

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

**Wednesday, April 20, 2011**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

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**BRIEFING SESSION**

**Attendance:**

**Council Members:**

Council Chairman Jerry Rechtenbach  
Vice-Chairman Larry Johnson  
Council Member Dama Barbour  
Council Member Bud Catlin  
Council Member Morris Pratt

**City Staff:**

Russ Wall, Mayor  
John Inch Morgan, City Administrator  
John Brems, City Attorney  
Jean Ashby, Deputy Recorder  
Mark McGrath, Community Development Director  
Keith Snarr, Economic Development Director  
John Taylor, City Engineer  
Donald Adams, Grants Manager  
Marsha Thomas, Judge

**Excused:** City Recorder Cheryl Peacock  
Cottle, Council Coordinator Jessica Springer, Chief of Finance Scott Harrington

**Others:** Kristie Overson

**BRIEFING SESSION**

**1. Review Administrative Report**

Chairman Rechtenbach conducted the Briefing Session, which convened at 6:16 p.m. Deputy City Recorder Jean Ashby conducted a Roll Call, wherein all Council Members were present.

Chairman Rechtenbach called for questions on the Administrative Report for the Community Development Department, and there were none.

**2. Review Agenda**

The agenda for the City Council Meeting was reviewed.

**3. Adjourn**

The Briefing Session was adjourned at 6:26 p.m.

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**REGULAR MEETING**

**Attendance:**

Mayor Russ Wall

**Council Members:**

Council Chairman Jerry Rechtenbach  
Vice-Chairman Larry Johnson  
Council Member Dama Barbour  
Council Member Bud Catlin  
Council Member Morris Pratt

**City Staff:**

Russ Wall, Mayor  
John Inch Morgan, City Administrator  
John Brems, City Attorney  
Jean Ashby, Deputy Recorder  
Mark McGrath, Community Development Director  
Del Craig, Chief of Police  
John Taylor, City Engineer  
Keith Snarr, Economic Development Director  
Donald Adams, Grants Manager  
Marsha Thomas, Judge  
Patrick Tomasino, Building Official

**Excused:** City Recorder Cheryl Peacock Cottle, Council Coordinator Jessica Springer, Chief of Finance Scott Harrington

**Citizens:** Kristie Overson, Sharon Wall, Anna Barbieri, Steve Farschou, John Gidney, Dan Fazzini, Ted Jensen, Lynn Handy, Lee Yates, Andy Ho, Abby Black, Dave Ballou, Kristen

Brunson, Aubrey Thomson, Maria Magallanes, Kelsey Rowley, Bailey Wyatt, Jacob Bailey, John Vo, Spencer Braithwaite

## 1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:31:05 Chairman Jerry Rechtenbach called the meeting to order at 6:31 p.m. and welcomed those in attendance. Deputy City Recorder Jean Ashby conducted a Roll Call, wherein all Council Members were present.

### 18:31:39 1.1 **Pledge of Allegiance – Opening Ceremonies** – *Youth Council Member Abby Black*

Youth Council Member Abby Black directed the Pledge of Allegiance.

### 18:32:14 1.2 **Reverence – Youth Council Member Kristin Brunson (Opening Ceremonies For April 27, 2011 to be Arranged by Council Member Barbour)**

Youth Council Member Kristin Brunson offered the Reverence. Chairman Rechtenbach recognized the presence of many members of the Taylorsville Youth Council.

## 1.3 Citizen Comments

18:33:07 Chairman Jerry Rechtenbach reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:34:55 There were no citizen comments, and Chairman Rechtenbach closed the citizen comment period.

## 1.4 Mayor's Report

There was no report from the Mayor.

## 2. APPOINTMENTS

### 2.1 **Ordinance No. 11-06 Appointing Temporary Judges to the Taylorsville Justice Court – *John Brems and Judge Kwan***

18:35:54 City Attorney John Brems explained that the subject ordinance is intended to fix an issue raised by a case entitled Pet vs. Brigham City. Mr. Brems asked that Item 4 be changed to

read, as follows: "... any active Justice Court Judge holding office within the Utah Third Judicial District, or any active senior judge holding within the State..."

18:36:25 Council Member Catlin questioned the Court's need for temporary Judges when there are already two full-time Judges in place.

18:38:02 Judge Marsha Thomas clarified that the Taylorsville Court has one full-time and one part-time judge and when there is a case involving the City, both Judges would have to be recused from the case.

18:38:39 Councilmember Catlin suggested that the venue be changed in those instances. Judge Thomas noted that, although the circumstance arises rarely, other Courts do not have jurisdiction over the City of Taylorsville.

18:39:59 Council Member Pratt relayed that he had previously requested more information about the Judges being considered. He asked that this information be sent to the Council.

18:40:37 Council Member Barbour inquired whose call it is to engage the services of Judges and what would happen if we do not have this in place.

18:42:05 Judge Thomas noted that only certain Judges qualify for this duty.

18:42:45 Mayor Wall agreed with Council Member Catlin that extended hours might take care of this problem and negate the need to hire temporary Judges. The Mayor recommended that the ordinance not be passed.

18:43:50 Chairman Rechtenbach suggested that passing this ordinance would put the provision in place for the eventuality of this need arising. He noted that the issue is not scheduling, but conflict of interest.

18:45:16 Council Member Johnson inquired how many times the need for a temporary judge has come up in the past. Judge Thomas reported that there have only been two times that she is aware of.

18:46:12 Judge Thomas stated that if the need for a temporary judge were to arise, an ordinance would have to be placed on an agenda and come before the Council again in order to be handled.

18:47:02 Mayor Wall suggested that the ordinance provide for such Judges only in the case that both Taylorsville Judges would have to be recused. He indicated that paying a third Judge is not his preference unless it is absolutely necessary.

18:47:51 Council Member Pratt questioned why judges must be named individually if the language is changed according to Mr. Brems' recommendation. He noted that if the ordinance is adopted, the budget will also have to be changed to accommodate the additional expense.

18:49:03 Council Member Catlin asked whether a State Court could hear a case when both municipal Judges are recused. Mr. Brems stated that he did not foresee the issues being presented and is not prepared to answer the questions posed, but will research the Statute to find the current provision in State law.

18:50:18 Council Member Catlin asked the same question of Judge Thomas. She said that the Taylorsville Court has exclusive jurisdiction over Class B & C misdemeanors that occur within Taylorsville. She stated that, like Mr. Brems, she was not expecting this opposition to the ordinance and is not sure of the State law. She noted that calling in a temporary judge in the event of a recusal is a common practice and is done throughout the valley.

18:52:19 Council Member Pratt suggested that, because research needs to be done to answer these questions, Mr. Brems should be asked to bring answers back so that the matter might be handled at a future meeting.

18:53:08 Council Member Barbour asked if calendaring is always at least 60 days out. Judge Thomas said that most cases are that far out, but not all. Ms. Barbour noted that calendaring would, therefore, allow ample time to deal with this matter in the future.

18:54:06 Chairman Rechtenbach agreed that specific judges do not have to be named, but said that he would like to see the provision on the books.

18:54:53 Council Member Pratt suggested that the first City Council Meeting in May would be a good time to revisit this issue.

Council Member Pratt **MOVED** to postpone Ordinance 11-06 until the first meeting in May in order to have Mr. Brems bring back the requested information and a new ordinance with amended wording regarding the circumstances of when a Judge would be called; and leaving off the specific names of Judges. Council Member Catlin **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Barbour –yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

### 3. REPORTS

#### 3.1 Youth Council – *Maria Magallanes, Youth Council Chair*

18:59:35 Youth Council Chair Maria Magallanes reported on activities for the Taylorsville Youth Council during the previous month. She relayed that Easter Egg Hunts will be held Saturday, April 24, 2011, at two locations beginning at 9:00 a.m.

#### 3.2 Legislative Update – *Dave Nicponski*

19:00:59 Mayor explained that Lobbyist Dave Nicponski is in the hospital following emergency surgery and is, therefore, not able to report at this time.

19:01:28 Chairman Rechtenbach stated that the Legislative Update/Report will be postponed until Mr. Nicponski is able to attend in person.

### 4. CONSENT AGENDA

#### 4.1 Minutes – RCCM 03-02-11 and CCWS 03-09-11

Council Member Pratt **MOVED** to adopt the Consent Agenda. Council Member 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: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

### 5. PLANNING MATTERS

#### 5.1 Discussion Regarding the Proposed Land Development Code and Updated Zoning Map – *Dale Kehl, Donald Adams and Mark McGrath*

19:02:30 Grants Manager Donald Adams recognized five members of the Planning Commission in attendance. He cited intent to present the Proposed Land Development Code that has been worked on for the past 10 months and is a combined zoning ordinance, subdivision ordinance, and everything needed to do land development in the City. He cited the Team who has worked on the Development Code Project, i.e. members from the Planning Department, the Economic Development Department, Engineering, Building, Fire, Code Enforcement, etc. He noted that, after a national search, a Sandy City ordinance was selected for use as a base, but was not entirely replicated. He cited positive aspects to the Sandy City ordinance.

19:04:26 Mr. Adams relayed that City Staff worked tirelessly on the project from June until September, 2010 and the Taylorsville Planning Commission worked on the Development Code Project from October, 2010 to March, 2011. He noted that Planning Commissioners were fully dedicated to the task and even called additional meetings, as needed, to stay on schedule.

19:06:04 Council Member Pratt asked what timeline Staff has in mind for the City Council's review, bearing in mind that the Planning Commission took six months to go over it. Mr. Adams suggested late June or early July to pass it, given the thorough review the Planning Commission has already given the new code.

19:07:22 Community Development Director McGrath seconded Mr. Adams' comments, especially his commendation of the Planning Commissioners. He noted that many issues were raised by them that had been preciously overlooked in the drafting of the Code. He relayed that State law has been changed significantly over the past few years, and the Taylorsville City Code will probably be the most up to date of all Utah City Code.

19:08:44 Mr. McGrath called for the Council's comments, and Chairman Rechtenbach asked what provisions will be made to keep this Code updated. He inquired whether a marathon rewrite will be required every five years.

19:09:46 Planning Commissioner Kristie Overson acknowledged the heavy binders containing the written code and said that the document is now contained on a CD. She commended Mr. Adams, Mr. McGrath, and also Mr. Meldrum who were very patient in reviewing the Code out loud page by page, word for word. Ms. Overson cited the many hours spent on the project and said this is the most significant document she has dealt with in her many years as a Planning Commissioner.

19:13:14 Chairman Rechtenbach said that the code re-write has been discussed during the eight years he has been on the City Council and he is happy to see it come to conclusion.

19:13:30 Chairman Pratt inquired about citizen input during the process. Mr. Adams answered that key stakeholders in the economic community were contacted and met with to discuss the project and much community outreach was accomplished.

19:14:32 Mr. McGrath commented that the diverse representation on the Planning Commission helped to bring many different perspectives to the discussion.

19:15:23 Mr. Adams noted that few citizens attended the Public Hearing.

19:15:35 Mr. Pratt observed that it was good that business people in the community were involved because of the economic impact of the Code. Mr. Adams relayed that businesses did give significant input and were able to implement important changes.

19:16:03 Council Member Barbour commended all who took part in this process. She noted that she has already spent six hours in reviewing the code, with potentially another 94 hours to go.

19:16:36 Council Member Johnson Larry asked about considerations given to Taylorsville citizens. Mr. Adams said that there is much continuity in residential building requirements of the Code, although a few changes were necessary to ensure continuity with the International Building Code. He relayed that the day-to-day life of citizens will be impacted little by the Code.

19:17:25 Mr. McGrath noted that zoning laws are not retroactive, so this Code is for the future; for example, citizens may continue having animals if they were permitted before this Code is enacted. Mr. Adams said that responsiveness will be increased with the new provisions.

19:18:32 Council Member Pratt asked about any summary of changes. Mr. Adams said that nothing has stayed the same and everything is new in the complete land development code. He noted that Staff is willing to review certain highlights. He cited some consolidations from the current code, but said the new code will be much easier to understand and more in laymen's terms, with many charts and illustrations.

19:20:27 Planning Commissioner Anna Barbieri said that she was impressed with the work of Staff on this project. Ms. Barbieri encouraged the Council to pass this expeditiously so that the Code can be implemented as soon as possible. She noted that it is friendly to citizens, developers, and other who want to enact business in Taylorsville. She reiterated the benefit of the diverse Planning Commission and said members are pleased with it.

19:22:11 Planning Commissioner Steve Farschou stated that the staff was very helpful in expediting this process. He stated that, although there was not a lot of general citizen input, there was much input from the Commissioners in looking out for the welfare of their neighbors' interests in a practical sense. He said that as current issues are coming before the Planning Commission, they are being viewed with the new Code in mind.

19:23:44 Planning Commissioner Ted Jensen showed his second version binder and remarked that the Planning Commission actually read the entire Code twice. He suggested that the City should now take this to Sandy City and let them adopt it as their improved code. Mr. Jensen said that the Planning Commission is pleased with the results.

19:25:29 Dan Fazzini said that each Planning Commissioner brought a different strength to the effort, which resulted in a good end product. He noted that the sooner the new Code is passed by the Council, the sooner these improvements can be enacted and enforced.

19:27:04 Mr. McGrath invited comments on timeline goals for Council review of the Code. Chairman Rechtenbach cited a tentative goal to finish review by July.

19:28:01 Mayor Wall commented that \$150,000 was previously set aside to have this project contracted out, but last year only \$30,000 was allocated to complete the project in-house. He said that, as a result of all the work put forth by the Planning Commission and City Staff, the project was done much more thoroughly and less expensively than it would have been by a contractor. He gave special thanks to the Planning Commissioners, who are all great City volunteers, and all the staff members who helped with the project.

## 6. FINANCIAL MATTERS

### 6.1 **Resolution No. 11-09 Authorizing a .5 Time Equivalent (FTE) Detective Allocation to be Paid for by the Violence against Women Act Grant in the Amount of \$35,857.13 – John Inch Morgan**

19:30:04 City Administrator John Inch Morgan presented the subject resolution. He relayed that this is a follow-up to previously adopted Resolution No. 11-01, which accepted a grant for the Violence Against Women Act (VAWA) allocation of \$35,857.13. He noted that when the grant was given for half the requested amount, the City approached the Agency to determine flexibility in utilizing the funds. Mr. Morgan relayed that the organization would only accept a half-time allocation, and so the Council is being asked to approve utilization of the funds for a half-time detective allocation, specifically targeted to deal with issues of violence against women.

19:31:33 Council Member Catlin inquired whether there is a matching amount required.

19:31:49 Police Chief Del Craig explained that there is not a requirement to keep the allocation, although ideally VAWA would like to see the City fund a full-time investigator at some point. He cited the purpose of the grant as enhancing the City's ability to investigate crimes of violence against women. He clarified that the match the City is providing will go towards items such as uniform, equipment, car, radio, etc. Mr. Catlin inquired whether this position will have to be filled by a certified police officer, and Chief Craig confirmed that they will need to be certified.

19:32:44 Council Member Pratt inquired whether allocations are already in the budget for uniforms, equipment, etc. Chief Craig relayed that one of the existing line units will be made available for the investigator. Mr. Pratt asked whether the City already employs a person to do this type of work. The Chief said that there are officers assigned to these types of crimes in the

Persons Unit, but this grant will allow more time to be put into these types of investigations and will make investigations more thorough. He said that there is a fair amount of Part 1 crimes in Taylorsville that do involve domestic violence crimes, rapes, assault, etc., and these crimes are specified by definition in the grant.

19:34:34 Council Member Pratt inquired what will happen when the grant expires. Chief Craig said that essentially the City would let the position go, although VAWA would like to see the City hire a FTE. He noted that the City would not be able to keep this officer without the necessary funding.

19:35:20 Chairman Rechtenbach questioned what is meant by "certain administrative and financial responsibilities." Chief Craig said that responsibilities are spelled out in the grant and statistics are maintained. He noted that the grant requires that reports be filed on a quarterly basis. The Chief clarified that administration of the grant is funneled through his own Administrative Assistant.

19:36:27 Council Member Catlin inquired about annual post training requirements. Chief Craig said that ideally the position would need to be a Category I Police Officer in order to find someone who has experience in these types of investigations.

19:37:36 Council Member Barbour noted that in the Quarterly Police Department reports, there are a number of domestic violence reports, which are mostly against women, along with a number of rape cases. She suggested that the community should take advantage of this grant. She indicated that she is hopeful that the City budget will continue to take care of this need in the future.

19:39:00 Council Member Pratt asked Mr. Morgan why the allocation wasn't approved at the same time the grant was accepted through Resolution 11-01. Mr. Morgan said that at the time it was unknown whether the City would ask for a new allocation or whether the position could be contracted. Mr. Pratt asked about any budgetary effect in the new fiscal year. Mr. Morgan replied that some funds will be allocated for the current year and some for the 2011-2012 fiscal year. Chief Craig stated that he hopes the grant will be extended. Mr. Morgan said that the grant will be reapplied for and the hope is to get another grant to follow this one.

19:41:06 Chief Craig said that the State Office of Crime Victims Reparations has committed support for multiple years, if funds are available. He clarified that the grant is federal money that is funneled through the State.

19:42:09 Council Member Johnson inquired about the timing and noted that the grant was awarded in February. Chief Craig explained that the resolution was originally scheduled for an earlier Council Meeting, but meetings were cancelled. Mr. Johnson asked about the blue and

white police units, and the Chief Craig said that one of those units will be utilized for this position.

Council Member Barbour **MOVED** to adopt Resolution 11-09 – Authorizing a .5 Time Equivalent (FTE) Detective Allocation to be Paid for by the Violence against Women Act Grant in the Amount of \$35,857.13. Council Member Catlin **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion.

19:43:40 Council Member Pratt cited his concern about adding an FTE unless the grant is in place. He said he would like language to specify that the position will be funded by grant money, but will be discontinued if funding ends. Council Member Barbour amended her motion accordingly and Mr. Catlin reaffirmed his second.

Following Council discussion, Chairman Rechtenbach called for a roll call vote. The vote was as follows: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

19:45:34 Additional discussion was held between Council Member Pratt and Chief Craig regarding funding details. Mr. Pratt said that he would like to see how it goes and maybe at some point in time, a FTE could be funded.

**6.2     *Resolution No. 11-10 Approving Inter-Local Agreements with Sandy City, West Jordan City, West Valley City and Salt Lake County Relating to the Conduct of the Home Investment Partnership Program for the Federal Fiscal Years 2012 through 2014 – John Inch Morgan***

19:46:42 City Administrator John Inch Morgan presented a resolution to approve an Interlocal Agreement with Sandy City, West Jordan City, West Valley City, and Salt Lake County approving the continued practice of a Home Investment Partnership Program for housing assistance.

19:47:46 Council Member Catlin inquired whether this is federal grant money. Mr. Morgan said that it is and that there is a specific amount to be spent within a given community. Mr. Catlin inquired how much control the City has on how these funds are used.

19:48:27 Mayor Wall explained the City has almost total control on how the funds are spent, from mortgage down payment assistance to a revolving low-or no-interest deferred payment plans for senior or other qualified citizens, to making needed improvements to the Senior Housing Center. The Mayor said that use of the funds is typically addressed during the CDBG process.

19:50:18 Council Member Barbour **MOVED** to adopt Resolution 11-10 – Approving Inter-Local Agreements with Sandy City, West Jordan City, West Valley City and Salt Lake County Relating to the Conduct of the Home Investment Partnership Program for the Federal Fiscal Years 2012 through 2014. Council Member Catlin **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: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

**6.3 Resolution No. 11-11 Approving Amendment No. 2 to Inter-Local Agreement for Public Works Services Regarding Storm Drain Cleaning – John Inch Morgan**

19:50:57 City Administrator John Inch Morgan presented a resolution regarding the second amendment to the Interlocal Agreement for Public Works Services relating to Storm Drain Cleaning. He explained that last year storm drain cleaning was separated out from the general interlocal agreement with Salt Lake County in order to have flexibility on contracting for certain services and in order to guarantee a clear accounting on storm drain cleaning services. Mr. Morgan said that because of the equipment provided, this is still a very good contract for the City. He said that other means have been examined, but equipment is a big stumbling block. He recommended that the City renew its contract with the County for one more year for storm drain cleaning.

19:52:02 Mr. Morgan clarified that Salt Lake County has primary responsibility for storm drain systems throughout the County itself, so it makes sense to have them continue maintaining that system-wide storm drain.

19:52:42 Council Member Jerry Rechtenbach asked if the outflow from the City drains goes to the Jordan River. Mr. Morgan said that some does go to the canals of the river. He explained that those grandfathered in are still allowed to use canals for discharge. He noted that the Canal Company sent notification three or four years ago that they would like the City to re-route that discharge.

19:53:27 Chairman Rechtenbach inquired whether there are parties other than the County that are capable of providing this service. He noted that the County's services are probably going to be dwindling over the years and the City will need to establish some independence from them.

19:54:11 Mr. Morgan cited the capital equipment investment needed to provide storm drain services and said that other municipalities have been approached about joining services, but at this point they are not prepared to do so. He clarified that no bids have been requested for this coming year, but soliciting bids for storm drain cleaning services will be considered a year from now.

19:55:16 Council Member Catlin asked if the County contracts with other cities and, if so, how many. Mr. Morgan estimated that they contract with approximately five other cities. He confirmed that this is a one year contract and the scope of work and the cost for this year is the same as last year. He clarified that all storm drains are cleaned twice per year.

19:56:36 Council Member Catlin said that he would also like to see a private bid on the service.

19:56:42 Council Member Johnson asked for clarification on whether other contractors have been considered. Mr. Morgan reaffirmed that the City has looked at other options, but contracting with the County is the most cost efficient option for now. He explained that private firms do not have vacu-trucks and other needed equipment and would have to acquire such in order to provide the service needed.

19:57:32 Mayor Wall said that West Valley City, West Jordan City, Riverton, and other cities and water improvement district have their own service. He said there are not a lot of private people who are in the business of cleaning out storm systems. The Mayor Wall gave clarification on county-provided services and said that at a certain point, if the City moves away from County-provided services, it will be difficult to find businesses to provide private service. He said it is not simple to find a replacement for County services because not many private vendors are interested in servicing municipalities.

19:59:23 Mr. Morgan said that discussions are underway with Holladay City and Cottonwood Heights regarding the potential for partnering for public works services in addition to street-sweeping. He said there are many details to be considered. He clarified that the storm drain cleaning service contract is a separate contract from the rest of the public works services provided by the County.

20:00:37 Mr. Morgan clarified that the allocation for storm drain cleaning comes from the Storm Drain Fund. Council Member Pratt inquired about the scope of work and a schedule for work. He cited a report from a resident who says that storm drains along 4800 South have never been cleaned out.

20:01:09 City Engineer John Taylor said that report is untrue and the storm drains on 4800 South have actually been cleaned twice this year. He referenced the routine maintenance schedule for storm drains and the cleaning of retention basins. He said that that the scope of work also covers emergency issues, i.e. raising manhole lids, cleaning grates, etc. Mr. Taylor noted that the set maintenance fee funds this service.

20:01:58 Council Member Barbour asked about dates on this contract. Mr. Morgan said contract dates coincide with the fiscal year. Ms. Barbour inquired about having Taylorsville Bennion

Improvement District bid this service, and Mr. Morgan stated that they have been approached but are not interested in having this contract because their schedule is filled.

20:03:09 Mayor Wall noted that he has spoken to the individual about 4800 South and clarified that there may be some detention basins, drains, or outlets into the Jordan River that are not on the City's GIS. He said Mr. Taylor is evaluating the situation, but there has been an issue with the priority of projects.

20:04:00 Council Member Johnson cited his issues with the dips in roads created by manhole covers. Mr. Taylor asked that he be advised of problem areas so that they can be checked. He noted that some manhole covers are for the sanitary sewer and the City can work to have them brought up to a better grade.

20:05:37 Council Member Pratt asked whether, if the City is able to secure a more favorable contract in time, this contract with the County could be voided with 30 days notice. Mr. Morgan said that he will have to check to be sure. Mayor Wall suggested that the Council could de-fund the service, but he believes the contract should be honored. He said that he is doubtful a better contract can be found immediately.

20:06:56 Council Member Johnson commented that one city saved \$50,000 per month on their garbage contract. Mr. Morgan noted that the City of Taylorsville bid out the contract for garbage service two years ago, but the Special Service District #1 was absolutely the cheapest option. He relayed that Administration does check regularly on contracts to be sure that it receives the best cost and service for the City.

20:08:27 Chairman Rechtenbach said that the Special Sanitation District is still part of the County and is overseen by the County Council. He cited some unfair competition because of taxpayer subsidy and issues with dissimilar overhead amounts. He said that there is still some discussion needed on that service. Mr. Morgan clarified that the Sanitation District falls under a different fund within the County and is accounted for differently.

20:09:05 Council Member Pratt **MOVED** to adopt Resolution 11-11 – Approving Amendment No. 2 to Inter-Local Agreement for Public Works Services Regarding Storm Drain Cleaning. Council Member 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: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.**

**6.4 Discussion on Fiscal Year 2011-2012 General Budget Topics**  
**– Russ Wall, John Inch Morgan & Scott Harrington**

20:09:46 City Administrator John Inch Morgan asked that Chief of Finance Scott Harrington be excused, as he is out of town. He reference the Budget Calendar and said that a budget discussion is scheduled in each City Council meeting until adoption of the budget on June 20, 2011. He cited the option for the Council to schedule Saturday Budget Sessions, if needed. Mr. Morgan noted that the Administration has submitted a balanced budget to the City Council. He invited City Council members to become familiar with the new format for this year's budget. He stated that budget discussions will begin in earnest on April 27, 2011 after Council Members have reviewed the budget and any issues have been identified.

20:11:26 Mr. Morgan said that a resolution will be presented during the April 27, 2011 City Council Meeting to consider tentatively accepting the 2011-2012 Tentative Budget. He noted that the budget documents will be available for citizens' review through the Recorder's office.

20:13:01 Mr. Morgan cited the need for transparency in government. He said that the budget either needs to be posted on the City's website or the State's website and Administration has chosen to post on the State's website.

20:13:38 Mr. Morgan reviewed the new format of the budget and said that it mirrors the financial statements produced by the City each month.

20:14:23 Mr. Morgan gave clarification on tabs contained within the budget.

20:22:21 Council Member Catlin asked for help in finding the budget on the CD and Council Member Pratt assisted him.

20:23:40 Mr. Morgan cited the 33% increase for ordinance codification and noted that this increase is attributed to payment to Sterling Codifiers for updating the new Land Development Code this year.

20:24:17 Mr. Morgan referenced the complicated Police Department Budget and cited additional information that is provided on expenditures.

20:27:26 Council members commented on the new format and Mr. Morgan noted that this format keeps the City's budget in conformity with the State Budget format.

20:28:11 Council Member Pratt suggested that the detail on salaries and wages be provided in future versions of the budget. Mr. Morgan agreed to include that and send it to the Council before next week's meeting. He invited Council members to send questions and requests to him

or to Scott Harrington. He commented that this is a team effort and that Mr. Harrington deserves a great deal of credit for producing this document.

20:30:04 Council Member Catlin asked if the page numbers have to be bold and Chairman Rechtenbach helped him change the view. Mr. Morgan offered to provide additional assistance in following the new format, if needed.

20:31:17 Mr. Morgan cited a tab entitled "Add Packages." He explained that certain projects identified by the Strategic Plan and suggested by citizens have not been included in this budget but may be worthy for discussion in future years.

20:33:36 Council Member Pratt questioned the two FTEs for the Police Department that are in the "Add Package." He noted that the narrative indicates this hiring is included in the budget, not as an addition. He said this seems deceptive to him. Mr. Morgan apologized for the confusion and said he will edit this.

20:34:16 Council Member Johnson cited the proposed 20% tax increase equal to \$826,038 in increased City revenue. Mr. Morgan said that the assessor has placed the average value of a Taylorsville home at \$188,500, which translates to an increase of \$36 per year with the 20% increase.

20:35:14 Mr. Morgan called for input from the Council because he would like to have the budget very clear before it is put out for public review.

20:35:39 Mayor Wall said that Administration will review this budget to delineate and clearly identify all items being recommended by Administration as increases, both in the budget and on the "Add Package."

20:37:36 It was determined to schedule review of certain tabs within the Budget and specific chapters of the Land Development Code at each Council Meeting.

20:37:42 Council Member Johnson commented that he would prefer to do longer City Council Meetings at night rather than holding Saturday meetings. Council Member Pratt said he prefers Saturday meetings.

20:38:17 Chairman Rechtenbach closed the budget discussion.

**7. OTHER MATTERS**

**7.1 Presentation and Discussion of Economic Software – *John Taylor***

20:38:35 City Engineer John Taylor distributed information about the proposed ESRI software. He relayed that it will cost \$27,780 to purchase the software and \$18,000 for annual maintenance. Mr. Taylor stated that there is a need to have this tool to take a regional look and focus on details that will help to sell Taylorsville to developers and investors. He suggested that this tool will help the City be more proactive in economic development efforts. Mr. Taylor answered questions about what costs cover. He said the \$27,780 covers acquisition and the first year's use of the software. He indicated that each year thereafter will cost \$18,256. He explained that this will buy the City updated data, i.e. trending spins, demographics, new business information, etc.

20:42:12 Chairman Jerry asked if a decision on the software is needed tonight. Mr. Taylor cited the urgency of purchasing the software. He said that the intent is to spend funds from the Economic Development Fund.

20:42:32 Council Member Pratt inquired whether Mr. Taylor is now the Economic Development Director for the City. Mayor Wall explained that the City has implemented an Economic Development Team, and Mr. Taylor is the spearhead and voice for the Council on that team. Mr. Taylor clarified that the City will not require a person to enter all the data. He confirmed that demonstrations are available on the website for the software. Council Member Catlin said that he is also confused about the function of the Economic Development Team.

20:44:47 Chairman Rechtenbach noted that the organization/function/purpose of the Economic Development Team was outlined during the March Council meetings and is referenced in the minutes approved earlier in this meeting.

20:45:25 Mayor Wall noted that many cities have an Economic Development Department staff of 6 to 12 people. He explained that since Taylorsville does not have the luxury of that many full-time employees in the Economic Development Department, the City has assembled several staff members with various strengths from different departments in the City to form the Economic Development Team. The Mayor said that Administration has chosen John Taylor as the team leader and the voice to the City Council, but he has not taken over any other responsibilities.

20:46:59 Chairman Rechtenbach mentioned that during the recent Utah League of Cities and Towns Convention he visited with a staff member from Herriman City and was told that they have about 80 full-time employees, not including a Police Department, although they have one-

half the population of Taylorsville. He said that Taylorsville can learn much from neighboring cities and use ideas garnered for the City's best good.

20:47:53 Council Member Johnson commented that he does not see the need for a Public Information Officer. He noted that the proposed software looks to him like a tool for public relations. Mr. Taylor disagreed and said that this does not fall under the category of public relations.

20:49:09 Council Member Pratt inquired whether the proposed software will replace the Prospector program, and Mr. Taylor confirmed that it will. He said that if a business calls the City and expresses interest in locating in Taylorsville, the new software will assist in generating detailed information that is needed. Mr. Pratt asked if it will be available to the public on the City's website. Mr. Taylor stated that it will not, but noted that the information generated can be shared with any who inquire. Mr. Pratt observed that the City of Taylorsville is largely built-out. Mr. Taylor confirmed that the new software is an in-house tool and Prospector will go away unless both programs are funded.

20:50:43 Council Member Pratt asked what is currently being spent on Prospector. Economic Development Director Keith Snarr answered that the City now pays \$18,000 annually, and the maintenance costs of the ESRI software would replace this expenditure.

20:51:16 Council Member Barbour stated that this software will help make the Economic Development Team more current and allow them to do their jobs more effectively.

20:51:59 Chairman Rechtenbach inquired how this software is superior to Prospector. Mr. Taylor stated that the new software will enable the City to assemble reports that will entice businesses to invest in Taylorsville.

20:53:26 Chairman Rechtenbach clarified that this expense will come from the Economic Development Department budget.

20:53:52 Council Member Pratt noted that this software will only cost the City a net of \$28,000 for the initial purchase, and the rest will balance already-budgeted costs.

20:54:30 Council Member Johnson asked if this absolutely has to be decided tonight. Mr. Taylor indicated that it does.

20:55:07 Chairman Rechtenbach asked if the Council is ready to pass this resolution. Council Member Pratt indicated that he will probably be in support of it. All of the Council Members committed to study the issue in preparation for next week.

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

20:56:30 Council Member Johnson mentioned the letter from the U.S. Postal Service concerning the new zip code to replace zip codes 84118, 84119, and 84084. He asked about replacement for zip code 84123. Mayor Wall said the zip code for that area will stay the same.

20:57:06 Mayor Wall stated that the most important thing to remember is that the Postal Service will accept both old zip codes and the new code for 18 months and will work with citizens. He said that people will not have to throw away their stationery or checks because of the new zip code. The Mayor said that citizens with questions can be referred to City Hall. Chairman Rechtenbach asked what the new zip code will be, and the Mayor relayed that the Postal Service has not yet given a definite answer.

20:58:47 Council Member Pratt inquired about the option for the City Center sale. City Attorney John Brems and Mayor Wall answered that the previous deal is essentially considered to be dead at this point. He said that the developer was given other options, but has not accepted them. It was clarified that additional details regarding real estate transactions should be discussed in a closed session.

21:00:40 Mayor Wall stated that the City is doing everything that is legally required in this situation. Mr. Morgan suggested that a closed session can be scheduled for additional discussion during next week's meeting.

21:01:27 Council Member Catlin asked about Frogurt and what they plan to do. Mayor Wall said that the City has been in contact with them and they are trying to find a place in the City where they would like to locate.

21:02:26 Council Member Catlin inquired about efforts to steer them to another location.

21:02:53 Mayor Wall and Economic Development Keith Snarr told of discussions held with stakeholders. Council Member Catlin said that he will call Mayor Wall tomorrow to discuss information he has on the frozen yogurt store.

21:04:05 Council Member Pratt requested that "Other Matters" be included in the closed session about information on 5400 South that was shared in St. George. Mayor Wall said that Mr. Brems will look at the information that was shared and advise if it is necessary to address it in a closed session.

21:05:44 Council Member Pratt asked whether the Redwood Road Beautification Project north of 5400 South is still on the table. Mayor Wall said that the City is trying to prod UDOT to pursue this project since Redwood Road is a State road. He said that the project is on a Wasatch

Front Regional Council Priority List and described projects that have been selected. He said that he has questioned the priorities of projects completed. The Mayor suggested that ranking should be followed and it is hoped that the Redwood Road Project can ultimately be completed without using City funds on a State road.

21:07:56 Council Member Pratt said that this is an economic development project and should be undertaken in that vein. He noted that it has been many years since the first phase was completed and it may be 20 years before the rest is finished at the rate the City is going.

21:08:29 City Engineer John Taylor said that \$30 million was requested for all of Redwood Road. Mayor Wall explained that other cities are objecting to how much funding Taylorsville road projects have received. He said that if negotiations are not successful with Wasatch Front Regional Council (WFRC), the City will approach the legislature to request funding for State Road projects independent of WFRC.

21:10:09 Council Member Johnson mentioned that a month and a half ago, Mayor Wall and Judge Kwan agreed to find out why the City's Drug Court was no longer certified. Chairman Rechtenbach said that there is not much to report as of now. He noted that the Court Report has been postponed and Judge Kwan will ultimately report on a resolution. He explained that the Drug Court could possibly be restructured and recertified without certain components, i.e. the Peer Review factor.

21:11:14 Mayor Wall said that it was clarified that no Drug court will even be considered without the support of a City, which means a quorum of the City Council.

21:11:49 Council Member Barbour asked about the ball diamond issue. Mr. Johnson stated that there are still some questions. He said that discussion at the recent meeting was heated at times. Mayor Wall apologized that he was not able to attend the meeting, but explained that once it had been rescheduled, he had an avoidable conflict. Council Member Johnson said he was disappointed that the County was not represented at the meeting. Mr. Morgan explained that this was due to a misunderstanding in the County.

21:13:35 Council Member Johnson said that he has been told by residents that they were promised years ago that there would be no obstruction to their view. Mayor Wall said that he is not aware of any promises made to the neighborhood. He clarified that if the City had been approached initially, he probably would have agreed to a fence, but he now has some serious concerns with a 16 foot high fence. He said this is an issue that needs to be addressed. Council Member Johnson expressed concerns over the potential for graffiti on the walls.

21:14:41 Council Member Johnson said he believes that parking problems will probably be resolved, but the fencing issue has still not been decided and needs to be addressed.

21:15:02 Mr. Morgan said that Wayne Johnson of Salt Lake County is working on some solutions and alternatives for the neighborhood. Council Member Larry Johnson stated that he feels the residents just want answers.

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

21:15:51

- 9.1 City Council Briefing Session – Wednesday, April 27, 2011 – 6:00 p.m.**  
Mr. Morgan noted that because there was not a quorum present, the April 6, 2011 meeting was not held, and a second regular City Council meeting is required (instead of a work session) to be held on April 27, 2011.
- 9.2 City Council Meeting – Wednesday, April 27, 2011 – 6:30 p.m.**
- 9.3 City Council Briefing Session – Wednesday, May 4, 2011 – 6:00 p.m.**
- 9.4 City Council Meeting – Wednesday, May 4, 2011 – 6:30 p.m.**
- 9.5 City Council Work Session – Wednesday, May 11, 2011 – 6:00 p.m.**

## **10. CALENDAR OF UPCOMING EVENTS**

- 10.1 Annual Taylorsville Easter Egg Hunt – April 23, 2011 – 9:00 a.m. – Two locations: Valley Regional Park, 5100 South 2700 West and T. John Labrum Park, 1850 West 6100 South**
- 10.2 Ribbon Cutting – Knights Furniture – Friday, April 29, 2011 – 4:00 p.m. – 5584 S. Redwood Road.**
- 10.3.1 Arbor Day Tree Planting – Friday, April 29 and Saturday April 30 – planting will be along 4800 South Open Space frontage. Contact Rhetta McIff at 801-915-9519 for more information.**

21:17:34 Council Member Pratt stated that on April 30, 2011, at 10:00 a.m., the Sons of Utah Pioneers Monument that is being replaced on 6200 South and Redwood Road will be rededicated.

21:17:45 Council Member Johnson inquired whether Rhetta McIff has any trees left for possible use at the ballpark. City Administrator John Inch Morgan confirmed that she does.

## **11. ADJOURNMENT**

21:17:57 Council Member Barbour **MOVED** to adjourn the City Council Meeting. Council Member Catlin the motion. Chairman Rechtenbach called for discussion. There being none, he called for a vote. The vote was as follows: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-

yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:18 p.m.

  
Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 05-18-11

*Minutes Prepared by: Cheryl Peacock Cottle, City Recorder*