

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, May 19, 2010
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

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
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

18:02:06 Chairman Morris Pratt conducted the Briefing Session, which convened at 6:02 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present. Chairman Pratt called for questions on the Administrative Report for the Community Development Department, and there were none.

2. Review Agenda

18:03:27 The agenda for the City Council Meeting was reviewed.

3. Closed Session

18:06:32 Council Member Jerry Rechtenbach **MOVED** to adjourn the Briefing Session and convene a Closed Session to discuss the professional competence of an individual at 6:06 p.m. Council Member Larry Johnson **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Pratt-yes, Rechtenbach-yes, Johnson-yes, Catlin-yes, and Barbour. **All members of the City Council voted and the motion carried by a unanimous vote.**

CLOSED SESSION

A meeting of the City Council held on May 19, 2010 was closed to discuss the professional competence of an individual, wherein no other items were discussed.

18:34:04 Council Member Bud Catlin **MOVED** to adjourn the Closed Session at 6:34 p.m. and convene the regular City Council Meeting. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Pratt-yes, Rechtenbach-yes, Johnson-yes, Catlin-yes, and Barbour. **All members of the City Council present voted and the motion carried by a unanimous vote.**

REGULAR 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
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

Shelley McLaughlin, Accounts Payable Clerk
Elaine Waegner, Volunteer/Event Coordinator
Michael Kwan, Judge
Jennifer Gober, Police Officer
Patricia Kimbrough, Executive Assistant
Patrick Tomasino, Building Official
Kathy Lemay, Building Department
Donald Adams, Grants Manager
Jamie Brooks, Court Clerk
Dan Udall, Senior Planner
Wayne Dial, Assistant Chief of Police
MarRae Boyer, Receptionist
Penny Knight, Business License Clerk
Jean Ashby, Administrative Assistant
Troy Hansen, IT Specialist
Rosie Rivera, Police Sergeant
Brandy Stephens, Administrative Assistant

Citizens: Sharon Wall, John Gidney, Gordon Wolf, Darwin Cottle, Lynn Handy, Raili Jacquet, Jay Ziolkowski, Bruce Wasden, Joan Wasden, Dan Fazzini, Rebekah Whyte, Members of Scout 1081, Steve Ashby, Jim Dunnigan, Harlan Christmas, Townsend McCarthy, Carol McCarthy, Judy Lynn Bullock, Boyd Bullock, Jon Oliver, Carol Groustra, Josephine Parrish, Dale Parrish, Jeff Statler, Larry Huddleston, Mary Huddleston, Jennifer Frazee, Maurine Frazee, Chreston Cope, Susan Oliver, Jerry Hanson, Larry Bodine, Anny Boynton, Heidi Blair, Kristie Overson, Mary Beth Lauritzen, RaeLynne Harper Smith, Israel Grossman, Michelle Grossman, Pat Vance, Todd Sutton, Jennifer Lake, Diane Turner, Michelle Peters, Sharon DeVries, Johnny Anderson, Rhetta McIff, Ken Acker, Elise LaJeunesse, Karla Rush, Cameron Davis, Mark Murray

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:35:42 Chairman Morris Pratt called the meeting to order at 6:35 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

18:38:07 Chairman Pratt recognized members of Scout Troops 1081 and 591 who were in attendance.

**1.1 Pledge of Allegiance – Opening Ceremonies
– Chairman Pratt**

18:38:40 Cameron Davis of Scout Troop 1081 gave the Pledge of Allegiance.

**1.2 Reverence – Youth Council Member Paige Powell (Opening Ceremonies
For June 2, 2010 to be arranged by Youth Council)**

Mark Murray, Scout Leader of Troop 1081, offered the Reverence.

1.3 Citizen Comments

18:39:40 Chairman Morris Pratt reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

18:40:32 Michelle Peters stated that she has been involved with Taylorsville on a citizen level and is anxious to give back to the community. She relayed that she has watched leadership be forward thinking and fiscally minded. She said that, as a citizen, she wants the City of Taylorsville to be progressive. Ms. Peters stated that she supports a property tax increase.

18:42:04 Josephine Parrish expressed her concerns about the proposed property tax increase. She relayed that she is small business owner that has struggled during the economic crisis. Ms. Parrish said that she is not in favor of a tax increase at this time. She suggested better enforcement of traffic violations, which would help increase revenue for the City.

18:44:09 Townsend McCarthy spoke against a tax increase. He suggested that City expenses should be cut instead.

18:46:06 Rhett McIff stated that the LARP Committee has discussed the proposed budget and a potential tax increase. She relayed that LARP Committee Members are in favor of a tax increase that would be an average increase of \$24 per year. Ms. McIff distributed material regarding a safety study for children walking to school. She provided an update from the Safety Taskforce at Calvin Smith Elementary and described a safe transportation plan being finalized with the City for children walking to school along 2200 West. She encouraged stricter police enforcement of parents who are parking illegally and making u-turns across a double line on 2200 West. She says that school families have been notified that a \$90 citation may be issued for crossing the double yellow line. Ms. McIff announced that Calvin Smith Elementary has a new principal and also a new deputy who serves on the school's Safety Committee. She cited safety concerns for school children and listed goals to find ways to promote less traffic and more physical activity.

18:50:19 Mayor Wall said that the pedestrian bridge for Calvin Smith Elementary should be in place by August 23, 2010 for the beginning of the next school year.

18:51:28 Rhetta McIff announced that a Safety Fair will be held at Calvin Smith Elementary School on Wednesday, May 26, 2010.

18:51:59 Carol Groustra stated that she has lived in Taylorsville for 16 years. She cited her concerns with the City Police Department and the decreased value in her Taylorsville home. She expressed her opinion that citizens cannot currently afford to pay taxes for more than their property is worth.

18:55:50 Council Member Catlin asked Council Coordinator Jessica Springer to read a letter submitted to him by a constituent. Ms. Springer read a portion of a letter from Elise LaJeunesse, wherein concerns about administration of the Taylorsville Justice Court and lost revenue were expressed. Ms. LaJeunesse's statement included statistics she gathered through research on the West Jordan Municipal Court.

19:00:40 Chairman Pratt referenced a letter he received from a constituent opposing a tax increase and submitted the letter for the City record.

19:00:58 Bruce Wasden said that he has studied the proposed City budget. He cited concerns with employee salaries and the number of City personnel. He spoke against a potential tax increase and recommended contracting for services. He referenced many people who are currently out of work. He suggested pressuring state representatives to get laws changed regarding the amount of municipal court revenue going to the state. Mr. Wasden asked about the Fund Balance. Chairman Pratt said that the City maintains a balance above the minimum and below the maximum. Mr. Wasden strongly recommended approval of Resolution 10-18.

19:04:55 Jennifer Lake listed reasons that the City of Taylorsville should allow chickens, including economy and self sufficiency. She asked Council Members to vote in favor of the ordinance to allow chickens.

19:05:56 Jonathan Oliver spoke against a tax increase. He cited the difficult economy and said that this is a terrible time to raise taxes. He said that, in reviewing the budget, it appears all salaries are going down except for the City Council.

19:07:49 Chairman Pratt clarified that there are no salary decreases in the tentative budget, and the only increase given to the City Council was a 10% increase several years ago. Mr. Oliver said that he is in favor of wage decreases across the board.

19:14:18 There were no additional citizen comments, and Chairman Pratt closed the citizen comment period.

1.4 Mayor's Report

1.4.1 Proclamation Recognizing Teacher Jennifer Frazee, Valerie Pettinger, Yevgeny Pevzner, and Jeff Statler for Receiving the Granite School District's Educator of the Year Award for 2010

19:09:07 Mayor Russ Wall reported that several Utah teachers and administrators have been awarded "Educators of the Year" and were recently recognized in the newspaper. He relayed that four of those individuals named have direct ties to Taylorsville.

Mayor Wall recognized teachers Jennifer Frazee and Jeff Statler who were in attendance and presented them with City proclamations. The Mayor congratulated them on their awards and thanked them for their service to the community's children.

19:13:12 Mayor Wall stated that the City currently has a young Taylorsville Police Officer who is facing his second round with a battle against cancer. He asked that those in attendance be mindful of the officer.

2. APPOINTMENTS

2.1 Daniel J. Armstrong, Budget Committee – *Chairman Pratt*

Chairman Pratt stated that an application was submitted to the City by Daniel J. Armstrong for appointment to the Budget Committee; however, Mr. Armstrong has recently indicated that he presently does not have time to serve on the Committee. Chairman Pratt asked that the appointment be tabled to a future date.

19:15:01 Council Member Jerry Rechtenbach **MOVED** that Item 2.1 be eliminated and that no action be taken at this time on the appointment of Daniel J. Armstrong. Council Member Dama Barbour **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Rechtenbach-yes, Johnson-yes, Catlin-yes, and Barbour. **All City Council members voted in favor and the motion passed unanimously.**

3. REPORTS

There were no reports.

4. CONSENT AGENDA

4.1 Minutes – RCCM 05-05-10

19:16:08 Council Member Bud Catlin **MOVED** to adopt the Consent Agenda. Council Member Jerry Rechtenbach **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: Pratt-yes, Rechtenbach-yes, Johnson-yes, Catlin-yes, and Barbour. **All City Council members voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

5.1 Ordinance No. 10-07 – Concerning Permitting Chickens in Residential Zones – Mark McGrath

19:16:42 Community Development Director Mark McGrath stated that the subject ordinance was originally presented to the City Council on April 21, 2010, at which time a public hearing was held. He relayed that there were concerns at that time about some recommendations that may have been too restrictive. Mr. McGrath stated that several changes have since been made to the proposed ordinance.

19:17:28 Mr. McGrath summarized the recent amendments, as follows:

- The term “domestic chicken” has been removed and is now consistently referred to as “backyard chicken.”
- With the exception of the definition section, the term “hen house” has been removed and is now consistently referred to as “coop.”
- The previous version of the ordinance required that coops be located within the enclosure. The ordinance has now been amended to state that the coop must be within or adjacent to the enclosure.
- The previous version of the ordinance stated that coops must be at least 10 feet from any habitable structure. The ordinance has been amended to state that a coop must be at least 15 feet from any entrance to a habitable structure and 25 feet from any habitable portion of a structure on an adjacent property.
- Setbacks have been amended to allow a coop within three feet of any rear or side property line.

- The maximum number of chickens is now determined by lot size rather than setbacks.
- Chickens are now allowed in R-1-5, R-2-8, and R-2-10 zones in addition to the zones identified in the previous versions of the ordinance.

19:20:04 Mr. McGrath made a clarification for Jerry Rechtenbach regarding setbacks.

19:20:44 Council Member Jerry Rechtenbach **MOVED** to adopt Ordinance No. 10-07 – Concerning Permitting Chickens in Residential Zones. Council Member Larry Johnson **SECONDED** the motion. Chairman Pratt called for discussion on the motion. Council Member Barbour indicated that all input she has received on this issue has been positive. There being no further discussion, Chairman Pratt called for a roll call vote. The vote was as follows: Pratt-yes, Rechtenbach-yes, Johnson-yes, Catlin-no, and Barbour. **All City Council members voted and the motion passed with a 4 to 1 vote.**

19:22:04 Mayor Wall noted that the City has stopped enforcement on issues related to chickens unless a noise ordinance is being violated. He issued a reminder to those present that backyard chickens are still a conditional use and cautioned them to be considerate of neighbors in assuring that backyard chickens are not a nuisance.

5.2 Resolution No. 10-19 – Regarding Endorsement of Regional Growth Principles for Transportation and Land Use for Salt Lake County – Mark McGrath

19:23:00 Community Development Director Mark McGrath noted that the Council previously heard a presentation regarding the Wasatch Choices 2040 document. He called for consideration of the subject resolution.

19:23:48 Council Member Catlin said that he is not in favor of “feel good” resolutions. Mr. McGrath clarified that adopting this resolution does not bind the Council in any way, but only shows support and endorsement of the principles presented. He reported on the status of the resolution county wide and said that it is being used to demonstrate Salt Lake County’s common sense on development methods in order to obtain competitive grants.

19:26:05 Council Member Morris Pratt **MOVED** to adopt Resolution No. 10-19 – Regarding Endorsement of Regional Growth Principles for Transportation and Land Use for Salt Lake County. Council Member Jerry Rechtenbach **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: Pratt-yes, Rechtenbach-yes, Johnson-yes, Catlin-yes, and Barbour. **All City Council members voted in favor and the motion passed unanimously.**

6. FINANCIAL MATTERS

6.1 Discussion Regarding the Budget for Fiscal Year Beginning July 1, 2010 and Ending June 30, 2011 – *John Inch Morgan*

19:27:32 City Administrator John Inch Morgan stated that he was asked in the last meeting to obtain additional information on employee health benefits and related costs. He reminded the Council that the original estimate for insurance costs through Select Health included a 15% increase, but said that the estimated increase has now been brought down to 12%.

