

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, October 5, 2011
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

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
Del Craig, Chief of Police

BRIEFING SESSION

1. Review Administrative Report

18:01:30 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 called for questions on the Administrative Report, and there were none.

2. Review Agenda

18:03:32 The agenda for the City Council Meeting was reviewed. Two corrections were noted to the minutes of September 21, 2011.

18:08:48 Council Member Pratt indicated that he will have some other matters for discussion under Agenda Item 7. He inquired whether the discussion regarding the Employee Appeal Board is scheduled for next week's Work Session. Mayor Wall clarified that the City Attorney is making some recommended changes and then the ordinance will be forwarded to the Ordinance Review Committee for input before it is brought back for Council discussion.

3. Closed Session

18:11:54 Council Member Dama Barbour **MOVED** to adjourn the Briefing Session and convene a Closed Session to discuss the professional competence of an individual at 6:11 p.m. Council Member Larry Johnson **SECONDED** the motion. Chairman Jerry Rechtenbach called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Catlin-yes, Barbour-yes, Rechtenbach-yes, Johnson-yes, and Pratt-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.

A meeting of the City Council held on Wednesday, October 5, 2011 was closed to discuss the character and professional competence of an individual, wherein no other items were discussed.

Council Member Dama Barbour **MOVED** to adjourn this Closed Session at 6:47 p.m. and convene the regular City Council Meeting. Council Member Bud Catlin **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: Catlin-yes, Barbour-yes, Rechtenbach-yes, Johnson-yes, and Pratt-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
Patrick Tomasino, Building Official
Troy Hansen, IT Specialist
Aimee Newton, Public Relations Consultant

Citizens: Kristie Overson, Rhetta McIff, Dave Ballou, Israel Grossman, John Gidney, Spencer Braithwaite, Aubrey Thompson, Jay Ziolkowski, Dean Paynter, Charles Christopher, Jacob Mattson, Mike Major, Mike Rottini, Shelly Edwards, Jacob Bailey, Curt Cochran, Del Feltenbarger, Members of Scout Troops 472, 493, and 1034

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:48:46 Chairman Jerry Rechtenbach called the meeting to order at 6:48 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 – Spencer Braithwaite, Youth Council

Youth Council Member Spencer Braithwaite directed the Pledge of Allegiance.

1.2 Reverence – Aubrey Thompson, Youth Council (Opening Ceremonies For October 19, 2011 to be arranged by Council Member Catlin)

Youth Council Member Aubrey Thompson offered the Reverence.

18:51:09 Chairman Rechtenbach recognized members of Scout Troop 472 and Scout Troop 493 who were in attendance.

1.3 Citizen Comments

18:53:39 Chairman Jerry Rechtenbach reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:53:46 There were no citizen comments, and Chairman Rechtenbach closed the citizen comment period.

1.4 Mayor's Report

1.4.1 Lights on Day, October 27, 201

18:53:59 Mayor Russ Wall presented a proclamation declaring October 27, 2011 as "Lights on After School Day" through the YMCA. He noted that this represents a celebration of after-school programs. He relayed that the YMCA serves over 350 Taylorsville youth each year through before and after-school programs.

18:57:08 Council Member Catlin recognized the Fremont YMCA facility as a wonderful asset to the community.

1.5 Recognition of the Best of Taylorsville Home & Business Beautification Awards – Rhetta McIff, LARP Chair

18:57:36 LARP Chair Rhetta McIff presented *Best of Taylorsville Home & Business Beautification Awards* to the Del and Sherlyn Feltenbarger Family (residence) and also to Mr. Harris of Nelson Laboratories (business recipient).

19:03:11 The Council thanked the LARP Committee and the Healthy Taylorsville Committee for providing healthy snacks for the meeting.

2. APPOINTMENTS

2.1 Ordinance No. 11-18 – Appointing Municipal Inspectors – *John Inch Morgan*

19:03:46 City Attorney John Brems presented the subject ordinance regarding the appointment of Municipal Inspectors. He said that it is recommended that Mickey Pahl and Scott McMahon be appointed as the Municipal Inspectors.

19:06:26 Council Member Pratt questioned whether the ordinance should be amended to appoint Code Enforcement personnel in general as inspectors, rather than naming specific persons. Mr. Brems said that he would need to give further consideration to that suggestion and research the statute.

19:07:40 Council Member Morris Pratt **MOVED** to table Ordinance No. 11-18, Appointing Municipal Inspectors, until the October 19, 2011 City Council Meeting following further consideration and additional recommendation. Council Member Bud 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: Catlin-yes, Barbour-yes, Rechtenbach-yes, Johnson-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.**

3. REPORTS

3.1 Youth Council – *Aubrey Thompson, Youth Council Chair*

19:08:38 Youth Council Chair Aubrey Thompson reported on recent activities and upcoming events for the Taylorsville Youth Council. She relayed that Youth Council Members will be working to provide Thanksgiving and Christmas Boxes to Taylorsville families in need.

19:09:19 Ms. Thompson asked for recommendations on any Taylorsville families who may be adopted to receive Holiday Boxes. She gave clarification on donations that are gathered. Council Member Pratt noted that if there are not enough families to receive the boxes, the Taylorsville Food Bank would also be a good recipient.

4. CONSENT AGENDA

4.1 Minutes – **RCCM 09-21-11**

Council Member Morris Pratt **MOVED** to adopt the Consent Agenda, with the two corrections previously noted in the Briefing Session. Council Member Bud 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: Catlin-yes, Barbour-yes, Rechtenbach-yes, Johnson-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

5.1 Discussion of the Proposed Land Development Code, Chapters 18, 19 & 20 – *Mark McGrath*

19:10:23 Community Development Director Mark McGrath presented Chapters 18 (Historic Resources Overlay Zone), 19 (Site Specific Development [SSD] Districts) and 20 (Residential Development Standards) of the proposed Land Development Code.

19:10:28 Chapter 18 (Historic Resources Overlay Zone) was discussed. Mr. McGrath relayed that after several years of consideration, an ordinance, a proposed Historic District, and several proposed Historic Sites have been established. He noted that historic provisions in the new code are still voluntary until such time as more specific design standards are developed.

19:11:31 Council Member Pratt cited an identified historic area and Mr. McGrath clarified that the area was recommended by the Planning Commission and the Historic Preservation Committee. He noted that windshield surveys were also conducted to determine historic boundaries along 4800 South. He confirmed that people within the proposed zone are not bound and compliance is voluntary.

19:12:39 Mr. McGrath acknowledged that two or three properties that have already been officially designated as historic will remain so.

19:13:42 Chairman Rechtenbach referenced “Qualifications for Designation” and inquired whether age of a property is considered. Mr. McGrath explained that generally any structure over 50 years is qualified to be considered as historic. He agreed that the standard age of over 50 years should be specified in the code.

19:14:38 Chairman Rechtenbach made a suggestion regarding the last paragraph on the last page to specify that a “final” 30-day extension may be instituted by the Council.

19:15:24 There were no additional comments on Chapter 18.

19:15:27 Chapter 19 (Site Specific Development [SSD] Districts) was discussed. Mr. McGrath referred to this chapter as the “Create Your Own Zone” Zone, where a zone may be crafted for a creative development proposal. Mr. McGrath explained that this new creative element in the code works similarly to a Development Agreement.

19:17:00 Chairman Rechtenbach cited Page 2, paragraph E, and inquired whether all plans come to the City Council for decision. Mr. McGrath said that all of these types of developments would come before the City Council for approval because ordinances are affected. There were no additional comments regarding Chapter 19.

19:17:55 Chapter 20 (Residential Development Standards) was discussed. Mr. McGrath cited a new element contained in the code that requires the inclusion of at least a two-car garage to any single family dwelling. He cited another new concept, found on Page 4, regarding minimum and maximum dwelling sizes for all R-1 and R-2 zones. He indicated that this would prevent very small or very large housing units from being built in the single and two-family zoning classifications.

19:19:55 Chairman Rechtenbach asked for clarification on the table regarding setbacks, and Mr. McGrath agreed to change the verbiage for the citation referenced.

19:21:16 Discussion ensued regarding dwelling size requirements. Mr. McGrath cited the desire to avoid very large houses that are out of character with the rest of a neighborhood. He acknowledged that this is not yet much of an issue in Taylorsville. He noted the need to have a balance within the City for housing. Mr. McGrath referenced the ability to make application to the Community Development Director for an exception.

19:28:33 Mr. McGrath agreed to re-work numbers for dwelling/lot sizes and then bring new recommendations back for Chapter 20 at a future meeting.

19:30:23 Council Member Johnson said that he doesn't mind allowing the Community Development Director to make decisions regarding appropriate dwelling sizes.

19:30:32 Council Member Barbour referenced aging lots in the City and suggested that there may be owners wanting to re-vitalize their properties. She cited the need to have guidelines in place for those instances in order to protect neighboring properties. Mr. McGrath acknowledged that there may be some desire to remove existing older homes and build new, larger houses.

19:31:35 Council Member Catlin cited a vacant double lot on his street as an example where a bigger home might be built. He said he does not have a problem with that.

19:32:39 Council Member Pratt asked whether all new homes are being built with garages. Mr. McGrath stated that under the new code, builders are required to install a two-car garage. He said there are some exceptions in the PUD Section that allow for consolidated parking.

19:34:12 Chairman Rechtenbach expressed concern about stating specific pavement width requirements. He suggested providing reference elsewhere, i.e. Public Works Design Standards. Mr. McGrath agreed that this was a good point.

19:35:00 Council Member Barbour raised a question regarding Open Space under the PUD Section on Page 6. She stated concern with the 40% requirement. Mr. McGrath referenced the desire to ensure that there is adequate open space in the PUD, including private yard space and common/park open space, and excluding roads and sidewalks. Ms. Barbour relayed that three developers she spoke to believe this is a heavy requirement.

19:37:38 Mr. McGrath suggested that utility corridors not be included as open space within planned unit developments. He cited intent not to include non-developable or unimproved land as open space. Chairman Rechtenbach suggested leaving discretion to the Community Development Director on some questionable issues.

19:41:15 Mr. McGrath defined "patios" for Council Member Johnson.

19:42:24 Mr. McGrath agreed to bring back a site plan that illustrates 40% of open space in a PUD.

19:42:59 Council Member Johnson asked for explanation on the table relating to parking ratios. Mr. McGrath gave additional clarification on parking space requirements within planned unit developments.

19:45:53 Chairman Rechtenbach inquired about street light standards, as referenced on Page 8. Mr. McGrath agreed to specify that the standard shall not be less than the municipal standard. He acknowledged that exceeding the City standard for lighting would have to have Planning Commission approval.

19:48:07 Council Member Catlin cited historical problems with street lights related to PUDs.

19:48:48 Chairman Rechtenbach suggested amending the bottom paragraph on Page 10 to include property and liability insurance. He also noted a change to reflect pro rata, rather than pro rate.

19:49:39 Chairman Rechtenbach cited Paragraph L on Page 15. He recommended that after the 12-month period referenced, applicants be required to pay fees again.

19:50:31 Chairman Rechtenbach cited Pages 17, 18, and 19. He suggested referencing standards in a consolidated table.

19:51:29 Council Member Pratt referenced Page 23, regarding the Manufactured Home Residential District. Mr. McGrath confirmed that setbacks still must be met, although there is no minimum lot width specified.

19:52:25 Council Member Johnson asked about open fences on Page 16. Mr. McGrath noted that sidewalks may not be obscured.

6. FINANCIAL MATTERS

6.1 ***Resolution No. 11-28 – Accepting the Emergency Management Performance Grant (EMPG) in the Amount of \$10,000 – John Inch Morgan***

19:53:11 City Administrator John Inch Morgan presented the subject resolution to approve acceptance of the Emergency Management Performance Grant (EMPG) in the amount of \$10,000. He clarified that this is a matching grant intended to purchase equipment for emergency response. He relayed that the 50/50 match can be an in-kind or soft match.

19:54:23 Council Member Dama Barbour **MOVED** to adopt Resolution No. 11-28 – Accepting the Emergency Management Performance Grant (EMPG) in the Amount of \$10,000. Council Member Bud 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: Catlin-yes, Barbour-yes, Rechtenbach-yes, Johnson-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.**

7. OTHER MATTERS

7.1 ***Resolution No. 11-29 – Requesting the Recertification of the Taylorsville Justice Court – John Brems***

19:54:54 City Attorney John Brems presented a resolution to request the recertification of the Taylorsville Justice Court. He explained that this must be approved by the City Council every four years according to State statute requirements.

19:55:30 Council Member Pratt noted that the current certification expires in February, 2012. Mr. Brems clarified that the recertification is usually done early during the month of October.

Council Member Pratt stated that no Opinion Letter has been provided to the City Council by the City Attorney, although it is referenced in the proposed resolution.

Mr. Brems relayed that he has not finalized the opinion letter due to issues relating to new statute requiring all judicial hearings to be recorded. He agreed to provide the opinion letter to the Council before bringing the resolution back to a future meeting.

19:58:42 Council Member Catlin called for confirmation that adopting the subject resolution does not re-approve the Drug Court. Mr. Brems stated that the Justice Court is not a recognized Drug Court.

20:00:01 Council Member Bud Catlin **MOVED** to postpone Resolution No. 11-29, Requesting the Recertification of the Taylorsville Justice Court, until the second meeting of October after an opinion letter has been provided by the City Attorney. Council Member Morris Pratt **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: Catlin-yes, Barbour-no, Rechtenbach-no, Johnson-yes, and Pratt-yes. **All City Council members voted and the motion passed with a 3 to 2 vote.**

7.2 Discussion Regarding Taylorsville Newsletter Options – Aimee Newton

20:00:52 Public Relations Consultant Aimee Newton called for discussion on options for the Taylorsville newsletter. She referenced options previously provided to the Council and summarized each, as follows: 1) Keep the newsletter included in the Valley Journal as is (this is the least expensive option, but some residents complain about delivery problems); 2) Do a separate insert in the Journal (this would make the newsletter a little more visible); and 3) Mail an individual newsletter to every home. Ms. Newton provided samples of newsletters from other cities. She cited potential costs for mailing to every home and suggested that this could be done less frequently than on a monthly basis.

20:03:32 Ms. Newton referenced the possibility of doing an e-mail newsletter at the cost of \$15 to \$150 per month.

20:04:27 Council Member Pratt expressed concern with separate inserts in the Valley Journal not being delivered or falling out. He said he is in favor of keeping the current newsletter as it is (Option 1).

20:05:45 Council Member Bud Catlin stated that he is not in favor of Options 1 or 2, because he currently does not receive a Valley Journal at his home. He cited delivery issues he has had. He said he likes Option 3 because he would actually receive the City newsletter.

20:07:53 Discussion was held regarding delivery problems related to the Valley Journal.

20:09:59 Mayor Wall indicated that he has met with Valley Journal representatives at least three times to discuss delivery issues, but said they are not getting the message.

20:11:09 Suggestion was made regarding the possibility of mailing the Journal to residences, as was done previously. Additional cost was cited and Mayor Wall noted that the City may offer to cover the cost difference to have the Journal mailed to Taylorsville residents.

20:12:13 Council Member Catlin stated that he is not in favor of using the Valley Journal. He noted that they are not a Taylorsville business and there are many other printing businesses in Taylorsville.

20:13:07 The possibility of collecting sponsors for the newsletter with advertising incentives was discussed. It was estimated that this could save one third of the cost of a City newsletter.

20:14:09 Council Member Pratt acknowledged that delivery problems have been experienced over the last seven or eight years. He suggested that the option be explored for paying a little more to mail the newsletter.

Ms. Newton confirmed that there are approximately 17,300 households in Taylorsville and that 30,000 newsletters are produced for Taylorsville and the Kearns area.

20:15:18 Council Member Johnson said that he would like to see better attendance at City Council Meetings and would like a sign posted to advertise Council Meetings. He suggested that most of those attending meetings currently are not Taylorsville residents.

20:17:09 Ms. Newton noted that the City could do a nice individual quarterly newsletter for just a little more than is currently being paid.

20:17:50 Council Member Barbour proposed that a cost be obtained for mailing out the Valley Journals and also for printing an individual newsletter with some advertising. Mayor Wall stated that the costs will be gathered and provided to the Council by the first meeting in November. Ms. Newton agreed to get costs for both monthly and quarterly newsletters.

Council Member Johnson stated his preference for a quarterly newsletter.

20:20:44 Council Member Pratt suggested that a newsletter page be placed on the City website with the newsletter content prepared by the City.

**7.3 Discussion Regarding Issues with the Current E-Mail System
– Chairman Rechtenbach**

20:21:16 Council Member Pratt inquired about the possibility of using CDBG money to help fund covered parking spots at the new Senior Housing Development on Plymouth View. Mayor Wall agreed to ask CDBG Consultant Kathy Ricci to make application from the City to cover the costs for covered stalls. He asked that any other ideas for CDBG Funds be provided to him.

20:24:12 Council Member Larry Johnson inquired whether City employees who come to meetings get paid for the time they are in attendance. Mayor Wall and City Administrator John Inch Morgan gave explanation. They clarified that Department Directors are exempt employees who are on salary; merit employees who are required to be in attendance are either paid or receive comp time. It was noted that if employees come to Council Meetings on their own because issues are of interest to them, i.e. budget discussions, they are not compensated.

20:25:11 Chairman Rechtenbach opened discussion regarding issues with the City's E-Mail System. It was noted that the City's IT Specialist Troy Hansen has preemptively worked on computer issues.

20:25:40 Council Member Bud Catlin stated that he is extremely pleased with the fixes made by Mr. Hansen.

20:26:15 Mr. Hansen gave clarification on the impact of a recent Outlook Update on computers.

20:27:53 Council Members each explained computer issues they are having. Mr. Hansen agreed to make adjustments to laptops as needed.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

It was confirmed that the Employee Appeal Board Ordinance will be brought back at a later time, as previously discussed in the Briefing Session.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

20:29:48

- 9.1 City Council Work Session – Wednesday, October 12, 2011 – 6:00 p.m.
- 9.2 City Council Briefing Session – Wednesday, October 19, 2011 – 6:00 p.m.
- 9.3 City Council Meeting – Wednesday, October 19, 2011 – 6:30 p.m.
- 9.4 City Council Briefing Session – Wednesday, November, 2011 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, November 2, 2011 – 6:30 p.m.
- 9.6 Board of Canvassers Meeting, General Election – Tuesday, November 22, 2011 – 6:00 p.m.

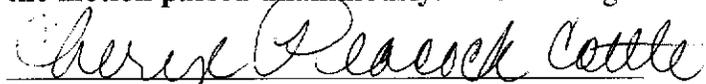
10. CALENDAR OF UPCOMING EVENTS

20:30:03

- 10.1 **Customer Service Open House – October 10, 2011 – 6:30 p.m. to 8:00 p.m. – Taylorsville City Hall – Salt Lake County will be available to answer any of your questions about garbage or recycling**
- 10.2 **Veterans Day Poster and Essay Contest – Deadline is October 21, 2011 at 7:00 p.m. – All students grades 1st through 8th are invited to participate – for more information contact Patricia at 801-963-5400 or pkimbrough@taylorsvilleut.gov**
- 10.3 **Halloween Night at the Museum – October 31, 2011 – 6:00 p.m. to 8:00 p.m. – Taylorsville Bennion Heritage Center, 1488 West 4800 South**
- 10.4 **Early Voting – October 25 - November 4 (weekdays only) - 10:00 a.m. to 4:00 p.m. - Taylorsville City Hall is an Early Voting Location.**
- 10.5 **General Election – November 8, 2011 – 7:00 a.m. to 8:00 p.m. – Assigned voting precincts. For more information contact Cheryl Cottle at 801-963-5400 or ccottle@taylorsvilleut.gov**
- 10.6 **Veterans Day Parade and Event – November 11, 2011 – Parade begins at 11:00 a.m., Event begins at 12:15 p.m. – This is a community event sponsored by the City of Taylorsville and the United Veterans Council of the Greater Salt Lake and County. For more information contact Patricia Kimbrough at 801-963-5400 or pkimbrough@taylorsvilleut.gov**

11. ADJOURNMENT

20:31:12 Council Member Morris Pratt **MOVED** to adjourn the City Council Meeting. Council Member Larry Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a vote. The vote was as follows: Catlin-yes, Barbour-yes, Rechtenbach-yes, Johnson-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:31 p.m.



Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 10-19-11

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder