

CITY OF SOUTH SALT LAKE
CITY COUNCIL MEETING

COUNCIL MEETING Wednesday, May 11, 2016
7:00 p.m.

CITY OFFICES 220 East Morris Avenue
South Salt Lake, Utah 84115

PRESIDING Council Chair Debbie Snow

CONDUCTING: Council Member Shane
Siwik

SERIOUS MOMENT OF REFLECTION/
PLEDGE OF ALLEGIANCE Sharla Beverly

SERGEANT AT ARMS Amanda Gencarella

COUNCIL MEMBERS PRESENT:
Sharla Beverly, Mark Kindred, Portia Mila, Ben Pender
Kevin Rapp, Shane Siwik and Debbie Snow

STAFF PRESENT:
Mayor Cherie Wood
Charee Peck, Chief of Staff
Lyn Creswell, City Attorney
Kyle Kershaw, Finance Director
Randy Sant, Economic Development Consultant
Mike Florence, Community and Economic Development Director
Mont Roosendaal, Public Assets Director
Craig D. Burton, City Recorder
Paula Melgar, Deputy City Recorder

OTHERS PRESENT:
See attached list.

APPROVAL OF MINUTES

April 27, 2015 Work Meeting. Council Chair Snow moved to approve these minutes.

MOTION Debbie Snow
SECOND Mark Kindred

Voice Vote:

Beverly	Aye
Kindred	Aye
Mila	Aye
Pender	Aye
Rapp	Aye
Siwik	Aye
Snow	Aye

April 27, 2015 Regular Meeting. Council Member Rapp moved to approve these minutes.

MOTION	Kevin Rapp
SECOND	Debbie Snow

Voice Vote:

Beverly	Aye
Kindred	Aye
Mila	Aye
Pender	Aye
Rapp	Aye
Siwik	Aye
Snow	Aye

NO ACTION COMMENTS

- 1. SCHEDULING.** The Deputy City Recorder informed those at the meeting of upcoming events, meetings, activities, etc.
- 2. CITIZEN COMMENTS/QUESTIONS.** None.
- 3. MAYOR COMMENTS.** Mayor Wood advised the Council that the P.A.L. program was presented with a \$10,000 check from the Mark Miller Do Good, Feel Good event they did. She also reported on the concern with the Fire Department and they found no foundation for any kind of issues with the three firefighters that were involved. She requested that the Fire and Police Chiefs be added to the Council work meeting agenda next week.
- 4. CITY COUNCIL COMMENTS.** Council Member Rapp appreciated Council Member Beverly’s remarks in her Serious Moment of Reflection. Teachers play a large role in instructing our children. He remembers fondly many of his teachers. He appreciates all they have done.

Council Member Mila agreed with Council Member Rapp and thanked the teachers for all they do.

Council Member Kindred agreed.

Council Member Pender echoed what the others have said about teachers. He reported he has met with Mike Jensen, from UFA regarding what he would need from the City in order to make a comparison on the ambulance service.

Mayor Wood asked him to email the list to her.

Council Member Pender referenced a letter sent to the Council by Chief Morris regarding looking at other entities to see if they had any interest. He asked if the Mayor wanted to do that.

Mayor Wood said they were happy to get whatever the Council would like from whatever agency. Staff would reach out to all the agencies for proposals.

Council Member Mila said she wants it crystal clear that they are just looking to see if contracting the ambulance service would be beneficial because they haven't decided if their residents are okay with giving up the ambulance service.

Council Member Pender agreed saying that in this sense proposal means these entities would come in and say what the cost would be if they took over the service and what services would be given for that cost. Council Member Pender said he has no issues with the service, he thinks it is great but he feels it is better to be informed when people in the community are asking if they have considered looking at contracting that. He thinks it is to their advantage to say they have and it doesn't work and here are the reasons why versus saying they don't know. He also like Council Member Mila's suggestion of having former Murray Mayor Snarr come and do a presentation on his ambulance service and Council Member Pender would also like to have Mayor Seqhini from Midvale City come and talk about her experience with contracting with UFA for their ambulance service.

Council Member Mila agreed.

Council Member Pender said he had some questions regarding take home vehicles and he would like to have the director of each department come in and explain the usage of those. In comparison to other cities, South Salt Lake has a lot of take home vehicles that most entities don't have. He would like to visit with them and get more clarification on why.

Council Chair Snow encouraged everyone to come and participate in the "Get in the River" event. She also thanked all the teachers for all they do.

Council Member Siwik apologized to Council Member Beverly for missing the food truck discussion with her and Community Development Director, Mike Florence. He told Mr. Florence beforehand that he wouldn't make it. Council Member Beverly and Mr. Florence met and Council Member Siwik is excited to see where that goes. He apologized to Council Member Beverly for

not contacting her before the meeting. He also mentioned his adult daughter still goes back to visit with her fifth grade teacher. Teaching is a great and honorable profession.

ACTION ITEMS

UNFINISHED COUNCIL BUSINESS

- 1. 2016-2017 budget questions and discussion.** Council Chair Snow mention some things she would like to see in the budget. First is maintenance for the medians in the middle of Baird and Helm Avenues. Another concern she has is the connection of the Lincoln Park Subdivision storm water drains to 300 East.

Mayor Wood advised that it is a \$280,000 dollar project. The City used to clean it out every six months but it is now checked weekly and cleaned out. The piece of equipment that is used has been broken this week but should be up and running again soon.

Council Member Beverly quoted an email from Deputy City Attorney, Hannah Vickery, who stated that the biggest potential for liability falls within the maintenance of the inlet boxes, therefore the City should seek to implement a regular maintenance schedule. The City is under no legal obligation to install a new drainage system for the residents. The City anticipates the cost of the requested upgrades will be significant. The citizens can petition the legislative body to fund their project.

Council Member Mila asked whose fault this is. She doesn't understand why the City would fund it. If it wasn't a City related issue, why wouldn't the residents be willing to pitch in?

Council Chair Snow said City Engineer, Dennis Pay, told her that the developer pitched this drainage as an idea and the City approved it. In her opinion it is a combined fault because it was something the developer wanted to do and the City signed off on it. She feels it needs to be resolved.

Council Chair Snow would like to see a plan developed to put in curb and gutter in the residential areas of the City first and then business areas.

Mayor Wood advised that the City just had a master plan completed for curb, gutter and sidewalk specifically between the area of 3300 South and 3900 South. That is where they are lacking the most. She suggested giving the firm that did the report some different priorities from the Council's perspective that would help them change how the priority lands.

Council Chair Snow would also like to see a plan for the west side of Fitts Park. She wondered if there was anything in the budget to help towards

getting that plan.

Finance Director, Kyle Kershaw, advised that there is some money in the Capital Fund to acquire the little strip of land that is between the apartment property and the park.

Public Assets Director, Mont Roosendaal, explained where staff is at in the process of acquiring the property. Once they acquire the property it will be all one unit and they can master plan for the vision of the property. They have money in the current year budget for the master plan. It won't be completed by the end of June. They hope to roll some money into the next year budget to finish it.

Council Chair Snow asked if the Council was interested in the Village App that was presented to them in a work meeting.

Council Member Kindred thinks it is a great proposal and he would like to see some funding in the budget for it.

Council Member Mila agreed that she was for it but she would like to see some numbers.

Council Chair Snow said she would like a sign, a bench and a garbage can for Lincoln Park that identifies this is a City park.

Mr. Roosendaal said he feels the best way to do this is through a master plan. There is no problem doing those things.

Council Chair Snow clarified that there isn't a request for funding in the proposed budget for these items currently. Even when they get the plan these items would need to be budgeted for the 2017-2018 Budget.

Mr. Roosendaal agreed.

Council Member Siwik suggested that the department heads come in for twenty minutes each and review their budget and their needs that were included and excluded from the tentative budget.

Council Chair Snow asked for a breakdown of the City Council budget for permanent salaries and benefits. She thought it included part of the salaries of other City employees.

Mr. Kershaw explained that it includes the Council's salary and benefits and twenty-five percent of the City Recorder's salary and benefits. The benefits line went down this year because there has been less utilization of the medical insurance by the Council.

Council Chair Snow asked what the professional services line is used for in the Council's budget.

Mr. Kershaw said it was if they needed an expert on some issue. It is not dedicated to anything specific but is flexible if they need a consultant, professional or legal advice for a specific subject. It is for hiring a consultant.

Council Chair Snow asked about the increase in permanent salaries in the Urban Livability Department. She thought with the director leaving that there would be a decrease.

Mayor Wood explained that the former director's salary and benefits came out of the Police Department. If you look at the Police Department, their budgets have gone down.

Council Chair Snow asked what the increase was for in Urban Livability. She thought it would remain flat.

Mr. Kershaw explained that part of that is turning a part-time paid employee to full-time employee and they did budget a three percent increase for public employees.

Council Chair Snow asked if the proposed increase included all civilian employees, including the Mayor's office.

Mr. Kershaw explained that it is for all full-time, non-public safety, employees with the exception of the grant funded full-time positions and any part-time employees. Elected officials are included in the raise.

Council Member Pender asked if there was a pay study the raise was based off of. He asked for a copy of the study.

Mayor Wood answered that they do have a pay study but the raise was not based off of it. She explained that when last year's Council gave raises to public safety to make them whole it caused a lot of issues with other employees. They felt if they gave this increase it would help morale in other departments.

Mr. Kershaw advised that the public safety employees received anywhere from an eight to sixteen percent increase. This was an attempt, with limited dollars, for the rest of the employees to get a three percent raise.

Council Member Pender asked for a copy of the comparison of the public employees and what other cities are paying for the same type jobs.

Council Member Pender feels the City needs to address the problem of the S-Line crossing on 400 East. On 200 East there is a traffic light signal and on

400 East, where there are a lot of children, they only have a stop sign. He thinks it is really important for the Council and City to take a look at it. They have already had an unfortunate incident happen there and he would hate to see another one.

He asked what the difference is between the City Newsletter and the City Journal.

Mayor Wood said the Journal quit the City. They didn't get the support they needed from the businesses to make it successful. So they actually came to the City and said they couldn't afford to do it.

Council Member Pender asked what could be done to reach out to the community to allow people to put stuff in it like a business advertisement or a citizen writing an article.

City Attorney, Lyn Creswell, advised that they are in a lot better situation if they don't open it to advertising. Once you open it to advertising you have to have a policy regarding advertising and then you come across first amendment rights and other issues. The Attorney's Office has always advised to limit and restrict advertising to only those things where the City is specifically a partner, a proponent of, or has a contract with someone. If they want to make it a true advertisement vehicle they probably need to divest themselves and let someone else do it so they don't face the legal liability.

Council Member Pender asked if there was something that could be put in place to let citizens put an article in the newsletter.

Mayor Wood advised that staff has reached out for items like wedding announcements. Recently a South Salt Lake resident wanted a story covered and it is in the current issue of the newsletter. They are happy to do it.

Council Member Pender feels citizens help pay for the newsletter and they should be able to speak up and say things in the newsletter, good or bad.

Mr. Creswell said he would be glad to come back and give the Council the legal framework. What they want to avoid is creating what is called a public forum whereby anyone can come in and say anything. The question as a policy board is, do you want that? It means any kind of racist speech, any kind of speech at all; once you open it up broadly you have to allow first amendment speech. He suggested staff comes back with some alternatives they can do.

Council Member Pender feels that right now the newsletter is limited and he would like people to be able to advertise or say what they want, within reason.

Mr. Creswell said he would bring back some options for the Council.

Council Chair Snow would like to reach out to the Journal again and see if they could explore a relationship with them again. She would like to hear from them to see if they are willing to contract with the City again.

Council Member Mila agreed.

Council Member Siwik suggested that the Council have space in the newsletter.

Mayor Wood said they have offered that to the Council numerous times. It is still there.

Council Member Pender asked for clarification on the take home vehicles and what employees are being charged.

A lengthy discussion ensued regarding how many employees had them, personal use policy, employee charges, taxing, etc.

Council Member Beverly said in December she committed she would support Fire and Police in maintaining their steps. A four percent increase raise, which would be funding those steps, would add an additional \$273,400 to the budget. That is her number one priority to maintain those steps and keep them whole.

Council Member Rapp is concerned about employees using City take home vehicles for personal use.

Council Member Mila would also like to find a way to keep Fire and Police whole.

Council Member Siwik requested that the Council get a copy of the vehicle policy.

Council Member Kindred said he would like to see the City get the Village App. He requested a copy of all City owned vehicles including machinery and equipment. He requested a copy of the recent pay study for non-public safety employees. He agrees that they should definitely look at the 400 East S-Line issue. He would also like to see a City Hall welcome center. He asked if there are business lines that the City is in that they shouldn't be. For example, why does the City provide animal services when a County facility is directly across the street on 3900 South.

Council Chair Snow suggested having Debbie Pederson address this issue while she is here discussing take home vehicles.

Council Member Pender suggested they get information regarding what it costs to provide animal services.

Mr. Kershaw advised that in the tentative budget the proposed animal shelter expense is \$22,000. That is what it costs to keep the animal shelter open. That does not include staff.

Council Member Kindred clarified he is looking at the entire animal services. It is a tight budget year. They are a small municipality and it seems like they do some things that you wonder if it might be more viable if they didn't.

Council Member Mila suggested looking at different options, perhaps just the animal shelter to house the animals and not necessarily get rid of their animal control person.

Council Member Siwik asked if there has been discussion, for or against, body cameras for police officers.

Mayor Wood said she would have Chief Carruth come and speak to that.

Council Member Pender feels the public needs to understand the camera's limitations. What the camera sees is not necessarily what the officer sees.

The Council moved next to the closed meeting on the agenda.

Council Member Rapp moved to adjourn to Closed Meeting to discuss strategy for pending or reasonably imminent litigation pursuant to Utah Code Annotated, 1953 as amended, Sec. 52-4-204 and Sec. 52-4-205(1)(c).

MOTION	Kevin Rapp
SECOND	Portia Mila
<u>Voice Vote:</u>	
Beverly	Aye
Kindred	Aye
Mila	Aye
Pender	Aye
Rapp	Aye
Siwik	Aye
Snow	Aye

The Council adjourned to Closed Meeting at 8:41 p.m.

In accordance with U.C.A. Section 52-4-206, 1953, as amended by Chapter 180, Laws of Utah, 1987, as amended, a recording was made of the Closed Meeting held to discuss strategy for pending or reasonably imminent litigation. Such recordings are protected records under Title 63, Chapter 2, Government Records Access and Management Act.

Closed Meeting ended at 9:18 p.m. Council Members returned to Council Chambers.

The Council next moved to New Council Business on the agenda.

NEW COUNCIL BUSINESS

- 1. Discussion regarding obtaining City Council attorney.** Council Chair Snow explained that there has been discussion in the past about the need for a separate City Council attorney due to conflicts of interest issues that have arisen.

There was discussion regarding the request of proposal that was published for the position and how to best move forward.

The Council agreed to amend the request and put in a deadline to receive proposals.

Council Chair Snow said they should insure that the majority of the Council is in favor of going down this road.

Council Member Siwik explained what they are talking about is to review proposals. They realize there will be a budgetary implication to this. He suggested that they go around with each Council Member expressing yes to move forward or no and their reasons if they would like to.

Council Member Rapp voted yes.

Council Member Mila voted no. She is very concern about the cost because she thinks in the beginning there was another option.

Council Member Kindred voted no and seconded Council Member Mila's concerns.

Council Member Siwik voted yes.

Council Member Snow voted yes.

Council Member Pender voted yes. He personally believes it is a conflict for the current administration. He has no issues with the City Attorney's Office but he thinks it puts Mr. Creswell and Ms. Vickery in a difficult position and he thinks it is unfair to them. That is why he would support it and say yes to move forward.

Council Member Beverly voted no. She was comfortable with using Ms. Vickery and she has money concerns.

Council Member Siwik announced it was a four to three vote in favor of moving forward. He suggested that the request for proposal deadline be the next Friday. They will see what comes in and make a decision at the next

Council meeting as far as what the next step should be.

Council Chair Snow moved to adjourn.

MOTION Debbie Snow

SECOND Portia Mila

Voice Vote:

Beverly Aye

Kindred Aye

Mila Aye

Pender Aye

Rapp Aye

Siwik Aye

Snow Aye

The meeting adjourned at 9:18 p.m.


Deborah A. Snow, Council Chair


Craig D. Burton, City Recorder

