

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

**Wednesday, January 20, 2016**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84129**

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**5:30 P.M.**

**REGULAR MEETING**

**Attendance:**

Mayor Lawrence Johnson

**Council Members:**

Council Chairman Ernest Burgess  
Council Member Kristie Overson  
Council Member Daniel Armstrong  
Council Member Dama Barbour

**City Staff:**

John Taylor, City Administrator  
Tracy Cowdell, City Attorney  
Mark McGrath, Community Development Director  
Tracy Wyant, UPD Precinct Chief  
Cheryl Peacock Cottle, City Recorder  
Scott Harrington, Chief Financial Officer  
Wayne Harper, Economic Development Director  
Jay Ziolkowski, UFA Battalion Chief  
Kristy Heineman, Council Coordinator  
Tiffany Janzen, Public Information Officer  
Ben Gustafson, Emergency Response Coordinator  
Kirsten Heins, City Engineer

**Excused:** Council Member Brad Christopherson

**Others:** Dan Fazzini, John Gidney, Officer Cody Miskin, Officer Kyle Andrew, Beau Hunter, Brett Miller, Katie Miller, Laine Miller, Jim Wilkinson, Brian Atkinson, Jim Horrocks, John Montoya

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

[5:32:02 PM](#) Chairman Ernest Burgess called the meeting to order at 5:32 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call wherein all Council Members were present, except Council Member Christopherson who was excused.

Council Member Kristie Overson **MOVED** to convene a Closed Session to discuss pending or reasonably imminent litigation at 5:33 p.m. Council Member Dama Barbour **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Armstrong-yes, Overson-yes, Christopherson-excused, Burgess-yes, and Barbour-yes. **All members of the City Council present voted and the motion carried by a unanimous vote.**

The meeting was closed at 5:33 p.m. to discuss pending or imminent litigation, wherein no other matters were discussed. Minutes for the Closed Session were taken and are now on file as a Protected Record.

The open meeting resumed at 5:47 p.m.

### **1.1 Opening Ceremonies – Pledge/Reverence – *Council Chair Burgess* (Opening Ceremonies for February 3, 2016 to be arranged by Vice-Chair Christopherson)**

[5:47:57 PM](#) Council Member Dama Barbour directed the Pledge of Allegiance.

[5:49:08 PM](#) Council Chairman Ernest Burgess offered the Reverence.

### **1.2 Mayor's Report**

[5:49:22 PM](#) Mayor Lawrence Johnson paid tribute to Police Officer Douglas Barney, who recently lost his life in the line of duty. It was noted the Officer Barney served in Taylorsville for many years. The Mayor referred to Officer Barney as a true hero and called for a moment of silence in his honor. A moment of silence in Officer Barney's memory took place.

### **1.3 Citizen Comments**

[5:50:55 PM](#) Chairman Ernest Burgess reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

[5:50:59 PM](#) There were no citizen comments, and Chairman Burgess closed the citizen comment period.

## 2. APPOINTMENTS

There were no appointments.

## 3. REPORTS

### 3.1 UPD Awards – *Precinct Chief Tracy Wyant*

Unified Police Department Precinct Chief Tracy Wyant presented the following UPD Awards:

***November 2015 Officer of the Month*** – Officer Cody Miskin. Chief Wyant described the proactive efforts of Officer Miskin while handling calls on the graveyard shift. It was relayed that his searches for career criminals have resulted in the discovery of several crimes in progress. Eight proactive cases initiated by Officer Miskin were cited, resulting in multiple arrests of fugitives for felony offenses and the seizure of narcotics. Officer Miskin was commended for his initiative and tenacity and for being a great asset in protecting the Taylorsville community. It was noted that the nomination of Officer Miskin for this award came from Sergeant Brett Miller.

***December 2015 Officer of the Month*** – Officer Kyle Andrew. Chief Wyant reported that Officer Andrew responded to a house fire in December with his department-issued fire extinguisher and the fire was extinguished through his quick actions. It was noted that Officer Andrew's efforts prevented the fire from spreading throughout the residence or to surrounding homes. The Chief relayed that Officer Andrew also followed up on a narcotics dealing tip at a motel which resulted in the arrest of an individual with multiple warrants. Chief Wyant stated that Officer Andrew's professionalism makes Taylorsville a safer community. It was noted that both of the officers recognized are assigned to Patrol and have done very proactive work.

[5:55:57 PM](#) Chief Wyant presented the **Precinct Chief's Award for December 2015** to a young person with ties to the law enforcement community. Laine Miller was recognized, along with her parents UPD Sgt. Brett Miler and Katie Miller. Chief Wyant relayed that Ms. Miller participated in "Sub for Santa" efforts for needy families. She spent significant time and resources on her own accord to provide Christmas for a single father and two teenage children who were living in a hotel room. It was reported that Ms. Miller gathered significant donations from businesses and individuals for this family. The Chief commended Laine for her selflessness and thoughtfulness during the holiday season and for providing Christmas to a family in need.

[5:58:51 PM](#) Council Member Dama Barbour congratulated Laine and her parents on a job well done. She thanked the other officers for all they do and the risks they take.

[5:59:50 PM](#) Council Member Kristie Overson stated her appreciation for all Taylorsville Officers do to protect citizens.

[6:00:30 PM](#) Chief Wyant cited the sad events of the last week with the loss of Officer Barney. He thanked the City for its support of the Barney Family and the law enforcement community in general.

### **3.2 5400 South and Bangerter Interchange – *John Taylor***

[6:01:14 PM](#) City Administrator John Taylor thanked those in attendance for allowing flexibility in tonight's meeting in order to allow attendance at the candlelight vigil being held later this evening in honor of fallen Officer Doug Barney. Mr. Taylor indicated that written reports have been provided to the Council and questions will be addressed. He introduced representatives from UDOT and asked them to entertain any questions.

[6:02:10 PM](#) Beau Hunter, UDOT Public Involvement Representative, introduced UDOT Project Manager John Montoya, Design Lead Brian Atkinson with Horrocks, and Consultant Project Manager Jim Horrocks. Mr. Hunter said his role is to involve the City stakeholders, businesses, and residents in the project study.

[6:02:13 PM](#) Mr. Hunter gave an overview of a potential project to develop a freeway-like interchange at four locations, including 5400 South and Bangerter Highway in Taylorsville. He indicated that the interchanges would be similar to the existing configuration at 7800 South. He explained that the project is in the study phase now and construction should start in spring of 2017. He illustrated the study area and said the study will contemplate a thru-turn. He noted that the area is pretty tight. He relayed that more information will be available in six to eight weeks and UDOT representatives would like to come back at that time to receive input from the City.

[6:03:53 PM](#) Mr. Hunter listed issues to be addressed in the project study, as follows:

- Jordan Valley Aqueduct
- Southridge Park
- Thru-Turn Intersection
- Access to Businesses
- Visibility Impacts
- Pedestrian Safety
- Utilities
- Property Acquisition

Mr. Hunter described coordination efforts and public outreach. He asked that City officials feel free to email him with questions. He cited a desire to engage residents and businesses in the study. He called for any questions.

[6:04:46 PM](#) Council Member Dama Barbour asked if the Council can expect regular reports on the project. Mr. Hunter acknowledged that City Engineer Kirsten Heins will attend bi-weekly study team meetings and UDOT will report back. Council Member Barbour noted that Taylorsville has been greatly impacted by previous UDOT projects and said that should be kept in mind. She questioned whether there will be land acquisitions. Mr. Hunter affirmed that land will be acquired at all four locations, but it is too early to say where. He indicated that effort is being made to evaluate the best plan with the smallest impact. He reiterated that more information will be known in six to eight weeks.

[6:07:00 PM](#) Council Member Barbour inquired whether impacted residents have been contacted yet. It was indicated that all those with potential impact have received a mailer of information and West Lake Veterinary Clinic and Arctic Circle have received personal contact. Mr. Hunter stated that UDOT will work closely with the City to contact everyone and make them aware once more is known.

[6:07:53 PM](#) Mr. Taylor explained that the mailer the Council received last week is the same as that mailed to residents. Mr. Hunter confirmed that the thru-turn will be studied, but the outcome is unknown. He stated that traffic will be evaluated.

[6:08:41 PM](#) Council Member Dan Armstrong questioned how this project might overlap with work being done on I-215 and whether both areas will be tied up at the same time. Mr. Taylor said there may be a small window of overlap, but I-215 work will be started on the north end.

[6:09:45 PM](#) Mr. Hunter agreed to find out more about the time frame for both projects. Mr. Taylor observed that traffic flow will have to be managed day-to-day.

[6:10:37 PM](#) Council Member Overson asked whether all four intersections will be worked on simultaneously. Mr. Hunter said there will be some overlap, but more definite information will be known later this year. He confirmed that funding is in place (\$207 million) for all four allocations. Council Member Overson asked whether Taylorsville's interchange can go first.

[6:12:27 PM](#) Discussion was held regarding elements of implementing a design-build project. It was noted that timing is a difficult issue, as constraints are built in. It was acknowledged that UDOT does not have all the answers tonight, but will be back later in the year to report. Mr. Taylor suggested that the Council should advise of any concerns now.

[6:14:26 PM](#) Council Member Dan Armstrong cited the UDOT Project on 5400 South, west of Bangerter and the affect it has had on area businesses. Mr. Montoya acknowledged that UDOT is sensitive to the emotional strain projects place on those impacted. He said there are lots of policies and mechanisms in place to assist businesses and residents.

[6:16:28 PM](#) Council Member Armstrong commented on negative issues and the impact of the project. He said considerations must be given. Mr. Hunter encouraged any concerned parties to contact UDOT. He referenced cards containing contact information that have been left for interested parties.

#### 4. CONSENT AGENDA

##### 4.1 Minutes – 01-06-16 City Council Meeting

[6:18:00 PM](#) Council Member Dama Barbour **MOVED** to adopt the Consent Agenda. Council Member Dan Armstrong **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Burgess-yes, Armstrong-yes, Overson-yes, Christopherson-excused, and Barbour-yes. **All City Council members present voted in favor and the motion passed unanimously.**

#### 5. PLANNING MATTERS

##### 5.1 ***Public Hearing*** – To Receive Public Comment Regarding Text Amendment to Sections 2.20.060; 3.16.010; 13.020.200; 13.03.010; 13.03.020; 13.03.040; 13.04.110; 13.11.070; 13.15.050; 13.34.010; 13.36.150 and 18.08.060 of the Taylorsville City Code Related to the Board of Adjustment/Hearing Officer

[6:19:10 PM](#) Community Development Director Mark McGrath described the proposed text amendment to City code that would change the existing Board of Adjustment (BOA) to an appointed Hearing Officer. He explained that the BOA is set up to hear variance requests from the strict regulations of the City Development Code. He noted that when the State of Utah passed enabling legislation that allowed cities to have land use regulation, stipulation was also given that a BOA must be organized to hear appeal requests. He noted that this was done back in 1996. Mr. McGrath explained that several years ago the legislation was updated in regard to Boards of Adjustments. He cited problems that Boards of Adjustments created for a lot of cities over the years. He explained that State Code now allows for either a BOA or an appointed Hearing Officer to take its place. He relayed that this gives the City discretion to replace the BOA with a professional attorney to make legal land-use decisions.

[6:21:22 PM](#) Mr. McGrath reported that a number of cities have determined to replace Boards of Adjustment with Hearing Officers and the Taylorsville Planning Commission and staff have

decided that this is a wise direction for Taylorsville to go, as well. He observed that it is difficult to keep the BOA fully staffed and trained. He noted that the City's last variance request was in 2010. He stated that the Planning Commission gave unanimous recommendation that the City Council make the change to disband the BOA and replace it with an appointed Hearing Officer, who in all likelihood will be the current Administrative Law Judge.

[6:23:22 PM](#) Council Member Dama Barbour asked about current BOA members and their backgrounds. Mr. McGrath indicated that one member is a professional attorney, but he does not know the background of other members without research.

[6:24:21 PM](#) Council Member Dan Armstrong inquired about the expense of hiring a hearing officer. Mr. McGrath relayed that BOA members are paid \$40 per hour. Finance Director Scott Hearing reported that the Hearing Officer is paid about \$125 per hour.

City Attorney Tracy Cowdell estimated that each case would require about two hours in time, with an approximate cost of \$200 to \$250 per case. He confirmed that the Hearing Officer would only be paid by the case and would not be paid unless there is a matter to consider. He briefly described the process for each case and reiterated that the appointed Hearing Officer would likely be the existing Administrative Law Judge used by the City.

[6:27:12 PM](#) Council Member Dama Barbour agreed that members of the BOA should be qualified, but said she is concerned about moving from a five-member board to one individual officer.

[6:28:11 PM](#) Chair Burgess opened the public hearing on this matter and called for citizen comments.

[6:28:20 PM](#) There were no citizen comments and Chair Burgess declared the public hearing closed.

**5.1.1 Ordinance No. 16-01 – Text Amendment to Sections 2.20.060; 3.16.010; 13.020.200; 13.03.010; 13.03.020; 13.03.040; 13.04.110; 13.11.070; 13.15.050; 13.34.010; 13.36.150 and 18.08.060 of the Taylorsville City Code Related to the Board of Adjustment/Hearing Officer – Mark McGrath**

Council Member Kristie Overson asked whether having a Hearing Officer would require any additional staff time. Mr. McGrath stated that less staff time would be involved because training of BOA members would no longer be needed. He confirmed that hearings are not a frequent occurrence at all. He acknowledged that fees are articulated in the code. Council Member Kristie Overson said that, as hearings are so infrequent, there is no hurry to decide and she is in

favor of tabling this matter. She noted that Council Member Christopherson may want to weigh in on this proposed amendment when he is present.

[6:30:37 PM](#) Council Member Kristie Overson **MOVED** to table Ordinance No. 16-01 - Text Amendment to Sections 2.20.060; 3.16.010; 13.020.200; 13.03.010; 13.03.020; 13.03.040; 13.04.110; 13.11.070; 13.15.050; 13.34.010; 13.36.150 and 18.08.060 of the Taylorsville City Code Related to the Board of Adjustment/Hearing Officer. Council Member Dan Armstrong **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Burgess-yes, Armstrong-yes, Overson-yes, Christopherson-excused, and Barbour-yes. **All City Council members present voted in favor and the motion passed unanimously.**

**5.2 Public Hearing – To Receive Public Comment Regarding a Zoning Map Amendment for Property Located at 4721 South 3600 West from Limited Commercial (LC) to R-1-6**

[6:31:15 PM](#) Community Development Director Mark McGrath described a request from Jim Wilkinson to rezone a property at 4721 South 3600 West from LC to R-1-6. He illustrated the subject property, explaining that this was historically an L-Shaped lot, but the house has been vacant for a number of years and is in a partial state of disrepair. He relayed that the boarded up home has had problems with break-ins and transients staying there. He observed that this is a good proposal to facilitate two homes and refurbish the existing home. Mr. McGrath showed the existing zoning map and general plan map. He referenced the plan for a proposed subdivision development. He stated that both the Planning Commission and staff recommend approval of the rezoning request.

[6:35:27 PM](#) Council Member Armstrong inquired about the size of the property and Mr. McGrath confirmed that it is 2/3 of an acre and would be three small homes with garages. He confirmed that the City will take care of maintenance along 3600 West and the private property will be handled by the owner. Council Member Armstrong asked whether a Homeowners Association will be implemented.

[6:36:18 PM](#) Mr. McGrath noted that the development will have to be built to City standards. He observed that this is a unique and difficult piece of property. He confirmed that there will be individual lots on the property.

[6:37:14 PM](#) Applicant Jim Wilkinson stated that he owns the adjoining property/business and owns right-of-way to the road. He confirmed that he will be plowing the streets.

[6:38:10 PM](#) Chair Burgess opened the public hearing on this matter and called for citizen comments.

[6:38:20 PM](#) There were no citizen comments and Chair Burgess declared the public hearing closed.

**5.2.1 Ordinance No. 16-02 – To Amend the City of Taylorsville Zoning Map from Limited Commercial (LC) to R-1-6 for Property Located at 4721 South 3600 West – *Mark McGrath***

[6:38:29 PM](#) Council Member Kristie Overson said she attended the Planning Commission discussion on this matter and feels the amendment is appropriate. She **MOVED** to adopt Ordinance No. 16-02 – To Amend the City of Taylorsville Zoning Map from Limited Commercial (LC) to R-1-6 for Property Located at 4721 South 3600 West. Council Member Dan Armstrong **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Burgess-yes, Armstrong-yes, Overson-yes, Christopherson-excused, and Barbour-yes. **All City Council members present voted in favor and the motion passed unanimously.**

**5.3 Public Hearing – To Receive Public Comment Regarding a Proposed Amendment to Chapter 13.26 Signage and Outdoor Advertising of the Taylorsville Land Development Code**

[6:39:35 PM](#) Community Development Director Mark McGrath explained that the proposed ordinance is to accommodate one final tweak to the sign code that was missed the first time through in regard to the standard for freeway oriented signs. He described the specific proposal, with an allowed maximum size of 950 square feet. He explained that a stipulation has also been included that no part of the sign may exceed 30 feet in width. He confirmed that electronic message centers on signs cannot be more than 40% of the total sign copy area of the sign or 350 square feet, whichever is less. Mr. McGrath indicated that approval of this code amendment has been recommended by both staff and the Planning Commission.

[6:41:53 PM](#) Chair Burgess opened the public hearing on this matter and called for citizen comments.

[6:41:59 PM](#) There were no citizen comments and Chair Burgess declared the public hearing closed.

**5.3.1 Ordinance No. 16-03 – To Amend Chapter 13 of the Taylorsville Land Development Code Related to Outdoor Advertising and Signage – *Mark McGrath***

[6:42:06 PM](#) Council Member Dan Armstrong **MOVED** to adopt Ordinance No. 16-03 – To Amend Chapter 13 of the Taylorsville Land Development Code Related to Outdoor Advertising

and Signage. Council Member Dama Barbour **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Burgess-yes, Armstrong-yes, Overson-yes, Christopherson-excused, and Barbour-yes. **All City Council members present voted in favor and the motion passed unanimously.**

## 6. FINANCIAL MATTERS

Council Member Dama Barbour relayed that she received November financials, but did not receive financials for September or October. Finance Director Scott Harrington explained that the financial statements are cumulative. Council Member Barbour said she would like to receive a copy of each individual monthly finance statement. Mr. Harrington agreed to provide those to the City Council when they are sent to the Budget Committee monthly.

## 7. OTHER MATTERS

### 7.1 Resolution No. 16-05 – A Resolution of the City of Taylorsville to Adopt the Salt Lake Multi-Jurisdictional Hazard Mitigation Plan – *Ben Gustafson*

[6:44:34 PM](#) Emergency Response Coordinator Ben Gustafson presented the subject resolution to adopt the Salt Lake Multi-Jurisdictional Hazard Mitigation Plan. He explained that this plan has been a combined effort to make sure all jurisdictions are on the same page in regard to emergency mitigation. He noted that the plan covers the next five years and then will be revised. He confirmed that it requires no additional funds, but will simply guide the City in hazard mitigation.

[6:45:59 PM](#) Council Member Dan Armstrong described time he spent stranded in St. Louis during the holidays due to weather and freeway closures. He said he was amazed at how unprepared the area was for an emergency situation. He observed that it is important to plan for the worst and hope for the best.

[6:46:54 PM](#) Council Member Kristie Overson commented on how comprehensive the plan is and cited the tremendous amount of time and effort that went into the document. Mr. Gustafson noted that, even as the plan was written, other areas were discovered that will now be undertaken. He cited coordination with the Public Safety Committee on a Radon Awareness Program.

[6:48:34 PM](#) Council Member Kristie Overson **MOVED** to adopt Resolution No. 16-05 – To Adopt the Salt Lake Multi-Jurisdictional Hazard Mitigation Plan. Council Member Dama Barbour **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Burgess-yes,

Armstrong-yes, Overson-yes, Christopherson-excused, and Barbour-yes. **All City Council members present voted in favor and the motion passed unanimously.**

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

There were no new items for subsequent consideration.

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

[6:49:21 PM](#)

- 9.1 Mayor's Town Hall Meeting – Wednesday, January 27, 2016  
– 6:00 p.m. to 7:00 p.m.
- 9.2 City Council Social Media/Briefing Session – Wednesday, February 3, 2016  
– 5:30 p.m.
- 9.3 City Council Meeting – Wednesday, February 3, 2016 – 6:30 p.m.
- 9.4 Planning Commission Meeting – Tuesday, February 9, 2016 – 7:00 p.m.
- 9.5 City Council Social Media/Briefing Session – Wednesday, February 17, 2016  
- 5:30 p.m.
- 9.6 City Council Meeting – Wednesday, February 17, 2016 – 6:30 p.m.

**10. CALENDAR OF UPCOMING EVENTS**

- 10.1 Arts Council Presents: Symphonic Valentine – Friday, February 26, 2016 at  
Bennion Jr. High School

**11. CLOSED SESSION (*City Council Conference Room*)**

*- For the Purpose(s) Described in Statute U.C.A. 52-4-205*

A Closed Meeting was held previously at 5:33 p.m. for the purpose listed below, wherein no other matters were discussed.

**Pending or Imminent Litigation**

Those in attendance at the Closed Session were: Mayor Larry Johnson, Council Members Barbour, Burgess, Armstrong, and Overson; City Attorney Tracy Cowdell; City Administrator John Taylor; and City Recorder Cheryl Peacock Cottle.

Minutes for the Closed Session were taken and are now on file as a Protected Record.

## 12. ADJOURNMENT

[6:50:16 PM](#) Council Member Dan Armstrong **MOVED** to adjourn the City Council Meeting. Council Member Dama Barbour **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Armstrong-yes, Overson-yes, Christopherson-excused, Burgess-yes, and Barbour-yes. **All City Council members present voted in favor and the motion passed unanimously.** The meeting was adjourned at 6:50 p.m.

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Cheryl Peacock Cottle, City Recorder

Minutes approved: 02-03-16

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