

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, January 2, 2013
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

Council Chairman Jerry Rechtenbach
Vice-Chairman Dama Barbour
Council Member Ernest Burgess
Council Member Larry Johnson
Council Member Kristie Overson

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Cheryl Peacock Cottle, City Recorder
Jessica Springer, Council Coordinator
Mark McGrath, Community Development Director
John Taylor, City Engineer
Scott Harrington, Chief of Finance
Wayne Harper, Economic Development Asst.
Aimee Newton, Communications Director

Others: Dan Fazzini, Royce Larsen, Andy Ho, Sidnee Huff, Taylor Moulton

BRIEFING SESSION

1. Review Administrative Report

18:00:40 Chairman Rechtenbach conducted the Briefing Session, which convened at 6:00 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. Chairman Rechtenbach called for questions on the Administrative Report. Council Member Kristie Overson inquired about the new billing for sanitation services. City Administrator John Inch Morgan gave clarification on the billing cycle for sanitation services.

18:03:22 Chairman Rechtenbach noted that some serious accidents have occurred recently along 5400 South in conjunction with the flex lanes. Mr. Morgan indicated that UDOT is working to resolve problems in regard to the flex lanes. City Engineer John Taylor confirmed that UDOT is planning to dim some of the lights.

18:05:17 Upon questioning, Economic Development Assistant Wayne Harper confirmed that no responses were received for the RFP on Economic Development/Retail Attraction Broker Incentive Services. He indicated that the RFP will be reanalyzed and possibly redeveloped.

18:05:42 Council Member Ernest Burgess inquired about action taken by any other cities in regard to VECC. Mayor Wall relayed that Taylorsville and Sandy were the only two cities that took action in relation to VECC.

18:10:47 Mr. Morgan reviewed his suggestions for the process in interviewing mayoral candidates. Council Member Johnson inquired about the status of applicants so far. City Recorder Cheryl Peacock Cottle confirmed that there are eight applicants for mayor as of today.

2. Review Agenda

The agenda for the City Council Meeting was reviewed. It was agreed that Citizen Comments during the regular meeting will be moved until after Agenda Item 7.1.

3. Adjourn

The Briefing Session was adjourned at 6:15 p.m.

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

Council Chairman Jerry Rechtenbach
Vice-Chairman Dama Barbour
Council Member Ernest Burgess
Council Member Larry Johnson
Council Member Kristie Overson

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Tracy Wyant, Police Precinct Chief
Cheryl Peacock Cottle, City Recorder

Donald Adams, Economic Development Director
John Taylor, City Engineer
Scott Harrington, Chief of Finance
Wayne Harper, Economic Development Assistant
Aimee Newton, Communications Director
Jessica Springer, Council Coordinator
Rhett McIff, Neighborhood Services Coordinator

Others Present: Reed Larson, Dan Fazzini, Royce Larsen, Andy Ho, Sidnee Huff, Taylor Moulton, Brett McIff, Israel Grossman, Daryl Gudmonson, Jay Ziolkowski, Teresa Rechtenbach, Monnica Manuel, Jennifer Schwendimann, Janice Auger Rasmussen, Dave Ballou, Lynn Handy, Pamela Manson, Margene Burgoyne, Greg Burgoyne, Jaron Hansen, Griffith Winward, Brad Murray, Taylor Jackson, Lance Jackson, Steve Terry, David Witt, Adam Black, Brent Garside, Randy DeLaMare, Curt Cochran, Glenn Gardner, Reed Larson, Lori Larson, Gabby Magallanes, Marin McIff, Aubree Newton, Christian Anderson, Annette Anderson, Doyle Unwood, Spencer Braithwaite

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:29:37 Chairman Jerry Rechtenbach 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 – Youth Council

18:30:09 Youth Council Member Andy Ho directed the Pledge of Allegiance.

1.2 Reverence – Youth Council (Opening Ceremonies For January 16, 2013 to be arranged by Council Member Johnson)

Youth Council Member Taylor Moulton offered the Reverence.

Chairman Rechtenbach explained that the Citizen Comment Period will be moved until after Agenda Item 7.1. Council Member Dama Barbour **MOVED** to postpone the Citizen Comment Period until after Agenda Item 7.1. Council Member Larry Johnson **SECONDED** the motion. **All Council Members voted in favor.**

1.3 Citizen Comments

19:18:04 Chairman Jerry Rechtenbach reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

19:19:16 Former Mayor Janice Auger Rasmussen noted that there is a section in the Statute about Council Members being able to vote even if there is a conflict of interest, as long as they declare the conflict. City Attorney John Brems confirmed that this is true. She then spoke about the process for appointing an interim mayor. She encouraged the City Council to follow the process outlined and not to begin the process with any preconceived agendas or decisions.

19:22:42 David Ballou agreed with Mayor Auger Rasmussen and suggested that citizens should be allowed to give input on the mayoral applicants. He asked about the salary for the Mayor and whether that carries over to the interim Mayor. It was confirmed that the Mayor's salary is set by ordinance. Mr. Ballou said he believes the Mayor's salary is unfair for an interim appointment.

19:26:05 Chairman Rechtenbach clarified that the process for appointing an interim Mayor is set by statute and the City Council must follow the statute.

19:26:42 Brent Garside observed the need for transparency and suggested that the public be considered in the mayoral appointment process. He suggested that a Council Member not be allowed to vote for him/herself unless there is a tie.

19:29:21 There were no additional citizen comments, and Chairman Rechtenbach closed the citizen comment period.

1.4 Mayor's Report

18:36:50 Mayor Russ Wall reported that this will likely be his last City Council Meeting as Mayor, as he is resigning effective January 8, 2013. He cited accomplishments within the City during the last 11 years while he has served as an elected official, as follows:

During Term as Mayor

- 7.5 million dollars in storm drain improvements
- 1300 West road reconstruction and bank stabilization
- Two Pedestrian overpasses at Elementary Schools
- 6200 South Redwood Road Continuous flow project
- UTA Bus Rapid Transit environmental and engineering entitlements and costs
- Complete modification of the City Development Code

- Good Landlord Policy
- Funding and construction of Veterans Memorial
- Beautification Projects
 - I-215
 - 5400 South Walls
 - 4100 South Walls
- Partnership with West Valley City on new Animal Shelter
- Commitment to make shelter "no-kill" by 2015
- Full Partnership with Unified Police department
- Parks
 - Acquired UDOT Property park (no cost to city)
 - Acquired Labrum Park (no cost to city)
 - Started improvements at Labrum Park
 - New baseball fields on 2200 West
 - Millrace Bass Pond construction
 - Jordan River Cleanups
 - Canal/ Bike paths from Senior Center to Taylorsville-Bennion Heritage Center
- Privatized
 - City Engineer
 - Sidewalk Construction
 - Landscaping services
- Expanded Food Pantry
- Partnership with YMCA/ Granite School District to build Community Center
- Created Economic Development "Dream Team"
- Hired additional Economic Development Professional
- Added two Code Enforcement Officers and made them part of the Police Department for better enforcement
- Added Communications Director

While on City Council

- Taylorsville City Hall
- Taylorsville Senior Center
- Food Pantry
- Taylorsville Bennion Heritage Center
- Taylorsville Recreation Center
- Millrace Park

18:36:53 Mayor Wall recognized City Council Members and City Staff for their efforts in realizing all these accomplishments.

18:38:51 Mayor Wall cited occurrences in his personal life over the last 11 years and described changes to the City budget. He said that, although there have been some challenges, most of his experience as a public official has been very rewarding and positive.

18:42:58 Chairman Rechtenbach thanked Mayor Wall for his many years of service to the City and wished him well in future endeavors.

2. APPOINTMENTS

2.1 Appointment of Monica Manuel as Chairman of the Ordinance Review Committee - *Chairman Rechtenbach*

18:43:30 Chairman Jerry Rechtenbach recognized Monica Manuel and nominated her to serve as Chair of the Ordinance Review Committee.

18:43:46 Council Member Larry Johnson **MOVED** to approve the appointment of Monica Manuel as Chair of the Ordinance Review Committee. Council Member Dama Barbour **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Johnson-yes, Rechtenbach-yes, Barbour-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

3. REPORTS

3.1 Youth Council Report – *Sidnee Huff*

18:44:37 Youth Council Vice-Chair Sidnee Huff reported on recent activities and upcoming events for the Taylorsville Youth Council. She relayed that Youth Council Members will be attending the Local Officials Day at the State Capitol the end of January. She noted that preparations are also underway for the Annual State Youth Council Leadership Conference at Utah State University.

18:46:08 Council Member Dama Barbour encouraged everyone to attend the Local Officials Day at the Legislature.

18:46:13 Chairman Rechtenbach recognized scouts in attendance from Scout Troop 474.

3.2 Quarterly Report, Public Works - *Kevyn Smeltzer*

It was noted that Kevyn Smeltzer was unable to attend this meeting and will not be presenting his report at this time.

4. CONSENT AGENDA

There were no items for consideration on the Consent Agenda.

5. PLANNING MATTERS

There were no planning matters.

6. FINANCIAL MATTERS

There were no financial matters.

7. OTHER MATTERS

7.1 Discussion Regarding the Process for Appointing an Individual to Fill the Unexpired Term of Mayor - *John Inch Morgan*

18:47:00 City Administrator John Inch Morgan reviewed recommendations for the Mayoral Appointment Process.

18:48:17 City Attorney John Brems outlined the statutory requirements for the process to appoint a Mayor for an unexpired term. He read UCA 20A-1-510 and clarified that the City Council shall make the appointment.

18:51:14 Mr. Brems noted that anything submitted by potential candidates in regard to the application process is considered public record and is subject to GRAMA. He relayed that the City Council gave public notice on December 21, 2012, as per statute requirements. He stated that the mayoral applicants will be interviewed during a public meeting on January 9, 2013. He read citations from State Code requiring that interviews must be conducted in a public setting.

18:53:23 Mr. Brems recommended that the vote for the mayoral appointment be done by a public roll call vote.

18:54:15 Council Member Johnson inquired about any law regarding a Council Member having the right to vote for themselves. He said he does not believe it is fair for a Council Member to vote for him/herself. Mr. Brems clarified that statute does not preclude a Council Member from voting for him/herself.

18:57:19 Mr. Morgan inquired whether the Council is in support of a public vote for the mayoral appointment, as recommended by the City Attorney. Council Members concurred that a public roll-call vote will be held.

19:00:00 Mr. Morgan reviewed his recommendations for requests for information from applicants. The Council was polled and the majority of Council Members agreed to leave Item II of Mr. Morgan's suggestions as is.

19:02:51 Mr. Morgan reviewed his recommendations for interview questions. He recommended that responses be limited to two minutes.

19:03:45 Council Member Larry Johnson suggested that applicants be given three minutes to respond to interview questions. Council Members Burgess, Barbour, and Overson agreed that three minutes is an appropriate time limit.

19:06:05 Council Member Overson suggested adding a question regarding how applicants have been involved in the City as a volunteer, etc. Council Member Barbour agreed that this would be an appropriate question. It was determined to add this as question number four in the first round.

19:07:11 Council Member Johnson suggested removing Question 4, regarding experience with legislative matters, from the second round. Council Member Barbour said that such experience is very important.

19:09:34 It was agreed that it would be appropriate to have a moderator to facilitate the interview process. The consensus of the Council was to have City Administrator John Inch Morgan serve as the moderator.

19:10:29 Mr. Morgan asked that a stipulation be added regarding the need for candidates to be respectful, to be treated with respect, and to prohibit cheering, jeering, etc. It was suggested that no clapping be allowed. Mr. Morgan agreed to add this to the packet which will be posted on the home page of the web site and sent out to all mayoral applicants on January 3, 2013.

19:11:53 Council Member Overson asked about the process for asking a follow-up question. Mr. Brems suggested that not too many follow-up questions be posed because, in order to be fair, each applicant should be asked the same questions.

19:13:26 Council Member Johnson asked for additional clarification on whether there is direction in the statute regarding a Council Member being allowed to vote for him/herself. Mr. Brems reiterated that the statute is silent on this and all Council Members are allowed to vote.

19:15:35 Council Member Dama Barbour suggested that all five Council Members be allowed to vote. Council Member Burgess and Council Member Overson agreed that all five Council Members should vote on the appointment.

19:17:38 Council Member Johnson inquired whether any background checks will be performed on applicants. City Recorder Cheryl Peacock Cottle clarified that the City does not routinely run background checks on candidates for election. She noted that applicants/candidates are required to sign an affidavit swearing that they have never been convicted of a felony; however, if someone wanted to challenge that statement, they could do so.

**7.2 Council Elections for 2013 Council Chair and Council Vice-Chair
- Cheryl Peacock Cottle**

19:29:31 City Recorder Cheryl Peacock Cottle presented nominations received for the 2013 City Council Chair and Vice-Chair. She noted that the only nominations received have been for Dama Barbour as Chair and Kristie Overson as Vice-Chair. Mayor Wall observed that additional nominations may be made from the floor at this time. A vote was conducted. Deputy Recorder Jessica Springer tallied the votes and the City Recorder announced election results, as follows: Council Member Dama Barbour was elected as 2013 City Council Chair and Council Member Kristie Overson was elected as 2013 City Council Vice-Chair.

19:32:06 John Brems suggested that a motion be made to ratify the results for the Council Chair/Vice-Chair Election.

Council Member Larry Johnson **MOVED** to ratify that the new Council Chair is Council Member Dama Barbour and the new Council Vice-Chair is Council Member Kristie Overson. Council Member Ernest Burgess **SECONDED** the motion. **All Council Members voted in favor.**

19:33:10 Council Member Larry Johnson called for clarification regarding the term for Mayor and Council Members and offices coming up for election later this year. It was explained that, as the election for Council District 5 and the Mayoral Election is held at the same time, if Council Member Johnson decides to run for mayor and loses, he would not retain his Council seat.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

There were no new items for subsequent consideration.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

9.1 RDA Board Meeting - Wednesday, January 2, 2013 - 7:00 p.m.

9.2 Planning Commission Meeting - Tuesday, January 8, 2013 - 6:00 p.m.
(It was noted that this Planning Commission Meeting has now been cancelled).

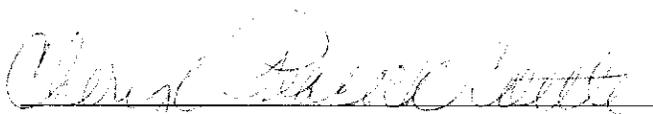
- 9.3 **Special City Council Meeting - Wednesday, January 9, 2013 - 6:30 p.m.**
- 9.4 **Swearing In Ceremony for Mayoral Appointee - Thursday, January 10, 2013 - 12:00 p.m.**
- 9.5 **Strategic Planning Council Retreat - Saturday, January 12, 2013 - 8:00 a.m.**
- 9.6 **Council Briefing Session - Wednesday, January 16, 2013 - 6:00 p.m.**
- 9.7 **City Council Meeting - Wednesday, January 16, 2013 - 6:30 p.m.**
- 9.8 **Planning Commission Meeting - Tuesday, January 22, 2013 - 6:00 p.m.**

10. CALENDAR OF UPCOMING EVENTS

- 10.1 **Swearing In Ceremony for Mayoral Appointee - Thursday, January 10, 2013 - 12:00 p.m. (Noon) - Council Chambers, Taylorsville City Hall, 2600 West Taylorsville Blvd.**

11. ADJOURNMENT

19:35:47 Council Member Dama Barbour **MOVED** to adjourn the City Council Meeting. Council Member Ernest Burgess **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a vote. The vote was as follows: Johnson-yes, Rechtenbach-yes, Barbour-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 7:35 p.m.


Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 02-06-13

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder