

City of Taylorsville
CITY COUNCIL WORK SESSION
Minutes

Wednesday, August 8, 2012
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

Attendance:

Mayor Russ Wall

Council Members:

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

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Cheryl Peacock Cottle, City Recorder
Jessica Springer, Council Coordinator
Wayne Dial, Police Lieutenant
Mark McGrath, Community Development Director
John Taylor, City Engineer
Scott Harrington, Chief of Finance
Donald Adams, Economic Development Director
Kristy Heineman, Deputy Recorder
Aimee Newton, Communications Director
Tracy Wyant, Police Precinct Chief

Excused: City Council Member Larry Johnson

Others: Charles Christopher, Rhetta McIff, John Gidney, Doug Shupe, Lynette Wendel, Curt Cochran, Lt. Randy Thomas, Lt. Mike Schoenfeld, Members of Scout Troop 511

18:01:16 Chairman Jerry Rechtenbach called the Work Session to order at 6:01 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 Johnson who was excused.

1. Discussion Regarding Electronic Billboards – *Mark McGrath*

18:01:16 Community Development Director Mark McGrath illustrated examples of electronic billboards and a map of existing billboards in the City. He cited a current trend toward electronic billboards. He illustrated various types of billboards at different locations in Taylorsville.

18:04:59 Mr. McGrath relayed that the Taylorsville Planning Commission has recommended that the City adopt either a moratorium or a notice of pending ordinance change, which would state that anyone wanting to transition to an electronic billboard is subject to the future ordinance amendment. Mr. McGrath cited current lawsuits in the valley between cities and billboard companies.

Mr. McGrath noted that this issue is for discussion only. Council Chairman Rechtenbach stated that he thought a moratorium on billboards was already in existence. Mr. McGrath clarified that the current ordinance states that no new electronic billboards may be built; however, there is nothing in the current ordinance that addresses a transition from an existing billboard to an electronic billboard. He reviewed potential lighting issues for some electronic billboards. It was noted that electronic billboards are brighter than traditional billboards and could potentially be detrimental, especially in residential areas. Chairman Rechtenbach asked for clarification on the current ordinance and asked if the lighting issue is already covered. Mr. McGrath stated that the ordinance covers electronic message centers, but does not cover billboards. Mr. McGrath pointed out that message center signs are very specific. Mr. McGrath suggested that the eventual recommendation will be similar to the ordinance that talks about transitioning a standard on-premise advertising sign to an electronic message center sign. Council Member Ernest Burgess asked about the timeline for amending the ordinance. Mr. McGrath stated that the ordinance could be ready for review at the last meeting in September. He noted that there are currently no applications for this type of sign, but there are a number of areas in Taylorsville where transitioning to electronic billboards is possible.

18:10:52 City Attorney John Brems noted that the current ordinance does not safeguard against advertisers who transition to electronic billboards without prior permission. Council Member Dama Barbour asked what the immediate action would be to prevent this.

18:11:54 Mark McGrath suggested that the City Council approve a moratorium that puts everything on hold and then an ordinance can be brought back to either adopt the moratorium or adopt the notice of pending ordinance change. He clarified that this action will place a hold on any applications that may be submitted. He observed that staff will work on developing an ordinance that will be taken before the Planning Commission for review and then to the City Council for adoption.

18:13:24 Council Member Kristie Overson asked if there is a downside to the moratorium. It was noted that State code is currently silent on transitioning standard billboards to electronic billboards. Mr. McGrath indicated that he will prepare a moratorium and doesn't see any downside.

City Attorney John Brems gave direction on a potential ordinance to address transitions to electronic billboards. He suggested directing Administration to prepare an ordinance that would put the public on notice that there is a pending ordinance change.

18:14:50 It was the consensus of the Council to implement a moratorium on electronic billboards until the ordinance is re-worked.

18:15:24 Council Member Ernest Burgess asked if the new ordinance would hurt existing businesses. Mr. McGrath gave his opinion that a moratorium would not hurt any existing businesses.

18:07:45 Mayor Wall asked if a few moments may be given to Police Chief Tracy Wyant to introduce new Taylorsville Police Officers. He noted that the officers will need to be excused from the meeting very soon to assist with an evacuation in another City.

18:15:52 Mayor Wall turned time over to Chief Wyant.

18:16:18 Chief Wyant introduced Lt. Mike Schoenfeld, who will be transferring to the Taylorsville Precinct effective August 12, 2012. Chief Wyant relayed that Lt. Schoenfeld will be the Commander of Investigations to oversee street crimes, property crimes, auto theft, etc. Chief Wyant cited his previous experience working with Lt. Schoenfeld and stated that he is pleased to have him join the Taylorsville Precinct.

18:18:22 Lt. Schoenfeld said he is excited to be part of the Taylorsville Precinct and is looking forward to serving in this new capacity.

18:18:38 Chief Wyant also introduced Lt. Randy Thomas who will be joining the Taylorsville Precinct August 12, 2012 as the Commander over Patrol Operations. Chief Wyant cited Lt. Thomas' level of professionalism and experience. Lt. Thomas stated that he is pleased with his new assignment in Taylorsville. He commented that previously he was involved in SWAT tactics and has been running the K-9 unit for the past six years. Chief Wyant noted that Lt. Thomas has been with the Sheriff's Office for 18 years. Lt. Thomas expressed hope that a decrease in crime will be seen in the City.

18:21:21 Chief Wyant also re-introduced Lt. Wayne Dial and cited his excellent achievements in Taylorsville over the past few years. Lt. Dial stated that he is happy to stay on in Taylorsville.

18:22:25 Chief Wyant reported that the transition from the Taylorsville Police Department to the Unified Police Department is ahead of schedule. He cited changes to vehicle decals and described specific Taylorsville branding for the precinct. Chief Wyant confirmed that the pending transfers go into effect on August 12, 2012. He commented that the transition has been as seamless as possible, with only minor I.T. issues. Chief Wyant referenced upcoming events, i.e. the Office of Sheriff Employees Community Appreciation Barbecue on August 18, 2012 and the Citizens Academy, which will begin in September.

18:24:04 Council Member Burgess asked how many K-9 officers have been retired in Taylorsville. Chief Wyant relayed that there have been two retired K-9 officers in Taylorsville, but noted that there has been no net loss to K-9 services provided in the City. Council Member Burgess asked how many Taylorsville Police Department officers have transferred to other precincts. Chief Wyant stated that nine officers requested transfers. Chief Wyant also referenced the new officers who have transferred to Taylorsville. Mr. Burgess asked about the transition of police vehicles. Chief Wyant explained that the vehicles have been re-decaled. He confirmed that, as old vehicles are transitioned out, they will be replaced by solid white vehicles with Taylorsville decals.

18:26:32 Council Member Dama Barbour thanked Chief Wyant for his quick response to her recent e-mail. She stated that she is meeting with Detective Valencia tomorrow evening, August 9, 2012.

**2. Discussion Regarding City Center and the City Center Small Area Master Plan
– Mark McGrath**

18:27:04 Community Development Director Mark McGrath cited a need to prepare an amendment to the City Center Small Area Master Plan (SAMP). He called for discussion regarding plans for the property.

18:27:55 Mr. McGrath reviewed the history of the Taylorsville City Center property via Power Point presentation. He noted that the original vision for the property was to create a community gathering place.

Mr. McGrath presented an aerial photo of the City Center from 1998/1999. He noted that the Taylorsville City Hall property was purchased in 1998 for \$4.2 million and consisted of 19.06 acres.

18:29:59 Mr. McGrath illustrated the original site plan produced by Landmark Design in 1998. He said that the original purpose was to establish a future site for City Hall, including Taylorsville Blvd. and Centennial Blvd. He explained that City Council Members did not endorse the complete design at that time, and it was revised in 1999.

It was reported that in 2002, the City had a design competition and chose Gould Evans Architects to design a conceptual development scheme for City Hall and Phase Two. Mr. McGrath noted that the fire station was included in Phase One. At that time, the Planning Commission recommended that, in order to maintain the established vision, the City Council adopt a Small Area Master Plan (SAMP). The SAMP would become an official addendum to the City's General Plan to guide future development on the site.

18:34:09 Mr. McGrath reviewed General Guiding Principles for development of the Small Area Master Plan for the City Center. He relayed that the City Center SAMP was adopted in 2003.

18:36:01 Mr. McGrath pointed out that the City of South Jordan implemented something similar to Taylorsville's SAMP in 2007, surrounding their City Hall.

18:36:29 Mr. McGrath relayed that Cottonwood Partners contracted for development in 2005 and amended the City Center SAMP, wherein orientation of the buildings was changed.

18:38:43 A City Center aerial photo from 2010 was shown, and Mr. McGrath cited the phase to include the community garden, the east parking lot, and the park area. He noted that there have been a number of development proposals for the property that have not come to fruition for various reasons.

18:42:21 Mr. McGrath noted that the current SAMP is the one Cottonwood Partners implemented in 2005; however, it is no longer relevant. He suggested amending the General Plan to remove what Cottonwood Partners inserted into the document in 2005.

18:43:18 Council Member Kristie Overson asked for clarification regarding the Land Development Code and whether it contains language that addresses the SAMP. Mr. McGrath explained that the Taylorsville General Plan is separate from the Land Development Code. He noted that, although they should complement one another, they are two separate documents. Council Member Overson inquired whether the City still recognizes any small area master plans. Mr. McGrath acknowledged that it does.

18:44:07 Mark McGrath confirmed that there were two official versions of the City Center SAMP from 2003 and 2005. Chairman Rechtenbach questioned whether it is an option to remove the current SAMP. Mr. McGrath stated that it is an option. Mr. Rechtenbach suggested compiling an exploratory committee to create a new vision for the City Center property.

18:45:20 Council Member Dama Barbour agreed and suggested that the City needs to have something in place to control designs presented.

18:45:56 Mayor Wall noted that, as the City owns the City Center property, it has ultimate control over what is developed there. Mr. McGrath acknowledged that the commercial world has changed substantially over recent years and agreed that it is time for a fresh look.

18:47:23 Council Member Ernest Burgess observed that there is a need to develop something more timely and realistic.

18:48:02 Mark McGrath confirmed that the City worked closely with Cottonwood Partners on developing the previous plans.

18:48:21 Council Member Barbour commented that she is not comfortable with what has happened in the past. She stated the need to take another look and develop something that citizens can see as a return on their investment.

18:49:02 Council Member Kristie Overson observed that the concept has remained the same. She agreed that a committee should be organized to review and formulate possibilities. She recommended including people from the community who are vested in the project.

18:52:06 Chairman Rechtenbach directed Administration to start assembling an exploratory committee under Mr. McGrath's lead. He advised that he would like to serve on that committee, along with another City Council Member, and a representative from LARP, the Planning Commission, the Economic Development Department, and City Engineering.

18:53:16 Mayor Wall agreed that the committee is a good idea. Mr. McGrath asked for direction regarding amending the General Plan in the interim. Chairman Rechtenbach stated that he believes it is mandatory to do so. Mr. McGrath agreed and noted that the City can repeal the current SAMP and then add its new vision for the next phase at a later time.

18:54:30 City Administrator John Inch Morgan stated that he will put together a recommended committee list and circulate it informally, along with a time table.

18:55:19 Mr. Morgan called for another Council Member to serve on the Committee. Council Member Kristie Overson volunteered.

18:55:56 Council Member Dama Barbour asked for clarification as to the condition of the grass at City Hall. Mr. Morgan noted that the park grass was not watered for a week during the recent Samoan Festival and cited very high temperatures. He relayed that the grass is now being watered again and more fertilizer has been added. He suggested that improvements should be seen soon.

3. Animal Shelter Discussion – *Chairman Rechtenbach*

18:56:57 Council Chairman Jerry Rechtenbach referenced an e-mail received regarding issues at the Animal Shelter. He stated that the biggest red flag for him is an earlier report that conflicts with the current report.

18:58:01 City Administrator John Inch Morgan stated that he has discussed emergency responses with Animal Services Director Kelly Davis and Taylorsville Police Chief Tracy Wyant. Mr. Morgan noted that there is a slight concern with VECC regarding emergency callouts. He stated that VECC will respond 24 hours a day if a police supervisor requests the callout. He relayed that Mr. Davis has confirmed that a meeting to discuss the issue further will be scheduled with Lynette Wendel and more information will be presented within the next few days. Mr. Morgan reported that he has informed Mr. Davis that Taylorsville will not tolerate its citizens being treated discourteously.

19:00:10 Chairman Rechtenbach stated that part of his concern is over lost animals and whether proactive efforts are being made to reunite them with owners.

19:01:29 Mr. Morgan advised that the City is working to resolve the issue.

19:01:52 Council Member Barbour expressed her desire to know if the City has options for its contract with West Valley City Animal Services. Mr. Morgan commented that the City is a vested partner and, by contract, can terminate that partnership at the end of 2013 for a price of about \$274,000. He noted that at the end of 2014, the City can terminate the contract for \$137,000; after 2018 there is no penalty to terminate. He emphasized a desire to work with West Valley City to change their customer service practices. He advised that Taylorsville Administration has asked West Valley to look at putting together a control board or advisory board; Taylorsville will request to be part of that board.

19:04:08 Mr. Morgan cited an accountability factor that West Valley City has to Taylorsville. He commented that Taylorsville does not set policy, but West Valley has responded to the City's demand for services.

19:05:46 Mr. Morgan recommended an option to review the contract and possibly look at changing the corporate culture and the level of customer service Taylorsville receives. He listed the option of pursuing membership in a control board that looks at policies and practices at the shelter and in regard to animal services' officers. He noted that, during accountability meetings and cabinet meetings, the City will demand improved service.

19:06:41 Mayor Wall clarified that Animal Control Services is a sub-department of the Community Development Department and Neighborhood Services. He noted that there are two

layers of government prior to reaching elected officials of West Valley City. He observed that the general customer service level in West Valley is fairly low in comparison to Taylorsville. Mayor Wall noted, however, that a lot of recent improvements have been made. He cited increased hours of operation at the Shelter (now open on Saturdays), a reduction in the number of euthanasia cases, and coordination with animal advocate groups.

19:10:05 Chairman Rechtenbach stated that he will look forward to hearing a future report from the board liaison for animal services.

4. Discussion Regarding the Adoption of a Policy for Special Event Parks, and Adopting a Fees Schedule Applicable to the Special Use Parks – *John Inch Morgan*

19:10:24 City Administrator John Inch Morgan reminded the Council that the special event park policy was discussed in November 2011 and again in March 2012. He noted that it was previously determined to postpone further discussion until the first Work Session following adoption of the budget. He referenced the ease in converting the proposed policy to an ordinance for special use parks. Mr. Morgan listed the various parks designated for special use, i.e. City Center Park, Taylorsville-Bennion Heritage Center Park, and T. John Labrum Park. Mr. Morgan cited commitments that will be honored at Labrum Park for scout groups, family reunions etc.

19:12:45 Mr. Morgan reviewed the list of proposed fees and called for input. He noted the differences between for-profit reservation fees and non-profit reservation fees. He suggested that the reservations for these special use parks be made through the City rather than through the Salt Lake County Parks Reservations Office. Mr. Morgan also noted the possibility of adding a cleaning bond or deposit.

19:14:10 Chairman Rechtenbach noted that the proposed fees are in line with Salt Lake County's fee schedule. Mr. Morgan added that the City would reserve the right to waive fees on an individual basis with the Mayor's consent. He stated that this option could be placed into the ordinance, as well. Council Member Kristie Overson asked if the ordinance would be a broad generic document or if each park would be detailed inside the ordinance. Mr. Morgan clarified that it would be a broad document that would be codified as an ordinance. He noted that there could be a companion document to the ordinance that would outline each of the properties in detail. He cited different needs and services available at each park. Mr. Morgan suggested developing policies and procedures for each special use park and providing that information to potential users as a reference for their responsibilities. Council Member Overson agreed that this would be the best route to go, so there is no misinterpretation. Mr. Morgan cited a need for the City Council to set the park fees by ordinance. He stated that reservations for the Heritage Museum would be made at the museum itself, and the fees assessed would be put back into maintaining that site.

19:18:00 Council Member Dama Barbour raised concern regarding Bennion Park, on 3200 South, being used for sledding during the winter and questioned whether a fee would be assessed for children using that area. John Inch Morgan stated that there is no charge to use the park for that purpose. Mayor Wall stated that the City will most likely add landscaping to the park, so it will not be conducive to sledding. Mr. Morgan pointed out the liability of using Bennion Park as a sledding hill and said insurance companies have advised against allowing such.

19:20:08 Mr. Morgan suggested adopting a policy for each park, rather than an ordinance, because of the flexibility to change the policy. He noted that the ordinance lays general guidelines for special use parks, but its primary purpose is to set the fee which is a function of the City Council. He clarified that park policies will be implemented, which can be implemented by Administration and changed over time, but they will be specific to the various parks. Mr. Morgan confirmed that he and City Attorney John Brems will draft the ordinance and develop policies as a companion to the ordinance. He stated that he will bring the documents back to the City Council for approval. Chairman Jerry Rechtenbach noted that any draft ordinance needs to go to the Ordinance Review Committee for input prior to returning it to the Council for approval.

19:21:26 Council Member Ernest Burgess asked if the ordinance would be specific to each park. Mayor Wall informed him that the ordinance would be a broad document that addresses the park fees, and Administration will set policies for individual parks.

5. Discussion Regarding the Truth-in-Taxation Process – *John Inch Morgan*

19:21:55 City Administrator John Inch Morgan stated that the City will hold a Special City Council Meeting on Tuesday, August 14, 2012. He reviewed the draft agenda provided and described a proposed format for the meeting. He said that the purpose of the Special City Council Meeting is to hold a Truth-in-Taxation public hearing prior to final adoption of the City's FY 2012-2013 Budget. Mr. Morgan gave clarification on tax yield percentages and how they are applied to individual properties.

19:23:41 It was agreed that Mr. Morgan will present the information on taxing concepts during the Special City Council Meeting. Chairman Rechtenbach stated that his intention for the meeting is to present the taxing information, open the hearing for public comment, and then end with any follow-up discussion that may be needed. He suggested that the bulk of follow-up discussion be held the following day during the August 15, 2012 regular City Council Meeting, when final action on the budget will be taken. Mr. Morgan clarified that the ordinance for the final budget will be ready for August 15, 2012 and will affirm the budget that was tentatively adopted on June 20, 2012; the tax yield and the tax rate will be set at that time.

6. Other Matters

19:26:30 Chairman Rechtenbach stated his concern about the rapid growth of smoke shops in the City. He inquired whether the City has limits on other types of less-desirable establishments. He commented that he would like to see some type of ordinance brought forward to address this issue.

City Attorney John Brems stated that he is prepared to discuss recent new law that went into effect on January 1, 2012 regarding the regulation of smoke shops. John Inch Morgan noted that Community Development Director Mark McGrath is also prepared to discuss the Planning Commission's recommendations for an ordinance.

Mr. Brems referenced the recent legislation adopted (HB 95) which requires that smoke shops be licensed as a "Smoke Shop," with certain limitations on where they can be located. He observed that this legislation gives cities the right to be more restrictive.

19:28:20 Mr. McGrath stated that on August 21, 2012, the Planning Commission will consider an ordinance amendment to cap the amount of smoke shops allowed in the City. He relayed that the allowed ratio would be one smoke shop to every 10,000 people, for a limit of six smoke shops in the City. He further noted that there are currently seven smoke shops in Taylorsville; no new smoke shops will be allowed until the number of businesses is below the cap.

19:29:42 Chairman Rechtenbach shared his concern that smoke shops are able to sell illegal items. He asked if the ordinance will have some language stating that, if that occurs, the smoke shop is no longer allowed in the city. Mr. Brems noted that it is illegal for smoke shops to sell spice or other derivatives. He advised that the City has closed one business and is in the process of closing another. He said that the City is prepared to go through the legal process to remove a business license if necessary. Chairman Rechtenbach noted that there are certain items being sold that are clearly defined as drug paraphernalia. He asked if the City has any recourse to stop the selling of those items.

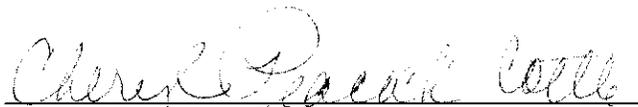
19:30:47 Police Chief Tracy Wyant stated that some municipalities have passed ordinances prohibiting paraphernalia, which gives the City more discretion to remove business licenses and to cite offenders. He noted that businesses may argue that the devices can technically be used to smoke tobacco or other legal items. Chairman Rechtenbach observed that City officials have worked hard to make Taylorsville a desirable community through revitalization and code enforcement, and the types of businesses referenced do not attract a desired element to the City. He requested that the ordinance be written in a strong language in order to enforce the prevention of unfavorable activity.

19:33:13 Chairman Rechtenbach recognized members from Scout Troop 511 in attendance.

19:33:48 Council Member Kristie Overson referenced a meeting she recently attended with the Municipal Council of Governments, wherein discussion was held regarding the operation of Youth Councils in varying cities. Ms. Overson commended Council Coordinator Jessica Springer on her great presentation regarding Taylorsville's Youth Council Program during that meeting.

7. Adjournment

19:34:52 Council Member Dama Barbour **MOVED** to adjourn the City Council Work Session. Council Member Kristie Overson **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a vote. The vote was as follows: Johnson-excused, 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 7:34 p.m.


Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 09-05-12

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