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City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, March 4, 2015
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84129

BRIEFING SESSION

Attendance:

Mayor Larry Johnson

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
Scott Harrington, Chief Financial Officer
Mark McGrath, Community Development Director
Wayne Harper, Economic Development Director
Tracy Wyant, UPD Precinct Chief
Kristy Heineman, Council Coordinator
Stephanie Nate, Assistant City Attorney
Kirsten Heins, City Engineer
Tiffany Janzen, Public Information Officer

BRIEFING SESSION

6:04:26 PM Chairman Kristie Overson conducted the Briefing Session, which convened at 6:04 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

1. Review Administrative Report

6:05:05 PM Chair Overson called for questions on the Administrative Report and there were none.

1 **2. Review Agenda**

2
3 6:05:36 PM The agenda for the City Council Meeting was reviewed.

4
5 6:09:38 PM Council Member Brad Christopherson noted that he will need some time to address
6 the Council under Agenda Item 7 (Other Matters).

7
8 6:10:18 PM Council Member Dan Armstrong suggested that the cost cited in the “Remember
9 Me” Garden proposal may be excessive. Council Member Dama Barbour inquired whether the
10 garden could be incorporated into a service project. Chair Overson suggested the possible use of
11 CDBG Funds for this project and City Administrator John Taylor agreed that such may be a
12 possibility if the site is at the Senior Center.

13
14 **3. Adjourn**

15
16 6:12:40 PM Chair Overson declared the Briefing Session adjourned at 6:12 p.m.
17
18
19

20
21 **REGULAR MEETING**

22
23 **Attendance:**

24
25 Mayor Larry Johnson

26
27 **Council Members:**

28
29 Council Chairman Kristie Overson
30 Vice-Chairman Ernest Burgess
31 Council Member Daniel Armstrong
32 Council Member Dama Barbour
33 Council Member Brad Christopherson

27 **City Staff:**

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

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1 **Others:** Royce Larsen, Dan Fazzini, John Gidney, Keith Sorensen, Joan Thallman, John Gidney,
2 Mary Cranney, Jessica Burnham, Ellen Parrish, Steve Terry, Randy Scharman, Amy Henry,
3 Roger Borgenicht, Claire Ratcliffe, Noel Lee, Daniel Lee, Jan Carter, Karen Beers, Paul Ricks,
4 Tabb George, Todd Madsen, Colton Jensen, Jared Cardon, Scouts from Troop # 6474
5

6 **1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS**
7

8 6:30:39 PM Chairman Kristie Overson called the meeting to order at 6:30 p.m. and welcomed
9 those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all
10 Council Members were present.
11

12 **1.1 Opening Ceremonies – Pledge of Allegiance**
13 **– Council Member Christopherson**
14

15 6:31:02 PM UPD Taylorsville Precinct Chief Tracy Wyant directed the Pledge of Allegiance.
16

17 **1.2 Reverence – Council Member Christopherson (Opening Ceremonies For**
18 **March 18, 2015 to be arranged by Mayor Johnson)**
19

20 6:31:45 PM Council Member Dan Armstrong offered the Reverence.
21

22 **1.3 Mayor’s Report**
23

24 There was no Mayor’s Report.
25

26 **1.4 Citizen Comments**
27

28 6:34:56 PM Chairman Kristie Overson recognized scouts in attendance from Troop 6474. She
29 then reviewed the Citizen Comment Procedures for the audience. She called for any citizen
30 comments.
31

32 6:36:08 PM There were no citizen comments, and Chairman Overson closed the citizen comment
33 period.
34

35 **APPOINTMENTS**
36

37 **2.1 Unified Police Department Awards – Precinct Chief Tracy Wyant**
38

39 6:36:13 PM UPD Precinct Chief Tracy Wyant presented awards to UPD officers from the
40 Taylorsville Precinct, as follows:
41

1 *January, 2015 Officers of the Month:* Todd Madsen and Colton Jensen – Chief Wyant relayed
2 that these two officers responded to a felony incident, resulting in a foot chase and apprehension.
3 The Chief commended both officers for their quick, pro-active response that contributed to
4 public safety in Taylorsville.
5

6 *February, 2015 Officer of the Month:* Jared Cardon – Chief Wyant referenced many traffic
7 accidents and hit/run incidents that have been investigated by Officer Cardon. The Chief cited
8 Officer Cardon’s professionalism, work ethic and attention to detail.
9

10 **2.2 Appointment of Joan Thalmann as Vice-Chair of the LARP (Leisure, Arts,
11 Recreation & Parks) Committee – Council Member Armstrong**
12

13 6:41:40 PM Council Member Dan Armstrong recognized Joan Thalmann and nominated her to
14 serve as Vice-Chair of the Leisure, Arts, Recreation & Parks (LARP) Committee.
15

16 6:42:25 PM Council Member Dan Armstrong **MOVED** to appoint Joan Thalmann as Vice-
17 Chair of the LARP Committee. Council Member Dama Barbour **SECONDED** the motion.
18 Chairman Kristie Overson called for discussion on the motion. There being none, she called for
19 a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes,
20 Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion**
21 **passed unanimously.**
22

23 **2. REPORTS**
24

25 **3.1 “Remember Me” Garden Proposal**
26 **– Keith Sorensen, LARP Committee Chair**
27

28 6:43:03 PM LARP Chair Keith Sorensen presented ideas for a proposed “Remember Me”
29 Garden. He cited the potential to create a rose garden to recognize deceased individuals who
30 have made a significant contribution in the City of Taylorsville. He referenced the proposal
31 previously provided to the Council for establishing such a garden at the Senior Center and called
32 for any questions.
33

34 6:46:18 PM Council Members Overson and Barbour both stated their favor of the idea. Council
35 Member Barbour questioned whether this project could be done through a type of service
36 project. Mr. Sorensen agreed that this could be possible.
37

38 6:49:00 PM Discussion was held regarding timing and funding options. Ms. Sorensen noted that
39 the garden could start out small, with possible room for expansion. He reviewed reasons that the
40 area north of the Senior Center may be the most suitable location.
41

1 6:51:13 PM An unidentified citizen in attendance inquired about the potential for using a
2 previous dump site for the project area. The citizen was informed that the time for public
3 comment had passed, but the City Administrator would be happy to speak to her privately about
4 her ideas. Attempts were made to address her questions offline by the City Administrator. The
5 citizen refused to leave the meeting and demanded her right to speak publicly and immediately.
6

7 6:55:43 PM City Attorney Tracy Cowdell commented that this individual is not allowed to
8 interrupt the meeting and has been asked to leave or refrain from speaking during someone else's
9 allotted time. The individual refused to leave or stop speaking and she was eventually escorted
10 out of the Council Chambers by law enforcement officers and others.
11

12 6:52:44 PM Mr. Sorensen cited two locations in the City that were previous dump sites and
13 commented that they are both designated park properties. He confirmed that these areas were
14 considered for the "Remember Me Garden" project.
15

16 6:56:14 PM Mr. Sorensen relayed that LARP Committee Meetings are held the second Thursday
17 of each month, at 6:30 p.m., at City Hall and the public is welcome to come and listen to the
18 discussion. He noted that there are only four members currently serving on the LARP
19 Committee and more volunteer members would be welcome.
20

21 6:56:36 PM Council Member Dama Barbour thanked Mr. Sorensen for providing information on
22 this exciting project. She said she anticipated much further discussion on this in the future.
23

24 6:56:48 PM Council Member Dan Armstrong suggested advertising the garden and the
25 opportunity for memorials in the City newsletter. He suggested finding an area where the garden
26 can start small with room for expansion.
27

28 6:57:53 PM Chair Overson inquired of Mr. Sorensen what might be done now, in advance of
29 budget decisions, in relation to the proposed project. Mr. Sorensen suggested that the City could
30 determine that the garden is a good idea and give direction to proceed; a location could then be
31 designated. He observed that appropriate groundwork can be laid following these decisions and
32 any direction.
33

34 6:58:30 PM Vice-Chair Ernest Burgess observed that the Senior Center seems like the most
35 appropriate location for this project and encouraged the Council to give that area serious
36 consideration. He thanked Mr. Sorensen for his efforts.
37

38 **3.2 Capital Improvements Update – John Taylor**

39
40 6:59:35 PM City Engineer Kirsten Heins reported on capital improvement projects in the City, as
41 follows:

- 1 • *Pedestrian Bridge at 4500 South* – The railing is up and brick pavers are in place at the
2 Freedom Shrine. The bridge may be ordered as early as next week and work with the
3 contractor will begin in about six weeks. This project is approximately 28% complete.
4
- 5 • *3900 West 5400 South Roadway Improvements* – This project was completed in
6 December, 2014. Utility work and site prep are also ready for the parcel there.
7
- 8 • *Storm Drain Projects* – Bluemont Drive (Area 1) is complete; Atherton Drive (Area 2) is
9 within days of beginning; Continental Circle (Area 3) is complete and cost savings has
10 also allowed for repair of concrete sidewalk, curb and gutter; and 4805 South (Area 4)
11 has the sidewalk in and is 98% complete.
12
- 13 • *Open Space Connection Plan* – The electrical is going in on the 2700 West islands and
14 the county will install lights soon.
15
- 16 • *Labrum Park* – The pavilion is being used and bank stabilization is taking place. Repairs
17 and improvements to the irrigation system will occur. Turf will be placed by the
18 restroom and pavilion areas. The next step will be to install the playground.
19
- 20 • *Bennion Park* – This project is complete and operational. The playground equipment is
21 well used and appreciated.
22
- 23 • *Redwood Road Wall* – The project is waiting on the receipt of final signed easements
24 from a couple of residents. It is hoped that demolition can begin in April.
25

26 7:04:03 PM Council Member Barbour commented on the large number of children that are
27 always using the playground at Bennion Park. She cited the neighborhood's appreciation of the
28 playground there.
29

30 7:05:27 PM Council Member Dan Armstrong inquired about a blocked street in Labrum Park.
31 Ms. Heins cited intent for that road to be permanently closed and used as a turn-around.
32

33 7:07:12 PM Mayor Johnson cited a potential pickle ball court being planned for installation at
34 Millrace Park.
35

36 7:07:50 PM Chair Overson commented on the great improvements being seen in City parks.
37
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39
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1 **3. CONSENT AGENDA**

2
3 **4.1 City Council Minutes – 02-18-2015**

4
5 7:08:10 PM Council Member Brad Christopherson **MOVED** to adopt the Consent Agenda.
6 Council Member Dan Armstrong **SECONDED** the motion. Chairman Kristie Overson called
7 for discussion on the motion. There being none, she called for a roll-call vote. The vote was as
8 follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All**
9 **City Council members voted in favor and the motion passed unanimously.**

10
11 **4. PLANNING MATTERS**

12
13 There were no planning matters.

14
15 **5. FINANCIAL MATTERS**

16
17 **6.1 Public Hearing – To Receive Public Comment on Funding Priorities for the**
18 **2015-2016 Community Development Block Grant (CDBG) and HOME**
19 **Programs – Kathy Ricci**

20
21 7:09:00 PM CDBG Consultant Kathy Ricci explained that this is the second public hearing for
22 the 2015-2016 CDBG Year. She relayed that applicants in attendance will present actual
23 requests for funding. She noted that a final resolution will be presented for the Council's
24 approval of CDBG funding during the Council Meeting in two weeks.

25
26 7:11:03 PM Chair Kristie Overson opened the public hearing on this matter and called for
27 comments.

28
29 7:11:06 PM Ellen Parrish, of Community Health Centers, Inc, described health and dental care
30 provided at the Oquirrh View Clinic in Taylorsville. She relayed that 9,930 patients were seen at
31 the clinic last year, with 95% below the poverty level. She noted that, of those patients seen,
32 2,174 were residents of Taylorsville, with 6,738 overall visits by Taylorsville residents. She
33 relayed that the Dental Clinic at Oquirrh View Clinic is being reopened.

34
35 7:13:43 PM Council Member Armstrong inquired why there are still a large number of people
36 who do not have insurance. Ms. Parrish said that many cannot afford premiums and fall within
37 the level between qualifying for Medicaid and being able to afford private insurance.

38
39 7:16:06 PM Jessica Burnham, of the Road Home, described reasons for homelessness and
40 housing offered by her organization. She cited a \$5,000 request to support the downtown

1 emergency shelter. She cited the mission of the Road Home and assistance that is provided. She
2 relayed that the shelter served 120 Taylorsville residents last year.

3
4 7:18:56 PM Council Member Christopherson commented on the great work done by the Road
5 Home Shelter.

6
7 7:19:46 PM Mary Cranney, of Legal Aid, cited a request to support programs that provide legal
8 representation to low-income people. She described the many legal services provided to
9 domestic violence victims, etc. She referenced statistics showing that last year there were 122
10 Taylorsville residents served at Legal Aid.

11
12 7:24:19 PM Amy Henry, of the YMCA, described before/after-school care, preschool programs,
13 etc. that are offered through the YMCA. She cited two proposals being presented this year for
14 staff salaries and also for hard costs to cover office growth and food service.

15
16 7:27:37 PM Council Member Ernest Burgess commended the YMCA for the amazing programs
17 and activities offered to families.

18
19 7:28:10 PM Roger Borgenicht, of ASSIST, described the emergency home repair and home
20 safety retrofit programs provided to senior citizens in Taylorsville. He cited the Green and
21 Healthy Homes Initiative being implemented by Salt Lake County to help educate homeowners
22 about keeping homes healthy.

23
24 7:30:49 PM Jan Carter, Development Coordinator for Odyssey House, thanked the City for its
25 previous support. She cited funds being sought for a remodel of their clinic. She referenced
26 tremendous growth that is necessitating expansion and remodel of their facility. She described
27 the need for another nurse and a Physician's Assistant. She described services that are provided
28 to individuals struggling with addiction and/or mental illness.

29
30 7:34:51 PM Paul Ricks, Clinical Director of the Family Support Center, cited a need to update
31 the air conditioning/heating system at their facility.

32
33 7:36:56 PM Chair Overson referenced an impactful visit that Taylorsville Youth Council
34 Members were able to have with a Family Support Center staff member.

35
36 7:37:21 PM Claire Ratcliffe, of the Murray Boys and Girls Club, described a success story with a
37 Taylorsville High School student who benefitted from the Boys and Girls Club. Ms. Ratcliffe
38 cited the student's challenging background and her now improved grades and scholarship
39 potential.

40

1 7:40:29 PM Tabb George, of Big Brothers/Big Sisters of Utah, described mentoring programs
2 offered. He discussed ways that mentors are screened, selected, and matched with children who
3 might otherwise fall through the cracks.

4
5 7:42:54 PM There were no further comments and Chair Overson declared the public hearing
6 closed.

7
8 **7. OTHER MATTERS**
9

10 7:43:33 PM Council Member Brad Christopherson **MOVED** to reconsider Resolution No. 15-
11 01, as previously adopted, regarding Election Services. Council Member Dan Armstrong
12 **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There
13 being none, she called for a roll-call vote. The vote was as follows: Christopherson-yes,
14 Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City Council members voted**
15 **in favor and the motion passed unanimously.**

16
17 7:44:05 PM Council Member Brad Christopherson gave an overview of what has transpired over
18 the last two weeks. He cited Mayor Johnson's concerns expressed over switching to an all-mail
19 ballot and the ultimate three-to-two vote by the Council to adopt Resolution No. 15-01, with the
20 option of a city-wide vote by mail program. Council Member Christopherson further relayed
21 that, since that time, the Mayor's opinion has not changed and he has arguable veto power. It
22 was explained that there were three legal opinions on the matter of the Mayor's veto power and
23 no two were the same. One said the Mayor could veto a resolution; one said the Mayor could not
24 veto a resolution; and one said it was unknown.

25
26 It was relayed that the Mayor provided a statement of veto to the Council on March 3, 2015,
27 which has created unknowns regarding the City's 2015 Election. Council Member
28 Christopherson suggested that code states very clearly that the Mayor does not have veto power
29 on a resolution, but there is an argument that a decision on how to conduct an election should not
30 have been done via resolution in Taylorsville's form of government. He observed that if the
31 Council agrees that the Mayor has authority to veto a resolution and accepts the veto, this
32 presents a potential problem down the road in regard to veto power and a different solution must
33 be sought for elections. He cited the Council's option to ignore the Mayor's veto or to sue the
34 Mayor over this issue and allow a judge to decide the matter.

35
36 7:46:18 PM Council Member Christopherson noted that the City is required by law to have an
37 election this year and must budget funds to do so. He observed that Administration must have
38 Council approval to expend funds, but entering into a contract is an administrative function, so
39 the matter at hand requires both legislative and administrative action. He cited the City's options
40 to either enter into a contract with Salt Lake County to provide election services, with a decision
41 made on the type of election desired, or conduct its own municipal election this year. He cited

1 reasons that the City is not in a position to conduct its own election. Council Member
2 Christopherson said he is not comfortable with allowing veto power for a resolution and is also
3 not comfortable with a potential lawsuit. He described his proposed alternative for this matter, as
4 follows: to not consider the Mayor's veto but, rather, to table Resolution No. 15-01 and direct the
5 Mayor to enter into a contract for election services.

6
7 Council Member Brad Christopherson **MOVED** to table Resolution No. 15-01 and direct
8 Taylorsville Administration to enter into a contract for election services with Salt Lake County.
9 Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson called for
10 discussion on the motion. Council Member Barbour shared her belief that this direction solves
11 the immediate problem, but said larger issues should be addressed at a later time. There being no
12 further comments, Chair Overson called for a roll-call vote. The vote was as follows:
13 Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-yes. **All City
14 Council members voted in favor and the motion passed unanimously.**

15
16 **7.1 Resolution No. 15-02 – Consideration of Veto Override Regarding Resolution
17 No. 15-01 – Approving an Interlocal Agreement Between the City of
18 Taylorsville and Salt Lake County on Behalf of the County Clerk Elections
19 Division for 2015 Municipal Election Services – Chair Overson**

20
21 **7.2 Resolution No. 15-03 – Approving an Interlocal Agreement Between the City
22 of Taylorsville and Salt Lake County on Behalf of the County Clerk
23 Elections Division for 2015 Municipal Election Services – Chair Overson**

24
25 Council Member Brad Christopherson **MOVED** to dispense with Agenda Items 7.1 and 7.2, as
26 they are now rendered moot. Council Member Ernest Burgess **SECONDED** the motion.
27 Chairman Kristie Overson called for discussion on the motion. There being none, she called for
28 a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes,
29 Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion
30 passed unanimously.**

31
32 **7.3 Open and Public Meetings Act Training – Tracy Cowdell**

33
34 Council Member Dan Armstrong **MOVED** to table Agenda Item 7.3 regarding training on the
35 Public Meetings Act. Council Member Brad Christopherson **SECONDED** the motion.
36 Chairman Kristie Overson called for discussion on the motion. There being none, she called for
37 a roll-call vote. The vote was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes,
38 Barbour-yes, and Overson-yes. **All City Council members voted in favor and the motion
39 passed unanimously.**

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

2
3 7:54:15 PM Council Member Dama Barbour suggested bringing back discussion regarding the
4 power and authority of vetoes for resolutions and ordinances. City Attorney Tracy Cowdell
5 agreed to lead such a discussion.

6
7 7:56:29 PM Council Member Brad Christopherson suggested that the law is clear, but education
8 may be necessary. He recommended that further research also be done on the Vote by Mail issue.

9
10 7:58:52 PM Mr. Cowdell said the bigger questions surround the specific roles and
11 responsibilities in Taylorsville's form of government, which is different than most cities. He
12 agreed that a discussion on separation of powers can be held and someone from the Utah League
13 of Cities and Towns could be invited to present information. He said this discussion can be held
14 anytime, but bringing back scientific data on vote by mail processes may take longer than two
15 weeks.

16
17 8:04:15 PM City Administrator John Taylor agreed that this is a divisive issue, but said that
18 Administration will bring back what is needed.

19
20 8:05:09 PM Chair Overson noted that there will be no formal timeline for bringing back this
21 presentation, but acknowledgement has been made that Administration will work on it.

22
23 8:05:12 PM Chair Overson thanked Chief Wyant and law officers for handling an uncomfortable
24 situation earlier in the meeting.

25
26 8:05:50 PM Chair Overson said it was unfortunate that the *Urban Cart Dart* event has been
27 cancelled, due to lack of participation. She thanked all those previously involved in the event for
28 their hard work. Vice-Chair Burgess cited signs that are still out in the community about the
29 event. Mr. Taylor said direction has been given for those signs to come down as soon as
30 possible.

31
32 **9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)**

33
34 **9.1 Planning Commission Meeting – Tuesday, March 10, 2015 – 7:00 p.m.**

35 **9.2 City Council Briefing Session – Wednesday, March 18, 2015 – 6:00 p.m.**

36 **9.3 City Council Meeting – Wednesday, March 18, 2015 – 6:30 p.m.**

37
38 **10. CALENDAR OF UPCOMING EVENTS**

39
40 **10.1 Taylorsville Symphony Orchestra Concert – Thursday, March 5, 2015**
41 **– 7:30 p.m. – Taylorsville High School**

1 **11. CLOSED SESSION (*Conference Room 202*)**
2 *- For the Purpose(s) Described in Statute U.C.A. 52-4-205*

3
4 It was determined that a Closed Session was not needed.

5
6 **12. ADJOURNMENT**

7
8 **8:07:44 PM** Council Member Brad Christopherson **MOVED** to adjourn the City Council
9 Meeting. Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson
10 called for discussion on the motion. There being none, she called for a roll-call vote. The vote
11 was as follows: Christopherson-yes, Burgess-yes, Armstrong-yes, Barbour-yes, and Overson-
12 yes. **All City Council members voted in favor and the motion passed unanimously.** The
13 meeting was adjourned at 8:07 p.m.

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16
17 _____
18 Cheryl Peacock Cottle, City Recorder

19 Minutes approved:

20 *Minutes Prepared by: Cheryl Peacock Cottle, City Recorder*
21
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