

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

**Wednesday, March 4, 2015**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84129**

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**BRIEFING SESSION**

**Attendance:**

Mayor Larry Johnson

**Council Members:**

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

**City Staff:**

John Taylor, City Administrator  
Tracy Cowdell, City Attorney  
Cheryl Peacock Cottle, City Recorder  
Scott Harrington, Chief Financial Officer  
Mark McGrath, Community Development Director  
Wayne Harper, Economic Development Director  
Tracy Wyant, UPD Precinct Chief  
Kristy Heineman, Council Coordinator  
Stephanie Nate, Assistant City Attorney  
Kirsten Heins, City Engineer  
Tiffany Janzen, Public Information Officer

**BRIEFING SESSION**

6:04:26 PM Chairman Kristie Overson conducted the Briefing Session, which convened at 6:04 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

**1. Review Administrative Report**

6:05:05 PM Chair Overson called for questions on the Administrative Report and there were none.

## 2. Review Agenda

6:05:36 PM The agenda for the City Council Meeting was reviewed.

6:09:38 PM Council Member Brad Christopherson noted that he will need some time to address the Council under Agenda Item 7 (Other Matters).

6:10:18 PM Council Member Dan Armstrong suggested that the cost cited in the "Remember Me" Garden proposal may be excessive. Council Member Dama Barbour inquired whether the garden could be incorporated into a service project. Chair Overson suggested the possible use of CDBG Funds for this project and City Administrator John Taylor agreed that such may be a possibility if the site is at the Senior Center.

## 3. Adjourn

6:12:40 PM Chair Overson declared the Briefing Session adjourned at 6:12 p.m.

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## REGULAR MEETING

### Attendance:

Mayor Larry Johnson

### Council Members:

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

### 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  
Mike Kelsey, UFA Assistant Chief  
Kristy Heineman, Council Coordinator  
Tiffany Janzen, Public Information Officer  
Stephanie Nate, Assistant City Attorney  
Kirsten Heins, City Engineer

**Others:** Royce Larsen, Dan Fazzini, John Gidney, Keith Sorensen, Joan Thallman, John Gidney, Mary Cranney, Jessica Burnham, Ellen Parrish, Steve Terry, Randy Scharman, Amy Henry, Roger Borgenicht, Claire Ratcliffe, Noel Lee, Daniel Lee, Jan Carter, Karen Beers, Paul Ricks, Tabb George, Todd Madsen, Colton Jensen, Jared Cardon, Scouts from Troop # 6474

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

6:30:39 PM Chairman Kristie Overson called the meeting to order at 6:30 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

### **1.1 Opening Ceremonies – Pledge of Allegiance – Council Member Christopherson**

6:31:02 PM UPD Taylorsville Precinct Chief Tracy Wyant directed the Pledge of Allegiance.

### **1.2 Reverence – Council Member Christopherson (Opening Ceremonies For March 18, 2015 to be arranged by Mayor Johnson)**

6:31:45 PM Council Member Dan Armstrong offered the Reverence.

### **1.3 Mayor's Report**

There was no Mayor's Report.

### **1.4 Citizen Comments**

6:34:56 PM Chairman Kristie Overson recognized scouts in attendance from Troop 6474. She then reviewed the Citizen Comment Procedures for the audience. She called for any citizen comments.

6:36:08 PM There were no citizen comments, and Chairman Overson closed the citizen comment period.

## **APPOINTMENTS**

### **2.1 Unified Police Department Awards – Precinct Chief Tracy Wyant**

6:36:13 PM UPD Precinct Chief Tracy Wyant presented awards to UPD officers from the Taylorsville Precinct, as follows:

*January, 2015 Officers of the Month:* Todd Madsen and Colton Jensen – Chief Wyant relayed that these two officers responded to a felony incident, resulting in a foot chase and apprehension. The Chief commended both officers for their quick, pro-active response that contributed to public safety in Taylorsville.

*February, 2015 Officer of the Month:* Jared Cardon – Chief Wyant referenced many traffic accidents and hit/run incidents that have been investigated by Officer Cardon. The Chief cited Officer Cardon’s professionalism, work ethic and attention to detail.

**2.2 Appointment of Joan Thalmann as Vice-Chair of the LARP (Leisure, Arts, Recreation & Parks) Committee – Council Member Armstrong**

6:41:40 PM Council Member Dan Armstrong recognized Joan Thalmann and nominated her to serve as Vice-Chair of the Leisure, Arts, Recreation & Parks (LARP) Committee.

6:42:25 PM Council Member Dan Armstrong **MOVED** to appoint Joan Thalmann as Vice-Chair of the LARP Committee. Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

**2. REPORTS**

**3.1 “Remember Me” Garden Proposal  
– Keith Sorensen, LARP Committee Chair**

6:43:03 PM LARP Chair Keith Sorensen presented ideas for a proposed “Remember Me” Garden. He cited the potential to create a rose garden to recognize deceased individuals who have made a significant contribution in the City of Taylorsville. He referenced the proposal previously provided to the Council for establishing such a garden at the Senior Center and called for any questions.

6:46:18 PM Council Members Overson and Barbour both stated their favor of the idea. Council Member Barbour questioned whether this project could be done through a type of service project. Mr. Sorensen agreed that this could be possible.

6:49:00 PM Discussion was held regarding timing and funding options. Ms. Sorensen noted that the garden could start out small, with possible room for expansion. He reviewed reasons that the area north of the Senior Center may be the most suitable location.

6:51:13 PM An unidentified citizen in attendance inquired about the potential for using a previous dump site for the project area. The citizen was informed that the time for public comment had passed, but the City Administrator would be happy to speak to her privately about her ideas. Attempts were made to address her questions offline by the City Administrator. The citizen refused to leave the meeting and demanded her right to speak publicly and immediately.

6:55:43 PM City Attorney Tracy Cowdell commented that this individual is not allowed to interrupt the meeting and has been asked to leave or refrain from speaking during someone else's allotted time. The individual refused to leave or stop speaking and she was eventually escorted out of the Council Chambers by law enforcement officers and others.

6:52:44 PM Mr. Sorensen cited two locations in the City that were previous dump sites and commented that they are both designated park properties. He confirmed that these areas were considered for the "Remember Me Garden" project.

6:56:14 PM Mr. Sorensen relayed that LARP Committee Meetings are held the second Thursday of each month, at 6:30 p.m., at City Hall and the public is welcome to come and listen to the discussion. He noted that there are only four members currently serving on the LARP Committee and more volunteer members would be welcome.

6:56:36 PM Council Member Dama Barbour thanked Mr. Sorensen for providing information on this exciting project. She said she anticipated much further discussion on this in the future.

6:56:48 PM Council Member Dan Armstrong suggested advertising the garden and the opportunity for memorials in the City newsletter. He suggested finding an area where the garden can start small with room for expansion.

6:57:53 PM Chair Overson inquired of Mr. Sorensen what might be done now, in advance of budget decisions, in relation to the proposed project. Mr. Sorensen suggested that the City could determine that the garden is a good idea and give direction to proceed; a location could then be designated. He observed that appropriate groundwork can be laid following these decisions and any direction.

6:58:30 PM Vice-Chair Ernest Burgess observed that the Senior Center seems like the most appropriate location for this project and encouraged the Council to give that area serious consideration. He thanked Mr. Sorensen for his efforts.

### **3.2 Capital Improvements Update – *John Taylor***

6:59:35 PM City Engineer Kirsten Heins reported on capital improvement projects in the City, as follows:

- *Pedestrian Bridge at 4500 South* – The railing is up and brick pavers are in place at the Freedom Shrine. The bridge may be ordered as early as next week and work with the contractor will begin in about six weeks. This project is approximately 28% complete.
- *3900 West 5400 South Roadway Improvements* – This project was completed in December, 2014. Utility work and site prep are also ready for the parcel there.
- *Storm Drain Projects* – Bluemont Drive (Area 1) is complete; Atherton Drive (Area 2) is within days of beginning; Continental Circle (Area 3) is complete and cost savings has also allowed for repair of concrete sidewalk, curb and gutter; and 4805 South (Area 4) has the sidewalk in and is 98% complete.
- *Open Space Connection Plan* – The electrical is going in on the 2700 West islands and the county will install lights soon.
- *Labrum Park* – The pavilion is being used and bank stabilization is taking place. Repairs and improvements to the irrigation system will occur. Turf will be placed by the restroom and pavilion areas. The next step will be to install the playground.
- *Bennion Park* – This project is complete and operational. The playground equipment is well used and appreciated.
- *Redwood Road Wall* – The project is waiting on the receipt of final signed easements from a couple of residents. It is hoped that demolition can begin in April.

7:04:03 PM Council Member Barbour commented on the large number of children that are always using the playground at Bennion Park. She cited the neighborhood's appreciation of the playground there.

7:05:27 PM Council Member Dan Armstrong inquired about a blocked street in Labrum Park. Ms. Heins cited intent for that road to be permanently closed and used as a turn-around.

7:07:12 PM Mayor Johnson cited a potential pickle ball court being planned for installation at Millrace Park.

7:07:50 PM Chair Overson commented on the great improvements being seen in City parks.

### 3. CONSENT AGENDA

#### 4.1 City Council Minutes – 02-18-2015

7:08:10 PM Council Member Brad Christopherson **MOVED** to adopt the Consent Agenda. Council Member Dan Armstrong **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

### 4. PLANNING MATTERS

There were no planning matters.

### 5. FINANCIAL MATTERS

#### 6.1 ***Public Hearing*** – To Receive Public Comment on Funding Priorities for the 2015-2016 Community Development Block Grant (CDBG) and HOME Programs – *Kathy Ricci*

7:09:00 PM CDBG Consultant Kathy Ricci explained that this is the second public hearing for the 2015-2016 CDBG Year. She relayed that applicants in attendance will present actual requests for funding. She noted that a final resolution will be presented for the Council's approval of CDBG funding during the Council Meeting in two weeks.

7:11:03 PM Chair Kristie Overson opened the public hearing on this matter and called for comments.

7:11:06 PM Ellen Parrish, of Community Health Centers, Inc, described health and dental care provided at the Oquirrh View Clinic in Taylorsville. She relayed that 9,930 patients were seen at the clinic last year, with 95% below the poverty level. She noted that, of those patients seen, 2,174 were residents of Taylorsville, with 6,738 overall visits by Taylorsville residents. She relayed that the Dental Clinic at Oquirrh View Clinic is being reopened.

7:13:43 PM Council Member Armstrong inquired why there are still a large number of people who do not have insurance. Ms. Parrish said that many cannot afford premiums and fall within the level between qualifying for Medicaid and being able to afford private insurance.

7:16:06 PM Jessica Burnham, of the Road Home, described reasons for homelessness and housing offered by her organization. She cited a \$5,000 request to support the downtown

emergency shelter. She cited the mission of the Road Home and assistance that is provided. She relayed that the shelter served 120 Taylorsville residents last year.

7:18:56 PM Council Member Christopherson commented on the great work done by the Road Home Shelter.

7:19:46 PM Mary Cranney, of Legal Aid, cited a request to support programs that provide legal representation to low-income people. She described the many legal services provided to domestic violence victims, etc. She referenced statistics showing that last year there were 122 Taylorsville residents served at Legal Aid.

7:24:19 PM Amy Henry, of the YMCA, described before/after-school care, preschool programs, etc. that are offered through the YMCA. She cited two proposals being presented this year for staff salaries and also for hard costs to cover office growth and food service.

7:27:37 PM Council Member Ernest Burgess commended the YMCA for the amazing programs and activities offered to families.

7:28:10 PM Roger Borgenicht, of ASSIST, described the emergency home repair and home safety retrofit programs provided to senior citizens in Taylorsville. He cited the Green and Healthy Homes Initiative being implemented by Salt Lake County to help educate homeowners about keeping homes healthy.

7:30:49 PM Jan Carter, Development Coordinator for Odyssey House, thanked the City for its previous support. She cited funds being sought for a remodel of their clinic. She referenced tremendous growth that is necessitating expansion and remodel of their facility. She described the need for another nurse and a Physician's Assistant. She described services that are provided to individuals struggling with addiction and/or mental illness.

7:34:51 PM Paul Ricks, Clinical Director of the Family Support Center, cited a need to update the air conditioning/heating system at their facility.

7:36:56 PM Chair Overson referenced an impactful visit that Taylorsville Youth Council Members were able to have with a Family Support Center staff member.

7:37:21 PM Claire Ratcliffe, of the Murray Boys and Girls Club, described a success story with a Taylorsville High School student who benefitted from the Boys and Girls Club. Ms. Ratcliffe cited the student's challenging background and her now improved grades and scholarship potential.

7:40:29 PM Tabb George, of Big Brothers/Big Sisters of Utah, described mentoring programs offered. He discussed ways that mentors are screened, selected, and matched with children who might otherwise fall through the cracks.

7:42:54 PM There were no further comments and Chair Overson declared the public hearing closed.

## 7. OTHER MATTERS

7:43:33 PM Council Member Brad Christopherson **MOVED** to reconsider Resolution No. 15-01, as previously adopted, regarding Election Services. Council Member Dan Armstrong **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

7:44:05 PM Council Member Brad Christopherson gave an overview of what has transpired over the last two weeks. He cited Mayor Johnson's concerns expressed over switching to an all-mail ballot and the ultimate three-to-two vote by the Council to adopt Resolution No. 15-01, with the option of a city-wide vote by mail program. Council Member Christopherson further relayed that, since that time, the Mayor's opinion has not changed and he has arguable veto power. It was explained that there were three legal opinions on the matter of the Mayor's veto power and no two were the same. One said the Mayor could veto a resolution; one said the Mayor could not veto a resolution; and one said it was unknown.

It was relayed that the Mayor provided a statement of veto to the Council on March 3, 2015, which has created unknowns regarding the City's 2015 Election. Council Member Christopherson suggested that code states very clearly that the Mayor does not have veto power on a resolution, but there is an argument that a decision on how to conduct an election should not have been done via resolution in Taylorsville's form of government. He observed that if the Council agrees that the Mayor has authority to veto a resolution and accepts the veto, this presents a potential problem down the road in regard to veto power and a different solution must be sought for elections. He cited the Council's option to ignore the Mayor's veto or to sue the Mayor over this issue and allow a judge to decide the matter.

7:46:18 PM Council Member Christopherson noted that the City is required by law to have an election this year and must budget funds to do so. He observed that Administration must have Council approval to expend funds, but entering into a contract is an administrative function, so the matter at hand requires both legislative and administrative action. He cited the City's options to either enter into a contract with Salt Lake County to provide election services, with a decision made on the type of election desired, or conduct its own municipal election this year. He cited

reasons that the City is not in a position to conduct its own election. Council Member Christopherson said he is not comfortable with allowing veto power for a resolution and is also not comfortable with a potential lawsuit. He described his proposed alternative for this matter, as follows: to not consider the Mayor's veto but, rather, to table Resolution No. 15-01 and direct the Mayor to enter into a contract for election services.

Council Member Brad Christopherson **MOVED** to table Resolution No. 15-01 and direct Taylorsville Administration to enter into a contract for election services with Salt Lake County. Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. Council Member Barbour shared her belief that this direction solves the immediate problem, but said larger issues should be addressed at a later time. There being no further comments, Chair Overson called for a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

- 7.1 **Resolution No. 15-02 – Consideration of Veto Override Regarding Resolution No. 15-01 – Approving an Interlocal Agreement Between the City of Taylorsville and Salt Lake County on Behalf of the County Clerk Elections Division for 2015 Municipal Election Services – Chair Overson**
- 7.2 **Resolution No. 15-03 – Approving an Interlocal Agreement Between the City of Taylorsville and Salt Lake County on Behalf of the County Clerk Elections Division for 2015 Municipal Election Services – Chair Overson**

Council Member Brad Christopherson **MOVED** to dispense with Agenda Items 7.1 and 7.2, as they are now rendered moot. Council Member Ernest Burgess **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

### **7.3 Open and Public Meetings Act Training – Tracy Cowdell**

Council Member Dan Armstrong **MOVED** to table Agenda Item 7.3 regarding training on the Public Meetings Act. Council Member Brad Christopherson **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

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

7:54:15 PM Council Member Dama Barbour suggested bringing back discussion regarding the power and authority of vetoes for resolutions and ordinances. City Attorney Tracy Cowdell agreed to lead such a discussion.

7:56:29 PM Council Member Brad Christopherson suggested that the law is clear, but education may be necessary. He recommended that further research also be done on the Vote by Mail issue.

7:58:52 PM Mr. Cowdell said the bigger questions surround the specific roles and responsibilities in Taylorsville's form of government, which is different than most cities. He agreed that a discussion on separation of powers can be held and someone from the Utah League of Cities and Towns could be invited to present information. He said this discussion can be held anytime, but bringing back scientific data on vote by mail processes may take longer than two weeks.

8:04:15 PM City Administrator John Taylor agreed that this is a divisive issue, but said that Administration will bring back what is needed.

8:05:09 PM Chair Overson noted that there will be no formal timeline for bringing back this presentation, but acknowledgement has been made that Administration will work on it.

8:05:12 PM Chair Overson thanked Chief Wyant and law officers for handling an uncomfortable situation earlier in the meeting.

8:05:50 PM Chair Overson said it was unfortunate that the *Urban Cart Dart* event has been cancelled, due to lack of participation. She thanked all those previously involved in the event for their hard work. Vice-Chair Burgess cited signs that are still out in the community about the event. Mr. Taylor said direction has been given for those signs to come down as soon as possible.

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

- 9.1 Planning Commission Meeting – Tuesday, March 10, 2015 – 7:00 p.m.**
- 9.2 City Council Briefing Session – Wednesday, March 18, 2015 – 6:00 p.m.**
- 9.3 City Council Meeting – Wednesday, March 18, 2015 – 6:30 p.m.**

**10. CALENDAR OF UPCOMING EVENTS**

- 10.1 *Taylorsville Symphony Orchestra Concert* – Thursday, March 5, 2015  
– 7:30 p.m. – Taylorsville High School**

**11. CLOSED SESSION (*Conference Room 202*)**  
*- For the Purpose(s) Described in Statute U.C.A. 52-4-205*

It was determined that a Closed Session was not needed.

**12. ADJOURNMENT**

8:07:44 PM Council Member Brad Christopherson **MOVED** to adjourn the City Council Meeting. Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:07 p.m.

  
Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 04-01-15

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