

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, February 5, 2014
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

BRIEFING SESSION

Attendance:

Mayor Larry Johnson

Council Members:

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

City Staff:

John Taylor, City Administrator
Tracy Wyant, UPD Precinct Chief
Cheryl Peacock Cottle, City Recorder
Scott Harrington, Chief Financial Officer
Mark McGrath, Community Development Director
Donald Adams, Economic Development Director
Kristy Heineman, Council Coordinator

Excused: Council Member Brad Christopherson, City Attorney John Brems

BRIEFING SESSION

1. Review Administrative Report

18:03:37 Chairman Kristie Overson conducted the Briefing Session, which convened at 6:02 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present, except Council Member Christopherson who was excused. Chair Overson called for questions on the Administrative Report, and there were none.

18:03:24 Council Member Dama Barbour called for clarification on statistics regarding prescription drugs that are provided by friends. UPD Chief Tracy Wyant confirmed that 56% of illegally obtained prescription drugs come from acquaintances of the perpetrator.

18:04:26 Council Member Ernest Burgess noted that often times thieves go straight to medicine cabinets to find prescription drugs when they break into a home. Chief Wyant acknowledged that prescription drugs are often the primary item stolen in burglaries. Council Member Burgess cited the "Take Back Program" facilitated by UPD and inquired if there is sufficient education about this issue. Chief Wyant noted that there is quite a bit of education given regarding the "Take Back Program." He said that curb-side service is offered to individuals who are not able to easily turn in left-over narcotics. He relayed that a dispensary box is available throughout the week, Monday through Friday, where people can drop off narcotics to be destroyed. He reported that a reduction in abuse has been seen in correlation with this program.

18:06:35 Council Member Barbour stated that she has noticed a drop box located on the precinct wall. Chief Wyant discussed the process for dropping off medications. He explained that drugs turned in are put into an incinerator.

18:07:29 Chair Kristie Overson inquired about the RFP for the Senior Center construction project. City Administrator John Taylor relayed that five responses were submitted and the proposals will be reviewed in detail on February 6, 2014, at 9:00 a.m. Chair Overson asked about a timeline for the project. Mr. Taylor stated that the project would absolutely be completed this summer.

2. Review Agenda

18:08:38 The agenda for the City Council Meeting was reviewed.

Council Member Dama Barbour asked about issues brought up at the legislature that might require Council input or action. She inquired about addressing legislative updates during New Items for Subsequent Consideration.

18:10:49 Mayor Johnson cited his attendance during legislative sessions and meetings with several legislators. He stated that he will give a report on legislative updates at the next meeting. He relayed that he will email Council Members regarding legislative items of which he is aware.

3. Adjourn

18:12:13 Chair Overson declared the Briefing Session adjourned at 6:12 p.m.

REGULAR MEETING

Attendance:

Mayor Larry Johnson

Council Members:

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

City Staff:

John Taylor, City Administrator
Scott Harrington, Chief Financial Officer
Mark McGrath, Community Development Director
Tracy Wyant, UPD Precinct Chief
Cheryl Peacock Cottle, City Recorder
Donald Adams, Economic Development Director
Kristy Heineman, Council Coordinator
Rhetta McIff, Neighborhood Services Coord.
Wayne Harper, Economic Development Specialist

Excused: Council Member Brad Christopherson, City Attorney John Brems

Citizens: Howard Wilson, Tyler Newton, Daryl Gudmundson, Cathy Jeffs, Aimee Newton, Mrs. Gudmundson, Caleb Newton, Marcus Newton, Douglas Arnesen, LeGrande Hanson, Brett McIff, John Gidney, Jay Ziolkowski, Israel Grossman, Carol Hicks, Matthew Burgess, Lynn Handy, Marin McIff, Gabe McIff, Officer Shaun Fausett, Gary Westensrow, Sue Westensrow, Gano Hasanbegonic, Candy Caballero, Katie Clark, Lindsey Adams, Steve Fauschou, Spencer Braithwaite, Gilbert Blake

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

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, except Council Member Christopherson who was excused.

1.1 Opening Ceremonies – Pledge of Allegiance – *Youth Council*

18:30:58 Youth Council Member Gano Hasanbegonic directed the Pledge of Allegiance.

