

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, September 2, 2009
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

Chairman Lynn Handy
Vice-Chairman Bud Catlin
Council Member Les Matsumura
Council Member Morris Pratt
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

Others: Warren Rogers, Pam Roberts

BRIEFING SESSION

1. Review Administrative Report

17:59:18 Chairman Lynn Handy conducted the Briefing Session, which convened at 6:00 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

Chairman Handy called for questions on the Administrative Report, and Council Member Rechtenbach inquired about the status of the RFP for prosecution services. Mayor Wall reported that there were three respondents to the RFP. He agreed to forward copies of the three proposals

received to Council Members. City Administrator John Inch Morgan noted that the decision on prosecution services has been postponed until after the Court Study has been completed.

2. Review Agenda

17:59:18 The agenda for the City Council Meeting was reviewed.

3. Adjourn

18:06:51 Chairman Handy declared the Briefing Session adjourned at 6:06 p.m.

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

Chairman Lynn Handy
Vice-Chairman Bud Catlin
Council Member Les Matsumura
Council Member Morris Pratt
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
Jamie Brooks, Court Administrator
Marsha Thomas, Judge

Citizens: Pam Roberts, Jay Ziolkowski, Warren Rogers, Dave Goddard, Dama Barbour, Kevyn Smeltzer, UFA Chief Don Berry, Gaylord Scott, Noel Gilbert, Raili Jacquet, David Ricketts, Reo Castleton, Jeff Judkins, Brian Gale, David Ricketts, Colton Gardner, John Gidney, Reo Castleton, Lorenzo Miller, Dean Paynter, Adam Crayk, Jeff Hatch, Michael Jensen, Delores Silletti, Joyce Pollack, Jessica Beauchamp, Reagan Gabbitas, Amy Braithwaite, Paige Powell

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:31:24 Chairman Lynn Handy called the meeting to order at 6:31 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 – *Youth Council Member Kourtney Miles*

18:32:07 Youth Council Member Noel Gilbert directed the Pledge of Allegiance.

1.2 Reverence – *Youth Council Member Colton Gardner (Opening Ceremonies For September 16, 2009 to be arranged by Council Member Catlin)*

18:33:12 Youth Council Member Colton Gardner offered the Reverence.

1.3 Citizen Comments

18:33:18 Chairman Lynn Handy reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:34:34 There were no citizen comments, and Chairman Handy closed the citizen comment period.

1.4 Mayor's Report

1.4.1 Proclamation Declaring September as Firefighter Appreciation Month in Taylorsville

18:34:47 Mayor Russ Wall recognized UFA Chief Don Berry, Deputy Chief/Salt Lake County Council Member Michael Jensen, Assistant Chief Gaylord Scott, Battalion Chief Jay Ziolkowski, Battalion Chief Jeff Judkins, and Captain Brian Gale and his crew. Mayor Wall stated that the City of Taylorsville belongs to the Unified Fire Authority and noted that the UFA is great model throughout the nation for efficiency in providing fire services. He relayed that local firefighters are currently participating in the *Fill the Boot Program* in conjunction with the *Jerry Lewis Muscular Dystrophy Association Labor Day Telethon*. The Mayor presented a proclamation to local firefighters declaring September as *Firefighter Appreciation Month in Taylorsville*.

18:41:01 Michael Jensen noted that Taylorsville fire stations and residents are the biggest contributors within UFA to the *MDA Fill the Boot Program*.

18:42:28 Mayor Wall reported that the Salt Lake County Council recently met in subcommittees where issues regarding the Sanitation District were discussed. He relayed that Taylorsville put out a bid for sanitation services and has now awarded the contract to Sanitation District #1, who provided the best proposal.

18:42:15 The Mayor noted that discussion has been held regarding the potential expansion of the Sanitation Board to include representatives from the City of Taylorsville. He reported on issues that are being resolved with sanitation services that are provided to small businesses in the City.

18:43:01 Mayor Wall stated that the Salt Lake County Council is considering an increase in grants for the Vista Ball Park, so that the project might be finished. He thanked Salt Lake County Council Member Michael Jensen for his leadership and his support of that project.

18:44:27 Council Chairman Lynn Handy thanked members of the UFA for their efforts on behalf of the City and for their support of MDA and other causes.

1.5 Recognition of the Best of Taylorsville Home & Business Beautification Awards – Dave Goddard, LARP Chairman

18:44:31 LARP Chairman Dave Goddard recognized Delores Silletti, Vice-President of the Stone Hollow Condo Association, and also Taylorsville residents Paul and Bonnie Nichols as the August winners of the *Best of Taylorsville Home & Business Beautification Award*.

2. APPOINTMENTS

There were no appointments.

3. REPORTS

3.1 UFA Investigations Bureau – Jay Ziolkowski, Logistics Battalion Chief

18:47:16 Battalion Chief Jay Ziolkowski asked that this item be moved to a Work Session, as UFA Investigators are currently out on assignment and not available. This matter was rescheduled for the October 14, 2009 City Council Work Session.

3.2 Youth Council – Youth Council Chair, Amy Braithwaite

18:48:49 Youth Council Chair Amy Braithwaite reported on recent activities and upcoming events for the Taylorsville Youth Council. She stated that the recent *Taylorsville Youth Council Annual Yard Sale* was very successful and raised \$690, which will be contributed to the *Taylorsville Veterans Day Celebration*. Ms. Braithwaite noted that Youth Council Members will

be participating in the upcoming *Taylorsville Tales* event and the Crosswalk Safety Project. She confirmed that there are currently 11 members serving on the Taylorsville Youth Council, but additional members are being recruited to join in January, 2010.

3.3 Quarterly Report, Public Works – Kevyn Smeltzer

18:50:07 Kevyn Smeltzer, of Salt Lake County Public Works, reported on public works services performed in Taylorsville for the fourth quarter. He commented on regulatory signs that must be upgraded by 2011. He stated that slurry seal and concrete projects are ongoing and the repaving of 2700 West will take place within the next two weeks. He noted that a plan for routine storm drain maintenance has been submitted.

18:51:52 Mr. Smeltzer addressed questions of the Council and described the type of maintenance performed on storm drains. Mr. Smeltzer updated the Council on the status of road striping in the City.

3.4 Quarterly Report, Sanitation, Special Service District #1 – Pam Roberts

18:53:03 Pam Roberts, of Sanitation Special Service District #1, reported on sanitation services in Taylorsville.

18:53:15 Ms. Roberts reported on recent retreats that were held for Sanitation Managers on budgeting and other management issues.

18:54:23 Ms. Roberts described increased costs that will be absorbed by the Sanitation District. She referenced a savings to Taylorsville residents over the next ten years due to a change in the truck replacement plan. She stated there will be no fee increases to residents for sanitation services next year and are not anticipated for 2011.

18:55:22 Ms. Roberts addressed questions from the Council regarding selling and purchasing trucks and the neighborhood cleanup program. She relayed that 10 additional containers will be purchased and provided this year and an additional site has been added to drop leaf bags in Taylorsville during the month of October.

Council Member Pratt relayed a resident's positive comment on service provided by the Sanitation District.

19:02:00 Ms. Roberts commented on a potential Green Waste Curbside Program and described a recent study that showed it would not be beneficial overall. She referenced the *Green Trailer Rental Program* that is provided to City residents and cited the District's goal to increase recyclables this year.

3.5 Quarterly Report, Courts – Judge Thomas, Jamie Brooks, Doug Stowell & Lorenzo Miller

19:04:02 Court Administrator Jamie Brooks recognized Taylorsville Municipal Judge Marsha Thomas, Prosecutor Lorenzo Miller, and Defense Council Adam Crayk. She reported on activities in the Taylorsville Municipal Court. Ms. Brooks noted a correction on her report and cited statistics on domestic violence cases.

19:06:02 Council Member Rechtenbach requested data reflecting a historical report on court cases. Ms. Brooks agreed to provide information on cases over the past five years, including budgets.

19:08:27 Judge Marsha Thomas presented statistics on the *Domestic Violence Court Program*. She described the model for the program that has been in effect in Taylorsville for the past ten years. She addressed the effectiveness of the *Domestic Violence Court Program*.

19:14:02 Council Member Catlin expressed his concerns with the *Domestic Violence Program*. He questioned whether it is the Court's responsibility to monitor offenders.

19:15:12 Judge Thomas stated that legislation mandates treatment for Domestic Violence offenders, but the court is not required to monitor them. She reviewed reasons that monitoring is effective and reduces recidivism.

19:16:42 Judge Thomas reported on efforts being made to have police reports available at arraignments. She described specifics relating to Plea and Abeyance Agreements.

19:17:49 Council Member Catlin inquired about the statistics for repeat offenders and the number of participants in the *Domestic Violence Program* who are Taylorsville residents.

19:18:17 Judge Thomas stated that 43% of defendants participating in the program live in Taylorsville, but all of the domestic violence in question occurred in the City. She cited issues with reluctant witnesses and stated that monitoring is needed for defendants who tend to be "controlling."

19:20:05 Council Member Catlin expressed a need for offenders to be responsible for their actions and pay the appropriate penalty.

19:21:27 Mayor Wall inquired whether the *Domestic Violence Program* is now deemed mandatory and Judge Thomas confirmed that is correct. The Mayor questioned whether there are monopolies on treatment providers and whether fines are ultimately reimbursed to offenders who complete the program.

19:22:33 City Prosecutor Lorenzo Miller gave clarification on the program and defined “diversion” versus “plea and abeyance.” He stated that the *Domestic Violence Program* requires the offender to pay for fines, restitution, and treatment.

19:24:49 Council Member Catlin questioned the percentage of fines that are actually collected by the court.

19:24:56 Judge Thomas reviewed fine amounts.

19:26:01 Council Member Catlin inquired about surcharges paid by the City to the State.

19:26:05 Judge Thomas stated that the City does not pay more than is actually received on a case. She gave clarification on “opting in” to the program.

19:29:31 Mr. Miller addressed records for defendants, the dismissal of cases, and plea and abeyance for first offenses. He noted that Utah law will not force victims to testify against a spouse. He emphasized that heavy supervision of defendants, with enforced treatment, reduces recidivism.

19:36:26 Mr. Crayk stated that defense attorneys typically advise people to opt into the *Domestic Violence Program*. He offered his opinion that the program is effective.

19:38:00 Judge Thomas said that Taylorsville would suffer without the program. She cited efforts that are being made to resolve issues and acknowledged some difficulties with the program, but said she feels it is worth it.

19:40:47 Mayor Wall commended the judges and court staff for their honorable efforts and intentions. He stated that his main concern is whether the City can afford to continue the program.

19:42:13 Mr. Miller suggested considering increases in fees and fines. He described problems in other cities that don’t have domestic violence programs.

19:44:46 Council Member Pratt referenced problems with the deficit in the Court, as observed by the Budget Committee.

19:46:01 Judge Thomas gave additional clarification and noted that 4% of defendants who complete the program have new charges.

19:47:45 Council Member Matsumura expressed concern regarding the gap between court revenue and court costs.

19:48:44 Mr. Miller cited the present court fee schedule. He stated that fees are negotiable, but judges are responsible to set the fees.

19:52:14 Judge Thomas noted that part of collecting fees is compliance. She stated that Ms. Brooks and the Taylorsville court clerks work diligently on the collection process.

19:54:35 Mr. Miller observed that cases with higher fees can be appealed to a district court, who then routinely assesses lower fees.

19:55:47 Ms. Brooks agreed to include additional statistics on costs for the *Domestic Violence Program* in the information that she will provide to the Council.

4. CONSENT AGENDA

4.1 Minutes – RCCM 8-19-09

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

5. PLANNING MATTERS

There were no planning matters.

6. FINANCIAL MATTERS

There were no financial matters.

7. OTHER MATTERS

7.1 Salt Lake County Auditor – *Jeffrey Hatch*

Jeffrey Hatch described operations in the Salt Lake County Auditor's Office and cited four divisions within the department, all of which impact City government. Mr. Hatch reviewed functions in the Accounting and Operations Division, the Internal Audit Division, the Management and Budget Division, and the Tax Division.

20:05:18 City Administrator John Inch Morgan noted the good relationship between Taylorsville City staff and the County Auditor's office.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

20:06:09 There were no items for subsequent consideration.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

20:06:23

- 9.1 City Council Briefing Session – Wednesday, September 16, 2009 – 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, September 16, 2009 – 6:30 p.m.
- 9.3 Town Meeting – Wednesday, September 30, 2009 – 6:00 p.m.
- 9.4 City Council Briefing Session – Wednesday, October 7, 2009 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, October 7, 2009 – 6:30 p.m.

10. CALENDAR OF UPCOMING EVENTS

20:06:44

- 10.1 Town Meeting – Wednesday, September 30, 2009 – 6:00 p.m. – Taylorsville City Council Chambers – 2600 W. Taylorsville Blvd. Ask the Mayor and City Council questions. Bring your ideas and comments.

11. ADJOURNMENT

20:06:50 Council Member Morris Pratt **MOVED** to adjourn the City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Chairman Handy called for discussion. There being none, he called for a vote. The vote was as follows: Catlin-yes, Handy-yes, Rechtenbach-yes, Matsumura-yes, and Pratt-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:06 p.m.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 09-16-09

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder