

CITY OF SOUTH SALT LAKE
CITY COUNCIL MEETING

COUNCIL MEETING Wednesday, March 11, 2015
7:00 p.m.

CITY OFFICES 220 East Morris Avenue – Suite 200
South Salt Lake, Utah 84115

PRESIDING Council Chair Irvin H. Jones, Jr.

CONDUCTING Council Member Sharla Beverly

SERIOUS MOMENT OF REFLECTION/
PLEDGE OF ALLEGIANCE Council Member Kevin Rapp

SERGEANT AT ARMS Ryan Cram

COUNCIL MEMBERS PRESENT:
Sharla Beverly, Ryan Gold, Irvin H. Jones, Jr., Kevin Rapp
Debbie Snow and LeRoy Turner

COUNCIL MEMBER EXCUSED:
Michael Rutter

STAFF PRESENT:
Mayor Cherie Wood
Charee Peck, Chief of Staff
Lyn Creswell, City Attorney
Paul Roberts, Deputy City Attorney
Randy Sant, Economic Development Consultant
Jack Carruth, Police Chief
Ron Morris, Fire Chief
Mike Florence, Community and Economic Development Director
Frank Lilly, Deputy Community and Economic Development Director
Mont Roosendaal, Public Assets Director
Craig Burton, City Recorder
Paula Melgar, Deputy City Recorder

OTHERS PRESENT:
See attached list

APPROVAL OF MINUTES

February 25, 2015 Work Meeting. Council Chair Jones moved to approve these minutes.

MOTION: Irvin Jones, Jr.
 SECOND: Ryan Gold
Voice Vote:
 Beverly Aye
 Gold Aye
 Jones Aye
 Rapp Aye
 Rutter Absent
 Snow Aye
 Turner Abstain

Council Member Turner abstained because he was not in attendance at the meeting.

February 25, 2015 Regular Meeting. Council Member Rapp moved to approve these minutes.

MOTION: Kevin Rapp
 SECOND: Debbie Snow
Voice Vote:
 Beverly Aye
 Gold Aye
 Jones Aye
 Rapp Aye
 Rutter Absent
 Snow Aye
 Turner Abstain

NO ACTION COMMENTS

1. **SCHEDULING.** The City Recorder informed those at the meeting of upcoming events, meetings, activities, etc.
2. **CITIZEN COMMENTS/QUESTIONS.** Trent Fargher, representing Shades of Pale Brewing Company, 2160 S. West Temple. He listened to the comments on the potential alcohol legislation in the earlier work meeting and there are some misconceptions about what they do and what they are trying to achieve. He invited the Council to come down to the facility and see what they do. By allowing them to do some of the things that they can't do currently, it will provide benefits well beyond a tavern, restaurant or bar because their brands are not only shared in Utah, but outside of Utah as well, which helps draw traffic.
3. **MAYOR COMMENTS.** The Mayor thanked the Council for participating in the budget retreat. She asked that budget questions be sent to Chief of Staff, Charee Peck or to her and they will get the answers back to the Council. She also said it would be helpful to get the Council's priorities for funding so when she presents the budget to the Council it can reflect a shared vision for the City.
4. **CITY ATTORNEY COMMENTS.** None.

- 5. **CITY COUNCIL COMMENTS.** Council Member Snow enjoyed the budget retreat and hearing the department needs.

Council Member Turner thanked the Mayor and staff for the budget retreat. It was helpful.

Council Chair Jones expressed appreciation and support for the City’s police officers. It’s a tough job and he appreciates what they do.

Council Member Gold also thanked the Mayor and staff for the budget retreat.

UNFINISHED COUNCIL BUSINESS

- 1. **An ordinance amending Chapter 3.16 – Disposal of Surplus Property, providing opportunity to donate surplus property to non-profit organizations pursuant to Section 10-8-2 of the Utah Code.** Deputy City Attorney, Paul Roberts, reviewed with the Council what they had decided in earlier discussions. He suggested that to qualify to participate, a person’s household income would need to be at, or below, the poverty guidelines. That would insure that the property will be going to the underserved. He reported that last year the City sold security cameras, some monitors, and a few desktop computers. He did not get the amounts the City received. In total there were 81 items sold. The Council will have to look at the way this will be administered and the costs associated with it. Since most of the computers were used by the Police Department and have access to the State’s BCI database, regulations require that they do a triple wipe or shred the hard drive and put a new one in. He suggested they look at the hidden costs if this is something the Council wants to pursue.

The Council wanted to know what the costs would be before taking any action on the matter.

Council Member Snow moved to place this item on Unfinished Business on the April 1, 2015 City Council meeting.

MOTION: Debbie Snow

SECOND: Ryan Gold

Voice Vote:

- Beverly Aye
- Gold Aye
- Jones Aye
- Rapp Aye
- Rutter Absent
- Snow Aye
- Turner Aye

- 2. **An ordinance amending and updating the South Salt Lake Municipal Code Title 2 regarding sick leave.** Mayor Wood advised the Council that since they

eliminated the payout of sick leave they have been made aware of some unintended consequences in the Fire Department and, to a lesser degree, the Police Department. If someone calls in sick they must call somebody else in to cover. They calculated the worst case scenario overtime costs for the Fire Department to backfill when people call in sick, and the cost is actually more than the line item that was eliminated. Staff was concerned and asked the Benefits Committee to propose a solution and the solution cost more as well. Now staff is recommending that they don't budget for sick payout but, depending on revenues, if they can identify an amount to pay out sick leave in January or February, they will bring it to the Council for approval. This will incentivize people to not use their sick leave as freely and keep it for a payout. Funds have been recognized this year for the payout.

Finance Director, Kyle Kershaw, suggested that they have identified funds for sick payout this year through property taxes which have generated more revenue than was budgeted. A second source is fuel prices which are significantly lower than was budgeted.

Mayor Wood also suggested that the payout be at a flat forty percent of the employee's wage on sick hours accrued above ninety-six hours. Previously, it was on a sliding scale, which could be seen as discriminatory. The sick leave payout was originally created to avoid a large payout of sick leave when someone left employment, because there wasn't a cap.

Mr. Kershaw said in order to protect the City financially they implemented a policy to crop sick leave at 96 hours that can be carried over to the next year.

Mayor Wood advised that the ninety-six hours is also enough to hold a person over until short-term disability kicks in. It is not a guaranteed funding, but in talking to the cabinet members they felt that changing the language from "will be paid out" to "may be paid out" based on finding funding sources, will help them get back to at least middle ground.

Mr. Kershaw said there would be a good faith effort to address this every year and see if there is a possibility to make the payout year to year.

City Attorney, Lyn Creswell, advised that the way the ordinance is crafted, the Mayor has to make a recommendation annually to the Council once funds are identified, and the Council will have to approve it.

Council Member Turner moved to approve this ordinance.

MOTION: LeRoy Turner
SECOND: Debbie Snow

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Absent
Snow	Aye
Turner	Aye

NEW COUNCIL BUSINESS

- 1. A resolution accepting the donation of parcel 16-30-256-012-0000 to the City of South Salt Lake.** Public Assets Director, Mont Roosendaal, said the City approached the owner of this property about six months ago with some resident complaints and code violations on this piece of property. He expressed some interest in selling the property to the City. A few weeks ago he came to the City offices wanting to donate the property to the City. If approved the City would address the hazardous trees by removing or trimming them; second, they would remove the trash and debris so they can get equipment on it and then incorporate it into the master plan for future use.

Council Member Rapp asked if there were any conditions on the donation.

Mr. Roosendaal answered no, there are some back taxes owed in the amount of \$721 dollars.

Mr. Roberts explained that the City would have to pay those taxes to get it out of arrears. There are no strings attached. It was quit claimed to the City. The owner wrote a letter acknowledging the donation and gave the City the deed. There will be a tax deduction for him. That is his incentive to do this.

Mr. Creswell said there was no threat or coercion by the City. Staff had to slow the process down a little bit to get everything completed.

Council Member Turner moved to suspend the rules.

MOTION: LeRoy Turner
 SECOND: Ryan Gold

Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Absent
Snow	Aye
Turner	Aye

Council Member Snow moved to approve this resolution.

MOTION: Debbie Snow
SECOND: LeRoy Turner

Roll Call Vote:

Beverly Aye
Gold Aye
Jones Aye
Rapp Aye
Rutter Absent
Snow Aye
Turner Aye

- 2. **I-15 3300 South landscape maintenance agreement.** Public Works Director, Dennis Pay, explained that this is a maintenance agreement between the City and UDOT. UDOT has set aside \$700,000 to do improvements at the interchange of I-15 and 3300 South. They will be putting in landscaping in the four traffic islands plus some other landscaping of the sides. There will also be some lighted bollards. This is not for the trail project; it is strictly for the landscaping. It is a standard maintenance agreement. UDOT agrees to install it and the City takes over maintenance after the establishment period. For the City it will be a matter of taking care of the plants, weeding, and picking up debris. The City will also provide water to the area, which will be reuse water from Central Valley at no cost, to irrigate.

Council Member Turner moved to place this item on Unfinished Business on the March 25, 2015 City Council meeting.

MOTION: LeRoy Turner
SECOND: Ryan Gold

Voice Vote:

Beverly Aye
Gold Aye
Jones Aye
Rapp Aye
Rutter Absent
Snow Aye
Turner Aye

Council Member Rapp moved to adjourn.

MOTION: Kevin Rapp
SECOND: Ryan Gold

Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Absent
Snow	Aye
Turner	Aye

The meeting adjourned at 7:59 p.m.



Irvin H. Jones, Jr., Council Chair



Craig D. Burton, City Recorder