1.2 Reverence – Youth Council Member (Opening Ceremonies For February 19, 2014 to be arranged by Council Member Brad Christopherson)

18:31:34 Youth Council Member Tyler Newton offered the Reverence. He called for a moment of silence in memory of a police officer who was recently killed in the line of duty.

1.3 Mayor's Report

Mayor Johnson stated that he attended the funeral service for the fallen officer previously mentioned. He observed that this individual was a good man and officer. The Mayor cited a quote from the funeral program, as follows: "All give some; some gave all." He stated the need to honor those men and women who put their lives in danger to protect communities.

18:33:29 Mayor Johnson mentioned the young three-year old boy who was killed in a Taylorsville automobile accident last week. He stated that there were many city representatives at the funeral. He thanked everyone for attending and supporting this family through a tragic event.

1.4 Citizen Comments

Chairman Kristie Overson reviewed the Citizen Comment Procedures for the audience. She then called for any citizen comments. She asked that those planning to speak regarding the snow removal/parking issue hold their comments until the appropriate public hearing scheduled later in the meeting.

18:36:06 There were no citizen comments, and Chairman Overson closed the citizen comment period.

2. APPOINTMENTS

There were no appointments.

3. REPORTS

3.1 Quarterly Report, Arts Council - Howard Wilson, *Chair*

18:36:31 Arts Council Chair Howard Wilson reported on recent activities and upcoming events for the Taylorsville Arts Council. He noted that the Arts Council is composed of volunteers from Taylorsville. He stated that the role of the Arts Council is to provide access to the arts and

showcase local talents. He cited the Taylorsville Symphony Orchestra that is under the umbrella of the Arts Council.

18:38:03 Mr. Wilson relayed that until recently the Salt Lake Community College provided practice space and instruments for the Taylorsville Symphony; however, Taylorsville High School now rents space to the symphony for practices and performances.

Mr. Wilson recognized Arts Council Member John Gidney in attendance.

Mr. Wilson described the upcoming symphony concert on February 28, 2014, as well as the Taylorsville Arts Council which will display the work of local artists.

18:40:02 Mr. Wilson reported that a theatrical production/ musical review will be produced by the Arts Council and held at the West Valley Baptist Church in March.

18:40:35 Mr. Wilson cited upcoming events, as follows: another symphony concert in April; Taylorsville Dayzz in June; and the annual large production in August, which this year will be "Hairspray" at Taylorsville High School. He also cited the Taylorsville's Got Talent event and noted that the City Council is the entre act. Mr. Wilson said that another symphony orchestra concert will be held in the fall and then December brings the Messiah Sing-along.

Mr. Wilson summarized that the Arts Council enjoys living and playing in Taylorsville. He noted that the Arts Council has openings for those that would like to volunteer.

Council Member Barbour observed that the Arts Council is a great asset to Taylorsville. Mr. Wilson noted that Arts Council members also serve on other committees within the City.

4. CONSENT AGENDA

4.1 Minutes – CCWS 01-15-14 & RCCM 01-22-14

Council Member Barbour **MOVED** to adopt the Consent Agenda. Council Member 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-excused, Burgess-yes, Barbour-yes, Overson-yes, and Armstrong-yes. **All City Council members present voted in favor and the motion passed.**

5. PLANNING MATTERS

There were no Planning Matters.

6. FINANCIAL MATTERS

There were no Financial Matters.

7. OTHER MATTERS

7.1 Discussion Regarding Snow Removal and Parking Options - *Mayor Johnson/John Taylor*

18:45:44 City Administrator John Taylor gave a brief history on reasons for potentially changing the City's ordinance regarding on-street parking as it relates to snow removal. He described issues with cars parked along city streets during snow storms which, in some cases, prohibit adequate snow removal. He cited four proposed alternatives to address parking and snow removal issues. Mr. Taylor noted that the ticketing/towing enforcement piece has been removed from the proposed ordinance. He clarified that law enforcement has the authority and ability to tow vehicles, if needed, when there is a public safety issue involved.

18:47:05 Mr. Taylor said that the fourth alternative is to do nothing and leave the ordinance as it is with heavier code enforcement. He described the other three options, as follows:

First Option: No parking allowed on the street after any accumulation of snow on the roadway until 24 (or 48) hours after the end of such a snow event. He cited two considerations: (1) when parking enforcement is to begin; and (2) when parking enforcement is to end.

Second Option: After there is an accumulation (one inch) of ice on the road and until after the roads have been cleared by snow plows.

Third Option: No parking on roadways once it starts snowing until after the roads have been cleared. Mr. Taylor noted this option is the ordinance currently enforced by Salt Lake County.

Fourth Option: Leave the ordinance as is and deal with issues through enforcement.

18:49:08 Chair Overson called for discussion from the Council. Council Member Dama Barbour asked for clarification on recommendations from the Ordinance Review Committee regarding the proposed ordinance changes. Chair Overson said that Cathy Jeffs will be invited to provide input on behalf of the Ordinance Review Committee.

18:49:44 Mayor Johnson stated that his intent is to be fair to the residents. He noted that the towing enforcement tool has been removed and the six month timeline has been removed.

18:50:58 Chair Overson introduced Cathy Jeffs from the Ordinance Review Committee (ORC) and asked for her input. Ms. Jeffs stated that she has been on the committee for about two years. She relayed that the last ORC Meeting was on January 21, 2014. She noted that the options presented at tonight's meeting are entirely different than what the ORC was given to review. She reported the ORC is recommending that no long-term parking be allowed on roadways at all, with the exception of emergency and in-service vehicles. She said that the committee has defined long-term as no more than four hours. She noted that law enforcement will be called out on complaint.

18:52:19 Ms. Jeffs stated that the ORC's goal was to have a clear, distinct ordinance in place that can be enforced. She added that parking on the street is dangerous at all times of the year. She suggested that if there are multiple vehicles at a residence, accommodations need to be made for them. She stated that if a resident is not allowed to park on streets long-term in the summer, on-street parking will not be an issue in the winter.

Council Member Ernest Burgess asked for clarification on the suggestion that no long-term parking will be allowed on the street. Ms. Jeffs cited a need for the ordinance to be clear. She observed that residents will decide if they want to complain about illegal parking on the streets in their neighborhood.

18:54:54 Council Member Burgess cited the issue of double parking. Ms. Jeffs observed that residential streets are not made for cars to park on them, as they are too narrow. She stated that snow removal and parking should be two separate issues.

18:56:50 Discussion ensued regarding the discretion of residents in filing a complaint.

Council Member Barbour stated that she appreciates the efforts of the ORC. She summarized that their recommendation is that complaints for parking problems would be at the discretion of the neighbors.

Ms. Jeffs brought up the Mayor's suggestion to have community councils review the ordinance. She stated that this issue has been discussed many times and cited community council groups that have not yet been formed.

Chair Overson thanked Cathy Jeffs for her comments.

18:59:57 Council Member Dan Armstrong stated his concern for residents that will have conflicts with never being allowed to park long-term on streets. He cited situations where a family has several cars and insufficient parking space on their property. He observed that the suggestion of no long-term parking may be too restrictive. He said that if there is a reason to remove the vehicle, it should be moved as soon as possible. He cited garbage cans that can also

pose a hindrance to snow removal. He questioned whether residents should be responsible for cars parked in front of their properties, rather than owners of automobiles who may be visitors. Council Member Armstrong stated that residents should be allowed to use common sense and then, if there is still an issue, requests should be made to move vehicles, with a towing enforcement option for non-compliance.

19:03:27 Council Member Barbour stated that she has considered this ordinance frequently and has had constituents calls from both sides of the issue. She cited her stance that the City should not have more ordinances than necessary, but that those in place should be enforced. She added that if tax payers are paying for a service such as snow removal, the expectation is that the service will be provided.

19:05:06 Council Member Burgess stated that he recently had a conversation with Salt Lake County Public Works and received their input on the snow removal process. He commented that residents sometimes complain that snow plows push snow into their driveway. He relayed that if public works drivers deem conditions are too dangerous for streets to be plowed, they will pass the street. Council Member Burgess stated a desire to create safe conditions. He noted that if damage is done to vehicles by plows, the County pays for repairs, but citizens end up paying that cost through taxes.

19:08:31 Council Member Burgess expressed concern with the ordinance in regard to residents who have more cars than parking space. He suggested parking extra cars on the grass during a snow storm event. Council Member Burgess said that he is in favor of Option #1. He cited storms when plows must make multiple trips down streets and situations where cars are initially moved, but then are returned before a snow event has completely ended.

Council Member Armstrong stated that he is also in favor of option #1. He noted that there needs to be teeth put into the ordinance with some strict enforcement. He described different parking scenarios within his own family where alternative arrangements were made to accommodate snow plows.

19:12:02 Mr. Taylor cited a recent meeting with UPD Chief Tracy Wyant and called for his input and recommendations.

Chief Wyant voiced his concern that any ordinance related to parking must be enforceable. He recommended utilizing the ordinance that Salt Lake County has in place, which is that no parking is allowed on a public street when there is snow or ice accumulating. Chief Wyant said that a stronger ordinance may be needed, but feels that this is not a widespread issue.

19:14:15 Chief Wyant brought up concerns with towing and stated that police have the ability to tow vehicles when there is a public safety issue. He noted that few vehicles are towed. He

stated that most concerns would be referred to code enforcement with a warning given by them. The Chief said that if there is non-compliance, then the police department would become involved. Chief Wyant expressed concerns surrounding timeframes and accumulation measurements.

Council Member Burgess agreed that the police department does not have time to be ticketing and towing vehicles during a storm. He noted that code enforcement may have the same issue. He asked for Chief Wyant's recommendation.

Chief Wyant stated that complaints would be received from residents and also from public works drivers who are unable to plow streets. He called for the ordinance option that will provide the most latitude to deal with complaint issues. He cited ways that any ordinance requiring snow measurement is not defensible in a court situation.

19:18:46 Council Member Barbour said she is anxious to hear comments from residents in attendance.

7.1.1 Public Hearing - 6:30 p.m. - To Receive Public Comment Regarding Potential Amendment to City Ordinance Concerning On-Street Parking in Order to Facilitate the Removal of Snow

19:20:01 Chair Overson opened the public hearing on this matter and called for citizen comments.

Doug Arnesen commented that he is the Community Council Chair of 5A. He said he agrees with the parking ban to allow for snow removal, but suggested that not providing ample time to warn citizens may make enforcement difficult. He encouraged education of the citizens and warnings prior to ticketing. He acknowledged that he understands the parking concerns.

19:23:29 Daryl Gudmundson cautioned against turning citizens into criminals and stated that there are only a few certain streets with this problem. He suggested that many people will complain when asked to pull their vehicles off the street. He relayed that snow plows do not travel down his street unless there is a large accumulation of snow. He said that it does not make sense to make residents responsible for vehicles parked in front of their homes, as anyone can park there. Mr. Gudmundson said he does not feel there is sufficient data regarding damaged vehicles left on the streets. He noted that main corridors are plowed first and residential streets are plowed at much later times. He suggested that the ordinance may turn residents into criminals and residents should not be treated as children.

19:27:37 LeGrande Hansen stated that in his family he has many children who have their own vehicles. He relayed that he does not have additional funds to build a larger driveway to remove

their vehicles from the street. He suggested that the four-hour timeframe is not reasonable. He commented that he wants his street plowed, but noted that if he pulls all his vehicles into the driveway, the sidewalk is blocked and that is a code enforcement issue.

19:29:55 Matthew Burgess stated that he likes the snow removal ordinance because in his neighborhood there are multiple vehicles parked on the street and if there should be an accident due to icy conditions, there would be traffic blocking. He agreed that vehicles should be parked off the street.

19:32:09 There were no additional comments and Chair Overson declared the public hearing closed.

Chair Overson noted that there can be additional discussion regarding this issue. She stated that a decision regarding the ordinance will be made in two weeks. She asked that interested citizens attend the council meeting in two weeks to hear the decision.

19:33:39 Council Member Burgess suggested allowing vehicles to park on the grass or to block the sidewalk if necessary during snow removal on roads. Mr. Taylor relayed that code enforcement has been given direction to become more proactive with parking issues. Council Member Burgess asked about the possibility of residents installing gravel driveways on their property. Community Development Director Mark McGrath stated that parking areas on residential property must be cement or asphalt.

Chair Overson observed that the ordinance needs to be reasonable and said it is reasonable to remove vehicles during a snow storm and to keep vehicles off the streets at all times. She suggested meeting with Salt Lake County Public Works and snow plow drivers to gain a better understanding of their issues. She thanked Chief Wyant for his comments and for taking the time to better educate those in attendance.

19:37:24 Mr. Taylor suggested inviting Public Works representatives to the City Council Work Session next week. He stated that they will be asked to compile maps of problem areas and to come prepared with recommendations.

Chair Overson encouraged interested residents to come to the February 19, 2014 City Council Meeting to express additional comments and opinions during the Citizen Comment period and to hear of the Council's decision at that time.

7.2 *Resolution No. 14-08 - A Resolution Approving a Cooperative Agreement with Salt Lake County with Respect to the Salt Lake County Storm Water Coalition - John Taylor*

19:39:24 City Administrator John Taylor cited Environmental Protection Agency (EPA) requirements for cities to permit for storm water discharge into streams and lakes. He relayed that the permitting phase dates back 10 years and said this is now the second phase of permitting requirements. He explained that Taylorsville belongs to a coalition with Salt Lake County and other cities to facilitate education and collaborative efforts. He noted that participating in the coalition is more cost effective for the City.

19:39:58 Council Member Dan Armstrong asked for an explanation about what the agreement provides. Mr. Taylor stated that this agreement with Salt Lake County facilitates the City's permit with EPA so that Taylorsville does not have to have its own master agreement and regulations. He confirmed that this is a new agreement, but is really a continuation of the previous agreement from Phase 1.

19:40:44 Council Member Burgess inquired about funding. Mr. Taylor confirmed that joining the coalition is far less expensive. He cited components involved in the cooperative agreement.

19:41:37 Mr. Taylor stated that Taylorsville is not assessed through this agreement. He relayed that \$5,000 is paid to this group annually for education purposes. He cited the "Slow the Flow" campaign that results from this agreement. He stated that if the City were not in a cooperative agreement with the county, it would be held to higher permitting regulations.

19:42:16 Council Member Dama Barbour **MOVED** to adopt Resolution No. 14-08 - Approving a Cooperative Agreement with Salt Lake County with Respect to the Salt Lake County Storm Water Coalition. 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-excused, Burgess-yes, Barbour-yes, Overson-yes, and Armstrong-yes. **All City Council members present voted in favor and the motion passed.**

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

Council Member Ernest Burgess asked about previous ordinances, i.e. the Planning Commission's item regarding the rental of additional rooms in homes. Community Development Director Mark McGrath stated that this issue will be addressed at next week's Planning Commission Meeting.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

- 9.1 Planning Commission Meeting - Tuesday, February 11, 2014- 7:00 p.m.**
- 9.2 City Council Work Session - Wednesday, February 12, 2014 - 6:00 p.m.**
- 9.3 City Council Briefing Session - Wednesday, February 19, 2014 - 6:00 p.m.**
- 9.4 City Council Meeting - Wednesday, February 19, 2014 - 6:30 p.m.**

10. CALENDAR OF UPCOMING EVENTS

- 10.1 *Senator Karen Mayne's Town Meeting - Sat., February 8, 2014 - 11:00 a.m.*
At the Eddie Mayne Center in Kearns.**
- 10.2 *Taylorsville Symphony Orchestra Concert - Friday, February 28, 2014 - 7:30 p.m.* - Taylorsville High School**
- 10.3 *Taylorsville Arts Council Annual Art Show - February 28, 2014 - 3:30 p.m. to 7:00 p.m. and March 1, 2014 - 10:00 a.m. to 4:00 p.m.* - Taylorsville City Council Chambers**
- 10.4 *Taylorsville Urban Cart Dart - Saturday, March 1, 2014 - 10:00 a.m.* - Location TBD**

11. CLOSED SESSION (*Conference Room 202*)

11.1 Strategy Session to Discuss the Sale or Purchase of Real Property

Council Member Ernest Burgess **MOVED** to convene a Closed Session to discuss the sale or purchase of real property. 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-excused, Burgess-yes, Barbour-yes, Overson-yes, and Armstrong-yes. **All members of the City Council present voted and the motion passed.**

CLOSED SESSION - Sale or Purchase of Real Property

Those in attendance at this Closed Session were: Mayor Larry Johnson, Council Members Barbour, Burgess, Armstrong, and Overson; City Attorney John Brems; City Administrator John Taylor; Economic Development Director Donald Adams; Economic Development Specialist Wayne Harper; Finance Director Scott Harrington; and City Recorder Cheryl Peacock Cottle.

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

12. ADJOURNMENT

Council Member Dama Barbour **MOVED** to adjourn the Closed Session and the City Council Meeting. 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-excused, Burgess-yes, Barbour-yes, Overson-yes, and Armstrong-yes. **All City Council members present voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:15 p.m.


Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 02-19-14

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder