

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

**Wednesday, April 27, 2011**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

---

**BRIEFING SESSION**

**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:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Cheryl Peacock Cottle, City Recorder  
Jessica Springer, Council Coordinator  
Mark McGrath, Community Development Director  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Keith Snarr, Economic Development Director  
Donald Adams, Grants Manager

**Others:** Kristie Overson, Brent Overson

**BRIEFING SESSION**

**1. Review Administrative Report**

18:02:26 Chairman Jerry Rechtenbach conducted the Briefing Session, which convened at 6:02 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. Chairman Rechtenbach suggested that Agenda Item 6.1 be addressed before Agenda Item 5.1 in the regular Council Meeting. Council Member Pratt stated that he has a comment to make under Other Matters. 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. Closed Session**

Council Member Morris Pratt **MOVED** to adjourn the Briefing Session and convene a Closed Session to discuss the sale and purchase of real property at 6:06 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: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All members of the City Council voted and the motion carried by a unanimous vote.**

**CLOSED SESSION**

Those in attendance at this Closed Session were: Mayor Russ Wall, City Administrator John Inch Morgan, Council Members Barbour, Catlin, Johnson, Pratt, and Rechtenbach, City Attorney John Brems, and City Recorder Cheryl Peacock Cottle. Minutes for the Closed Session were taken and are now on file as a Protected Record.

Council Member Larry Johnson **MOVED** to adjourn this Closed Session at 6:38 p.m. and convene the regular City Council Meeting. Council Member Morris Pratt **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: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All members of the City Council present voted and the motion carried by a unanimous vote.**

## 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:

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Mark McGrath, Community Development Director  
Del Craig, Chief of Police  
Cheryl Peacock Cottle, City Recorder  
Jessica Springer, Council Coordinator  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Keith Snarr, Economic Development Director  
Donald Adams, Grants Manager  
Gerry Orr, Accounting Clerk  
Patrick Tomasino, Building Official  
Jean Ashby, Admin. Asst. for Economic Dev.

**Citizens:** Sharon Wall, Kristie Overson, Brent Overson, Aimee Newton, John Gidney, Brett McIff, Rhetta McIff, Jay Ziolkowski, Gordon Wolf, Jerry Milne, Jack Lucas, Vern Wolf, Irene Wolf, John Duran, Jennie Duran, Debbie Tindall, Sam McBride, Annette McBride, Natty Dye, Lee Pettit, Larry Brown, Gisela Smith, Jerry Smith, Sheila Smith, Patt Snelgrove, Jay Barr Snelgrove, Hyrum Smith, Marilyn Smith, Andrea Richardson, Karen Adams, Robert Adams, Sylvia Milner, Mildred Harrie, Brandon Rose, Carolyn Vissen, Donna Drecksel, Robert Adams, Robynn Fulton, Wesley Fulton, Gwendolyn Smith, John Smith, Kenneth Acker, Mieko Staker, Patti Reid, George Dye, F.D. Staker, Dave Ballou, Ashley Ballou, Piper Ballou, Tyler Lawrence, John Duran, Jerry Fullmer, Steve Bott, Fred Money, Brenda Money, Allen Burnside, Gwen Burnside, Roi Ring, Evie Gonzales, Nancy Pecharich, Robert Pecharich, Anna McCullough, Eleanor Dennis, Les Seely, Zell-Rae Seely, Keith Cragun, Kristine Cragun, Annette Johnston, Paul Jackson, Joyce Jackson, Shauna DeKorver, Kevin DeKorver, Troy Facer, Katherine Vigil, John Conda, Dennis Boyer, Larry Aiello, Susan Oliver, Scott Oliver, Patrick Viatpando, DeRay Sudweeks, Ginger Connally, Susan Taylor, Ken Taylor, Yvonne Claxton, Charles Claxton, Paul McNeil, Tammy McNeil, Mark Murray, Sheryl Broomhead, Nadine Bandle, Patsy Guskin, Crystal Milner, Joe Milner, Gwen Smith, John Smith, Astrea Vigil, Gail Shaw, Marshall Shaw, Jeannie Parish, Linda Simpson, Keith Robinson, Joe Riley, Mindy Strunk, Rockwell Strunk,

Larraine Krause, Charles Jackson, Danny Krieger, Ronald Crause, Leslie Chapman, Jack Lauritzen, Mary Beth Lauritzen, Okey Harmon, Linda Bjork, Wendell Nope, Roger Keho, Rulon Kruger

## 1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:40:48 Chairman Jerry Rechtenbach called the meeting to order at 6:40 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

### 1.1 Opening Ceremonies – Pledge of Allegiance –*Council Member Barbour*

18:41:54 Council Member Dama Barbour directed the Pledge of Allegiance.

### 1.2 Reverence – *Council Member Barbour* (Opening Ceremonies For May 4, 2011 to be arranged by Youth Council)

18:42:45 Brett McIff offered the reverence and read a statement regarding the true measure of success.

### 1.3 Citizen Comments

18:43:31 Chairman Jerry Rechtenbach reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:44:12 Chairman Rechtenbach mentioned that a flyer has been circulated around the community. He clarified that the flyer is incorrect when it states that a 20% tax increase has been approved, as tonight is the first meeting where the budget will be discussed and no decisions have yet been made. He cited topics that will be considered during this budget process, i.e. public services, public projects, economic development, and many other components that will make up the final budget. Chairman Rechtenbach then welcomed comments from the citizens and recognized the importance and necessity of that input.

18:47:11 Steve Bott addressed the council. He stated that he lives on Midwest Drive and is representing his neighborhood. Mr. Bott explained that he received a flyer about enhancing the City, which he thinks is great, but he also believes administrative leaders need to enhance the city by tightening their belts. He agreed that there have been three years of hard times, and what is bothering his neighborhood is wasting money here in the City by spending money that isn't there. He cited examples, i.e. the cameras in the parks and the tree planting and landscaping by City Hall, etc. Mr. Bott said that increasing property taxes is not the answer, as taxes go up

every year by the county, and no one is exempt from that. He cited an example of money wasted when there was a traffic accident and seven police officers showed up, which he views as overkill on time and gasoline. Mr. Bott also suggested a freeze on benefits for everyone in the city administration, stating that making a great city takes working together.

18:49:50 Roi D. Ring, stated that he lives at 1020 West 4800 South. Mr. Ring said that he would be disappointed in elected officials if fiscal responsibilities are taken lightly during an economic downturn. Mr. Ring said his personal budget consists of wants, needs and emergent needs. He noted that during economic downturns the first thing removed from his budget is wants and his focus is on emergent needs. He suggested that the City needs to live within its means and the community does not have the ability to demand or vote that their employers provide 20% increase to their budgets, so why would the City expect that from citizens. He said that with lower property values and rising gas and food prices, citizens have to make due with what is already available and the City should do so, as well. Mr. Ring asked that the City focus on what it will take to get Taylorsville supporting needs and emergent needs. He indicated that a city council position is not a career and, if the council will not work for the citizens within reasonable means, then at election time the citizens will support council candidates who will.

18:52:56 Keith Cragun, gave his address at 5281 Lovell Drive. Mr. Cragun said he recently read in the Valley Journal that the property in front of the City Center will be sodded and made into a rugby area and that the groups playing would take care of the field. He referenced the cost of \$500,000 for start up, which is taxpayer money. He cited potential parking and littering problems. He expressed concern that taxpayer money will be used for clean up when those groups don't keep it up as promised. This is a great concern and Mr. Cragun is doubtful that this will be a win-win situation.

18:54:30 Shonna Alva is here on behalf of her daughter in regards to a new ordinance that was passed in December that states that any animal picked up three times is to be immediately sterilized. Ms. Alva described multiple family issues and health problems that have made it difficult for her family to keep their dogs in the yard. She said her family is now being told that the dogs will be sterilized. Ms. Alva relayed that the subject dogs are breeding dogs and are a vital source of income for Ms. Alva's family. Ms. Alva asked if the council was aware of this law and asked if there is anything that can be done to change it when there are extenuating circumstances.

18:57:33 Chairman Rechtenbach asked John Inch Morgan to step out and speak with Ms. Alva regarding this matter.

18:58:09 John Smith said he lives at 5072 South 2200 West. Mr. Smith said he was given an understanding that there is a proposed tax increase. He asked for clarification on how that would be applied and if there is any truth to a tax increase at all.

18:58:51 Chairman Rechtenbach explained that every year at this time the Mayor and Administration present a balanced budget to the Council for consideration. Chairman Rechtenbach clarified that, as was the case last year, the budget presented has a proposed tax increase. He noted that the proposed increase last year was turned down. He suggested that information given out to the community is a little deceptive, because the proposed 20% increase applies only to Taylorsville City's portion of the property taxes and not the entire property tax that includes the county's portion. He stated that the proposed tax increase is not as bad as it sounds and the council is just starting to open discussion on the budget and will look at all avenues, including revenues. He said the goal is to adopt a budget that meets Taylorsville's needs first and separates wants from needs. Council Member Rechtenbach acknowledged that there is a proposed tax increase in the tentative budget, but it is unknown whether it will still be there at the end of June.

19:00:21 John Smith gave calculations on what a tax increase would look like for his household. He estimated that a 20% increase would increase his taxes by \$68.62 a year.

19:01:51 Chairman Rechtenbach asked Mayor Wall if Mr. Smith's numbers coincide with Administration's figures and Mayor Wall clarified that the price of the tax increase for the average home in Taylorsville would be \$36 a year. He acknowledged that every house is different, but said that the numbers Administration used are based on an average and people who have larger homes will pay more, while people in smaller homes will pay less.

19:02:38 Mayor Wall noted that in the last three years the budget has been cut an average of 5% a year and, at some point, the City has to look at where to keep cutting.

19:04:10 Mildred Harrie said she lives at 3132 Eugene Hill Way. Ms. Harrie indicated that she has heard that the purpose of a tax increase is to help new businesses relocate to Taylorsville and to give them tax relief.

19:04:51 Chairman Rechtenbach responded that there are a lot of businesses that have closed due to the economic climate. He said that such closures decrease the sales tax revenue, which in turn decreases the City's ability to meet the fixed level expenses already in place. He confirmed the Mayor's explanation that the last three years the city's budget has been cut and it gets to the point that there are no more cuts to make without reducing necessary services to Taylorsville citizens. He observed that one of the things the City must do to stay competitive to cities around Taylorsville is to invest in this community. He cited an example of when a home is purchased, and after years of wear and tear, the home begins to break down and the homeowner has to reinvest in that home so it continues to meet the needs of the family. Chairman Rechtenbach said that the same thing needs to be done in the City. He said that one of the ways for Taylorsville to do that is to invest in getting economic development into the City by bringing in new business to try to boost retail sales tax base to offset some of the need for property tax. He indicated that

the City is pursuing economic development measures which would include some incentives to the right businesses. He relayed that this is a positive thing and an overall win for the City, because it will result in increased sales tax revenue which lowers the necessity to discuss things like property tax increases just to balance the budget.

19:07:12 Pat Vialpando relayed that he lives over on Bowling Ave and has lived there for approximately 45 years. Mr. Vialpando pointed out the amount of senior citizens in the room and stated that, like most people, the seniors haven't had a cost of living increase for approximately three years now. He said that health insurance has gone up tremendously, and even though seniors have raised children and grandchildren, they are still paying taxes on schools. He stated that nothing is ever mentioned about the elderly, disabled and sick people, who are asking for a break, because they can't afford to pay these taxes.

19:08:10 Mayor Wall responded that Mr. Vialpando has a valid point. He referenced provisions that the County provides to elderly, disabled and sick individuals to give relief for property taxes. He explained that forms are available through Salt Lake County and that qualification for tax relief and rebates is based on income. The Mayor noted that the City also provides rebates for franchise utility fees to those who qualify. He stated that Taylorsville Administration understands that people have fixed incomes and, if it is truly a burden, there is relief available. He asked that interested parties contact the Mayor or City Administrator John Inch Morgan for questions and to be directed to the right resources.

19:09:14 George Dye stated that he has lived in the City since it was incorporated. Mr. Dye began by stating that despite appearances the City is suffering from a disease. He said they are beautifying some areas, especially the City center area, while ignoring some real problem areas. He said that bonds are causing this disease, called tax and spend. He stated that Taylorsville City is mentioned on the news every day because someone either in or from Taylorsville has committed some heinous crime. Mr. Dye suggested that City detectives are making \$74,000 salaries setting up speed traps in neighborhoods. Mr. Dye then cited a case that was called in two years ago, was given a case number and then never reported back on. He said that speed traps seem like a way to turn attention from crime to getting revenue from the citizens. He indicated that tax and spend methods are quickly turning Taylorsville into West Valley City and slowly turning it into Detroit. Mr. Dye requests no more tax increases for now. He said the City should spend less and make due. Chairman Rechtenbach requested that Police Chief Del Craig step outside and discuss with Mr. Dye the case that was cited in order to find out the current status.

19:11:31 Sheila Smith stated that based on comments during the meeting, it appears that most of the citizens are against a tax increase for various reasons. Ms. Smith agrees with everyone else that the City needs to buckle down and cut things out. Ms. Smith suggested that the City come up with creative fundraisers for example; the City of Garland has an annual fundraiser for

Garland's fire department with a Salmon "All You Can Eat Dinner" and people from Idaho and Utah come every year to support this event. She stated that a fundraiser like this would be a way to help alleviate the difference between the money that is needed as a city and that which citizens have a hard time coming up with in taxes. Chairman Rechtenbach asked John Inch Morgan to make a note of the fundraiser idea.

19:12:49 Susan Taylor indicated that she resides at 3100 Midwest Drive and has lived in Taylorsville since the 1970's. Ms. Taylor asked whether Taylorsville has a Development employee who makes over \$100,000 and, if so, why does the City need a PR person. Ms. Taylor cited dumpsters that have been placed in her neighborhood and said they are appreciated; however, she reported that a lot of scavenging of the dumpsters takes place. She noted that she had called the police to report the scavenging and then watched as a police truck drove through the neighborhood and didn't write out one citation. Chairman Rechtenbach asked Chief Craig to talk to Ms. Taylor about this issue.

19:15:01 Joe Crown stated his address as 2034 Quailbrook. Mr. Crown noted that he has been in front of the City Council many times and is often in disagreement with the Council. Mr. Crown expressed that Taylorsville elected officials are doing a good job and trying hard to make things work. He said big decisions must be made in order to ensure that Taylorsville stays a viable City. Mr. Crown referenced the negative situations being mentioned by citizens, but said there is also a lot of good happening in the City. He suggested that 90% of the people in the room have most likely had a good experience living in Taylorsville because of the things that the administration and elected officials have done since incorporation. Mr. Crown noted that Council elections are held every two to four years, at which time citizens have a voice about the way things are being done. He stated that Mayor Wall has done an excellent job trying to work things out and provide for the needs of the City. Mr. Crown further stated that what is needed is an opportunity to have more citizens heard so that concerns can be voiced regarding what citizens and administration can live without. Mr. Crown suggested town meetings in the different districts to provide larger input on the needs of Taylorsville citizens.

19:18:18 Chairman Rechtenbach suggested that due to the large amount of citizen comments and because the Taylorsville High School drill team is in attendance to receive a proclamation but needs to leave soon, that the citizen comment time be interrupted to hear the Mayor's Report. He said that citizen comment time will be resumed once proclamations are presented.

19:25:47 Chairman Rechtenbach returned to Citizen Comments.

Donna Drecksel said she lives on 2200 West right across the street from the new ballpark. Ms. Drecksel stated her objection to a tax increase. She noted that, according to the City website, the average annual income in Taylorsville is less than \$50,000 which for some families, depending on their size, is below the poverty level. Ms. Drecksel cited cost of living increases for gas and

groceries. She said she personally separates needs from wants and challenged the City to do the same.

19:29:27 Eleanor Dennis said she has lived in Taylorsville for 25 years. Ms. Dennis stated that she has been on a fixed income for the last four years and doesn't get an annual increase. Ms. Dennis appreciates living in Taylorsville and loves it, but feels as if she is being taxed out of her home. Ms. Dennis has a son who also lives in Taylorsville and has had his pay cut three times in the last two and half a years. Ms. Dennis suggested that the City eliminate expenses that are above the City's means and do without those things until the market comes back up. Ms. Dennis added appreciation for what the elected officials do, but restated the need to keep City costs down so that citizens can continue to reside in Taylorsville and not become another foreclosed home.

19:31:53 Chairman Rechtenbach took a personal privilege to respond to comments, stating that there has been a recurring theme of needs versus wants. He said that the City is very sensitive to this and the purpose of the budget process is to separate out the needs from the wants. Chairman Rechtenbach asked for a poll by raise of hands that if it comes down to a tax increase of about an average of \$3.00 a month, \$36.00 a year, versus cutting essential services like police services or snow plowing, which would be preferred. He said the budget ultimately comes down to services versus a tax increase.

19:33:59 Council Member Pratt responded by stating that the budget the council received doesn't propose to cut services, but the budget does have several hundred thousands of dollars in items that can be eliminated without reducing services, only prolonging them.

19:34:45 Chairman Rechtenbach answered by clarifying that the budget may not come down to cutting services, but this tentative budget does include a tax increase which is why the budget doesn't currently show a cut in services.

19:35:34 Jerry Milne stated that he lives at 690 West 4800 South. Mr. Milne thanked Council Member Pratt for efforts in improving the appearance of the City. Mr. Milne then disagreed with earlier statements by citizens that Taylorsville has not improved over the last 11 years. He said that, on the contrary, Taylorsville has much improved parks and trails, has fewer weeds, and has streetscapes that are looking much better. He suggested that the City is improving and citizens need to recognize the good work administration is doing. Mr. Milne gave his opinion that when the City has holes in the road there are a lot of complaints and so administration needs money to be able to fill those holes and to continue City improvements. He said \$35 is one night out at a good restaurant and with all of the talk about needs and wants, \$3 a month is really not too much to pay to work towards that improvement.

19:36:16 Evelyn Gonzales said she lives on 3136 W. Bernina Drive and has lived in Taylorsville since before it was incorporated and loves the City. Ms. Gonzales relayed that she has raised children here from elementary through high school and has been involved in baseball, volunteering, and fundraising. Ms. Gonzales' noted that her children have grown up and come back to live in Taylorsville, but because of the economy it is affecting every citizen, not just the elderly and the disabled. Ms. Gonzales said she works for the State and see's that small employers are paying the tax increases while other large corporations that are enticed to come into the State with tax breaks, came in while the economy was good and left when it got bad, so the small employers are now paying the taxes. Ms. Gonzales stated that the City needs to get through this rough spot, Taylorsville does need an increase, but it should be later when the citizens can afford it.

19:39:17 Paul Jackson stated his concern about the rugby field because of the cost involved if the field is designed for one specific group when there is a nice park down the street. He noted that the cost is listed between \$400,000 and \$500,000 and inquired about the source of the money. Mr. Jackson stated that the City should use the rugby field money for the budget instead of implementing a tax increase.

19:40:51 Mayor Wall responded that when the City bought the City Center property, the original intent was to build the City Hall and the sell the property for commercial use to pay for the building. Fortunately the City was able to pay for the building without taking out a bond and so it was determined to wait for a quality development with retail shops, café's, restaurants and other public uses. The Mayor noted, however, that Taylorsville has gone for years without that opportunity, the property is not in a place that is conducive to retail business, especially considering that the Family Center is losing tenants. The Mayor cited the City's dilemma in needing to improve the property and bring it into compliance with City ordinances. He acknowledged hat currently the City Center property is an eyesore and is also creating erosion and filling up storm water drains with mud. He explained that, because this is an EPA hazard, Taylorsville was able to secure a grant from the EPA, which will allow the planting of grass. He noted that grass is cheap to plant, but expensive to maintain, so City administration came up with a unique idea to have the Salt Lake Valley's large Polynesian community use the area for rugby, cricket and other events in exchange for maintaining the field. The Mayor pointed out that these City Center fields can also be used for other varied uses by citizens in Taylorsville. He said that the City is very confident that this agreement will be a mutually beneficial exchange of services and the park will be available to Taylorsville residents to enjoy.

19:43:58 Mr. Jackson asked if the rugby field area will be fenced to prevent balls and other objects from going into the street. Chairman Rechtenbach asked that the Mayor talk with Mr. Jackson outside for further discussion due to the large amount of citizens still desiring to comment.

19:44:33 Joseph Milner said he is a full time college student who currently lives with his mother in Taylorsville due to income issues while being in school. Mr. Milner asked what tax payers are getting for tax dollars paid out and expressed an understanding that the Taylorsville governing body has voted themselves raises. Mr. Milner said he has not had a raise in three years, with benefits cut and the loss of a 401K when employed by IHC. Chairman Rechtenbach clarified that the last pay raise the Taylorsville governing body received was five or six years ago. Mr. Milner continued by asking to hear the administration's answer to the question of whether the City planned to build a fence around the grass fields on the City property. Mr. Milner than stated his opposition to increasing taxes to attract businesses due to the fact that recently on all levels of government, businesses both large and small have enjoyed the benefits of corporate welfare at the cost of the tax payers. Mr. Milner reiterated that the City doesn't need to increase taxes, and the City needs to justify current employee salaries. He added that citizens do appreciate the employees and elected officials and the work that is done for Taylorsville.

19:45:45 John Inch Morgan gave clarification that there are no current plans for a fence around the City Center fields, but noted that the property will be graded so that there is a little burb against the road itself.

19:46:34 Chairman Rechtenbach answered Mr. Milner's first question as to what was being planned with the money from the proposed tax increase. He noted that the proposed budget is placed on the City website for viewing and an exact breakdown of all the revenues and expenses of the City is available there.

19:47:16 Wesley Fullton said he lives on 5358 Genelle Autumn Circle. Mr. Fulton remembered when Taylorsville was considering incorporation as a City and citizens were assured that there was enough business in the town with enough tax base to take care of all of the City's needs. Mr. Fulton observed that City government or any form of City, State or Federal government is by definition a drain on the public. He said that government service does not provide any increase to the gross national product even though it is essential. Mr. Milner expressed that there are certain unalienable rights that citizens were promised and guaranteed, one of which used to be property. Mr. Milner stated that he feels that putting an extra burden on property tax will only tend to reduce freedom. He noted that Taylorsville residents pay taxes on several different levels and if those taxes are defaulted, then the government has the power to come and take homes away. He suggested that there are other incentives that can be done to reduce the tax burden. He said that even if the proposed tax increase is only \$3 a month, if it is going to be wasted, why even waste \$1. He criticized the Council Chairman for saying that taxes need to be raised for continued level of services and threatening to take away services when other things in government can be reduced. He said he feels that using fear against citizens is irresponsible.

19:50:21 Chairman Rechtenbach apologized if his poll of service cuts verses a tax increase was misconstrued as a threat, and said that was not the intention.

19:50:58 Debbie Robinson stated that she resides on Hewett Drive. Ms. Robinson observed that to many citizens \$36 per year is a hardship and said many citizens don't have the money for even one night out. Ms. Robinson said she objects to police or snow plow services being cut and believes there are many things that can be done without cutting services. She stated that even if the tax increase is just \$36 a year on average, increasing taxes needs to stop somewhere. She noted that the county and state are raising taxes every year regardless of what the City is doing. She said even a small tax increase on top of everything else adds up and hurts Taylorsville families. Ms. Robinson concluded that if there is a way to balance the budget without raising taxes, the City needs to do it.

19:52:11 Tyler Lawrence indicated that he has lived in Taylorsville for 32 years and is a life-long resident. Mr. Lawrence has a young family and takes pride in home, family, and teaching his children how to be responsible. He said that elected officials need to show the children in Taylorsville how to be responsible, as well. He observed that about a third of the people in the council meeting are from his own neighborhood and are good people for whom even only \$3 per month will have a negative effect. Mr. Lawrence stated that the irony of this tax increase is that the elected officials would be voting themselves a tax raise, as well. He said that the citizens of Taylorsville need the elected officials to be responsible and to think about the City's residents first.

19:53:51 Kay Harmon asked about how much the \$3 a month would amount to in total revenue to the City. John Inch Morgan answered that it amounts to approximately \$825,000 per year. Ms. Harmon responded by asking about the importance at this time to have that additional money and inquired as to what is going to be done with that increase.

19:55:26 Wendell Nope gave his address on Quail Brook Drive. Mr. Nope said he sincerely and genuinely asks the council and administration to please take extra effort to research possible grants and other funding sources that might be available, similarly as what was done with the rugby park.

19:56:33 Rhetta McIff commented on personal experience working as a volunteer in Taylorsville. Ms. McIff stated that being a volunteer is important, especially in a time when money is tight, to help the City get the job done. She suggested that instead of sitting in meetings telling the council and administration what they are doing wrong, citizens should be volunteering to make changes happen. Ms. McIff stated that there is a lot of grant money in the City that is available more freely to volunteer applicants than it would be to City employees. She noted that these grants are used on projects that improve the city without using tax dollars. Ms. McIff encouraged the citizens to take the time to get involved in the community, volunteer and come to meetings so that citizens can have a better understanding that the tax increase isn't about beautification and other random issues. She said the City has received large amounts of grant money for projects and services and cost saving efforts.

19:59:17 John Gidney stated that, as a Taylorsville senior citizen who is also self-employed, there is definitely a financial pinch and an understanding of the pain that citizens who have addressed the council are expressing. Mr. Gidney expressed great love for Taylorsville and said he shows it by attending many City Council meetings. He observed that at many of these council meetings, he is the only one in the audience. Mr. Gidney noted that the only time council meetings inspire a crowd is when citizens hear about a tax increase or something else of a negative nature. Mr. Gidney admonished citizens to attend council meetings on a regular basis to really understand what is going on in Taylorsville. He relayed that Council meetings are open meetings and Taylorsville residents can observe the difficult decisions that the City Council faces weekly and get a better feel for what is really happening and what the City Council is trying to do to wisely use citizens' money. Mr. Gidney expressed the importance of good honest, civil discussion on the budget in coming weeks and encouraged citizens to attend.

20:01:07 There were no additional citizen comments, and Chairman Rechtenbach closed the citizen comment period by thanking the citizens who spoke for their input. He invited everyone to stay for the remainder of the meeting which would include the budget discussion. Chairman Rechtenbach encouraged Taylorsville residents to come to council meetings on a regular basis to learn more about the decisions being considered and to give further input. Chairman Rechtenbach also stated that if a citizen is unable to attend but would like to follow what is going on, they may check the website or e-mail the council for information and to give input.

Council Member Pratt made a **MOTION** to move item 6.2, Discussion of the Budget, to the present time and move item 5.1, Planning Matters, until after the budget discussion. Council Member Barbour **SECONDED** the motion. Chairman Jerry Rechtenbach called for a roll-call vote. The vote was as follows: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All members of the City Council voted and the motion passed.**

20:04:05 Chairman Rechtenbach called for a for five minute recess.

#### **1.4 Mayor's Report**

##### **1.4.1 Proclamation Recognizing the Taylorsville High School "Chirons" Drill Team for Placing First-Overall in the MA National Dance Championships in Fort Worth, Texas Competitions**

19:19:15 Mayor Wall presented a proclamation to members of the Taylorsville High School Chirons Drill Team in recognition of placing first-overall in the MA National Dance Championship Competition held in Fort Worth, Texas.

19:19:37 Mayor Wall read the proclamation and then recognized the efforts of young people in Taylorsville, specifically members of the Taylorsville City Youth Council.

#### **1.4.2 Proclamation Declaring April 29, 2011 as Arbor Day**

Mayor Wall read a proclamation declaring April 29, 2011 as Arbor Day in Taylorsville.

19:22:13 Mayor Wall then recognized Rhetta McIff for personally planting 150 trees and for soliciting over \$10,000 in grants and donations for the planting of trees.

19:24:47 Mayor Wall announced an Arbor Day event on April 29, 2011 where trees will be planted on 4800 South 700 West at 2:00 p.m. He relayed that the public is invited to come and participate.

#### **2. APPOINTMENTS**

There were no appointments.

#### **3. REPORTS**

There were no reports given.

#### **4. CONSENT AGENDA**

There were no matters on the Consent Agenda.

#### **5. PLANNING MATTERS**

##### **5.1 Development Code Review and Discussion, Chapters 1, 2, 3, & 37 – Mark McGrath**

22:14:40 Community Development Director Mark McGrath opened discussion on the recently updated Development Code. Mr. McGrath suggested focusing on Chapters 1-3, in the interest of time. He said the first three chapters are the foundation of the document and the enabling legislation that sets up the rest of the document. He noted that Chapter 37 is pretty complex, as it contains comprehensive design standards. He explained that the Planning Commission dedicated an entire night just to that section and suggested that the council will likely want to do the same.

22:16:27 Council Member Pratt asked for clarification on section 13a.01-05. Grants Manager Donald Adams answered that this section is simply stating that the code deals with land use issues, appointment of officers, such as planning commissioners, and legal conforming or non-conforming uses of buildings. He noted that Chapters 1-3 are taken almost directly from State law. Council Member Pratt then asked for clarification on the last sentence of 13a.01-06 regarding the issue of difference of opinion and the fact that the code states that when there is a

difference of opinion, the Planning Commission is the sole body that determines the interpretation. Council Member Pratt stated an issue with the Planning Commission being in this position as the sole interpretation, especially in light of the fact that, historically, neither the administration nor the council has always agreed with their decisions. He said a citizen should have the right to appeal this to another body.

Mr. McGrath pointed out that the key term in the passage is, "unless otherwise provided" and said that there are a lot of "otherwise provided" phrased in the code. He noted that they are found throughout Chapter 34, Appeals and Variances.

Mayor Wall stated concern that the "catch all" should state that the City Council is the sole body in some instances and the Mayor in others, and not just blankly name the Planning Commission in that role "unless otherwise provided." Mr. Adams agreed that they would review this issue with City Attorney John Brems and rework this section.

Council Member Pratt moved on to 13a.01-07, asking for clarification as to whether in streamlining things and making it less restrictive, the City will have to bypass this code and go with the more restrictive interpretation when an issue arises. Mark McGrath answered that this is more streamlined in that the rules and regulations are spelled out up front, so as long as the individual conforms to those rules and regulations a lot of things will no longer have to be heard by the Planning Commission. He relayed the hope that this development code will eliminate dozens of items that previously had to go to the Planning Commission that can now be handled at the staff level. Mr. Adams added that what this section is really saying is, for example, if in the process an individual runs up against a health code that is more restrictive than Taylorsville's Development code, Taylorsville is required to use the health code restriction. He clarified that this section is not specifying an older more restrictive Taylorsville development code, but rather is specifying a State code or some other agency that the City doesn't control. He noted that in those cases, the City has to defer to them.

Council Member Barbour clarified that in reading this section it seems that this development code supersedes the old development code and will also supersede the general plan; however, any State organizations will then stay in the rightful position.

Chairman Rechtenbach called for any more questions on Chapter 1. There being none, he directed Mark McGrath to be prepared to discuss chapter 2 at next week's council meeting.

## 6. FINANCIAL MATTERS

### 6.1 **Resolution No. 11-12 – Acknowledge the Receipt of the Tentative Budget for Fiscal Year 2011-2012, Tentatively Adopt the Fiscal Year 2011-2012 Tentative Budget, and Set a Date for the Budget Public Hearing** – *John Inch Morgan*

22:01:51 City Administrator John Inch Morgan presented the subject resolution acknowledging the receipt and adoption of the Tentative Budget for Fiscal Year 2011-2012. Mr. Morgan stated that the tentative budget has also been on the website since last week and copies have been given to the Budget Committee for review. Council Member Pratt inquired about statutory requirements regarding when the Council must adopt a resolution to accept the tentative budget. Mr. Morgan answered that the requirement is by the second week in May.

The Council set June 1, 2011 as the date for the Budget Public Hearing.

22:02:57 Council Member Johnson stated that, due to the fact that there are so many things in the proposed budget that could be deleted, he will not support a tax increase of any kind.

22:03:55 Council Member Barbour responded that the Council is not adopting the budget, but only acknowledging that the City has provided them with a tentative budget. Council Member Johnson observed that if they accept the tentative budget then the Council is stating they are okay with it and he is not okay with it. Chairman Rechtenbach disagreed and stated that essentially the Council is only acknowledging receipt of the budget, and that it is tentative and will change since it won't be final until June. He said approving this resolution in no way binds the Council to anything contained within the tentative budget.

22:05:09 John Brems confirmed that by adopting this Resolution the Council is saying they have received the tentative budget in order to start the process of discussion over the next two months.

22:06:12 Council Member Barbour **MOVED** to adopt Resolution No. 11-12 – Acknowledge the Receipt of the Tentative Budget for Fiscal Year 2011-2012, Tentatively Adopt the Fiscal Year 2011-2012 Tentative Budget, and Set a Date for the Budget Public Hearing. Chairman Rechtenbach **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-no, Pratt-no, and Catlin-no. **All members of the City Council voted and the motion failed.**

22:06:59 Council Member Pratt **MOVED** to table Resolution No. 11-12 to the second city council meeting in May. 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-no (stating her reason that the City's business needs to be moved along and the council needs to begin working toward an acceptable budget), Rechtenbach-no, Johnson-no, Pratt-yes, and Catlin-yes. **All members of the City Council voted and the motion failed.**

22:09:25 Council Member Catlin asked for clarification on the date regulations for passing this resolution. Mayor Wall answered that the requirement is by the second week in May, which is a work session, so if the Council chooses to table it until then, the work session will have to be made into a regular session so the resolution can be acted upon. Council Member Catlin expressed his thought that the issue is that the council does not have all of the information or numbers yet for this tentative budget.

22:11:12 Council Member Catlin **MOVED** to table Resolution No. 11-12 until the first Council meeting in May. Council Member Pratt **SECONDED** the motion. Mayor Wall stated a point of order that the new motion has to come from a member of the prevailing side of the failed motion. Chairman Rechtenbach agreed and stated that, in the interest of moving ahead, he would make the motion. Chairman Rechtenbach **MOVED** to postpone Resolution No. 11-12 until the first Council Meeting in May. Council Member Pratt **SECONDED** the motion. Chairman Rechtenbach then called for a roll-call vote. The vote was as follows: Barbour-yes, Rechtenbach-yes, Johnson-yes, Pratt-yes, and Catlin-yes. **All members of the City Council voted and the motion passed.**

## **6.2 Discussion Regarding the Tentative Budget for Fiscal Year 2011-2012** **– John Inch Morgan**

City Administrator John Inch Morgan called for discussion regarding the FY 2011-2012 Tentative Budget.

20:11:01 Mr. Morgan reviewed dates on the Budget Calendar and asked the Council whether they would like to plan for a Saturday Budget Session and then cancel if it is determined that it is not needed. Chairman Rechtenbach suggested waiting to see if a Saturday session is needed before scheduling, since there is only a 24-hour noticing requirement.

20:16:24 John Taylor presented follow-up information on the storm drain public works discussion from the Council Meeting on April 22, 2011. Mr. Taylor referenced efforts to pursue various public services options. He said that one of the options is to go with a private contractor, which from the information received, would result in an increased cost as well as a three to five year contract requirement. He cited another option to provide public works in house, but said this would be an increased cost of almost double, as well as a 75% decrease in the service level provided. He observed that the City is currently receiving a good deal on services received for the cost, which includes storm drain, garbage collection, etc. Chairman Rechtenbach pointed out

that there are many private industry garbage collection companies who would like the chance to compete for providing service here in Taylorsville, but that it is not a level playing field when considering the tax breaks on fuel and taxes in general that the County receives. Chairman Rechtenbach stated that by using a private company, however, the City would be funneling money back into our community and not to another taxing entity. Mr. Taylor responded that to go with a private industry would ultimately cost the City more.

20:20:41 Council Member Johnson said he didn't receive any complaints regarding the snow plowing this past winter and believes Salt Lake County did a good job with three trucks short. John Taylor clarified that they did receive complaints from Council Member Johnson's district; however Mr. Taylor agrees that the County did a great job at a lowered level of service.

20:21:31 Council Member Barbour agreed that the County does a good job. She relayed that she did receive complaints, but most were likely due to the exceptional snow levels the Salt Lake Valley received this year. Chairman Rechtenbach responded that it seems that citizens of Taylorsville understood that snow conditions were a bit heavier than normal, ultimately which caused some delay in plowing.

20:22:39 John Inch Morgan confirmed that due to excessive snow this year, the City is slightly over the funds set aside for snow plowing. He said the additional amount will have to be taken from road funds.

20:24:46 Chairman Rechtenbach asked the Budget Committee if there were any comments on the budget at this point. Gordon Wolf, of the Budget Committee, stated that they would like more time to review it and would have comments at a future meeting.

20:25:10 Council Member Pratt said he has reviewed the budget line by line and, with an approximately \$825,000 tax increase proposed, has identified many areas which could possibly be cut. Chairman Rechtenbach suggested that as the budget is reviewed over the coming weeks, Council Member Pratt can bring up those areas for discussion.

20:26:21 Chief of Finance Scott Harrington highlighted revenues that have been received and projections for the coming year. He cited past history comparisons. Mr. Harrington started with the franchise taxes with the budgeted numbers for 2010-11 and estimated numbers for 2011-12. He noted one difference, based on an audit of the Comcast franchise fee, which identified about \$135,000 in franchise fee revenue not previously paid. He observed that these fees can be affected by many different variables, including conservation, weather, usage, and rates of utility. He said that the City is currently on track with what was budgeted, so the budget for next year will stay the same due to unforeseen variables that are hard to predict.

20:29:53 Mr. Harrington then moved on to sales tax revenues. He said sales tax has been a bit of a roller coaster over the years, and this year the City is down to \$6.3 million. He noted that projections are right on track and the City is actually currently 64% below budget, or approx. \$50,000, and should make the budget mark. He relayed that right now sales tax is about 30% of total revenues and can be influenced by many different factors, including economic development. Mr. Harrington stated that at 30% of total revenue the City is in a pretty good place. John Inch Morgan confirmed that this percentage varies and at one point the City was almost 50% dependent on sales taxes.

20:32:03 Scott Harrington then discussed property tax revenue including real property, personal property & motor vehicle taxes. He relayed that these are currently remaining consistent due to Truth in Taxation. Mr. Harrington explained that as home values raise and lower, the certified tax rate is adjusted so that cities yield the same tax dollars each year no matter what. He noted that property tax is 26% of Taylorsville's revenue budget, based on the tentative budget with the proposed tax increase. He said that without the proposed increase this would be about 22% of the budgeted revenue.

20:34:34 Mayor Wall stated that every personal property runs at a deficit for its value, and the taxes a homeowner pays for property taxes does not cover the services provided. He said the bulk of services provided are covered by sales tax or the businesses that pay more property tax. He cited the example of a home valued at a million dollars, where the resident only pays property tax on \$450,000 of the total value; whereas with businesses, if the business is valued at a million dollars they are taxed on the full million. The Mayor said it is important to keep businesses healthy so that they pay property tax and also generate sales taxes from those businesses. He clarified that usually the revenues of a city run like a 3-legged stool: sales tax, property tax and franchise tax; however, Taylorsville has been out of proportion for a long time due to a hesitancy to increase property taxes.

20:36:12 Council Member Barbour pointed out that it is to the City's advantage to have economic development, so that it can bring in revenue from property tax and sales tax from which the citizens of Taylorsville ultimately benefit.

20:36:44 Council Member Pratt stated that businesses that are brought in to the City are many incentivized by tax breaks and so businesses are very sensitive to taxes that they pay to the City. He said tax increases affect whether a business will relocate to a city and observed that higher taxes make cities less attractive to a business.

20:37:53 Mayor Wall confirmed that businesses do look at a city's tax rate; however, he noted that Taylorsville has the third lowest property tax in the Valley. He relayed that West Valley City's tax rate is close to double and Salt Lake's is closer to triple than what is paid in Taylorsville. He clarified that Sandy and Holladay are the only cities who are lower because of

the amount of businesses that they have and due to incentives that they are able to offer. Mayor Wall stated that, in the short term, it appears that a City is subsidizing businesses, but in reality it just increases the tax base in the City. He observed that, unfortunately, businesses often don't go only to the places that makes sense demographically; but rather will go to the cities who offer them blank checks or large amounts of money to entice their business into that city.

20:40:01 Scott Harrington reviewed the B&C Funds, which is the money received from the gas tax. He explained that this is a tax per-gallon, which was as high \$1.9 million back in 2007-08. He said it has now fallen to \$1.613 million and the City's budget estimate for 2011-12 will be increased to \$1.628 million. He clarified that these funds are primarily used for road improvements and road construction. Mr. Harrington reported that B&C Funds make up 8% of Taylorsville's revenue, which has been decreased by a deferment of road maintenance.

20:41:51 Mr. Harrington reported that fines and forfeitures make up about 9.6% of Taylorsville revenue. Mayor Wall explained that the State takes a minimum of 35%, but closer to 70%, of the revenue in surcharges on fines and forfeitures.

20:43:13 Council Member Pratt inquired which year the franchise fees were increased, and Mr. Morgan answered that they were increased in 2007-2008.

20:44:09 Mr. Morgan proposed that the discussion move into the special fund expenditures because they often do not get proper attention and it is important for them to be reviewed.

20:44:53 City Engineer John Taylor began by reporting on storm drain fund projects and expenditures. Mr. Taylor stated that the projects in this storm drain utility come from the original study completed in 2007. He clarified that the utility fee pays for these projects. He noted that presently the City is 50% through the project list, spending about 25% of anticipated funds, and is on task for completing the currently identified projects.

20:47:15 Council Member Pratt stated that it is good news that the City has been frugal on completing these projects. Mr. Morgan cited lower construction costs as one reason for being under budget. Chairman Rechtenbach suggested that it may make sense to accelerate future projects while construction costs are low.

20:48:30 Council Member Pratt asked for an updated project list to be provided at a future meeting. John Taylor agreed to provide the updated project list as a follow up item at the next Council Meeting.

20:49:30 Mr. Harrington reviewed the new economic development fund's revenues and expenditures. He reported that at the end last year, the City put away \$387,000 for economic development fund projects. He relayed that this year the City has \$237,000 in the fund for these

projects. He stated that if the City underspends this amount, it will remain in this fund with the intent to use these funds toward bond payments.

20:51:53 Council Member Barbour asked about a reimbursement from Stantec for a UDOT project and whether it will be added back to this fund. Mr. Morgan stated that the net will be about \$190,000 dollars and the Council can decide where that money would be spent.

20:53:56 Council Member Pratt asked for clarification on the total amount that is in the economic development fund. Mr. Harrington stated that at the start of the budget year last year the City added \$387,000 to this fund, added \$130,000 initially and another \$100,000 for expenditures this year. He reported that currently there is \$387,000 in the Fund Balance (Rainy Day Fund), and the City is anticipating a \$150,000 underspend this year.

20:55:21 Mr. Harrington than reviewed the Cemetery fund, stating that this is the City's 3<sup>rd</sup> year of operation of the Cemetery. He said everything is held constant with the past two years, with the only difference being the expense last year of a cemetery vehicle. He relayed that the only change for this year is an allocation for purchases of \$5,000, which will likely be for a shed that is needed.

20:57:11 John Inch Morgan cited the CDBG Fund category. He noted that this is included in the City's consolidated fund schedule by requirement, but the Council has already adopted the CDBG budget, so this is just a reflection of what was already approved.

20:58:10 Mayor Wall stated that there is currently not a final number as to what will be received in the Community Development Block Grant funds. He said the City is anticipating a 16% cut straight off the top. He said that right now the budget contains \$367,000, plus roll over funds, for a total of \$487,000. He explained that it is all revenue neutral and does not affect the general fund or the bottom line. The Mayor indicated that as soon as the City receives final numbers, the new CDBG Budget will be brought to the Council.

21:01:25 A citizen in the audience asked about making comments during this discussion. Chairman Rechtenbach clarified that citizens can only address the Council during citizen comment time. He noted, however, that citizens are welcome to stay around and talk to Council Members after the meeting has ended.

21:03:25 John Inch Morgan opened discussion on the General Fund, specifically tax revenues. He noted that the Council has already gone over the summary regarding real property and the potential tax increase, with all 2011-12 projections showing flat across the board, except for the cable franchise tax which is predicted to fall 4.7%. He explained that there is not a yearly audit on the cable franchise tax; however, the City has an independent audit firm come in every five

years to look at virtually all of the bills, and the City then uses the information received during the audit to calculate projections from year to year.

21:05:49 Mr. Morgan moved to business licenses and building permits, stating that the projection for business licenses will remain fairly flat. He noted that, although there is a projection of a 2.9% decrease in building permits based on historic trend, there has been in past years a spike in building permits. He observed that the City has had some big projects in the last few years, but those are leveling off.

21:07:09 John Inch Morgan gave an explanation on law enforcement grants that have decreased by 76.8% from \$138,000 to \$32,000 dollars. He attributed this to a change the administration has implemented in not projecting potential grants on the budget until they are actually received. He explained that the budget is now only showing grants that the City is fairly confident will be received, but when the City receives other grants they will be recognized and brought before the Council as mid-year budget adjustments. Mr. Morgan referenced the trend of the liquor fund allotment and said it has gone down. He noted that the City's projections are prudent as a result of the current unknowns as the State deals with liquor stores; however, this number could go up and Taylorsville's liquor store may not be one that closes. Mr. Morgan said that on Charges for Service, the City has been fairly consistent with the exception of Land Use Fees, which tend to go along with building permits. He said that in 2009-10, the City was at about \$10,000 dollars in Land use fees, and last year that was increased to \$20,000. He relayed that, due to the trend with building permits and land use planning, Administration is not projecting those same increases this year and is reducing that projection to \$15,000. Community Development Director Mark McGrath explained that a land use fee consists of CUPs, subdivision costs, etc. Council Member Pratt suggested that, due to a decline in building permits, Administration should take a look at all other fees associated to see if there needs to be some alterations in the current revenue projections.

21:11:44 Mr. Harrington explained that he has been working with Judge Kwan on the revenue projections for fines. Mr. Harrington stated that fines are staying constant with what the City had this year and are on track to meet the current budgeted amount. Mr. Harrington said that he is comfortable with estimating fines to remain approximately the same for next year. He noted that there was an increase in traffic school fees, so the number did go up slightly. Chairman Rechtenbach pointed out a large increase in code enforcement fines and Mr. Harrington explained that the City has now learned the process, which is helping to follow up on the fee collection in this area. Mr. Harrington said he is also certifying these fines with the State so that the City is able to place a levy on the offenders' taxes. He indicated that the City will see those funds in November. He clarified that this is the same procedure that was done with the storm drain, and it has worked well. He explained that the City has only had the Administrative Law Judge in place for a year, which is why code enforcement is just now being certified with the State.

21:13:39 Scott Harrington referenced miscellaneous revenues and explained that interest income is going down because of lower interest rates. He said that bond reserves are basically down to zero, and there is an increase in the fees associated with the Electronic Payment Service due to an increase in the general utilization of debit and credit cards. He indicated that fixed assets will stay the same, as well as 50/50 sidewalk, but there has been an increase to Police Copy Fees which was implemented last January. He cited other revenue showing the anticipated donations for the Veterans Memorial and the projected revenue from the Stantec lawsuit.

21:15:28 John Brems confirmed that the \$300,000 in revenue projected from the Stantec Lawsuit is a pretty accurate number, but that if the Council wants to talk about specifics regarding legal fees it will have to be done during a Closed Session.

21:18:31 John Inch Morgan clarified that if the funds from the law suit are received before June, there will have to be an adjustment made. He said that negotiations have been slow and that is why these numbers are currently shown on the budget. Chairman Rechtenbach asked Council Coordinator Jessica Springer to schedule a closed session regarding litigation for the next City Council Meeting.

21:19:33 Mr. Harrington pointed out the \$150,000 in projected donations for the Veterans Memorial.

21:19:45 Mr. Morgan moved to discussion on the City Council expenditures tab and asked Mr. Harrington to explain what was budgeted for health care costs. Mr. Harrington stated that when the current budget document was published, the City did not yet have the final health care rates, so these numbers are estimates after talking to Insurance Provider Jim Dunnigan. Chairman Rechtenbach asked that the Administration postpone talking about health care costs until the Council discusses benefits as a whole.

21:21:16 Council Member Pratt asked about city council studies and whether there was anything scheduled or if that line item is even necessary. Mr. Harrington answered that currently there are no studies scheduled, so that line item can be dissolved if the Council requests that. He noted that this projection was just to stay consistent with what the Council had last year. He said that the department as a whole is looking at a 1.3% decrease. Chairman Rechtenbach responded that a few years ago the Council decided to move the studies under the council budget so that it could have greater control on how studies were done. He relayed that historically money has been kept in there in the event that something would be needed, but money has also been moved out of that line item in the past as needed to supplement other budgets. He said this can be done again, if needed. Council Member Pratt clarified that it is prudent to have money in this line item.

21:22:45 Mayor Wall brought up a request from UTA for a study on the Bus Rapid Transit on Redwood Road, not said he is not sure what it will consist of or if the Administration will even

support the study. He said he thought the Council should be made aware that the request is forthcoming.

21:23:19 Mayor Wall confirmed that the City has spent \$80,000 on lobbyists this year and in return, the City has received around seventy million dollars in road funds and also a resolution that was passed in the house for the veterans issue. He said he is also anticipating \$100,000 from the Governor to help with the Veterans Memorial Project, etc. Mayor Wall stated that he believes that the lobbyist money is well-spent. He relayed that Taylorsville's Lobbyist is currently recovering from an illness, but will come report to the Council as soon as he is able, which should be in about a month. Chairman Rechtenbach inquired about the mileage reimbursement line item. Mr. Morgan explained that the line is mainly used for the Council Coordinator's mileage when running errands for the Council and for City committees.

21:25:57 Mr. Morgan called for any questions on the Mayor's Budget and explained that the increase in travel and training is due to not having a lobbyist at the Federal level, so the Mayor is planning to travel to Washington D.C. to meet with representatives.

21:27:30 Mr. Morgan noted that the next budget section is the Court and suggested that since Judge Kwan is planning to be at next week's Council Meeting, this section be postponed and discussed at that time.

21:28:18 Council Member Catlin asked about the City paying State Bar fees for the Judges. Council Member Catlin expressed his opinion that these are professional fees that the Judges need in order to practice their trade and said he doesn't feel it should be the responsibility of the City to pay those fees. Chairman Rechtenbach asked whether the City pays for any other certifications and training. Mayor Wall answered that the City pays for certifications for licensed professionals that the City has on staff and those who have to follow certification guidelines to keep current on license renewals, as well as police officers who are paid for training and certification. Chairman Rechtenbach pointed out that paying for these training and certifications would be the same as paying the Judges State Bar fees to keep them in compliance with renewal guidelines. Council Member Catlin stated that he does not see the parallel with the police department, and that he wasn't aware the City was paying for the planner's certifications.

21:30:12 Mr. Morgan clarified that in asking around regarding this issue, Judges are restricted in their practice as Taylorsville Municipal Judges without this State Bar certification.

21:30:28 Council Member Pratt expressed that in looking at the budget for the court, it seems as if the court is in the red, which is disappointing. He observed that as the Council looks at this budget it will need to be discussed whether the City can continue to operate the court in the red and what cuts will need to be made. Mr. Harrington explained that a difference in this budget from last year is the addition of a bailiff line item, which now charges the bailiff's expense to the

court. He said this change was made since the bailiffs are a function of the court. Chairman Rechtenbach added that he was under the impression from recent court reports that these numbers would be in the black and said he looks forward to hearing from Judge Kwan regarding this at the next meeting.

21:32:10 Council Member Johnson asked about why the benefits line item is increased every year. Scott Harrington answered that the majority of the increase is due to the increased costs of health insurance and retirement.

21:34:37 Council Member Catlin asked whether the City has received final numbers on the increase in health insurance costs. Scott Harrington answered that the final numbers received from Dunnigan Insurance reflect an increase of 16% to 16.5% for health plan.

21:35:38 Chairman Rechtenbach suggested postponing further benefits discussion to the next City Council Meeting when Jim Dunnigan will be in attendance to answer specific questions.

21:37:13 Mr. Morgan cited the increase in codification services. City Recorder Cheryl Peacock Cottle stated that most of the extra expense is due to the new development code codification needs. Mr. Morgan continued by explaining that the other increase is for elections, which has gone up about 400% because this is an election year. He noted, however, that these costs will vary depending on whether a Primary Election is needed.

21:37:57 Mr. Morgan referenced the legal services budget and noted that, due to recent litigation, there had been funds added to this line item. He said that going forward for next year, that line item has been returned to where the City has been in the past. He clarified that this line item includes the City Attorney, as well as response to potential lawsuits, etc.

21:39:08 Council Member Johnson questioned the cost for processing electronic payments. Mr. Harrington responded that the City is using RBS for this service, as of last year, which has saved the City a significant amount. He said this line also includes the website payment service that is provided.

21:40:11 Mr. Harrington went over non-departmental costs and explained that the telephone and network maintenance line item was increased mid-year due to the new server and software. He clarified that this line item is restoring those numbers back to historic levels.

21:40:39 Mayor Wall explained that the books and subscriptions increase is based on a proposal by the Administration who will schedule a presentation in an upcoming meeting for Taylorsville to join a "Sister City Program." He stated that there is a City in China who is interested in becoming a sister city, which would be an exchange of technology students, giving international recognition to Nelson Laboratories, Sorensen Research and other businesses in the City, as well

as looking at opportunities for Chinese businesses to come to Taylorsville. Council Member Johnson expressed his opinion that due to economic times, this could possibly be something the City could wait on due to the \$25,000 price tag. Mayor Wall answered that the Council can decide to wait on anything; however, the Administration would at least like a chance to make a presentation and allow Dr. Richardson, who was with the Salt Lake Community College for years and was a Taylorsville resident, to explain the potential behind this proposal. Chairman Rechtenbach agreed.

21:44:10 Chairman Rechtenbach suggested ending the discussion with Non-Governmental Buildings and then moving on to the development code discussion. Scott Harrington cited a decrease of about 36% related to building repair and improvements due to moving the expenses for the Veterans Memorial. He also noted a decrease in projected capital equipment purchases.

21:45:32 Council Member Pratt expressed that he loves the Veterans as much as anyone else, but is questioning whether in this economic climate the Veterans Memorial is something that needs to be in this year's budget. He suggested that the \$180,000 can be delayed and readdressed at Mid-Year. Council Member Johnson agreed, and said the money for the Veterans Memorial was allocated before the proposed tax increase was introduced. He gave opinion that, in light of the new information, this should be reevaluated.

21:49:46 Mayor Wall clarified that the City has been talking to the sculptor and made arrangements for those fees, so there is a need to be careful and make sure that there have been no contracts or proposals extended to anyone before we remove the money from that budget. He noted that the money promised from the Governor is contingent on the City also putting in a portion, which was explained to the council when this money was allocated. Mr. Morgan explained that when this was discussed with the Council originally, they agreed to allocate \$290,000 of City funds for this line item. He clarified that if additional donations are received for the memorial, the line item would not increase, and the City fund allocation would decrease based on those donations.

21:55:27 Chairman Rechtenbach asked for detail and a breakdown of the Veterans Memorial funds, where the funds came from, where the funds are now, and where the \$290,000 listed in this budget is real or not at the next council meeting.

21:59:30 Chairman Rechtenbach summarized the expected budget discussion for the next Council Meeting, as follows: Judge Kwan will give detail on the courts, Veterans Memorial detail will be provided, and Jim Dunnigan will give a summary on the benefits package. After those reports, the Council will continue to review the budget line by line starting with the Planning Commission.

## 7. OTHER MATTERS

### 7.1 Approve Purchase of ESRI Economic Development Software – *John Taylor*

22:32:18 City Engineer John Taylor called for questions on the ESRI Software. He clarified that this software will be purchased under the current year's budget. He noted that the maintenance for this year is in the Economic Development department budget under contracts, and for next year it will be located in the Economic Development Fund with the intention of making the Economic Development fund more of an enterprise fund for tracking purposes.

22:36:11 The consensus from the Council was to support the purchase.

22:36:38 Council Member Pratt stated that he has two questions for the Police Department. He said the first issue is regarding a resident whose daughter was involved in a traffic accident on April 18, 2011 and whose vehicle has been in a repair shop mounting fees. He relayed that the insurance company will not pay until they receive a police report, and this resident was told after nine days that there is still no report available. Mayor Wall acknowledged that a typical traffic accident shouldn't take that long to be available. It was agreed that Police Chief Del Craig will look into this and get back to Council Member Pratt with the details.

22:38:50 Council Member Pratt's second question is regarding an advertisement that was received in the mail stating that the Taylorsville Police Department will have a drug return program on April 30<sup>th</sup> from 10:00am to 2:00pm. Council Member Pratt inquired whether this is really happening.

22:40:00 Chief Craig confirmed that Taylorsville is a part of the Prescription Drug Take-Back Program and has received a grant to provide boxes for this in the Police Department lobby. Council Member Pratt expressed that it is a great program, but he would like to see more advertising to Taylorsville residents regarding this program, including specific dates and times.

22:42:35 Council Member Barbour asked the Council to consider sending out a factual letter to residents with information regarding the budget process and the meetings, inviting residents to attend and voice their input, as was done last year. Council Member Barbour then expressed concern that the room was full tonight of residents mostly from one neighborhood. She said she believes this information should be more widely circulated.

22:43:42 Council Member Johnson responded that most of the people who came out for tonight's meeting from Council Member Johnson's district did so because he informed the residents that there was a proposal for a tax increase. He said a lot of the citizens were concerned and upset and took it upon themselves to circulate a flier. Mr. Johnson stated that he doesn't believe the

Council needs the expense of a city-wide letter, but rather Council Members should just communicate issues to proactive members of the districts in order to spread the word.

22:44:50 Chairman Rechtenbach answered that there are those residents who could miss out on information unless it is purposely sent out to everyone. He noted that last year, the letter received a lot of positive feedback. He said the expense is not great and he is supportive of sending out a letter this year.

22:46:49 Council Member Johnson expressed concern regarding no longer having a sign advertising the Council Meetings now that the City property lost its fences out front.

22:48:00 The consensus of the Council was to send out a letter from Council Members about the budget process.

22:48:29 Council Member Johnson updated the Council on discussion regarding complaints over Taylorsville Dayzz fireworks. He said some issues were resolved and it has been determined that the fireworks will be moved on Friday and Monday night to areas further south. He noted that it was also decided that the event will no longer use the fireworks that mushroom out and come down near people.

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

There were no new items for subsequent consideration.

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

22:50:26

- 9.1 City Council Briefing Session – Wednesday, May 4, 2011 – 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, May 4, 2011 – 6:30 p.m.
- 9.3 City Council Work Session – Wednesday, May 11, 2011 – 6:00 p.m.
- 9.4 City Council Briefing Session – Wednesday, May 18, 2011 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, May 18, 2011 – 6:30 p.m.

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

22:50:52

- 10.1 Ribbon Cutting – Knights Furniture – Friday, April 29, 2011 – 4:00 p.m. – 5584 S. Redwood Road – POSTPONED to May 6<sup>th</sup>.
- 10.2 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.

**10.3 Concert, Taylorsville Symphony and SLCC Orchestra – Friday, April 29, 2011 – 7:30 p.m. – Eisenhower Junior High Auditorium, 4351 South Redwood Road – Donations are appreciated.**

**11. ADJOURNMENT**

22:51:33 Council Member Catlin **MOVED** to adjourn the City Council Meeting. Council Member Johnson **SECONDED** 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 10:52 p.m.

  
\_\_\_\_\_  
Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 05-18-11

*Minutes Prepared by: Cheryl Peacock Cottle, City Recorder & Jessica Springer, Deputy Recorder*