 12, 2011 – 6:00 p.m.
- 9.3 City Council Briefing Session – Wednesday, January 19, 2011 – 6:00 p.m.
- 9.4 City Council Meeting – Wednesday, January 19, 2011 – 6:30 p.m.
- 9.5 City Council Briefing Session – Wednesday, February 2, 2011 – 6:00 p.m.
- 9.6 City Council Meeting – Wednesday, February 2, 2011 – 6:30 p.m.

**10. CALENDAR OF UPCOMING EVENTS**

**11. ADJOURNMENT**

20:25:15 Council Member Jerry Rechtenbach **MOVED** to adjourn the City Council Meeting. Council Member Larry Johnson **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:25 p.m.

  
Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 01-19-11

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