

**City of Taylorsville**  
**Work Session**  
*Minutes*

**Wednesday, January 11, 2012**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84129**

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**Attendance:**

Mayor Russ Wall

**Council Members:**

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  
Jessica Springer, Council Coordinator  
Aimee Newton, Public Relations Consultant  
Mark McGrath, Community Development Director  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Donald Adams, Economic Development Director  
Wayne Dial, Assistant Police Chief  
Jean Ashby, Economic Development Admin. Asst.  
Robin Bronson, Human Resources Manager  
Patrick Tomasino, Building Official

**Others:** David Church, Jon Springmeyer, Charles Christopher, Gordon Wolf, Brent Overson, John Gidney, Shae Corsi

18:00:56 Chairman Jerry Rechtenbach called the Work Session to order at 6:00 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

**1. Training: Roles and Responsibilities of Elected Officials – *David Church***

18:03:08 David Church, Attorney for the Utah League of Cities and Towns, reviewed roles and responsibilities of elected officials.

18:04:56 Mr. Church described Taylorsville's form of government and defined the two branches of City government (executive and legislative).

18:07:45 Chairman Rechtenbach asked for clarification on the differences between the City-Manager form of government and the Six-Member Council form. Mr. Church gave further explanation on different forms of government.

18:12:38 Mr. Church reviewed the responsibilities of the Mayor in Taylorsville's form of government.

18:14:58 Mr. Church outlined the roles and responsibilities of the City Council as the legislative branch of government.

18:18:42 Mr. Church addressed questions from Council Members regarding the separate roles of the legislative and executive branches of government.

18:22:12 Mr. Church cited the potential for conflicts when dealing with checks and balances.

18:24:23 Council Member Johnson inquired whether any municipalities have term limits. Mr. Church relayed that there are none. He cited one Council Member who actually served on a City Council for 32 years.

**2. Overview of CDA's – Community Development Area – *Donald Adams***

18:25:40 Economic Development Director Donald Adams and Consultant Jon Springmeyer, of Bonneville Research, provided an overview of Community Development Areas (CDA's) via PowerPoint presentation.

18:28:05 Points highlighted in the presentation were, as follows:

- How to Finance Economic Development
- Economic Development Tools
- What is Tax Increment
- Tax Increment Examples
- Tax Increment (TIF)
- Tax Increment Options

- Urban Renewal (RDA) \$
- EDA \$
- CDA – Voluntary Participation

18:35:45 Mr. Adams gave clarification on imminent domain and relayed that it is very rarely used.

18:37:48 Council Member Overson asked for examples of an EDA and Mr. Springmeyer provided several. It was clarified that EDA's do not include retail for tax increment purposes.

18:40:30 Mr. Adams noted that CDA's will be the main focus in Taylorsville for the foreseeable future. He reviewed ways that CDA's will be utilized in the City. He relayed that the CDA tool will be presented for a project at 5400 South and Redwood Road. He cited a survey project area resolution that will be presented during a RDA Board Meeting on January 18, 2012. Mr. Adams described the process for adopting a project.

18:45:06 Council Member Burgess inquired about the timeframe for doing an Urban Renewal development project versus a CDA. Mr. Adams relayed that on average the timeframe is about 5 to 6 months for an Urban Renewal project area with scheduling and studies.

18:45:44 Mr. Springmeyer confirmed that the City currently has two Urban Renewal Project Areas (URA's) in progress. Mr. Adams described continued plans for those areas (5400 S. Bangerter Highway and 6200 S. Redwood Road) and reviewed specifics for both project areas, including tax increment and activation of the project details.

18:48:27 Mr. Springmeyer relayed that several areas were previously identified in the City and these areas were given a ranking as to whether they would even qualify as a blighted area.

18:49:38 Council Member Burgess inquired about a list that identifies target areas. Mr. Adams gave explanation on how areas are selected, which of the areas require a redevelopment tool, and which areas would be a CDA. He noted that the areas are looked at not only from a technical feasibility as to blight, but also from the marketability of what is happening in the area.

18:51:47 Council Member Johnson inquired about the property on the east side of 4700 South and Redwood Road. Mr. Adams acknowledged that the individual property is problematic, but said the area is being looked at as a whole.

18:53:12 Council Member Burgess clarified that if a citizen is asking why an area is or is not being worked on, then the answer to that is whether it is economical and feasible in the specified area. Mr. Adams confirmed that is one of the stronger factors on a list of things that have to be considered, especially considering today's market conditions. Mr. Springmeyer added that if a

property looks like it will not have economic returns in the near future, the property will be on the list but considered a lower priority.

18:53:45 Council Member Barbour asked whether CDA's can be done in conjunction with Salt Lake County, specifically regarding the building on 4700 South Redwood Road. Mayor Wall clarified that the building referenced is owned by Salt Lake County and is scheduled to be torn down in the spring. Mr. Springmeyer added that publically owned buildings are a challenge for using the CDA tool because they are tax exempt. He noted that there can be public buildings in an area but, as a catalyst for an area, publicly owned buildings don't work.

18:55:23 Council Member Johnson asked for a status update on the West Point Shopping Center. Mr. Adams reported that the Ortega property has been closed on as of January 10, 2012, as well as Innovative Audio. He said that this means they can now be demolished and the traffic signal into the shopping center can be started. He relayed that, according to the UDOT construction schedule, the signal should be placed in the spring/summer of 2012. Mr. Adams noted that the City is working with potential tenants for the Center, but some are still considering and may be waiting until the traffic signal is placed.

18:57:13 Chairman Rechtenbach confirmed that further details will be brought back next week in the RDA Board Meeting.

**3. Discussion Regarding Proposed Taylorsville Ordinance 12-02 – Restating the Compensation Offered to Elective, Statutory and Appointive Officers and Compensation Schedule for Employees of the City of Taylorsville – *John Brems***

18:58:34 City Attorney John Brems gave background information on the City's compensation ordinances. He explained that at some point there was a tab added to the budget that identified specific employees/salaries and this was then adopted as part of the budget. He clarified that the proposed new ordinance basically take out that tab to be replaced with a new tab which provides salary ranges and pay grades without specific employee information. It was noted that this change will make the scope a little broader so that Administration has some flexibility to move employees around and manage salaries. Mr. Brems suggested that the proposed ordinance will eliminate the need for a budget amendment every time an employee's job description is changed. He said it will also clean up old conflicting ordinances that establish salary schedules, etc.

19:01:36 Council Member Johnson observed that in the past there were specific job titles identified with pay grade ranges and said he would like that to continue to be a part of the budget. John Brems clarified that the specific job titles would not be listed as part of the budget document, but the Council is privy to compensation of every employee of the City. Mayor Wall added that the information regarding specific job titles and pay grades is always available to the

Council. He recommended that it not be adopted by ordinance, so that the Council is not in a position to decide who gets what pay.

19:03:12 City Administrator John Inch Morgan commented that the Council will have the supplemental information regarding job titles and pay ranges provided along with the budget; the only difference is that Administration is suggesting that this information will not be an official part of the budget ordinance itself. Mr. Morgan stated that this will ensure that every time a job description changes the Administration will not need to come to the council for an ordinance amendment. He observed that job description changes are an Administrative function and shouldn't be determined by an ordinance of the Council.

Council Member Johnson disagreed that the specific job descriptions with pay grade ranges should not be a part of the budget ordinance.

19:04:55 Council Chairman Rechtenbach asked for specifics on how a job description change would affect a pay range that is assigned. Mr. Morgan explained that if an employee's job title and description changed from a grade 10 to an 11, based on added job duties, this would require an ordinance just to establish that change. He said this would preclude the Administration from doing its statutory responsibility in evaluating and assigning tasks.

19:07:34 Mr. Morgan clarified further using the Events Coordinator position as an example. He relayed that, rather than hiring a new Events Coordinator, Administration is looking at taking those duties and re-tasking them among two other employees based on talents and skills of the individual employees. He said that this may require the Events Coordinator position to go down a pay grade and another employee's pay grade to increase, as a result of the additional duties assigned; or even cause a new position not listed to be created.

19:09:15 Council Member Barbour referenced David Church's comments that when a City is in the budget process the Council budgets for departments. She said that salaries fall into those department budget allotments and how those salaries are managed is up to those departments and Administration, as long as departments stay within the budget allotments.

19:10:00 Council Member Johnson reviewed further examples of why he would like job titles listed with pay ranges and his concerns with pay grades and ranges being left open-ended.

19:11:14 City Attorney John Brems articulated the concept behind re-tasking a current job title with additional duties, which may or may not raise or decrease an employees pay grade.

19:15:39 Mayor Russ Wall stated that the reason Administration is asking for this ordinance to be passed is because of a problem the City has had for the past two years. He explained that there was previously a clerical error that allowed a salary increase over the employees' cap;

when Administration tried to fix the problem relating to two employees who were previously misclassified the Council refused to allow that. He said the Administration's position is that the Council has the authority to set budget amounts, but not to determine the individual salaries in a department. The Mayor quoted David Church regarding the roles and responsibilities of the separate branches of government. He indicated that Administration is trying to avoid an issue like the one experienced over the last two years where employees have suffered while elected officials argue over the issue. The Mayor relayed that everything is transparent, but the Administration is asking for the flexibility to make job classifications and pay grade changes within budget allocations.

Council Chairman Rechtenbach asked about adopting this ordinance with the proposed changes and then having, as part of the budget documents, a list of pay grades with associated job titles for review. John Inch Morgan responded that this information would, of course, be submitted with the budget documents, but will not be included as part of the ordinance for adoption of the budget. He indicated that Administrations plans to submit the information as part of the supplementary documentation and schedules during the budget review process and discussion.

19:18:27 Council Member Johnson suggested that the issue two years ago could have been handled differently if the Administration had come to the Council with the changes at the time, instead of just making changes on their own. Mayor Wall detailed safeguards that were not in place at the time, but are in place now so that similar errors will not be made in the future.

19:22:09 Council Member Ernest Burgess asked about the safeguards that are currently in place. Mayor Wall gave a detailed explanation of the process.

19:26:21 Council Chairman Rechtenbach agreed that Administration should have ability to administer salaries within budget allotments, but said he would like to see supplemental information included in the budget discussion that shows job titles with assigned pay grades and any changes that have been made throughout the budget year.

19:27:49 Council Member Barbour concurred that seeing the job titles with pay grades would be appropriate as a supplemental document during budget discussions. She stated that she would not like to see the Council go through every position and set wages.

19:28:08 Council Member Johnson moved on to address salary planning in section fourteen, specifically in regard to monies that the Council approved back before Council Member Johnson was elected. He suggested that Council money approved for salaries seems in excess of what should be spent in tough economic times. He said this is why he feels like the Council should be involved in setting these salaries. Council Member Johnson cited salary amounts and salary increases for both the Mayor and the City Administrator job positions.

19:30:59 Mayor Russ Wall disagreed with the percentages cited and observed that a public Council Meeting is not the appropriate setting to have a specific salary discussion. Mayor Wall further stated his agreement with Council Member Johnson's statements regarding not being present when these salary decisions were made. He confirmed that neither the City Administrator nor the Mayor can take a raise that is not approved by the Council.

19:31:52 City Administrator John Inch Morgan clarified that elected officials' salaries are totally under the control of the City Council. He relayed that Administration must do a public hearing and the ordinance explicitly describes the procedure for setting pay for elected officials. Mr. Morgan noted that at the same time the Mayor and City Administrator received increases, City Council members also received increases based on market comparative studies performed at the request of the Council. Mr. Morgan gave further information regarding when the recession actually hit, which was after the referenced salaries were raised.

19:33:26 Mayor Wall also clarified that the Mayor's salary is not a part of the ordinance that the Administration is currently bringing forward.

19:33:57 Council Chairman Rechtenbach asked Council Member Johnson to clarify his suggestion with regards to the current ordinance under review. He questioned whether Mr. Johnson's suggestion is for the Council to review each individual raise that occurs. Council Member Johnson observed that when there is a department with a certain allotted budget amount, there are probably a lot of people who deserve a raise rather than one person receiving one large raise. He said the Council should be involved in which employees get which salary increase so that the distribution of budgeted funds is fair. Further discussion detailing these potential circumstances ensued.

19:42:12 Council Member Kristie Overson cited her confusion when looking at ordinances from years past. Council Member Overson said she agrees with this ordinance as the appropriate measure to clean up past issues and move forward. She pointed out that the Council has access at any time to any employee's salary or any other information that might be needed. Council Member Overson stated that she feels that it is not appropriate for this specific information to be included in any ordinance because it is ever-changing. She suggested that Administration needs the flexibility to change a job description or to re-task duties without coming to the Council every time that needs to happen. Council Member Overson suggested leaving the ordinance as is, using Chairman Rechtenbach's suggestion of including salaries and job titles as a supplemental document for discussion.

19:45:09 Chairman Rechtenbach suggested that language be modified in the ordinance to include the supplemental information for discussion purposes only and not as part of the official budget ordinance.

19:46:22 Council Member Johnson clarified that he is aware he was not on the Council at the time the salaries referenced were increased. Council Member Johnson said he understands that they were given under the budget amounts allocated by that Council, but he would like there to be more consideration in the future as to where that money is given.

19:47:14 Further discussion ensued regarding past salary increases and the history of those decisions by the Council and Administration.

19:48:57 Council Chairman Rechtenbach directed Administration to place this ordinance on the January 18, 2012 Council Meeting for action, with the language modified to include the supplemental information as previously discussed.

19:50:56 City Attorney John Brems explained to Council Member Burgess the difference between adopting the budget by ordinance or by resolution and how the budget is modified once it is adopted by ordinance. Chairman Rechtenbach added further explanation to the process of adoption and reviewed the history behind the decision to adopt the budget by ordinance.

19:51:41 Council Member Johnson asked about the language in the ordinance regarding retroactive salaries.

19:52:07 Mayor Russ Wall clarified that the Administration will be asking for a mid-year budget adjustment to restore the salaries of three individuals back to January 1, 2012. Council Member Johnson asked whether Administration still plans to adjust the salaries back even though the Employee Appeal Board found in favor of the Council regarding the salary cuts. Mayor Wall affirmed that Administration will be asking the Council to reinstate the salaries in question retroactive to January 1, 2012, and the Council can choose whether or not to approve the proposal. The Mayor acknowledged that the Appeal Board found that the Council had every right to go in and cut people's salaries, but said this goes back to the question of whether it is right for the Council to do so just because it can be done legally. He said that Administration maintains that the Council should not cut salaries and Administration should be allowed to administer salaries as it sees fit within the allotted budget. He cited the changing makeup of City Councils and differing philosophies. Mayor Wall observed that it is within his right as Mayor to ask the Council to reconsider something with the possibility of change.

Council Members and Administration discussed in further detail the decisions made by the Employee Appeal Board. The process that is in place for appealing decisions made by the Employee Appeal Board was referenced.

19:56:23 Council Member Johnson expressed his concern regarding constituents who are facing hard economic times and cited the responsibility of the City to be as responsible as possible with City funds.

19:57:16 Council Chairman Rechtenbach summarized the Council's direction with respect to Ordinance 12-02 in that the ordinance is to be placed for action on the next regular Council Meeting Agenda on January 18, 2012.

Council Chairman Rechtenbach took a personal privilege and observed that there are many times when things are seen at the federal level that are not believed to be right, even though they can be done legally. He cited differing perspectives. He observed that in the case of Taylorsville, the Employee Appeal Board probably ruled correctly in that the Council had the legal ability to do what was done; however, the question is whether the action was correct. Council Chairman Rechtenbach reminded the Council that he is on record more than once stating his opinion that the wrong people were punished by the Council's decision. He observed that, at this point, the Council has an opportunity to reconsider the issue and correct any mistakes that were made.

**4. Preliminary Mid-Year Budget Process and Budget Calendar Discussion**  
**– John Inch Morgan**

19:59:46 City Administrator John Inch Morgan presented the budget calendar and described the Mid-Year Budget process.

20:00:00 Mr. Morgan stated that Administration anticipates presenting the Mid-Year Budget recommendation to the Council on February 1, 2012. He expressed a desire to schedule discussion of the mid-year budget adjustments for the February 8, 2012 Work Session and then tentatively schedule adoption of budget amendments for February 15, 2012, following a public hearing. Mr. Morgan clarified that, for the most part, the mid-year budget is merely a reconciliation of things that have either already taken place or things that are anticipated to take place that were not known at the time the original budget was adopted. He explained that amendments may address resolutions that have already been adopted to accept grant monies.

20:01:12 Chief Financial Officer Scott Harrington presented a PowerPoint describing the proposed budget format, including the eight different funds and their designations. Mr. Harrington reviewed the tab color schemes and column descriptions and clarified what Administration will be asking of the Council as mid-year budget recommendations are made.

Discussion ensued regarding the mid-year budget process in general and background information was given on the new budget document format.

**5. Discussion on Street Beautification Wall on 2700 West 5000 South – Mayor Wall**

20:19:50 Mayor Russ Wall outlined history regarding Rocky Mountain Power's allocation of \$200,000 towards replacement of the chain link fence with slats on 2700 West 5000 South. He explained that these funds are contingent on the City matching costs. He cited a total not-to-

exceed amount of \$400,000 for the project. Mayor Wall outlined other projects the City has been involved in with Rocky Mountain Power and discussed what can most likely be anticipated on this fence project.

Council Member Johnson asked about the type of wall that would be purchased for \$400,000 and how far the wall would potentially reach. Mayor Wall responded that the wall will go the length north and south of the existing project. Mayor Wall added that this is a project that wasn't on the top of the list of things to be done, but since Rocky Mountain Power has offered to match funds, the City has an opportunity to get this project done at half price through utilization of money that was received from Rocky Mountain Power in the first place.

Council Member Johnson commented on the existing fence and expressed concern over the condition of the slats. He suggested that replacing the existing slats would fix the problem rather than having the City pay to put in a wall. Mayor Wall explained that Rocky Mountain Power is not willing to put money towards new slats, but would like to put money towards a wall. Mayor Wall cited concern over the condition of the slats. He said that the new wall would be a positive reflection on the City, especially considering the large investment that has already occurred on the 5400 South east/west walls to make the City more attractive to businesses and residents. He suggested that, as 2700 West is a main artery in the City, it is appropriate to spend the money.

8:24:33 Council Member Johnson expressed additional concern over the fact that the wall would not cover the whole area. Mayor Wall clarified that there is no ordinance that requires Rocky Mountain Power to make their fence more appealing. He explained that, as a result of the City asking them continually about the fence, Rocky Mountain Power decided they would match the City on the cost of the wall, but only for the length of the existing project and only for 50% of the cost.

8:25:33 Council Chairman Jerry Rechtenbach clarified that placing a wall in this location has not been on any capital project list and that the discussion is prompted purely because of Rocky Mountain's offer to match costs. He said the City does not have any preliminary planning or projected plans to beautify 2700 West in the near future and voiced concern over putting \$200,000 toward something that isn't currently near the top of the list of capital projects.

8:27:17 Council Member Barbour stated that the look of the City is of top priority and feeds into everything that the City is trying to accomplish. She suggested that if there is a property owner who is willing to invest \$200,000, this should be something the Council thinks about seriously because currently the area looks terrible and needs to be improved. Council Member Barbour said she is not a fan of slats in fences.

8:30:01 Chairman Rechtenbach stated his agreement with Council Member Barbour, but questioned whether a \$400,000 segment of wall is the best use of the funds. He said he would

like to see alternative proposals to make the area look a lot better for less money. He suggested that the remaining money be used on projects that are already in the scope.

8:30:10 Council Member Johnson observed that running the wall only partway could look even worse if there are still beat-up slats on the south side.

8:32:11 Council Member Kristie Overson stated that even though this isn't a project currently on the radar, it is still essentially an opportunity to take advantage of a business that is willing to go half on a project that would ultimately beautify the City. She inquired whether it is possible to ask them to enhance the fence where the wall wouldn't cover. Mayor Wall responded that Rocky Mountain Power has landscaped the area nicely, but when asked about replacing the slats they have responded that the cost is not in their budget. He explained that Rocky Mountain Power took this project to their board as a plan to match the beautification walls that are in Taylorsville. He indicated that the \$200,000 matching amount is the proposal that came back based on what was feasible in Rocky Mountain Power's budget.

8:36:29 Discussion continued regarding the possibility of other options, including costs associated in building a 10-foot wall and the issues involved in renegotiating with Rocky Mountain Power. Mayor Wall stated that the proposal before the Council is as it stands, since Rocky Mountain Power has already decided what they are willing to do for this project and the amounts involved are already in Rocky Mountain Power's budget.

20:40:45 Chairman Rechtenbach suggested that, rather than make a decision during the Work Session, the issue should be placed for action as a resolution to give the Council time to further consider the proposed wall.

**6. Discussion Regarding Chapter 37 (Design Standards) of the Proposed *Land Development Code* – Mark McGrath**

20:41:48 Council Member Overson recused herself from the discussion on Chapter 37, due to the fact that her husband was involved in the commercial design standards, as well as being a real estate broker, developer and consultant. Upon questioning, she affirmed her belief that it is appropriate for her to abstain from discussion regarding this chapter.

Community Development Director Mark McGrath called for discussion on Chapter 37 (Design Standards) of the proposed *Land Development Code*. Mr. McGrath detailed a PowerPoint presentation regarding the proposed design standards. Council Members discussed various changes necessary. Input was received from developer Brent Overson on specific design standards.

21:20:40 Council Chairman Jerry Rechtenbach expressed concern over CMU's and cited the need for flexibility rather than a flat-out refusal. Mr. McGrath clarified that the intent is not to outlaw CMU's as a construction method, as long as it is used with something else. Mr. McGrath also agreed to bring back to the Council a proposal on different phrasing with regards to CMU's in this chapter of the code.

21:28:16 Discussion continued on basic design standard questions regarding materials, including color and scope of materials, along with questions relating to specific examples that were used in the PowerPoint presentation. Clarification was given on language used in the code.

21:42:51 Council Member Dama Barbour commended Mark McGrath and the Community Development Staff, as well as the Planning Commission, for the work that has been done on the Development Code. Chairman Rechtenbach added his thanks for the efforts throughout this process. Mr. McGrath noted that the project is not quite finished because, although this is the last chapter of the Development Code, the zoning map will still be brought back to the Council for review; following which there will be a final public comment time and then the proposed Land Development Code will be brought back to the Council as an ordinance for adoption.

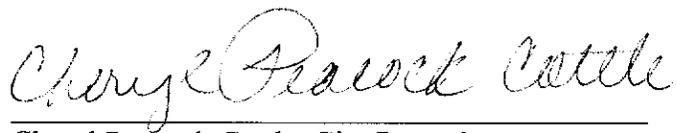
## 7. Other Matters

21:45:25 City Administrator John Inch Morgan referred to the Mayor's Cabinet Meeting and an issue that was brought up regarding Council representation needed for the Sanitation Board. Chairman Rechtenbach noted that Council committee assignments will be on the agenda for the next Council meeting.

21:46:42 Mayor Russ Wall informed the Council of an issue that has come up recently regarding euthanasia of animals at the West Valley Animal Shelter. Mayor Wall relayed that he has spoken to the media, as well as the Mayor and City Manager of West Valley City. He advised the Council that this could be an issue brought forward in the near future. Mayor Wall stated that he will give an update at the next Council Meeting on this matter.

## 8. Adjournment

21:49:27 Council Member Dama Barbour **MOVED** to adjourn the City Council Work Session. 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: Rechtenbach-yes, Barbour-yes, Burgess-yes, Overson-yes, and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:49 p.m.

A handwritten signature in cursive script that reads "Cheryl Peacock Cottle". The signature is written in black ink and is positioned above a horizontal line.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 02-15-12

*Minutes Prepared by: Jessica Springer, Deputy Recorder, and Cheryl Peacock Cottle, City Recorder*