

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, January 6, 2010
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

Vice-Chairman Bud Catlin
Council Member Dama Barbour
Council Member Larry Johnson
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
Scott Harrington, Chief of Finance

BRIEFING SESSION

1. Review Administrative Report

18:05:23 Vice-Chairman Bud Catlin conducted the Briefing Session, which convened at 6:05 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. Vice-Chairman Catlin called for questions on the Administrative Report, and Council Member Pratt inquired about an opportunity to meet the new City prosecutor. City Administrator John Inch Morgan agreed to arrange for that meeting.

2. Review Agenda

18:05:48 The agenda for the City Council Meeting was reviewed.

3. Adjourn

18:13:06 The Briefing Session was adjourned at 6:13 p.m.

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

Vice-Chairman Bud Catlin
Council Member Dama Barbour
Council Member Larry Johnson
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
Scott Harrington, Chief of Finance
Keith Snarr, Economic Development Director
Gerry Orr, Accounting
Jamie Brooks, Court Administrator
Penny Knight, Business License Clerk

Citizens: David Wilde, Gordon Wolf, Jay Ziolkowski, Raili Jacquet, Lynn Handy, John Gidney, Alan Anderson, Kourtney Miles, Reagan Gabbitas, Heidee Pehrson, Nathan W., Jessica Beauchamp, Amy Braithwaite, Noel Gilbert, Francisca Blanc, Paul Smith, Donna Ducksel, Rudolf Van Harn

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:31:15 Vice-Chairman Bud Catlin 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 Reagan Gabbitas**

Taylorsville Youth Council Member Reagan Gabbitas directed the Pledge of Allegiance.

1.2 Reverence – Youth Council Member Jessica Beauchamp (Opening Ceremonies For January 20, 2010 to be arranged by Council Member Rechtenbach)

Taylorsville Youth Council Member Jessica Beauchamp offered the Reverence.

1.3 Citizen Comments

18:33:38 Vice-Chairman Bud Catlin reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:35:20 Rudolf Van Harn and Caralee Rudd, representing a group of residents from Havea Circle in Taylorsville, described a sewer line that flooded homes on December 20, 2009. They asked for the City's support in receiving assistance with cleanup, restoration and replacement.

18:37:05 Mayor Wall gave clarification on the responsibility held by Taylorsville Bennion Improvement District for sanitation sewer lines. He directed the City Administrator to discuss this matter with Keith Lord at the Taylorsville Bennion Improvement District.

18:42:39 Council Member Barbour offered her assistance with the issue.

18:43:43 Chairman Catlin agreed to have City Administration help facilitate the problem. Names and e-mail addresses from individuals who were affected by the flooding were provided for follow-up.

18:44:43 There were no additional citizen comments, and Vice-Chairman Catlin closed the citizen comment period.

1.4 Mayor's Report

There was no Mayor's Report.

2. APPOINTMENTS

2.1 Resolution No. 10-01 – Appointment of the City Recorder and City Treasurer – *Mayor Wall*

18:45:59 Mayor Wall stated his intent to reappoint Cheryl Peacock Cottle as the Taylorsville City Recorder and John Inch Morgan as the Taylorsville City Treasurer. He asked for approval of the subject resolution regarding these two appointments.

18:46:28 Council Member Rechtenbach **MOVED** to adopt Resolution No. 10-01 – Appointing Cheryl Peacock Cottle as the City Recorder and John Inch Morgan as the City Treasurer. Council Member Barbour **SECONDED** the motion. Vice-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 Lynn Handy, Economic Development Committee – *Mayor Wall*

2.3 Lynn Handy, Budget Committee – Mayor Wall

18:47:09 Mayor Wall recognized former Taylorsville City Council Member Lynn Handy and nominated him for appointment as a member of the Taylorsville Economic Development Committee and also as a member of the Taylorsville Budget Committee.

18:47:48 Council Member Morris Pratt **MOVED** to appoint Lynn Handy as a member of the Economic Development Committee and also as a member of the Budget Committee. Council Member Barbour **SECONDED** the motion. Vice-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 Youth Council – *Youth Council Chair Amy Braithwaite*

18:48:04 Youth Council Chair Amy Braithwaite reported on recent activities and upcoming events for the Taylorsville Youth Council.

4. CONSENT AGENDA

4.1 Minutes – CCWS 12-09-09

18:49:34 Council Member Jerry Rechtenbach **MOVED** to adopt the Consent Agenda. Council Member Morris Pratt **SECONDED** the motion. Vice-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

There were no planning matters.

6. FINANCIAL MATTERS

6.1 *Public Hearing* – 6:30 p.m. – To Hear Public Comment on Ordinance 10-01, Amending Title 5 of the Taylorsville City Code, Adding New Definitions, Amending the License Fee Schedule and Adopting a Good Landlord Program

18:51:53 Community Development Director Mark McGrath stated his intent to update the City Council on revisions that have been made to the Landlord Ordinance. He suggested that further discussion may be held at the January 13, 2010 Work Session and then the ordinance could be considered in its final form at the January 20, 2010 City Council Meeting.

18:52:46 Mr. McGrath cited the two portions of the proposed ordinance, as follows: (1) the Good Landlord Program; and (2) the revised Business License Fee Schedule. He reviewed highlights of the proposed Good Landlord Program and described requirements for participation. Mr. McGrath stated that, under the new ordinance, all owners of residential rental property in Taylorsville would be required to become licensed as business owners in the City.

18:53:58 Mr. McGrath referenced the proposed standards contained within the Good Landlord Program under Section 5.76.080.

18:54:32 Mr. McGrath reported that he and Mayor Wall recently met with representatives of the Utah Housing Coalition along with Paul Smith of the Apartment Association, and their input on the proposed ordinance has been received. He reviewed possible changes to the ordinance, as distributed in red-outline format to the Council.

18:56:18 Mr. McGrath gave clarification on the City's ordinance which requires that no more than three unrelated persons live in a rental home.

18:56:52 Mr. McGrath gave explanation regarding the requirement for criminal background checks for each tenant over 18 years of age. He addressed the potential requirement to evict tenants who have committed crimes, as identified in changes in Sections T and W.

18:59:05 Council Member Pratt asked for clarification on requirements for background checks and Mr. McGrath confirmed that participation in the Good Landlord Program requires background checks even when the tenants are well known to the landlord.

19:00:14 Mr. McGrath reviewed the basis for eliminating Section U regarding calls for police services.

19:00:48 Mr. McGrath outlined additional elements that are being proposed for requirements within the Good Landlord Program.

19:01:59 Mr. McGrath stated that Paul Smith, of the Apartment Association, is concerned with Sections A, B, & C of the proposed ordinance.

19:02:24 Mr. McGrath gave clarification on the costs to landlords for participation in the program. Discussion was held regarding training that will be provided to landlords.

19:05:14 Mr. McGrath explained that responsibility for payment of background checks will be at the discretion of the Landlord.

19:06:11 Mr. McGrath confirmed that most communities in Salt Lake County have adopted a Good Landlord Ordinance or are in the process of developing such.

19:06:47 Council Member Pratt cited potential legal challenges to the Good Landlord ordinance in other communities.

19:07:10 Mr. McGrath and Mr. Morgan confirmed that Taylorsville law enforcement has provided input on the Good Landlord Ordinance.

19:08:33 Council Member Johnson asked for clarification on agreements between landlord and tenants and Mr. McGrath provided such. He stated that landlords will be educated on how to conduct evictions.

19:10:02 Mr. McGrath reviewed proposals to the business license fee schedule. He relayed that other cities in Salt Lake County have been surveyed as to their business license fee, as requested

by the Council. Mr. McGrath reported that cities have addressed business license fee schedules in varying ways. He stated that Taylorsville's existing fee schedule is currently right in the middle of what other communities are charging. Mr. McGrath presented a new set of staff recommendations for business license fees and gave explanation on each category. He cited significant reductions to disproportionate fees and said that, under this proposal, all employee fees have been eliminated.

19:14:42 Mr. McGrath reported that about half of other cities are still charging employee fees.

19:15:27 Council Members Rechtenbach and Barbour stated their support of a single fee without inclusion of employee fees.

19:15:50 Council Member Pratt cited proposed employee fees that will be charged to unincorporated Salt Lake County by the Unified Police Department.

19:16:08 Mr. McGrath cited consideration that was given to the impact of large employers on the community. He reviewed the proposed fees for large employers and discussed police/fire calls.

19:18:11 Mr. McGrath reviewed new classifications that are being suggested

19:20:19 Council Member Pratt asked for clarification on disproportionate fees for big box department stores. The benefit of having big box stores in the City was noted.

19:23:03 Council Member Pratt referenced comments from members of the Budget Committee that he previously forwarded to elected officials for review.

19:24:12 Vice-Chairman Bud Catlin opened the public hearing on this matter and called for citizen comments.

19:24:28 Paul Smith, representing the Apartment Association, described benefits of the Good Landlord Program and said that many other communities are implementing this program.

19:26:14 Mr. Smith addressed fees for landlords. He suggested that higher fees will be a motivating factor in participation in the Good Landlord Program. He confirmed that no legal challenges have been made to date to the Good Landlord Program. Mr. Smith said that over ten of the cities in Utah license all rental units. Mr. Smith relayed that eviction procedures have improved over recent years. He described the Landlord Training programs which are offered through the Apartment Association at a cost of \$59 for eight hours of training.

19:32:58 Council Member Barbour cited absentee landlords in neighborhoods in her district that cause many problems.

19:35:27 Council Member Johnson called for clarification on who pays the fee for Good Landlord training. Mr. McGrath confirmed that the landlord pays for that training.

19:37:27 Ms. Barbour said that, as other cities adopt Good Landlord Programs, bad renters may move into Taylorsville unless the program is adopted here.

19:38:33 Council Member Rechtenbach asked about regulating problems in extended stay facilities. Mr. Smith indicated that the Good Landlord Program applies only to rentals for a month or longer.

19:41:09 Mr. McGrath reported on the numbers of rental properties in the City.

19:39:42 Mr. Smith clarified that landlords do not have to be a member of the Apartment Association in order to participate in the Good Landlord training.

19:42:25 Francesca Blanc, of the Utah Housing Coalition, addressed landlord issues. She commented on proposed changes, as presented by Mr. McGrath and stated the Coalition's support of the recommended changes. She expressed the need to give some flexibility to Landlords.

19:47:21 Ms. Blanc cited potential challenges to ordinances having pre-emptive requirements that keep landlords with criminal records from obtaining housing.

19:48:42 Council Member Johnson stressed the importance of providing training and education to landlords in the City.

19:49:37 Budget Committee Chairman Gordon Wolf commented on the business license fee structure. He stated that the opinion of the Budget Committee is that lower business license fees in the City could be used as a selling point to bring businesses into the City.

19:51:19 There were no additional comments, and Vice-Chairman Catlin declared the public hearing closed.

19:51:41 Council Member Pratt asked for clarification on the Apartment Association's concerns with Sections A, B, and C. Mr. McGrath agreed to follow up on these issues.

19:52:29 Council Member Pratt suggested that a provision be made to allow landlords to use discretion in conducting background checks on renters that are well-known to them.

19:54:49 Council Member Rechtenbach noted that allowing such a provision could be abused. Council Member Johnson cited a need to be consistent in requiring background checks.

19:57:14 Council Member Barbour stated that she is in favor of any program that will help clean up neighborhoods and make the City better.

19:57:37 Council Member Rechtenbach expressed his support of the ordinance and predicted that it will have a significant impact on decreasing crime in the City.

19:58:40 Discussion was held on how the City will deal with existing renters and the requirement for background checks.

20:00:03 Mayor Wall gave input on the Good Landlord Ordinance and said the biggest beneficiaries of this program will be neighbors of rental properties.

20:02:46 Mayor Wall confirmed that there may be a need for additional staff to help with business licensing, but noted that fees will cover those additional costs.

20:04:02 Mr. McGrath suggested that a discussion regarding administrative procedures be scheduled for the January 13, 2010 Work Session and then the ordinance be brought back in completed form on January 20, 2010 for decision. Mr. McGrath agreed to provide information next week on the projected revenue for business licenses.

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

20:06:08 Council Member Morris Pratt **MOVED** to table Ordinance 10-01 – Amending Title 5 of the Taylorsville Code of Ordinances, Adding New Definitions, Amending the License Fee Schedule and Adopting a Good Landlord Program, until the next regular Council Meeting on January 20, 2010. Council Member Jerry Rechtenbach **SECONDED** the motion. Vice-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.**

7. OTHER MATTERS

7.1 Council Elections for 2010 Council Chairman and Council Vice Chairman – Council Vice-Chair Catlin

City Recorder Cheryl Peacock Cottle presented nominations received for the 2009 City Council Chair and Vice Chair and a vote was conducted. Deputy Recorder Jessica Springer tallied the

votes and the City Recorder announced council election results, as follows: Bud Catlin as 2010 City Council Chair and Morris Pratt as 2010 City Council Vice-Chair.

20:11:46 Chairman Catlin announced that Agenda Meetings will be held on Thursdays at 4:00 p.m. from now on.

20:11:59 It was noted that David Church, of the Utah League of Cities and Towns, will provide training for new City Council Members

20:12:38 Council Member Johnson commented on training that he and Council Member Barbour recently attended and stated that it was very effective.

20:10:27 Chairman Catlin asked that input be given for Committee Advisor Assignments. Council Coordinator Jessica Springer agreed to send out the current committee assignments for review. New Committee Advisor Assignments will be made in the January 13, 2010 City Council Work Session.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

20:10:32 Council Member Rechtenbach asked that discussion regarding the 5400 South Flex Lanes Project be scheduled during the January 13, 2010 Work Session, with input provided by the City Engineer.

20:15:11 Mayor Wall noted a need to appoint an elected official to the ChamberWest Board.

20:16:44 Mayor Wall stated that he has been asked to sit on the Utah Local Governments Trust Board and believes that doing so would be beneficial to the City. A resolution for his appointment will be placed on the agenda for the next regular meeting.

20:18:45 Council Member Pratt asked for a status update on the Court. Mayor Wall agreed to provide regular updates on the Court during future Council Meetings.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

20:17:41

- 9.1 RDA Meeting – Wednesday, January 6, 2010 – 7:00 p.m.**
- 9.2 City Council Work Session – Wednesday, January 13, 2010 – 6:00 p.m.**
- 9.3 City Council Briefing Session – Wednesday, January 20, 2010 – 6:00 p.m.**
- 9.4 City Council Meeting – Wednesday, January 20, 2010 – 6:30 p.m.**
- 9.5 City Council Briefing Session – Wednesday, February 3, 2010 – 6:00 p.m.**
- 9.6 City Council Meeting – Wednesday, February 3, 2010 – 6:30 p.m.**

10. CALENDAR OF UPCOMING EVENTS

20:18:36

- 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 – Wednesday, January 27, 2010 – 7:00 p.m. – City Council Chambers – Hosted by State Representative Wayne Harper. Come prepared with your ideas and comments.**
- 10.3 **Arts 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

20:19:13 Council Member Morris Pratt **MOVED** to adjourn the City Council Meeting. Council Member Jerry Rechtenbach **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 8:19 p.m.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 01-06-10

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder