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City of Taylorsville
Special City Council Meeting
Minutes

Wednesday, May 31, 2017
Council Chambers
2600 West Taylorsville Blvd.
Taylorsville, Utah 84129

6:00 p.m. SPECIAL CITY COUNCIL MEETING

Attendance

Mayor:

Lawrence Johnson

Council Members:

Chairman Brad Christopherson
Vice-Chair Daniel Armstrong
Council Member Dama Barbour
Council Member Ernest Burgess
Council Member Kristie Overson

City Staff:

Cheryl Peacock Cottle, City Recorder
Kristy Heineman, Council Coordinator
Tiffany Janzen, Public Information Officer
John Taylor, City Administrator
Tracy Cowdell, City Attorney
Scott Harrington, Assistant City Manager
Mark McGrath, Community Development Director
Tracy Wyant, UPD Precinct Chief
Deven Higgins, Code Enforcement Officer
Jay Ziolkowski, UFA Assistant Chief
Michael Kwan, Judge

Others: Carl Favre, Meredith Harker, Lynette Wendel, John Gidney, Gordon Wolf, Dan Fazzini, Gordon Willardson, Jackie Willardson

6:01:49 PM Chairman Brad Christopherson called the Special City Council Meeting to order at 6:01 p.m. and welcomed those in attendance. Chair Christopherson then led the pledge of allegiance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

[6:02:46 PM](#) City Administrator John Taylor introduced Deven Higgins as the City's new Code Enforcement Officer. Mr. Higgins described his lengthy law enforcement background and stated that he is pleased to be working in Taylorsville. He clarified that he will be working on the north side of 5400 South and Code Enforcement Officer Jeff Gallegos will cover the south side.

[6:05:06 PM](#) Lynette Wendel asked the Council to consider installing a nice concrete wall on the east side of 3200 West between Ryan Drive and 6200 South.

1. CODE ENFORCEMENT DISCUSSION

[6:07:36 PM](#) Chairman Christopherson cited issues related to Air BNB, rental properties, etc. City Administrator John Taylor observed that rentals and absentee landlords present the biggest problems within residential neighborhoods. He referenced the need for continued code enforcement.

[6:09:09 PM](#) City Attorney Tracy Cowdell described a task force that was created internally to address issues with rentals in the City. He cited parking problems and absentee landlords that present difficulties. He suggested being more aggressive with parking violations and multi-generational families living in one household. He observed that the definition of family may need to be readdressed. He asked for direction on how aggressive policy makers would like administration to be in regard to code enforcement.

[6:17:29 PM](#) Council Member Armstrong asked about data regarding how many people actually respond to a warning versus how many are not motivated until a ticket or more aggressive action is taken. Mr. Taylor said that a high percentage of individuals are responsive to a warning. Mr. Cowdell noted that those few who are uncooperative require a lot of staff time and energy.

[6:19:56 PM](#) Council Member Dama Barbour suggested that ordinances on the books should be enforced. Mr. Taylor said that the City does not have the manpower to address every ordinance violation.

[6:21:02 PM](#) Community Development Director Mark McGrath made clarifications for Council Member Barbour regarding zoning designations and the definition of families within residences.

[6:23:51 PM](#) Council Member Kristie Overson asked about a method to identify who is renting specific homes. Mr. Taylor said that tools are being developed to identify rental properties and require business licenses, but problems are largely identified by neighbors calling with complaints. Mr. McGrath confirmed that technically anyone renting out a room or a dwelling is required to have a business license in the City.

[6:26:36 PM](#) Mayor Johnson cited issues with the number of cars associated with multiple residents in one dwelling.

[6:27:07 PM](#) Mr. McGrath suggested treating rental properties as a business.

[6:28:29 PM](#) Council Member Ernest Burgess commented on issues related to rental properties and non-responsive landlords in his district, particularly around the Salt Lake Community College. He cited his frustration with ongoing problems.

[6:30:56 PM](#) Chair Christopherson cited Federal Fair Housing laws and a desire to mitigate deterioration, health and safety issues, criminal activity, etc. without trampling on anyone's rights. He called for property owners to reasonably maintain their property.

[6:33:44 PM](#) Mr. Cowdell addressed issues near the Salt Lake Community College and cited negotiations with a particular property owner who owns 12 residences. He referenced Salt Lake City and Provo's models for dealing with parking on streets. He suggested looking at the number of individuals allowed to live in homes based on square footage. He referenced treating rentals similarly to small businesses.

[6:36:32 PM](#) Mr. McGrath confirmed that the Heather Glen Neighborhood had a program for permit parking in the past.

[6:38:36 PM](#) Chair Christopherson noted that this is not a problem specific to Taylorsville, but is a global problem. Mr. Cowdell cited legislative trends to remove local legislative authority for rentals.

[6:40:25 PM](#) Mayor Johnson commented on the lengthy process to enforce certain ordinances. He cited the need to still protect property rights while enforcing ordinances.

[6:41:56 PM](#) Mr. Taylor noted that code enforcement is an emotional issue. He cited issues with blocked public rights-of-way that prevent access to snow plows and emergency vehicles.

[6:43:25 PM](#) Mayor Johnson stated that those who continually ignore code enforcement warnings should be pursued.

[6:43:56 PM](#) Council Member Barbour observed that this is a public safety issue and also affects property values and economic development. She suggested addressing the lack of resources through budget discussions.

[6:45:26 PM](#) Mr. Taylor called for the direction the Council would like to go. Chair Christopherson noted that the family is defined in State code and the City's code may not comply

with recent changes. He cited Federal Fair Housing Laws and civil rights that must be followed. He suggested meeting with the attorney's office, administration, law enforcement, planning, and a couple of Council Members to develop some ideas.

[6:48:17 PM](#) Chair Christopherson observed that if an ordinance is on the books, Administration's job is to enforce the ordinance.

[6:49:30 PM](#) Council Member Ernest Burgess said he does not want code enforcement put on the shelf, but would like impacts on both sides evaluated.

[6:50:19 PM](#) Chair Christopherson asked Council Coordinator Kris Heineman to schedule a meeting to begin code enforcement ideas.

2. BUDGET DISCUSSION

[6:51:03 PM](#) Chair Christopherson stated appreciation to Mayor Johnson for including funds for walls in the proposed city budget. Mayor Johnson explained that the reason for walls in District 5 is because it is near the City Center. Chair Christopherson noted that there have been no wall investments in District 4 since he has been on the Council.

[6:54:07 PM](#) Council Member Dama Barbour asked if there is money in the 6200 South budget that would cover a wall on the east side of 3200 West. City Administrator John Taylor gave clarification. Council Member Barbour requested that the east side wall along 3200 West be included in this year's budget using the 6200 South budget. She cited safety issues and the eyesore that exists there now. Mr. Taylor indicated he is not sure if there will be sufficient money remaining in the 6200 South fund, based on the current bid. He estimated the amount for the proposed wall to be about \$500,000.

[6:56:28 PM](#) Chief of Finance Scott Harrington gave clarification on funds for wall projects and gateway signs already in the proposed budget.

[6:58:39 PM](#) Additional discussion was held regarding potential wall projects, street lighting, additional law enforcement allocations, and budget priorities.

[7:03:03 PM](#) Mayor Johnson relayed that UPD Precinct Chief Tracy Wyant feels like it will work to wait six months to add another law enforcement officer at mid-term.

[7:04:58 PM](#) Mr. Taylor indicated that staff is working with Rocky Mountain Power who has agreed to bring back an estimate for an overall street light project.

[7:05:30 PM](#) Mayor Johnson reported that over 400 lights have been replaced and said he is pleased with safety improvements made. Mr. Taylor clarified that some street lights are being updated with LED lights.

[7:06:36 PM](#) Council Member Overson asked for clarification on the distance of the proposed wall along 3200 West. Mr. Taylor confirmed that the wall is being proposed from 6200 South to Ryan Drive. Council Member Overson agreed with the need for the fence and the plan to add another officer at mid-year. The possibility was mentioned of adding some funds for law enforcement overtime this summer. Chief Wyant confirmed that overtime opportunities can boost morale.

[7:09:22 PM](#) Mayor Johnson relayed comments from Chief Shane Hudson that Taylorsville is one of the smoothest-running precincts in UPD. He thanked Chief Wyant for his efforts and for doing a great job.

[7:10:18 PM](#) Mr. Taylor called for a commitment for an additional officer at mid-year and suggested starting the process to hire an additional officer later in the year to have someone hired by year-end.

[7:11:33 PM](#) Chief Wyant said his top preference is adding an additional officer in January, but if there are funds allocated for overtime, that can also be utilized.

[7:12:32 PM](#) Council Member Dama Barbour proposed adding \$40,000 to \$50,000 for overtime to help with summer law enforcement coverage.

[7:13:23 PM](#) Mr. Harrington gave explanation on funding obligations to Salt Lake County for the Performing Arts Center (PAC).

[7:16:39 PM](#) Budget Chair Lynn Handy relayed comments and recommendation from the Budget Committee. He recognized committee members. Mr. Handy cited the proposed 3% increase to employee wages (1% COLA and up to 2% for merit). He indicated that the Budget Committee recommends a 1% COLA and a 2.5% to 3% amount for merit increases. He noted that it is hard to find and keep good people. He recommended that the merit increases be given by Department Heads in July of the new 2017 fiscal year. He also recommended that a future study of employee compensation in other cities be completed. The committee has suggested adding another police officer at mid-year and agrees that fences on main roadways are important. Mr. Handy also cited gratitude for the current economic development being seen in the city and said it is important to continue funding those efforts.

[7:21:07 PM](#) Council Members relayed thanks to all Budget Committee Members. Mr. Handy thanked Council Member Dan Armstrong for serving as the committee advisor and also thanked Mr. Harrington for his efforts in working with the committee.

[7:21:36 PM](#) Chair Christopherson said he supports the recommendations of the Budget Committee for salary increases.

[7:22:19 PM](#) The Mayor stated that he supports a bonus program for those who go above and beyond in their jobs.

[7:22:41 PM](#) Council Member Kristie Overson confirmed Budget Committee recommendations and said she supports the merit increase, as it benefits the employee long-term.

[7:23:34 PM](#) Chair Christopherson and Council Member Barbour agreed with the importance of recognizing outstanding employees. Council Member Barbour said she is comfortable with a 1% COLA and up to a 2.5% merit increase, based on performance reviews. She said she would like to see those reviews done in a timely manner.

[7:25:36 PM](#) Mr. Taylor noted that increases will be retroactive to July 1 no matter when reviews are done.

[7:26:00 PM](#) Council Member Burgess confirmed that the 1% COLA goes to everyone and 2.5% merit increases are awarded as earned.

[7:26:53 PM](#) Council Member Overson suggested that elected officials be exempted from the merit increase and other Council Members concurred. It was confirmed that the 1% COLA will be awarded to everyone, including elected officials.

[7:29:57 PM](#) Mr. Handy commented on merit increases and described two different conceptions.

[7:31:30 PM](#) Chair Christopherson proposed that each department receive 2.5% of the salary budget for merit increases within departments.

[7:32:29 PM](#) Council Member Armstrong said he would like Administration to have some leeway to offer more and move funds within departments.

[7:33:59 PM](#) Mayor Johnson agreed with giving everyone 2.5% across the board. Council Member Barbour clarified that she wants the 2.5% to be a max for merit per employee, as earned. It was confirmed that any leftover amount would fall to the bottom line in the fund balance. Council Members concurred with this.

[7:37:36 PM](#) Mr. Handy asked if there are any plans to hire additional staff in the budget. Council Members concurred that there are no new employee allocations.

[7:39:34 PM](#) Judge Kwan asked for clarification on who will be making decisions for increases to court employees. Mr. Taylor gave clarification that, per the personnel policy, recommendations are made by department heads to the Mayor. The Judge noted that his workload has more than doubled, but he has not had a significant merit increase.

[7:43:00 PM](#) Chair Christopherson suggested having an outside entity perform a compensation study. Council Member Armstrong recommended doing the study in-house and utilizing the Budget Committee. He gave clarification on parameters to follow for the study.

[7:45:24 PM](#) Mr. Harrington relayed that the City subscribes to a service that provides this type of information. Mr. Taylor asked that Administration be allowed to put together the salary study information and present it to the Council for review and feedback.

[7:47:07 PM](#) Council Member Kristie Overson cited personnel policies and procedure guidelines.

[7:49:31 PM](#) Budget Committee Member John Gidney commented on a previous compensation study conducted by the Budget Committee. Mayor Johnson discussed the previous CBIZ study and suggested conducting the study in-house.

[7:52:17 PM](#) Chair Christopherson recommended leaving the wall projects that are currently in the budget and adding \$500,000 for the east side wall on 3200 West, by taking \$200,000 in underspend and \$300,000 from the general fund. He indicated that the general fund amount can be paid back if there are 6200 South funds leftover once everything else is done.

[7:55:56 PM](#) Council Member Burgess commented on the importance of the wall previously built in District 1 (Bowling Avenue) near the college and noted that it did not cost the City anything because it was funded by the State and the Salt Lake Community College.

[7:57:30 PM](#) Clarification was made on funds for the LARP Committee and the Harvest Festival. It was noted that if LARP Committee membership and participation cannot be increased, Council Member Armstrong will recommend cancelling the festival and not expending funds. Recruitment for the LARP Committee will be advertised through the Journal and social media.

[7:59:40 PM](#) Chair Christopherson clarified for the record that there is no tax increase included in the proposed 2017-2018 budget.

[7:59:56 PM](#) Clarification was given on projects that have crossed project years.

[8:01:57 PM](#) Mr. Harrington also gave clarification on budgets for community activities, miscellaneous community events, and the Earth Day event.

[8:05:57 PM](#) The road maintenance budget was discussed. Mr. Taylor indicated that it is good for now, but if oil prices go up then it may have to increase. The sidewalk program was also addressed and it was noted that projects are being spread evenly throughout the City. It was acknowledged that there is a lot of work needed in sidewalks and, if the Council wants to increase funds, more work can be done.

[8:08:01 PM](#) Clarification was given about the proposed project on Margray Drive.

[8:10:03 PM](#) Mr. Harrington confirmed that current funds awarded by the State do not have a shelf life and the City is not at risk of losing those monies.

[8:11:08 PM](#) Chair Christopherson asked about the development agreement with Summit Vista and Mr. Taylor indicated that it will hopefully be signed by June 19 or 20, 2017.

[8:12:08 PM](#) Council Member Overson asked about money set aside for a nice approach/entrance to City Center. Mr. Harrington confirmed that the funds are still there in Fund 40 and await decisions/final plans related to the Performing Arts Center (PAC).

[8:13:11 PM](#) The timeline for the PAC was addressed. Chair Christopherson asked about city participation on the Design Committee. Mayor Johnson indicated that he will be on that committee, along with Roger Kehl. Chair Christopherson asked that the third member appointed from the city be a member of the Council.

[8:15:58 PM](#) Council Member Barbour asked about plans for the garage at City Center. Mayor Johnson described potential plans for a garage and funds that are set aside. Council Member Barbour asked if the \$300,000 budgeted for the future garage could be moved to the PAC until plans are finalized. Chair Christopherson asked if the storage garage can be incorporated with the PAC.

[8:17:50 PM](#) Council Member Overson asked if the footprint could be paid for by the city and a storage facility included through the County design.

[8:18:50 PM](#) Discussion was held regarding the potential to increase the footprint for accessory storage for the City. Mr. Taylor suggested getting with the County quickly to pursue that idea.

[8:19:57 PM](#) Further discussion ensued and it was agreed to leave the \$300,000 for the garage as a placeholder for potential storage and pursue incorporating additional storage into the design with Salt Lake County.

[8:24:42 PM](#) Mayor Johnson commented on the importance of the fence project that was completed on 1300 West in order to protect students.

[8:25:59 PM](#) Mr. Harrington cited HB 164 regarding enterprise fund transfers to the general fund and gave explanation on its impact to the city. He discussed a \$94,000 transfer from the storm drain fund to the general fund for staff time and maintenance.

[8:30:26 PM](#) Mr. Harrington reviewed budget changes proposed tonight, as follows:

- Add \$80,000 for officer at mid-year
- Add \$50,000 for overtime – consensus of Council
- Transfer of \$300,000 from general fund to walls
- \$94,000 from storm drain to general fund
- Employee compensation – remove bonuses and do a 1% COLA and 2.5% for merit

3. OTHER MATTERS

[8:32:31 PM](#) Judge Kwan distributed a handout regarding a proposal from the Justice Court. He relayed that the Court is asking for a \$40,000 increase to the indigent defense fund for a six-month pilot program to ensure that a defense attorney is present at every court hearing. He described criminal justice procedures.

[8:50:32 PM](#) Discussion was held regarding measuring the success of the pilot program and costs for having the current indigent defenders provide the service.

[8:54:08 PM](#) Discussion also ensued regarding the current contract for indigent defense services.

[8:55:54 PM](#) Judge Kwan confirmed that the only other city in Utah currently offering this service is Lehi. He cited a current federal lawsuit against the State.

[9:04:25 PM](#) Mayor Johnson suggested that Administration do some research and come back with a recommendation.

[9:06:02 PM](#) City Attorney Tracy Cowdell noted that Salt Lake County is the only county where indigent defense is not funded by the State.

[9:07:44 PM](#) Chair Christopherson suggested pursuing a grant to fund the study.

[9:09:15 PM](#) Council Member Burgess agreed with the ideas of pursuing a grant and having Administration perform research.

[9:12:26 PM](#) Mr. Cowdell commended the city's excellent public defenders and noted that they also provide immigration counsel. He agreed to pursue research on this idea and work with Judge Kwan.

[9:13:50 PM](#) All Council Members agreed with pursuing a grant for \$20,000.

[9:14:18 PM](#) Discussion was held regarding recent legislation which allows cities to produce more brief written minutes of open meetings when providing a link to a recording of the meeting on the city's website. All Council Members were in favor of following legislation for more concise written minutes of Council Meetings.

4. NOTICE OF FUTURE PUBLIC MEETINGS

[9:16:44 PM](#)

- 4.1 Planning Commission – Tuesday, June 13, 2017 – 7:00 p.m.
- 4.2 City Council Briefing Session – Wednesday, June 14, 2017 – 6:00 p.m.
- 4.3 City Council Meeting – Wednesday, June 14, 2017 – 6:30 p.m.
- 4.4 City Council Briefing Session – Wednesday, June 21, 2017 – 6:00 p.m.
- 4.5 City Council Meeting – Wednesday, June 21, 2017 – 6:30 p.m.
- 4.6 Planning Commission – Tuesday, June 27, 2017 – 7:00 p.m.

5. CALENDAR OF UPCOMING EVENTS

[9:16:51 PM](#)

- 5.1 ***Seussical the Musical: (Presented by the Arts Council) – June 9, 10 & 12, 2017 – Salt Lake Community College Alder Amphitheater: For More Detailed Information, See City's Website.***
- 5.2 ***Taylorsville Dayzz: June 22 – 24, 2017 – For More Detailed Information, See City's Website***
- 5.3 ***Anything Goes: (Presented by the Arts Council) – July 12 – 15 & 17, 2017 – For More Detailed Information, See City's Website***

6. CLOSED SESSION

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

[9:17:21 PM](#) Council Member Dan Armstrong **MOVED** to convene a Closed Session to discuss the character or professional competence of an individual at 9:17 p.m. Council Member Ernest Burgess **SECONDED** the motion. Chairman Brad Christopherson 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-yes, 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 9:17 p.m. for the purpose listed below, wherein no other matter was discussed.

- **Discussion of the Character or Professional Competence of an Individual**

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

7. ADJOURNMENT

Council Member Dan Armstrong **MOVED** to adjourn the Closed Session and the Special City Council Meeting. Council Member Dama Barbour **SECONDED** the motion. Chair Christopherson for discussion on the motion. There being none, she called for a vote. The vote was as follows: Armstrong-yes, Overson-yes, Christopherson-yes, Burgess-yes, and Barbour-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:41 p.m.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 06-14-17

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder