

City of Taylorsville
Work Session
Minutes

Wednesday, July 14, 2010
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Vice-Chairman Jerry Rechtenbach
Council Member Dama Barbour
Council Member Larry Johnson
Del Craig, Chief of Police

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
Wayne Dial, Assistant Police Chief
Lyle Hansen, Public Works Inspector
Patrick Tomasino, Building Official
Jean Ashby, Administrative Assistant
Gerry Orr, Senior Accountant
Keith Snarr, Economic Development Director

Excused: Council Member Catlin

Others: Laura Lewis, Justin McMurtrey, Hal Newman, Clover Meaders, Angie McConkey, Rachelle Godham, Brandie Balken

Chairman Morris Pratt called the Work Session to order at 6:03 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present except Council Member Catlin, who was excused.

1. Closed Session

a. Strategy Session to Discuss the Sale and Purchase of Real Property

18:03:04 Council Member Jerry Rechtenbach **MOVED** to convene a Closed Session to discuss the sale and purchase of real property at 6:03 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: Barbour-yes, Pratt-yes, Rechtenbach-yes, Johnson-yes, and Catlin-excused. **All members of the City Council present voted and the motion carried by a unanimous vote.**

CLOSED SESSION

Those in attendance at this Closed Session were: Council Members Barbour, Catlin, Johnson, Pratt and Rechtenbach; Mayor Russ Wall, City Administrator John Inch Morgan; City Attorney John Brems, Economic Development Director Keith Snarr; Chief of Finance Scott Harrington, Laura Lewis, Justin McMurtrey, and City Recorder Cheryl Peacock Cottle. Minutes for the Closed Session were taken and are now on file as a Protected Record.

Council Member Jerry Rechtenbach **MOVED** to adjourn the Closed Session at 6:40 p.m. and convene the City Council Work Session. Council Member Dama Barbour **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: Barbour-yes, Pratt-yes, Rechtenbach-yes, Johnson-yes, and Catlin-excused. **All members of the City Council present voted and the motion carried by a unanimous vote.**

2. Discussion Regarding a Cemetery Advisory Committee – John Inch Morgan

18:43:04 Chairman Pratt called for continued discussion regarding the creation of a Cemetery Advisory Committee. He referenced a short proposal that he drafted and said he believes it to be consistent with code for creating other City committees. He inquired about the number of members to appoint to the committee.

18:45:46 Mayor Wall suggested a wording change to *C. Duties and Responsibilities 1.*, as follows: "To give advice regarding the operation of the City cemetery lands and services to the City." The Mayor cited reasons for the wording change in order to give the City more responsibility.

18:46:27 City Administrator John Inch Morgan confirmed that three members are currently appointed to the temporary committee. Mayor Wall suggested changing the wording on *Letter B* to: "... up to four members."

18:46:47 Mr. Morgan described potential responsibilities that might be assigned to the Cemetery Committee, i.e. establishing policies, rates, fees, etc.

18:47:41 It was confirmed that the Taylorsville Cemetery is basically landlocked, but there are still approximately 2000 available plots. Mr. Morgan said that plots are selling steadily.

18:49:01 The makeup of the Committee was discussed. Chairman Pratt clarified that there is currently a volunteer committee that is temporarily in place, but an ordinance must be implemented to reflect those appointments.

18:49:57 Mr. Morgan referenced the City's standard procedures for appointing new committee members as needed.

18:50:19 Council Member Johnson stated that he would like to serve on the Committee if there is an opening. It was noted that a City Council Member will be appointed to serve as an advisor. It was confirmed that this Committee is for advisory purposes only.

18:51:19 Mr. Morgan agreed to submit the proposal to the Ordinance Review Committee and also to the temporary committee that is currently in place.

18:52:01 It was determined that this matter will be brought back in ordinance form on August 18, 2010.

18:52:14 City Attorney John Brems recommended a wording change to *Item 6*, as follows: "To propose rules ..."

3. Discussion Regarding a Possible Anti-Discrimination Ordinance in Employment and Housing Practices – *John Inch Morgan*

18:52:45 City Administrator John Inch Morgan noted that the Council voted on the Anti-Discrimination Ordinance earlier this year as a concept only. He relayed that a number of sister cities have now implemented an official ordinance.

18:53:42 Chairman Pratt noted a correction needed on Page 1 of the Ordinance, as follows: change "Title 19" to "Title 26."

18:54:11 Chairman Pratt inquired why the State is not handling this ordinance. Mayor Wall indicated that for various political reasons, the State has not wanted to address this particular ordinance. He cited discussions that have been held with legislators regarding postponing or possibly banning these types of ordinances. He said that Taylorsville has now received the go-ahead to proceed with action that the community considers to be in its best interest.

18:55:21 Chairman Pratt clarified that the ordinance is modeled after other cities. Mayor Wall confirmed that the proposed Taylorsville ordinance is most similar to that adopted by West Valley City. He described similarities and differences between the two. He explained that the proposal is to handle violations through an Administrative Court rather than a Criminal Court.

18:56:00 Chairman Pratt inquired whether an Administrative Board is similar to an advisory committee.

18:56:40 Discussion was held and Mayor Wall suggested following up with West Valley City, Salt Lake City, and Equality Utah to discuss the reasoning for an Administrative Board. The Mayor stated a preference to have the first level of adjudication be an Administrative Board rather than a Criminal Court. He confirmed that such a board would be appointed as needed.

18:58:21 Council Member Rechtenbach inquired whether it is appropriate to consider this matter as an ordinance that requires enforcement similar to other City laws. He cited reasons that he doesn't feel a Board should be appointed, but suggested, rather, that law enforcement procedures should be followed.

18:59:32 City Attorney John Brems listed three options for the City: use the Administrative Law Judge, create a new Administrative Board, or use the Municipal Court.

19:00:11 Mr. Rechtenbach said that he is not in favor of implementing another layer of policy makers.

19:00:33 Mr. Brems clarified that the proposed ordinance is set up with fines, using the nuisance process. He noted that if jail time is to be implemented, then the matter must go to a municipal court.

19:02:04 Council Member Rechtenbach cited established procedures in the City for handling code violations. He asked the City Attorney to make recommendations as to which court should hear discrimination violations, but said he is not in favor of using an Antidiscrimination Board.

19:03:10 Brandie Balken, of Equality Utah, relayed that Salt Lake City administers complaints through its Human Resources Department. She said that no other cities have moved these matters through criminal courts. She stated that she highly recommends handling complaints within Administration or with the Human Resources Specialist.

19:04:52 Council Member Rechtenbach said that Administrative Human Resources has no authority and suggested that this matter be considered as a resolution, rather than an ordinance.

19:05:12 Ms. Balken stated that other cities have implemented this matter as a resolution rather than an ordinance. She inquired about how violations for parking are handled in Taylorsville. Mayor Wall said that parking is a criminal violation, but explained that nuisance violations are handled through the Administrative Law Judge.

19:05:47 Mayor Wall cited reasons that discriminations should be handled through the Administrative Law process.

19:06:27 It was confirmed that fines that are assessed will return directly to the City.

19:07:12 Discussion was held regarding criminal situations versus civil violations.

19:07:50 Council Member Johnson inquired whether the City has insurance if it is sued for discrimination.

19:08:12 Mayor Wall cited insurance, immunity, and indemnification provided to the City.

19:08:28 The consensus of the Council was to substitute the Administrative Law Judge for the Administrative Board.

19:08:58 Council Member Barbour said that she has been reviewing this ordinance for awhile and cited the importance of implementing it in a manner similar to surrounding cities.

19:09:32 Mr. Brems agreed to bring the subject ordinance back to the August 4, 2010 City Council Meeting, with inclusion of the recommendations discussed. Chairman Pratt asked the Council to forward any additional input to Mr. Morgan or Mr. Brems.

19:10:45 Mayor Wall noted that this ordinance has already been approved by the Ordinance Review Committee. He suggested that, in order to save time, the slight changes that have been recommended be e-mailed to members of the Ordinance Review Committee. Chairman Pratt agreed that would be appropriate.

4. Other Matters

19:12:59 Council Member Johnson cited calls he has received about fireworks during Taylorsville Dayzz and several hot fires that had to be put out as a result. He suggested that ball games be cancelled on the Monday during Taylorsville Dayzz. Mayor Wall said that safety is overseen by the Unified Fire Authority (UFA). He relayed that cancellation of ball games can be difficult to coordinate with Salt Lake County. He agreed to follow up with the Fire Marshal and said he would ask UFA to monitor the situation.

5. Adjournment

19:15:29 Council Member Larry Johnson **MOVED** to adjourn the City Council Work Session. Council Member Morris Pratt **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Barbour-yes, Pratt-yes, Rechtenbach-yes, Johnson-yes, and Catlin-excused. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 7:15 p.m.


Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 08-04-10

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder