

DRAFT

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, February 18, 2015
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

BRIEFING SESSION

Attendance:

Council Members:

Council Chairman Kristie Overson
Vice-Chairman Ernest Burgess
Council Member Daniel Armstrong
Council Member Dama Barbour
Council Member Brad Christopherson

City Staff:

John Taylor, City Administrator
Tracy Cowdell, City Attorney
Cheryl Peacock Cottle, City Recorder
Tiffany Janzen, Public Information Officer
Mark McGrath, Community Development Director
Tracy Wyant, UPD Precinct Chief
Mike Kelsey, UFA Assistant Chief
Kristy Heineman, Council Coordinator
Stephanie Nate, Assistant City Attorney

Excused: Mayor Larry Johnson, Chief of Finance Scott Harrington

Others: Gene VanRoosendaal, Scouts from Troop #40

BRIEFING SESSION

6:07:58 PM Chairman Kristie Overson conducted the Briefing Session, which convened at 6:07 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

1. Review Administrative Report

6:08:25 PM Chair Overson called for questions on the Administrative Report for the Community Development Department and there were none.

1 **2. Review Agenda**

2
3 The agenda for the City Council Meeting was reviewed.

4
5 **3. Adjourn**

6
7 6:11:56 PM Chair Overson declared the Briefing Session adjourned at 6:11 p.m.
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12 **REGULAR MEETING**

13
14 **Attendance:**

15
16 **Mayor:**

17
18 Larry Johnson
19

20 **Council Members:**

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22 Council Chairman Kristie Overson
23 Vice-Chairman Ernest Burgess
24 Council Member Daniel Armstrong
25 Council Member Dama Barbour
26 Council Member Brad Christopherson
27

20 **City Staff:**

21 John Taylor, City Administrator
22 Tracy Cowdell, City Attorney
23 Mark McGrath, Community Development Director
24 Tracy Wyant, UPD Precinct Chief
25 Cheryl Peacock Cottle, City Recorder
26 Wayne Harper, Economic Development Director
27 Mike Kelsey, UFA Assistant Chief
28 Kristy Heineman, Council Coordinator
29 Tiffany Janzen, Public Information Officer
30 Stephanie Nate, Assistant City Attorney
31
32

33 **Excused:** Chief of Finance Scott Harrington
34

35 **Others:** Rob Morley, April McKay, John Kelaides, Ryan Kingston, Janice Auger Rasmussen,
36 Gordon Willardson, Jackie Willardson, Robert Newton, Dina Newton, Pat Oswald, Jan Oswald,
37 Steve Faurschou, Israel Grossman, Don Quigley, John Gidney, Gordon Wolf, Lynn Handy, Anna
38 Barbieri, Dan Fazzini, Curt Cochran, Jim Winder, Shane Hudson, Ted Jensen, Susan Holman,
39 Gene VanRoosendaal, Charlie Evans, Scouts from Troop #40
40
41

1 **1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS**

2
3 6:32:15 PM Chairman Kristie Overson called the meeting to order at 6:32 p.m. and welcomed
4 those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all
5 Council Members were present.

6
7 **1.1 Opening Ceremonies – Pledge of Allegiance – *Council Member Burgess***

8
9 6:32:55 PM UPD Chief Tracy Wyant directed the Pledge of Allegiance.

10
11 **1.2 Reverence – *Council Member Burgess* (Opening Ceremonies For March 4,
12 2015 to be arranged by Council Member Christopherson)**

13
14 6:34:23 PM Council Vice-Chair Ernest Burgess offered the Reverence.

15
16 **1.3 Mayor's Report**

17
18 No Mayor's Report was given at this time.

19
20 **1.4 Citizen Comments**

21
22 6:35:36 PM Chairman Kristie Overson reviewed the Citizen Comment Procedures for the
23 audience. She then called for any citizen comments.

24
25 6:35:48 PM Former Taylorsville Mayor Janice Auger Rasmussen commented on the proposal to
26 implement a citywide vote by mail program in Taylorsville. She listed reasons that she is in favor
27 of this option. She cited the cost savings and increased voter turnout that were experienced in
28 others cities who conducted citywide vote by mail programs in the last municipal election.

29
30 6:38:15 PM There were no additional citizen comments, and Chairman Overson closed the
31 citizen comment period.

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1 **2. APPOINTMENTS**

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3 **2.1 Reappointment of Committee Chairs: Lynn Handy (Budget Committee),**
4 **Lee Ellen Stevens (Ordinance Review Committee), Lisa Schwartz (Public**
5 **Safety Committee), Jeffrey Sean Summerhays (Green Committee), Keith**
6 **Sorensen (Leisure, Arts, Recreation and Parks Committee/LARP)**
7 **– Vice-Chair Burgess**
8

9 **6:38:31 PM** Vice-Chair Ernest Burgess nominated the following individuals for reappointment
10 as committee chairs: Lynn Handy (Budget Committee), Lee Ellen Stevens (Ordinance Review
11 Committee), Lisa Schwartz (Public Safety Committee), Jeffrey Sean Summerhays (Green
12 Committee), and Keith Sorensen (Leisure, Arts, Recreation and Parks Committee/LARP).
13

14 **6:38:34 PM** Vice-Chair Ernest Burgess **MOVED** to appoint the following individuals for
15 reappointment as committee chairs: Lynn Handy (Budget Committee), Lee Ellen Stevens
16 (Ordinance Review Committee), Lisa Schwartz (Public Safety Committee), Jeffrey Sean
17 Summerhays (Green Committee), and Keith Sorensen (Leisure, Arts, Recreation and Parks
18 Committee/LARP). Council Member Brad Christopherson **SECONDED** the motion. Chairman
19 Kristie Overson called for discussion on the motion. Council Members acknowledged the fine
20 volunteers in the City and thanked them for their efforts. There being no further discussion, she
21 called for a roll-call vote. The vote was as follows: Burgess-yes, Overson-yes, Christopherson-
22 yes, Armstrong-yes, and Barbour-yes. **All City Council members voted in favor and the**
23 **motion passed unanimously.**
24

25 **2.2 Appointment of Howard Wilson, Susan Holman and Gordon Wolf as**
26 **Members of the Arts Council Board of Trustees – Mayor Johnson**
27

28 Mayor Larry Johnson nominated Howard Wilson, Susan Holman, and Gordon Wolf to serve as
29 members of the Taylorsville Arts Council Board of Trustees.
30

31 Council Member Dama Barbour **MOVED** to appoint the following individuals as members of
32 the Taylorsville Arts Council Board of Trustees: Howard Wilson, Susan Holman and Gordon
33 Wolf. Vice-Chair Ernest Burgess **SECONDED** the motion. Chairman Kristie Overson called
34 for discussion on the motion. There being none, she called for a roll-call vote. The vote was as
35 follows: Burgess-yes, Overson-yes, Christopherson-yes, Armstrong-yes, and Barbour-yes. **All**
36 **City Council members voted in favor and the motion passed unanimously.**
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1 **3. REPORTS**

2
3 **3.1 UPD/UPD Recognition Awards**

4 **– UFA Asst. Battalion Chief Mike Kelsey/UPD Precinct Chief Tracy Wyant**

5
6 6:41:01 PM Unified Fire Authority (UFA) Assistant Battalion Chief Mike Kelsey, Unified Police
7 Department (UPD) Precinct Chief Tracy Wyant, UPD Deputy Chief Shane Hudson, Salt Lake
8 County Sheriff Jim Winder, and Mayor Larry Johnson presented a *Citizen Heroism Award* to 10-
9 year old Isabella Einerson on behalf of the UPD, the UFA, and the City of Taylorsville.

10
11 Chief Kelsey described an emergency incident on December 9, 214 when young Ms. Einerson
12 bravely called “911” to help save her mother’s life.

13
14 6:44:34 PM Sheriff Jim Winder presented a *UPD Recognition Award* to Taylorsville Precinct
15 Chief Tracy Wyant. The Sheriff read a letter from Stephanie Wyler describing a traumatic
16 incident that was personally handled by Chief Tracy Wyant and Officer Scott Lloyd. Ms. Wyler
17 relayed the personal efforts that Chief Wyant has made to help the young boys in her family who
18 have struggled with the aftermath of such a family tragedy. Ms. Wyler called the Chief’s support
19 amazing and said that he will always be a mentor and friend to her grandsons.

20
21 6:49:23 PM Chief Wyant thanked Mayor Larry Johnson for also providing personal support to
22 the Wyler family during an incredible tragedy.

23
24 6:49:42 PM Chief Wyant presented a *UPD Precinct Chief’s Award* to Detective Gene
25 VanRoosendaal. The Chief commended Detective VanRoosendaal for his fine example and
26 tremendous service in Taylorsville.

27
28 6:53:38 PM Chair Overson recognized members of Scout Troop #40 in attendance.

29
30 6:54:09 PM Council Member Dama Barbour **MOVED** to address Agenda Item 7.2 at this time.
31 Council Member Brad Christopherson **SECONDED** the motion. Chairman Kristie Overson
32 called for discussion on the motion. There being none, she called for a roll-call vote. The vote
33 was as follows: Burgess-yes, Overson-yes, Christopherson-yes, Armstrong-yes, and Barbour-
34 yes. **All City Council members voted in favor and the motion passed unanimously.**

35
36 **3.2 UPD Quarterly Report – UPD Precinct Chief Tracy Wyant**

37
38 7:23:36 PM UPD Precinct Chief Tracy Wyant presented a quarterly report on activities of the
39 UPD Taylorsville Precinct. He gave clarification on two weeks’ worth of data that is missing
40 from the report. He noted that the information presented is actual and factual.

41

1 7:24:08 PM Chief Wyant reviewed statistics on overall crime trends and on general offenses in
2 all areas. He cited numbers of general offenses per Council Districts and discussed response
3 times. Traffic accidents and citations were referenced. Maps illustrating the locations of
4 narcotic cases and burglaries were presented and reviewed. Chief Wyant referenced the
5 summary of activities of the Investigations Unit.

6
7 7:26:30 PM Council Members agreed that the numbers in the report look great.

8
9 7:27:55 PM Council Member Armstrong questioned the large jump in burglar alarms cited. The
10 Chief explained that officers do not respond to alarms unless they are designated as “panic” or
11 are “hold up” alarms at businesses or residences.

12
13 7:29:17 PM Chief Wyant answered a question regarding fraud. He clarified that most fraud cases
14 are related to credit card fraud and identity theft. He cited factors that have contributed to a
15 reduction in crime, i.e. improved economy, efforts by police officers, *Neighborhood Watch*
16 programs, and crime awareness education.

17
18 7:36:02 PM Chair Overson inquired about a “known drug house” mentioned in the report. The
19 Chief agreed to check on the status of this and follow-up with the Council.

20
21 7:37:16 PM Chair Overson cited the great officers working in the City. Other Council Members
22 thanked Chief Wyant for all that is done to provide law enforcement service in Taylorsville.

23
24 **4. CONSENT AGENDA**

25
26 **4.1 City Council Minutes – 02-04-2015**

27
28 Council Member Brad Christopherson **MOVED** to adopt the Consent Agenda. Vice-Chair
29 Ernest Burgess **SECONDED** the motion. Chairman Kristie Overson called for discussion on the
30 motion. There being none, she called for a roll-call vote. The vote was as follows: Burgess-
31 yes, Overson-yes, Christopherson-yes, Armstrong-yes, and Barbour-yes. **All City Council**
32 **members voted in favor and the motion passed unanimously.**

33
34 **5. PLANNING MATTERS**

35
36 **5.1 Discussion Concerning an Appeal of a Planning Commission Decision**
37 **Regarding a Conditional Use Permit for a Home Occupation Daycare**
38 **Located at 6257 South Hathaway Street – *Mark McGrath***

39
40 7:38:17 PM Chair Overson recognized Planning Commissioners in attendance to listen to this
41 discussion.

1 7:38:37 PM Community Development Director Mark McGrath described a conditional use
2 permit (CUP) application for a home daycare that was considered at a recent Planning
3 Commission Meeting. He explained that the application was for a maximum of eight children
4 per day, with the daycare operating Monday through Friday, from 8:00 a.m. to 5:00 p.m.
5

6 7:38:53 PM Mr. McGrath stated that the public notice requirements for this item were satisfied
7 by direct mail advertising to all property owners within 300 feet of the subject property. He
8 reported that prior to the meeting numerous concerns/complaints were received regarding the
9 application. He cited concerns expressed regarding additional traffic in the neighborhood,
10 potential impact on property values, noise, having commercial enterprises in a neighborhood, too
11 many children, that the applicant was not the owner of the property, parking problems, etc.
12

13 7:39:43 PM Mr. McGrath relayed that the Planning Commission heard a presentation from staff
14 on the item, followed by a presentation by the applicant and a public hearing. During the public
15 hearing, concerns were heard similar to those expressed prior to the meeting. He reported that a
16 petition was also received containing about 30 signatures generally opposing approval of the
17 conditional use permit.
18

19 7:40:13 PM Mr. McGrath said that following the public hearing, the Planning Commission
20 deliberated the application and ultimately felt that the applicant was compliant with City code
21 and there were no findings that would justify denying the conditional use permit.
22

23 7:40:39 PM Mr. McGrath commented that, from a legal perspective, conditional uses are the
24 most scrutinized aspect of land use regulation. He shared that there have been several very high-
25 profile land use cases that have further defined for communities how CUP's can be treated. He
26 referenced State Code that makes conditional uses essentially the same thing as a permitted use,
27 unless the community can demonstrate through evidence (not public clamor) that the situation
28 will be in violation of some stated standard within the development ordinance. He reiterated
29 that, in this particular case, the Taylorsville Planning Commission felt that the proposed use at
30 the proposed location was not in violation of any the standards stated in City development code.
31 The Planning Commission, therefore, unanimously voted to approve the CUP on December 9,
32 2014. Within a couple of days of the Planning Commission decision, two area residents
33 submitted letters appealing that decision.
34

35 7:43:35 PM Mr. McGrath described changes made to City code in 2012 regarding the handling
36 of appeals of Planning Commission decisions. He said that, based on current code, the City
37 Council must now make two decisions: (1) Decide whether this appeal will be heard based on a
38 review of the administrative record (minutes of the meeting, staff report, public comments, etc.)
39 or, if there was some procedural irregularity or new evidence has been presented, determine to
40 conduct a public hearing and basically do the entire process over again; and (2) Decide who will

1 actually hear the appeal. It was clarified that the City Council could either hear the appeal or
2 delegate the matter to another appointed body/agent.

3
4 7:46:20 PM Mr. McGrath confirmed that notifications were sent to the neighborhood as a
5 courtesy even though they were not required. Council Member Christopherson asked whether it
6 was a pretty rare occurrence to see this much opposition to a home occupation permit. Mr.
7 McGrath affirmed that he has never seen this much opposition to this type of a CUP for a home
8 occupation.

9
10 7:47:40 PM Council Member Brad Christopherson stated some of his concerns regarding the
11 involvement of State action. He noted that he is an attorney who practices in this area and the
12 subject property is in his Council District. He suggested that conditional use permits, based on,
13 State law, are basically a “rubber stamp” decision at staff level; however, because of public
14 comments received by the City, and wanting to be transparent and open, the City held a public
15 meeting. He said he is aware of the concerns expressed and cited the 14th Amendment of the
16 U.S. Constitution that provides equal protection to all citizens without respect to religion, race,
17 gender, etc. He said that the issues and perspectives presented during the public hearing did not
18 rise to the level of countering the requirements that were met in the application. He gave
19 examples of things that would overturn a CUP, i.e. proof of operation outside of allowed hours,
20 or exceeding the maximum of allowed children, etc. He cited instances of the potential for
21 adverse impact, but said that the impacts suggested in this case would not trump private property
22 rights. Council Member Christopherson cited the potential for a lawsuit to be filed that would
23 challenge State action that had infringed on constitutional rights if the City Council were to
24 overturn this decision. He referenced the possibility of fines and attorney fees being assessed to
25 the City and ultimately to taxpayers. He agreed that it is very rare to receive this much opposition
26 to something that is standard and normally handled at a staff level. He stressed that it is very
27 important to understand the process and the law. He noted that letters directed to elected
28 officials from concerned citizens have been read, but were not responded to directly because of
29 the potential to taint the process should the appeal come before the City Council in a quasi-
30 judicial mode.

31
32 7:56:18 PM City Attorney Tracy Cowdell agreed that Mr. McGrath and Council Member
33 Christopherson have adequately framed the law. Mr. Cowdell agreed that law provides that if
34 boxes under a CUP are checked, then property rights are ensured. He observed that it is very
35 rare to receive an appeal for someone who has been granted a CUP. He cited a strong inference
36 that people should be able to use their property the way they want. He discussed what must be
37 done now in regard to the appeal received and stated the following: (1) As a quasi-judicial body,
38 the Council can re-hear and essentially re-try the case; or (2) the Council can look at the record
39 as presented to the Planning Commission, allow additional input and make a decision; or (3) the
40 Council can refer the matter to someone else, i.e. the Administrative Law Judge (ALJ), to re-hear
41 or examine the record and make a decision. Mr. Cowdell noted that the appeal was timely filed

1 and cited noticing requirements that must be met. He observed that the matter can be taken to
2 Third District Court. He observed that, although the whole process is slow, the code is designed
3 to protect property rights.

4
5 **8:04:24 PM** Chair Overson called for discussion on what happens now. Council Member
6 Barbour stated that she has never been one to pass her responsibility on to someone else. Council
7 Member Brad Christopherson said he is inclined to hear the appeal as a Council and not send it
8 to the ALJ. He also indicated that he would like to hear from individuals who want to speak.
9 Council Members Ernest Burgess and Dan Armstrong relayed that they would also like to hear
10 the appeal. Chair Overson stated that she would prefer to examine the record and then make a
11 decision. She clarified that, as four Council Members would like to hear the appeal, that option
12 prevails.

13
14 **8:07:08 PM** Mr. Cowdell gave input on timing and noticing requirements. Mr. McGrath
15 confirmed the need to set a specific date, typically during a regular City Council Meeting. After
16 further discussion, it was recommended that the appeal be heard during the City Council Meeting
17 on April 1, 2015.

18
19 **8:08:54 PM** Council Member Brad Christopherson **MOVED** to hear the appeal, with a public
20 hearing scheduled for April 1, 2015. Vice-Chair Ernest Burgess **SECONDED** the motion.
21 Chairman Kristie Overson called for discussion on the motion. There being none, she called for
22 a roll-call vote. The vote was as follows: Burgess-yes, Overson-no, Christopherson-yes,
23 Armstrong-yes, and Barbour-yes. **All City Council members voted and the motion passed**
24 **with a four-to-one vote.**

25 26 **6. FINANCIAL MATTERS**

27
28 There were no financial matters.

29 30 **7. OTHER MATTERS**

31 32 **7.1 Discussion Regarding 2015 Municipal Election Options – Chair Overson**

33
34 **8:11:18 PM** Chair Overson called for discussion regarding options for the 2015 Municipal
35 Election in Taylorsville.

36
37 **8:11:24 PM** Council Member Dan Armstrong cited a follow-up call he made to Salt Lake County
38 Clerk Sherrie Swensen. He described secure ways that ballots are handled and counted by the
39 County. He said there is no potential for hacking into the computer that is used. His relayed that
40 his other concern was verifying signatures on ballots, but Ms. Swensen has assured that
41 signatures are compared and matched. Council Member Armstrong suggested that comparing

1 signatures is hard to do and only cursory review will be given, unless there is a close race or
2 some allegation of voter fraud. He discussed voters who may move and controls that are in
3 place. He cited the potential of losing or forgetting about ballots that are mailed. He observed
4 that citywide vote by mail would ultimately result in a larger return of ballots through the mail,
5 but cited those who do still like to vote in a voting booth, as he does. He noted that he personally
6 does research on candidates and issues beforehand. Council Member Armstrong said he is in
7 favor of voting by mail, but would like to see a voting center in each Council District. He
8 confirmed that he would like to keep Early Voting and polling locations in each Council District.
9

10 **8:18:23 PM** Council Member Dama Barbour relayed that she is going to switch over to
11 permanent vote by mail. She said that she has talked to 23 people in her district, with two
12 negative opinions being received on voting by mail; everyone else said that citywide vote by
13 mail is absolutely the way to go and is the way of the future. She reported on surrounding cities
14 in Salt Lake County are going to citywide vote by mail. Council Member Barbour said she is in
15 favor of moving to the citywide vote by mail and recommends leaving a voting machine in each
16 district on Election Day. She indicated that she is satisfied that fraud controls are in place for a
17 citywide vote by mail process.
18

19 **8:20:37 PM** Council Member Brad Christopherson asked for clarification on the two options
20 being offered by Salt Lake County. Chair Overson described the two options for the municipal
21 election, as follows: (1) Citywide Vote by Mail, with ballots being mailed to all registered voters
22 in Taylorsville and a Voting Center provided on election day(s) for in-person voting; or (2)
23 Consolidated Polls, with "Early Voting" provided as in previous years at Taylorsville City Hall,
24 and one polling location in each applicable Council District. It was clarified that if the citywide
25 vote by mail program is chosen, "Early Voting" would not be conducted at Taylorsville City
26 Hall; however, voters would still have the option of dropping their ballots at a ballot box at City
27 Hall for a period prior to Election Day or coming out to vote in person on Election Day at a
28 "Voting Center" set up at Taylorsville City Hall.
29

30 **8:23:46 PM** Vice-Chair Ernest Burgess relayed that he has talked with some of his constituents
31 and experienced a "toss-up" with opinions shared. He said that right now he is leaning toward
32 keeping the election process the same.
33

34 **8:25:00 PM** Chair Overson stated that she likes the citywide vote by mail option. She referenced
35 voting statistics from 2011.
36

37 **8:26:08 PM** Council Member Barbour observed that it boils down to every registered voter
38 receiving a ballot in the mail and then what they choose to do with that ballot is up to them.
39

40 **8:27:09 PM** Mayor Johnson said he would like to leave the election process the same. He cited
41 the potential for fraud. He observed that 33% of registered voters in Taylorsville already vote by

1 mail and more have the option to do so, but he doesn't support going to citywide vote by mail.
2 He relayed that he would still like to provide the option to vote in person.

3
4 **8:28:38 PM** Vice-Chair Burgess clarified that post cards are mailed out to registered voters with
5 notification regarding the election process.

6
7 **8:29:15 PM** Chair Overson reported that she called Salt Lake County to ask how they would
8 verify her signature and they were able to pull up her signature and match it.

9
10 **8:30:16 PM** Mayor Johnson commented on unqualified personnel who may be verifying
11 signatures.

12 **7.1.1 Resolution No. 15-01 – Approving an Interlocal Cooperation**
13 **Agreement Between the City of Taylorsville and Salt Lake County on**
14 **Behalf of the County Clerk Elections Division for 2015 Municipal**
15 **Election Services**

16
17 Council Member Dama Barbour **MOVED** to adopt Resolution No. 15-01 – Approving an
18 Interlocal Cooperation Agreement Between the City of Taylorsville and Salt Lake County on
19 Behalf of the County Clerk Elections Division for 2015 Municipal Election Services, with the
20 citywide vote by mail option. Council Member Brad Christopherson **SECONDED** the motion.
21 Chairman Kristie Overson called for discussion on the motion. Clarification was given on intent
22 of the motion that the interlocal should be adopted with the vote by mail option as presented by
23 Salt Lake County. There being no further discussion, Chair Overson called for a roll-call vote.
24 The vote was as follows: Burgess-no, Overson-yes, Christopherson-yes, Armstrong-no, and
25 Barbour-yes. **All City Council members voted. The motion passed with a three-to-two vote.**

26
27 **7.2 Discussion Regarding Gas Tax Legislation – John Taylor**

28
29 City Administrator John Taylor called for discussion regarding the proposed gas tax legislation.
30 He introduced City Lobbyist Charlie Evans and asked him to provide an update to the Council.

31
32 **6:55:50 PM** Mr. Evans described two options related to the gas tax legislation. He relayed that
33 the Senate is generally proposing an increase per gallon of \$.10. The general House position is
34 that the gas tax should be treated similar to a sales tax, utilizing a percentage that grows with
35 inflation (per a bill sponsored by Representative Johnny Anderson). Mr. Evans said that he
36 thinks the bill being sponsored by Representative Anderson has a better chance to get traction.

37
38 **6:57:19 PM** Mr. Evans relayed that cities are not as sure as they once were about the proposition
39 previously in place and the deal is now less stable. He said he believes that the ¼ % local option
40 sales tax imposed by the county may still take place. He clarified that in that scenario, the city
41 would get .10 %, transit would get .10 %, and the county would get .05%.

1 6:59:07 PM Mr. Evans referenced a current conflict between cities and the Utah Transit
2 Authority (UTA). He confirmed that cities are being represented by the Utah League of Cities
3 and Town (ULCT).
4

5 6:59:37 PM City Attorney Tracy Cowdell cited some irony in the fact that cities are required to
6 go through the truth in taxation process to raise taxes.
7

8 7:00:21 PM Council Member Dama Barbour referenced ULCT's proposed resolution and
9 relayed her understanding that only seven cities have not adopted that resolution. She questioned
10 current negotiations and any ongoing conflict between the ULCT and UTA. Mr. Evans said that
11 he believes that the League and UTA will work something out. He offered his opinion that, with
12 the legislature moving fairly quickly, it is not necessary for the City to tie itself to a resolution.
13

14 7:02:32 PM City Administrator John Taylor inquired whether the League has stated its position
15 publicly. Mr. Evans said he has not heard anything in a public meeting. Mr. Taylor cited the
16 City's concern with lack of sufficient budget for local road maintenance. He said Taylorsville's
17 recommended position is to look for the maintenance dollar that will help local roads.
18

19 7:03:33 PM Council Member Dan Armstrong asked what the City's course of action should be at
20 this point. Mr. Evans suggested that if the City is in favor of the "10/10/5" option, it should go on
21 record as supporting that and relay that information to Taylorsville legislative representatives.
22

23 7:04:48 PM Council Member Barbour said she supports the "10/10/5" option, but only under the
24 condition that taxing is done at a County level and the city does not have to add tax. Mr. Evans
25 confirmed that the statute requires the tax to be implemented at the County level.
26

27 7:06:19 PM Mayor Johnson said that he has no interest in adopting a resolution.
28

29 7:07:02 PM Discussion was held regarding how best to relay the City's position. The Mayor
30 cited efforts by Representative Jim Dunnigan. Mayor Johnson indicated that he will be talking to
31 Representative Dunnigan tomorrow. Mr. Evans suggested that the City be united in its position.
32

33 7:08:12 PM Vice-Chair Burgess said the "10/10/5" option is fine with him as long as it stays
34 intact. Mr. Evans agreed that this legislation could still go a number of different directions.
35

36 7:09:52 PM Mr. Cowdell suggested that the Council give general parameters to Mr. Evans and
37 the Mayor in order to give maximum flexibility. He noted that updates can then be brought back
38 to the Council.
39

40 7:11:08 PM Council Member Barbour said she wants to ensure that Taylorsville is the recipient
41 of some of the monies allocated.

1 [7:12:18 PM](#) Council Member Christopherson suggested supporting a solution that (1) takes
2 inflation into account; (2) helps bring monies back to the cities; and (3) does anything possible to
3 fast-forward the Bus Rapid Transit (BRT) project. All other Council Members concurred with
4 these three key points.

5
6 Council Member Brad Christopherson **MOVED** to give direction to Administration and the City
7 Lobbyist to support a solution to include the three points made, as follows: supporting a solution
8 that (1) takes inflation into account; (2) helps bring monies back to the cities; and (3) does
9 anything possible to fast-forward the BRT project. Council Member Dama Barbour
10 **SECONDED** this motion. **All Council Members voted in favor and the motion passed**
11 **unanimously.**

12
13 [7:14:44 PM](#) Mayor Johnson thanked the Council for its support and said he has been meeting
14 with legislators and working hard for Taylorsville every day.

15
16 [7:15:02 PM](#) Mr. Evans cited efforts regarding the wall on Redwood Road and said he is
17 confident that funds will be received thanks to the efforts of Senators Wayne Harper and Karen
18 Mayne.

19
20 [7:15:50 PM](#) Council Member Dama Barbour cited proposed legislation regarding auto
21 dealerships. Mr. Evans said this will be a tough bill, but there is nothing in the bill to hurt
22 Taylorsville; rather, it can only help.

23
24 [7:17:41 PM](#) Council Member Dan Armstrong commented on potential problems in dealing with
25 national car dealerships.

26
27 [7:18:35 PM](#) Vice-Chair Burgess commented on the bill regarding auto dealerships and said that
28 if one city is able to accomplish this, it will pave the way for others.

29
30 [7:19:22 PM](#) Council Member Barbour commented on the auto dealership bill.

31
32 [7:20:26 PM](#) Vice-Chair Burgess inquired about bills related to water. Mr. Evans clarified that
33 there are no water bills that would affect the City.

34
35 [7:20:42 PM](#) Mayor Johnson thanked Mr. Evans for representing Taylorsville so well and
36 commended him for his great communication efforts.

37
38 [7:21:09 PM](#) Mr. Evans expressed his appreciation for being allowed to represent the City of
39 Taylorsville.

40

1 [7:22:09 PM](#) Chair Overson cited Representative Johnny Anderson's Town Meeting tomorrow
2 night; however, Mark McGrath relayed a message that the meeting referenced for tomorrow
3 night (February 19, 2015) has recently been cancelled.

4
5 **7.3 Training Regarding Open Meetings Act – Tracy Cowdell**

6
7 [8:33:05 PM](#) Council Member Dan Armstrong **MOVED** to table training on the Open Meetings
8 Act. Council Member Brad Christopherson **SECONDED** the motion. **All Council Members**
9 **voted in favor and the motion passed unanimously.** It was determined that this presentation
10 will be rendered in a future Council Meeting.

11
12 **8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)**

13
14 [8:34:52 PM](#) Council Member Armstrong described handouts distributed regarding Wasatch
15 Front Regional Council (WFRC) transportation projects. City Administrator John Taylor
16 clarified that this is WFRC's plan and they are only allowed to spend funds on State routes or
17 major collectors; so, that is why Taylorsville projects being funded by WFRC are limited.

18
19 **9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)**

- 20
21 **9.1 City Council Briefing Session – Wednesday, March 4, 2015 – 6:00 p.m.**
22 **9.2 City Council Meeting – Wednesday, March 4, 2015 – 6:30 p.m.**
23 **9.3 Planning Commission Meeting – Tuesday, March 10, 2015 – 7:00 p.m.**
24 **9.4 City Council Briefing Session – Wednesday, March 18, 2015 – 6:00 p.m.**
25 **9.5 City Council Meeting – Wednesday, March 18, 2015 – 6:30 p.m.**

26
27 **10. CALENDAR OF UPCOMING EVENTS**

28
29 **10.1 *Emergency Management Training for Elected Officials: Wednesday,***
30 ***February 25, 2015 – 5:30 p.m. – 8:00 p.m. – Council Chambers***

31
32 **10.2 *Taylorsville Arts Council Art Show: February 27-28, 2015***

33
34 **10.3 *Taylorsville Urban Cart Dart: Saturday, March 7, 2015 – 10:00 a.m. Location***
35 ***TBD***

36
37 **11. CLOSED SESSION (*Conference Room 202*)**

38 *- For the Purpose(s) Described in Statute U.C.A. 52-4-205*

39
40 [8:38:02 PM](#) Council Member Dan Armstrong **MOVED** to convene a Closed Session to discuss
41 the sale or purchase of real property at 8:38 p.m. Vice-Chair Ernest Burgess **SECONDED** the

1 motion. Chairman Kristie Overson called for discussion on the motion. There being none, she
2 called for a roll-call vote. The vote was as follows: Burgess-yes, Overson-yes, Christopherson-
3 yes, Armstrong-yes, and Barbour-yes. **All members of the City Council present voted and the**
4 **motion carried by a unanimous vote.**

5
6 **Sale or Purchase of Real Property**
7

8 Those in attendance at this Closed Session were: Mayor Larry Johnson, Council Members
9 Barbour, Burgess, Christopherson, Armstrong, and Overson; City Attorney Tracy Cowdell; City
10 Administrator John Taylor; Economic Development Director Wayne Harper; Assistant City
11 Attorney Stephanie Nate; and City Recorder Cheryl Peacock Cottle.

12 Minutes for the Closed Session were taken and are now on file as a Protected Record.
13

14 **12. ADJOURNMENT**
15

16 Council Member Dan Armstrong **MOVED** to adjourn the Closed Session and the City Council
17 Meeting. Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson
18 called for discussion on the motion. There being none, she called for a roll-call vote. The vote
19 was as follows: Burgess-yes, Overson-yes, Christopherson-yes, Armstrong-yes, and Barbour-
20 yes. **All City Council members voted in favor and the motion passed unanimously.** The
21 meeting was adjourned at 9:37 p.m.
22
23
24

25 _____
Cheryl Peacock Cottle, City Recorder

26
27 Minutes approved:

28
29 *Minutes Prepared by: Cheryl Peacock Cottle, City Recorder*
30