

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, January 16, 2013
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

BRIEFING SESSION

Attendance:

Mayor Jerry Rechtenbach

Council Members:

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

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
Donald Adams, Economic Development Director
Aimee Newton, Communications Director
Tracy Wyant, UPD Precinct Chief

Others: Daryl Gudmundson, Dan Fazzini

BRIEFING SESSION

1. Review Administrative Report

18:00:00 Chairman Barbour 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 Barbour called for questions on the Administrative Report for the Community Development Department. Council Member Overson asked about the process for participating in the Good Landlord Training Program. Mark McGrath stated that the program is

presented by the Utah Apartment Association. He explained that the Association tries to accommodate all interested parties by offering classes during the daytime and evening hours. Mr. McGrath agreed to provide the Council with information on the training schedule.

2. Review Agenda

18:01:51 The agenda for the City Council Meeting was reviewed.

3. Adjourn

18:10:23 The Briefing Session was adjourned at 6:10 p.m.

REGULAR MEETING

Attendance:

Mayor Jerry Rechtenbach

Council Members:

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

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Tracy Wyant, UPD 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
Marsha Thomas, Judge
Michael Kwan, Judge
Tess Faulkner, Clerk of the Court

Others Present: Kevyn Smeltzer, Doug Stowell, Monnica Manuel, Brad Mannuel, Brett McIff, Daryl Gudmundson, Dan Fazzini, Dave Ballou, Ed Nelson, Cindy Neilsen, Sloan Ballou, Ashley

Brad Ballou, Teresa Rechtenbach, Tess Falkner, Ed and Cindy Nielsen, John Gidney, Rebecca Schwendimann, Brad Christopherson, Curt Cochran, Detective Jennifer Gober, Detective Scott Lloyd, Officer Aaron Lavin, John Gidney, Scouts from Troop 1286 and Troop 1728

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:29:51 Chairman Dama Barbour 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 Johnson*

18:30:16 Council Member Larry Johnson turned the time over to his granddaughter Sloane Ballou, who directed the Pledge of Allegiance.

1.2 Reverence – *Youth Council* (Opening Ceremonies For February 6, 2013 to be arranged by Youth Council)

18:31:47 Dave Ballou offered the Reverence by sharing a quote from “The Hobbit.”

1.3 Citizen Comments

18:33:39 Chairman Dama Barbour reviewed the Citizen Comment Procedures for the audience. She then called for any citizen comments.

18:34:27 There were no citizen comments, and Chairman Dama Barbour closed the citizen comment period.

1.4 Mayor’s Report

18:34:35 Mayor Jerry Rechtenbach relayed that a Town Hall Meeting was originally scheduled for January 30, 2013, but has now been rescheduled for Wednesday, February 27, 2013.

2. APPOINTMENTS

There were no appointments.

3. REPORTS

3.1 UPD, Taylorsville Precinct Awards - Deputy Chief Tracy Wyant

3.1.1 November and December 2012 Police Officers of the Month

18:35:58 Council Member Larry Johnson **MOVED** to address Agenda Item 3.1.2 ahead of Item 3.1.1. Council Member Kristie Overson **SECONDED** the motion. **All Council Members voted in favor.**

18:39:08 UPD Chief Tracy Wyant recognized Officer Aaron Lavin as the November, 2012 Police Officer of the Month. Chief Wyant cited Officer Lavin's outstanding work ethic and described efforts that resulted in a recent drug seizure and multiple arrests.

18:41:13 Chief Wyant recognized Detective Scott Lloyd as the December, 2012 Police Officer of the Month. Chief Wyant cited Officer Lloyd's heroic actions recently in resolving a dangerous domestic violence incident. Chief Wyant observed that Officer Lloyd's actions and professionalism should be commended.

18:44:42 Council Member Johnson commended UPD officers working in the Taylorsville precinct. He thanked officers for their efforts and for their dedication to the City of Taylorsville.

18:45:22 Mayor Rechtenbach commended Officer Lloyd for his outstanding contribution to Taylorsville.

18:46:53 Council Member Burgess cited his recent attendance at the "Citizens Police Academy" and commended officers for the protective services that are provided to citizens.

18:47:50 Chairman Barbour said that Taylorsville is fortunate to have Chief Wyant, the UPD Officers, and proactive citizens like Mr. and Mrs. Nielsen.

18:48:11 Chairman Barbour recognized Scout Troops from #1286 and #1728 in attendance.

3.1.2 Citizen Awards

18:36:11 UPD Chief Tracy Wyant presented Ed and Cindy Nielsen with Citizen Awards. It was relayed that Mr. and Mrs. Nielsen became suspicious of activity in their neighborhood and reported such to the Unified Police Department. Detective Gober provided follow-up and was able to execute multiple arrests and recover stolen property relevant to several cases within Taylorsville and surrounding areas. It was noted that additional follow-up resulted in the ultimate eviction of tenants. Chief Wyant recognized Detective Jennifer Gober and invited her

comments. Chief Wyant expressed his appreciation to Ed and City Nielsen for their willingness to get involved. He added that the UPD needs community involvement, as it is invaluable and greatly appreciated.

18:38:43 Detective Gober noted that Mr. and Mrs. Nielsen reside in Council District 4. Chairman Barbour expressed her appreciation to those involved.

3.2 Quarterly Report, Economic Development Department - *Donald Adams*

18:49:15 Economic Development Department Director Donald Adams presented a quarterly report on economic development activities in Taylorsville. Mr. Adams stated that he would be reporting on successes and failures in tonight's meeting. He listed the following:

18:50:04 Focus Area 1: Employment: Mr. Adams cited Sorenson Research Park (code named Project Hector and Project Hermes): He noted that this company will be bringing a number of jobs into the area. He further stated that these employers will be receiving incentives from the State. Mr. Adams commented that there will be an expansion project at Sorenson Research Park, including a manufacturing clean room that will occupy about 40,000 square feet of space from an existing storage facility. Mr. Adams noted that, over time, 70 new jobs will be added to the facility.

Mr. Adams commented on the loss of a company that has decided to expand their business to a neighboring city.

Mr. Adams discussed an additional expansion site located at 6200 South and Bangerter (known as the UDOT site). He also referenced retail businesses in Focus Area 2. He indicated that this project is still in discussion but may possibly open in summer 2013.

Mr. Adams briefly discussed marketing and the image Taylorsville as perceived by businesses. He commented that it has been discovered that the City's image is neutral. He relayed that added emphasis on the City's image will be starting soon, with an aggressive email marketing program. He mentioned that the Economic Development Department has adopted a new look that is very progressive. He commented that an economic development video will be released in February 2013.

18:57:08 Council Member Kristie Overson recognized good things that are occurring in the area of economic development and commended Mr. Adams for the efforts of his department.

3.3 Quarterly Report, Public Works - *Kevyn Smeltzer*

18:57:42 Kevyn Smeltzer reported on public works services provided in Taylorsville during the previous quarter.

18:58:22 Mr. Smeltzer described snow plowing services that have been rendered recently. He stated that the City is divided into nine areas. He clarified that cul-de-sac areas are not plowed during overtime hours and are left for the following day; this decision was implemented as a measure to save money on snow removal. He cited a "wing plow" which is used on large snow plow trucks placed on the side. He explained that this feature makes it possible to plow two lanes at once. Mr. Smeltzer noted that Public Works is implementing a procedure called "pre-wetting." This procedure is described as a brine solution that is sprayed right before the salt is laid down to activate the salt on the roads. Mr. Smeltzer stated that when temperatures are below 17 degrees, the salt mixture used on roads does not melt; with the recent lower temperatures this has been a main concern for road safety.

19:01:17 Council Member Burgess cited a complaint that he received regarding icy roads and stated his appreciation for the information given. Mr. Smeltzer described anti-icing methods that are used on roads prior to a snow storm in order to help prevent snow and ice accumulation.

19:02:55 Council Member Johnson inquired about exact time frames for sending out snow plows during storms. Mr. Smeltzer clarified that judgments are made on releasing plows in various types of storms. He noted that plows typically wait until an accumulation is noted.

19:04:07 Chairman Barbour asked for clarification on the policy for clearing cul-de-sacs during a storm. Mr. Smeltzer explained that a few years back, in an effort to save money for snow removal services, the decision was made to postpone the clearing of cul-de-sacs until the next day. He added that the final decision to plow cul-de-sacs during overtime hours is made with Taylorsville's City Engineer. Council Member Overson asked about the cul-de-sac snow plows interfering with garbage collection. Mr. Smeltzer affirmed that Public Works coordinates with the Sanitation Department in regard to garbage pickup days.

19:06:42 Mr. Smeltzer cited crack seal services that are rendered during this time of the year. He provided maps for areas that will be treated.

3.4 Court & Indigent Defense Report - *Judge Thomas & Doug Stowell*

19:07:28 Judge Marsha Thomas reported on recent activity in the Taylorsville Municipal Justice Court. She noted that her report will be covering the first half of the fiscal year.

19:08:36 Judge Thomas cited a dramatic drop in case filings and reviewed statistics for such. She described case types in percentages: Traffic at 74%; Misdemeanor at 18% (which also includes DUI cases); Small Claims at 8%. Council Member Overson asked if the percentages remain consistent. Judge Thomas referenced an increase since the Council approved traffic patrol overtime.

19:11:05 Judge Thomas commented that expenses are outpacing revenues. She added that the Court is focused on decreasing expenses, streamlining processes and increasing compliance. She clarified that her report covers the period through December 31, 2012.

19:11:46 Judge Thomas cited areas where expenses are decreasing, i.e. indigent defense, and interpreter and transportation services, as a result of lower caseloads. She also noted that there would be no re-hiring of two exiting personnel positions. She cited a continued analysis of line item expenses, i.e. office supply expenses, and relayed that procedures have been changed to decrease costs for printing forms. It was noted that postage is the biggest expense, so that area will be evaluated for potential decrease.

19:13:58 Council Member Larry Johnson inquired about expenses. Judge Thomas cited the Court's highest expenses as postage, printing and paper.

19:14:44 Judge Thomas described ways that the court is streamlining processes and increasing compliance, i.e. updated phone recordings to provide more information on the process for paying a fine (both in Spanish and English); streamlined case resolution processes for people who want to know if they qualify for a traffic school plea-in-abeyance; increased timely contact for compliance on key dates for cases, warrants, etc. Judge Thomas also cited collaboration with UPD on contacting defendants with outstanding warrants.

19:17:36 Council Member Burgess asked about the process for serving warrants. UPD Chief Tracy Wyant gave clarification on the types of warrants served and steps that are taken. He explained that most are notified in person, at an individual's residence, or through a promise to appear form. Chief Wyant thanked Officer Munez and Detective Schoenfeld for their efforts with the warrant process.

19:20:30 Judge Thomas discussed projects and goals as follows: increase employee knowledge base through online training programs and in-person training; establish base-line measurement tools for the court; update security/emergency plan and fingerprint procedures; and finalize a technology plan to continue moving towards becoming a paperless court.

19:21:51 Kristie Overson asked for clarification on whether the Taylorsville Court can be measured against other courts in the valley. Judge Thomas described ways that measurements are taken. She advised that some data is collected by the Utah Administrative Office of the

Courts and that data can be measured against other cities in the valley. She noted that some of the tools have suggestions that are made by the National Center for State Courts.

19:22:57 Chairman Barbour expressed her concern about revenue versus expenses. Judge Thomas affirmed that the Court is also very concerned about expenses.

19:23:40 Council Member Johnson asked for an update on collection efforts. Judge Thomas stated that current account receivables, for the last 15 years, are at \$2.8 million. She noted that the new computer system was converted in 2007-2008. She clarified that if the years prior to 2007-2008 are removed, due to unreliability of the numbers, the number is \$1.7 million. She also noted that when removing warrants issued and cases older than 90 days, the number is \$690,000. Judge Thomas commented on costs per case and the collection of monetary penalties. She stated that once core tools are used, the Courts will be able to make further determination regarding the collection of fines. Council Member Johnson asked for further clarification regarding amounts outstanding from accounts receivables. Judge Thomas gave additional clarification.

19:28:06 Ernest Burgess inquired about the amount of money saved by streamlining forms. Judge Thomas commented that her analysis shows that printing costs for forms is \$5,500 per year. She relayed that, from July to December, the savings has been around \$1,500.

19:28:50 Chairman Barbour requested provision of a delinquency report for accounts receivables from the years 2008 through 2010. Judge Thomas agreed to email such to the Council.

19:29:38 Doug Stowell reported on indigent defense services provided in the Taylorsville Justice Court. Mr. Stowell noted that some public defender fees are paid by clients if they are found guilty or plead to a lesser offense. Mr. Stowell invited Council Members to visit a court session on any second or third Wednesday of the month. He commented that on those days the caseload is between 70-140 cases per day, so the pace is busy and fast-paced. He cited different types of trials and cases heard on a day to day basis.

19:32:21 Mr. Stowell noted that his presentation is for the reporting period of October through December, 2012. He reviewed a cross reference of cases and charges representative of the City and noted that 90% of retail thefts occur at Wal-Mart. Mr. Stowell expressed his appreciation in working for Taylorsville over the years and called for any questions from the Council.

19:35:01 Council Member Johnson asked for clarification on warrants that are issued. Mr. Stowell and Judge Thomas gave explanation. Mr. Johnson also asked for clarification on the small claims court process. Judge Thomas cited the variety of cases and clarified that small claims court cases are for claims at a value less than \$500.

4. CONSENT AGENDA

4.1 Minutes – RCCM 12-19-12 & SCCM 12-21-12 & SCCM 12-31-12

19:38:22 Council Member Kristie Overson **MOVED** to adopt the Consent Agenda. Council Member Larry Johnson **SECONDED** the motion. Chairman Barbour called for discussion on the motion. There being none, she called for a vote. The vote was as follows: Johnson-yes, Barbour-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

There were no planning matters.

6. FINANCIAL MATTERS

There were no financial matters.

7. OTHER MATTERS

7.1 ***Ordinance No. 13-03 - Amending Section 2.14.033 of the Taylorsville Code of Ordinances that is Entitled District Boundaries*** ***- John Inch Morgan & Monnica Manuel, Ordinance Review Committee Chair***

19:39:27 City Administrator John Inch Morgan introduced the topic and gave clarification as to the need for re-districting voting precincts. He commented that the State re-districting process, which occurred recently, did not align with the City's district boundaries. He explained that the Ordinance Review Committee (ORC) was asked to review the boundary options. Mr. Morgan noted the need to follow the law in equalizing the population in each of the districts. Mr. Morgan turned the time over to Ordinance Review Chair Monnica Manuel to discuss in greater detail the findings of the ORC.

19:41:48 Monnica Manuel described considerations before the ORC. She stated that a major concern was to limit liability for the City with boundary clarification and also ensure that voters have the correct voting ballots. Ms. Manuel stated that the Ordinance Review Committee's preferred option includes making district boundaries consistent with voting precinct boundaries and creating natural, logical boundaries. She relayed that the preference would be to move the Ivory Highlands Subdivision from District 4 into District 3. She explained that, instead of having a differential from largest population area to smallest of 26%, this option would achieve an 11% differential from largest to smallest and create a more equitable boundary. Ms. Manuel stated that a second preference would be to make adjustments to the district boundaries that coincide

with the precincts, but leave Ivory Highlands in District 4; this option would make District 4 the largest population area at 14,038, compared to the smallest at 10,061. She observed that this second option would accomplish the alignment of district boundaries with precinct boundaries; however, the equity in population is less.

John Inch Morgan asked City Attorney John Brems to discuss the legal aspects of the suggested changes and to answer any questions from Council. Chairman Barbour stated that she understands the reasoning behind the preferred option, but will feel the loss of not having Ivory Highlands in her district.

Mr. Brems stated that both options presented are reasonable, but the option that best meets the statutory requirement is the first option. He added that, given the constraints of lining up the Districts with precincts, the first option is definitely the best. Chairman Barbour thanked the Ordinance Review Committee and stated that they have done an excellent job.

Community Development Director Mark McGrath observed that the preferred option follows logical changes and natural boundaries and all boundaries are made to coincide with precincts.

19:46:05 City Administrator John Inch Morgan thanked the Ordinance Review Committee for calling a special meeting on a short timetable. He recognized the efforts of the committee members and noted that they have given good recommendations.

19:46:55 Council Member Overson questioned whether the numbers given take into account voter registration or just population. City Attorney John Brems confirmed that it only accounts for population.

19:47:55 Mayor Rechtenbach observed that the preferred option skews Council District 3 and may affect someone who has already applied for the Council vacancy in that district. Council Member Burgess agreed that the first option is the best. Mr. Brems confirmed that there could be issues with regard to filling the current City Council vacancy. He also noted that, if the first-option map is approved, more specific legal description on boundaries will be brought forward. Council Member Johnson suggested that clarification be made to the citizens affected by changed boundaries. City Administrator John Inch Morgan clarified that notification will be taken care of through the City, and also through Salt Lake County as election ballots are prepared. He cited the need for urgency on this decision so that Salt Lake County can start preparation for election packets and ballots as they pertain to each district. He relayed that the County has given a deadline of January 25, 2013 for making changes.

19:51:00 Chairman Barbour asked that boundary information and changes be placed on the website.

19:51:08 Council Member Ernest Burgess **MOVED** to adopt Ordinance No. 13-03 - Amending Section 2.14.033 of the Taylorsville Code of Ordinances that is Entitled District Boundaries, inclusion of the preferred option. Council Member Kristie Overson **SECONDED** the motion. Chairman Barbour called for discussion on the motion. There being none, she called for a vote. The vote was as follows: Johnson-yes, Barbour-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

**7.2 Ordinance No. 13-02 - Recognizing the Midterm Vacancy in the City Council, Directing that Public Notice be Given, Identifying the Date, Time and Place of the Meeting Where the Vacancy will be Filled, Identifying the Person to Whom Interested Persons May Submit Interested Person's Name for Consideration and Setting the Deadline for Such Submission
- John Brems, City Attorney**

19:52:19 City Attorney John Brems stated that the subject ordinance formalizes the verbal action taken on January 9, 2013 to notice the mid-term vacancy on the City Council for representation in District 3.

19:53:54 Council Member Johnson inquired about the potential for a tie vote. Mr. Brems explained that the statute states that if a decision is not made after 30 days, the Council will have to choose between the top two applicants.

19:54:13 Council Member Larry Johnson **MOVED** to adopt Ordinance No. 13-02 - Recognizing the Midterm Vacancy in the City Council, Directing that Public Notice be Given, Identifying the Date, Time and Place of the Meeting Where the Vacancy will be Filled, Identifying the Person to Whom Interested Persons May Submit Interested Person's Name for Consideration and Setting the Deadline for Such Submission. Council Member Ernest Burgess **SECONDED** the motion. Chairman Barbour called for discussion on the motion. There being none, she called for a vote. The vote was as follows: Johnson-yes, Barbour-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

19:55:26 City Administrator John Inch Morgan called for additional discussion and input on the letter to be provided to potential applicants. The consensus of the Council was to review and email comments or changes to Mr. Morgan by noon on Friday, January 18, 2013.

19:56:34 Mr. Morgan noted that the same questions need to be published to all applicants in order to be fair. City Recorder Cheryl Peacock Cottle confirmed that she has already given out two letters to applicants. Mr. Morgan confirmed that existing applicants will receive a revised letter, if necessary.

7.3 Resolution No. 13-01 - Appointing Jerry Rechtenbach as the City of Taylorsville's Representative to the Unified Police Department Board of Directors - *John Inch Morgan*

19:57:39 Chairman Barbour called for consideration of Resolution 13-01 to appoint Mayor Rechtenbach as the City's representative on the Unified Police Department Board of Directors. Council Member Ernest Burgess noted that all other members are mayors.

19:58:22 Council Member Larry Johnson **MOVED** to adopt Resolution No. 13-01 - Appointing Jerry Rechtenbach as the City of Taylorsville's Representative to the Unified Police Department Board of Directors. Council Member Kristie Overson **SECONDED** the motion. Chairman Barbour called for discussion on the motion. There being none, she called for a vote. The vote was as follows: Johnson-yes, Barbour-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

19:59:02 Council Member Kristie Overson thanked City Administrator John Inch Morgan, along with employees Blake Schroeder and Curtis Bullock, for their follow through on snow removal issues and the removal of safety hazards on Redwood Road.

20:00:03 Council Member Johnson asked for clarification about the term for the upcoming appointment to the City Council. John Inch Morgan confirmed that the appointee will need to declare any intention during the June 2013 filing period to run for election in November for a two-year term. He explained that in order to continue the same election cycle, the Council District 3 office will then be up for election again in two years.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

- 9.1 Council Briefing Session - Wednesday, January 16, 2013 - 6:00 p.m.
- 9.2 City Council Meeting - Wednesday, January 16, 2013 - 6:30 p.m.
- 9.3 Planning Commission Meeting - Tuesday, January 22, 2013 - 6:00 p.m.
- 9.4 Special City Council Meeting - Wednesday, January 30, 2013 - 6:30 p.m.
- 9.5 Swearing In Ceremony for Council Member Appointee for District #3 - January 31, 2013 - 12:00 p.m. (Noon)

10. CALENDAR OF UPCOMING EVENTS

- 10.1 *Swearing In Ceremony for Council Member Appointee for District #3 - Thursday, January 31, 2013 - 12:00 p.m. (Noon) - Council Chambers, Taylorsville City Hall, 2600 West Taylorsville Blvd.*

- 10.2 **Taylorsville Art Show Registration - February 26 & 27, 2013 - 4:00 p.m. to 8:00 p.m. - For more information and entry forms visit: www.taylorsvilleut.gov/arts.main.html**
- 10.3 **Taylorsville Iditarod - Saturday, March 2, 2013 - 10:00 a.m. - For more information visit <http://taylorsvilleurbaniditarod.blogspot.com>**

11. ADJOURNMENT

20:03:03 Council Member Kristie Overson **MOVED** to adjourn the City Council Meeting. Council Member Ernest Burgess **SECONDED** the motion. Chairman Barbour called for discussion on the motion. There being none, she called for a vote. The vote was as follows: Johnson-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 8:03 p.m.



Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 02-06-13

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder, and Kristy Heineman, Deputy Recorder