

MINUTES OF THE LOCAL ISSUES TASK FORCE

Friday, September 28, 2007 – 9:00 a.m. – Room W110 House Building

Members Present:

Sen. Carlene M. Walker, Co-chair
Rep. Aaron Tilton, Co-chair
Sen. Scott D. McCoy
Sen. Howard A. Stephenson
Rep. John Dougall
Rep. Janice M. Fisher
Rep. Julie Fisher
Rep. Gregory H. Hughes
Rep. Todd E. Kiser
Rep. Karen W. Morgan

Staff Present:

Joseph T. Wade, Policy Analyst
Robert H. Rees, Associate General Counsel
Wendy Bangerter, Legislative Secretary

Note: A list of others present, copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Carlene Walker called the meeting to order at 9:20 a.m.

MOTION: Rep. Julie Fisher moved to approve the minutes of the July 23, August 1, August 14, and August 21, 2007 meetings. The motion passed unanimously. Sen. Stephenson, Rep. Hughes, and Rep. Kiser were absent for the vote.

2. Forms of Municipal Government

Chair Walker reviewed the guiding principles adopted by the Task Force. She asked the members to consider the guiding principle points as they review the draft legislation to see if they meet the principle criteria.

Mr. Robert H. Rees, Associate General Counsel, distributed and reviewed "Overview of Proposed Forms of Municipal Government under 'Municipal Government Amendments.'" He explained the varying features of the three major forms of government: (1) the Council/mayor form, (2) the six-member form, and (3) the five-member form, which can also function as a seven-member form. He stated that most cities and towns operate under the six-member form.

The Task Force, along with Mr. Lincoln Shurtz, League of Cities and Towns, and Mr. Gary Crane, Layton City Attorney, discussed the confusion of the mayor's duties and authority to function independent of the city council in the separate forms of government, how the legislation clarifies those duties, whether the title of "mayor" should be eliminated under the six and five-member forms and use a name that better clarifies what they do, and the need to educate both the municipal government officials and the public to the differences in duties depending on the form of government being used.

Sen. Stephenson stated that by keeping the title of mayor for all forms of government, the public is being deceived thinking they have a mayor/executive when, in actuality, they do not.

MOTION: Sen. Stephenson moved to amend the legislation to reflect the title of "council chair" instead of "mayor" under the five and six-member forms of government, but that the council could designate a person to perform dignitary functions. The motion failed with Sen. McCoy, Sen. Stephenson, and Rep. Tilton voting in favor. Sen. Walker, Rep. Dougall, Rep. Janice Fisher, Rep. Julie Fisher, Rep. Hughes, Rep. Kiser, and Rep. Morgan voted in opposition.

Chair Walker stated the importance of separating the issue of job description and job title.

MOTION: Rep. Tilton moved to give authority by ordinance to the city council to appoint a mayor in title only but who actually serves as chair of the council.

SUBSTITUTE MOTION: Sen. McCoy made a substitute motion that the draft legislation be adopted as a task force bill, grand fathering in cities presently functioning well. The motion passed with Sen. Stephenson voting in opposition.

MOTION: Rep. Dougall moved that the Task Force meet again to bring discussion and possible solution to the title issue. The motion passed with Rep. Janice Fisher and Rep. Morgan voting in opposition and Rep. Julie Fisher being absent for the vote.

Mr. Shurtz was asked if the League would come to the next meeting with a proposal regarding how to educate the public and public officials if titles were changed.

Mr. Rees suggested that the task force consider consolidating the several governance issues scattered in the Utah Code and make a new chapter. He stated it would be an effort to rewrite and clean up old language and reorganize it for better access and clarity.

The League voiced their support for that action.

3. Other Items / Adjourn

MOTION: Rep. Dougall moved to adjourn the meeting. The motion passed unanimously. Sen. Stephenson and Rep. Julie Fisher were absent for the vote.

Chair Walker adjourned the meeting at 10:50 a.m.