Minutes of the Centerville **City Council** meeting held Tuesday, July 15, 2014 at 7:00 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Ken S. Averett (arrived at 8:25 p.m.) Tamilyn Fillmore John T. Higginson Stephanie Ivie Lawrence Wright
STAFF PRESENT	Steve Thacker, City Manager Blaine Lutz, Finance Director/Assistant City Manager Lisa Romney, City Attorney Cory Snyder, Community Development Director Jacob Smith, Management Assistant Katie Rust, Recording Secretary
VISITORS	Interested citizens (see attached sign-in sheet)
PLEDGE OF ALLEGIANCE	Joshua Hellewell, BSA Troop 832
PRAYER OR THOUGHT	Councilwoman Tami Fillmore

COMMENDATION

Mayor Cutler recognized Blaine Lutz and the Finance Department for receiving the Certificate of Achievement for Excellence in Financial Reporting for the fifteenth year in a row. The award is the highest form of recognition in the area of government accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The Mayor thanked Mr. Lutz and the entire Finance Department for their continued excellence.

OPEN SESSION

Mark Allred – Mr. Allred mentioned that he had been unable to find an audio recording of a recent Council meeting on the City website. He encouraged the Council to post audio recordings of the meetings on the website on a regular basis. Mr. Allred said he feels it would be useful for citizens as well as the Council. He suggested using the State Public Notice website as a resource for posting the audio files. Steve Thacker, City Manager, stated that an audio recording is available from the City Recorder. The Mayor indicated he would be interested in looking into the suggestion further.

Keith Johnson – Mr. Johnson stated he lives close to the Parrish Lane and Main Street intersection. He commented that no elevation drawings were presented during discussions regarding the intersection project. He said he has observed that data lines currently cross in front of some of the traffic lights, which he feels puts an ugly crown on the project. Mr. Johnson suggested burying the lines to improve the appearance of the intersection. Mr. Thacker responded that the possibility of burying the lines was considered during the planning stage, but considered too expensive to be feasible. Mr. Thacker agreed to discuss the lines with UDOT.

Mr. Thacker reported that the current timing of the traffic lights in the Parrish/Main intersection is temporary and will be changed after construction is complete. He reported on the current status of the project.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the July 1, 2014 Council meeting were reviewed. Councilman Higginson made a **motion** to approve the minutes. Councilwoman Ivie seconded the motion. Mayor Cutler requested one amendment. The motion passed by unanimous vote (4-0), including the Mayor's correction.

PURCHASE OF TRUCK FOR PARKS DEPARTMENT

Councilman Higginson made a **motion** to approve the purchase of a 2014 Toyota truck from Tony Divino Toyota in the amount of $27,856.07 for the Parks Department. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (4-0).

AWARD BID FOR COMMUNITY PARK EXPANSION PHASE ONE

Mr. Thacker reported that the City has collected enough Park Impact Fees to begin Phase One of the Community Park expansion project. He showed a map of the planned expansion and explained the scope of Phase One included in the proposed bids. Mr. Thacker explained that the mound of soil on the expansion site originated from construction of the Davis Center for the Performing Arts, which he suggested would justify use of $100,000 of RDA funds to pay for relocation of the soil. Most of the soil will remain on-site to raise the native ground level of the expansion by three or four feet. Some of the soil will be used to build a berm west of the park along the Frontage Road at the gap in the sound wall, and some will be used to fill existing park land. He reported that staff have analyzed the feasibility of using ground water to irrigate the additional six acres of park and consider it a beneficial option. Mr. Thacker explained the sources of funding recommended by staff for Phase One of the expansion, and the bids that were submitted. The expansion project qualifies for funding solely by impact fees, but staff suggested other sources of funding could possibly be used in future to complete other phases of the project sooner than would be possible with impact fees. One of these sources could be a renewal of the RAP tax.

Councilman Higginson made a **motion** to award bid to Kapp Construction in the amount of $401,349.40 with the guidance to start work September 1st, and to award materials bids to Oldcastle Precast for $53,333.11 (includes tax) and Mountain States Supply for $13,962.75 (includes tax), conditioned upon RDA approval of funding. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0).

LANDMARKS COMMISSION LIAISON REPORT

Councilwoman Ivie reported on an open house recently held by the Landmarks Commission about the possibility of creating a historic district, and stated that the annual social will be held on September 12th. The walking tour app planned by the Landmarks Commission will be possible with the grant match recently approved by the Council.

TRAILS COMMITTEE LIAISON REPORT

Councilwoman Ivie reported low participation at a recent bike ride planned by the Trails Committee, and stated that the Trails Committee plans to schedule another bike ride when school is in session. The Trails Committee is concerned about erosion on the hillside related to ATV use and has been considering options to improve the situation. The Committee has several Eagle Scout projects available.

Mayor Cutler expressed his desire to have each of the City's committees come up with ideas of ways to contribute to the City's Centennial celebration next year.

WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT LIAISON REPORT

Councilman Higginson presented information regarding the Wasatch Integrated Waste Management District. He described what is done at the energy recovery facility in Layton, and stated it is estimated that the current landfill will be full in 20-25 years. The Waste Management District has a 54% diversion rate. Councilman Higginson stated that contracts with Hill Air Force Base for steam and methane gas help to keep customer fees down.

Councilman Averett arrived at 8:25 p.m. The Council took a brief recess at 8:27 p.m. and returned at 8:31 p.m.

AMENDMENT TO TEMPORARY ZONING REGULATIONS FOR WEST CENTERVILLE NEIGHBORHOOD

At the last Council meeting, the Council directed staff to prepare an ordinance amending the Study Area for the temporary zoning regulations to restrict the boundaries of the Study Area to property east of 1250 West in the West Centerville Neighborhood. Cory Snyder, Community Development Director, presented a map with an amended Study Area. The Temporary Zoning Regulations (TZRO) will be in place until August 18th. The West Neighborhood Planning Committee will not be ready to present an option for the Planning Commission to consider until September. The Council directed staff at the last Council meeting to look into ways to extend the term of the temporary zoning regulations in order to provide the City more time to implement proposed General Plan and Zoning Ordinance amendments based on study objectives and recommendations. Mr. Snyder reported that, under pending ordinance doctrine, if a zone map change is noticed on a Planning Commission or City Council agenda and an application is received that would potentially be prohibited by the considered change, the application may be subject to the proposed new zoning ordinance. The proposed ordinance would need to have sufficient detail to identify the intended use as a potentially prohibited use.

Mr. Snyder stated that he and the City Attorney feel imposing another TZRO would not be legally advisable. He said it would be possible to draft an ordinance that would be structured enough to identify prohibited uses and place it on the August 13th Planning Commission agenda. However, he cautioned that putting a draft ordinance on the agenda before a recommendation is made by the West Neighborhood Planning Committee may result in a change in trust of the public. As a staff member he feels it might be difficult to engage the public in discussions of desired parameters if parameters have already been defined, but he recognized that parameters can change. Councilwoman Fillmore pointed out that drafting an ordinance to put on the Planning Commission agenda on August 13th would protect the City's interests and intent that has been made clear, while respecting the engagement process.

The Council discussed whether or not to amend the TZRO Study Area, and whether or not to include the area west of 1250 West in the West Centerville Neighborhood in the draft ordinance. Council members Averett and Fillmore expressed a desire to be consistent and not amend the Study Area for one property owner. Councilwoman Fillmore stated she feels if the City is redefining the goals for the West Neighborhood, the area west of 1250 West should be included in the pending ordinance. Mayor Cutler stated he would be comfortable if the Council chose to amend the TZRO Study Area, since the desired transit oriented planning would largely affect the area east of 1250 West. Council members Wright and Higginson expressed support for changing the TZRO map to exclude the area west of 1250 West. Councilwoman Ivie expressed support for amending the TZRO Study Area as well as support for not including the area west of 1250 West in the draft ordinance. Mr. Snyder clarified that Transit Oriented Development (TOD) automatically impacts the surrounding area, so the area to consider will expand naturally, even if not from a control standpoint. Councilman Averett said he feels the public will be okay with the draft ordinance if it is presented as a way to protect the area, and they continue to be involved in the planning process. Mr. Snyder stated he believes there is a low risk that changing the boundary of the TZRO will result in undesirable development.

Councilman Wright made a **motion** to approve Ordinance No. 2014-15 amending the Study Area for the Temporary Zoning Regulations for the West Centerville Neighborhood. Councilwoman Ivie seconded the motion. Councilwoman Fillmore pointed out the danger of setting a precedent of spot zoning. Councilman Wright said he feels the risk is minimal that any development would be inconsistent with the desired direction. Councilman Averett responded that amending the Study Area would open the door to further exceptions. The motion to amend the Study Area for the TZRO passed by majority vote (3-2), with Council members Averett and Fillmore dissenting.

Councilman Wright made a **motion** to direct staff to create a draft zoning ordinance for the Study Area and allow public comment and Planning Commission consideration. Councilwoman Fillmore suggested the motion include that the draft ordinance be ready for the August 13th Planning Commission meeting. Councilman Wright approved the suggested addition to the motion, and Councilman Higginson seconded the motion. Councilwoman Fillmore clarified that the boundaries of the ordinance will be left up to the Planning Commission and planning staff. Lisa Romney, City Attorney, emphasized that the draft ordinance will need to be fairly comprehensive in order to know what is prohibited and what is not. The amended motion passed by unanimous vote (5-0).

EXTENSION OF FRANCHISE FOR QUESTAR

Ms. Romney reported that staff is negotiating terms of a Franchise Agreement with Questar. Councilman Wright made a **motion** to approve Ordinance No. 2014-16 extending the current Franchise for Questar Gas, a successor to Mountain Fuel Supply Company, for an additional six (6) months. Councilman Higginson seconded the motion. Responding to a question regarding a penalty for not responding timely, Ms. Romney stated most utility companies, including Questar, usually do respond timely. The agreement addresses use of roads and rights-of-way. Councilman Wright pointed out that any penalty placed on a utility company will be passed on to the citizens as end users. The motion passed by unanimous vote (5-0).

MAYOR'S REPORT

- Mayor Cutler presented the quarterly utility bill adjustments report.
- The Mayor reported that mayors of the cities that chose not to continue in discussions with Macquarie met to discuss moving forward in a positive direction. The city attorneys will be meeting to discuss legal strategies. Representatives of the UTOPIA cities met together in Murray and put pressure on Murray to begin paying operating assessments again. On July 21st the combined UTOPIA and UIA Boards will meet in a public meeting for a report regarding the First Digital proposal.

- The Mayor commented on the success of the 4th of July celebrations, and expressed appreciation to the volunteers who made it possible.

CITY MANAGER'S REPORT

Asset and Inventory Management

In the June 17 Council work session, the City Manager was questioned about one of his duties as stated in the City Code regarding asset and inventory management. Mr. Thacker explained that in 2004 the Council approved Resolution No. 2004-09 adding a new section to the City's Procurement Policy titled "Asset and Inventory Management", which defines "capital assets" as "those assets with an initial, individual cost of more than $5,000 and an estimated life in excess of two years." Other assets with initial values between $500 and $5,000 and estimated lives "ranging from one to any number of years" are referred to as "inventory". Mr. Thacker provided the Council with an Asset Report dated June 30, 2013, which includes items that have fully depreciated financially. Mr. Thacker stated that department heads have been responsible for inventory management and reporting within their departments, and he feels a reasonable effort has been made. He admitted that there are weaknesses, and accepted responsibility for trying to achieve more uniformity and more systematic procedures. He recommended that the committee that has been working on procurement policy for some time take a focused look at asset and inventory management with the management team. City Manager Thacker said he feels discretion should be given to the department heads regarding tracking of inventory of items valued less than $500. He encouraged the Council to allow management to further consider improvement options.

Councilman Higginson stated he feels the issue of inventory management is important and he thinks the recommended committee is the right group to have considering the issue. He said he is comfortable with the $500 limit. Councilwoman Ivie asked if the City has an annual inventory day. Mr. Thacker responded the inventory list of capital assets is updated as of June 30th each year in conjunction with the audit. He recognized that department inventory updates need to be improved. Councilwoman Ivie said she and her children would be happy to come down and count everything. She pointed out a 29 car discrepancy in the number of Police Department vehicles reported. Councilwoman Fillmore stated she is in favor of the recommendation made by Mr. Thacker. She said she feels uniformity will be helpful, she has trust in the committee, and she is supportive of reasonable thresholds. Blaine Lutz, Finance Director, stated that, with the current thresholds, the departments are probably accounting for 97% of expenditures. Councilwoman Ivie agreed that time is valuable, but stated the City has a responsibility to its citizens, even if it is necessary to hire another staff member to track inventory.

Councilman Wright stated he has professional experience with inventory management, and he feels a good inventory management system is important to prevent waste, fraud, and abuse from occurring. He said he believes a standardized inventory report should be part of the performance evaluation of each department head. Councilman Wright continued that the asset report provided is an accounting report, but the City Manager needs to know what is coming in and what is transferred out to make sure City assets are accounted for and controlled properly. He said the City Ordinance states that the City Manager shall "keep or cause to be kept a current inventory showing all real and personal property of the City". The Resolution helps to carry out the Ordinance. Councilman Wright stressed he feels the City needs a standardized inventory process with semi-annual inventories at the department level. Councilwoman Fillmore responded that the department heads are under the managerial control of the City Manager, the City Manager is under the managerial control of the City Council, and it has been quite some time since the Council has visited this issue. She suggested the committee can come back to the Council with a recommendation of how to standardize the inventory process. Mayor Cutler pointed out that not everyone reads the Code with the same interpretation as Councilman Wright. Councilwoman Fillmore commented that the same section of Ordinance, under Management Controls, states: "the City Manager shall set performance standards and exercise managerial control to ensure that the City government is functioning in the most efficient and effective manner." Councilwoman Fillmore made a **motion** to follow the recommendation of staff to instruct the committee already in place for procurement matters to visit the issue of standardizing the asset and inventory management of the City. Councilman Higginson seconded the motion.

Mr. Thacker stated he supports the motion, but stressed that he feels department heads should be given the flexibility in such a small organization to manage inventory valued less than $500 in a manner that is cost effective. The threshold for the formal procedure is important. Councilwoman Fillmore stated she looks forward to hearing from the committee regarding the balance between efficiency and the need for inventory management. Mr. Thacker agreed with the need to establish procedures for updating the inventory list above the thresholds, and periodic auditing within the departments.

Councilman Wright stated he feels it is the City Manager's responsibility to engage staff in developing procedures, and the City Manager should be the one to present recommendations to the Council. He stressed that he does not want the inventory process to turn into an accounting process. Councilman Wright made a **motion** to modify the motion made by Councilwoman Fillmore to ask the City Manager to bring an effective inventory management plan back to the Council. He also pointed out a link between inventory management and facility management. Councilman Higginson stated that although he believes they all consider inventory management to be important, he is disappointed with the assumption of negligence and spirit of accusation that has been used. Councilman Higginson said he would rather work together in a spirit of cooperation. Councilwoman Fillmore called for a vote on the motion made, stating that the established committee includes the City Attorney and Management Assistant in addition to a member of the Finance Department. She expressed approval for the recommended issues/questions for consideration:

- Should there be a uniform format/form across all departments for keeping the basic inventory of assets valued of $500?
- Should there be a requirement for department heads or designees to periodically conduct a sample audit of the inventory list?

Mr. Thacker assured the Council that the committee would work with the management team on the issue. Council members Fillmore and Higginson agreed to amend the **motion** to direct staff to review asset and inventory management procedures as recommended in the staff report or as deemed appropriate, and make recommendations for improvement. The amended motion passed by unanimous vote (5-0).

<u>Technology Update</u>

Blaine Lutz, Finance Director/Assistant City Manager, presented a technology update. The City does not have a full-time IT staff member. Online business renewal will be functional for the renewal process in December, and online park reservations will be available as soon as current reservations have been added to the system. Jacob Smith, Management Assistant, updated the Council regarding the City website. He provided statistics showing that website visits have doubled in the past year.

MISCELLANEOUS

Further discussion of work session topics was postponed to a later date.

RDA MEETING

At 10:16 p.m. Councilman Averett made a **motion** to adjourn to an RDA meeting. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Chair; John T. Higginson, Vice Chair; Directors Averett, Fillmore, Ivie, and Wright; Steve Thacker, RDA Executive Director; Blaine Lutz, Finance Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.

The Council returned to regular Council meeting at 10:17 p.m.

CLOSED MEETING

At 10:18 p.m. Councilman Wright made a **motion** to move to a closed meeting of the Council to discuss the character and competency of an individual. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Mayor; and Council members Averett, Fillmore, Higginson, Ivie, and Wright.

ADJOURNMENT

At 11:43 p.m. Councilwoman Ivie made a **motion** to return from the closed meeting and adjourn the City Council meeting. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

Marsha L Morrow
Marsha L. Morrow, City Recorder

8-19-2014
Date Approved

Katie Rust
Katie Rust, Recording Secretary

CENTERVILLE CITY INC. CORPORATE SEAL

CENTERVILLE CITY COUNCIL MEETING

Tuesday, July 15, 2014

7:00 p.m.

NAME (PLEASE PRINT)	ADDRESS**
Keith Johnson	67 E 400 N. 84014
Blaine Roskelley	93 N. 100 E
Mark Allred	1371 N 400 E
Dale McIntyre	258 E. 200 S. Centerville
Jarek Burnett	
Marianne Helliwell	272 S. 850 E Centerville
Joshua Helliwell	
Karson Rees	
Braden Rees	
Brooks Burningham	
Luke Allsop	
David [illegible]	
Steve & Tesa Allen	133 E Rock Manor Dr
Lisa Mdus	
William Ince	1148 N 300 East Ctrvl
Holly Ince	"
Bob Snyder	1511 Ford Canyon Dr, Cent
~~Holly Ince~~	
Jared Brown	
Rick Bingham	290 E Casa Loma Dr
Rob Eckel	1555 N Pony Express Way

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