

City of Taylorsville
SPECIAL CITY COUNCIL MEETING
Minutes

Wednesday, June 8, 2011
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118
6:00 p.m.

Attendance:

Mayor Russ Wall

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
John Brems, City Attorney
Cheryl Peacock Cottle, City Recorder
Jessica Springer, Council Coordinator
Mark McGrath, Community Development Director
Scott Harrington, Chief of Finance
Del Craig, Chief of Police
Donald Adams, Grants Manager
Marsha Thomas, Judge
Patrick Tomasino, Building Official
Lisa Schwartz, Emergency Response Coordinator
Wayne Dial, Assistant Police Chief
Keith Snarr, Economic Development Director
Michael Kwan, Judge
Kathy Lemay, Building Assistant
Jean Ashby, Economic Development Assistant
Gerry Orr, Accounting Clerk

Citizens: Israel Grossman, Mike Taylor, Donna Jackson, Kristie Overson, Dave Ballou, Steve Ashby, Gordon Wolf, Jay Ziolkowski, Cathy McKittrick, Aimee Newton, Lynn Handy, Teresa Rechtenbach

18:00:54 Chairman Jerry Rechtenbach called the Special City Council Meeting to order at 6:01 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

1. Closed Session

a. Strategy Session to Discuss the Professional Competence of an Individual

18:01:38 Council Member Larry Johnson **MOVED** to convene a Closed Session to discuss the professional competence of an individual at 6:02 p.m. Council Member Morris Pratt **SECONDED** the motion. Chairman Jerry Rechtenbach called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Johnson-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Rechtenbach-yes. **All members of the City Council voted and the motion carried by a unanimous vote.**

CLOSED SESSION

Those in attendance at this Closed Session were: Mayor Russ Wall, City Administrator John Inch Morgan, Council Members Barbour, Catlin, Johnson, Pratt, and Rechtenbach, City Attorney John Brems, Police Chief Del Craig, and City Recorder Cheryl Peacock Cottle.

A meeting of the City Council held on Wednesday, June 8, 2011 was closed to discuss the character and professional competence of an individual, wherein no other items were discussed.

Council Member Larry Johnson **MOVED** to adjourn this Closed Session at 6:48 p.m. and convene the Special City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Chairman Jerry Rechtenbach called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Johnson-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Rechtenbach-yes. **All members of the City Council present voted and the motion carried by a unanimous vote.**

2. Citizen Comments

18:48:41 Chairman Jerry Rechtenbach reconvened the Special City Council Meeting. He reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:50:50 There were no comments and Chairman Rechtenbach declared the citizen comment period closed.

3. Budget Discussion – *John Inch Morgan*

18:51:36 Council Chair Jerry Rechtenbach referenced the Summary of Changes Sheet that was provided by Chief Financial Officer Scott Harrington. It was noted that the summary cites previous items that have been either placed in or taken out of the budget, as well as summarizing the remaining fund balance. Chairman Rechtenbach commented that any decisions heretofore have been non-binding and were purely based on a poll of the City Council Members. He said that ultimately once all suggestions and changes have been made, there will be a final vote by the City Council to either approve or disapprove the budget.

18:51:40 Chief of Finance Scott Harrington described recent versions of budget, including changes.

18:52:59 Council Member Morris Pratt referenced the summary sheet regarding use of the Fund Balance and cited the different numbers presented. Mr. Harrington clarified that one number is the actual amount and the other number reflects the possible changes that the City Council requested.

18:54:43 Council Member Pratt asked that the Court be given an opportunity to discuss changes made to their budget, as per direction given by the City Council at the last Council Meeting.

18:55:15 Judge Kwan described changes that were made to the Court Budget, beginning with increasing the fines and forfeitures projections by \$70,000 and decreasing other sections, including jury fees, witness fees, and the network maintenance line. Judge Kwan noted that before the Bailiffs were added to the Court Budget there was only a 1/10th of 1% increase requested. He indicated that the additional cuts were made from an already lean budget. He relayed that there are no guarantees that the Court will not be back at Mid-Year with requests for budget increases.

19:00:10 Chairman Rechtenbach reviewed the changes to the Court Budget found under Tab 3 of the budget documents.

19:01:03 Judge Kwan acknowledged that he doesn't feel entirely comfortable with the Court Budget because it was already lean before the recent cuts, excluding the Bailiffs.

19:01:45 Council Member Morris Pratt asked about the temporary employees that were budgeted and whether they were cut from the budget. Judge Kwan answered that the temporary employees were kept in the budget because of the return in accounts receivable and their work on back billing. Council Member Pratt also pointed out an error in the total numbers reflected in the cost of the bailiffs to the Court. He asked that the numbers be reviewed and changed accordingly.

19:04:04 Council Member Barbour commented on the chart that Judge Kwan e-mailed regarding how other cities that operate courts are doing financially. Ms. Barbour stated that it is difficult to compare budget-to-budget because Taylorsville's budget overall does not compare with other cities. Judge Kwan agreed that the numbers will not be the same; however, the Council has stated in the past that the Taylorsville Court should be performing like other courts. He said that comparing the Taylorsville Court to other cities is not a fair analysis, as Taylorsville does not budget like other cities.

19:06:15 Council Member Bud Catlin asked about the bailiffs and where Judge Kwan believes their budget should be allocated. Judge Kwan responded that even though bailiffs are a function of the Court, the bailiffs should not be a Court expense because the Judge has no authority over them. Judge Kwan stated that there used to be a bifurcated expense line to take care of these types of issues.

19:09:12 Council Member Catlin referenced problem--solving courts and stated opinion that eliminating these courts would cut costs. Judge Kwan responded that the Court still handles those cases whether or not the problem-solving courts are run. He stated, however, that cases are handled less efficiently without the problem solving courts.

19:11:23 Mayor Russ Wall acknowledged that he respects Judge Kwan and appreciates the work he has put forth on this budget. Mayor Wall said he understands the Judge's frustration. He noted that the Court has been losing money, but every change that has been made to the Court Budget has been made in a public meeting under the direction of the Council.

19:13:14 Council Member Pratt addressed the concerns regarding comparison of the Taylorsville Court to other cities. Council Member Pratt stated that there is nothing else for the Council to compare except other courts. He noted that in the e-mail sent from Judge Kwan it was stated that the courts listed were comparative as far as case load. Council Member Pratt referenced Midvale City and the fact that Taylorsville City has more staff than Midvale. He said that when considering salaries, wages, and benefits combined, Taylorsville's budget also exceeds Midvale's numbers. Judge Kwan answered that the difference between Midvale and Taylorsville isn't the number of cases, but rather the differences in the types of cases. He explained that

Midvale has far more traffic cases, which are less likely to be contested. He stated that Taylorsville far exceeds Midvale in criminal cases, which are more likely to generate extra court time and raise expenses in the Court.

19:18:56 Council Member Dama Barbour stated that she doesn't want to manage the Court; however, she is concerned with the \$200,000 deficit in the Court. She suggested that Taylorsville citizens cannot afford this kind of deficit. Judge Kwan responded that the citizens in Taylorsville will not be paying anything more for the Court this year than they were last year. He clarified that the change in the Court Budget is due to the bailiffs being added. Council Member Barbour commended the Judge for finding \$92,000 in additional cuts to the Court Budget.

19:22:33 Council Member Morris Pratt **MOVED** to support the recommended Court changes, as outlined, with the idea that the Council can always re-open any budget issues for adjustments at the mid-year point.

19:23:30 Chairman Jerry Rechtenbach clarified what changes have already been made to the current budget presented. He confirmed that Court Budget changes have been approved and reflected in the current budget.

19:24:33 Council Member Pratt asked for clarification on a CDBG line item. Scott Harrington clarified that the reflected 16% reduction was made by the federal government. Mayor Wall stated that the changes to the CDBG budget have been previously adopted by Council resolution.

19:26:10 Council Member Morris Pratt referenced two outstanding issues regarding employee compensation. He cited the first issue of determining whether the City is absorbing the cost increase to health insurance at its current level or if a change is being made. He said the second issue is whether there will be any salary adjustments or wage increases for employees.

19:27:02 John Inch Morgan clarified that the options for health insurance outlined by Jim Dunnigan and e-mailed to the Council are still open for discussion. He noted that the current budget reflects no changes, with both the City and employees absorbing the 16% increase to health insurance.

19:27:46 Mr. Morgan discussed each insurance option and outlined their differences. Discussion ensued, and the Council was polled on which option should be chosen.

19:33:01 Council Member Johnson stated that if a change is made it should be to Option One, which increases the deductible. Council Member Barbour commented that raising the deductible amount is taking more money away from employee families. Council Member Catlin questioned the difference between the two benchmarks and clarification was given. Chairman Rechtenbach

stated that the current option would save the City approximately \$70,000. Council Member Catlin recommended leaving benefits as they are currently shown in the budget. Council Member Pratt stated that, as he is opposed to any salary adjustments this year, he has no problem seeing health insurance left as is.

19:35:33 Council Member Morris Pratt relayed that he believes employee salaries should remain frozen again for this year, especially if the City is absorbing the full health insurance cost. He noted that the Council can always make adjustments at mid-year.

19:36:11 Chairman Rechtenbach asked what the savings on the budget would be if the salary increases were removed. John Inch Morgan responded that the pay-for-performance total would be \$58,437.77, of which \$40,952 is for the Police Department. Council Member Pratt noted that some benefit costs would change, as well; for example, the Social Security match. Council Member Pratt calculated the savings to be just under \$70,000.

19:36:54 Council Member Johnson stated that he is not in favor of the salary increases and also has concern regarding restoration of the \$8,500 for the three employees whose salaries were previously reduced. He stated his opinion that the situation was already handled properly.

19:37:47 Chairman Rechtenbach responded that the employees have taken a hit for several years, not only with salary freezes, but also with increased insurance costs. He addressed the \$8,500 salary restoration amount. He agreed that the Council acted within its authority in that regard, but said he does not believe those actions were right. Chairman Rechtenbach stated his opinion that the employees who were affected were the wrong people to have been punished for this mistake. He noted that the Council chose not to reprimand the supervisors who made the error. Chairman Rechtenbach relayed that he would also support a higher deductible on health insurance, allowing employees more leeway and control over health care. He suggested that doing so would still decrease City costs and give the budget room for salary increases.

19:39:29 Council Member Barbour stated that she would like to see salary increases and also wants to reinstate the \$8,500 amount for the three employees whose salaries were affected.

19:39:47 Chairman Rechtenbach proposed the new option of raising the insurance deductible and including salary increases and employee salary reinstatements. He called for a council vote, and the vote was, as follows: Rechtenbach-yes; Johnson-no; Pratt-no; Barbour-yes; and Catlin-no. The vote was three-to-two against the proposal.

19:40:26 Council Member Catlin proposed taking the salary increases and wage reinstatement out of the budget and leaving the health insurance as it currently is in the budget. He said he believes the health insurance is very important. Chairman Rechtenbach polled the Council on

Council Member Catlin's proposal, and the vote was, as follows: Rechtenbach-no; Johnson-yes; Pratt-yes; Barbour-no; and Catlin-yes. The vote was three-to-two in favor of the proposal. 19:42:05 Chairman Rechtenbach asked the Council if there were any other changes on the budget, as it currently stands. Council Member Johnson relayed that, after further consideration, he now believes the \$350,000 for road maintenance under Public Works should be removed from the budget and that the \$850,000 that is in there now is enough. Chairman Rechtenbach asked for a Council vote on Council Member Johnson's request, and the vote was, as follows: Rechtenbach-no; Johnson-yes; Pratt-no; Barbour-no; and Catlin-no. The vote was four-to-one against the proposal.

Council Member Catlin stated that he would be in favor of reducing the road maintenance budget by some lesser amount. Chairman Rechtenbach commented that at some point the Council has to be willing to make an investment in the City. He implored members to start thinking about Taylorsville's future and said the Council has to be willing to spend money to maintain the City's assets, or the community will continue to go downhill. Council Member Pratt said that, after receiving additional detail on road conditions, he believes the additional \$350,000 should remain. It was confirmed that the road maintenance line item will stand as is.

19:46:49 Council Member Pratt commended Scott Harrington for doing an excellent job with the budget and keeping track of the many changes. He suggested that before there is a final vote, a more polished document be provided reflecting changes that were discussed this evening.

19:50:23 Mayor Wall confirmed that Administration will have an updated budget, including all changes, for a vote at the next regular Council Meeting.

4. **Resolution No. 11-16 – Adopting a Budget for all City of Taylorsville Municipal Funds for the Fiscal Year Beginning July 1, 2011 and Ending June 30, 2012, 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, Utah – John Inch Morgan**

19:50:50 Council Member Morris Pratt **MOVED** to table Resolution No. 11-16 – Adopting a Budget for all City of Taylorsville Municipal Funds for the Fiscal Year Beginning July 1, 2011 and Ending June 30, 2012, 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, Utah, until June 15, 2011, keeping in mind that all confirmed changes will be included in the new budget document. Council Member Bud Catlin **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: Johnson-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

5. Other Matters

19:52:14 Council Member Pratt thanked Emergency Response Coordinator Lisa Schwartz for her efforts with the City's Emergency Preparation Kits. He inquired whether the City purchased the kits and, if so, whether the \$19.25 price listed on the backpack is accurate.

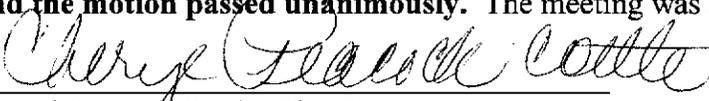
19:53:29 Lisa Schwartz explained that funding came from a 2009 regional grant designated for the 72-hour kits. Ms. Schwartz then stated that the price tag listed on the backpacks is the price for the backpack only and that the actual price of the full kit is \$34.99, based on the quantity ordered. She said there is also an additional cost for two items that were not included in the pack originally, i.e. a Mylar sleeping bag and a splint.

19:53:48 Council Member Pratt suggested that, if possible, the 72-hour kits be made available at cost to the general public on the City's website. Ms. Schwartz agreed that this is something that can be discussed with the applicable vendor to see if they are willing to extend the special pricing to the public. She clarified that part of the price is contingent on the quantity ordered, so with a larger quantity the price may be reduced even further.

19:56:12 Council Member Johnson asked if it is possible for the City to sell these Emergency Preparation Kits for a profit at the City's Taylorsville Dayzz Booth. He suggested using the increase as a fundraiser for the Veterans Memorial. Mayor Wall agreed that a fundraiser is a good idea if it is done on an as-ordered basis. He stated that the City would need to check with the vendor to make sure there is no problem with sales competition. John Inch Morgan affirmed that he will investigate what needs to be done to make sure vendors have equal opportunity to bid on providing this equipment on a larger scale.

6. Adjournment

19:57:37 Council Member Bud Catlin **MOVED** to adjourn the Special City Council Meeting. Council Member Larry Johnson **SECONDED** the motion. Chairman Rechtenbach called for discussion. There being none, he called for a vote. The vote was as follows: Johnson-yes, Pratt-yes, Catlin-yes, Barbour-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 7:57 p.m.


Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 07-20-11