

**City of Taylorsville**  
**CITY COUNCIL MEETING**  
*Minutes*

**Wednesday, February 16, 2011**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

---

**BRIEFING SESSION**

**Attendance:**

**Council Members:**

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

**City Staff:**

John Inch Morgan, City Administrator  
Jessica Springer, Council Coordinator  
Mark McGrath, Community Development Director  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Donald Adams, Grants Manager  
Keith Snarr, Economic Development Director  
John Taylor, City Engineer  
Del Craig, Police Chief  
Wayne Dial, Assistant Police Chief

**Excused:** Mayor Russ Wall, City Attorney John Brems, City Recorder Cheryl Peacock Cottle

**BRIEFING SESSION**

**1. Review Administrative Report**

18:00:15 Chairman Rechtenbach conducted the Briefing Session, which convened at 6:00 p.m. Deputy Recorder Jessica Springer conducted a Roll Call, wherein all Council Members were present. Chairman Rechtenbach called for questions on the Administrative Report for the Community Development Department, and there were none.

## **2. Review Agenda**

18:00:23 The agenda for the City Council Meeting was reviewed.

18:00:29 Council Member Barbour asked Mr. McGrath about the Chicken Ordinance and whether selling fresh eggs from residential chicken coops is addressed in the ordinance. Mr. McGrath answered that it is specifically not allowed under the ordinance. Council Member Barbour responded that there are several signs for eggs for sale in the City. She said she questions whether they have a license to sell those eggs, as it is in violation of the current Chicken Ordinance. Mr. McGrath stated that he will ask Code Enforcement to follow up on the issue.

18:02:15 Chairman Rechtenbach stated that the Mayor is ill and is excused from the meeting. John Inch Morgan introduced Youth Council Member Matthew Pham, who is in attendance to shadow the Mayor as his counterpart. Chairman Rechtenbach noted that all of the Youth Council counterparts in attendance will be introduced during the regular meeting.

18:04:12 Chairman Rechtenbach continued to review the agenda and asked about the Traffic School Fees. John Inch Morgan gave explanation on how fees were determined.

18:05:43 Chairman Rechtenbach asked about additional documents for the mid-year budget. Scott Harrington stated that the current proposed mid-year budget is Version 2.0. Council Member Pratt stated that he has only received Version 1.0. Mr. Harrington relayed that he sent out Version 2.0 on February 10, 2011, but indicated he would send it again.

18:08:29 Council Member Barbour asked whether adoption of the mid-year budget is being sought during tonight's meeting. Mr. Morgan answered that adopting the adjustments is up to the discretion of the Council.

18:09:12 Council Member Johnson requested that Agenda Item 7.1 be moved ahead of Item 6.2, due to the fact that it deals with budget issues that should be discussed before the mid-year budget discussion. Other Council Members concurred. Council Member Johnson agreed to make a motion regarding the adjustment during the regular meeting.

18:09:47 Council Member Catlin asked for more discussion on the domestic violence court, specifically certification. Mr. Morgan gave clarification that the drug court was decertified in January and Judge Kwan was given 90 days to present additional information. Mr. Morgan further explained that the domestic violence court was not certified as a problem solving court. Chairman Rechtenbach asked Mr. Morgan to be prepared when the time comes to discuss the drug court, its subsequent decertification, and the association with the JSS screening.

18:11:57 Council Member Johnson referenced his previous request for an explanation regarding Judge Kwan's comments stating that the Taylorsville Court is different from other municipal courts and needs 12 clerks to operate. John Morgan noted that Judge Kwan will be in attendance at the regular meeting to answer those types of questions.

18:12:42 Council Member Barbour stated that the domestic violence court needs to be talked about with regards to budget. She asked if this is possible even though it wasn't noticed on the agenda. Council Member Catlin agreed. He stated that the domestic violence court is not operating according to the guidelines of the State and, since there is no legal requirement to have the court, budgetary issues need to be addressed. Mr. Morgan clarified that as part of the budget discussion any problematic issue can be discussed even if it is not noticed on the agenda itself. Mr. Morgan relayed that John Brems will not be in attendance, as he is on vacation.

18:13:41 Chairman Rechtenbach stated that he will be adding a topic under other matters regarding re-opening discussion on Ordinance 06-32. Council Member Pratt added that he also has an item for a future meeting that he would like to discuss during Other Matters on the agenda.

### **3. Adjourn**

18:14:45 The Briefing Session was adjourned at 6:14 p.m.

---

## **REGULAR MEETING**

### **Attendance:**

#### **Council Members:**

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

#### **City Staff:**

John Inch Morgan, City Administrator  
Jessica Springer, Council Coordinator  
Mark McGrath, Community Development Director  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Donald Adams, Grants Manager  
Keith Snarr, Economic Development Director  
John Taylor, City Engineer  
Del Craig, Police Chief  
Wayne Dial, Assistant Police Chief  
Patrick Tomasino, Building Official  
Judge Marsha Thomas  
Judge Michael Kwan

**Excused:** Mayor Russ Wall, City Attorney John Brems, City Recorder Cheryl Peacock Cottle

**Citizens:** Kristie Overson, Cherri Pratt, Council Member Pratt's daughter, son in law and their children, Matthew Pham, Maria Magallanes, Monica Sanchez, Howard Wilson, Rhetta McIff, Lee Yates, Brett McIff, John Gidney, Curt Cochran, Garrett Christensen, Raili Jacquet, Dave Ballou

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

18:29:35 Chairman Jerry Rechtenbach called the meeting to order at 6:29 p.m. and welcomed those in attendance. Deputy Recorder Jessica Springer conducted a Roll Call, wherein all Council Members were present.

18:30:07 Council Member Pratt introduced his Youth Council Counterpart, Maria Magallanes, who is currently the chair of the Youth Council.

18:30:48 Council Member Pratt then recognized three of his grandchildren present and stated that they would be assisting with the Opening Ceremonies.

**1.1 Pledge of Allegiance – Opening Ceremonies  
– Council Vice-Chair Pratt**

18:30:50 Council Member Pratt, along with assistance from his 4-year old granddaughter Ally, directed the Pledge of Allegiance.

**1.2 Reverence – Council Vice-Chair Pratt (Opening Ceremonies  
For March 2, 2011 to be arranged by Youth Council)**

18:31:43 Council Member Pratt's granddaughter Kaley, 7 years old, offered the Reverence.

18:32:25 Chairman Rechtenbach introduced his Youth Council counterpart, Monica Sanchez, Vice Chair of the Youth Council and John Inch Morgan introduced the Mayor's Youth Council counterpart, Matthew Pham, Mayor of the City Youth Council.

**1.3 Citizen Comments**

18:33:10 Chairman Jerry Rechtenbach reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:35:09 There were no citizen comments, and Chairman Rechtenbach closed the citizen comment period.

**1.4 Mayor's Report**

18:35:17 No Mayor's Report was given, as Mayor Wall was excused from the meeting. John Inch Morgan explained that the Mayor was scheduled to give a State of the City report, but has requested that it be postponed. Mr. Morgan presented the Council with a summary of the 10-year strategic plan that the Mayor will be utilizing in his report. He stated that the Mayor is desirous that the Council has opportunity for review of the Strategic Plan prior to his planned report.

18:36:30 Chairman Rechtenbach stated that the State of the City address will be postponed until the next regularly scheduled council meeting on March 2, 2011.

## 2. APPOINTMENTS

### 2.1 Resolution No. 11-03 – Appointing John Inch Morgan and Jerry Rechtenbach as Members of the City’s Taxing Entity Committee with Larry Johnson as an Alternate Member – *Keith Snarr*

18:36:49 Keith Snarr detailed the subject resolution and explained that the Redevelopment Agency (RDA) of the City of Taylorsville helps to redevelop certain areas of the City through tax increment financing that is garnered through property taxes from various taxing entities, such as the City of Taylorsville, and including the school district, the county and others. He noted that the Taxing Entity Committee (TEC) provides oversight as to how these funds are administered and spent. Mr. Snarr relayed that the City of Taylorsville appoints two representatives to the TEC committee of eight that looks over the RDA budgets before any tax dollars can be allocated to redevelopment projects.

Council Member Pratt **MOVED** to approve Resolution No. 11-03. Council Member Catlin **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Catlin-yes, Barbour-yes, Rechtenbach-yes and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

18:38:51 Chairman Rechtenbach asked that Agenda Items 2.2 and 2.3 be handled simultaneously by John Inch Morgan in the Mayor’s absence.

### 2.2 Lee Yates, Chair of the Economic Development – *Mayor Wall*

### 2.3 Curt Cochran, Economic Development Committee – *Mayor Wall*

18:38:56 John Inch Morgan relayed Mayor Wall’s nomination and recommendation of Lee Yates as the Economic Development Committee Chair and noted that Curt Cochran, who is currently a member of the Budget Committee, has expressed interest in also being on the Economic Development Committee. Chairman Rechtenbach asked Mr. Yates and Mr. Cochran to stand and then asked the Council for any questions or comments. There were none.

Council Member Barbour **MOVED** to appoint Lee Yates as the Economic Development Committee Chair and Curt Cochran as a member of the Economic Development Committee. Council Member Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Catlin-yes, Barbour-yes, Rechtenbach-yes and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

### 3. REPORTS

There were no reports

### 4. CONSENT AGENDA

#### 4.1 Minutes – RCCM 2-02-10

18:40:38 Chairman Rechtenbach asked for a motion on the consent agenda.

Council Member Catlin **MOVED** to adopt the Consent Agenda consisting of the minutes from the regular city council meeting on February 2, 2011. Council Member Barbour **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-yes, Catlin-yes, Barbour-yes, Rechtenbach-yes and Johnson-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 Public Hearing – 6:30 p.m. – *To Receive Comment Regarding Increasing the Fee for Traffic School*

##### 6.1.1 Ordinance No. 11-03 Increasing the Fee for Traffic School – *John Inch Morgan*

18:41:20 John Inch Morgan gave an explanation of Ordinance 11-03 and detailed the documents that were contained in the packet. He referenced a spreadsheet outlining fees that exist in neighboring cities and relayed that Taylorsville is on the lower end at \$35 and Provo is on the high end with an outlier range from \$150 to \$225. Mr. Morgan said that, pursuant to the analysis performed, it is Administration's recommendation that Taylorsville's fee for traffic school be increased from \$35 to \$55, which is a little higher than midpoint.

18:42:19 Council Member Pratt asked about the purpose of the security fee that other cities have charged. Judge Kwan explained that the \$40 security fee that Bountiful has goes to pay for their x-ray machine and other miscellaneous fees. He cited some confusion, since some cities charge the mandated fee separately and others include it in the fine itself. He noted that a portion of

these fees goes to the court and a portion to the state. Mr. Morgan clarified that Bountiful is the only city that detailed this fee when asked for a list of their traffic court fees.

18:42:19 Council Member Johnson asked for clarification on whether the proposed increase would result in additional annual income from the traffic school. Chief of Finance Scott Harrington stated that the increase would be approximately \$31,000 on an annual basis, assuming everything else is constant.

18:46:24 Council Member Barbour inquired about Taylorsville's security fee. Judge Kwan stated that that Taylorsville's security fee is \$40 and is charged in addition to the traffic school fees. He noted that it is not applied to every offense.

18:46:55 John Inch Morgan referred to a letter from the Administrative Office of the Court, as included in the packet, regarding traffic school fees. He referenced a point made in the letter stating that the courts should not be setting the fees, but rather fee setting should be a function of the City itself. Mr. Morgan observed that it is appropriate to have the City Council set these fees by ordinance as it does all other City fees. Mr. Morgan noted that individuals from other cities often come to the Taylorsville Traffic School because of the low fee and also because they enjoy the instruction given by Taylorsville Instructor Ben Pender.

18:48:31 Council Member Pratt referenced people coming to the Taylorsville Traffic School who are not residents and inquired whether it would be appropriate to charge them a different amount. Mr. Morgan explained that the City must justify that all fees are covering costs only and are not revenue makers. He indicated that there is justification for the increase to \$55, but above that the justification may be difficult.

18:50:28 Chairman Rechtenbach opened the public hearing on this matter and called for citizen comments.

There were no comments and Chairman Rechtenbach declared the public hearing closed.

Council Member Johnson **MOVED** to adopt Ordinance No. 11-03 increasing the Fee for Traffic School from \$35 to \$55. Council Member Pratt **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-yes, Catlin-yes, Barbour-yes, Rechtenbach-yes and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

18:51:51 Council Member Pratt asked when the new traffic school fee would go into effect and whether an adjustment reflecting the increase will need to be made on the mid-year budget. John Inch Morgan said that the fee goes into effect upon signature of the ordinance, but with the

Mayor out for a few days, it will most likely go into effect the beginning of next week. Mr. Morgan agreed that the increase should be reflected in the mid-year budget.

18:53:21 Council Member Barbour **MOVED** to discuss item 7.1 ahead of item 6.2, due to it's relevance to item 6.2. Council Member Johnson **SECONDED** the motion. Chairman Rechtenbach called for a roll call vote. The vote was as follows: Pratt-yes, Catlin-yes, Barbour-yes, Rechtenbach-yes and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

7.1 *Discussion of Taylorsville Drug Court and Small Claims Court Issues*  
– *Scott Harrington*

18:54:02 Scott Harrington reviewed a spreadsheet that was compiled at the request of the Council regarding the cost of the current Drug Court Program. He explained that the spreadsheet details the cost of each court session, including expense for prosecution, defense, interpreters, bailiffs, the judge, and the court clerks (including the court clerks' prep time before and after the session). Mr. Harrington then stated that looking at the total annual cost, if the drug court is cut, these numbers would not change based on the fact that the bailiffs are figured into the costs but are actually provided for in the police department budget; the prosecutors are a fixed contract; and the same goes for the judges. He suggested that it is a question of what opportunity costs may be lost by running the drug court, including increased time on the bench that could be spent dealing with traffic and other citations instead of running the drug court. Mr. Harrington noted that interpreter costs would probably stay the same because they would be used for drug court or for an increase of cases that are able to be seen; jury trials may increase, which would increase those associated costs; and revenues could increase as more of the cases filed are disposed. Mr. Harrington referenced Judge Kwan's statement that another result may be an increase in hour-long suppression hearings if the drug court is cut. Mr. Harrington said that without the drug court the judges and staff may become a bit more efficient because they wouldn't be seeing the 40 or 50 additional people each week; these people would only be seen when they are issued an order to show cause. Mr. Harrington summarized by saying that it is difficult to quantify what doing away with the drug court would cost.

18:55:42 Council Member Catlin asked about the court clerks and if the numbers presented are reflecting time spent on docketing for activity inside the program. Mr. Harrington stated that he wasn't aware that orders to show cause are issued by the drug court, so his numbers may be on the low end. He noted that he has compiled his best estimate based on the information that was provided.

19:00:08 Council Member Barbour asked about cost cutting for interpreters. She suggested that there may be a cost savings if interpreters didn't have to come back multiple times for drug court. Mr. Harrington answered that there could potentially be a cost savings there, but it would

depend on how much interpreters were needed for the increase in other cases that are seen in place of the drug court.

19:01:26 Council Member Pratt asked for an actual number of savings that would occur without the drug court in place and whether that could be seen through less court clerks, for example. Mr. Harrington answered that the City could possibly reduce court clerks by one or two, but that the Judge would have to answer as to the case load that would increase to fill in the time they didn't have the drug court.

19:02:17 Judge Kwan was asked to respond, and he stated that he hadn't been provided the spreadsheet in advance. He stated that, in his opinion, there are a lot of assumptions being made in the document referenced. He clarified that the drug court does, in fact, issue Orders to Show Cause (OSC) to revoke probation or plea and abeyance when people violate the orders of the court. Council Member Catlin asked for clarification on who actually prepares the OSC. Judge Kwan stated that the prosecution primarily prepares the OSC, but it begins with the treatment provider or the probation supervision provider. He explained that the court clerks keep track of all of this through the docket and dockets for the drug court are prepared no differently than other court dockets.

19:05:02 Chairman Rechtenbach asked for clarification on the court clerk cost savings that are shown in the spreadsheet and whether those savings would really exist. Judge Kwan answered that a third of the savings shown for interpreters would be saved on interpreter costs over the year, but noted that this is based on assumption.

19:07:03 Council Member Barbour asked about how many people are currently in today's drug court and how the average length of participation in the program compares to other cities. Judge Kwan relayed that there are currently 125 people enrolled in the program and those in the last class were in the program for a little under 14 months. He explained that the length of time for the program in each city depends on what is considered part of the program, but Taylorsville is basically no different than other cities. Council Member Barbour stated that from the information she has gathered, West Jordan and West Valley are significantly different. Judge Kwan replied that without more information on how they came up with their numbers, he is unable to respond to the reason behind the differences referenced.

19:10:03 Council Member Catlin stated that there is no requirement for Taylorsville to have a drug court and questioned why the City doesn't go back to dealing with the violators on the basis of the violation instead of utilizing this expensive social program. Chairman Rechtenbach stated that he believes this is a discussion for the next agenda item and only the financial issues should be dealt with at this time. Council Member Catlin responded that he believes this is a cost issue because of the resources that are utilized to run the drug court. Chairman Rechtenbach

referenced Mr. Harrington's spreadsheet and the conclusion that there may be a savings in one area, but free time may increase costs in another area.

19:12:00 Council Member Johnson asked for clarification on a comment the Judge made during a previous Council Meeting discussion that Taylorsville's drug court is different than other cities. Judge Kwan answered that he believes this was in reference to the fact that Taylorsville holds a peer review process which is different from other cities that have a drug court, although currently Salt Lake City is the only nearby city that still has a drug court in place. Peer review is a process by which participants in the program have an opportunity to make recommendations to the drug court team in terms of sanctions and incentives for people who violate program rules or do well in the program. Judge Kwan also states that he believes in drug courts and that they are proven to reduce recidivism based on 28 years of research.

19:14:21 Council Member Pratt asked how the City can justify funding the drug court when it has been told the drug court is not certifiable. Chairman Rechtenbach requested that the Council hold off on that discussion and just focus on the financial impact right now.

19:15:02 Council Member Johnson asked about how many participants in the drug court are active past 18 months. Judge Kwan answered that he is not sure, but guesses not many; most that have been in over the 18 months are people who have left the program and have come back. He said there is not a cap on how long individuals can be in the program because it is open until they are successful.

19:17:22 Council Member Barbour stated that there are many drug rehab type programs throughout the valley for addictions and asked why the City needs to provide this social program when there are many community groups already doing the work, especially since most of the people in the program are not from Taylorsville and are just passing through. Chairman Rechtenbach interrupted and again stated that this is off the topic of drug court financials. He stated that he does not want the conversation to get convoluted. He asked Judge Kwan to continue discussing his opinion on the spreadsheet provided by Administration.

19:19:18 Judge Kwan relayed that there are a few other comments that he would like to make on the spreadsheet. He then detailed his opinion on the amounts that were listed and what he felt was a more accurate estimation.

19:21:21 Chairman Rechtenbach asked about transferring Taylorsville drug court cases to Salt Lake City's drug court. Judge Kwan stated that cannot be done because they do not have jurisdiction.

19:22:04 Council Member Johnson asked if it is true that there is a State Drug Court and whether Taylorsville cases can be referred to the State. Judge Kwan stated that there is a State Drug Court, but they do not have jurisdiction over Taylorsville cases.

19:23:19 Judge Kwan estimated that the City would avoid approximately \$53,000 dollars in costs if there was no Taylorsville drug court.

19:25:19 John Inch Morgan addressed the de-certification process of the Taylorsville drug court. He read an excerpt from the minutes of the January 24, 2011 Judicial Council Meeting, which is when the Taylorsville drug court issues were presented. He also read an explanation from Judge Kwan regarding the deficiencies identified.

19:30:42 Judge Kwan detailed the de-certification process for the drug court. He further described the peer review process which was listed as one of the main reasons for the de-certification.

19:35:59 Council Member Pratt commented that the certification review was done last July and yet the Taylorsville drug court has been operating since then. He also stated that Salt Lake City is certified, but there are no other cities that run a drug court. Mr. Pratt suggested that the burden of rehabilitation should go back to offenders and not to taxpayers.

19:37:31 Council Member Johnson asked about who is sent to drug court and if these are people who would normally be in jail. Judge Kwan stated that most of these people do not go to jail and, if they do, the City would lose the case and all fees associated with the case. He explained that if offenders are sentenced to jail, most of the time they will appeal to district court. He noted that if they are sentenced to jail they will more than likely be released because of issues with overcrowding. Council Member Johnson stated that there is a CATS program through the jail that the county provides.

19:40:00 Judge Kwan explained that the City is saving money by not sending people to the county jail and to the CATS program because of the amount of money it costs the county taxpayers to house an inmate and because of the length each inmate is required to be in jail to qualify for CATS, not to mention the length of the CATS program itself. He said that, by comparison, all of the costs associated with Taylorsville's Drug Court are paid for by the defendants, not by the city.

19:40:42 Council Member Pratt asked whether the defendant pays the full amount of the original fine or if the Court is more lenient to them if they comply with the Drug Court Program; and if so does that mean the City is losing money that it might have collected without the drug court option. Judge Kwan answered that he fines each violation to the maximum amount of the

law, but suspends 2/3 of that fine if they comply, leaving the other amount as motivation for compliance. He said that if defendants do not comply then the fine stays at the maximum.

19:57:18 Chairman Rechtenbach expressed his confliction on the issue because of the benefits that have come out of the Drug Court. He added that he is not convinced that the costs associated with the court justify its existence, but is also not convinced that the social costs are not greater than the financial costs. He requested that there be more study on this issue.

19:58:35 Council Member Catlin asked Mr. Morgan for Administration's opinion. Mr. Morgan stated that Administration is troubled by the recertification issues and the costs associated with running the Drug Court.

19:59:37 Chairman Rechtenbach stated that the Council would like a resolution regarding this brought back to the March 16, 2011 Meeting, so that a decision can be made including a time frame for ramping down the court if that is the decision that is made.

20:03:14 Council Member Barbour asked for refined figures by March 2, 2011 so that there is enough time to consider all issues.

20:03:46 Chairman Rechtenbach clarified that he wants to see only the cost savings for cutting the drug court, but not the costs that will be there regardless of whether the drug court is in existence. Council Member Barbour asked that Administration give an opinion and provide any suggestions on what the results and consequences would be if the drug court is shut down.

**6.2 Public Hearing – 6:30 p.m. – To Receive Comment Regarding the Mid-Year Budget Adjustments for the 2010-2011 Fiscal Year**

**6.2.1 Resolution No. 11-04 – Amending the Fiscal Year 2010-2011 for all City of Taylorsville Municipal Fund Budgets – *John Inch Morgan***

20:05:27 John Inch Morgan reviewed the mid-year budget recommendations from the Administration that the Council received during the February Work Session. He said that a large number of those recommendations are from resolutions that the Council passed regarding grants received and corresponding expenditures under those grants were. He cited other changes relating to City revenues and relayed that some revenue has come in slightly higher than what was originally projected. Mr. Morgan referenced another recommendation to move \$128,000 from the fund balance, with \$100,000 of the \$128,000 being transferred to the Capital fund where that money can be held. He noted that the Mayor is recommending that the \$100,000 be attributed to an expenditure line item for landscaping at the City Center in preparation for the Veterans Memorial. He explained that the other \$28,000 would go to expenditures in the general fund that have been previously discussed; for example, the allocation for a new police officer.

Mr. Morgan clarified that the public hearing during this meeting opens the budget and allows the City Council to solicit input from citizens on the recommended changes and to make any changes needed to the budget that was adopted in June for the fiscal year beginning July, 1, 2010 and ending June 30, 2011.

20:08:11 Council Member Johnson asked for clarification on the Veterans Memorial line item, specifically regarding the time line for completion. He expressed concern that the money is being set aside for landscaping when the completion date for the memorial is still so far off. Mr. Morgan clarified that by State law if money in the capital fund isn't used within this year it can still be carried over from one period to the next; by moving those monies over the City can bring down its fund balance so that if more revenue is received than what is currently anticipated, the maximum balance amount allowed for fund balance is not exceeded and an audit is avoided. He said that placing the monies in the capital fund will allow the funds to build so that they are available when the project is ready.

20:09:40 Scott Harrington went over the revenue from 2010 and how that affects the mid-year budget adjustments. He cited four main categories: B&C Road Funds; Combined tax, i.e. personal property, real property, and general property tax; sales tax; and franchise tax. Mr. Harrington reviewed how each of the revenue from these categories has been affected and adjusted accordingly.

Council Member Pratt requested that when December figures are released, Mr. Harrington advise the City Council.

Council Member Johnson asked about the number of city vehicles that are taken to employees' homes in the evenings. Mr. Harrington relayed that police vehicles and those of the City's Building Inspector and Public Utility Inspector are taken to homes, due to the fact that they may be called out at night. He indicated that the rest of the City's fleet stays on City property at night. Mr. Morgan added that for vehicles that travel home outside of the County, employees pay a premium back to the City.

Council Member Pratt asked about cable franchise taxes and whether they come in late. Mr. Harrington answered that they come in quarterly, but the payment for December actually did come in late so that amount will change.

Mr. Harrington then proceeded to outline the changes that were made from Version 1 of the Mid-Year Budget to Version 2. The only two changes were in the Court where \$7500 was taken out for the temporary employees; and a line item transfer from warrant services to salaries and wages. He cited the other change made at Council Member Pratt's request regarding funds that were available at the end of last year for the economic development fund.

20:20:28 Chairman Rechtenbach opened the public hearing on this matter and called for citizen comments.

20:20:50 Judge Michael Kwan asked for clarification regarding the money that was to be moved and allocated to pay for the temporary help in fines and forfeitures. Council Member Pratt responded that the Council was under the impression that the Mayor was not in support of this and so it was not included. Mr. Pratt explained that the Council didn't take action on this issue because it was felt that this matter was to be decided between the Court and Administration. He noted that request is for movement within an already allocated budget; therefore, it is an area outside the realm of the Council's responsibility. John Inch Morgan relayed that the intention is for the Mayor, Mr. Morgan and Judge Kwan to sit down and figure out the details of this issue.

20:35:19 Council Member Pratt recalled that when the decision was made to give administration of the Court to Judge Kwan, the Council was told that the Court could do more with fewer clerks. He noted that since that time, the Court hasn't reduced the number of clerks and asked for clarification on why it is now requesting additional help. Judge Kwan responded that there has been more recent efficiency in the Court, but because of the existing backlog the Court has needed to play catch up and has, therefore, been unable to reduce the amount of clerks.

20:42:47 Council Member Catlin reviewed some statistics that he found on court clerks from other cities.

20:49:39 Chairman Rechtenbach polled the City Council and the decision was to ask the Mayor to forward a letter stating his opinion regarding the request for additional/temporary court clerks. Mr. Morgan was directed to have the Mayor respond by tomorrow, February 16, 2011.

20:53:03 Judge Kwan inquired about the worst case scenario if the Court budget is overspent in the salary and wages line item regardless of the Judge's anticipation that it will not be. Chairman Rechtenbach expressed concern over this comment because his decision on this issue is based on the Judge's insistence that the Court's budget would be under spent and the Court would be able to pay for these allocations without adversely affecting the budget.

20:54:49 No more citizen comments were made and Chairman Rechtenbach declared the public hearing closed.

20:55:13 Chairman Rechtenbach asked for any further discussion before a motion is made.

20:55:34 Council Member Pratt reviewed multiple areas on the most recent version of the Mid-Year Budget where there are inconsistencies between recognized revenue and expenditures. John Inch Morgan and Scott Harrington responded to each area with either an explanation of the inconsistency or with assurances that it would be fixed.

21:39:00 Chairman Rechtenbach expressed his appreciation for the work that Council Member Pratt put into the budget.

21:39:56 Council Member Pratt **MOVED** to postpone Resolution No. 11-04 to the second Regular Council Meeting in March, with inclusion of the changes that have been suggested. Council Member Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Pratt-yes, Catlin-yes, Barbour-yes, Rechtenbach-yes and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

## 7. OTHER MATTERS

21:41:45 Chairman Rechtenbach stated that, due to the late hour, he will postpone his other issue to a future meeting. Council Member Pratt stated that he will do the same.

## 8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

There were no new items for subsequent consideration.

## 9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

21:42:39

- 9.1 City Council Briefing Session – Wednesday, March 2, 2011 – 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, March 2, 2011 – 6:30 p.m.
- 9.3 City Council Work Session – Wednesday, March 9, 2011 – 6:00 p.m.
- 9.4 City Council Briefing Session – Wednesday, March 16, 2011 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, March 16, 2011 – 6:30 p.m.

## 10. CALENDAR OF UPCOMING EVENTS

21:42:59

- 10.1 **Annual Taylorsville Art Show – Friday, February 25, 2011, Noon to 8:00 p.m. and Saturday, February 26, 2011, 10:00 a.m. to 2:00 p.m. Hosted by the Taylorsville Arts Council. Entries can be submitted Tuesday and Wednesday, February 22<sup>nd</sup> and 23<sup>rd</sup> from 3:00 p.m. to 8:00 p.m. Contact Joan White at 801-265-8478 for more information.**
- 10.2 **Taylorsville Symphony and SLCC Orchestra Concert – Friday, February 25, 2011 – 7:30 p.m. – Eisenhower Junior High Auditorium. Donations are appreciated.**
- 10.3 **Taylorsville Urban Iditarod – Saturday, March 5, 2011 - 10:00 a.m. – It's a sled dog race without the dogs and without the sled. The race is sponsored by Taylorsville's LARP (Leisure Activities, Recreation and Parks) and Healthy Taylorsville committees. Participants must be 18 or over and will have two and a half hours to complete the race. Each team will complete five challenges located throughout Taylorsville, in no particular order. The entry fee is \$40 per team, with all proceeds to be donated to the YMCA Community Family Center. The link is:**

**<http://taylorsvilleurbaniditarod.blogspot.com>**. Call Rhetta McIff at 801-915-9519,  
or email **[HealthyTaylorsville@gmail.com](mailto:HealthyTaylorsville@gmail.com)**.

**11. ADJOURNMENT**

21:44:57

Council Member Pratt **MOVED** to adjourn the City Council Meeting. Council Member Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a vote. The vote was as follows: Johnson-yes, Catlin-yes, Barbour-yes, Pratt-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:45 p.m.



Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 03-16-11

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