

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

**Wednesday, January 4, 2012**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84129**

**6:00 P.M. SWEARING IN CEREMONY**

**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  
Del Craig, Chief of Police  
Cheryl Peacock Cottle, City Recorder  
Aimee Newton, Public Relations Consultant  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Donald Adams, Economic Development Director  
Patrick Tomasino, Building Official  
Rosie Rivera, Police Lieutenant

**Excused:** Deputy Recorder Jessica Springer

**Citizens:** Jay Ziolkowski, Darwin Cottle, Lynn Handy, Dan Fazzini, Jennifer Schwendiman, John Gidney, Israel Grossman, Rhetta McIff, Brett McIff, Cathy McKitrick, Teresa Rechtenbach, Steve Ashby, Jerry Milne, Kerry Steadman, Stan Steadman, Mavis Steadman, Bailey Wyatt, Janae Fairbourn, Kimberly Forsyth, Reagan Marie Gabbitas, Kelsey Rowley, Curt Cochran, Abby Black, Joel Gardner, Alan Anderson, Nick Grundvig, Aubrey Thomson, Jacob Bailey, John Vo, Mitch Haycock, Brent Overson, Connie Burgess

Mayor Russ Wall welcomed those in attendance and recognized local officials, City staff, and community volunteers. Newly-elected Taylorsville City Council Members Kristie Overson (Council District 2), Ernest Burgess (Council District 1), and Jerry Rechtenbach (Council District 3) were sworn into office by City Recorder Cheryl Peacock Cottle. A short reception was held to honor the new Council Members and refreshments were served.

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## REGULAR MEETING

### 1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:35:31 Chairman Jerry Rechtenbach called the meeting to order at 6:35 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 – *Abby Black, Youth Council*

18:36:25 Taylorsville Youth Council Member Abby Black directed the Pledge of Allegiance.

#### 1.2 Reverence – *Kelsey Rowley, Youth Council (Opening Ceremonies For January 18, 2012 to be arranged by Council Member Rechtenbach)*

Taylorsville Youth Council Member Kelsey Rowley offered the Reverence.

## CLOSED SESSION

Chairman Jerry Rechtenbach cited the need for the Council to move into a Closed Session to discuss the professional competence of an individual.

18:37:39 Council Member Larry Johnson **MOVED** to convene a Closed Session to discuss the professional competence of an individual at 6:37 p.m. Council Member Dama Barbour **SECONDED** the motion. Chairman Jerry Rechtenbach called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Rechtenbach-yes, Barbour-yes, Johnson-yes, Burgess-yes, and Overson-yes. **All members of the City Council voted and the motion carried by a unanimous vote.**

Those in attendance at the Closed Session were: Mayor Russ Wall, City Administrator John Inch Morgan, Council Members Barbour, Burgess, Johnson, Overson, and Rechtenbach, City Attorney John Brems, Police Chief Del Craig, and City Recorder Cheryl Peacock Cottle.

**A meeting of the City Council held on Wednesday, January 4, 2012 was closed to discuss the character and professional competence of an individual, wherein no other items were discussed.**

Council Member Dama Barbour **MOVED** to adjourn the Closed Session at 7:14 p.m. and convene the regular City Council Meeting. Council Member Larry Johnson **SECONDED** the motion. Chairman Jerry Rechtenbach called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Rechtenbach-yes, Barbour-yes, Johnson-yes, Burgess-yes, and Overson-yes. **All members of the City Council present voted and the motion carried by a unanimous vote.**

### **1.3 Administrative Report – Administration**

19:15:32 The regular City Council Meeting was reconvened at 7:15 p.m. Chairman Rechtenbach called for any questions on the Administrative Report and there were none.

### **1.4 Citizen Comments**

19:15:52 Chairman Jerry Rechtenbach reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

19:17:28 Rhetta McIff announced that Saturday, March 3, 2012 is the date scheduled for the *Second Annual Taylorsville Urban Iditarod*. She challenged elected officials to participate in the event.

19:19:15 Dan Fazzini thanked elected officials for their service. He asked questions regarding the proposed Smoking Ordinance, specifically whether it will be enforced. He cited other municipalities that have a similar ordinance but practice selective enforcement. He noted some conflicting verbiage regarding smoking in a vehicle or parking lot. Mayor Wall agreed that it may be appropriate to remove certain language regarding smoking in a vehicle.

19:23:52 There were no additional citizen comments, and Chairman Rechtenbach closed the citizen comment period.

### **1.5 Mayor's Report**

Mayor Russ Wall welcomed the two new City Council Members and thanked them for their willingness to serve. He reported that Taylorsville recently submitted an application and has qualified for designation as a "*Tree City USA*" City. He thanked Rhetta McIff and other volunteers on the LARP Committee for their efforts in obtaining this designation for Taylorsville.

## APPOINTMENTS

### 2.1 Resolution No. 12-01 – Appointing a Treasurer and a Recorder – *Mayor Wall*

19:25:51 Mayor Wall explained that statute requires the appointment of a City Treasurer and a City Recorder every two years following a municipal election. He nominated John Inch Morgan to be reappointed as City Treasurer and Cheryl Peacock Cottle to be reappointed as City Recorder. He called for consideration of the subject resolution to approve the appointments recommended.

19:26:21 Council Member Dama Barbour **MOVED** to adopt Resolution No. 12-01 to Appoint John Inch Morgan as City Treasurer and Cheryl Peacock Cottle as City Recorder. Council Member Kristie Overson **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Barbour-yes, Johnson-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

## 3. REPORTS

There were no reports given.

## 4. CONSENT AGENDA

### 4.1 Minutes – RCCM 12-07-11 & RCCM 12-14-11

19:28:11 Council Member Dama Barbour **MOVED** to adopt the Consent Agenda. Council Member Larry Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Barbour-yes, Johnson-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

### 6.1 **Public Hearing** – 6:30 p.m. – To Receive Public Comment Regarding Ordinance 12-02

19:29:03 City Attorney John Brems referenced a proposed ordinance that would basically reset the compensation schedule for employees. He explained that out of an abundance of caution and for clarification purposes a public hearing has been scheduled. He stressed, however, that there is no intent to give any elected official a raise. Mr. Brems relayed that in the next year's budget for the City an exhibit that illustrates pay grades will be included. He indicated that, although previous budgets have been much more detailed, future budgets will allow the Council to simply set salary ranges and then Administration will administer salaries within the parameters given.

19:30:47 Chairman Rechtenbach said he is concerned that the proposed ordinance may require more discussion, especially for new Council Members.

19:31:23 Chairman Rechtenbach opened the public hearing and called for any citizen comments.

19:32:24 There were no citizen comments and Chairman Rechtenbach declared the public hearing closed.

#### 6.1.1 **Ordinance No. 12-02** – Restating the Compensation Offered to Elective, Statutory and Appointive Officers and Compensation Schedule for Employees of the City of Taylorsville – *John Brems*

19:32:34 Council Member Larry Johnson **MOVED** to table Ordinance 12-02 for further discussion at a Work Session. Council Member Dama Barbour **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. Clarification was given on the timetable for discussing and considering the proposed ordinance. There being no further discussion, Chairman Rechtenbach called for a roll call vote. The vote was as follows: Rechtenbach-yes, Barbour-yes, Johnson-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

### 6.2 **Resolution No. 12-02** – Consideration and Acceptance for the FY 2011 Utah Local Government Trust Risk Management Grant – *John Inch Morgan*

19:35:55 City Administrator John Inch Morgan presented the subject resolution to accept the FY 2011 Utah Local Government Trust (ULGT) Risk Management Grant. He cited six safety regulations that must be met. He indicated that the funds granted will be utilized to promote safety and help reduce risks. Chairman Rechtenbach clarified that this is a grant from ULGT and will be received by the City in cash form.

19:38:30 Council Member Overson inquired about the Trust's *Safe Driver Pledge*. Mr. Morgan explained that the form is generated by the Trust.

19:38:56 Council Member Johnson asked about the amount of the grant. Mr. Morgan said that the amount is unsure at this point, but is estimated to be between \$3,000 and \$8,000.

19:39:19 Council Member Larry Johnson **MOVED** to adopt Resolution No. 12-02 – Consideration and Acceptance for the FY 2011 Utah Local Government Trust Risk Management Grant. Council Member Dama Barbour **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Barbour-yes, Johnson-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

## 7. OTHER MATTERS

### 7.1 ***Ordinance 12-01 – An Ordinance of Taylorsville Prohibiting Smoking on or in City-Owned Parks, Trails, and Recreation Facilities – John Brems***

19:39:57 City Attorney John Brems presented the subject ordinance regarding the prohibition of smoking in City Parks. It was agreed to make the amendment previously suggested and to eliminate the phrase "... including possession of lighted tobacco products in a vehicle."

19:40:59 Council Member Larry Johnson **MOVED** to adopt Ordinance 12-01 – An Ordinance of Taylorsville Prohibiting Smoking on or in City-Owned Parks, Trails, and Recreation Facilities with the amendment to exclude the verbiage "... including possession of tobacco products in a vehicle." Council Member Dama Barbour **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. Mr. Johnson asked about the posting of signs. Mr. Brems noted that verbiage in the ordinance addresses signage. There being no further discussion, Chairman Rechtenbach called for a roll call vote. The vote was as follows: Rechtenbach-yes, Barbour-yes, Johnson-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.**

### 7.2 ***Discussion of the Proposed Land Development Code, Chapters 35, 36 and 37***

19:43:40 Community Development Director Mark McGrath called for discussion on Chapters 35 and 36 of the proposed *Land Development Code*. He suggested that discussion related to Chapter 37 be postponed until the next meeting, as it contains extensive fundamental changes to the current code and may require a significant amount of time for review.

19:44:14 Chapter 35 was addressed. Chairman Rechtenbach noted a lot of redundancy in the chapter. Mr. McGrath clarified that this chapter essentially mimics State Law.

19:45:35 Council Member Johnson referenced sign requirements and suggested including requirements pertaining to size. It was agreed to include a size requirement of four to five square feet.

19:46:32 Chapter 36 regarding definitions was reviewed. Mr. McGrath noted that the proposed code is a substantial improvement over the current code. He cited a recent difficult situation in a Planning Commission Meeting over a land use that was not specifically defined. He indicated that the proposed definitions are pretty straight forward.

19:48:14 Council Member Overson inquired about certain landscaping definitions. Economic Development Director Donald Adams gave clarification on why some landscaping definitions still need to be included. Mr. McGrath referenced some uses that are not allowed, but still need to be defined in order to make determinations.

19:50:12 Council Member Overson cited the definition of a variance on Page 72. She inquired whether the Board of Adjustment is the only body that can grant a variance. Mr. McGrath explained that State Code no longer requires a "Board of Adjustment" per se, but rather requires that there is an appeal body in place to address provisions of the Zoning Code. Council Member Overson suggested that the wording on Page 72, therefore, be amended. Mr. McGrath agreed that this change would be made.

19:50:59 Council Member Overson referenced some other housekeeping-type changes that she will e-mail to Mr. McGrath.

19:52:01 Mr. McGrath clarified that Chapter 37 will be scheduled for review during the January 11, 2012 Work Session.

19:51:42 Council Member Barbour inquired whether the proposed *Land Development Code* might be added to the City's shared *Evernote* folder. City Administrator John Inch Morgan confirmed that it will be included in the shared folder.

19:52:20 Mayor Wall cited the Rocky Mountain Power Substation across the street from the Fire Station. He said the substation is very necessary, but doesn't fit with the City's beautification plans. He indicated that the City has been working with Rocky Mountain Power to improve the site and make it more attractive. He relayed that the Power Company has budgeted \$200,000 to contribute to the building of a wall that would be similar to the City's walls along 5400 South. He clarified that the proposed wall would be taller and required to be 10 feet tall. The Mayor estimated that the total cost of the wall is between \$375,000 and \$400,000. He suggested that the wall become a 50/50 project. He referenced \$191,000 that was refunded through the Pedestrian Bridge Project at 6200 South and 2700 West. He said that if these funds are not used to match the Rocky Mountain Power funds, those monies will go to another project in another part of the

State. The Mayor indicated that Administration will be asking for a movement of the \$191,000 from the Fund 45 Balance (fund for major projects/capital projects) to help beautify 2700 West around the substation. He clarified that it will be a substantial wall (about 400 feet) around the substation. Mayor Wall said that this proposal will be brought back for further discussion.

19:56:19 Chairman Rechtenbach stated that he is not sure he wants to spend \$200,000 on this particular project. Mayor Wall reiterated that the business is willing to spend \$200,000 to pay for half of the project. Mr. Johnson asked about the exact location of the wall and clarification was given that the wall will run north and south.

19:57:27 Council Member Dama Barbour stated that she is in favor of the project. Council Member Johnson concurred.

19:57:56 City Administrator John Inch Morgan said that the Strategic Planning Session has tentatively been scheduled for January 21, 2012, but a specific time still needs to be determined. He relayed that citizen committees will be invited to attend and assess the City's Strategic Plan. He noted that the session is generally scheduled for a half-day. Chairman Rechtenbach stated that January 21<sup>st</sup> is not a good day for him. Discussion ensued and it was agreed to change the date for the Strategic Planning Session to Saturday, January 28, 2012 from 8:00 a.m. to noon.

### **7.3 Council Elections for 2012 Council Chairman and Council Vice Chairman – Cheryl Peacock Cottle**

20:04:24 City Recorder Cheryl Peacock Cottle presented nominations received for the 2012 City Council Chair and Vice Chair, and a vote was conducted. Deputy Recorder Jean Ashby tallied the votes and the City Recorder announced election results, as follows: Jerry Rechtenbach as 2012 City Council Chair and Council Member Dama Barbour as 2012 City Council Vice-Chair.

### **7.4 General Technology Training – John Inch Morgan & John Taylor**

20:04:33 City Administrator John Inch Morgan noted that the two laptops purchased for former Council Members were eight years old and needed to be replaced. He relayed that it was less expensive to provide all five City Council Members with iPad devices than to purchase two new laptop computers; therefore, all Council Members have been issued iPads. Mr. Morgan and City Engineer John Taylor conducted training in regards to new technology and electronic devices.

20:17:38 Mr. Taylor described the benefits of the *Evernote* Program as a repository for shared documents. He illustrated techniques that are used on the iPad device.

20:25:10 Mr. Morgan and Mr. Taylor offered to schedule additional informal training on iPad applications. It was agreed that a training session will be held on Tuesday, January 10, 2012 at 3:30 p.m. in Conference Room 202 at City Hall.

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

There were no new items for subsequent consideration.

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

20:29:01

- 9.1 RDA Meeting – Wednesday, January 4, 2012 – 7:00 p.m.
- 9.2 City Council Work Session – Wednesday, January 11, 2012 – 6:00 p.m.
- 9.3 City Council Briefing Session – Wednesday, January 18, 2012 – 6:00 p.m.
- 9.4 City Council Meeting – Wednesday, January 18, 2012 – 6:30 p.m.
- 9.5 RDA Meeting – Wednesday, January 18, 2012 – 7:00 p.m.
- 9.6 City Council Briefing Session – Wednesday, February 1, 2012 – 6:00 p.m.
- 9.7 City Council Meeting – Wednesday, February 1, 2012 – 6:30 p.m.
- 9.7.1 State of the City Address - Mayor Wall

#### 10. CALENDAR OF UPCOMING EVENTS

There were no upcoming events on the calendar.

#### 11. ADJOURNMENT

20:30:08 Council Member Dama Barbour **MOVED** to adjourn the City Council Meeting. Council Member Larry Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Barbour-yes, Johnson-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:30 p.m.



Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 01-18-12