

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

**Wednesday, June 21, 2010**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84118**

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**6:00 P.M. -- SPECIAL CITY COUNCIL MEETING**

**Attendance:**

Mayor Russ Wall

**Council Members:**

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

**City Staff:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Marsha Thomas, Judge  
Del Craig, Chief of Police  
Cheryl Peacock Cottle, City Recorder  
Jessica Springer, Council Coordinator  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Gerry Orr, Senior Accountant  
Patrick Tomasino, Building Official  
Shell Summers, Court Clerk  
Jean Ashby, Administrative Assistant  
Kathy Lemay, Inspection Coordinator  
Tess Faulkner, Clerk of the Court

**Citizens:** Gordon Wolf, Todd Sutton, Aimee Newton, Darwin Cottle, Keith Sorensen, Matthew Neff

Chairman Morris Pratt called the meeting to order at 6:10 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

1. **Ordinance No. 10-18 – Changing the Hours of Court Operation**  
**– John Inch Morgan**

City Administrator John Inch Morgan presented the subject ordinance regarding a change to the hours of operation in the Taylorsville Municipal Court.

Chairman Pratt confirmed that the new court hours will be Monday through Friday from 8:00 a.m. to 5:00 p.m. He noted that the amended hours will help meet budgetary concerns.

Council Member Larry Johnson **MOVED** to adopt Ordinance No. 10-18 – Changing the Hours of Court Operations. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Johnson-yes, Catlin-yes, Barbour-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.**

2. **Discussion Regarding the July Meeting Schedule and the Taylorsville Dayzz Booth**  
**– Chairman Pratt**

Chairman Pratt called for discussion regarding the Council meeting schedule during the month of July.

18:13:39 Council Member Catlin suggested using the regular meeting schedule in July, with regular meetings on July 7<sup>th</sup> and July 21<sup>st</sup>, and a Work Session on July 14<sup>th</sup>. 18:14:29 It was the consensus of the Council to maintain the regular meeting schedule during July.

18:14:44 Discussion was held concerning the City Taylorsville Dayzz Booth. Chairman Pratt distributed signup sheets to Council Members for selection of shifts.

Council Coordinator Jessica Springer relayed plans for Council participation in the Taylorsville Dayzz Parade. She stated that Ken Garff will be providing vehicles for Council use. Ms. Springer agreed to provide final details regarding the parade and the booth to Council Members through e-mail by June 22, 2010. It was noted that Council Members need to be at the parade lineup by 8:30 a.m.

18:16:29 It was confirmed that parade vehicles should accommodate several individuals if family members wish to ride along. Chairman Pratt stated that parking passes will be issued to Council Members.

**3. Resolution No. 10-21 – Adopting a Budget for All City of Taylorsville Municipal Funds for the Fiscal Year Beginning July 1, 2010 and Ending June 30, 2011; Making Appropriations for the Support of the City of Taylorsville for the Same Fiscal Year Period; and Determining the Rate of Tax and Levying Taxes Upon All Real and Personal Property within the City of Taylorsville – *John Inch Morgan***

18:17:13 Chairman Pratt noted that the Council took a break from budget discussions last week, but has committed to continue discussion at this meeting. He cited recent communication whereby the Administration and City Council have agreed to work together to resolve previous issues. Chairman Pratt noted that the budget must be passed in some form tonight in order to meet the statutory deadline. Chairman Pratt stated that if the budget is adopted and salaries and wages are set in compliance with the ordinance, the Council and Administration would commit to work together to resolve concerns. He indicated that in order to avoid reopening the budget, an amount reflecting the difference in salaries/wages would be added in the budget as a separate line item in order to allow for future appropriation.

18:19:37 Chairman Pratt noted that previous budget discussions did not address the capital fund, cemetery fund, or storm drain fund. He called for any questions or items for review in these areas.

18:19:56 City Administrator John Inch Morgan explained that the cemetery fund and storm drain fund are enterprise funds, which are self-containing. He noted that the revenue from such funds cannot be used for any purpose other than those set.

18:20:13 Chairman Pratt noted that the capital fund includes previously discussed expenditures that will be continued and that it also reflects priority projects for the upcoming year.

18:21:23 Council Member Barbour called for clarification regarding the salaries/wages reflected in the budget. Chairman Pratt explained that a budget line will be created specifically to hold the dollars that are moved from salaries so that those funds are included in the budget and the budget does not have to be reopened.

18:21:52 Mr. Morgan asked Chief of Finance Scott Harrington to send information to Council Members that details exact dollar amounts for the affected salaries.

18:22:03 Chairman Pratt said that the Council will work with Administration to resolve any questions and address salaries in the next regular Council Meeting. He indicated that once issues are resolved, an ordinance will be adopted to update current ordinances and re-appropriate money to the related lines.

18:22:57 Council Member Barbour asked if it is the intent of the Council to go through and set each salary. Chairman Pratt said it is his understanding that Administration would present justification for amending salaries and that the goal would be to reinstate salaries.

18:23:44 Council Member Rechtenbach clarified that the proposal is to pass the budget by rolling salaries back to levels they were at two years ago and then work on an amendment to restore them back to the current rate. Chairman Pratt agreed that this is the ultimate goal, but clarified that the intent is to roll salary ranges back to the 2006 and 2007 ordinances.

18:31:38 Council Member Rechtenbach asked for further clarification and Chairman Pratt affirmed that the adjustments would be to any salaries outside the existing ordinance.

18:26:13 Council Member Rechtenbach noted that the ordinance does need to be amended, but said he considers the temporary rolling back of salaries to be counter productive.

18:33:24 Council Member Catlin said that his understanding of the proposal is somewhat different. He stated that he understood salaries would be rolled back to be in compliance with the ordinance and that Administration will then make a presentation of justification for each individual job specification. He said determination would be made at that time on whether the Council agrees with recommendations. Council Member Catlin speculated that all of the salaries may be rolled back or only half of the salaries could be rolled back to previous levels, etc. at the end of the justification period. He said the ordinance would then be modified to accommodate agreements on salaries and classifications.

18:28:20 Council Member Catlin clarified that each position that is currently outside the ordinance will be examined, and not individuals or personalities.

18:28:47 Mayor Wall noted that the Council believes some positions are outside the ordinance, but said the Administration has not yet come to that determination. He indicated that Administration has agreed to sit down with the Council and discuss a potential ordinance, starting tomorrow. He suggested that any discussions regarding individuals or professional competencies should be conducted in a Closed Session.

18:29:03 Chairman Pratt agreed that this is the goal, but said he is being open. He noted that in Ordinances 06-32 and 07-21 there are still some positions that do not have a pay grade assigned, so those must be added. Mayor Wall said that Administration is working on that aspect.

18:31:05 Chairman Pratt called for any differing proposals or discussion regarding the budget.

18:31:23 Council Member Rechtenbach stated that he does not agree with Mr. Pratt and Mr. Catlin's positions. He noted that the Council does have a prerogative to re-evaluate

compensation ranges in the existing ordinance and the ordinance does need to be updated once the budget is in place. He said that he sees no reason, however, for rolling salaries back temporarily and penalizing employees. Council Member Rechtenbach noted that it is not the job of the Council to conduct performance evaluations and implement wage adjustments, but rather that is the responsibility of Administration. He reiterated that rolling salaries back is counter-productive.

18:33:22 Council Member Catlin suggested that if salaries are rolled back and then a salary is restored for an individual position, a resolution could be written to make that restoration retroactive to July 1, 2010. He said that if justification was made for the salary, there would likely be no penalty or cost to employees.

18:34:38 Council Member Rechtenbach noted that Council Members disagree on certain issues and a pay period may be missed. He suggested avoiding the possibility of delay. He recommended that if the motion carries to set salaries back, a Special City Council Meeting be scheduled as soon as possible to amend the ordinance and address affected salaries.

18:35:09 Council Member Barbour said the Council has a responsibility to resolve issues as painlessly as possible for employees, Administration, City Council Members, and especially Taylorsville citizens. She stated that she agrees with Council Member Rechtenbach that the problem needs to be addressed, although there is disagreement on the exact nature of the problem. She suggested that the budget be passed and the process be conducted painlessly.

18:35:57 Council Member Pratt observed that similar conclusions on these issues were reached in last week's meeting. He cited Council Member Catlin's previous concern when the Mayor indicated he would implement a line item veto on the budget. Mr. Pratt relayed that subsequent research has shown that a veto will result in no one getting paid, which would not be good for the City. He said the Council has brought forth a good-faith plan with full intention to do what is right by everybody. He noted that the amendment would need to be made by ordinance, rather than resolution. He said that the desire is to make salary restorations effective July 1, 2010 so that no pay is affected.

18:37:37 Council Member Larry Johnson agreed that ordinances have been violated, but noted that it would be fair for the Council to address the Administration's proposals speedily.

18:37:57 Council Member Bud Catlin **MOVED** to adopt Resolution No. 10-21 – Adopting a Budget for All City of Taylorsville Municipal Funds for the Fiscal Year Beginning July 1, 2010 and Ending June 30, 2011; Making Appropriations for the Support of the City of Taylorsville for the Same Fiscal Year Period; and Determining the Rate of Tax and Levying Taxes Upon All Real and Personal Property within the City of Taylorsville, under the terms of the compromise agreement with Administration, by restoring salaries to be in compliance with the ordinances

involved; that the monies representing the difference in salaries that are suspected in being in non-compliance be placed in a reserve line item to be utilized for compensation adjustments; that for those positions that are agreed to be changed to a higher grade or adjustment after the negotiation period, the effective date of such adjustments be made retroactive to July 1, 2010; and that the ordinance be modified accordingly. Council Member Larry Johnson **SECONDED** the motion. Chairman Pratt called for discussion on the motion. Clarification was made by Council Member Catlin on his motion. There being no further discussion, Chairman Pratt called for a roll call vote. The vote was as follows: Rechtenbach-no, Johnson-yes, Catlin-yes, Barbour-no, and Pratt-yes. The motion carried with a 3 to 2 vote.

18:40:39 Mayor Wall noted that Administration already has a draft ordinance prepared for the City Attorney's review and will send it out to the entire Council as soon as possible.

18:41:23 Chairman Pratt stated that if negotiations are completed quickly, a Special City Council Meeting could be scheduled. He said that the goal should be to find a resolution as soon as possible.

18:42:08 Mayor Wall suggested that a meeting should take place this week. He said that employees are innocent in this matter and are very concerned for their future.

18:42:31 Chairman Pratt expressed appreciation to employees and apologized if he has personally insulted anyone. He expressed his desire to do his job to the best of his ability.

18:42:57 Council Member Rechtenbach commented that he and Chairman Pratt don't always agree, but said he respects the fact that Mr. Pratt wants to do what's right for everybody. Mr. Rechtenbach said that he desires now to work toward getting the City where it needs to be. He expressed appreciation for everyone's time and effort on these matters.

#### **4. Other Matters**

18:41:16 There were no other matters for discussion.

#### **5. ADJOURNMENT**

18:43:06 Council Member Jerry Rechtenbach **MOVED** to adjourn the Special City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt 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 6:43 p.m.

A handwritten signature in cursive script that reads "Cheryl Peacock Cottle". The signature is written in black ink and is positioned above a horizontal line.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 07-07-10

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