

City of Taylorsville
Work Session
Minutes

Wednesday, October 14, 2009
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

Attendance:

Mayor Russ Wall

Council Members:

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

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
Mark McGrath, Community Development Director
John Taylor, City Engineer
Scott Harrington, Chief of Finance
Penny Knight, Business License Coordinator

Excused: Council Member Rechtenbach

Others: Dama Barbour, Fred Philpot, Paulette Hansen, Gary Hansen

18:03:24 Chairman Lynn Handy 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 Rechtenbach who was excused.

1. Discussion Concerning Amending Title 5 of the Taylorsville City Code, Adding New Definitions, Amending the License Fee Schedule, and Adopting a Good Landlord Program – *John Brems, Mark McGrath*

18:04:36 Community Development Director Mark McGrath cited the desire of the Council to review the Business License Study and Fee Schedule.

18:05:15 Mr. McGrath outlined the planned discussion, as follows:

1. Review Changes to the Study
2. Review License Categories
3. Address Potential Impacts
4. Discuss Good Landlord Provisions
5. Formulate Preliminary Fee Proposal

18:06:21 Fred Philpot, of Lewis Young, reviewed the recent changes made to the study. He referenced new salary data that was received and cited changes to the cost per minute data.

18:08:35 Mr. Philpot gave clarification on assessments for fire and police services.

18:09:10 Reductions in base fees were reviewed.

18:09:42 Mr. Philpot addressed questions from the Council regarding changes that were made.

18:19:27 Finance Director Scott Harrington agreed to forward more legible copies of the amended study to the Council.

18:19:57 Mr. McGrath reviewed changes to license categories and cited new categories that have been created.

18:22:37 Mr. McGrath confirmed that group homes have not been addressed in the business license fee schedule. Council Member Pratt stated that the Ordinance Review Committee is working on issues surrounding group homes.

18:23:27 City Attorney John Brems addressed questions from the Council regarding the regulation of group homes.

18:24:54 Discussion was held on disproportionate fees.

18:26:42 Mr. McGrath gave explanation on how disproportionate fees are calculated.

18:27:04 Mr. Philpot addressed questions regarding calls for service that were attributed to businesses. He described legislative requirements and ways that similar businesses are classified.

18:31:59 Chief Del Craig gave explanation on the ways calls for service from businesses are tracked.

18:33:45 Mr. Philpot stated that the call data provided is very accurate.

18:35:00 Council Member Pratt asked for clarification on employee costs and costs for call data.

18:37:07 Mr. McGrath reviewed class categories and changes made to the study. An error in the table was noted.

18:39:51 Mr. McGrath reviewed the fee schedule for home occupations and cited costs to the City, as identified by the study.

18:44:15 Mr. McGrath reviewed the commercial base cost summary.

18:46:49 Mr. McGrath listed fees and costs to the City for construction and manufacturing trades. It was suggested that the employee fee be eliminated.

18:51:54 Mr. McGrath gave clarification on the definition of small retail versus large retail.

18:54:39 Discussion was held regarding the fees and costs to the City for Department Store/Big Box businesses.

18:55:29 City Attorney John Brems gave additional clarification.

18:59:46 Mr. McGrath reviewed fees and costs to the City for full service grocery businesses and professional/business service.

19:01:21 Mr. McGrath outlined fees and costs to the City for the following business categories: personal service businesses, senior/assisted living, family services/group homes, arts entertainment and recreation businesses, food service businesses, automotive businesses, accommodation facility, mobile home communities, and storage units.

19:11:22 Discussion was held regarding the staff support required to manage the potential increase in business licenses. Mr. McGrath agreed that this issue must be analyzed more fully and additional discussion will take place in the future.

19:14:13 Council Member Pratt noted the difference in City costs for a new license versus a renewal license.

19:14:39 Demographics for mobile home parks were referenced.

19:15:51 Mr. McGrath estimated that 85% of business licenses issued are renewals.

19:18:41 Council Member Pratt reviewed fees and costs to the City for rental units that have 3-plus apartments.

19:19:15 Mr. McGrath noted that some single family rental homes in the City are having a negative impact in neighborhoods. He stated that he and Mr. Brems both attended the Utah Land Use Institute Conference earlier in the day. He relayed information regarding Good Landlord programs that are being implemented in other cities. Mr. McGrath reported on data from several communities showing that single family rental homes have more calls for service than typical apartments.

19:20:21 Mr. McGrath reviewed fees and costs to the City for duplexes, which are not being required to have business licenses.

19:23:29 Mr. McGrath detailed provisions of the Good Landlord Program:

19:25:16 Council Member Pratt expressed concerns regarding incentives for participation in the Good Landlord Program. He cited the costs for classes that are provided by the Apartment Association.

19:26:37 Council Member Matsumura called for clarification on requirements for attending the classes. It was relayed that the proposed ordinance requires that landlords must attend every two years.

19:30:00 Questions were addressed by Mr. McGrath regarding classes offered by the Apartment Association for landlords and specific requirements for attendance.

19:34:08 Mayor Wall stated that landlords are not required to be members of the Apartment Association. He also noted that the City can offer its own class for landlords.

19:37:03 Mayor Wall cited code enforcement issues with rental homes in the City. He reviewed the original intent of the proposed ordinance and the benefits of utilizing the Good Landlord Program. The Mayor expressed a desire to ensure that responsible landlords are not penalized, but irresponsible landlords are. He described several potential scenarios with landlords.

19:43:36 Mr. Brems gave additional clarification.

19:47:09 Mr. McGrath stated that the proposed ordinance is an attempt to improve neighborhood situations with rentals. He noted that other municipalities are enacting the Good Landlord Ordinance and if Taylorsville doesn't have one in place, criminal tenants will end up in Taylorsville.

Mr. McGrath cited the purpose of the Good Landlord Program, as follows:

- To prevent illegal activity and ensure property maintenance
- To provide financial incentives for participating in the program
- To create a formal agreement between landlords and the City
- The minimum requirements of the program, as described in Section 5.76.080 A-V.

19:49:53 Mr. McGrath asked for input on section "U" and suggested that this may not be good public policy. He recommended eliminating that portion.

19:51:46 Council Member Pratt stated his concern with having some requirements that are typically the tenant's responsibility shifted to the landlord.

19:53:10 Mr. McGrath noted that any provisions of the proposed program are up for debate.

19:53:49 Council Member Pratt referenced the sensitivity of this ordinance.

19:55:15 Mayor Wall stated his concerns about waiting too long to implement the Good Landlord Program in Taylorsville.

19:56:36 Council Member Pratt inquired about the ordinance's effect on sex offenders.

19:57:44 Mr. McGrath affirmed that verbiage in the ordinance will be reviewed at a future time.

19:58:14 City Administrator John Inch Morgan asked for direction and guidance from the Council on preparing recommendations for fees.

19:58:58 Council Member Pratt asked that Administration provide recommendations for the Council to review.

19:59:50 Council Member Pratt stated that he is uncomfortable dropping the employee fee with large employers. Mr. Morgan reviewed the history of implementation of the employee fee.

20:01:20 Mayor Wall gave explanation on outliers that are not included in determining disproportionate fees.

20:01:50 Security issues at large businesses were addressed.

20:02:46 Mayor Wall gave recommendations for assessing fees for single family rental homes.

2. Other Matters

20:04:27 Council Member Catlin inquired about the status of the Court report. Mr. Morgan agreed to forward it to the Council.

3. Adjournment

20:09:46 Council Member Bud Catlin **MOVED** to adjourn the City Council Work Session. Council Member Les Matsumura **SECONDED** the motion. Chairman Handy called for discussion. There being none, he called for a vote. The vote was as follows: Handy-yes, Rechtenbach-excused, Matsumura-yes, Pratt-yes, and Catlin-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:09 p.m.

Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 11-04-09

Minutes Prepared by: Cheryl Peacock Cottle, City Recorder