19:30:03 Mr. Morgan reviewed four insurance options, as follows: (1) – accept the renewal rate to increase the premium by 12%, raise co-payments by \$5, and eliminate the \$1000 supplemental benefit; (2) increase co-payments by \$10-\$15 to bring the increase rate down to 9.2%; (3) keep the co-payments where they are currently, increase the deductible from \$500 to \$1000, and bring the increase rate down to 5.9%; and (4) leave co-payments where they are currently, increase the deductibles to \$2000 and bring the increase rate down to approximately 1%.

Council Member Rechtenbach suggested that the City considering sponsoring an HSA-type benefit to help offset increased deductibles.

19:30:33 Mr. Morgan stated that the Administration's recommendation is for the renewal rate with co-payments being increased by \$5, the \$1000 supplemental benefit being eliminated, and the deductibles remaining at \$500. He reiterated that this option will result in a 12% increase, to be shared by employees and the City.

19:32:37 Council Member Pratt referenced another option to modify the City's contribution rate from 90% to 80%. Discussion was held regarding the overall amount of the increase to the City for insurance costs. Mr. Morgan confirmed that rates for dental and vision insurance will not change.

19:34:53 Chairman Pratt observed that insurance rates are affected by claim numbers. He asked that employees be careful in submitting claims that will affect next year's rates.

19:37:59 Discussion was held regarding comparisons with other cities on cost splits.

19:39:21 Insurance Representative Jim Dunnigan made a clarification that the total increase for option 2 would be \$55,200, to be split between the City and employees.

19:40:40 Council Member Catlin inquired about the average insurance splits in the private sector.

19:41:03 Mr. Dunnigan indicated that in small businesses the average is a 50/50 split; in white collar companies the average is a 90/10; and in government entities the norm is an 80/20 split.

19:41:49 Mr. Dunnigan said that the normal deductible in other government entities is \$500. He stated that for large employers, which Taylorsville would be considered, the average is just under \$500. He indicated that for small businesses the average is just under \$800. Mr. Dunnigan said that State employees have a \$250 deductible. He noted that, with the renewal option, emergency room co-payments will increase from \$100 to \$200.

19:42:16 Mr. Dunnigan relayed that other insurance providers were shopped. He reported that the City currently has good dental and vision rates.

19:44:55 Mr. Dunnigan clarified that deductibles apply to emergency room visits, hospitalizations, surgeries, and major testing. He clarified the bottom line, in that employees must pay deductibles out of pocket each year, no matter what medical service the deductible is applied to.

19:47:12 Mr. Dunnigan described efforts to implement global fees for medical care.

19:49:26 Administration was asked to bring back calculations with an 80/20 split across the Board. It was agreed that Option 3, with the \$2000 deductible, should be eliminated from consideration. Mr. Morgan agreed to forward the calculations to Council Members via e-mail by May 20, 2010.

19:51:52 It was noted that a public hearing on the budget will be held June 2, 2010, and a decision on benefits should be made by that time.

19:54:29 The Court Budget was reviewed. Judge Kwan reviewed Court revenue and said that if collections continue on their current trend, the Court revenue line may increase. He confirmed that surcharges would also increase in that event.

Judge Kwan explained that the Taylorsville Court collects fines, but then must pay the State up to 90% of those fines for surcharges. He reviewed other portions of Court revenue that are redirected to the State or the County.

20:00:16 Representative Dunnigan stated his opinion that the State is "ripping off" the City and cited reasons that the State recently raised surcharge percentages.

20:01:59 Chairman Pratt recognized Representative Johnny Anderson in attendance.

20:03:48 Discussion was held regarding a potential reduction in Court clerical personnel. Judge Kwan stated that he has recommended reduction in staff within the court budget, which will reduce services that can be provided.

20:07:34 Discussion ensued regarding increased revenue in the Court and whether layoffs in the Court will actually be necessary.

20:08:54 It was noted that expenses in the Court are down from last year. Comparisons with the West Jordan Court were addressed.

20:11:31 Council Member Rechtenbach cited discrepancies in the number of employees reported for Taylorsville through the letter that was read earlier in the meeting.

20:13:01 Council Member Barbour asked for clarification on statistics in the budget and numbers for existing staff. She said that the need to reduce court personnel should be re-evaluated. She suggested that staff should be maintained in order to keep up with collection efforts in the Court.

Council Member Johnson commended Judge Kwan for improvements in the Court and inquired about training efforts.

20:14:42 Judge Kwan reported on intense training that has been conducted in the Court recently. He relayed that the new policies and procedure manual that was lately developed has been very beneficial. He cited training grants that the Court received from the State. The Judge also noted that the Court has tentatively been granted approval of \$7500 for maintenance of security equipment. He said those grant monies should be received on July 1, 2010.

20:17:38 There were no further questions or comments regarding the Court Budget.

20:17:51 The Administrative Services Budget was addressed.

20:18:05 Chairman Pratt cited his concern that Ordinance No. 06-32, which was adopted in 2006, is being modified by an approved budget. He inquired about the Administration's position on this matter.

20:19:16 Mayor Wall described the Administration's position that the City Council is presented with a budget, which includes payroll amounts, employee's names, job positions, and salary ranges. He affirmed that Administration considers the Ordinance Budget to override the previous ordinance.

20:20:01 City Attorney John Brems stated that he hasn't yet completely researched this issue, but said his initial opinion is that the latest ordinance controls. He noted that pay grades were

included in the budget ordinance. He reviewed the Statute regarding approved salaries and observed that the Budget Ordinance does include the required salary schedule.

20:21:13 Council Member Catlin inquired whether all salary adjustments have been made within the pay grades established in the CBIZ study.

20:21:53 Mayor Wall relayed his understanding that pay grades are determined by job description. He stated that, in some cases, job descriptions have changed and pay grades have been adjusted accordingly. He affirmed that there are currently employees paid outside the ranges initially set by the CBIZ Study.

20:23:03 Council Member Catlin stated that if a job description changes and is reclassified within salary ranges, the legislative body needs to modify the ordinance regarding salary ranges.

20:24:05 The Mayor explained that at the time the CBIZ Study was conducted, the job descriptions were accurately based on desk audits that were performed. He described scenarios when job duties have changed for individuals and adjustments were made accordingly.

Mr. Brems clarified that the City's budget is adopted by Ordinance. It was affirmed that City employees are not members of a union.

Council Member Rechtenbach relayed his concerns regarding a possible ordinance violation.

Mayor Wall acknowledged that Administration should make a clarification to the Council when an adjustment is made to job classifications under the Budget Ordinance. He confirmed that this was not previously done. Mayor Wall said that he has asked the City Attorney to investigate the issue to determine whether a policy was broken, but that investigation is not yet complete.

Council Member Rechtenbach expressed his opinion that any violation of policy or ordinance was not done intentionally, but was done mistakenly and honestly.

Mayor Wall said that he assumes any responsibility for how the Budget was presented to the Council. He agreed that there was no malicious intent on the part of Administration.

Council Member Catlin stated his belief that one ordinance does not supersede another. Mayor Wall described scenarios when certain ordinances have to supersede others. Mayor Wall agreed that the process of making certain adjustments may not have been done properly and said remedies are still being investigated.

Chairman Pratt cited Utah Code that outlines what types of information must be provided to the Council.

20:18:35 Mayor Wall confirmed that Administration is still endorsing the tentative budget in terms of payroll and benefits.

20:37:52 Discussion was held regarding any pay increases or grade adjustments that have taken place. Mayor Wall clarified that no employees have received pay increases or grade adjustments during the 2009-2010 fiscal year. He described changes in pay and grade adjustments that took place approximately two years ago when he gave up his executive assistant position and assigned extra duties to two other employees in the City. The Mayor relayed that those two individuals were each given a \$2 per hour increase to take on the extra workload, and he believed that was a bargain for the City at the time.

20:40:58 Mayor Wall said that he has asked for a complete audit of every employee change that has happened since 2005 and will be providing that information to the Council once it is compiled.

Council Member Barbour noted that the discussion regarding pay increases involves adjustments that actually took place two years ago.

Mayor Wall said that he believes some discussion took place with the Council during Budget Sessions about adjustments to pay.

20:43:58 Council Member Johnson stated that he is not ready to pass the budget without more answers to questions. Mayor Wall clarified that the City has until June 30, 2010 to adopt the budget.

Council Member Rechtenbach inquired about differing percentages for fringe benefits in the two latest versions of the tentative budget.

Council Member Larry Johnson asked whether the City is paying employees who are "double dipping." Mr. Morgan affirmed that there may be some such employees in the Police Department. He explained that the new legislation regarding retirement is still unclear and there are many unanswered questions. He agreed to provide further information on this issue at the next Council Meeting.

Mr. Harrington gave clarification on the change in percentage of fringe benefits, which includes a change of facilities employees to their own department and also the reduction in insurance rate increases. After further questioning, he agreed to do provide additional information.

20:47:57 Chairman Pratt read a statement withdrawing his support of the tentative budget passed in the previous Council Meeting. He stated that he needs more time to review numbers in the budget and stated that he greatly appreciates the Administration's cooperation. Chairman Pratt also stated that he feels he must challenge the Administration's position that the process of adopting the budget modifies intent of other previously adopted and specific ordinances, such as Ordinance 06-32.

20:50:25 Chairman Pratt inquired why budget is needed for employee recruitment when the City is not currently hiring. Mr. Morgan explained that funds may be needed for newspaper advertisements in order to refill key positions that are vacated.

20:52:00 Council Member Johnson asked that discussion regarding salaries and wages be placed on the next Council agenda.

20:52:44 Council Member Catlin suggested reducing the \$5000 in the budget line for employee recruitment, since the City is not hiring and there is budget for recruitment in the Police Department. Discussion was held, and a poll of the Council resulted in a 3 to 2 vote in favor of reducing the employee recruitment budget to \$2000.

20:58:47 The Non-Departmental Budget was addressed and Mr. Morgan explained the basis for the employee reserve fund.

21:03:23 Mayor Wall cited the example of a time that the City paid out \$40,000 to the former Police Chief when his employment terminated. The Mayor explained that there was no budget allocation for that amount at the time, and a Police Chief had to be hired fairly soon.

21:05:54 Budget Chair Gordon Wolf noted that if the budget allocation is removed and then the expense is incurred, Administration would need to come back to the Council in order to make an adjustment.

21:10:01 The consensus of the Council was to take out the employee recruitment line with the understanding that the budget can always be reopened if necessary.

21:10:54 Budget Chairman relayed a request from a member of the Budget Committee to address the Council. It was determined to defer that request until the June 2, 2010 City Council Meeting.

21:13:39 Discussion was held regarding a \$25,000 reduction in insurance rates with the Utah Local Governments Trust. Different methods for calculating and sharing rate costs were addressed. Mayor Wall reviewed reductions with the Trust and the addition of earthquake and flood coverage. He indicated that he will be attending a meeting with the Trust soon and will receive more information.

21:18:07 Mr. Harrington addressed the previous question on the reduction in fringe benefits. Council Member Rechtenbach requested that the line be restored to the way it was originally recognized in the budget.

21:23:46 Council Member Catlin called for a breakdown by department for hospitality expense. Mayor Wall cited accounting issues that may be involved. Mr. Morgan agreed to provide a breakdown on costs for hospitality.

21:26:33 Mr. Morgan provided information on the budget for Government Buildings and indicated that it includes allocations for maintenance and custodial positions.

21:29:24 Council Member Pratt inquired about a vacant janitorial position, and Mr. Morgan indicated that the position is now filled.

21:31:15 Mayor Wall commented on reasons for keeping the Planning Commission stipend flat.

21:32:10 The budget for Citizen Committees and events was addressed.

21:46:36 Taylorsville Dayzz Chairman Jim Dunnigan spoke in favor of the Taylorsville Dayzz event. He reviewed expenses and cited ways the event benefits the community.

21:51:06 Council Member Catlin asked for a complete report/inventory on Taylorsville Dayzz. Chairman Dunnigan indicated that such a report has already been provided to City Administration.

22:00:12 Council Coordinator Jessica Springer gave input on budget that may be decreased for candy and balloons provided during Taylorsville Dayzz.

22:01:12 Chairman Dunnigan addressed concerns from Council Member Catlin about the Exchange Club's contribution to the Taylorsville Dayzz Parade.

21:54:26 Parade Chairman Jay Ziolkowski commented on the Taylorsville Dayzz Parade. The City Council agreed to increase the parade budget to \$3,500.

22:01:43 The budget for public safety contracts was reviewed.

22:02:04 Chairman Pratt cited a 3% reduction in the Unified Fire Authority (UFA) contract. Mr. Morgan reported that the initial estimate for UFA has increased by \$8,012. He noted, however, that this amount still represents a reduction of 2.8% over last year.

22:03:11 Chairman Pratt asked that the Police Department Budget be addressed during the next City Council Meeting, following the discussion on benefits and salaries.

**6.2 Resolution No. 10-18 – For the City Council to Direct the City of Taylorsville Administration to Freeze Compensation and Payroll Adjustments
– John Inch Morgan**

22:06:17 City Administrator John Inch Morgan stated that he was asked at the previous City Council Meeting to write a resolution which would freeze employee compensation.

22:07:14 Council Member Rechtenbach asked why the Police Department is exempt from the hiring freeze. Mr. Morgan referenced step increases that are implemented in the Police Department.

22:10:09 Council Members Rechtenbach and Catlin stated that if wages are to be frozen, they should all be frozen, including the Police Department.

22:11:06 Discussion ensued regarding studies that were previously conducted and how salary ranges should be referenced.

22:12:30 Chairman Pratt said that the Step Plan for Police Officers was adopted previously and feels it should be followed, so he is fine with the Resolution the way it is written.

22:15:33 Chief Craig gave explanation on the Step Program in the Police Department.

22:16:51 Council Member Barbour cited similarities to the Step Program being implemented in the Police Department and the salary ranges assigned to other employees. She said that she is hesitant to adopt a resolution that does not cover all employees, because it does not seem fair. She suggested giving the resolution more thorough consideration.

22:17:31 Council Member Catlin said that the system in place does not cover everyone and his concern is with the CBIZ study in the ordinance. He said that Police personnel are not covered by the ordinance in question, but rather are covered by another pay plan that was adopted at the time the Police Department was formed. Council Member Catlin said further discussion in the future may be appropriate regarding whether two different pay plans should exist in one organization. He suggested adopting the subject resolution, with exclusion of the sworn police officers, because they are currently on a separate track.

22:19:16 Chief Craig estimated that the percentage of increase awarded in the step plan is in increments of 4.7%. After further discussion, it was determined that the increase for officers in the step plan is 4.5% to base pay.

22:21:08 Council Member Jerry Rechtenbach **MOVED** to deny Resolution 10-18 – For the City Council to Direct the City of Taylorsville Administration to Freeze Compensation and Payroll Adjustments, as it is discriminatory. Council Member Dama Barbour **SECONDED** the motion. Chairman Pratt called for discussion on the motion. Council Member Catlin called for clarification, and Council Member Rechtenbach stated that the intent of his motion is to include every employee or nobody, rather than singling anyone out. There being no further discussion, Chairman Pratt called for a roll call vote. The vote was as follows: Pratt-no, Rechtenbach-yes, Johnson-no, Catlin-no, and Barbour-yes. **All City Council members voted and the motion failed with a 3 to 2 vote.**

22:22:48 Chairman Pratt **MOVED** to approve Resolution 10-18, as outlined. 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: Pratt-yes, Rechtenbach-no, Johnson-yes, Catlin-yes, and Barbour- no. **All City Council members voted and the motion passed with a 3 to 2 vote.**

7. OTHER MATTERS

7.1 ***Ordinance No. 10-13 – Amending Section 9.40 of the Taylorsville Code of Ordinances By Adopting the 2009 International Fire Code, Accompanying Appendices (Excluding Appendix A), Amendments Thereto, and Related Fee Schedules – John Inch Morgan***

22:24:07 City Administrator John Inch Morgan asked Jay Ziolkowski to describe the subject ordinance regarding adoption of the International Fire Code.

22:24:14 UFA Battalion Chief Jay Ziolkowski relayed that the State legislature has approved the International Fire Code as the State Fire Code. He cited two issues, however, that must be amended by individual entities throughout the State, i.e. sprinkler systems and audible devices. Chief Ziolkowski explained that this ordinance will allow Taylorsville, the UFA, and building officials an option regarding audible devices in R-3 residential buildings.

22:25:24 Chief Ziolkowski referenced the fee schedule and described reasons it should be implemented. He described plans for the Fire Prevention Bureau to conduct inspections and proper mapping, which will be added into the CAD System.

22:26:28 Chief Ziolkowski addressed questions from the Council. Building Official Patrick Tomasino clarified that R-3 residential is a single family dwelling.

22:28:14 Mayor Wall noted that if the City does not pass this ordinance, the local fire code defaults to the International Fire Code, and the City will not have a choice about whether to require certain residential homes to have sprinkler systems.

22:28:59 Representative Jim Dunnigan made additional explanation about requirements in the new International Fire Code and described amendments made by the State.

22:32:12 Council Member Catlin expressed concerns about how the Fire Code is applied in different jurisdictions.

22:32:55 Chief Ziolkowski confirmed that the subject ordinance will allow the City more flexibility within the Fire Code.

22:33:19 Council Member Larry Johnson **MOVED** to adopt Ordinance No. 10-13 – Amending Section 9.40 of the Taylorsville Code of Ordinances by Adopting the 2009 International Fire Code, Accompanying Appendices (Excluding Appendix A), Amendments Thereto, and Related Fee Schedules. Council Member Jerry Rechtenbach **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: Pratt-yes, Rechtenbach-yes, Johnson-yes, Catlin-yes, and Barbour. **All City Council members voted in favor and the motion passed unanimously.**

Chairman Pratt called for any other matters for discussion.

22:34:12 Council Member Larry Johnson reported on a commitment received by Representative Jim Dunnigan from the Utah Department of Transportation for an award of \$100,000 for beautification along the flex lanes project, including trees and irrigation along 5400 South. Mr. Johnson explained that if the City accepts the donation, they will need to maintain the trees at a cost of \$2000 per year.

22:36:07 Chairman Pratt proposed that the Public Works Budget be increased by \$2000 to fund maintenance of the planned improvements to 5400 South. Discussion was held and the consensus of the Council was to add \$2000 to the street beautification line.

22:37:42 Mayor Wall noted that the Public Works Budget is already being cut by \$300,000, resulting in a reduction of direct services.

22:38:19 Council Member Barbour expressed concern that the Council may not be keeping a vision for Taylorsville in mind. She encouraged Council Members to review the General Plan, consider discussions in the Strategic Planning Session, and budget with long-term goals in mind.

22:40:14 Chairman Pratt inquired about the recent class conducted for the Good Landlord Program. Community Development Director Mark McGrath reported that there were approximately 10 attendees in the class. He said the class was very well presented and received.

22:40:46 Chairman Pratt asked City Attorney John Brems to research and determine whether the 2010-2011 tentative budget that was previously adopted would remain in force and become the official City budget if a final budget is not adopted by the deadline.

22:41:49 Council Member Johnson mentioned that he is not in favor of the tentative budget until certain issues are resolved.

22:42:27 Chairman Pratt inquired whether any other City Council Members want to join him in challenging the Administration's position that the Budget ordinance adopted supersedes Ordinance 06-32. Council Member Barbour stated that she would like to receive additional information from the City Attorney after research is completed. Mr. Brems affirmed that he will have a final recommendation by the June 2, 2010 City Council Meeting.

22:43:25 Council Member Catlin stated that he does not agree with the premise that one ordinance supersedes another and has received outside opinion supporting that position. He said he is not comfortable with Administration's position on the issue.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

22:44:44 Council Member Johnson asked that everyone pray for the Taylorsville police officer who is battling cancer.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

22:45:26

- 9.1 City Council Briefing Session – Wednesday, June 2, 2010 – 6:00 p.m.
- 9.2 City Council Meeting – Wednesday, June 2, 2010 – 6:30 p.m.
- 9.3 City Council Work Session – Wednesday, June 9, 2010 – 6:00 p.m.
- 9.4 City Council Briefing Session – Wednesday, June 16, 2010 – 6:00 p.m.
- 9.5 City Council Meeting – Wednesday, June 16, 2010 – 6:30 p.m.

22:45:43 City Administrator John Inch Morgan clarified that two public hearings will be scheduled for June 2, 2010 in order to receive comments on both the Final Amendments to 2009-2010 Budget and the Tentative Budget for 2010-2011.

22:46:57 Chairman Pratt stated that he has a personal planning matter scheduled for action on the June 2, 2010 City Council Meeting. He indicated that he will recuse himself from that discussion.

22:47:54 Chairman Pratt thanked Council Members Barbour and Rechtenbach, along with Taylorsville employees Donald Adams, Keith Snarr and Jean Ashby, for their hard work in preparing for the International Council of Shopping Centers (ICSC).

10. CALENDAR OF UPCOMING EVENTS

22:48:56

10.1 Memorial Day Holiday – Monday, May 31, 2010 – City offices will be closed.

11. ADJOURNMENT

22:49:02 Council Member Dama Barbour **MOVED** to adjourn the 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: Pratt-yes, Rechtenbach-yes, Johnson-yes, Catlin-yes, and Barbour. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 10:49 p.m.


Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 06-16-10

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder