

Minutes of the Work Session meeting of the Syracuse City Council held on May 11, 2010, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Alan Clark  
Doug Hammond  
D. Matthew Kimmel  
Douglas Peterson  
Larry D. Shingleton

Mayor Jamie Nagle  
City Administrator Rodger Worthen  
City Recorder Cassie Z. Brown

City Employees Present:

Police Chief Brian Wallace  
Fire Chief Craig Cottrell  
IT Director TJ Peace  
Finance Manager Amber Fowles  
GIS Technician Troy Moyes  
Police Lieutenant Tracy Jensen  
Police Detective Corey Rowley  
Building Inspector Tex Couch

The purpose of the Work Session was for the Governing Body to review the agenda for the Regular Council Meeting to begin at 7:00 p.m., hold a follow-up discussion regarding green waste recycling, discuss Board appointments, receive a status report regarding the FY 2009-2010 budget, discuss the 2700 South road reconstruction project, and discuss Council Business.

Follow-up discussion regarding green waste recycling.

Councilmember Clark reviewed the results of a citizen survey regarding green waste recycling. He stated that all Councilmembers had received a copy of the survey results in their packet. He added that he talked to Nathan Rich, Executive Director of the Wasatch Integrated Waste Management District (WIWMD), and he indicated that if the City is truly interested in implementing a green waste recycling program it would be best to do so as soon as possible. Councilmember Clark stated that the question before the Council this evening is how to proceed.

Mayor Nagle stated that in viewing the results of the survey she felt that more respondents were in favor of the program than were opposed. Councilmember Peterson agreed, but added that many of the people who were in favor of the program indicated that favoritism is contingent upon the price of the program. He stated that most indicated that if the cost is less than \$5.00 per green waste can they are favor of the program.

Councilmember Clark reported that Centerville City recently implemented a green waste recycling program and their residents pay \$5.50 for their green waste collection container. Councilmember Shingleton stated that Salt Lake City recently made their green waste recycling program mandatory as did Centerville City. Mayor Nagle stated that the results of the survey show that people are not in favor of the program if it is mandatory. Councilmember Clark stated that Centerville's curb-side recycling program is mandatory, but their green waste recycling program is not. He added that he spoke to a Centerville City Councilman who told him that when the mandatory curb-side recycling program was initially proposed they received a lot of negative feedback, but since the program has been implemented they have received a lot of positive feedback. Councilmember Kimmel asked who would police a mandatory recycling program. Councilmember Clark answered the residents receive a recycling can and they get billed for it. He then explained that one thing that Centerville City did in conjunction with the implementation of their green waste recycling program was negotiating an agreement with the WIWMD whereby they the WIWMD would provide a one-time free load of mulch to any resident of Centerville that signed up to participate in the green waste recycling program.

Mayor Nagle inquired as the break-even cost for a green waste recycling program. Councilmember Clark stated that at this point no one knows the answer to that question. He stated that it depends largely upon what the collector would charge the City for that service. City Recorder Brown stated that to determine the costs the City needs to request that Robinson Waste conduct an analysis of the cost to implement a green waste recycling program in the City. She added that she spoke to Robinson Waste when the Council initially requested that a green waste recycling program be investigated and Steve Robinson, the owner of Robinson Waste, told her that he would try to keep the rates for the program as close as

possible to the rates that are being charged in Fruit Heights, but that may be difficult because Syracuse City is much different than Fruit Heights in a number of ways.

Councilmember Shingleton inquired as to which collection company has the contract in Centerville City, to which Councilmember Clark answered Ace Solid Waste Disposal.

Mayor Nagle asked if it will cost the City any money to move forward with the analysis, to which Ms. Brown answered no. Mayor Nagle stated that seems like the logical next step in the process given that the majority of the survey respondents are in favor of the program. She added, however, that the number of people that responded to the survey is 570, which is a very small sampling of the total number of households in the City. Councilmember Clark agreed and added that Fruit Heights only has approximately 1,000 households and they received over 600 responses to their survey because they had someone performing a service project go door-to-door to conduct the survey.

Mayor Nagle asked the Council if they were comfortable with proceeding by asking Robinson Waste to conduct an analysis to determine the approximate cost of implementing a program in the City. Councilmember Clark stated he is comfortable, but he wants to make sure that implementing the program does not cost the City any money. Councilmember Kimmel added that he would also like to dictate that the program is not mandatory. Councilmember Clark stated that is not something that Robinson Waste will consider; the terms of the program will be left up to the City. Mayor Nagle asked who will work with Robinson Waste to obtain a cost to implement the program. Ms. Brown stated that she has worked with Robinson Waste in the past and she would be happy to request an analysis from them. She asked the Council if they also wanted a bid from Ace Disposal as well. Mayor Nagle asked if the City must follow the competitive bid process in this instance. City Administrator Worthen stated he was not sure if that was necessary given that the City already has an agreement with Robinson Waste. Ms. Brown stated that she will check with the City Attorney to determine if the competitive bid process is necessary.

Councilmember Hammond stated that last year Robinson Waste requested an alteration to their agreement to increase the amount of money they were being paid to cover their increased fuel expenses. He stated that fuel costs are increasing again this year and Robinson Waste may be approaching the City for another contract amendment. Councilmember Clark stated he remembered that a cap on the price to be paid by the City relative to the fuel cost per gallon was added to the agreement.

Councilmember Peterson stated that Robinson Waste would consider whether the program is mandatory when formulating their bid. He stated that the price per can will likely be based on how many households will be participating. Councilmember Clark stated that Robinson Waste may tell the City that they will only enter into an agreement with the City if there are at least 1,000 households participating. Ms. Brown agreed and stated that if the lower the number of households participating, the higher the cost per can will be. She stated she will contact Robinson Waste this week and ask them to begin their analysis.

#### Discussion regarding Board appointments.

Mayor Nagle stated that following the last City Council work session meeting she contacted the City Attorney as well as an attorney from the Utah League of Cities and Towns (ULCT) and presented both of them with the information regarding section 17B-1-303(6)(a) of the Utah State Code. She stated Councilmember Kimmel asked that the City receive a legal opinion regarding the statute. She stated that both attorneys concurred with Councilmember Kimmel's interpretation of the statute and therefore she contacted Lurlen Knight, who is currently representing the City on the North Davis Sewer District (NDSD) Board. She stated that Mr. Knight had already contacted the NDSD's legal counsel, who provided him with the same information confirming Councilmember Kimmel's interpretation of the statute. She stated that Mr. Knight has subsequently offered his resignation from the Board, so the discussion the Council intended to hold tonight regarding board appointments is no longer necessary. She added, however, that she was troubled by how Mr. Knight was treated during the last City Council meeting. She stated that even if the Council disagrees with something a citizen is doing they should still always have respect for the process and respect in their interactions with everyone. She stated that this is an example of the fact that the Governing Body can act on new information when it is presented and still have integrity and make sure that the process has integrity as well. She stated that she has a copy of Mr. Knight's resignation letter that he sent to Ivan Anderson, Board Chairman, and the Council now needs to determine who will be appointed to fill Mr. Knight's position. She stated that before that discussion begins she has another issue to present to the Council. She explained that she recently met with Lloyd Waite, the City's representative on the Mosquito Abatement Board. She stated that the Mosquito Abatement is also a taxing entity and section 17B-1-303(6)(a) of the State Code also applies to that position. She stated the problem is that the Mosquito Abatement Board meets on the second Tuesday of every month, which conflicts with the City Council's meeting schedule. Councilmember Hammond stated that is likely why the person appointed to that board has always been a citizen rather than an elected official.

Councilmember Peterson asked if the person appointed to the Mosquito Abatement Board must be an elected official. Mayor Nagle stated it is her understanding that the Council's main concern with appointments to these types of boards is that the appointee must be an elected official; otherwise the issue of taxation without representation presents itself. Councilmember Hammond suggested appointing a citizen that could report to one Councilmember, who would then report to the entire Council. Councilmember Clark stated that is exactly what a couple of Councilmembers did not want to happen on the NDSB Board with Mr. Knight. Councilmember Hammond asked what other cities are doing in regards to their representation on the Mosquito Abatement Board. Councilmember Clark stated that some of the likely have appointed residents to represent their city, while others may have a different meeting schedule than the Syracuse City's and it possible for an elected official to attend the Mosquito Abatement Board's meetings. Councilmember Hammond stated the City could ask the Mosquito Abatement Board to consider amending their meeting schedule with the argument that there may be more cities that are affected by this issue.

Mayor Nagle stated that during her meeting with Mr. Waite he told her that the Mosquito Abatement Board will be holding discussions regarding whether to transition to the type of entity that holds its own elections to gain its members rather than asking for appointments from the cities that are part of the district. She stated that Mr. Waite asked her how he felt about that possibility, but he also shared his ideas with her. She stated that Mr. Waite feels that it is a bad idea to have Councilmembers appointed to the board due to the way some appointees have voted on issues in the past. She stated that recently there was discussion about the possible construction of a mega-plex theater on the west side of the Legacy Highway and those working on the development are considering creating a redevelopment agency (RDA) to fund the project. She stated the RDA would draw money from various entities and the Mosquito Abatement Board was provided with a study telling them what their costs would be. She stated that if the RDA were formed the Mosquito Abatement Board would receive a \$4,000 increase over ten years, but it would cost them a significant amount more, almost \$4,000 per year, than that to control the mosquitoes in the area where the theater will be built. She stated that when the issue was brought before the Mosquito Abatement Board for a vote there were some representatives from certain cities that had interest in the cities they were serving that they placed ahead of the interest they had in the Mosquito Abatement Board. She stated that some representatives voted in favor of the development of the theater because it would increase revenue for their city despite the fact that there would be a negative impact to the Mosquito Abatement Board. She stated that after Mr. Waite told her about those circumstances she understood the reasoning in using an independent election process to elect members to the Mosquito Abatement Board. She stated that she told Mr. Waite that she may contact the Mosquito Abatement Board to let them know that would be her individual preference. She stated citizens would still have the opportunity to vote for someone that would represent them in that taxing entity; the people elected to that body would be looking out for the best interests of that body rather than the interests associated with other positions they may hold.

Councilmember Clark asked how the Mosquito Abatement Board would hold an election. Ms. Brown stated that special districts usually try to hold their elections in conjunction with municipal elections. Councilmember Clark stated that his only concern is that there may not be a large amount of candidates seeking election to a position on that type of board because the cost to campaign could be too high. Councilmember Kimmel agreed and added that he felt that interest in that type of position would be very low and at best there may only be two or three people in the entire County interested in campaigning.

Councilmember Hammond stated that he remembered the adoption of a regulation stating that if a board such as the Mosquito Abatement Board were considering raising taxes each city that is within the boundaries of that entity would be required to give a favorable vote prior to taxes being increased. Councilmember Clark stated that the legislation that would have adopted that regulation failed. He then stated that he felt the City should contact the Mosquito Abatement Board and ask them if there is any way to alter their meeting schedule to accommodate the schedule of the election official appointed by Syracuse City. Councilmember Hammond agreed.

Mayor Nagle then stated that she would recommend that Councilmember Peterson be appointed to represent the City on the NDSB Board. She stated that he has visited the sewer plant a couple of times and he seems to have an interest in their operations. Councilmember Peterson stated that he does not tour the facility on a regular basis, but he has toured it in the past. He stated that he would be happy to accept that appointment.

Councilmember Shingleton stated that he would be interested in being appointed to the position as well because the Board meets in the evening after his normal business hours. Mayor Nagle stated that is the case for everyone. Councilmember Shingleton stated that some Councilmembers have more flexible work schedules that he does.

Councilmember Hammond stated that he felt Councilmember Kimmel should be considered for the position due to the fact that he is the person that has done the research regarding who can legally be appointed to the position. Councilmember Kimmel stated that he would be happy to accept the appointment.

Mayor Nagle stated that the reason she suggested that Councilmember Peterson be appointed is that she has seen everything he has done since she took office; he has fulfilled all of his assignments to the nth degree. She stated that he has

done a great job with the assignments he has taken on and the City has benefited from that. She stated that kind of dedication would benefit the City via Councilmember Peterson's appointment to the NDSB as well.

Councilmember Kimmel stated that when the Council discussed appointments in January there seemed to be a consensus that the important appointments be given to Councilmembers that have four years left in their term to provide continuity. He stated that he would prefer that Councilmember Shingleton or himself be appointed to the position. He stated that Mr. Knight reiterated several times that the NDSB would like for someone to be appointed that has more time left in their term of office, hence a longer amount of time to serve. Mayor Nagle stated that that consensus was simply based on trying to get someone appointed whose term in office coincides with their term on the NDSB. She stated that now that only elected officials will be appointed to those types of positions it really does not matter if they have four years or two years left in their term. She stated that the Council could simply dictate that the appointee's term on the NDSB will expire at the same time that their term in office expires.

Councilmember Shingleton stated the only concern he has about appointing Councilmember Peterson to the NDSB is that his time might be limited during the winter months when he works as a basketball coach. Councilmember Peterson stated that is no longer an issue because he no longer coaches at the high school level. He stated that he coaches a junior high basketball team and he is finished with his duties by 5:30 p.m. each day.

Councilmember Clark stated that everyone interested in the position needs to be aware that the appointee will be asked to do more than just participate in one meeting each month.

Councilmember Hammond asked what the Council must do to appoint a person to the NDSB. Ms. Brown explained the Council will need to vote on a resolution appointing the member and she can write that resolution for consideration at the next Council meeting. Councilmember Hammond stated that the NDSB meets this Thursday. Ms. Brown stated she thought the NDSB met last Thursday, May 6. Councilmember Kimmel stated that he looked at the NDSB website and found that they actually meet on May 13. Mayor Nagle stated that the Council will not be able to appoint Mr. Knight's replacement prior to May 13. Ms. Brown added that the NDSB meetings have always been on the Council calendar on the first Thursday of the month. Councilmember Kimmel provided Ms. Brown with a copy of the NDSB meeting schedule so that she may change the calendar accordingly.

Mayor Nagle stated she will reiterate why she wanted to appoint Councilmember Peterson to the NDSB. She stated the Council met with the Administration in a recent retreat and each Councilmember volunteered to oversee a committee that was created during the retreat. She stated that Councilmember Kimmel has not met with his committee and no report regarding the committee has been provided to the rest of the Council. She added that Councilmember Kimmel is the Council's liaison to the Police Department and she did not believe that he had started a relationship with that Department. She stated that she is concerned that Councilmember Kimmel may not be able to meet the requirements of the NDSB position if he currently does not have time to meet the assignments he has already received. Councilmember Kimmel stated that he has contacted the Police Department many times; he has talked over the telephone with Lieutenant Tracy Jensen a couple of times. He stated that in regards to the assignment he received during the retreat, he is working on that assignment. He stated that the company that he works for recently implemented something that united the department that he works for and he plans on presenting it to the City as well. He stated that it has taken him longer to complete that assignment than he thought and he admitted there has been a delay. Mayor Nagle stated she is simply trying to express her concerns. She stated that the Council has some really legitimate work to focus on. Councilmember Kimmel stated that he lives in very close proximity to the sewer plant, which means he has great accessibility to it. He stated that he can stop by the plant on his way to or from work to handle any issues that may need his attention. Councilmember Hammond added that he feels that the continuity aspect of the fact that Councilmember Kimmel has four years left in his term is a positive thing. He stated that if Councilmember Kimmel can commit and be an active part of the NDSB he would support his appointment. Councilmember Kimmel stated that he can commit and be active.

Mayor Nagle stated that it is interesting that no one has volunteered to be part of the Mosquito Abatement Board while everyone seems to be eager to participate with the NDSB. She stated that the NDSB pays its members and the Mosquito Board does not. Councilmember Hammond stated that the Mosquito Abatement Board does pay its members \$25 per meeting. Mayor Nagle stated that is significantly lower than the amount of pay that the NDSB members received. Councilmember Kimmel stated that he would be interested in serving on the Mosquito Abatement Board as well. Councilmember Shingleton stated that the problem he has with volunteering to be appointed to the Mosquito Abatement Board is that they meet on the same night as the Council meets. He added that he also feels it is important that the person appointed to the NDSB be able to dedicate four years to the position. He stated that it takes a significant amount of time to become familiar with any assignment that a Councilmember receives and having four years left in one's term is a positive thing. Councilmember Kimmel stated that he would hope that Mayor Nagle is not insinuating that any Councilmember is aspiring to be appointed to the NDSB position solely for the pay associated with it. Mayor Nagle stated that she is insinuating that. Councilmember Shingleton stated Mayor Nagle is wrong. Councilmember Kimmel stated he is offended by

that insinuation. Mayor Nagle stated that she does not think that everyone is interested in the pay associated with the position, but she finds it intriguing that there is a lot of interest in being appointed to this position while there is no interest in being appointed to the Mosquito Abatement Board. Councilmember Kimmel stated that he feels Mayor Nagle is being highly presumptuous and he added that this is the first time that the Council has been told anything about the Mosquito Abatement Board position. He stated that is the next issue for the Council to address. Mayor Nagle stated that she will offer her name for consideration for appointment to the NDSB. She stated that she has four years left in her term. Councilmember Shingleton stated that is Mayor Nagle's right. Mayor Nagle stated that if the Council were asked to vote on appointing her to the position the majority of the Council would vote nay. She then stated that she does not want to be considered for appointment to the NDSB; she simply wants to put her feelings on the record, rather than behind closed doors, for the public to hear and be aware of. She stated that the Council still needs to make a decision regarding who should be appointed to replace Mr. Knight.

Councilmember Peterson stated that he is not interested in campaigning for the position, but he wanted to express his opinion that he does not think that the thing that most qualifies anyone to serve on the Board is the amount of time they have left to serve in their Council term. He stated that he may have six or ten years left on the Council if he chooses to seek additional terms. Councilmember Clark added that he feels there is some advantage to appointing Councilmember Peterson to the position because he has been involved with the City for two years now and he is familiar with the operations of the City, which is something that the successful appointee needs as well. He stated he can see the advantages of both arguments. He then stated that he wanted to express his opinion regarding another aspect of this issue. He stated there are so many important issues the City is facing and dealing with and he can not believe that the Council has spent so much time talking about this one issue. He stated he understands the law and the reason that the issue was raised again, but he is flabbergasted that the Council has spent such a large amount of time discussing it.

Councilmember Shingleton offered to withdraw his nomination of himself for the position. Councilmember Peterson stated he is not willing to argue about who should be appointed. He stated that he has been interested in the position for a long time. He stated that he knows that the members of the NDSB are compensated for their participation, though he does not know the amount of that compensation. He stated the compensation is not a factor in his interest in the position. Councilmember Clark reiterated that the successful appointee should be aware that the commitment entails attending more than simply one meeting each month. He stated that since he has been a member of the Wasatch Integrated Waste Management District (WIWMD) Board he has had to use leave from his employer to attend meetings in addition to the regularly scheduled meeting. Ms. Brown stated she is aware that the same is true for the NDSB appointment; Mr. Knight regularly reported having attended meetings in addition to the regularly scheduled monthly meeting.

Councilmember Clark stated that he would support Councilmember Peterson for the position. He stated Councilmember Peterson expressed interest in being appointed to the position from the beginning and there is some value to that. Mayor Nagle asked if the rest of the Council can support Councilmember Peterson. Councilmember Hammond stated that he would rather support Councilmember Kimmel. Mayor Nagle pointed out that this meeting is being recorded by a web camera as an experiment to determine if the Council should be broadcasting their meetings on the internet. She stated that it was interesting to see that Councilmembers Hammond, Kimmel, and Shingleton exchanged a glance with each other to see if they concur on an issue before one of them speaks. She stated that is troubling to her. She stated that the Councilmembers should be having independent conversations about how to proceed. Councilmember Shingleton stated that he takes issue with that accusation. He stated he has made eye contact with every person sitting around the table and now Mayor Nagle is calling his integrity into question. Mayor Nagle stated that is fair and she apologized, but she stated there was a triangular exchange of eye contact with the three Councilmembers. Councilmember Shingleton stated that he offered to withdraw his bid for being appointed to the position. Mayor Nagle stated that is correct and again apologized. Councilmember Hammond stated that he feels strongly that it is important that the successful appointee have four years to serve on the NDSB. He stated that if Councilmember Peterson were appointed to the position and decided not to seek another term of office in four years the Council would need to appoint a new person to the position at that time. He stated it may be true that Councilmember Peterson has expressed interest in the position, but so have Councilmembers Kimmel and Shingleton. He stated that Mr. Knight himself has commented on the need for continuity on the NDSB Board. He added that Councilmember Kimmel lives very close to the sewer plant and the argument could be made that the operations of the sewer plant directly affect him. Mayor Nagle stated that the operations at the sewer plant directly affect every resident of the City.

Councilmember Shingleton reiterated that he feels that it is important that the appointee be able to serve a term of nearly four years. He stated that Mr. Knight also felt that was very important and Councilmember Clark and Mayor Nagle agreed with Mr. Knight when he made his request to be allowed to complete his term. Councilmember Clark asked why the Council voted to rotate all other assignments of the Council if they feel that continuity in this certain position is so important. He stated that the two decisions contradict each other and he asked if continuity is really important. Councilmember Hammond stated the importance of continuity is dependent on the position. Councilmember Clark disagreed.

Councilmember Shingleton stated that the Councilmember that is assigned to be the liaison to the Fire Department, for example, is not being asked to manage the Fire Department. He stated that it is important for all members of the Council to have the opportunity to become familiar with the inner workings of any given Department because they are ultimately responsible for how the City being run. Councilmember Clark stated that the person appointed to the NDSB position will not be responsible for managing the NDSB either. He then stated that the Council needs to decide to either rotate all assignments or seek continuity for all assignments, but right now the Council is being consistent. Councilmember Shingleton stated that the Council did not rotate all of their assignments in January. Councilmember Clark stated that was because the appointments had been rotated as recently as June 2009. Ms. Brown stated that is correct; that was the reasoning for not rotating in January 2010.

Mayor Nagle referred to Councilmember Clark's earlier comments regarding the number of significant issues that the Council has to focus on and the amount of time that the Council is spending on this one issue. She stated that everyone has assignments and appointments in the City and it should be each Councilmember's responsibility to report to the entire Council about what is happening with their assignments. She stated there has been a huge increase in crime in one neighborhood in the City and the residents there keep contacting her and the Police Department about these issues. She stated there has been no Council report regarding those types of issues. She stated that her comments are not to be taken personally, but it they speak to the reasons that she is recommending that Councilmember Peterson be appointed to the NDSB position. She stated that he has followed through on his assignments and delivered reports back to the Council. She stated that is how everyone should be operating; each Councilmember should report back to the Council regarding the things that are happening in the City and what they are doing to work with the necessary Department to address those issues. She stated that when she found out that there was such a huge escalation in crime in the one neighborhood in the City it caused her some concern. She stated that the City has some serious issues and the Council needs to be fully committed to addressing them. She stated it appears to her that Councilmember Peterson has been fully committed to his assignments and he provides feedback to the Council about those assignments. Councilmember Kimmel inquired as to who is the Council's liaison to the Fire Department. Councilmember Peterson stated that is his assignment. Councilmember Kimmel stated that there have been a number of calls for service in the Fire Department and he agrees the Council should be hearing reports regarding those types of situations. Mayor Nagle stated that Councilmember Peterson visits the Fire Department on a regular basis. Councilmember Clark added that reports regarding things that are happening in various Departments can come from Mr. Worthen as well.

Councilmember Clark stated he would still like an answer to his question regarding the inconsistency in the rotation schedule of assignments given to the Council. Councilmember Hammond stated that the decision whether to rotate an assignment should be dependent on the assignment itself. He stated that it is good for all Councilmembers to become familiar with the operations of any given Department in the City, but it is also good to provide some consistency to positions like the NDSB Board position. Councilmember Clark stated that when the Council discussed the list of assignments he voiced his opinion that he felt it was important to have consistency in Department liaison assignments. He asked why it would be any less important for a Councilmember to have a depth of knowledge about the operations of a Department in the City compared to the NDSB Board. Mayor Nagle stated that all assignments given to the Councilmembers can have a term ending at the same time that their Council term ends. Councilmember Clark stated it may be necessary to open that issue for discussion.

The Council took a poll regarding who should be appointed to the NDSB position. Councilmember Clark recommended appointing Councilmember Peterson. Councilmember Hammond stated that he would support Councilmember Kimmel. Councilmember Peterson stated he would vote for himself. Councilmember Kimmel stated he would vote for himself. Councilmember Shingleton stated that he would support Councilmember Kimmel. Mayor Nagle directed Ms. Brown to draft a resolution to appoint Councilmember Kimmel to the NDSB Board.

#### Status report – FY 2009-2010 budget.

Finance Manager Fowles stated she has had an opportunity to review the current Fiscal Year (FY) budget and she found that all Departments are staying within their appropriated budget for the year. She stated that the only area of the budget that is concerning is the lack of sales tax revenues. She stated that sales tax revenues peaked in 2008 and they have decreased since then. She stated she is predicting that there will be a \$260,000 shortfall in sales tax revenue this year and she explained that is due to the fact that a six percent increase in sales tax revenues was projected for this FY and she does not feel that was a good projection. She stated that she will not increase the sales tax revenue projection for the next FY and instead she will maintain the projections included in the current budget. She provided a handout to each Councilmember including information regarding the budget and explained that the second page of the handout highlights the possible budget reductions that each Department has been able to identify. She stated these decreases will help to make up for the shortfall in

sales tax revenues. She stated it will be necessary for the Council to open the current FY budget to make the reductions official.

Councilmember Clark stated he has a concern with the proposed budget for FY 2010-2011. He stated that it appears that training budgets are being significantly decreased. Mayor Nagle stated that some training budgets have actually increased. Ms. Fowles stated that she will be better able to discuss the proposed FY 2010-2011 budget in future work sessions, but she added that most Departments have reduced their budgets to the lowest point possible. Mayor Nagle stated that each Department Head will be invited to a future work session to answer questions about their budget.

Mayor Nagle then stated that the Council currently receives a copy of the City's claim statement, but that report does not provide a picture of the health of the City. She stated that she has asked Ms. Fowles to generate a report that will more clearly show the burn rate of each budget in the City. She stated the report will include the originally approved budget for any given Department, the current budget level, and the balance. She stated this will help the Council recognize which Departments need immediate attention throughout the year. Councilmember Hammond stated that he likes the format of the new report and he commented that it is much easier to understand. Ms. Fowles stated it is her goal to help the Council better understand the finances of the City. Councilmember Shingleton commented that Ms. Fowles has done a good job of that so far.

Ms. Fowles stated that one area of concern she has with the current budget is how Class C road funds are being appropriated. She stated that the City will receive approximately \$50,000 less than projected in Class C road funds and that is due to the fact that the revenue projection was higher than reasonable. Mayor Nagle added that one of the issues that Ms. Fowles identified relative to Class C road funds was that a large percentage of the money being received was being used to pay wages, which is not allowed. She stated that Ms. Fowles has done a lot of research to determine how to correct that problem and she will present more information about that issue in a future meeting. She stated that using all the Class C road funds for road project only rather than wages will not address all of the road problems of the City, but it will help. She stated that Ms. Fowles will put a plan in place to correct the problem and the City can begin moving in the right direction.

Ms. Fowles then stated the only other issue she is currently dealing with is a higher expense in the culinary water fund for credit card fees. She stated that should be offset by the additional revenue that account has experienced, so there should ultimately be no problem for the Council to address. Councilmember Hammond asked for more information regarding credit card fees. Ms. Fowles stated that it is the fee that the City pays when someone makes a payment to the City via a credit card. Mr. Worthen added that staff is considering a contract with a new vendor that would possibly lower the rate structure for credit card fees. Councilmember Hammond stated there are some businesses that pass the credit card fee on to their customers. Mr. Worthen stated that the City could consider doing that, but the Council should consider the fact that the acceptance of credit cards has allowed the City to free up some soft costs by allowing employees that previously worked on receiving cash payments to focus on some other duties. Councilmember Hammond inquired as to what percentage of the City's customers pay their bills with a credit card, to which Mr. Worthen answered approximately half. Mayor Nagle stated she has asked for a study to see how much the City is actually saving by accepting credit cards versus having an employee or employees that works on receiving cash payments. She stated that if the City is realizing a savings by accepting credit cards the residents should get to share in that benefit. Councilmember Clark stated that is a valid argument. He stated that in the past he has felt that residents are saving money as well by being able to pay their bills with a credit card and if accepting credit cards is costing the City money that cost should be passed on to the citizens. He stated, however, that he understands Mayor Nagle's point of view as well.

Mayor Nagle stated that it is time to adjourn the work session meeting. She thanked Ms. Fowles for her attendance and for the information she provided.

#### Council business.

**Live Broadcast of Council Meetings:** Mayor Nagle stated that following the last Council work session she asked IT Director Peace to explore Councilmember Hammond's suggestion to broadcast the Council's meetings on the internet. She stated she copied Councilmember Hammond on the email that she sent to Mr. Peace making that request. She reiterated that tonight's meetings are being recorded as an experiment. She stated that Mr. Peace provided some information in each Councilmembers packet regarding the options the Council has for broadcasting meetings and she wanted to state her opinion that she feels like the option being used tonight is a good option.

**Graffiti Removal:** Councilmember Clark stated that there was a discussion at a recent WIWMD meeting regarding their use of the juvenile court system to remove graffiti. He stated that they are looking for additional opportunities to provide the service, which allows convicted juveniles an opportunity to pay some restitution. He stated the WIWMD paid \$275 for a month of service and they received 1,700 man hours of service. He stated it quite a reasonable price and he wondered if the City had any opportunities to take advantage of the service. Mr. Worthen stated that the City has used the

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juvenile court system in the past. He stated he will pass the information on to the Public Works Director since he usually handles works to resolve vandalism issues at City property.

The meeting adjourned at 6:55 p.m.

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Jamie Nagle  
Mayor

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Cassie Z. Brown, CMC  
City Recorder

Date approved: May 25, 2010