

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, December 1, 2010
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

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

City Staff:

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

Excused: City Recorder Cheryl Peacock Cottle

BRIEFING SESSION

1. Review Administrative Report

Chairman Morris Pratt conducted the Briefing Session, which convened at 6:04 p.m. Deputy City Recorder Jessica Springer conducted a Roll Call, wherein all Council Members were present. Chairman Pratt called for questions on the Administrative Report, and there were none.

2. Review Agenda

The agenda for the City Council Meeting was reviewed.

3. Closed Session

Council Member Larry Johnson **MOVED** to adjourn the Briefing Session and convene a Closed Session to discuss the sale and purchase of real property at 6:08 p.m. Council Member Catlin **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Rechtenbach-yes, Johnson-yes, Pratt-yes, Barbour-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: Council Member Catlin, Council Member Barbour, Chairman Pratt, Council Member Rechtenbach, Council Member Johnson, Mayor Wall, John Inch Morgan and Donald Adams. Minutes for the Closed Session were taken and are now on file as a Protected Record.

Council Member Jerry Rechtenbach **MOVED** to adjourn the Closed Session at 6:45 p.m. and convene the regular City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Rechtenbach-yes, Johnson-yes, Pratt-yes, Barbour-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 Morris Pratt
Vice-Chairman Jerry Rechtenbach

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney

Council Member Dama Barbour
Council Member Bud Catlin
Council Member Larry Johnson

Mark McGrath, Community Development Director
Del Craig, Chief of Police
Donald Adams, Grants Manager
Jessica Springer, Council Coordinator
John Taylor, City Engineer
Scott Harrington, Chief of Finance
Keith Snarr, Economic Development Director
Donald Adams, Grants Manager
Marsha Thomas, Judge

Excused: City Recorder Cheryl Peacock Cottle

Citizens: Curt Cochran, Jay Ziolkowski, Kelly Davis, Kimberly Forsyth, Raili Jacquet, Joel Gardner, John Gidney, Mark Taylor, Mitch Haycock, Kevin Jones, Blake Perkes, Blaine Carlton, Laura Lewis, Ryan Taylor, Christopher Chesnut

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

Chairman Morris Pratt called the meeting to order at 6:48 p.m. and welcomed those in attendance. Deputy City Recorder Jessica Springer conducted a Roll Call, wherein all Council Members were present.

1.1 Pledge of Allegiance – Opening Ceremonies – Joel Gardner

Youth Council Member Joel Gardner directed the Pledge of Allegiance.

1.2 Reverence – Kim Forsyth (Opening Ceremonies For December 8, 2010 to be arranged by Council Member Catlin)

Youth Council Member Kim Forsyth offered the Reverence.

1.3 Citizen Comments

18:50:46 Chairman Morris Pratt reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:51:21 Mark Taylor spoke against the proposed ten million dollar loan, stating that funds should be found with redevelopment money and not be acquired through a loan.

18:53:36 Chairman Pratt responded that this item will be discussed later in the meeting but noted that the vote will not take place until next week. He invited Mr. Taylor to stay for the discussion.

18:54:09 Chairman Pratt read a handwritten letter stating that taxes in Taylorsville should not be raised and thanking the Council and the City for their hard work.

There were no additional citizen comments, and Chairman Pratt closed the citizen comment period.

1.4 Mayor's Report

18:55:02 Mayor Russ Wall reported that the City has been looking at new street sign designs for when current street signs must be replaced or repaired. He showed an example of the sign that is being considered. He noted that the new design will be blue in color which would differentiate Taylorsville streets from others in the valley. John Inch Morgan displayed two additional options that are being considered. Chairman Pratt inquired whether the new color would be an issue since the current private lane signs are also blue. Mayor Wall explained that the private road signs would not contain the logo, which would distinguish them. Council Member Johnson asked about the cost of the sign. Mayor Wall stated that each sign is about \$130, which is an approximate \$20 increase from what the City is paying currently.

18:57:43 Mayor Wall recognized Senator Karen Mayne in attendance. Senator Mayne relayed that she usually distributes her leftover campaign funds to area high schools to be used as scholarships, but said this year she has decided to give \$500 each to Taylorsville, Kearns and West Valley City to use as they see fit. She stated that she will also be donating funds to the three food banks in these areas in partnership with Smith's Food Stores. Senator Mayne expressed appreciation to the Council for taking time to hear her at the last minute.

19:00:35 Senator Mayne also reported that UDOT will make a presentation during the Kearns Town Council Meeting on Tuesday, December 7, 2010, in regards to the widening of 5600 West in Kearns. She noted that since Taylorsville is connected to this area and will be impacted, she wanted to make the City aware of the meeting.

19:01:50 Chairman Pratt expressed his appreciation to Senator Mayne for her work for the City of Taylorsville.

19:02:45 Council Member Catlin relayed that before Senator Mayne was part of the Senate, she was a large part of the community. He stated appreciation for her years of service.

2. APPOINTMENTS

There were no appointments.

3. REPORTS

3.1 United Veterans Council – Elmer Inman

Elmer Inman was not in attendance.

3.2 Youth Council – *Joel Gardner, Youth Council Member*

Youth Council Member Joel Gardner reported on activities and events for the Taylorsville Youth Council. He relayed that the Youth Council recently was able to provide five Taylorsville families with Thanksgiving dinner. He stated that the Youth Council is also adopting a Taylorsville family for Christmas and will buy presents for the six children who live in the home.

3.3 Quarterly Report, UFA – *Jay Ziolkowski, Battalion Chief*

19:05:07 UFA Battalion Chief Jay Ziolkowski reported on fire services in Taylorsville. He reviewed changes made to the report that was sent out in the Council packet. He cited an IT error, resulting in numbers that were incorrect. Chief Ziolkowski stated that the new report sent on Monday, November 29, 2010 contains the updated numbers. He reviewed trends cited in the report. He called for any questions on the report.

19:07:10 Council Member Johnson asked about the number of prank calls that UFA receives in Taylorsville. Chief Ziolkowski stated that he wasn't aware of any, and stated that very few prank calls are actually received.

19:07:46 Council Member Catlin asked about the coat and blanket drive. Chief Ziolkowski stated that he will follow-up with the officer in charge of that program and update the City Council before the end of the week.

3.4 Quarterly Report, West Valley Animal Control – *Kelly Davis*

19:08:49 Kelly Davis, Director of West Valley Animal Control, reported on animal services in Taylorsville for the 4th quarter. He referred to his summary contained in the report, as provided in the Council packet. He outlined efficiency and quality trends as far as licensing and service calls. Mr. Davis stated that during this quarter there were no priority one calls in Taylorsville or West Valley, which is unusual but favorable. He noted that normally July, August and September are the busiest months for animal services. Mr. Davis commented that he is very

pleased to see that there is recently more involvement from Taylorsville residents, which is likely due to advertisement on the City website.

19:11:57 Mr. Davis asked the Council if there is anything additional they would like to have included in future reports. Chairman Pratt requested that Mr. Davis continue to provide the written summary of the report.

3.5 Court Report – Judge Kwan

19:13:39 Judge Michael Kwan called for questions on the report that was provided in the packet.

19:13:49 Council Member Rechtenbach cited revenue and expense numbers provided in the report and asked for clarification on revenue losses. He inquired as to what is causing the expense-per-case to be higher than the revenue-per-case. Judge Kwan noted that the revenue loss is only showing for one month and explained that this will not be the trend going forward. He stated that October was an anomalous month because of repairs to the X-Ray machine and due to an extra pay period in the month. Council Member Rechtenbach responded that it seems that this is something that is known in advance and should be factored into figures. Judge Kwan agreed, but noted that there were other repair issues that caused the expenses to go up. He detailed the expenses referenced.

19:20:25 Judge Kwan then reviewed the report on recent activity in the Taylorsville Justice Court.

19:23:23 Chairman Pratt asked if the report showing the Court in the black at around \$15,000 is correct. He stated that there seems to be a discrepancy between the report he received from Financial Director Scott Harrington and the report provided by the Court. Judge Kwan explained how he figured the math in his report.

19:25:08 Council Member Barbour asked about the year-to-date amount and whether the Court is plus or minus. Judge Kwan relayed that according to his calculations, the Court brought in \$35,000 less than what it spent.

19:26:00 Council Member Johnson asked about the fees for traffic school and if the City is charging less in comparison to other cities. He inquired whether Taylorsville needs to look at raising fees to a more standard rate.

19:27:02 Council Member Catlin asked about the State Court discussion regarding not providing interpreters. Judge Kwan described the article he read and explained that they were looking at not providing interpreters for certain cases, mostly family law. Council Member Catlin stated that the report he heard was different in that it referred to criminal law. Judge Kwan relayed that

drastic budget cuts at the State court level are being seen and ideas are being floated. He stated that this was one of those ideas in judicial council that was discussed. He said that there are many ideas being mentioned, but not all of them will be implemented. The Judge noted that when they are implemented, the Taylorsville Court will follow any new rules.

19:30:29 Judge Marsha Thomas reviewed the portion of the report covering Small Claims Court. She called for questions regarding this information, and there were none. Judge Thomas then reviewed the Small Claims Court trends and statistics.

19:33:19 Council Member Catlin asked about fee-generated cases and if there is a deficit cost because of the increased numbers.

19:34:17 Finance Director Scott Harrington stated that right now the City is holding its own, and there is no additional cost.

19:34:33 Council Member Barbour asked about having to take on pro-tem judges and whether that incurs additional cost. Judge Kwan stated that pro-tem judges are on a volunteer basis and do not cost anything additional.

19:35:34 Council Member Johnson asked for clarification on the landlord/tenant cases and related filing costs. He inquired whether the money is returned if the case is settled in their favor. Judge Kwan explained that court costs and service fees are awarded in the judgment.

19:37:34 Council Member Johnson asked about Court mediators and how they are paid. Judge Kwan explained that the mediators are volunteers and are excellent at what they do.

3.6 Rail/Bus Integration Public Involvement Presentation – *Ryan Taylor, UTA*

19:38:35 Ryan Taylor and Christopher Chesnut, from the Utah Transit Authority, presented updates on the Frontline 2015 program. They detailed plans and dates for this program from the report provided to the Council at the beginning of the meeting.

19:41:54 Mr. Taylor reported that they are ahead of scheduling and will be looking for community feed back in the form of phone and online surveys, as well as open houses to determine focus in going forward with the TRAX integration. He relayed that the survey is available on www.rideuta.com and will be accessible for another two weeks.

19:44:21 Chairman Pratt asked about putting this information in the Valley Journal. Mr. Taylor explained that the survey will no longer be available when the next Journal is circulated.

19:45:13 Council Member Barbour stated that she is pleased with all of the progress she is seeing on TRAX lines and asked for an update on Taylorsville-specific upgrades. Mr. Chesnut answered that Taylorsville and Murray City Councils decided on bus rapid transit between the two cities. He said that work is now underway on the environmental studies for this project.

19:47:57 Mayor Wall detailed money commitments from the county and neighboring cities. He indicated that Taylorsville is also looking to the Salt Lake Community College and the State for financial commitments.

19:49:19 Chairman Pratt asked about projected completion dates. Mr. Chestnut answered that those dates all depend on the availability of funds, including capital funds, to build exclusive lanes and stations so that the system can run efficiently.

19:51:31 Council Member Johnson asked about the probability of fares being raised in the future. Mr. Chesnut answered that there will likely be an increase in fares.

19:52:08 Council Member Rechtenbach stated that he believes the City needs to look at contracting with the private sector for design consultants and contractors instead of taxing entities.

4. CONSENT AGENDA

4.1 Minutes – RCCM 11-03-10 & RCCM 11-10-10

Council Member Barbour **MOVED** to adopt the Consent Agenda. Council Member Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Johnson-yes, Catlin-yes, Barbour-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

There were no planning matters.

6. FINANCIAL MATTERS

6.1 Resolution No. 10-51 – Approving an Interlocal Agreement between the City of Taylorsville and Salt Lake County Public Works Regarding the Installation of Grant Funded Energy-Saving Streetlights – *Donald Adams*

19:54:59 Grants Manager Don Adams presented the Interlocal agreement and described the savings that will result from the installation of energy saving streetlights.

19:55:41 Council Member Catlin asked if this was done through a bid process. Mr. Adams stated that it was recommended that the City utilize its contract with the county for the most cost effectiveness. Council Member Catlin followed up by asking about Property Clause #6, and the accumulation of property that is covered by this. He inquired as to why the property that is accumulated through this would go half to Taylorsville and half to Salt Lake County. John Brems stated that this wording is wrong and needs to be fixed. Mr. Adams stated that he will work with the County to revise this agreement and bring it back to the council.

19:59:15 Chairman Pratt asked about the timeline, stating concern that the Interlocal is for five years. Mr. Adams answered that it is standard to have a five-year contract, but that it can be terminated at any time by any party.

20:00:31 Council Member Rechtenbach reiterated what he stated to UTA regarding looking at the private sector for contractors. Mr. Adams replied that the Department of Energy, who is providing the funds, strongly recommended that to avoid any issues the City should use the typical public works provider.

20:04:36 Mayor Wall stated that most of this grant was put out for bid, but on this direct issue the Department of Energy has requested that we use the department that we already have in place for this type of service.

20:12:00 Chairman Pratt asked for either a motion to approve with changes or a motion to send it back for changes.

20:14:50 Council Member Catlin **MOVED** to postpone this until the next regular council meeting on December 8, 2010, with changes being made to the section regarding property belonging to the City of Taylorsville and that the Interlocal agreement be for one year instead of 5 years. Chairman Pratt **SECONDED** the motion, but stated that it is unlikely that this can be brought back by the next meeting. Chairman Pratt called for discussion on the motion. The vote was as follows: Catlin-yes, Barbour-no, Pratt-yes, Rechtenbach-no, and Johnson-no. **The motion failed.**

20:17:37 Council Member Barbour **MOVED** for approval of Resolution No. 10-51 with the contingency of the cleanup changes being made referring to the property and the timeline change of one year. Chairman Pratt **SECONDED** the motion. The vote was as follows: Catlin-yes, Barbour-yes, Pratt-yes, Rechtenbach-no, and Johnson-no. **The motion passed three to two.**

6.2 Discussion of Proposed Bond Documents – John Inch Morgan, John Brems, Laura Lewis – Financial Consultant, Blaine Carlton – Bond Counsel & Donald Adams

20:19:04 John Inch Morgan explained that this agenda item is for discussion only, due to the large amount of work that needs to be done before the final documents can be brought back to the Council for a vote.

20:20:11 John Brems reviewed the Parameters Resolution, Exhibit #6.

20:24:15 Chairman Pratt asked about the debt service schedule and the 6% requirement. John Inch Morgan noted that details will be presented to the RDA Board for final decisions.

20:26:36 Council Member Rechtenbach inquired regarding specific parameters in the resolution for the pledge of sales tax in the resolution.

20:27:40 Laura Lewis cited documentation that is very typical for a sales tax bond.

20:30:36 John Brems reviewed the approval process for each area of the bond.

20:33:51 Laura Lewis and Blaine Carlton presented the term sheet and noted that it is still in draft form. Council Member Rechtenbach pointed out some errors in titles in this document. Ms. Lewis reviewed the process for the transaction.

20:37:33 Council Member Barbour expressed concern about every “I” being dotted and “T” being crossed. Ms. Lewis relayed that they will definitely be examining the document closely to ensure that everything is accurate before it is signed.

20:38:22 Chairman Pratt asked if Ms. Lewis was able to find answers to questions he asked her on the phone earlier in the day. Ms. Lewis stated that she was unable to find the information before the meeting. A needed correction was noted to the incremental draw schedule in order to reflect \$2.5 million.

20:39:47 Chairman Pratt pointed out that there is interest that is accrued before payment start dates. He noted that the City is obligated to interest payments for four years. He then asked in what instance bonds are deemed taxable. Ms. Lewis reviewed examples where a bond might be deemed taxable.

20:43:46 Blaine Carlton added other examples that could trigger taxability.

20:44:23 Chairman Pratt asked about when the first increment would drop and if a purchaser has been identified. Ms. Lewis relayed that neither a date or a purchaser have been identified as of yet.

20:46:20 Council Member Johnson asked about drawing \$2.5 million and when the City would have to draw the rest. Ms. Lewis responded that it would have to be drawn within 3 years.

20:47:33 Ms. Lewis addressed the allowed flexibility under the Redevelopment Agency. She noted that every time a draw is made, it will come before the RDA Board for approval and direction on how it is to be spent. Ms. Lewis encouraged flexibility in that direction because of what she has seen in other cities where they must go beyond the public infrastructure to see things happen.

20:49:07 Council Member Barbour asked for clarification regarding what has been set up regarding public infrastructure. Ms. Lewis responded with examples of how this could affect future developments.

20:52:27 John Inch Morgan and Ms. Lewis described potential scenarios and processes followed by other cities in Utah for redevelopment projects through the use of tax increment bonds.

20:56:27 Chairman Pratt stated that he is not in favor of buying businesses. He said that he understands the need for flexibility in the document, so that decisions might be made as projects are presented.

20:57:48 Blaine Carlton reviewed additional documents in the packet, starting with Exhibit 6 and covering the parameters resolution.

21:02:10 Chairman Pratt stated that the City is being presented with a document now that states that increments will be used for public infrastructure only and also with a document that contains the guidelines of TDIF. He noted that if the City stipulates use for only infrastructures, he is comfortable with the TDIF Policy the way it is. Chairman Pratt asked that if the City does expand use to be beyond public infrastructure, Council approval be required.

21:03:50 Council Member Barbour agreed that flexibility is needed.

21:05:35 Chairman Pratt asked for consensus as to whether there is a desire to broaden the scope outside of public infrastructure. Mayor Wall suggested a statement that anything falling outside of public infrastructure would need Board approval.

21:06:45 Council Members Catlin, Rechtenbach, and Johnson agreed.

21:07:11 Chairman Pratt expressed concern over discussion at the November 20, 2010 Council Meeting and documents provided in that packet that have 4 bond commitment withdrawals with amounts. He stated that it is his intention not to approve those amounts. Mayor Wall stated that the amounts referenced are just projections, and nothing is concrete at this time.

21:09:35 Council Member Johnson asked about UDOT participation. Mayor Wall stated that is yet to be determined. He noted that there is not currently a bill in place regarding this matter, but Representative Wayne Harper is pursuing such a bill.

21:10:52 Chairman Pratt asked for an update in an e-mail or closed session and expressed his appreciation for the hard work of everyone on this.

21:11:29 John Inch Morgan stated that he will provide the information requested in a Closed Session on December 8, 2010.

7. OTHER MATTERS

21:11:45 Chairman Pratt expressed appreciation for the community service people who shoveled snow for elderly residents in the mobile home communities in his district.

21:12:59 Council Member Johnson asked the Mayor to give clarification regarding the funds for the Veterans Memorial. Mayor Wall relayed that the initial cost was at \$250,000, but that has since changed to about \$500,000. He said that the City will be asking the State for matching funds to meet that goal. He noted that meetings will also be scheduled with some private entities after the first of the year to seek contributions.

21:15:04 Chairman Pratt referenced the Work Session tentatively scheduled for December 15, 2010 and inquired whether it will be needed. Council Coordinator Jessica Springer relayed that nothing has been presented to her for that meeting, as of yet. Chairman Pratt then stated that a decision will be made at the next Council Meeting as to whether the Work Session will be necessary.

21:15:40 Chairman Pratt thanked Council Coordinator Jessica Springer for filling in for City Recorder Cheryl Cottle for this meeting.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

There were no new items for subsequent consideration.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

21:16:02

- 9.1 City Council Briefing Session – Wednesday, December 8, 2010 – 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, December 8, 2010 – 6:30 p.m.
- 9.3 City Council Work Session – Wednesday, December 15, 2010 – 6:00 p.m.
- 9.4 City Council Briefing Session – Wednesday, January 5, 2011 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, January 5, 2011 – 6:30 p.m.

10. CALENDAR OF UPCOMING EVENTS

21:16:17

- 10.1 **Saturday with Santa - Saturday, December 4, 2010 – Noon - Big Kmart (3835 W. 5400 S.), 1:00 p.m. – Harmons (5454 S. Redwood), 2:00 p.m. – Wal-Mart (5469 S. Redwood), 3:00 p.m. – Taylorsville-Bennion Heritage Center (1488 W. 4800 S.). He will ride in a Unified Fire Authority truck, escorted by Taylorsville City Police Department officers. City of Taylorsville elected officials and Youth Ambassadors will hand out complimentary candy canes and holiday greetings.**
- 10.2 **13th Annual “Messiah” Sing-In – Saturday, December 4, 2010 – 7:00 p.m. City Council Chambers, 2600 W. Taylorsville Blvd. Presented by Taylorsville Arts Council. Contact Helene Smith for information. There is no charge for admission. Only limited copies of music are available. Please bring a personal copy if possible.**
- 10.3 **Christmas Concert by the Taylorsville Symphony and SLCC Orchestra – Saturday, December 11, 2010 – 7:30 p.m. – Eisenhower Junior High School, 4351 S. Redwood Road. Donations are appreciated.**

11. ADJOURNMENT

21:16:34 Council Member Jerry Rechtenbach **MOVED** to adjourn the City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Johnson-yes, Catlin-yes, Barbour-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:16 p.m.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 01-05-11

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder