

**City of Taylorsville**  
**Work Session**  
*Minutes*

**Wednesday, May 9, 2012**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84129**

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**Attendance:**

Mayor Russ Wall

**Council Members:**

Vice-Chair Dama Barbour  
Council Member Ernest Burgess  
Council Member Larry Johnson  
Council Member Kristie Overson

**City Staff:**

John Inch Morgan, City Administrator  
John Brems, City Attorney  
Cheryl Peacock Cottle, City Recorder  
Jessica Springer, Council Coordinator  
Del Craig, Chief of Police  
John Taylor, City Engineer  
Scott Harrington, Chief of Finance  
Donald Adams, Economic Development Director  
Aimee Newton, Communications Director  
Marsha Thomas, Judge  
Kristy Heineman, Deputy Recorder

**Excused:** Council Chairman Jerry Rechtenbach, Community Development Director Mark McGrath

**Others:** Mitch Haycock, Israel Grossman, Michael Stott, Pam Manson, Charles Christopher, Royce Larsen, John Gidney, Gordon Wolf, Lynn Handy, Tom Ollis

Vice-Chair Dama Barbour called the Work Session to order at 6:00 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present, except Council Chairman Jerry Rechtenbach who was excused.

**1. Discussion Regarding Community Councils**  
**– Mitch Haycock, Ordinance Review Committee Chair**

18:01:34 Ordinance Review Committee Chair Mitch Haycock stated that Michael Stott wrote most of the amended ordinance regarding the formation of Community Councils. It was noted that Mr. Stott works in Salt Lake City Mayor Ralph Becker's office, but is a Taylorsville resident. It was relayed that the Ordinance Committee has reviewed the ordinance and made a few changes. Mr. Haycock called for questions and comments from the City Council.

18:03:00 Council Member Kristie Overson indicated that she served on the committee for drafting the Community Council Ordinance. She commended Michael Stott for his work on this. She expressed her opinion that it is a good draft.

18:04:00 City Administrator John Inch Morgan asked Mr. Haycock to review the proposed ordinance and the concepts being presented for Community Councils. Mr. Haycock stated that the concept is to form Community Councils by district. He suggested that City Council Members attend Community Council Meetings to gain further information from the residents of each of their districts. Mr. Haycock explained that the format for Community Councils will be the same as that for City committees, with a committee chair, a vice chair and a secretary. There will be no City Council Advisors.

18:04:55 Council Member Larry Johnson questioned whether Community Council Members would be volunteers. Mr. Haycock confirmed that the positions are voluntary.

18:05:40 Michael Stott led a broad discussion on Community Councils. Mr. Stott stated that he is a liaison for Mayor Ralph Becker and has worked in that position for over 5 years. Mr. Stott explained that a major portion of his job is attending Community Council Sessions. He is currently assigned to six Community Councils on the west side of Salt Lake City in the Rose Park and Glendale neighborhoods. Mr. Stott relayed that, as a resident of Taylorsville, he has been looking for ways to participate in his local city government and feels this is a great opportunity. Mr. Stott referenced the existing Community Council Ordinance and stated that there is one major distinction the City should consider when establishing Community Councils. He indicated that the City must determine whether the Community Councils are autonomous non-profit organizations registered with the State of Utah or should function as an advisory council mirroring the functions of the City's committees. Mr. Stott stated that in Salt Lake City, the Community Councils are autonomous non-profit organizations. There are 21 Community Councils that have been in existence for decades; occasionally, community members will create a division of one council into two or change boundaries.

18:08:10 Mr. Stott relayed that Community Councils initially came into existence during the early days of CDBG. At that time there were federal monies coming into cities and there was a

need to engage local communities in order to determine needs and funding support. Mr. Stott reported that Salt Lake City Community Councils meet on a monthly basis and meet with the Salt Lake City Mayor every other month. He noted that Mayor Becker has three liaisons in the City.

18:09:12 Mr. Stott stated that having experienced the way Salt Lake City has set up their Community Councils, he recommends that Taylorsville use an advisory committee rather than the autonomous option. He noted that the proposed Taylorsville ordinance sets up Community Councils in this manner. Mr. Stott suggested that the benefits for an advisory committee outweigh those of using an autonomous non-profit format. He called for questions and comments from Council Members.

18:10:52 Mr. Stott confirmed that Community Councils typically meet in elementary schools, etc. and are set up by district with a chair, vice chair and secretary. He explained that Community Councils would function differently than the way committees within the City currently function. He said that voting options would be given to members present at the time of the vote and the chair, vice chair and secretary would be voted in on an annual basis. There would also be some autonomy for setting up agendas based on researching the interests of particular community. Community Councils should have the ability to consider issues outside of City government such as education, County services, State services, etc. Mr. Stott noted that input in regard to Taylorsville City would be recognized within the scope of City government. There would be no expectation that input would be heard by education, county or state government.

18:12:48 Mr. Stott gave further explanation on the organization of Community Councils, noting that they would be more open and informal than current committees. He clarified that public input could be relayed to Administration or to the City Council.

18:13:47 City Administrator John Inch Morgan questioned how divergent socio-economic issues work in Community Councils. Mr. Stott stated that through his experience in Salt Lake City, Community Council boundaries are small enough to encompass the same socio-economic backgrounds. He noted that Community Councils are encouraged to embrace diverse populations. He observed that there should be a willingness to diversify the types of individuals who are invited to participate and also to diversify topics for discussion.

18:15:24 Council Member Larry Johnson raised concern over whether Community Councils would dominate current volunteer committees. Mr. Stott noted that this is a valid concern. He said Community Councils would provide a foundation for direct public engagement. Mr. Stott expressed his belief that Community Councils could expand the amount of public engagement and citizen participation in City matters.

18:15:58 Mr. Stott noted that there is stipulation in the proposed ordinance that elected chair persons serve as facilitators. He suggested that some education be given to elected chairs regarding roles of the different committees already established in the City.

18:18:40 Mitch Haycock stated that he represents the Taylorsville Ordinance Review Committee and cited his desire to improve quality of life in Taylorsville. He noted that every member of the Ordinance Review Committee has indicated that they would be willing to serve on a Community Council.

18:19:49 Council Member Kristie Overson stated her belief that this is another vehicle to get more citizen involvement. She described potential scenarios for neighborhood topics and observed that Community Councils may get more people talking to one another and becoming involved in community events.

18:21:19 Council Member Ernest Burgess queried why Mr. Stott would recommend an advisory committee instead of an autonomous non-profit group. Mr. Stott clarified that he crafted the initial ordinance, with input from the Mayor's Office, and it was reviewed by the Ordinance Review Committee. Mr. Stott noted that when a community group is autonomous non-profit, there are paperwork requirements, including the development of bylaws and articles of incorporation with the State of Utah. Autonomous non-profit organizations are allowed fundraising with State permission. The funds raised can be used at the discretion of the organization. Many Salt Lake City Community Councils are interested in applying with the IRS for 501(c) 3 status so that donations received are tax deductible. Due to this, councils can spend a lot of time arranging fund raisers and managing the funds received. He explained that, with advisory committees, this is not an option because the Community Council would be a committee of the City of Taylorsville and funds would be allocated through the City.

18:22:18 Mr. Stott cited challenges with becoming autonomous non-profit groups. He observed that, ideally, every neighborhood in the City would be covered by at least one member of the Community Council. Mr. Stott relayed positive aspects in setting up Advisory Councils in that the City can set the neighborhood boundaries. He explained that a challenge of the non-profit organization is that councils can be varying sizes. He suggested that forming Community Councils that are similar in size may be advantageous to the City.

18:26:41 Council Member Ernest Burgess asked how effective Community Councils have been in Salt Lake City. He questioned if they have been beneficial in helping Salt Lake City move forward.

18:27:21 Mayor Russ Wall stated that any time you ask for and get feedback from the public it can be a double-edged sword. He observed that Community Councils are a way of reaching out to the community and he has wanted to do this for years. He reiterated that this is not like

assigning people to committees. Mayor Wall stated that the City can set up the boundaries for the different Community Councils, but it does not have control over who is on the committees or what is recognized as important community issues. He recommended that the ordinance regarding Community Councils either be utilized by the citizens or deleted from the City Code. The Mayor noted that Community Councils would have fewer City controls than a committee, so they may be able to explore areas that are outside normal City issues.

18:29:48 City Council Vice-Chair Dama Barbour noted that this discussion was for introductory purposes. She expressed a desire to receive more information and suggested bringing the matter back for further consideration after the budget has been finalized.

18:30:19 Council Member Larry Johnson agreed that Community Councils are a double-edged sword. He suggested that the Council does not want one committee to feel superior to others and said these issues must be worked through before the ordinance can be finalized.

18:31:09 Vice-Chair Barbour requested that the ordinance regarding Community Councils be brought back for discussion after June 20, 2012, and possibly scheduled for the first meeting in July.

## **2. 2012-2013 Fiscal Year Budget Discussion – *John Inch Morgan***

18:31:48 City Administrator John Inch Morgan indicated that the audio feed to VTV is experiencing problems. He relayed that efforts are underway to get the feed reestablished.

18:32:20 Mr. Morgan reviewed the Budget Revenue and Expenditures Summary for Fiscal Year 2012-2013. He cited increases and decreases between fiscal year 2012 and 2013. He stated that the bottom line shows the difference in revenues from one year to the next is \$194,464.00. Mr. Morgan referenced seven revenue tabs that will be reviewed. He relayed that some funds available in 2012 are not going to be available as a resource for 2013.

18:34:25 Council Member Larry Johnson asked for clarification on the increase to property tax from 36% to 41%. Mr. Morgan deferred to Chief Financial Officer Scott Harrington for explanation.

18:35:43 Mr. Harrington gave clarification on amendments made in regard to code enforcement, salaries and benefits. He stated that this raises the proposed tax increase to 40%.

18:36:33 Council Vice-Chair Dama Barbour referenced a note received from Council Chairman Jerry Rechtenbach, who was not in attendance. She said that Chairman Rechtenbach has asked for additional information on the property tax increase.

18:37:55 Mr. Morgan reiterated that revenues have decreased. He noted that, as property tax revenue is the only revenue that the City can control, this is the area that must be adjusted as needed. Mr. Morgan stated that if the City is going to maintain the same level of services, it must make up the decreased revenue somewhere. He conveyed that the greatest flexibility in making up the difference in lost revenue lies in property tax. Mr. Morgan acknowledged that the City's budget is very complex. He noted that permit fees can be raised to offset lost revenue, but cautioned that this could have an adverse effect as it may decrease the amount of licenses obtained by citizens.

18:41:00 Mr. Morgan identified revenue changes in tax revenue, licenses and permits revenue, intergovernmental revenue, charges for service, revenue for fines & forfeitures, miscellaneous revenue, and contributions and transfers.

18:43:01 Council Member Larry Johnson expressed hope that the City will be able to make budget projections within a closer margin this year.

18:43:23 Mr. Morgan said that the best estimate was made for revenue from the Good Landlord Program, but acknowledged that the City over-estimated the impact of new businesses coming into the City. Mr. Morgan noted that Administration prefers to be conservative in revenue estimates.

18:43:53 Mr. Morgan relayed that the State Road Funds have increased and clarified that the State receives tax from every gallon of gasoline sold and distributes a portion of this to each city for road maintenance. He noted that Road Funds can only be used to maintain roads.

18:44:42 Mr. Morgan stated that road maintenance was cut last year because Road Funds were cut; conservative adjustments have been made to follow trends in Road Funds. He also relayed that law enforcement grants are going down. Mr. Morgan cited reasons that grant funds are no longer estimated, as the stability of grants has lessened and it is difficult to anticipate actual amounts. He noted that grants are now brought to the City Council as a resolution upon receipt of funds; the Council then adopts a resolution recognizing the grant, authorizes the City to expend the money, and incorporates the funds into the mid-year or year-end budget.

18:48:26 It was explained that Mr. Harrington compiled budgets for services and related increases and decreases by following trend analysis.

18:49:30 Council Member Ernest Burgess asked about the frequency of receiving grants. Mr. Morgan reiterated that grant revenue is unreliable. He observed that the Federal Government will most likely be issuing fewer federal grants.

18:51:36 Mr. Morgan reviewed fines and forfeitures assessed by the Court. He relayed that the City is looking at enhanced traffic enforcement and anticipates an increase in fines accordingly. It was noted that small claims filing fees have decreased.

18:53:22 Council Member Larry Johnson asked about the decrease in code enforcement fines. Mr. Morgan stated that the City has moved from issuing criminal citations and has instead made code enforcement an administrative function through an Administrative Law Judge. He noted that the City is more interested in compliance from citizens than in collecting money. He stated that some fines are being forgiven for compliance, per direction from elected officials. Mr. Morgan informed the Council that the City is still collecting a fair amount of revenue that has been attached to the property of recalcitrant property owners.

18:55:15 Council Member Ernest Burgess suggested that forgiving the debt for compliance brings about better relationships between the City and its citizens.

18:56:23 Vice-Chair Dama Barbour said she favors the City giving property owners a chance to comply. She observed that the jump in revenue from 2012 to 2013 illustrates that the Code Enforcement Department is doing a good job.

18:56:39 Mayor Russ Wall explained that negotiations made with property owners are similar to a plea in abeyance. He noted that there are time limits issued for cleaning up property. Mr. Wall agreed that these types of negotiations have been beneficial and that, even though fines are forgiven, properties are being cleaned up.

18:57:20 Council Member Ernest Burgess asked for an example of types of fines and the negotiation process that the City has used in the past. Mr. Morgan described the code enforcement process and the role of the Administrative Law Judge in assessing fines.

18:59:55 Council Member Kristie Overson called for clarification on the increase in traffic enforcement. Mr. Morgan explained that an amount has been placed back into the budget for traffic overtime. Mr. Morgan noted that the Unified Police Department model would reflect the same expected results.

19:01:38 Mr. Morgan addressed the sale of fixed assets. He noted that the sale of such assets does not happen every year and the amount is a conservative estimate.

19:02:11 Mr. Morgan referenced a big decrease to Other Revenue. He explained that this decrease reflects proceeds received from a lawsuit in a one-time payout. He indicated that the monies from this payout were used to cover expenses instead of increasing taxes last year.

19:03:23 Mr. Morgan reviewed decreases in contributions and transfers and cited some one-time funds that were seen last year and, therefore, cannot be budgeted this year.

19:04:54 Mr. Morgan noted that instead of doing a moderate tax increase last year, the City chose to use part of the Fund Balance, which is considered to be the City's savings account or emergency fund. Mr. Morgan cited potential scenarios for when the Fund Balance must be relied upon, i.e. major natural disasters. It was explained that the Fund Balance cannot have more than 18% of anticipated revenue and cannot have less than 8%. He observed that it is best to have the Fund Balance as close to the 18% mark as possible. Mr. Morgan recommended not utilizing the Fund Balance for 2013. He cited uses for the Fund Balance last year.

19:08:00 Mr. Morgan stated that deferred maintenance must be done. It was noted that the winter of 2011/2012 was a light snow season, and some of the monies for snow removal were placed back into road maintenance to take care of deferred maintenance.

19:09:02 Council Member Burgess asked for clarification on what is expended for public works. Mr. Morgan explained the reporting process to show amounts used for road maintenance and upgrades. Mr. Morgan clarified that a detailed description of how funds are used is given in Capital Projects Reports from City Engineer John Taylor.

19:10:36 Council Member Larry Johnson stated that he didn't hear about the \$200,000 moved to road maintenance. Mr. Morgan noted that this is something that has been done every year. He clarified that the funds are all in the Public Works Budget and flexible discretion is necessary to balance the need for snow removal versus road maintenance. He clarified that if there is a light snow year, the funds are used for road maintenance or vice versa. Mr. Morgan noted that the Council is regularly informed through reports provided by City Engineer John Taylor. He reminded Council Members that they are always welcome to ask for clarification on adjustments made to the Public Works Budget. Mr. Morgan noted that John Taylor has given updates to Council Members on many occasions and there are also maps available that illustrate current areas of road maintenance.

19:12:38 Mr. Johnson asked for clarification on the current Fund Balance. Chief Financial Officer Scott Harrington stated that it is currently at 15%. Council Member Johnson observed that it is possible to use these funds as emergency dictates. Mr. Morgan noted that the City Council used the funds for that purpose during the previous fiscal year.

19:13:57 Vice-Chair Barbour suggested that the Fund Balance cannot be used every year to cover ongoing expenses. She clarified that all revenue received through grants will be brought before the City Council and will be recognized in the budget. Mr. Morgan confirmed that process and also acknowledged that a corresponding expenditure is noted at the same time. He

explained that normally when grants are given they can only be used for specific items; block grants are the exception.

19:15:52 Mayor Russ Wall confirmed that budget line items can be moved inter-departmentally, but money cannot be moved into a different department without permission of the Council. Mayor Wall clarified that department heads must make a formal request to the Mayor to move money within their department. It was noted that the Mayor can approve or deny those types of requests; however, moving money from one department to another requires City Council approval.

19:17:08 Vice-Chair Barbour observed that the Council sets the budget for each department and then that department can administer their own departmental budget. Mayor Wall reiterated that department heads do not have the authority to move money around within their department without the Mayor's approval.

18:18:10 Council Member Johnson raised the question of salary increases for employees. Mayor Wall affirmed that he has the ability to approve requests for salary increases and grade changes provided they are within the guidelines for salary ranges. It was noted that if the requested salary is outside the salary cap, the City Council must be notified.

19:19:36 Mayor Wall gave an example of adjustments needed in the Court Budget for court translators. He described the process for approving budget line adjustments within departments.

19:21:02 Mr. Morgan summarized revenues and expenditures. He stated that the difference between last year's revenues and this year's revenues is a \$194,464 decrease.

19:22:43 Council Member Kristie Overson clarified that most of the largest decreases were one-time money used for ongoing expenses. Mr. Morgan confirmed this was the case.

19:23:14 Council Member Larry Johnson asked for an explanation of contributions and fund transfers. Mr. Morgan explained that the largest contributions are miscellaneous grants, i.e. \$250,000 for the Veteran's memorial and \$800,000 in the use of the fund balance. Mr. Morgan stated that Administration recommends that the fund balance be built back up before using it again.

19:23:53 Mr. Morgan gave clarification on the process for analyzing budget increases and decreases. He noted that in-depth discovery and analysis showed the use of one-time money in a number of different cases.

19:25:24 There were no additional comments from the Council.

### **3. Citizen Comments**

19:25:52 Vice-Chair Dama Barbour read the procedures for citizen comments. She noted that the City Council will be soliciting comments on the proposed FY 2012-2013 budget at each Work Session and City Council Meeting from now until the budget is passed in its final form on or before June 20, 2012. She noted that any time the Council considers budgets to fund the operation of the City, there are differences of opinion and those differences appear to be magnified when a tax increase is proposed. She acknowledged that the Council has received a recommended budget from Administration, has had opportunity to study the proposal, and has had its first discussion of budget elements during this meeting. Vice-Chair Barbour clarified that the budget process will begin by analyzing the proposals, requesting information and facts to understand what is being proposed, and, in some cases, modifying or eliminating the proposed initiative or service. She observed that the annual budget proposals provide a democratic process for citizens and their elected officials to interact as they consider the future of their City. She noted that these interactions can be emotionally charged when there is disagreement. Vice-Chair Barbour invited citizens to provide input and asked that concerns be addressed in a respectful manner. She stated that the Council looks forward to hearing from the residents of Taylorsville.

19:27:49 Vice-Chair Barbour then called for any citizen comments.

19:27:58 There were no citizen comments and Vice-Chair Barbour closed the citizen comment period.

### **4. Other Matters**

19:28:09 Council Member Larry Johnson commented on the recent budget mailer. He requested that the Council be more involved since the mailer is going to their districts. Mr. Johnson noted that the cover page of the mailer is good, but the tax increase of 40% was not mentioned. He stated that the Council was not asked for input before the mailer was sent. Mayor Wall asked if Council Member Johnson noticed any inaccuracies. Mr. Johnson acknowledged that there were no inaccuracies.

19:30:27 Mayor Wall stated that there are four Council Meetings remaining before the finalization of the budget, as well as two meetings that the Administration will sponsor for public input on the budget. The Mayor stated that the City is trying to educate citizens in a very short time and information needed to be given out. He noted that no feedback was received from the Council. He observed that there was previous discussion about doing a joint flyer. The Mayor stated that the flyer was meant to be a positive, informative piece that relays the most important budget facts such as up-to-date tax information.

19:32:33 Council Member Larry Johnson stated that he feels there were other ways to reach the community. He reiterated that everyone should have provided input before the mailer was sent out.

19:32:48 Mayor Wall stated that this was not a political mailing, but rather its intent was to be informative. He said he has constituents throughout the City and feels an obligation to educate citizens. Mr. Wall stated that the next time Council Members are asked for input, he hopes they will give it.

19:33:39 Council Member Dama Barbour commended the information on the flyer. She stated that she approves of the mailer and is thrilled with communication and consistent information going to every home.

19:34:08 Council Member Kristie Overson concurred that the mailer was a good article and said she particularly likes the copy of the sample tax notice on the inside of the flyer. She observed that it was helpful to highlight the portion of tax that is Taylorsville's assessment.

19:34:39 Ernest Burgess asked for clarification on the savings with the Unified Police Department. Mayor Wall stated that the actual savings would be \$617,000 on an ongoing basis. He indicated that there is a one-time infusion from the UPD Fund Balance of just under \$700,000 that would fund the Taylorsville Police Department's fleet which has not been funded for years; it would also fund police personnel benefits such as vacation and sick hours. The Mayor explained that the amount saved would actually be \$1.2 million to \$1.3 million in the first year and then would go to \$617,000. Mr. Wall noted that the previous year's savings to join UPD was projected at \$750,000; however, two more officers are added to this year's budget.

19:36:02 Council Member Larry Johnson suggested that a decision regarding the Unified Police Department should be made next week. Mayor Wall agreed that it would be advantageous to get the UPD decision resolved early in the budget process.

19:36:55 Mayor Wall stated that he has just received the final draft of the City Survey results from Dan Jones. He relayed that the survey results are very positive. The Mayor noted that there is a section on the survey results for UPD. He indicated that electronic copies of the survey results were sent to Council Members just prior to the meeting. Mayor Wall said he will be providing an executive summary of the contents.

19:38:11 Mr. Morgan indicated that the City's e-mail server crashed earlier in the day, but the survey results will be forwarded again as soon as possible.

19:38:30 Council Member Kristie Overson thanked Chief Financial Officer Scott Harrington and City Administrator John Inch Morgan for their time spent with her in review of the budget. She

also requested that topics for next week's budget discussion be provided, so that she can prepare accordingly.

19:39:16 Vice-Chair Barbour noted that the schedule for tonight's budget discussion was rearranged because Chairman Rechtenbach was excused from the meeting. Vice-Chair Barbour recommended that Chairman Rechtenbach be involved in any further budget discussions.

19:39:58 Mr. Morgan suggested that discussion regarding the Unified Police Department be placed first on the next meeting's agenda. He said he would like to review line-by-line comparisons of the two law enforcement options. Mr. Morgan indicated that a preview will be sent to City Council Members for reference. Mr. Morgan suggested further reviewing some of the special funds at the next Council Meeting and then reviewing budget expenditures, i.e. budgets for the Council, Mayor, Court, and Administration.

Council Member Barbour stated that it would be her choice to review special funds and then department expenditures at the next meeting. Other Council Members concurred.

## 5. Adjournment

19:41:36 Council Member Larry Johnson **MOVED** to adjourn the City Council Work Session. Council Member Kristie Overson **SECONDED** the motion. Vice-Chair Barbour called for discussion. There being none, she called for a vote. The vote was as follows: Rechtenbach-excused, Barbour-yes, Johnson-yes, Burgess-yes, and Overson-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 7:41 p.m.

  
Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 06-06-12

*Minutes Prepared by: Cheryl Peacock Cottle, City Recorder, and Kristy Heineman, Deputy Recorder*