

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, June 3, 2009
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Council Members:

Chairman Lynn Handy
Vice-Chairman Bud Catlin
Council Member Les Matsumura
Council Member Morris Pratt
Council Member Jerry Rechtenbach

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
Scott Harrington, Chief of Finance
John Taylor City of Engineer

Excused: Mayor Russ Wall

BRIEFING SESSION

1. Review Administrative Report

18:01:42 Chairman Lynn Handy conducted the Briefing Session, which convened at 6:00 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. The Administrative Report was referenced and there were no comments. Chairman Handy noted that Mayor Russ Wall is excused from this meeting.

2. Review Agenda

18:02:36 The agenda for the City Council Meeting was reviewed.

18:04:51 Mr. Morgan requested that Item 7.1 of the regular City Council Meeting be addressed during the Mayor's Report.

3. Adjourn

The Briefing Session was adjourned at 6:08 p.m.

REGULAR MEETING

Attendance:

Council Members:

Chairman Lynn Handy
Vice-Chairman Bud Catlin
Council Member Les Matsumura
Council Member Morris Pratt
Council Member Jerry Rechtenbach

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
Bret Miller, Police Detective
Jamie Brooks, Court Administrator
Marsha Thomas, Judge
Keith Snarr, Economic Development Director

Excused: Mayor Russ Wall

Citizens: Senator Karen Mayne, Lorenzo Miller, Doug Stowell, Brittney Slade, Noel Gilbert, Roger Kesler, Lisa Kesler, Amy Braithwaite, Jay Ziolkowski, Raily Jacquet, Dama Barbour, Dave Goddard, Dean Paynter, Alan Anderson, Frank Budd, John Gidney, Jessica Beauchamp, Bryon Muir

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:30:38 Chairman Lynn Handy called the meeting to order at 6:30 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. Chairman Handy noted that Mayor Russ Wall is excused from this meeting.

1.1 Pledge of Allegiance – Opening Ceremonies – Youth Council Member Jordan Gallegos

18:31:20 Youth Council Member Brittney Slade directed the Pledge of Allegiance.

1.2 Reverence – Youth Council Member Noel Gilbert (Opening Ceremonies For June 17, 2009 to be arranged by Councilman Matsumura)

18:31:49 Youth Council Member Noel Gilbert offered the Reverence.

1.3 Citizen Comments

18:32:18 Chairman Lynn Handy reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:33:44 There were no citizen comments, and Chairman Handy closed the citizen comment period.

1.4 Mayor's Report

18:33:53 Council Member Morris Pratt **MOVED** to address Agenda Item 7.1 at this time. Council Member Bud Catlin **SECONDED** the motion. Chairman Handy called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Matsumura-yes, Pratt-yes, Catlin-yes, Handy-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

18:36:28 In Mayor Wall's absence, City Administrator John Inch Morgan provided an update on construction of the Bass Fishing Pond. He stated that the pond has recently been stocked, but is not yet open for fishing. Mr. Morgan described the area surrounding the pond.

18:36:33 Mr. Morgan asked Police Chief Del Craig to address the Council regarding an award to a member of the Taylorsville Police Department.

7.1 Utah Chief's of Police Officer of the Year Award – Chief Del Craig

18:37:09 Chief Del Craig introduced Frank Budd, Executive Director of the Utah Chief's of Police Association.

18:37:14 Mr. Budd recognized Taylorsville City Police Detective Bret Miller and reported that Detective Miller has been awarded the *Utah Chief's of Police Officer of the Year Award*. Mr.

Budd read a statement describing accomplishments of Detective Miller and presented him with a plaque from the Utah Chiefs of Police Association.

1.5 Recognition of the Best of Taylorsville Home & Business Beautification Awards – *Dave Goddard, LARP Chairman*

18:42:12 LARP Chairman Dave Goddard recognized Taylorsville residents Roger and Lisa Kesler and presented them with the *Best of Taylorsville Home & Business Beautification Award*.

2. APPOINTMENTS

There were no appointments.

3. REPORTS

3.1 Senator Karen Mayne

18:44:29 Senator Karen Mayne described a resolution concerning the spending of federal economic renewal grants. She noted that this resolution has recently been adopted by several other municipalities.

18:45:33 Senator Mayne stated that the purpose of the resolution is to lessen the impact of the current economic situation. She asked that the Council review the resolution and give it future consideration.

18:47:04 Senator Mayne thanked the City of Taylorsville for its support of recent legislation that she sponsored regarding townships. She also described a program entitled “Helmets to Hardhats” that is being presented to the Salt Lake Community College. Senator Mayne noted that a booth for this program will be at the Taylorsville Dayzz event.

18:51:27 Council Member Pratt thanked Senator Mayne for her efforts on behalf of Taylorsville.

3.2 Youth Council – *Youth Council Chair Amy Braithwaite*

18:52:23 Youth Council Chair Amy Braithwaite reported on recent activities and upcoming events for the Taylorsville Youth Council. She noted that volunteers are currently being recruited for Taylorsville Dayzz.

3.3 Quarterly report, Courts – *Jamie Brooks, Doug Stowell & Lorenzo Miller*

18:54:04 Court Administrator Jamie Brooks cited the Taylorsville Justice Court reports, as previously provided to the Council and called for any questions.

18:54:35 Council Member Catlin inquired about the effectiveness and cost of the domestic violence court.

18:55:57 Ms. Brooks referenced changes to the domestic violence court that are being planned by Judge Thomas.

18:57:49 City Prosecutor Lorenzo Miller provided explanation on the domestic violence court. Judge Thomas stated that she is the judge assigned to the domestic violence courts and gave additional clarification on the focus of the program. She said that approximately 11-14 domestic cases are heard per week. She cited reasons that the domestic violence court saves the City money. Judge Thomas reviewed compliance tools that are used and detailed costs within the program that are not borne by the City. She stated that time requirements vary for each case.

19:08:33 Indigent Defense Attorney Doug Stowell gave additional clarification on statistics for domestic violence cases.

19:09:03 Judge Thomas agreed to prepare and provide a report containing statistics for domestic violence cases over the past five years. It was suggested that further discussion regarding the domestic violence court be conducted at a future council meeting. Judge Thomas cited an Domestic Violence Administrative Team that has been assembled and will review findings of the Best Practices Court.

19:11:34 Judge Thomas reviewed steps that may increase efficiency in the Domestic Violence Program.

4. CONSENT AGENDA

4.1 Minutes – RCCM 05-20-09

19:12:20 Council Member Morris Pratt **MOVED** to adopt the Consent Agenda. Council Member Les Matsumura **SECONDED** the motion. Chairman Handy called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Pratt-yes, Catlin-yes, Handy-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

5.1 ***Public Hearing*** – 6:30 p.m. – To Receive Comment Regarding a Proposed Zone Change from A-1 to R-1-6 on 0.51 Acres of Property Located at 6326 South 2200 West

19:13:00 Community Development Director Mark McGrath illustrated the subject property on vicinity, aerial, General Plan, and zoning maps. He stated that the property is approximately ½ acre in size and is currently zoned A-1. Mr. McGrath said that the applicant for this matter is Dale Kehl and the application is intended to facilitate a new three-lot subdivision project at 6326 South 2200 West.

19:15:41 Mr. McGrath suggested that this request is fairly simple. He relayed that the Planning Commission has recommended approval with a 6 to 1 vote, and Staff also recommends approval.

19:16:30 Mr. McGrath addressed questions from the Council and gave additional clarification on lots within the subdivision.

19:19:16 Mr. McGrath illustrated a photo of the area surrounding the new project and described an existing fence.

19:19:33 Chairman Handy opened the public hearing and called for comments on this matter.

19:20:00 There were no comments, and Chairman Handy declared the public hearing closed.

19:20:03 Chairman Handy recognized applicant Dale Kehl. The Council had no questions or comments for Mr. Kehl.

19:20:43 Additional clarification on a combined lot was given by Mr. McGrath.

5.1.1 ***Ordinance No. 09-23*** – An Ordinance of the City of Taylorsville to Change the Zoning of 0.51 Acres of Property Located at 6326 South 2200 West – *Mark McGrath*

19:20:35 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 09-23 – an Ordinance of the City of Taylorsville to Change the Zoning of 0.51 Acres of Property Located at 6326 South 2200 West. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Handy called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Pratt-yes, Catlin-yes, Handy-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

6. FINANCIAL MATTERS

6.1 **Ordinance No. 09-08 – Adopting a Budget for All City of Taylorsville Municipal Funds for the Fiscal Year Beginning July 1, 2009 and Ending June 30, 2010; Making Appropriations for the Support of the City of Taylorsville for the Same Fiscal Year Period; and Determining the Rate of Tax and Levying Taxes Upon All Real and Personal Property Within the City of Taylorsville – John Inch Morgan**

19:21:55 City Administrator John Inch Morgan cited extensive consideration that has been given to the FY 2009-2010 budget. He noted that a certified tax rate has not yet been determined by Salt Lake County. He stated that it is reasonable to predict that the revenue amount will not change.

19:24:09 Mr. Morgan noted that a public hearing was held regarding this budget on May 20, 2009 and no comments were received at that time. He asked that the budget be approved as presented.

19:25:03 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 09-08 – Adopting a Budget for All City of Taylorsville Municipal Funds for the Fiscal Year Beginning July 1, 2009 and Ending June 30, 2010; Making Appropriations for the Support of the City of Taylorsville for the Same Fiscal Year Period; and Determining the Rate of Tax and Levying Taxes Upon All Real and Personal Property Within the City of Taylorsville. Council Member Morris Pratt **SECONDED** the motion. Chairman Handy called for discussion on the motion. City Attorney John Brems suggested that the resolution be amended to reflect the certified tax rate, as finally determined by Salt Lake County. Chief of Finance Harrington listed the total revenue amount as \$4,265,978. Council Member Matsumura modified his motion accordingly and Council Member Pratt reaffirmed his second. There being no further discussion, Chairman Handy called for a roll call vote. The vote was as follows: Matsumura-yes, Pratt-yes, Catlin-yes, Handy-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

6.2 **Public Hearing – 6:30 p.m. – To Receive Comment Regarding the Final Amendment to the 2008-2009 Fiscal Year Budget**

19:27:57 City Administrator John Inch Morgan referenced the 2008-2009 mid-year budget that was adopted in January, 2009 and stated that there have only been minimal changes to the budget since that time. He cited some fine tuning in revenues and expenditures. Mr. Morgan confirmed that the fund balance transfer will increase.

19:30:39 Chairman Handy opened the public hearing on this matter and called for citizen comments.

19:30:48 There were no citizen comments, and Chairman Handy declared the public hearing closed.

6.2.1 Ordinance No. 09-24 – Providing for the Final Amendment to the 2008-2009 Fiscal Year Budget – *John Inch Morgan*

19:30:59 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 09-24 – Providing for the Final Amendment to the 2008-2009 Fiscal Year Budget. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Handy called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Pratt-yes, Catlin-yes, Handy-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

7. OTHER MATTERS

7.2 Ordinance No. 09-22 – Approving Requests for Indemnification and Legal Representation Stemming from a Lawsuit Filed in the United States District Court Against Tracy Wyant, Christopher Walden, and Jess Allen Arising from their Duties as Police Officers for the City of Taylorsville – *John Brems*

19:31:53 City Attorney John Brems cited a domestic violence incident to which Taylorsville Police Officers Tracy Wyant, Christopher Walden, and Jess Allen were dispatched in February, 2008. Mr. Brems relayed that Mr. Alvarado has now brought a civil action against the officers involved in the incident. Mr. Brems affirmed that costs for the defense are covered by the Trust.

19:33:52 Council Member Morris Pratt **MOVED** to adopt Ordinance No. 09-22 – Approving Requests for Indemnification and Legal Representation Stemming from a Lawsuit Filed in the United States District Court Against Tracy Wyant, Christopher Walden, and Jess Allen Arising from their Duties as Police Officers for the City of Taylorsville. Council Member Bud Catlin **SECONDED** the motion. Chairman Handy called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Matsumura-yes, Pratt-yes, Catlin-yes, Handy-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

7.3 Public Hearing – 6:30 p.m. – To Receive Comment Regarding Renaming Street (Known as 1500 West) to be Warrior Way – Mayor Wall

19:33:56 City Administrator John Inch Morgan cited the process defined by City ordinance to rename a City street and stated that two public hearings are required. He described a proposal to rename 1500 West to Warrior Way. Mr. Morgan stated that City Administration supports renaming the street. He then recognized Taylorsville High Student Bryan Muir, who is participating in the street re-naming process.

19:35:03 Chairman opened the public hearing on this matter and called for citizen comments.

19:35:07 Bryan Muir stated that the Taylorsville High School Senior Class desires to rename the subject street to Warrior Way and has worked with Mayor Russ Wall to complete the process.

19:36:01 There were no additional citizen comments, and Chairman Handy declared the public hearing closed.

7.4 Discussion of Beautification Wall Projects – Chairman Handy

19:36:13 Chairman Handy lead discussion regarding potential beautification wall projects in the City. He referenced the wall previously installed on 5400 South and said that other requests have been received for walls within City neighborhoods. Chairman Handy indicated that it is not the responsibility of the City to replace walls or fences on private property; however, he cited locations along major thoroughfares in the City where problems exist. He noted that City Engineer John Taylor has researched the fencing problems and asked him to address the Council.

19:38:19 Mr. Taylor reviewed handouts provided to the Council regarding problem areas at 4700 South and 4100 South. He cited budget recommendations made earlier in the year for block walls at these two areas. He referenced photos illustrating current conditions of the parcels. Mr. Taylor stated that the current price to install block wall is \$50 per lineal foot. He noted that this price would require property owners to remove existing walls, footings, foundations, an other materials, and also to level the property before fencing is installed.

19:39:05 Mr. Taylor estimated that the 1800 feet of fencing along 4100 South would cost approximately \$90,000; and the 1400 feet along 4700 South would cost approximately \$70,000 to complete.

19:42:01 Discussion was held regarding potential fencing projects.

19:42:39 Council Member Catlin cited reasons that he favors making a wall along 4100 South a top priority. He said that he strongly endorses property owner participation.

19:46:00 Discussion was held regarding the need to obtain construction easements and rights-of-way from property owners.

19:46:33 City Administrator John Inch Morgan reviewed budget reductions previously made to wall projects and addressed questions regarding available grants and CDBG funds.

19:50:53 Mr. Morgan noted that, as money is left available from other projects, the Council has discretion to move those funds to wall projects.

19:51:55 Council Member Pratt said that he supports directing funds left from other projects to the two wall projects.

19:52:09 Mr. Taylor gave additional clarification on fencing costs.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

19:55:35 Council Chairman Handy invited Senator Karen Mayne to provide additional comments. She reported that stadium lights with metal poles are being donated for Taylorsville High School. Senator Mayne cited additional time and materials that are being donated to the lighting project.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

19:58:34

- 9.1 City Council Work Session – Wednesday, June 10, 2009 – 6:00 p.m.**
- 9.2 City Council Briefing Session – Wednesday, June 17, 2009 – 6:00 p.m.**
- 9.3 City Council Meeting – Wednesday, June 17, 2009 – 6:30 p.m.**
- 9.4 City Council Briefing Session – Wednesday, July 1, 2009 – 6:00 p.m.**
- 9.5 City Council Meeting – Wednesday, July 1, 2009 – 6:30 p.m.**

10. CALENDAR OF UPCOMING EVENTS

- 10.1 Taylorsville Arts Council Presents – OKLAHOMA! Rogers and Hammerstein's Musical – Thursday, June 11, 2009; Friday, June 12, 2009; Saturday, June 13, 2009 and Monday, June 15, 2009 – 7:30 p.m. - Eisenhower Junior High School Auditorium, 4351 S. Redwood Road. Tickets are \$5 each
- 10.2 Taylorsville Dayzz Events:
Fri., June 26
 - SLCC & Taylorsville Symphony – *Free Concert* – 7:00-7:45 p.m. – Valley Regional Park, 5100 S. Taylorsville Blvd. Featuring music by John Williams: *Raiders March, Hymn to the Fallen, Episode II, March from 1941, Lost World Themes.*

- Jason Hewlett – The Entertainer – *Free Concert* – 8:00 p.m. - Valley Regional Park, 5100 S. Taylorsville Blvd. – Brief fireworks following performance.

Sat., June 27

- Bennion Lions Club Breakfast – 7:00-11:00 a.m. – 5454 S. Redwood Road (Harmon’s parking lot) \$4 adults, \$3 kids)
- 5K Family Fun Run – 8:20 a.m. Race begins and ends at City Hall. Cost is \$10. Register early and get a T-shirt. Sign up at Taylorsville Rec. Center, 3938 S. 2700 W. or register at www.activityreg.com.
- Parade (organized by Taylorsville Exchange Club) – 9:00 a.m., (5400 S. Redwood, along 5400 S. to 2700 W., then N. on 2700 W. to Midwest Dr.)
- Auto Show – Valley Regional Park, 5100 S. 2700 W. - 11:00 a.m. to 5:00 p.m. (Burnout 12:00 Noon). Entry forms available at all Les Schwab dealers, at City Hall, and at www.taylorsvilleut.gov.
- Carnival, Entertainment (on two stages), Food and Exhibit Booths, Barnyard Buddies – Valley Regional Park – Starts at 11:00 a.m.
- Neil Diamond Tribute by Jay White – 8:00 p.m. – Valley Regional Park.
- Fireworks Extravaganza – 10:00 p.m. – Valley Regional Park.

Mon., June 29

- Utah Symphony – 8:00 p.m. – Valley Regional Park – Free Patriotic Concert featuring Wasatch Cannoneers during the *1812 Overture*. Brief fireworks after program.

11. ADJOURNMENT

19:59:59 Council Member Morris Pratt **MOVED** to adjourn the City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Chairman Handy called for discussion. There being none, he called for a vote. The vote was as follows: Matsumura-yes, Pratt-yes, Catlin-yes, Handy-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 7:59 p.m.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 06-17-09

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder