

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, January 20, 2010
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

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

City Staff:

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

BRIEFING SESSION

1. Review Administrative Report

18:06:08 Chairman Bud Catlin conducted the Briefing Session, which convened at 6:06 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. Chairman Catlin called for questions on the Administrative Report for Community Development Department, and there were none.

2. Review Agenda

18:06:53 The agenda for the City Council Meeting was reviewed. Council Member Pratt noted that he will have another matter for discussion under Item 7 of the Regular Meeting.

3. Adjourn

The Briefing Session was adjourned at 8:09 p.m.

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

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

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Del Craig, Chief of Police
Cheryl Peacock Cottle, City Recorder
Jessica Springer, Council Coordinator
John Taylor, City Engineer
Scott Harrington, Chief of Finance
Keith Snarr, Economic Development Director
Donald Adams, Grants Manager
Jamie Brooks, Court Administrator
Marsha Thomas, Judge
Penny Knight, Business License Clerk
Patrick Tomasino, Building Official

Citizens: Raili Jacquet, Brett McIff, Jay Ziolkowski, John Gidney, Donna Jackson

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:30:54 Chairman Bud Catlin called the meeting to order at 6:30 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

1.1 Pledge of Allegiance – Opening Ceremonies – Councilman Rechtenbach

18:31:43 Council Member Johnson directed the Pledge of Allegiance.

1.2 Reverence – Councilman Rechtenbach (Opening Ceremonies For February 3, 2010 to be arranged by Council Member Rechtenbach)

18:32:51 Council Member Rechtenbach offered the Reverence.

1.3 Citizen Comments

18:34:36 Chairman Bud Catlin reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:35:30 There were no citizen comments, and Chairman Catlin closed the citizen comment period.

1.4 Mayor's Report

Mayor Russ Wall presented his 2010 State of the City Report (a copy of 2009 Accomplishments for the City of Taylorsville is attached and incorporated therein).

Mayor Wall cited the upcoming Strategic Planning Meeting that the City will host on January 27, 2010.

2. APPOINTMENTS

2.1 Resolution No. 10-02 – Authorization of the Appointment of Mayor Russ Wall to Serve on the Board of the Utah Local Governments Trust – John Inch Morgan

18:53:27 City Administrator John Inch Morgan stated that Mayor Russ Wall has been nominated to serve on the Board of the Utah Local Governments Trust. Mayor Wall clarified that the term for the appointment will expire in February, 2011.

18:54:10 Council Member Morris Pratt **MOVED** to approve Resolution No. 10-02 – Authorization of the Appointment of Mayor Russ Wall to Serve on the Board of the Utah Local Governments Trust. Council Member Dama Barbour **SECONDED** the motion. Chairman Catlin called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

**2.2 Resolution No. 10-03 – Appointing Council Member Larry Johnson to Serve on the Association of Municipal Councils; Council Member Dama Barbour to Serve on the ChamberWest Board; and Council Member Jerry Rechtenbach to Serve as a Member of the Administrative Control Board for the Sanitation District (Salt Lake County Special District No. 1)
– *Mayor Wall***

Mayor Wall nominated Council Member Larry Johnson to serve on the Association of Municipal Councils, Council Member Dama Barbour to serve as a member of the ChamberWest Board, and Council Member Jerry Rechtenbach to serve as a member of the Administration Control Board for the Sanitation District.

18:57:11 Council Member Morris Pratt **MOVED** to approve Resolution No. 10-03 – Appointing Council Member Larry Johnson to Serve on the Association of Municipal Councils; Council Member Dama Barbour to Serve on the ChamberWest Board; and Council Member Jerry Rechtenbach to Serve as a Member of the Administrative Control Board for the Sanitation District. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Catlin called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

3. REPORTS

**3.1 Healthy Community Award Application
– *Brett McIff, Vice Chair, Healthy Taylorsville Committee***

19:02:03 Brett McIff, Vice Chair of the Healthy Taylorsville Committee, presented information on the Healthy Taylorsville Committee and the *Healthy Community Award Application*.

3.2 Justice Court – *Jamie Brooks*

19:11:36 Court Administrator Jamie Brooks referenced six primary goals to improve justice court performance, as previously identified on December 9, 2009. She said that debt collection is of foremost importance.

Ms. Brooks reviewed a work plan for collecting the backlog of debts on court cases. She discussed priorities for cases that will be pursued in debt collection

19:14:59 Ms. Brooks addressed questions from the Council regarding the time frame for collection on warrants. The distinction between judgments and bench warrants was given.

19:19:51 Ms. Brooks clarified that the first focus for collection will be on new cases.

19:20:27 Council Members cited their concerns regarding the amount of money owed to the municipal court. Discussion was held regarding the history of the court's debt collection.

19:25:43 City Administrator John Inch Morgan described past efforts made to collect outstanding accounts receivable in the court.

19:29:35 Mayor Wall noted several issues and mitigating circumstances that have contributed to the deficiencies in court debt collection, i.e. a recent change in software to a state mandated program.

19:32:00 The effectiveness of the recent court study was cited.

19:38:15 Council Member Rechtenbach cited the need to acknowledge that there has been a problem in the past and to now move forward by identifying ways to improve debt collection in the court.

19:41:30 Council Member Catlin discussed the need to implement penalties. Ms. Brooks indicated that focus will be divided between collecting on new cases and older cases.

19:40:57 Council Member Catlin inquired about receiving a written opinion from City Attorney John Brems regarding court issues. Mr. Brems agreed to forward such opinion this evening.

4. CONSENT AGENDA

4.1 Minutes – RCCM 12-16-09 & RCCM 01-06-10

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

5. PLANNING MATTERS

5.1 ***Ordinance No. 10-01 – Amending Title 5 of the Taylorsville City Code, Adding New Definitions, Amending the License Fee Schedule, and Adopting a Good Landlord Program – John Brems and Mark McGrath***

19:42:14 Community Development Director Mark McGrath called for questions regarding the subject ordinance.

19:43:02 Council Member Pratt reviewed his concerns regarding property management-type companies. He suggested that the ordinance be amended to state that the homeowner or designated agent be responsible, or be allowed, to participate in the Good Landlord Program. Mr. Brems and Mr. McGrath cited references already contained in the ordinance that address agents of the owners.

19:45:12 Council Member Pratt described efforts he has made to receive specific information regarding classes for the Good Landlord Program. He inquired about the potential for a refresher course. Mr. McGrath said that the proposed ordinance requires that the full course be taken every two years. It was agreed that this issue could be given more consideration in the future.

19:48:17 Council Member Pratt asked about fees for large apartment complexes, and Mr. McGrath gave clarification. Council Member Pratt inquired regarding enforceability of ordinances.

19:51:07 Council Member Pratt asked for clarification on properties that are rented out without the owner collecting rent. Mr. McGrath read the definition of a rental dwelling unit and discussion ensued. City Attorney John Brems suggested including the verbiage “with or without consideration.”

19:57:26 Mr. McGrath clarified that a house that is included in a trust is considered owner occupied.

19:57:47 Council Member Pratt inquired about the availability of classes and suggested making the effective date the day that the ordinance is adopted.

19:58:57 Mr. McGrath reviewed coordination efforts between departments that will be necessary to administer the ordinance.

19:59:26 Mr. Morgan gave clarification on city inspections and noted that self evaluation will be conducted on single family rentals unless a complaint is received.

20:00:38 Council Member Dama Barbour **MOVED** to adopt Ordinance No. 10-01 – Amending Title 5 of the Taylorsville City Code, Adding New Definitions, Amending the License Fee Schedule, and Adopting a Good Landlord Program. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Catlin called for discussion on the motion. Council Member Pratt asked that the changes discussed earlier be included in the motion to approve the ordinance. It was clarified that changes will be made regarding reference to an “authorized agent” and that the effective date will be amended on the business license fee schedule. Mr. McGrath gave clarification on potential participation in the program and said that 80% participation has been predicted. There being no further discussion, Chairman Catlin called for a roll call vote. The vote was as follows: Rechtenbach-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

6. FINANCIAL MATTERS

6.1 Public Hearing – 6:30 p.m. – To Receive Comment Regarding the Mid-Year Budget Adjustments for the 2009-2010 Fiscal Year

20:03:40 City Administrator John Inch Morgan described this year’s budget process and the history of sales tax revenue. He noted that budget workshops will be held in the next few months as the budget evolves.

20:07:22 Mr. Morgan gave explanation on projected revenue, specifically \$380,000 received in grants.

20:08:26 Chairman Bud Catlin opened the public hearing on this matter and called for citizen comments on the proposed mid-year budget adjustments.

20:08:49 There were no citizen comments, and Chairman Catlin declared the public hearing closed.

20:09:02 Mr. Morgan suggested that public comment be accepted during future budget discussions.

20:10:55 The Council agreed to accept public comment at regular Council Meetings during budget discussions and also accept comments from members of the Budget Committee during Work Session meetings.

20:12:12 The timeframe for adopting the mid-year budget was reviewed by Mr. Morgan. He invited the Council to submit any questions or comments to him at any time.

6.1.1 Ordinance No. 10-02 – Amending the Fiscal Year 2009-2010 General Fund, Capital Improvement Fund, Cemetery Fund, CDBG Fund, and Storm Drain Fund Budgets – *John Inch Morgan*

20:13:19 Council Member Morris Pratt **MOVED** to table Ordinance No. 10-02 – Amending the Fiscal Year 2009-2010 General Fund, Capital Improvement Fund, Cemetery Fund, CDBG Fund, and Storm Drain Fund Budgets until a future date. Council Member Larry Johnson **SECONDED** the motion. Chairman Catlin called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

20:14:23 Court Administrator Jamie Brooks addressed Council Member Rechtenbach's questions regarding Court expenditures and the potential to recover some court costs. Ms. Brooks gave clarifications on varying court surcharges.

20:16:39 Council Member Johnson asked about utilizing employees who are bilingual in the Court. Ms. Brooks gave clarification on the need to use certified translators within the court and noted that bilingual employees are used in the Court office.

20:18:17 Mr. Morgan addressed Council Member Pratt's concerns regarding the overall cost of the court. Discussion was held regarding court surcharges and caseload versus expenses in the court.

20:22:46 Mayor Wall cited costs related to the number of appearances before the judge through drug court and through the domestic violence court.

20:26:54 City Administrator John Inch Morgan stated that he will forward City Council Members a copy of questions that were given to the City Attorney.

20:28:19 Ms. Brooks cited differences in the way drug courts are handled in other municipalities and cited judicial discretion allowed in the number of court reviews with offenders.

20:31:41 Mr. Brems gave clarification on retention requirements for the municipal judges. Time sensitivity issues were discussed. Discussion was held regarding the potential of closing the Taylorsville court.

20:34:15 Mayor Wall reported on discussions that have been held with the two municipal judges. He cited pending legislation that would make it easier for the City to withdraw from the court system.

20:37:13 Council Member Barbour cited the importance of resolving the problems within the court in the next few weeks.

20:39:44 Council Member Rechtenbach suggested asking Judge Kwan to make a presentation on how the court plans to cut costs.

20:40:20 Mayor Wall cited the potential of the drug court being decertified. He discussed the window of opportunity the City has to resolve some of the issues in the court or to make the decision to close the Taylorsville court.

20:43:10 It was determined to schedule discussion regarding the Court with the judges during the February Work Session.

20:46:32 Mr. Morgan gave explanation on costs involved in maintaining the City's network and website.

20:48:16 Council Member Pratt inquired about the Taylorsville Dayzz budget and Mayor Wall and Mr. Morgan gave explanation regarding the reconciliation of funds over a two year period.

20:49:59 Finance Director Scott Harrington gave additional clarification on the carryover of funds from last year for Taylorsville Dayzz.

20:51:01 Mr. Morgan explained that a float was not done for Taylorsville Dayzz last year, but that funds were used to purchase a new chassi for future floats instead.

20:53:19 Chairman Catlin voiced concerns about the Taylorsville Dayzz budget.

20:51:51 Mr. Morgan and Mayor Wall gave further clarification on the Taylorsville Dayzz budget.

20:55:44 Council Member Johnson inquired about the cost for fireworks at Taylorsville Dayzz.

20:56:55 Council Member Barbour voiced her support of Taylorsville Dayzz and stressed the importance of celebrating the City.

20:57:47 Mr. Morgan agreed to examine sales tax trends during Taylorsville Dayzz. He cited revenue raised by the Taylorsville Dayzz Committee.

20:59:35 Mr. Morgan cited fines that are being assessed to help abate nuisances.

21:00:48 Council Member Pratt inquired about allocations for studies and lobbyists. Mr. Morgan agreed to identify how funds are used in a future meeting. Mayor Wall gave explanation on year-to-year contracts that the City holds with State and Federal lobbyists.

21:04:10 The City's contracts with lobbyists were discussed.

21:04:49 Council Member Rechtenbach asked for clarification on insurance proceeds on cars and Mr. Morgan gave explanation regarding vehicle repairs and replacement.

21:05:33 Council Member Pratt inquired about the City's hiring freeze and Mayor Wall gave explanation on the hiring of Grants Manager Donald Adams.

21:06:42 Mayor Wall discussed the meaning of a hiring freeze.

21:07:05 Mr. Morgan reviewed reductions and increases in salaries and wages. It was noted that the Police Department has one officer on long term disability and one other vacancy. Council Member Pratt expressed opinion that public safety vacancies should be filled.

21:10:31 Chief Del Craig gave explanation on budget cuts and vacancies in the police department. He noted that long-term disability is not being paid by the City.

21:13:19 Mr. Morgan referenced the City's goal to reduce departmental budgets by 5%.

21:13:52 Council Member Johnson expressed concern about undercutting public safety.

21:15:18 Chief Craig said that ideally he would like to have more officers, but cited the current tough economic situation.

21:16:11 Chairman Catlin asked Mr. Morgan to analyze the impact to the budget if the two vacant police officer positions are filled.

21:16:58 Chief Craig addressed questions regarding ideal police coverage on the street.

21:18:45 Chief Craig stated that the department's current allocation is 55 positions and the ideal would be 65 officers. It was determined that further discussion regarding this issue will be held in the upcoming Strategic Planning Meeting.

21:20:35 Chief Craig expressed his belief that the Good Landlord Program will ultimately have a positive impact on the Police Department. He cited the need to be able to do proactive police work.

21:21:36 Mayor Wall said that other municipalities who are implementing Good Landlord Programs are reporting a significant reduction in crime.

21:23:00 Mr. Morgan reviewed wages and salaries in the City and noted that one vacant position in the court will not be filled. He recommended eliminating that particular allocation.

21:24:14 Mr. Morgan gave explanation on compensation for the Mayor's Executive Assistant and the Grants Manager position.

21:26:47 It was noted that the Community Development wage increase is to facilitate the added workload relating to additional business licenses.

21:27:34 Council Member Pratt asked for clarification on additional staff allocated within the Building Department when functions are down.

21:29:26 Mr. Morgan cited major projects in the community that require inspections. He noted that land use fees and review fees are up and the Building Department workload remains steady.

21:31:05 Mr. Morgan described duties of the Public Works Inspector and reviewed the inspection process.

21:35:48 Council Member Johnson expressed concerns with understaffing in the police dept and cited wage increases that were given to some employees during 2007-2008. He said that those increases should be reviewed and given further consideration.

21:38:07 Mr. Morgan gave explanation on the fund balance and the public safety budget.

21:40:50 Mayor Wall gave further explanation on City Committee budgets.

6.2 Discussion Regarding Grants Applied for and Grants Received, in Particular the Energy Efficiency and Conservation Block Grant (EECDBG)
– Donald Adams

21:51:18 Grants Manager Donald Adams gave a status update on the City's grant application process. He noted that grants are more important than ever given the current tough economic climate.

21:41:50 Mr. Adams stated that just over \$500,000 was awarded to the City from the Energy Efficiency Grant in late November. He referenced expenditures that are targeted through this grant.

21:42:51 Mr. Adams referenced historic grants that have been received and will be targeted particularly at the Macleod House as part of the 6200 South Road Widening Project.

21:43:16 Mr. Adams relayed that the City is still pursuing a \$6.4 million grant from FEMA for fire station construction in order to rehabilitate Fire Station 117 and possibly add a third station within the City.

21:44:11 Discussion was held regarding a third fire station in the City. UFA Battalion Chief Jay Ziolkowski gave clarification on a potential increase in costs to the City for fire services.

21:45:57 Council Member Rechtenbach stated his opinion that a third fire station in the City may not be necessary and is not affordable.

21:46:41 Mr. Adams stated that the primary reason for the application was for the rehabilitation of Station 117, at a cost of just over \$3 million. He said that the City has the option to accept the grant in its entirety or in a partial amount.

21:48:31 Chief Ziolkowski gave his opinion that Taylorsville is in need of a third station. He said that Taylorsville's two current stations are running the highest call volume within the UFA.

21:49:29 Mr. Adams cited potential grants for park construction and highway transportation, along with Safe Kids grants, EPA grants, a grant for the fishing pond at Millrace Park, a grant for an emergency operations center, a grant for Phase II of the storm drain, a grant for fleet fuel conversion, and police technology grants.

21:50:26 Mr. Adams gave further information regarding a potential emergency operations center and said that there is no intention to add any additional staffing in relation to such a center.

7. OTHER MATTERS

7.1 Discussion Regarding City Council Appointments to the Taxing Entity Committee for the Redevelopment Agency – Keith Snarr

21:54:02 Economic Development Director Keith Snarr relayed that new designees must be appointed to the Taxing Entity Committee for the Redevelopment Agency to replace outgoing officials Lynn Handy and Les Matsumura.

21:53:32 Mr. Snarr explained that the primary function of the committee is to review the forthcoming RDA budgets.

21:53:50 It was determined that Council Member Morris Pratt and City Administrator John Inch Morgan should be appointed to the TEC Committee and Council Chair Bud Catlin will serve as alternate.

21:54:36 Mr. Snarr indicated that the appointments will be made by resolution at a future meeting.

7.2 Open Meeting Training – John Brems

21:54:45 City Administrator John Inch Morgan suggested that the Open Meeting training be tabled until the next regular City Council Meeting and that it be conducted in conjunction with training provided by David Church.

21:55:26 Council Member Barbour **MOVED** to table the open meeting training until February 3, 2010. Council Member Morris Pratt **SECONDED** the motion. Chairman Catlin called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.**

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

21:55:56 City Attorney John Brems agreed to distribute hard copies of his written comments immediately following the meeting.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

- 9.1 City Council Briefing Session – Wednesday, February 3, 2010 – 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, February 3, 2010 – 6:30 p.m.
- 9.3 City Council Work Session – Wednesday, February 10, 2010 – 6:00 p.m.
- 9.4 City Council Briefing Session – Wednesday, February 17, 2010 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, February 17, 2010 – 6:30 p.m.

10. CALENDAR OF UPCOMING EVENTS

21:56:49

- 10.1 **Crime Prevention Night - Thursday, January 21, 2010 – 7:00 p.m. – Taylorsville City Council Chambers – Sponsored by Taylorsville Public Safety Committee. Contact Donna Pittman at 801-968-6640 for information.**
- 10.2 **Town Meeting – Friday, January 22, 2010 – 6:30 p.m. – City Council Chambers – Hosted by State Representative Wayne Harper. Come prepared with questions or comments.**

- 10.3 **2010 Strategic Planning Meeting – Wednesday, January 27, 2010 – 6:30 p.m. – City Council Chambers – Department Director’s and essential service providers will be in attendance to answer questions and to share existing plans, successes and challenges from their experiences over the past 14 years. Please RSVP to 801-963-5400**
- 10.4 **Town Meeting – Tuesday, February 2, 2010 – 6:30 p.m. - City Council Chambers – Hosted by State Representative Jim Dunnigan. Come prepared with questions or comments.**
- 10.5 **Art Show – Friday, February 26, 2010 (2:00-8:00 p.m.) & Saturday, February 27, 2010 (12:00 noon – 4:00 p.m.) – Taylorsville City Council Chambers – Sponsored by Taylorsville Arts Council. Entries accepted Wednesday, February 24, 2010 (4:00-8:00 p.m.), and Thursday, February 25, 2010 (10:00 a.m.-4:00 p.m.) at main floor reception desk. Awards Show on Saturday, February 27, 2010 at 4:00 p.m. Contact Joan White at 801-265-8478 for information.**

11. ADJOURNMENT

21:59:28

Council Member Pratt **MOVED** to adjourn the City Council Meeting. Council Member Catlin **SECONDED** the motion. Chairman Catlin called for discussion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Johnson-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:59 p.m.



Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 02-03-10

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder