7:00 Regular City Council Meeting

E.1. **4th of July Celebration Report** – Wayne and Bev Lewis, Chairs of this year's July 4th Celebration, will report on the success of that event. Summary and financial reports are enclosed.

E.2. **Centennial Book Update** – Lloyd Carr will report on the Centennial Book project. The book will be published in connection with the celebration of Centerville's existence as an incorporated town/city for 100 years (2015). A committee of volunteers, chaired by Mary Ellen Smoot, has been working on the book for some time.

E.3. **Minutes Review and Acceptance** – The minutes to be approved are enclosed.

E.4. **Centerville City Fine/Bail Schedule for Local Ordinances** – Earlier this year, the State Legislature updated the fine/bail schedule relating to the violation of State laws and recommended that cities also update their fine/bail schedules pertaining to the violation of local ordinances. These schedules establish recommended minimum fines for various offenses. Judges still have the authority and flexibility to levy fines that are less than or more than the recommended minimum based on mitigating/aggravating circumstances, etc. The Centerville Justice Court handles offenses classified as Misdemeanor B, Misdemeanor C and infractions. Higher classifications of offense are handled by other courts. City Attorney Lisa Romney has spent considerable time updating Centerville City's fine schedule for local ordinances. She has consulted with the Police Chief and other department heads during this process and has also reviewed fine amounts for similar offenses in the fine schedules of other cities.

E.5. **Financial Report for FY 2014** – With the passage of two months since the close of Fiscal Year 2014 (June 30), Finance Department staff have been able to prepare an unaudited financial report for FY 2014. Finance Director Blaine Lutz will explain highlights and answer questions at the meeting.

E.6. **Animal Control "Trap, Neuter, Return" Program for feral cats** – Davis County Animal Control Director Clint Thacker requested time to make a presentation about their new program for managing feral cats. This program has been presented to a number of other Davis County cities and some have already allowed Animal Control to implement the program within those communities. The bottom line objective is to reduce the number of cats euthanized while still managing the "community cat" population within the County. Since Director Clint Thacker will be out of town, the presentation will be made by Tracy Roddom, Assistant Director.

E.7. **Mayor's Report** – Mayor Cutler will report on the direction he has given staff regarding the manner in which the public can receive copies of Council meeting minutes. He will also report on business discussed at the Davis County Council of Governments monthly meetings, which he attends as Centerville's representative.

E.8. **City Manager's Report** – I will continue to discuss bus shelter options and costs with the City Council. At their prior meeting the City Council directed the City Manager to obtain examples of bus shelter options and estimated costs for those enhanced versions. The City intends to install a bus shelter at the Founders Park bus stop in a cost-sharing partnership with UTA.

I have consulted with Lisa Summers regarding proposed dates for the Youth City Council dinner/work session with the City Council, as well as the Volunteer Recognition Dinner and the Employee Christmas dinner. The following dates and times are proposed for these events:

- Youth City Council dinner/work session with City Council – Tuesday, October 7, 5:30 p.m.
- Volunteer Recognition Dinner – Monday, October 20, 6:30 p.m. (families invited)
- Employee Christmas Dinner, Wednesday, December 3, 6:30 p.m.

I will ask the Council to confirm whether these dates are acceptable.

E.9. **City Council Liaison Report** – Continuing the schedule of liaison reports by Council members, the Whitaker Museum report will be provided by Councilman Larry Wright.

E.10. **Miscellaneous Business** – The agenda shows three topics I would like to discuss with Council if time permits; otherwise the discussion can be postponed or continued to later meetings. Two of these topics—employee accrued leave financial liability and Planning Commission compensation—were mentioned during budget work sessions, but time did not allow discussion. All three topics have budget implications; therefore, decisions relating to these matters may have to wait until the next annual budget to be implemented.

E.11. **Closed Meeting, if necessary** – At this time I do not know of a need for a closed meeting, but the agenda allows for that possibility.

E.12. **Appointments to City Boards and Committees** – Mayor Cutler may recommend appointments to City boards/committees.

Potential Agenda Items for September 9 & 16 City Council meetings (subject to change):

- Work Session to discuss FirstDigital Proposal (September 9)
- Work Session re Fire Agency Issues
- Public Hearing – Code Text Amendment re Apiaries/Beekeeping
- Public Hearing – Hafoka Property Rezone
- Cost Sharing Agreement with UDOT for drainage culvert under I-15 at Lund Lane
- Cell Phone Policy amendments
- Personnel Policies and Procedures – Amendment re Outside Employment
- Legislative Update from City Attorney
- Financial Report for period ending August 31, 2014
- Liaison report from Councilman Ken Averett
- Sewer District Report from Dee Hansen
- RDA: approval of funding for pedestrian bridge enhancements

mlm

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON TUESDAY, SEPTEMBER 2, 2014 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. Upon request, a citizen may obtain (without charge) the City Manager's memo summarizing the agenda business, **or may read this memo on the City's website: http://centervillepublic.novusagenda.com/.**

Tentative Time: - The times shown below are tentative and are subject to change during the meeting.

5:00 RDA/ACB MEETING

7:00 **A. ROLL CALL**
(See City Manager's Memo for summary of meeting business)

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT
Steve Thacker

7:05 **D. OPEN SESSION (This item allows for the public to comment on any subject of municipal concern, including agenda items that are not scheduled for a public hearing. Citizens are encouraged to limit their comments to two (2) minutes per person. Citizens may request a time to speak during Open Session by calling the City Recorder's office at 801-295-3477, or may make such request at the beginning of Open Session.) Please state your name and city of residence.**

E. **BUSINESS**

7:10 1. 4th of July Celebration Report
Report from 4th of July Committee regarding this year's community celebration

7:35 2. Centennial Book Update

(OVER)

7:50 3. **MINUTES REVIEW AND ACCEPTANCE**
August 19, 2014 work session and regular Council meeting

7:55 4. Centerville City Fine/Bail Schedule for Local Ordinances
Consider adoption of updated Centerville City Fine/Bail Schedule for Local Ordinances - Ordinance No. 2014-17

8:15 5. Financial Report (unaudited) for FY 2014

8:25 6. Animal Control "Trap, Neuter, Return" program for feral cats

8:45 7. Mayor's Report
a. Agendas/minutes distribution
b. COG report

8:55 8. City Manager's Report
a. Bus stop at Founders Park
b. Schedule volunteer recognition dinner, employee Christmas dinner and Youth City Council dinner/work session

9:05 9. City Council Liaison Report
a. Whitaker Museum – Councilman Lawrence Wright

9:20 10. Miscellaneous Business
a. Issues relating to Employees' Accrued Leave
b. Discuss Planning Commission compensation
c. Service awards for permanent part-time employees

9:50 11. Closed meeting, if necessary, for reasons allowed by state law , including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to *Utah Code Ann.* § 78B-1-137, as amended.

9:50 12. Possible action following closed meeting, including appointments to boards and committees

F. ADJOURNMENT

(Items of Interest (i.e., newspaper articles, not items on agenda)

Marsha L. Morrow, MMC
Centerville City Recorder

CENTERVILLE CITY COUNCIL AGENDA

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Steve Thacker

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E. BUSINESS

7:10 1. 4th of July Celebration Report

Report from 4th of July Committee regarding this year's community celebration

7:35 2. Centennial Book Update

7:50 3. Minutes Review and Acceptance

August 19, 2014 work session and regular Council meeting

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9:50 12. Possible action following closed meeting, including appointments to boards and committees

F. ADJOURNMENT

Items of Interest (i.e., newspaper articles, not items on agenda)

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No.

Short Title: RDA/ACB MEETING

Initiated By:

Scheduled Time: 5:00

SUBJECT

RECOMMENDATION

BACKGROUND

REDEVELOPMENT AGENCY OF CENTERVILLE CITY/DAVIS CENTER FOR THE PERFORMING ARTS ADMINSTRATIVE CONTROL BOARD MEETING AGENDA

NOTICE IS HEREBY GIVEN THAT THE REDEVELOPMENT AGENCY OF CENTERVILLE CITY BOARD AND THE ADMINSTRATIVE CONTROL BOARD OF THE DAVIS CENTER FOR THE PERFORMING ARTS WILL HOLD A COMBINED PUBLIC MEETING AT 5:00 P.M. ON TUESDAY, SEPTEMBER 2, 2014 AT THE CENTERVILLE CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Tentative Time:

5:00 **A. ROLL CALL**

B. NEW BUSINESS

1. Select ACB officers per Intergovernmental Agreement between Centerville and Bountiful
2. Brief report/update from staff:
   a. Purchase of AED for facility; training needed
   b. Facility will be inspected by URMMA (Centerville's risk mgmt/insurance pool)
   c. Additional cost for moving soil that came from construction site
3. Brief review of 2013 Financial Audit Report
4. Review 2014 six-month financial report for CenterPoint Legacy Theatre
5. CPT's construction obligation:
   a. Status of obligation
   b. Confirm disposition of construction obligation payments in 2014
6. Review long-term facility maintenance plan (projected revenues vs. expenses)
7. Clarify responsibility for payment of property insurance per the Operating Lease
8. Report on meeting with Davis County officials about potential future support from tourism tax revenues
9. CPT request for portion of RAP Tax funds if renewed by voters
10. Review of CPT's facility rental rates and usage
11. Set date for next RDA/ACB meeting to review CPT's 2015 Budget

C. RDA ONLY BUSINESS

1. **Minutes Review and Acceptance** – August 19, 2014 RDA meeting

D. ADJOURNMENT

Steve H. Thacker
Executive Director

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No.

Short Title: (See City Manager's Memo for summary of meeting business)

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- City Manager's Summary of September 2, 2014 Council meeting

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No.

Short Title: Steve Thacker

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 1.

Short Title: 4th of July Celebration Report

Initiated By:

Scheduled Time: 7:10

SUBJECT

Report from 4th of July Committee regarding this year's community celebration

RECOMMENDATION

Allow Wayne Lewis, Committee Chair, to report on the success of this year's July 4th Celebration. Express appreciation to him and all his committee members for their excellent volunteer service.

BACKGROUND

A Summary Report and financial report is attached. It reveals the Committee stayed within their budget of $26,000.

ATTACHMENTS:

Description

- 4th of July Committee Summary Report to City Council
- 2014 4th of July Committe Report

CENTERVILLE 4th of JULY CELEBRATION COMMITTEE - 2014

"Proud to be an American"

Summary Report to the City Council – September 2, 2014

Wayne and Bev Lewis, Celebration Committee Co-Chairs

801-706-4099

Committee Members

1.	Rob and Diane Prince	Breakfast in the Park	801-979-4977
2.	Jeff and Melanie Nish	Parade	801-706-2387
3.	Natalie Musgrove	Children's Parade	801-299-4184
4.	Rick Martin	Activities in the Park	801-573-3158
5.	Dave Anderson	Art Show	801-295-4802
6.	Kathryn Lindsay	Quilt Show	801-292-6058
7.	Dale Anderson	Fun-Run and Booths	801-721-9009
8.	Jolene and Steve Johnson	Publicity	801292-4890-
9.	Clair Heslop	Finance	801-292-3449
10.	Kevin Peay	Park Concert	801-897-3456

Centerville City Personnel

1.	Paul Cutler	Centerville City Mayor	801-390-3444
2.	Steve Thacker	City Manger	801-677-6094
3.	Jacob Smith	Assist ant Manager	801-677-6434
4.	Bruce Cox	Parks and Recreation Director	801-628-6370
5.	Jeremy Brown	Police Department	801-292-8441
6.	Gary Thomas	Police Department	801-292-8441
7.	Jeff Bassett	Fire Department Chief	801-677-2405

July 4th Celebration Summary Highlights

Thursday – July 3, 2014

July 3rd activities in Founder's Park were very well-attended. Since July 4th was on Friday, the committee shared a concern that many Centerville citizens would leave town for a long holiday weekend. However, if there was an exodus, there was not a lot of extra room in Founder's Park on Thursday, July 3rd. Nearly every square yard of the park appeared to be occupied by young and old and everybody in attendance seemed to be in a festive mood having a great time! Nearly every chair in the

park was occupied and most of the space not used for booths and rides was covered with blankets. Founder's Park was shoulder to shoulder with people and between 2200-2400 was in attendance.

The evening of July 3rd began at 5:30 p.m. with a thunder storm and rainfall. There was great concern that the evening would be blustery and wet but the storm quickly cleared up and the temperature cooled down. At 6:30 p.m. the Children's Parade started on 200 East and 200 South, officially kicking off the festivities. As the parade finished at Founder's Park, children and their families moved into the park. Centerville citizens picnicked on homemade food and goodies prepared by venders in the park. A climbing wall, inflatable toys, a gravity spin machine and a reptile show, all free to the public, entertained nearly everyone until the concert began at 8:00 p.m. The rides continued until 9:30 p.m. while the band, Tuba Q, opened its show with high volume Rock n' Roll entertainment. The evening concluded at 10:00 p.m. with the last 15 minutes of the evening showering the sky with exciting fireworks.

Friday – July 4th

The 4th of July 5 K Fun Run, sponsored by the South Davis Rotary Club, had 1072 entries this year and began at the parking lot of City Hall on Friday at 7:00 a.m. The race was open to the public and runners competed by age groups with prizes awarded to winners in each category. The traditional Chuck Wagon Breakfast also began at 7:00 a.m. and concluded at 9:00 a.m. It was well attended and Flanders Fiddlers (801-295-4767) entertained attendees with high energy fiddling. Breakfast was served on well decorated tables that were accented by beautiful Fourth of July centerpieces that were sold afterwards.

Promptly at 9:00 a.m. the parade began with a fly-over the parade route by privately owned WWII fighter planes. An Abraham Lincoln look-alike rode his horse down Main Street from Pages Lane and stopped at City Hall to lead the parade-attenders in the pledge of allegiance. Then he recited the Gettysburg Address. The well-organized parades' most touching moment was sparked by a gorgeous float that led the parade and focused on veterans of WWII, Korea and Vietnam. The early part of the parade generated a strong feeling of patriotism and concluded with fun and exciting entries. Parade participants included a Chinese dragon, Pentecostal choir, high school bands plus the Polynesian and bag-pipe bands. Unique and traditional business entries, tumblers, clowns, cheer leaders, and award winning youth baseball teams and tons of the traditional candy thrown from the entrees made up the bulk of the parade.

After the parade, a lot of the public moved into the park. The number of attendees was about half of those attending on Thursday evening. All the activities were available without charge and many were amazed that the city would provide this kind of quality entertainment without expecting its citizens to reach into their wallets.

By 2:00 p.m., the day-time temperature warmed to nearly 100 degrees and attendance shrunk. The live local entertainment finished their performances at 1:00 p.m. and the police department began their traditional auction of items that had been confiscated during the year. The Balloon Granny (Carol Wilson (801-558-7555) at 2:15 p.m. still had a line of children wanting a balloon animal and the Mime

Clown (Lon Simmons 801-966-7376) continued entertaining small audiences as he drifted about the park. By 2:30 p.m. a very successful celebration event had drawn to a close.

Event Details and Recommendations

Children's Parade

The Children's Parade was successful this year with Natalie Musgrove in charge. The parade is typically a big burst of fun and children of all ages look forward to the Astro Bar reward at the end of the parade. The parade was led by the South Davis County Fire Department fire truck followed by over 1150 children and their families. The kids had a great time on bicycles, tricycles, wagons and some electric mini cars and motorcycles that were dressed up in red, white and blue decorations.

Activities in the Park

Activities in the Park were chaired by Rick Martin. Glen McKay (801-240-8619) organized and managed the local entertainment part of the day's events. Activities in the park began on July 3rd and was more robust than the day in the park on July 4th day. A primary objective of the committee chairs was to offer park activities without cost to attendees. The budget was not large enough to cover the cost of renting inflatable toys, a climbing wall, gravity spin machines, the reptile display, and the concert without a cash supplement from some other source.

Since the Lewises were unable to immediately fill all subcommittee chairmanships, they personally called on several Centerville businesses requesting contributions to cover park expenses. They searched for availability of toys for the park and were surprised that many businesses renting entertainment equipment were already booked for July 4th. Even while searching for clowns to be in the park they discovered that many of them were already booked in Provo and nearby communities as well as in out-of-state celebrations. However, their 'state of panic' was soon dispelled as the toy market place seemed to magically open up and competitive bidding among toys venders provided a great opportunity to meet the no cost objective.

Armed with preliminary commitments from local businesses for a cash contribution, several sweet deals were put together. A company called Sir Bounce-a-Lot (Greg Sturm -801-414-6672)) has a large inventory of inflatable toys and other party items including snow cone machines and popcorn poppers, and a dunk machine. His toys were available at a very reasonable price. Five inflatable toys were rented including bounce houses, slides and the very popular Adrenaline Rush inflatable. He is a great resource that could be used again. The climbing wall, "Xtreme Climbing Walls," (Kolby Kimball – 801-791-0421) was very popular and Kolby would like to return next year. Financial circumstances opened the way for Jayson Stump (801-404-2428) of PureSpin to bring his toys into the park. Jayson has two gravity spin machines that hold "spinners" for all ages inside a "wheel" that turns in several directions. It was very popular and could be a great part of the "toy" entertainment in 2015. James Nix, (801-860-2497) known as the Reptile Rescue Man has a large collection of alligators, snakes, Gila

Monsters, and monitors and was a popular stopping place in the park. Many attendees commented that his reptile display was educational, interesting and a very fun part of park activities.

Several musical groups were contacted for the park concert, but circumstances led Kevin Peay, Chairman for Concert in the Park, to a local musical group called "Tuba Q." Mark Robinette (801-949-0125) assembled Tuba Q with nearly a dozen musicians to play rock n' roll songs. The preconcert began with Kelly DeHann playing his keyboard and singing Broadway show tunes and music he had written and Tuba Q finished the concert with a robust Rock n' Roll presentation featuring the tuba as a focal instrument in the band (unusual for rock n' roll'). A quick "straw poll "was taken by asking attendees what they thought about the concert. Several respondents reported that the early part of the Tuba Q program was a little too loud and some of the early songs were not as well-known as the songs played in the last half of the concert. A solo guitarist in the group superbly played several pieces for the guitar and was voted as very entertaining. Overall, most people surveyed thought the first half was O.K. and the last half was fun.

Fireworks by Vortex (801-580-6389) were exciting and may have been a big reason for the large attendance. Fireworks are quintessential of the 4th of July and Vortex did a superior job of painting the sky with brilliance and color.

On July 4th, the same number of toys with the exception of Pure Spin was operating in the park. Local entertainment solicited and organized by Glen McKay (801-292-5748) was performed in the park pavilion and was well attended. It appeared the venders were doing well and many will undoubtedly be interested in returning in 2015.

Art

The Art Show was limited this year to young artists attending schools in Centerville including Viewmont High School. It was displayed in Centerville Elementary School with Dave Anderson as chairman of the subcommittee. He worked with a small group of art-minded citizens to invite and encourage students to show their talents at the July 4th celebration. The subcommittee invited these amateur artists to participate in three art categories, drawing, painting and photography. First place winner in each category was given a prize.

Quilts

The traditional Quilt Show was a beautiful presentation of the quilt making craft. The subcommittee was chaired by Kathryn Lindsay. The show was presented in Centerville Elementary and nearly 500 people attended, perhaps for air-conditioned relief from an extra warm day on July 4th, but more likely because the craft of quilt-making is one of many dying skills that many people appreciate and want to see this art form. Quilt owners who inherited their treasures from relatives 3 and 4 generations earlier proudly displayed their antiques and were an important part of the show. Forty-six quilts were entered into the show with an award for the People's Choice and one for the oldest quilt.

Publicity

Jolene and Steve Johnson (801-292-4890) served as publicity chairs and did a great job. Jolene should serve as Secretary of State because she could powerfully convince all enemies they should live in peace! While gathering materials and services to publicize the July festivities she skillfully convinced each business she met with that they could provide a significant service to the community if they would offer their services without cost. All agreed with her and all publicity materials and services were totally contributed, including beautifully printed banners and posters for store fronts and the flyer mailed to all Centerville addresses. The generous contributions made by Consolidated Direct Mail (Cody Fraughton 801-975-9334), and Alpha Graphics (Grant Richy/Tina Burningham 801-295-2400) are deeply appreciated. Needless to say, the budget allocated to the publicity committee was not needed and became a big factor in offering every toy in the park to the public without cost! Jolene designed the flyer and banners displaying the names of business making contributions and designed the graphics printed on the volunteer T-shirts.

Steve understands camera lighting and exposure and used his skills to pictorially record many of the events of July 4 in Centerville. He captured the essence of most events with his camera and added to the record that will be passed on to future volunteers.

Financial

Clair Heslop used his accounting abilities to skillfully record all income and all expenditure for the July 4th celebration. The city has a complete record of every dollar that was contributed or expended to pay the celebration costs. Clair has provided an important and valuable service to the committee and provides the city with a very detailed financial record of the entire celebration.

Breakfast

The annual breakfast is a major labor-intensive event that was presented in an excellent manner. Careful planning of so many physical elements of this event is critical. For example, setting up tables and cooking facilities could not be done until the fireworks are over at 10:00 p.m. on July 3rd. Over 130 volunteers planned, set up, served, cooked and took down the breakfast that was served in Founder's Park from 7:00 a.m. to 9:00 a.m.

The committee was required by the Davis County Health Department to purchase awnings to be placed over the food while it was being prepared. They also required hand-washing stations be placed at the porta-potties. Centerville Elementary School kitchen was scheduled to refrigerate and initially prepare most of the food but the electricity went out on the stoves and ovens and all food had to be cooked from start to finish on grills.

Chairmen Rob and Diane Prince did a masterful job in recruiting eight subcommittee chairs to organize, prepare and serve the breakfast. In the beginning they relied on the detailed instructions from previous committee records and then introduced their own ingenuity and creative ideas to make the entire event spectacular. Unique to 2014 breakfast was great table decorations and 130 attractive

centerpieces which were sold after breakfast. Since families of up to 6 members could eat for $20.00, an exact count of breakfasts served was not available, but the chairs planned for 1800 people and are certain that over 1530 breakfast diners were served. Potentially the number of attendees could have greater but when the July 4th holiday falls on a Friday, the possibility exists that many local residents will use Friday to create a longer out-of-town weekend.

In spite of nearly a 10% increase in food costs over the previous year, the committee was able to cut expenses through prudent purchases of food and supplies and still was able to charge 2013 prices for the 2014 breakfast! In addition, it gave the Bountiful Food Bank a substantial amount of unprepared food for the needy in South Davis County. In spite of the large number of volunteers, the Chairs felt that 8-10 more volunteers could have been used to clean the school kitchen and the event site after the breakfast.

Parade

The size of the parade was scaled down this year to 85 high quality entries. Parade Chairs Jeff and Melanie Nish were very creative in so many ways as they presented the theme "Proud to be an American" throughout the parade in a touching patriotic manner. They wanted to honor and recognize past and current military in a special way as well as acknowledge the accomplishments of young people of Centerville. Of course, High School bands, cheerleaders, choirs, floats and business entries gave parade watchers a lot of enjoyment, especially the children who were constantly scrambling for candy thrown from more than half of the entries.

Since the Pentagon denied a request to do an F-16 Main Street fly over, the Nishes brought in WWII aircraft to buzz the Main Street parade route and an Abraham Lincoln impersonator in the beginning of the parade to lead the entire public in a pledge of alliance and then recite the Gettysburg Address. The Nishes were also creative in collecting money and frugally spent nearly $600 less than their allocated 2014 parade budget. This freed up money to help pay for all rides in the park at no cost. The usual frantic rush from business owners who, just before the cut-off day for a parade application, were creatively offered by the Nishes to have their names appear on a placard as co-sponsors on floats and entries. This idea scaled down the parade size, encouraged more professional appearing entries and brought new money to fund the 2014 the parade.

Issues in the Park

Information Booth

An information booth was originally placed on the south-east end of the park near the park pavilion. The Davis County Health Department felt it would be more useful if it was located in the midst of the other booths situated along the north side of the park. Bev and Wayne Lewis were required to be in the booth as a point of contact to deal with problems or emergencies that might arise. Fortunately

none occurred, and next year, the booth should be placed among the other booths along the north side of the park.

Size of the Park

Several of the toy venders in the park this year suggested that future celebrations be held on city recreation property on 400 West. They felt the city could better accommodate a larger July 3rd crowd if it was moved to 400 West. We responded that Founder's Park was the traditional setting for the celebration, but we would mention their suggestions.

Electricity in the Park

Electrical difficulties and a current failure was a problem for both the concert performance and the inflatable toys owner. Tuba Q used a large number of microphones and speakers in its concert and the staging manager felt the electrical system in the park was problematic. Eric Robinette (801-721-7727) said his electronic sound mixers were humming and feedback moved from one sound mixer to another and eventually to the large speakers located around the concert stage. He used suppressors to dampen the noise but was unable to correct the problem. Greg Stump (801-414-6672) of Sir Bounce a-Lot reported there were not enough AMPS to run the blowers used to fill one of the inflatable toys. To avoid the same problems next year, the city should review and correct the park electrical system

Breakfast

Three issues occurred that put a wrinkle in a great breakfast event. A new requirement by the Davis County Health Department to cover the food preparation area with awnings created an unintended consequence. The awnings trapped heat created by cooking and with an already warm day was very distressing to volunteers as they prepared breakfast. They reported it felt like they were trapped in a sauna! It is suggested that the City purchase several large fans to circulate the warm air generated under the newly required awnings.

At the conclusion of breakfast, most volunteers finished preparing, cooking, and serving the food and chose to move on with their own plans for the day. Consequently, the inevitable "clean-up" that comes with every activity was left to a few volunteers. Future breakfast committees may want to invite a separate group to come on the scene at 9:00 a.m. to clean the tables, chairs and equipment and load them for storage or to return them to their owners.

Use of the Centerville Elementary school kitchen has been and should continue to be an integral part of preparing the 4th of July breakfast, but its benefit was reduced to only refrigerating food when the electricity for the stoves and ovens was disrupted. Although this loss is likely a one-time occurrence, it will be well to review the fitness of the equipment several days prior to the celebration to assure it is in good working condition. The Davis School District has been generous in offering Centerville Elementary without charge, not only for the breakfast, but the art and quilts shows, and the celebration committee is grateful for its use.

Parade and Park

Connecting the conclusion of the July 4th parade with the events in the park could have been better coordinated. The bounce toys in the park need to be inflated by 10:15 a.m. so that parade attendees from the north end of the parade could move into the park and immediately begin playing on the toys. Venders were informed that 10:45 a.m. was ample time but the parade passed by Founders Park about 10:35 a.m. and north end of Main Street parade goers who moved into the park to bounce and climb had a short wait before the toys were inflated.

Other Issues

T-shirts

In 2013 the celebration committee initiated a way to identify volunteers who served in any capacity. They presented every volunteer with a T-shirt unique to their theme of "We the People." This year, the committee followed their lead and Jolene Johnson prepared a design depicting the current theme of "Proud to be an American." The presentation of a unique T-shirt with the theme for 2014 and a symbol on the front was created to identify them as volunteers and to set them apart from the crowd. It was given to each volunteer as an acknowledgement of the service they were providing. The T-shirt also served as a memento for what they were willing to do for their community. This idea was quickly adopted by co-chairs Wayne and Bev Lewis and implemented.

However, the task of gathering sizes, and ordering the shirts, distributing them and then receiving requests for more shirts or different sizes became a problem! The initial expense was substantial and continuing requests for different sizes and more shirts even into the week of July 4th were both taxing and time consuming. Acknowledging volunteers is great idea, but this effort became overbearing and unless a different system is implemented, the co-chairs suggest this program be modified or discontinued.

Frisbees and Prizes

The Committee co-chairs felt the parade crowd would become more involved with the parade and more likely to attend events in the park if, if after the parade, they were incentivized to go to the park. The chairs also saw Frisbees as a fun way to interact with the crowd. They felt if parade watchers were given a prize voucher, they would go to the park to claim it and while there participate in events.

The co-chairs solicited many of the service providers and fast-food businesses in the Centerville Commons area, along Parrish Lane and Main Street to provide a prize to be claimed within the park. Members of the City Council and the Mayor carried Frisbees in their vehicles along the Main Street parade route tossing them randomly into the crowd. Instructions taped on the Frisbee directed them to the information booth in the park to claim their prize.

The outcome could only be given a "B-" grade. Almost 400 Frisbees were ordered online with an attached note instructing them to go to the park for their prize. Businesses gave over 400 prizes

including ice cream cones, drinks, sandwiches, tacos, breakfasts, car washes, pizzas, etc. as prizes. During the course of the day, only 100 prizes were claimed. The co-chairs concluded that since the Frisbees were only the size of the circumference of a softball the recipients may not have seen the Frisbee of any worth or didn't read the attached note or didn't believe a significant prize was available.

If there is sufficient interest in making this project part of the parade next year, the following things should be considered. 1) Purchase larger Frisbees; 2) Announce in the flyer sent to all Centerville addresses that prizes will be given out by the City Council/Mayor at the parade via Frisbees; 3) Solicit businesses to contribute several months prior to the parade because they are mostly chain stores and must receive permission from their corporate office in Los Angeles, New York or elsewhere before they can give up store profits in prizes. There is a large time-lag between the requests for prizes and receiving them for distribution and trying to finish this project the same week of the parade is stressful.

Contributions

If deemed desirable in the future to offer all rides in the park without cost, it is likely that contributions will need to be either solicited from businesses to pay some of the cost for renting all the toys or receive a larger budget allotment. The committee chairs successfully collected $1100 from local businesses and used a budgeted item to pay for inflatable toys as well as money not used or that was earned by the parade, publicity and breakfast subcommittees to supplement the cost of all toys. In years to follow, the celebration committee may not find unused dollars from the budget and will need to plan accordingly. The subcommittees are to be complimented for creating opportunities to reduce their expenditures or generate income to allow unused portion of their budget to be used elsewhere.

Budget items

A fairly large item not stated in the proposed 2014 budget is the cost of paying a Davis County School District employee for her services to the 4th of July celebration. A lead custodian at Centerville Elementary for nearly 25 years has consistently provided a valuable service to the 4th of July celebration. Sandra Waite (801-809-8835) provided access to the school prior to and during the entire celebration. As a senior employee she was paid time and one-half plus benefits including retirement costs. Since her bill is nearly $800 her services need to be identified as a line item in the budget for future planning.

In conversation with Craig Poll, Davis School District Associate Superintendent, a part-time employee could be used to perform the same services, thus saving on higher salary and benefits costs. Sandra has been a consistent source of assistance and support and bypassing her knowledgeable service is up for debate. If budget resources and business contributions are insufficient in future years, implementing Superintendent Poll's proposal might be helpful.

Conclusion

The celebration co-chairs and each of the subcommittee chairs felt very positive about the outcome of the 3rd and 4th of July. They all confessed that preparation for the larger part of the

celebration was a great deal of work but are satisfied that they provided a quality product for the city-wide celebration and are pleased they could offer their services to the citizens of Centerville.

The city staff provided an essential service to the committees. Many details were addressed and cleared by Jacob Smith, Assistant City Manager, such as the mass gathering permit, clearing the ASCAP licensing fee for music played in public, and compliance requirements with state and local laws. When the committee hit several potholes on the road to assembling the celebration, City Manager Steve Thacker provided his seasoned guidance by using his wealth of experience and service to the city. Parks and Recreation Manager Bruce Cox (801-628-6370) was indispensable to physically putting everything in the park in its place. The support from Fire Chief Jeff Bassett (801-677-2405) and Police Officers Jeremy Brown and Gary Thomas (801-292-8441) was assuring as public safety issues, street closures and other necessary details were discussed, understood and implemented. City Treasurer Jolene Jackson was always available to answer questions and help with financial issues and the complete support from Mayor Paul Cutler was gratefully received. Committee members are unitedly pleased that, along with several hundred volunteers, they could offer their time and talents to prepare and present a superior celebration for the 4th of July in Centerville.

Centerville City July 4th Celebration
Expenses and Proceeds
7/8/2014

Check #	Date	Payee	Description	Amount	Contribution Sponsor	Parade	Children's Parade	Concert	Fireworks	Sound System	Bounce Toys	Climbing Wall	Clowns Park	Park Security	Park Entertain	Volunteer T-Shirts	Elementary School	Park Expenses	Publicity	Reserve	Art/Quilt Shows	Breakfast
1076	6/9/2014	Reptile Rescue	50% deposit, park entertainment	$ 200.00											$ 200.00							
1077	6/4/2014	Greg Sturm	Deposit, 5 inflatables park entertainment	$ 250.00							$ 250.00											
1078	6/15/2014	Ottowear	T-shirts for volunteers	$ 1,081.00												$ 1,081.00						
Certificates	6/25/2014	In-N-Out - Unknown	Guest Checks donated	$ 175.00																$ 175.00		
1079	6/30/2014	Utah Quilters Guild	Security Deposit for frames $1,000 Void Upon Return	$ -																	$ -	
1080	6/30/2014	Kathryn Lindsay	Cash for prize awards	$ 100.00																	$ 100.00	
1081	7/2/2014	Cash	Change for breakfast cash boxes	$ 800.00																		$ 800.00
1082	7/2/2014	Pace's	Popsicles for Children's Parade	$ 446.00			$ 446.00															
1083	7/3/2014	Carol Wilson	Ballon Granny, park entertainment	$ 300.00											$ 300.00							
1084	7/3/2014	Reptile Rescue	Balance for park entertainment	$ 200.00											$ 200.00							
1085	7/3/2014	Doug Ingram	Sound system for 4th	$ 600.00						$ 600.00												
1086	7/3/2014	Lon Willis	VOID, incorrect name	$ -																		
1087	7/3/2014	Xtreme Climbing Wall	Climbing wall for park entertainment	$ 1,100.00								$ 1,100.00										
1088	7/3/2014	Sir Bounce-A-Lot	VOID, incorrect amount	$ -																		
1089	7/3/2014	Sir Bounce-A-Lot VOID	VOID, Late arrival	$ -																		
1090	7/3/2014	Melanie Nish	Flags	$ 370.00		$ 370.00																
		Melanie Nish	Parade Cloud	$ 250.00		$ 250.00																
		Melanie Nish	Veteran's Float	$ 250.00		$ 250.00																
		Melanie Nish	Fly-by	$ 350.00		$ 350.00																
1091	7/3/2014	Centerville North Stake	Parage float	$ 300.00		$ 300.00																
1092	7/3/2014	Viewmont High	Parade band, 2013 not paid plus 2014	$ 1,200.00		$ 1,200.00																
1093	7/3/2014	North Salt Lake Stake	Parade float	$ 500.00		$ 500.00																
1094	7/3/2014	Mama's Temple Church	Parade float	$ 300.00		$ 300.00																
1095	7/3/2014	Davis High Band	Parade band	$ 800.00		$ 800.00																
1096	7/3/2014	Woods Cross High	Parade band	$ 400.00		$ 400.00																
1097	7/3/2014	Draper Stake	Parade float	$ 500.00		$ 500.00																
1098	7/3/2014	Wasatch District Pipe Band	Parade band	$ 500.00		$ 500.00																
1099	7/3/2014	Free Wesley Church	Parade band	$ 600.00		$ 600.00																
1100	7/3/2014	Jayson Stump	Playground, gravity spinner, park entertainment	$ 550.00											$ 550.00							
1101	7/3/2014	Accent Productions	3rd entertainment band	$ 6,250.00				$ 6,250.00														
1102	7/3/2014	Vortex Productions	Fireworks	$ 4,500.00					$ 4,500.00													
1103	7/4/2014	Lon Simmons	Mime park entertainment	$ 200.00											$ 200.00							
1104	7/4/2014	Greg Sturm	Inflatables balance ($100 less for late arrival)	$ 1,200.00							$ 1,200.00											
1105	7/4/2014	Rob Prince	Breakfast expenses	$ 68.39																		$ 68.39
1106	7/6/2014	Tracy Parker	Breakfast expenses, water	$ 64.70																		$ 64.70
1107	7/7/2014	Kim Sorensen	Breakfast decorations and supplies	$ 668.80																		$ 668.80
1108	7/12/2014	Wayne Lewis	Frisbees, postage, labels	$ 152.61														$ 152.61				
1109	7/12/2014	Ottowear	T-shirts for volunteers	$ 420.00												$ 420.00						
1110	7/18/2014	Brett Kartchner	Overnight security at park	$ 75.00										$ 75.00								
1111	7/18/2014	Chase Hutchings	Overnight security at park	$ 75.00										$ 75.00								
1112	7/18/2014	Nicholas Heslop	Overnight security at park	$ 100.00										$ 100.00								
1113	7/18/2014	Steven Nelson	Breakfast propane, gloves, lighters	$ 87.84																		$ 87.84
1114	7/18/2014	Davis County School District	Custodial Services	$ 795.74													$ 795.74					
1115	7/18/2014	Lindsay Strong	Art Show Awards	$ 34.42																	$ 34.42	
1116	7/23/2014	Nicholas & Company	Breakfast Food	$ 3,946.12																		$ 3,946.12
1117	7/23/2014	Honey Bucket	Outdoor Restroom facilities	$ 819.68														$ 819.68				
1118	7/23/2014	Maxfield Family Clowns	Parade clowns	$ 300.00		$ 300.00																
1119	8/23/2014	Millcreek Jr. High	Parade band	$ 300.00		$ 300.00																
1120	8/23/2014	Chad King	Millcreek Jr. High Band director	$ 150.00		$ 150.00																
1121	8/25/2014	Alphagraphics	Parade announcers and other printing	$ 268.32		$ 268.32																
1122	8/25/2014	Utah Barricade	Parade	$ 260.89		$ 260.89																
Cash	8/25/2014	Veteran's float	Veteran's float - paid cash received from Starbucks	$ 200.00		$ 200.00																
				$ 33,059.51	$ -	$ 7,799.21	$ 446.00	$ 6,250.00	$ 4,500.00	$ 600.00	$ 1,450.00	$ 1,100.00	$ -	$ 250.00	$ 1,450.00	$ 1,501.00	$ 795.74	$ 972.29	$ -	$ 175.00	$ 134.42	$ 5,635.85
Contributions and Breakfast Proceeds																						
	6/25/2014	In-N-Out	25 $7.00 Guest Checks	$ 175.00	$ 175.00																	
	7/2/2014	Big O Tires	Contribution / Sponsorship	$ 250.00	$ 250.00																	
	7/2/2014	Salmon Electric	Contribution / Sponsorship	$ 100.00	$ 100.00																	
	7/2/2014	Jeffrey & Jamie Hancey	Contribution / Sponsorship	$ 150.00	$ 150.00																	
	7/2/2014	Dick's Market	Contribution / Sponsorship	$ 200.00	$ 200.00																	
	7/7/2014	Deposit	Breakfast proceeds and return of change fund	$ 6,498.00																		$ 6,498.00
	7/8/2014	Deposit	Kim Sorensen, sales of center pieces	$ 60.00																		$ 60.00
	7/18/2014	Les Schwab Tire Center	Contribution / Sponsorship	$ 400.00	$ 400.00																	
	8/25/2014	Starbucks	Contribution / Sponsorship of parade by Nish	$ 200.00		$ 200.00																
	8/25/2014	Gaylen Asay	Contribution / Sponsorship of parade by Nish	$ 100.00		$ 100.00																
	8/25/2014	Ruby River	Contribution / Sponsorship of parade by Nish	$ 300.00		$ 300.00																
	8/25/2014	Brittany Snyder Vocal	Sponsorship of Mama's Choir parade entry by Nish	$ 250.00		$ 250.00																
				$ 8,683.00	$ 1,275.00	$ 850.00	$ -	$ -	$ -	$ -					$ -						$ -	$ 6,558.00
			Net Expense	$ 24,376.51	$ (1,275.00)	$ 6,949.21	$ 446.00	$ 6,250.00	$ 4,500.00	$ 600.00	$ 1,450.00	$ 1,100.00	$ -	$ 250.00	$ 1,450.00	$ 1,501.00	$ 795.74	$ 972.29	$ -	$ 175.00	$ 134.42	$ (922.15)
			Budget	$ 26,000.00	$ -	$ 7,500.00	$ 450.00	$ 6,000.00	$ 4,500.00	$ 600.00	$ 1,500.00	$ 1,100.00	$ 500.00	$ 200.00	$ -	$ 1,200.00	$ 200.00	$ 600.00	$ 1,000.00	$ 650.00	$ -	$ -
			Over/(Under) Budget Net	$ 1,623.49	$ 1,275.00	$ 550.79	$ 4.00	$ (250.00)	$ -	$ -	$ 50.00	$ -	$ 500.00	$ (50.00)	$ (1,450.00)	$ (301.00)	$ (595.74)	$ (372.29)	$ 1,000.00	$ 475.00	$ (134.42)	$ 922.15

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 2.

Short Title: Centennial Book Update

Initiated By:

Scheduled Time: 7:35

SUBJECT

RECOMMENDATION

Allow Lloyd Carr to update the City Council about the Centennial Book Committee's work.

BACKGROUND

Centerville City will celebrate its Centennial Anniversary in 2015 (incorporated as a Town in 1915). A committee of volunteers has been writing a book on the history of Centerville to celebrate its 100 years as a town/city.

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 3.

Short Title: Minutes Review and Acceptance

Initiated By:

Scheduled Time: 7:50

SUBJECT

August 19, 2014 work session and regular Council meeting

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- August 19, 2014 work session
- August 19, 2014 regular meeting

Minutes of the Centerville City Council **work session** held Tuesday, August 19, 2014 at 5:30 p.m. at the City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT	
Mayor	Paul A. Cutler
Council Members	Ken S. Averett Tamilyn Fillmore Stephanie Ivie Lawrence Wright
MEMBER ABSENT	John T. Higginson
STAFF PRESENT	Steve Thacker, City Manager Lisa Romney, City Attorney Jacob Smith, Management Assistant Katie Rust, Recording Secretary
STAFF ABSENT	Blaine Lutz, Finance Director/Assistant City Manager
CITIZEN ADVISORY COMMITTEE	Mark Austin Dan Ditto Ann Fadel Mark Oligschlaeger

UTOPIA BUSINESS

Mayor Cutler reported on matters discussed in recent UTOPIA Board meetings. The six cities that opted to move forward with Macquarie have proposed putting the utility fee question on a ballot. FirstDigital has requested access to additional information from the UTOPIA Board in order to complete its proposal, which is not yet public. The UTOPIA Board is divided on the issue of whether or not to dedicate a portion of the limited UTOPIA staff time and resources on the FirstDigital proposal while still entertaining the Macquarie proposal. Mayor Cutler stated that some Board members, particularly those motivated by a desire for a ubiquitous network build-out, consider the FirstDigital proposal to be a distraction. The UTOPIA Board has twice granted a delay to give some of the cities time to evaluate the FirstDigital proposal, but the Board is scheduled to come to a resolution soon regarding whether or not UTOPIA will continue to spend time on the FirstDigital proposal. Individual cities can continue to meet with FirstDigital and learn more about the proposal.

Councilman Averett asked how the individual cities can conduct discovery with FirstDigital if the proposal is still protected under GRAMA. Mayor Cutler responded it is difficult. It is his understanding that FirstDigital has agreed to start meeting with individual cities and more and more details will come out. No action can be taken until the information is made public. The Mayor emphasized that individual cities can talk to FirstDigital and consider the proposal, but action must be taken by UTOPIA as an organization to move forward with FirstDigital. He said he feels there is comparison value in understanding the FirstDigital proposal. Councilman Wright pointed out that the cities can direct their representatives on the UTOPIA Board to reflect what the cities would like to do. Councilman Wright expressed a desire to pursue the FirstDigital proposal.

Mayor Cutler stated he feels the Predevelopment Agreement would allow UTOPIA to pursue both the Macquarie proposal and the FirstDigital proposal at the same time. However, there are others who believe a change would need to be made to the agreement with Macquarie

to allow consideration of both proposals. Macquarie allowed a cursory exception for a first level examination of the FirstDigital proposal. The network and assets are owned by UTOPIA. It would be very difficult for UTOPIA to break up. Councilman Wright suggested the cities that want to move forward with Macquarie could assume the interests in the network of the cities that do not. Lisa Romney, City Attorney, stated the question of whether or not a city could break off of UTOPIA has been raised. It would be possible, but complicated, costly, and unlikely to happen. The goal of the UTOPIA Board at this point is to find a solution that could work for all of the cities.

Councilwoman Fillmore commented on the possibility of backtracking and issuing a Request for Proposals (RFP). She said she feels one of the thresholds of the RFP should be no new debt for the cities, something she feels is unclear in the FirstDigital proposal. Mayor Cutler responded he thinks it would be useful to have FirstDigital meet with the Council to answer questions. Councilman Wright suggested the possibility of different cities able to adopt different models moving forward. Mayor Cutler responded that some cities are insisting that the structure of UTOPIA requires all the cities to move forward with the same plan. It is difficult to come to a consensus with eleven cities involved.

Mayor Cutler explained that the six "opt-in" cities have decided that the utility fee model is so controversial that it would be better to put the issue on a ballot and get the public vote up front, expecting that any decision will be contested. Ms. Romney has previously expressed her opinion that non-binding issues cannot be placed on a ballot. She reported that the Lieutenant Governor's Office and the Davis Count Election Clerk have said the issue cannot go on a ballot as a non-binding question. A bill proposed last year to allow cities to put non-binding questions on the ballot failed in the House of Representatives. Ms. Romney added that informal polls, surveys, or fliers are still options. Mayor Cutler said the Lieutenant Governor's Office has stated that a special election could be held for the non-binding question, but it would not be backed by the State. Ms. Romney stated that special elections can be held in June or November.

Mayor Cutler stated he feels a special election would have value in terms of public education. The City Council needs to decide if there is enough value for Centerville to pursue working with other cities to put the question to the people. Councilwoman Ivie stated the most recent primary election for the Republican Party had a low percent of participation. She said she feels citizens have already made the effort to speak against the utility fee model. Ann Fadel, a member of the Citizen Advisory Committee, asked if putting it on a ballot is intended to pass the responsibility of a bad decision to the people rather than the elected officials. Mark Austin, a member of the Citizen Advisory Committee, commented that people would need to be well educated about the issue for the poll to be constructive. Public education would most likely be funded by the Utah Tax Payers Association on one side and Macquarie on the other.

Councilman Wright stated that in 2004 the City Council decided to make an executive decision regarding UTOPIA, to not put it to a public vote. He said he does not think it would be helpful at this point to involve the whole community. The question will not be looked at the same by the different cities. He expressed he would not want it to become a big marketing event. Councilman Wright said Centerville does not want to have a utility fee, and the Council members have been elected to make this decision. Councilwoman Fillmore pointed out that it could be confusing to the public that the majority vote from the ballot or opinion poll would not necessarily be the same as the final decision made by the UTOPIA Board. She added that it is easy to say no to the utility fee model, but it is important to remember that the issue is not simple, and a solution is still needed. She said she feels the City needs to push for getting other

options on the table. Councilwoman Fillmore stated she feels a poll would need to be able to include the pros and cons of several different options.

Councilman Wright commented that each city is facing different political environments and would approach a poll differently. He said he does not see a poll as something that would benefit Centerville. Councilman Wright continued that if conceptually there were a proposal that allowed cities to choose between different models, he could see where having an opinion poll in the individual cities would be valuable. He said he feels the bigger problem is the governance model currently driving the decision process at UTOPIA. Councilman Averett stated he is not in favor of a vote because the Council does not have the power to implement the will of the people. Ms. Romney stated it is true that some cities could move forward with Macquarie without the other cities with a new interlocal agreement, but they would still be part of UTOPIA. The majority of the UTOPIA Board would have to approve any group of cities moving forward with any of the scenarios.

Councilwoman Fillmore expressed concern that the cities intent on entering into a partnership that would have a huge impact, seem to be approaching the partnership without negotiation. She expressed her opinion that other proposals would add to the negotiating power and give a better result. She said it seems they are fearful that Macquarie will walk away. The Mayor responded that there is a lot of interest from the other cities to try to find a solution that works for the most people, but their primary concern is to have the network fully built and self sustaining. He said there is a desire to get the final proposal and then negotiate the details. Councilwoman Fillmore responded it would be beneficial to have the two groups doing separate research, one focusing on the Macquarie proposal, and one researching other options, and then have the representatives on the Board come together and share what has been learned. Mayor Cutler responded to a question regarding the amount of information requested, stating that FirstDigital has requested more exhaustive information than was requested by Macquarie.

Councilman Wright stated he likes the direction the FirstDigital proposal is headed, and suggested the Council communicate to FirstDigital that the Council will not discuss it further until the information is made public. Dan Ditto, a member of the Citizen Advisory Committee, commented that it seems like a conflict of interest that the same cities with the majority control of the UTOPIA Board are the cities that would choose the utility fee model. Mayor Cutler responded he has not felt any malicious intent on the part of other cities, but it is natural for them to put their interests first. Ms. Romney added that the UTOPIA Board is obligated under the Interlocal Agreement to operate the network. Councilwoman Fillmore asked if there is an obligation for money made with the network to go toward paying the UTOPIA bonds. Ms. Romney responded that those arrangements would need to be addressed in contractual arrangements with UTOPIA and Macquarie. Councilman Wright stated he feels the Board should be taking the message that they should be looking for another solution that would involve all of the members. The Mayor said he believes those cities would respond that the UTOPIA cities have been trying to achieve consensus on a solution for a number of years and they are leading the group to a solution.

Mayor Cutler said he feels the UTOPIA Board will be reasonable about listening to information gathered, but some of the Board members will not view the FirstDigital proposal as solving the whole problem. Mayor Cutler stated that the majority of Council members seem to not be in favor of putting the utility fee issue on a ballot in Centerville.

Mark Austin stated he is in favor of pursuing the FirstDigital proposal. Mark Oligschlaeger stated he feels several options need to be explored, and education is important,

but a vote at this point would be an exercise in frustration. Mr. Oligschlaeger said he would be supportive of a ballot process when the time is right. He added that he does not understand the UTOPIA Board's reticence to make information available if they intend to put the issue on a ballot. Mr. Ditto said he is in favor of getting more information from FirstDigital. He agreed that a ballot would be confusing at this point, but there may be a time for it when more information or options are available. Ms. Fadel stated she is suspect of Macquarie putting deadlines on a decision. She said she does not believe Macquarie will negotiate, and she thinks the other cities will be surprised with the negative response from citizens on the poll. Ms. Fadel said she would like to hear what FirstDigital has to say.

ADJOURNMENT

Mayor Cutler adjourned the work session at 6:57 p.m.

_____ _____

Marsha L. Morrow, City Recorder Date Approved

_____

Katie Rust, Recording Secretary

Minutes of the Centerville **City Council** meeting held Tuesday, August 19, 2014 at 7:07 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 Tamilyn Fillmore Stephanie Ivie Lawrence Wright
MEMBER ABSENT	John T. Higginson
STAFF PRESENT	Steve Thacker, City Manager Lisa Romney, City Attorney Jacob Smith, Management Assistant Kevin Campbell, City Engineer Mike Carlson, Deputy Public Works Director/Water Division Supervisor Katie Rust, Recording Secretary
STAFF ABSENT	Blaine Lutz, Finance Director/Assistant City Manager
VISITORS	Interested citizens (see attached sign-in sheet)
PLEDGE OF ALLEGIANCE	Charlie Love, BSA Troop 1776
PRAYER OR THOUGHT	Pastor Loren Pankratz, The Bridge Community

OPEN SESSION

Dee Evans – Mr. Evans stated he owns the property directly east of the Val Woods development on Lund Lane. He provided the Council with drainage related photographs and expressed frustration with the impact the Val Woods development is having on his property, both in Centerville and Farmington. He no longer has drainage off his property in Farmington because of the Val Woods development as well as changes made by Farmington City. He is also working with Farmington on this issue. Mr. Evans is also concerned about potential run-off from the Woods Park development onto his property in Centerville. He recommended the road should be closed to all but local traffic during the construction for safety reasons. Mr. Evans stated he hopes he will be contacted if a change is going to be made that directly affects his property.

Steve Thacker, City Manager, stated he is aware that staff has spent considerable time with Mr. Evans to discuss his concerns, and suggested scheduling a meeting with Mr. Evans, staff, and the Mayor to further discuss the issues. The Mayor and Mr. Evans indicated a willingness to meet together, and Mayor Cutler suggested a representative of the development also be included. Councilman Wright suggested inviting a representative of Farmington to the meeting as well.

Patricia Hedrick – Ms. Hedrick stated she is aware the City intends to put an electronic sign in front of City Hall. She requested the Council consider alternative locations for the sign, and suggested putting an electronic sign with City information at a busy intersection where citizens would be stopped and have time to read the information on the sign. She

recommended the southeast corner of the Parrish Lane/400 West intersection. Mayor Cutler responded he is not aware of a plan to install a city-operated electronic sign at this time, but the Council may consider her recommendation if they desire.

Dale McIntyre – Mr. McIntyre expressed concern regarding the location of one of the traffic lights in the Main Street/Parrish Lane intersection. Mayor Cutler responded the intersection is not yet complete. Mr. Thacker stated he drives through the intersection daily and has not noticed this problem.

William Ince – Mr. Ince stated he attended the work session regarding UTOPIA issues prior to the Council meeting. He said it was his understanding that the City is supporting UTOPIA with additional loan funds, but that UTOPIA would be bankrupt by September or October even with those payments. This was not mentioned during the work session.

Mayor Cutler responded that the UTOPIA cities have a general agreement to fund operating expenses until September with the hope that a decision regarding the future of UTOPIA will be made by then. He reported that Murray is once again paying the operating assessments. The Mayor stated that no agreement is in place for payment past September, although a couple of cities have authorized payment of funds through December. He added that UTOPIA is in better financial shape now than it was six months ago, and it remains to be decided how to continue funding operating shortfalls.

Holly Ince – Ms. Ince expressed frustration that the timing of the left-turn lights in the Parrish Lane/Main Street intersection are not consistent for each direction. She stated that traffic facing east on Parrish Lane in the left-turn lanes to move onto northbound Main Street are given a green arrow that turns red even when there is no oncoming traffic. Mayor Cutler explained that staff has discussed signal timing in the intersection with UDOT. The lanes mentioned are protected double left-turn lanes that will be different than regular turn lanes. Mr. Thacker stated it is his perception that since the new lights have been in place traffic is moving through the intersection in a timely fashion. Mayor Cutler expressed a hope that UDOT will contribute to a future City newsletter to explain signal timing at this intersection and other intersections on Parrish Lane.

Rick Bingham – Mr. Bingham attended the work session prior to the Council meeting. He stated he feels Centerville is in a unique bargaining position because it is substantially built-out and is a substantial part of the current UTOPIA revenue picture. He said he feels Centerville is not being forceful enough in demanding answers and transparency from UTOPIA. Mr. Bingham suggested Centerville be more forceful in asking to be allowed to consider other offers such as FirstDigital. He asked how the City can educate the citizens if the officials are not educated. Mr. Bingham also stated he feels a ballot vote on the utility fee issue would circumvent City Council authority.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the July 15, 2014 work session and Council meeting were reviewed. Councilwoman Ivie requested an amendment to the Council meeting minutes. Councilwoman Fillmore made a **motion** to approve the work session minutes and the Council meeting minutes as amended. Councilwoman Ivie seconded the motion, which passed by unanimous vote (3-0), with Councilman Averett abstaining.

SUMMARY ACTION CALENDAR

a. Terminate warranty for Legacy Crossing Apartments
b. Commence warranty for Legacy Crossing Lot 4 Amended
c. Approve Facilities Use Agreements for use of City parks
   (1) Ute Conference, Inc. (youth football league)
   (2) BOCA Futbol Club
   (3) FORZA (formerly South Davis Soccer Association)

City Manager Thacker requested the Council consider the Use Agreements in item (c) separately. Councilwoman Fillmore made a **motion** to approve items (a) and (b) on the Summary Action Calendar. Councilman Wright seconded the motion, which passed by unanimous vote (4-0).

Mr. Thacker explained the need to change the expiration date on the Ute Conference Use Agreement to November of 2015, and the need to add language to all three Agreements specifying that the fees listed in the agreement are for the 2014 season. After the 2014 season the fees will be in accordance with the City's Fee Schedule. Councilwoman Fillmore made a **motion** to approve item (c) on the Summary Action Calendar, amending the expiration date on the Ute Conference, Inc. Use Agreement to November of 2015, and adding the clause to all three Agreements that the use fees specified in the Use Agreements are for the 2014 season, and following the 2014 season fees will be in accordance with the City's Fee Schedule. Councilman Averett seconded the motion, which passed by unanimous vote (4-0).

WATER CONSERVATION PLAN

Mike Carlson, Deputy Public Works Director/Water Division Supervisor, answered questions about the Water Conservation Plan for Centerville, which is required to be updated every five years by State law. Councilwoman Ivie asked why the City does not allow the Sewer District to use Centerville fire hydrants. Mr. Carlson responded that the City prefers to know when the hydrants are being used. The City has worked with the Sewer District and allowed hydrant use with advance notice. Councilman Wright commented he did not notice anything in the Water Conservation Plan regarding additives in the culinary water. He recommended the Plan address the impact of additives on usage in the future.

Mr. Carlson explained the goal of bringing water usage down to 70 gallons of culinary water per person per day from the current rate of 88.3 gallons. He has counted that within the City there are 188 properties that use City water for irrigation rather than Deuel Creek or Weber Basin irrigation water. Councilwoman Fillmore mentioned that education is key in reducing water consumption, and suggested an emphasis on the "rip the strip" idea to reduce irrigation waste. Councilwoman Fillmore recommended assigning specific dates to the goals listed in the Water Conservation Plan.

Mayor Cutler asked about the production of the new well on Chase Lane. Mr. Carlson responded that it takes time to work out all of the water quality issues with a new well. At 8:07 p.m. Mayor Cutler opened a public hearing to receive public comment regarding the Water Conservation Plan.

William Ince – Mr. Ince stated he suspects his property was included in the count of 188 properties using City water for irrigation. He said he has obtained water rights, along with several of his neighbors, to use stream water for irrigation rather than City water. Mr. Ince

asked how usage per person is calculated, and asked if the addition of the new well will help with the problem of inadequate water pressure.

Mr. Carlson explained that per capita usage is calculated by dividing the number of gallons used within the City by the official population count provided by the State. He responded that the new well will not improve water pressure.

Rick Bingham – Mr. Bingham asked if Weber Basin pipes were put in the ground during the Chase Lane street project to bring water to areas that do not receive irrigation water. Mr. Carlson responded that Weber Basin pipes were not included. Kevin Campbell, Centerville City Engineer, stated that a new culinary line and a new Deuel Creek Irrigation line were put in as part of the street project, and at least one of the intersections were stubbed in anticipation of future Deuel Creek Irrigation use. The City is coordinating with Deuel Creek Irrigation for street reconstruction projects in neighborhoods that are not currently receiving irrigation water.

Barbara Allen – Ms. Allen suggested the City look into smart meter technology to measure soil moisture and operate sprinklers only when needed. She stated that automatic sprinkler schedules should be reset monthly. Ms. Allen said she feels public perception of City water use is critical. People are not willing to cut water use in their own yards if they do not perceive that the City is participating in conservation. She suggested the City could highlight what citizens have done in their yards that looks good and is water efficient.

Mr. Thacker stated that the City is in the midst of a multi-year conversion to a smart sprinkler system made possible through the fiber-optic system available in the city.

Peter Sommer - Mr. Sommer said he lives just west of Freedom Hills Park, and he has found that the grass at the park tends to be swampy any time of the year. He said it has improved a little in the past year. He also mentioned that a property in his neighborhood often has irrigation water running 24 hours per day. Mr. Sommer said he is glad to hear that the parks will be monitored to reduce over watering.

Mayor Cutler closed the public hearing at 8:23 p.m. Councilman Wright made a **motion** to approve the Water Conservation Plan. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (4-0). Councilwoman Fillmore thanked Mr. Carlson for the thoroughness of the Water Conservation Plan, and commented that one of the greatest challenges for policy makers in the future will be water issues. She suggested including further discussion of water issues on a future agenda.

AWARD CONTRACT FOR DRAINAGE CULVERT UNDER UP/UTA RAILROAD TRACKS AND CONSIDER UDOT PROPOSAL FOR COST SHARING OF DRAINAGE CULVERT UNDER I-15 AT LUND LANE

Steve Thacker explained that part of the long-term goal to improve drainage in the City involves enlarging the existing drainage system under the railroad. A Development Agreement entered into in 2013 with the Woods Park developer included cost-sharing a drainage culvert upgrade under the railroad tracks. Mr. Thacker stated the City also has an opportunity to cost share improved drainage under I-15 with UDOT as part of the current express lane project. He showed that the savings for the City would be considerable compared to the costs estimated on the City's Master Plan.

Kevin Campbell, City Engineer, stated that the larger drainage culvert would serve the whole neighborhood and benefit future developments in the area. He said it is important to the

Woods Park Subdivision to be timely with the culvert project. Councilwoman Fillmore made a **motion** to award contract to Allied Construction in the amount of $136,734.72 for construction of a drainage culvert under the Union Pacific and UTA railroad tracks near Lund Lane. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0). Staff will continue to pursue an agreement with UDOT regarding a culvert under I-15.

UTOPIA BUSINESS

Mayor Cutler explained that during the work session prior to the meeting the Council decided to move forward with looking further at the FirstDigital proposal, and tentatively scheduled a work session with FirstDigital on September 9th at 6:00 p.m. He said it is his perception that the Council is not interested in putting the utility fee model on the ballot at this time. Councilwoman Fillmore suggested the Council keep in mind ways to piggyback on the education process that will occur in other cities as part of their ballot processes.

The Mayor said that UTOPIA will be talking to the ten UTOPIA customers in Centerville that have disconnected, and will work with them in the hope of reconnecting. Councilwoman Ivie thanked Ms. Romney for her strong legal counsel that the utility fee issue would not be legal on a ballot, a recommendation that has been confirmed by the Lieutenant Governor's Office. Councilman Wright recommended that the City request FirstDigital make their proposal public before continued consideration by the City.

MAYOR'S REPORT

The Mayor reported that July was a busy month for the Fire Agency. He explained that it has been part of a long-term plan to move from a Fire Agency to a Fire District with taxing authority. Bountiful has expressed opposition to moving to a Fire District. North Salt Lake, Woods Cross, and West Bountiful have expressed support for moving to a Fire District. Centerville has not taken a formal position. The Fire Chief will meet with the Council on September 16th to discuss the possibilities.

CITY MANAGER'S REPORT

- An RDA/ACB meeting is scheduled for Tuesday, September 2nd, at 5:00 p.m.
- Mr. Thacker showed a recommended layout for the bus stop on the Founders Park frontage. He explained it may be possible for UTA to put the concrete pad in this year, and pay for the shelter next year if usage shows it is warranted. Another option would involve the City constructing the concrete pad this year and UTA providing the shelter when the pad is in place. Councilwoman Fillmore expressed support for getting the stop improved immediately with the hope that it will be the first of many improved bus stops. She expressed a desire to see different options for shelter design, with the understanding that the City would be responsible for any upgrade expense. Mayor Cutler requested staff provide cost estimates and design options for the concrete and the shelter.
- Mr. Thacker requested the Council inform him via email on the briefing topics the Council would like included on future agendas.

At 9:02 p.m. the Council took a brief recess and returned at 9:10 p.m.

PARKS AND RECREATION COMMITTEE COUNCIL LIAISON REPORT

Councilwoman Fillmore reported on the success of summer Parks and Recreation Committee activities. The Parks Committee will be discussing ideas for the Centennial Celebration at its next meeting. Councilwoman Fillmore expressed the opinion that the Parks Committee seems underutilized and would be capable of doing more to benefit the community.

RECREATION DISTRICT COUNCIL LIAISON REPORT

Councilwoman Fillmore briefly explained the creation of, and services offered by, the South Davis Recreation District, and presented points of interest prepared by the Recreation District Director, John Miller.

MISCELLANEOUS

- The ULCT Annual Convention will be held September 10-12, 2014. Registration information should be provided to the City Recorder by August 27th.

LEGACY PARKWAY TRAIL CONNECTION DESIGN AND MAINTENANCE ISSUES

Referring to the Legacy Parkway Trail connection planned as part of the Fred Hale development at the corner of Parrish Lane and 1250 West, Mr. Thacker stated that UDOT will not approve a connection to the Legacy Parkway Trail at the end of Parrish Lane because of their concern for the safety of pedestrians and bicyclists crossing the vehicular on/off ramps. UDOT is also requiring Fred Hale to install a fence along the south side of Parrish along his project frontage to encourage pedestrians and bicyclists to cross from the north side of Parrish to the south side at the 1250 West intersection – to access the future trail connection. The I-15 Project plans approved by UDOT include a 10-foot wide sidewalk from the pedestrian bridge on the north side of Parrish to 1250 West, and the Trails Committee strongly recommends an 8-foot wide pathway from the southwest corner of the 1250 West/Parrish Lane intersection to the Legacy Parkway Trail connection. If manicured grass and sprinklers are put in along the pathway, staff recommends concrete construction. If drought tolerant landscaping is used, staff recommends asphalt for the pathway. The developer, Fred Hale, stated he and his partner are leaning toward drought tolerant landscaping. The development does not currently have access to secondary water. The Council discussed the design and landscaping options along Parrish Lane and the west side of the Fred Hale development. Council members Fillmore and Wright expressed a preference for drought tolerant landscaping.

The Council indicated support for the City assuming maintenance responsibility for the trail surface (i.e. snowplowing and resurfacing) from the southwest corner of the 1250 West/Parrish intersection to the connection with the Legacy Parkway Trail near the Birnham Woods Trailhead.

RDA MEETING

At 9:51 p.m. Councilman Wright made a **motion** to move into a meeting of the Redevelopment Agency. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0). In attendance were: Paul A. Cutler, Chair; Directors Averett, Fillmore, Ivie, and Wright; Steve Thacker, RDA Executive Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.

At 10:36 p.m. the Council returned to regular meeting.

APPOINTMENTS

- Mayor Cutler recommended that Spence Packer be reappointed to the Whitaker Museum Board. Councilman Wright made a **motion** to reappoint Spence Packer to the Whitaker Museum Board for another three-year term. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0).
- Mayor Cutler recommended appointing Brian Plumber to the Board of Adjustments and the Landmarks Commission. The Council discussed the recommendation. Councilman Wright made a **motion** to appoint Brian Plumber to the Landmarks Commission. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0).

CITY MANAGER COMPENSATION

Councilwoman Fillmore made a **motion** to increase the City Manager's compensation by 2%. The motion died for lack of second. Councilman Wright made a **motion** to increase the City Manger's compensation by 1.5%, retroactively effective July 6, 2014. Councilman Averett seconded the motion, which passed by unanimous vote (4-0).

MISCELLANEOUS

Councilman Wright stated he feels it is important to have a business continuity plan in place. There was some discussion of whether the Council is interested in "business continuity planning" or "succession planning". Councilman Averett said he feels early discussions should be held in closed session if these involve discussion of specific department heads. Councilwoman Fillmore agreed that beginning discussions will need to be specific and should be in a closed meeting. Mayor Cutler stated he will discuss with Mr. Thacker what type of continuity planning would be appropriate for a city of Centerville's size. Councilman Wright offered to provide some information on business continuity planning.

ADJOURNMENT

At 10:54 p.m. Councilwoman Ivie made a **motion** to adjourn the meeting. Councilman Wright seconded the motion, which passed by unanimous vote (4-0).

_____ _____

Marsha L. Morrow, City Recorder Date Approved

_____

Katie Rust, Recording Secretary

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 4.

Short Title: Centerville City Fine/Bail Schedule for Local Ordinances

Initiated By: City Attorney

Scheduled Time: 7:55

SUBJECT

Consider adoption of updated Centerville City Fine/Bail Schedule for Local Ordinances - Ordinance No. 2014-17

RECOMMENDATION

Approve Ordinance No. 2014-17 adopting updated Centerville City Fine/Bail Schedule for Local Ordinances

BACKGROUND

See attached Memorandum from Lisa Romney, City Attorney, providing background information and analysis regarding the proposed Centerville City Fine/Bail Schedule.

ATTACHMENTS:

Description

- Memorandum from City Attorney
- Ordinance No. 2014-17-Fine Schedule
- Fine Schedule-Cover Pages
- Proposed Fine Schedule
- Fine Analysis

CENTERVILLE CITY ATTORNEY'S OFFICE
250 North Main Street
Centerville, Utah 84014
801.335.8842

MEMORANDUM

TO: City Council

FROM: Lisa G. Romney, City Attorney

DATE: August 27, 2014

RE: Updates to Centerville City Fine/Bail Schedule

Staff recommends adoption of the updated Centerville City Fine/Bail Schedule as set forth in Ordinance No. 2014-17. The following background information is provided regarding this project and the proposed fines for municipal code violations.

State Uniform Fine/Bail Schedule vs. Local Fine/Bail Schedule

Any citation issued by a local police officer for a Utah Code violation is subject to the recommended fine as set forth in the Uniform Fine/Bail Forfeiture Schedule adopted by the Utah Judicial Council. By statute, the Judicial Council is required to establish and annually review and update the Uniform Fine/Bail Forfeiture Schedule for Utah Code violations. See, *Utah Code Ann.* § 76-3-301.5. Any citation issued by a local police officer for a City Code violation is subject to the fine set forth in the fine/bail schedule as adopted by the local jurisdiction. The fine/bail schedules of local jurisdictions are consolidated and maintained by the State in the Shared Master Offense Table (also referred to as the "SMOT" list).

Surcharges

All fines and penalties imposed by courts in the State of Utah, including justice courts, are subject to a State imposed surcharge (referred to as the "State Surcharge"). See, *Utah Code Ann.* § 51-9-401. In general, the State Surcharge on class B misdemeanors is 90% of the fine and on class C misdemeanors and infractions the State Surcharge is 35% of the fine. Non-moving traffic violations are *not* subject to the State Surcharge. The City retains a portion of

the State Surcharge as more particularly provided by statute. In addition to the State Surcharge, a court security surcharge is assessed on all convictions of offenses listed in the Uniform Bail/Fine Forfeiture Schedule adopted by the Judicial Council and all moving traffic violations (referred to as the "Court Security Surcharge"). See, *Utah Code Ann.* § 78A-7-122. Non-moving traffic violations and violations of local ordinance that do not have a comparable State Code violation are *not* subject to the Court Security Surcharge. The City retains a portion of the Court Security Surcharge as more particularly provided by statute. A more detailed review of the State Surcharge and the Court Security Surcharge, including allocation of such funds to various entities, is provided at the end of this Memorandum. The applicable State Surcharge is set forth in the Centerville City Fine/Bail Schedule in the column titled "Surch". Non-moving traffic violations that are not subject to the State Surcharge are highlighted in the "Surch" column in orange. The applicable Court Security Surcharge is set forth in the column titled "SecSur". Non-moving traffic violations that are not subject to the Court Security Surcharge are highlighted in the "SecSur" column in orange. Local ordinances without comparable State Code violations that are not subject to the Court Security Surcharge are highlighted in the "SecSur" column in green.

Recent Amendments to Court Security Surcharge and Uniform Fine/Bail Schedule

In the 2014 General Session, the Utah Legislature adopted HB 404 increasing the Court Security Surcharge from $40 to $50 for all convictions for offenses listed in the Uniform Fine/Bail Schedule, including offenses prosecuted in justice courts. In response to HB 404, and as part of their annual review, the Utah Judicial Council adopted a new Uniform Fine/Bail Schedule for Utah Code violations (dated May 13, 2014). The new Uniform Fine/Bail Schedule also includes recommended increases to the default fines for Utah Code class B and class C misdemeanor violations. In general, the fine for class C misdemeanor offenses was increased by $30 and the fine for class B misdemeanor offenses was increased by $50.

Review of Local Ordinances and Fine Schedule

Based on the changes to Uniform Fine/Bail Schedule for Utah Code violations, the Utah Administrative Office of the Courts has requested and recommended that local governments review and set the minimum fine and bail amounts for local ordinance violations. Staff has reviewed the current listing of Centerville Code violations and the corresponding minimum fine for such offenses as set forth in the SMOT list. The list of violations has been reviewed and updated based upon recommendations from the Police Department and various department heads. This list is not intended to cover all municipal code violations, but to address the most common violations. Designation of these common municipal code violations on the SMOT list will allow e-filing of citations and correct revenue allocation and tracking of local ordinances. Staff has ranked each municipal code violation and proposed a recommended fine for such violations.

Authority to Impose Criminal Penalty for Municipal Code Violations

Municipalities are authorized to enforce obedience to local ordinances with fines or penalties as provided by law. See, *Utah Code Ann.* § 10-8-84. The fixing of a penalty or fine is deemed to be a legislative function. As such, Utah law authorizes the governing body of each municipality to impose a criminal penalty for the violation of any municipal ordinance. See, *Utah Code Ann.* § 10-3-703. Such penalty for the violation of a local ordinance may not exceed the maximum class B misdemeanor fine of $1,000 or by a term of imprisonment up to 6 months, or by both fine and term of imprisonment. If the municipal code violation is classified as a class C misdemeanor, the fine may not exceed $750 or by a term of imprisonment up to 90 days, or by both fine and term of imprisonment. If the municipal code violation is classified as an infraction, the fine may not exceed $750. As a legislative function, the City Council must set penalties and fines by ordinance. See, *Utah Code Ann.* § 10-3-717, which provides that punishments, fines or forfeitures may not be imposed by resolution. Ordinance No. 2014-17 adopting the new Centerville City Fine/Bail Schedule for local ordinances is attached for your consideration and review.

Designating Minimum Fine

The fines set forth in the Centerville City Fine/Bail Schedule are the proposed *minimum* fines. The maximum fine for local ordinance violations are set by law as discussed above, depending on whether the offense is classified as a class B misdemeanor, a class C misdemeanor or an infraction. The proposed fines are intended to provide assistance to the sentencing judge in determining the appropriate fine or bail to be assessed in a particular case. The proposed minimum fines are only considered a guideline for the judge and do not prohibit or limit the authority of the judge in imposing a lesser or greater fine as deemed appropriate in the judge's discretion. If a minimum fine is not designated for local ordinance violations, the Uniform Fine/Bail Schedule sets the fine at $150 for class B misdemeanors, $80 for class C misdemeanors, and $25 for infractions.

Understanding the Centerville City Fine/Bail Schedule

The proposed fines are set forth in the Centerville City Fine/Bail Schedule in the column titled "Fine". The amount of the fines set forth in this column include the State Surcharge of 90% or 35%, as applicable, but do not include the Court Security Surcharge. The total fine (including State Surcharge and Court Security Surcharge) is set forth in the column titled "Total". The column titled "ManApp" indicates that the offense requires a mandatory appearance before the Justice Court Judge.

Guidelines for Setting Amount of Fine

Applicable case law indicates the minimum fine for violation of a local ordinance should be reasonable under the circumstances, taking into account the character of the offense. Such fines cannot be excessive, cruel or unusual. Fines should be set to include a financial sanction and deterrent effect as a minimum base from which the judge may determine the total sentence taking into consideration aggravating or mitigating circumstances of the case. As provided in *Utah Code Ann.* § 76-3-301.5, the fine for each offense shall proportionally reflect the seriousness of the offense and other factors as may be set by law or recommended by the Utah Judicial Council.

Fine Analysis

Each proposed fine in the Centerville City Fine/Bail Schedule has been analyzed using the above factors and ranked based on a scale of 1-5. The attached Fine Analysis shows the ranking of each violation (column titled "Scale"). The proposed fine for Category 1 violations is $50 (except for Category 1 parking or non-moving traffic violations which are set at $30). The proposed fine for Category 2 violations is $100. The proposed fine for Category 3 violations is $150. The proposed fine for Category 4 violations is $250. The proposed fine for Category 5 violations is $500. Consideration was also given to availability of alternative enforcement mechanisms such as civil penalty provisions, stop work orders, permit revocation, weed abatement procedures, etc. The Fine Analysis indicates the current minimum fine imposed by Centerville (column titled "Curr"). Not all violations show a current fine because a number of violations have been added and therefore do not have a current fine. In comparing the current fines with the proposed fines, 22% of the fines increase, 14% of the fines decrease, and 27% of the fines remain the same. Fines charged by other jurisdictions were also analyzed where a comparable offense was listed. The Fine Analysis shows the average fine for similar offenses as charged by other jurisdictions (column titled "Aver"). While not directly relevant to determining a fine for a particular offense, reviewing what other jurisdictions charge for similar violations provides perspective and comparison. In comparing the proposed fines to the average fine charged for similar offense, 64% of the proposed fines are less than average, 26% of the proposed fines are higher than average, and 10% of the fines are the same as average.

State Surcharge in Detail

For conviction of a class B misdemeanor, including comparable municipal ordinances, the surcharge is 90% of the fine. For conviction of a class C misdemeanor or an infraction, including violation of municipal ordinances not subject to the 90% surcharge, the surcharge is 35% of the fine. Notwithstanding the foregoing, non-moving traffic violations are *not* subject to the 90% or the 35% surcharge. Thus, 100% of the fines and penalties collected by the Justice Court for

non-moving traffic code violations (i.e. parking tickets), are retained by the City. Fines and penalties collected by the Justice Court for violations subject to the 90% surcharge are allocated as follows: (1) the City retains the 10% of the fine not subject to the surcharge; (2) the City retains 53% of the 90% surcharge; and (3) the State is paid the remaining 47% of the 90% surcharge. Fines and penalties collected by the Justice Court for violations subject to the 35% surcharge are allocated as follows: (1) the City retains the 65% of the fine not subject to the surcharge; (2) the City retains 74% of the 35% surcharge; and (3) the State is paid the remaining 26% of the 35% surcharge. By statute, the State Division of Finance allocates the State's portion of the 90% surcharge as follows: (1) first $30,000 to the State General Fund; (2) next 4.5% to the Law Enforcement Services Account; and (3) the remainder as provided in Sections 51-9-403 through 51-9-411.

Court Security Surcharge in Detail

In addition to the State Surcharge, all convictions for offenses listed in the Uniform Bail/Fine Schedule and moving traffic violations are subject to the Court Security Surcharge of $50 as required by *Utah Code Ann.* § 78A-7-122. Non-moving traffic violations and local ordinance violations that do not have a comparable State Code violation are *not* assessed the Court Security Surcharge. The Court Security Surcharge is allocated by statute as follows: (1) 36% (or $18) is distributed to the Court Security Account created in Section 78A-2-602; (2) 20% of the remaining $32 (or $6.40) is retained by the City; and (3) the remaining 80% of the $32 (or $25.60) is remitted to the State Treasurer and distributed as follows: (i) 62.5% of $25.60 (or $16) goes to the County; (ii) 25% of $25.60 (or $6.40) goes to the Court Security Account; and (iii) 12.5% of $25.60 (or $3.20) goes to the Justice Court Technology, Security and Training Account created in Section 78A-7-301. If you have read this far, congratulations!

Conclusion

Based on the forgoing analysis, it is Staff's opinion that the proposed fines are reasonable in light of the nature and character of each offense and provide a financial sanction and deterrent effect necessary to encourage compliance with municipal ordinances.

ORDINANCE NO. 2014-17

AN ORDINANCE ADOPTING THE CENTERVILLE CITY FINE/BAIL SCHEDULE FOR LOCAL ORDINANCES

WHEREAS, Utah law authorizes the legislative body of a municipality to enforce obedience to local ordinances with fines or penalties as fixed by the governing body as more particularly provided in *Utah Code Ann.* § 10-3-703, as amended; and

WHEREAS, the penalty for violation of any municipal ordinance shall not exceed the maximum class B misdemeanor fine of $1,000 or by a term of imprisonment up to six months, or by both fine and term of imprisonment; and

WHEREAS, the City Council finds that the penalties set forth in the Centerville City Fine/Bail Schedule are reasonable in light of the nature and character of each offense and proportionally reflect the seriousness of the offenses in accordance with *Utah Code Ann.* § 76-3-301.5; and

WHEREAS, the City Council finds that the penalties set forth in the Centerville City Fine/Bail Schedule are in the best interest of the public and are necessary and proper to provide for the safety and to promote peace and good order within the City; and

WHEREAS, the City Council desires to adopt the updated Centerville City Fine/Bail Schedule as more particularly provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH:

Section 1. Adoption of Centerville City Fine/Bail Schedule. Pursuant to *Utah Code Ann.* § 10-3-703 and other provisions of law, the City Council hereby adopts the Centerville City Fine/Bail Schedule as set forth in **Exhibit A**, attached hereto and incorporated herein by reference.

Section 2. Severability Clause. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting. The penalties adopted herein shall become effective on October 1, 2014, and shall apply to offenses committed on or after such effective date.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 2nd DAY OF SEPTEMBER, 2014.

CENTERVILLE CITY

_____
Mayor Paul A. Cutler

ATTEST:

_____
Marsha L. Morrow, City Recorder

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Averett	_____	_____
Councilmember Fillmore	_____	_____
Councilmember Higginson	_____	_____
Councilmember Ivie	_____	_____
Councilmember Wright	_____	_____

EXHIBIT "A"

CENTERVILLE CITY FINE/BAIL SCHEDULE FOR LOCAL ORDINANCES

CENTERVILLE CITY FINE/BAIL SCHEDULE FOR LOCAL ORDINANCES

SEPTEMBER 2014

Centerville City
250 North Main Street
Centerville, Utah 84014
(801) 295-3477

PURPOSE

It is the intent of the Centerville Fine/Bail Forfeiture Schedule for Local Ordinances to provide assistance to the Centerville Justice Court Judge in determining the appropriate fine or bail to be assessed in a particular case involving a local ordinance and to minimize disparity of fines/bails imposed by the Court for similar offenses. This Schedule is not intended to deprive nor minimize the authority of the Court to impose a sentence deemed just in the discretion of the Justice Court Judge.

LEGISLATIVE AUTHORITY

The governing body of a municipality is authorized to impose a criminal penalty for the violation of any municipal ordinance by a fine not to exceed the maximum class B misdemeanor fine under Section 76-3-301 or by a term of imprisonment up to six months, or by both the fine and term of imprisonment as provided in *Utah Code Ann.* § 10-3-703, as amended. Punishment, fines, or forfeitures may not be imposed by resolution and shall be adopted by ordinance as more particularly provided in *Utah Code Ann.* § 10-3-717, as amended. Pursuant to *Utah Code Ann.* § 10-8-84, as amended, the governing body of a municipality is authorized to pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by law, and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city, and to enforce compliance with such ordinances, rules or regulations with fines or penalties in accordance with Section 10-3-703.

ASSUMPTIONS

The penalty for all public offenses should include a financial sanction as a minimum base from which the Justice Court Judge may determine the total sentence, dependent upon aggravating and/or mitigating circumstances of an individual case. The cumulative effect of appropriate penalties such as probation, community service, surcharges, restitution, victim reparation, rehabilitation treatment programs, home confinement, court costs and periods of incarceration, should constitute the total sentence. The enhancement or reduction to the total fine should reflect the severity of the offense, the extent of victim injury or property damage loss, the risk which the offender poses to society, the offender's criminal and personal history, and related factors. As provided in *Utah Code Ann.* §76-3-301.5, the fine for each offense shall proportionally reflect the seriousness of the offense and other factors as may be set by law or recommended by the Judicial Council.

CENTERVILLE CITY FINE/BAIL SCHEDULE

GC	City	Code	Description	DefSev	Surch	Fine	SecSur	Total	ManApp
CNT	Centerville City	6-01-030	DOING BUSINESS WITHOUT A LICENSE	MB	90%	$250	$50	$300	
CNT	Centerville City	7-03-040	NUISANCE	MB	90%	$250	$50	$300	
CNT	Centerville City	7-04-070	WEED CONTROL	MB	90%	$250	$0	$250	
CNT	Centerville City	7-04-080	REFUSE CONTROL	MB	90%	$250	$0	$250	
CNT	Centerville City	7-04-090	GRAFFITI CONTROL - OWNER REMOVAL	MB	90%	$250	$0	$250	
CNT	Centerville City	7-07-160	PROHIBITED DISCHARGE OF FIREWORKS	MB	90%	$500	$50	$550	Y
CNT	Centerville City	7-09-020	NOISE DISTURBANCE	MB	90%	$100	$0	$100	
CNT	Centerville City	8-02-190	PARKS VIOLATION	MB	90%	$100	$0	$100	
CNT	Centerville City	8-03-320	CEMETERY VIOLATION	MB	90%	$50	$0	$50	
CNT	Centerville City	9-09-020	OBSTRUCTION OF STORM WATER DRAINAGE	MB	90%	$150	$0	$150	
CNT	Centerville City	9-09-030	UNLAWFUL DUMPING INTO STORM DRAINAGE SYSTEM	MB	90%	$250	$0	$250	
CNT	Centerville City	11-01-120	REMOVAL OF SNOW FROM SIDEWALKS	MB	90%	$100	$0	$100	
CNT	Centerville City	11-01-130	TRASH OR OBSTRUCTIONS IN SIDEWALK, GUTTER OR STREET	MB	90%	$150	$0	$150	
CNT	Centerville City	11-01-140	PARADE ROUTE RESTRICTIONS	INF	35%	$50	$0	$50	
CNT	Centerville City	12-23-060	ZONING ORDINANCE VIOLATION	MC	35%	$250	$0	$250	
CNT	Centerville City	13-03-010	CURFEW	MB	90%	$150	$0	$150	
CNT	Centerville City	13-03-020	AIDING MINOR TO COMMIT CURFEW	MB	90%	$150	$0	$150	
CNT	Centerville City	13-03-060	DISCHARGE OF FIREARMS	MB	90%	$500	$50	$550	Y
CNT	Centerville City	13-03-062	DISCHARGE OF PROJECTILES	MB	90%	$150	$50	$200	
CNT	Centerville City	13-03-070	PUBLIC PROPERTY VIOLATION	MB	90%	$150	$50	$200	
CNT	Centerville City	13-03-090	HUNTING PROHIBITED	MB	90%	$500	$50	$550	Y
CNT	Centerville City	14-03-020	FAILURE TO OBEY TRAFFIC SIGN OR SIGNAL	MC	35%	$100	$50	$150	
CNT	Centerville City	14-06-010	ALL-NIGHT PARKING	MC	0%	$30	$0	$30	
CNT	Centerville City	14-06-030	PARKING FOR CERTAIN PURPOSES	MC	0%	$30	$0	$30	
CNT	Centerville City	14-06-040	STORING AND PARKING RESTRICTIONS	MC	0%	$30	$0	$30	
CNT	Centerville City	14-06-060	HAZARDOUS PARKING	MC	0%	$30	$0	$30	
CNT	Centerville City	14-06-070	PARKING IN NARROW ROADWAY	MC	0%	$30	$0	$30	
CNT	Centerville City	14-06-090	PARKING UNREGISTERED VEHICLE	MC	0%	$30	$0	$30	
CNT	Centerville City	14-07-010	DRIVING IN BICYCLE LANE	MC	35%	$100	$50	$150	
CNT	Centerville City	14-07-020	DRIVING OVER WET TRAFFIC MARKINGS	MC	35%	$250	$50	$300	
CNT	Centerville City	14-07-030	DRIVING ON NEW PAVEMENT	MC	35%	$500	$0	$500	
CNT	Centerville City	14-07-040	AVOIDING INTERSECTION OR HIGHWAY	MC	35%	$50	$50	$100	
CNT	Centerville City	14-07-050	DUTY TO KEEP PROPER LOOKOUT	MC	35%	$50	$50	$100	
CNT	Centerville City	14-07-060	INTERFERENCE WITH SAFE CONTROL	MC	35%	$50	$50	$100	
CNT	Centerville City	14-07-070	SEATING	MC	35%	$50	$0	$50	
CNT	Centerville City	14-07-090	HANGING ON OUTSIDE A MOVING VEHICLE	MC	35%	$50	$0	$50	
CNT	Centerville City	14-07-100	ATTACHING SLED OR CONVEYANCE TO MOVING VEHICLE	MC	35%	$50	$0	$50	
CNT	Centerville City	14-07-110	TAMPERING WITH VEHICLE	MC	0%	$150	$0	$150	
CNT	Centerville City	14-07-120	EXCESSIVE ACCELERATION	MC	35%	$150	$50	$200	
CNT	Centerville City	14-07-130	UNSAFE OPERATION OF VEHICLE	MC	35%	$100	$50	$150	

CENTERVILLE CITY FINE/BAIL SCHEDULE

CNT	Centerville City	14-07-140	NEGLIGENT COLLISION	MC	35%	$250	$50	$300	
CNT	Centerville City	14-07-150	DRIVING WHILE FATIGUED OR ILL	MC	35%	$150	$50	$200	
CNT	Centerville City	14-07-180	DISCHARGE OF DEBRIS	MC	35%	$250	$50	$300	
CNT	Centerville City	14-07-190	SECURING LOADS	MC	35%	$250	$50	$300	
CNT	Centerville City	14-07-200	OBSTRUCTION OF TRAFFIC	MC	0%	$150	$0	$150	
CNT	Centerville City	14-07-210	SKATEBOARD RESTRICTIONS	MC	0%	$50	$0	$50	
CNT	Centerville City	14-07-230	TRAIL REGULATION VIOLATION	MC	0%	$250	$0	$250	
CNT	Centerville City	14-08-030	TRUCK ROUTE VIOLATION	MC	35%	$150	$50	$200	
CNT	Centerville City	15-1-107	SUBDIVISION ORDINANCE VIOLATION	MC	35%	$250	$0	$250	
CNT	Centerville City	16-03-010	STORM WATER PERMIT REQUIRED	MB	90%	$500	$0	$500	
CNT	Centerville City	16-04-010	STORM WATER ORDINANCE VIOLATION	MB	90%	$250	$0	$250	

Indicates Non-Moving Traffic Violation (not subject to 35% surcharge and not subject to $50 security surcharge)

Indicates Non-Comparable State Violation (not subject to $50 security surcharge)

FINE ANALYSIS

PROPOSED FINES

GC	City	Code	Description	DefSev	Surch	Curr	Aver	Scale	Proposed
CNT	Centerville City	6-01-030	DOING BUSINESS WITHOUT A LICENSE	MB	90%	$217	$310	4	$250
CNT	Centerville City	7-03-040	NUISANCE	MB	90%	$500	$268	4	$250
CNT	Centerville City	7-04-070	WEED CONTROL	MB	90%		$170	4	$250
CNT	Centerville City	7-04-080	REFUSE CONTROL	MB	90%		$150	4	$250
CNT	Centerville City	7-04-090	GRAFFITI CONTROL - OWNER REMOVAL	MB	90%		$327	4	$250
CNT	Centerville City	7-07-160	PROHIBITED DISCHARGE OF FIREWORKS	MB	90%	$500	$333	5	$500
CNT	Centerville City	7-09-020	NOISE DISTURBANCE	MB	90%		$145	2	$100
CNT	Centerville City	8-02-190	PARKS VIOLATION	MB	90%	45-150	$88	2	$100
CNT	Centerville City	8-03-320	CEMETERY VIOLATION	MB	90%		$70	1	$50
CNT	Centerville City	9-09-020	OBSTRUCTION OF STORM WATER DRAINAGE	MB	90%		$276	3	$150
CNT	Centerville City	9-09-030	UNLAWFUL DUMPING INTO STORM DRAINAGE SYSTEM	MB	90%	$50	$286	4	$250
CNT	Centerville City	11-01-120	REMOVAL OF SNOW FROM SIDEWALKS	MB	90%		$112	2	$100
CNT	Centerville City	11-01-130	TRASH OR OBSTRUCTIONS IN SIDEWALK, GUTTER OR STREET	MB	90%		$205	3	$150
CNT	Centerville City	11-01-140	PARADE ROUTE RESTRICTIONS	INF	35%	$50	$0	1	$50
CNT	Centerville City	12-23-060	ZONING ORDINANCE VIOLATION	MC	35%	$25	$284	4	$250
CNT	Centerville City	13-03-010	CURFEW	MB	90%	$100	$183	3	$150
CNT	Centerville City	13-03-020	AIDING MINOR TO COMMIT CURFEW	MB	90%	$270	$173	3	$150
CNT	Centerville City	13-03-060	DISCHARGE OF FIREARMS	MB	90%	$185	$272	5	$500
CNT	Centerville City	13-03-062	DISCHARGE OF PROJECTILES	MB	90%	$50	$435	3	$150
CNT	Centerville City	13-03-070	PUBLIC PROPERTY VIOLATION	MB	90%		$200	3	$150
CNT	Centerville City	13-03-090	HUNTING PROHIBITED	MB	90%		$317	5	$500
CNT	Centerville City	14-03-020	FAILURE TO OBEY TRAFFIC SIGN OR SIGNAL	MC	35%		$59	2	$100
CNT	Centerville City	14-06-010	ALL-NIGHT PARKING	MC	0%	$30	$37	1	$30
CNT	Centerville City	14-06-030	PARKING FOR CERTAIN PURPOSES	MC	0%	$30	$25	1	$30
CNT	Centerville City	14-06-040	STORING AND PARKING RESTRICTIONS	MC	0%	$30	$44	1	$30
CNT	Centerville City	14-06-060	HAZARDOUS PARKING	MC	0%		$37	1	$30
CNT	Centerville City	14-06-070	PARKING IN NARROW ROADWAY	MC	0%	$30	$43	1	$30
CNT	Centerville City	14-06-090	PARKING UNREGISTERED VEHICLE	MC	0%	$30	$122	1	$30
CNT	Centerville City	14-07-010	DRIVING IN BICYCLE LANE	MC	35%		$46	2	$100
CNT	Centerville City	14-07-020	DRIVING OVER WET TRAFFIC MARKINGS	MC	35%	$300	$125	4	$250
CNT	Centerville City	14-07-030	DRIVING ON NEW PAVEMENT	MC	35%	$600	$200	5	$500
CNT	Centerville City	14-07-040	AVOIDING INTERSECTION OR HIGHWAY	MC	35%	$50	$57	1	$50
CNT	Centerville City	14-07-050	DUTY TO KEEP PROPER LOOKOUT	MC	35%	$50	$50	1	$50
CNT	Centerville City	14-07-060	INTERFERENCE WITH SAFE CONTROL	MC	35%	$50	$50	1	$50
CNT	Centerville City	14-07-070	SEATING	MC	35%		$60	1	$50
CNT	Centerville City	14-07-090	HANGING ON OUTSIDE A MOVING VEHICLE	MC	35%	$100	$83	1	$50
CNT	Centerville City	14-07-100	ATTACHING SLED OR CONVEYANCE TO MOVING VEHICLE	MC	35%	$50	$50	1	$50
CNT	Centerville City	14-07-110	TAMPERING WITH VEHICLE	MC	0%	$300	$125	3	$150
CNT	Centerville City	14-07-120	EXCESSIVE ACCELERATION	MC	35%	$50	$131	3	$150
CNT	Centerville City	14-07-130	UNSAFE OPERATION OF VEHICLE	MC	35%	$50	$50	2	$100

FINE ANALYSIS

PROPOSED FINES

CNT	Centerville City	14-07-140	NEGLIGENT COLLISION	MC	35%	$200	$78	4	$250
CNT	Centerville City	14-07-150	DRIVING WHILE FATIGUED OR ILL	MC	35%	$50	$414	3	$150
CNT	Centerville City	14-07-180	DISCHARGE OF DEBRIS	MC	35%		$422	4	$250
CNT	Centerville City	14-07-190	SECURING LOADS	MC	35%	$250	$260	4	$250
CNT	Centerville City	14-07-200	OBSTRUCTION OF TRAFFIC	MC	0%		$228	3	$150
CNT	Centerville City	14-07-210	SKATEBOARD RESTRICTIONS	MC	0%	$75	$62	1	$50
CNT	Centerville City	14-07-230	TRAIL REGULATION VIOLATION	MC	0%	$270	$345	4	$250
CNT	Centerville City	14-08-030	TRUCK ROUTE VIOLATION	MC	35%	$100	$225	3	$150
CNT	Centerville City	15-1-107	SUBDIVISION ORDINANCE VIOLATION	MC	35%		$372	4	$250
CNT	Centerville City	16-03-010	STORM WATER PERMIT REQUIRED	MB	90%		$672	5	$500
CNT	Centerville City	16-04-010	STORM WATER ORDINANCE VIOLATION	MB	90%		$344	4	$250

Cat 1	$50	(Except for non-moving traffic violations = $30)
Cat 2	$100	
Cat 3	$150	
Cat 4	$250	
Cat 5	$500	

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 5.

Short Title: Financial Report (unaudited) for FY 2014

Initiated By:

Scheduled Time: 8:15

SUBJECT

RECOMMENDATION

BACKGROUND

Attached is the Financial Report for June 30, 2014. The report is unaudited but includes accruals that are available at this time. Blaine will be at the meeting to review and respond to questions and/or contact him in advance of the meeting.
Also attached is a fiscal summary of the completion of the HVAC control project that was completed in this fiscal year.

ATTACHMENTS:

Description

- Project report - Council HVAC
- June 30, 2014 Interim Financial

Project Fiscal Summary

Project: Council room HVAC controls

Fiscal Year: FY 2014-2015

Budget amount: $7,000

Department: City Hall Building

Actual Final Cost: $6,725

Project cost breakdown:

Project planning: included in contract price.	$0
Engineering: included in contract price.	$0
Labor: included in contract price.	$0
Materials: included in contract price.	$0
Contracted costs:	**$6,725**

Explanation of significant cost over/under budget: N/A.

Project completion: August 2014. Sooner than anticipated.

Project Benefit: Improvement of the comfort of the room. Anticipated reduction of energy cost. Unexpected reduction in fan noise in the room. Reduction in overall wear on the mechanical system.

Other: The better than anticipated benefits of the reduction in strain on the system has prompted a proposed acceleration of completing the conversion of the building, or at least areas that will have similar benefits. The proposal will be presented in coming weeks and/or the FY 2016 budget.

Project details and cost verification available upon request.

General Fund
Unaudited Summary
June 2014 (100% of year)

	This Month	Year to Date	(Accrual) Estimate	FY 14 Budget	% Budget	$ Difference
Revenues						
Property Tax	$10,657	$1,003,239	$1,004,239	$992,913	101.14%	$11,326
Fee in Lieu	$8,057	$99,635	$101,135	$90,000	112.37%	$11,135
Sales & UseTax	$242,938	$3,301,632	$3,341,632	$3,455,070	96.72%	-$113,438
Franchise Taxes	$98,943	$1,158,805	$1,193,805	$1,296,500	92.08%	-$102,695
Licenses & Permits	$42,096	$315,703	$333,252	$356,350	93.52%	-$23,098
Intergovernmental	$92,194	$538,917	$640,918	$625,790	102.42%	$15,128
Charges for Services	$94,706	$860,435	$891,674	$875,475	101.85%	$16,199
Fines	$23,103	$438,004	$481,187	$485,000	99.21%	-$3,813
Miscellaneous	$52,761	$65,272	$275,089	$269,063	102.24%	$6,026
Transfers/Contributions	$30,000	$212,974	$245,825	$206,255	119.18%	$39,570
Total	$695,455	$7,994,616	$8,508,756	$8,652,416	98.34%	-$143,660
Expenditures						
City Council	$5,310	$61,028	$61,028	$85,378	71.48%	$24,350
Judicial	$17,452	$207,275	$207,275	$221,273	93.67%	$13,998
Executive	$30,450	$371,333	$371,332	$393,017	94.48%	$21,685
Attorney	$11,644	$136,234	$136,234	$148,375	91.82%	$12,141
Finance	$43,937	$484,439	$484,439	$501,272	96.64%	$16,833
Attorney Services	$6,361	$31,528	$31,528	$33,000	95.54%	$1,472
Emergency Management	$1,368	$8,638	$8,638	$12,900	66.96%	$4,262
Fire	$0	$813,602	$813,602	$813,602	100.00%	$0
Elections	$0	$11,682	$11,682	$11,700	99.85%	$18
Youth Council	$0	$7,000	$7,000	$7,000	100.00%	$0
Police	$196,912	$2,178,002	$2,178,002	$2,243,647	97.07%	$65,645
Liquor Law	$1,748	$7,968	$7,968	$18,350	43.42%	$10,382
School Xing	$1,379	$54,761	$54,761	$52,199	104.91%	-$2,562
DARE	$1,326	$75,190	$75,190	$102,873	73.09%	$27,683
K-9	$4,725	$7,536	$7,536	$12,250	61.52%	$4,714
Animal Control	$3,646	$23,809	$23,809	$24,000	99.20%	$191
PW Admin	$22,225	$275,166	$275,166	$284,565	96.70%	$9,399
Streets	$70,297	$904,547	$904,547	$921,889	98.12%	$17,342
Projects	$187,787	$854,420	$854,420	$1,206,430	70.82%	$352,010
GIS	$6,246	$81,892	$81,892	$93,069	87.99%	$11,177
Engineering	$8,404	$103,317	$103,317	$126,500	81.67%	$23,183
Parks	$101,681	$704,885	$704,885	$813,615	86.64%	$108,730
Community Events	$22,408	$23,650	$23,650	$23,650	100.00%	$0
Parks & Rec Facility	$1,027	$15,502	$15,502	$15,790	98.18%	$288
Maint Facility	$11,651	$55,116	$55,116	$53,640	102.75%	-$1,476
Maint Facility Storage	$88	$5,618	$5,618	$6,210	90.47%	$592
City Hall	$19,465	$123,675	$123,675	$128,405	96.32%	$4,730
Community Dev.	$20,962	$269,629	$269,629	$290,702	92.75%	$21,073
Building Inspection	$12,260	$72,427	$72,427	$90,200	80.30%	$17,773
Transfers - Non Dep.	$0	$62,360	$62,360	$65,589	95.08%	$3,229
UTOPIA -Pledges	$0	$273,001	$273,001	$273,001	100.00%	$0
UIA Assessment	$31,254	$163,400	$163,400	$163,400	100.00%	$0
Total	$842,013	$8,468,630	$8,468,629	$9,237,491	91.68%	$768,862

Use/Contribtion to Fund balance (Revenues Over/Under Expenditures)	-$474,014	$40,127	$ (585,075)

	YTD	Estimate
Fund Balance at Beginning of Year (est.)	$1,556,947	$1,556,947
Fund Balance estimate 6/30/2014	$1,082,933	$1,597,074
Projected Fund Balance %	**13.70%**	**20.20%**

Source: Current Centerville City financial statements. May be subject to change

Capital Project Funds
(Unaudited)
June 30, 2014

	This Month	Year to Date	FY 14 Budget	% Budget
Capital Improvement				
Storm Drain				
Revenues:				
Fund Balance			$47,060	
Impact Fees	$2,266	$57,670	$10,000	576.70%
Grants	$0	$0	$0	0.00%
Other	$86	$951	$150,075	0.63%
Total Revenues	$2,352	$58,621	$207,135	28.30%
Expenditures	$165	$16,170	$207,135	7.81%
Fund Balance at Beginning of Year (est.)		$45,209		
Fund Balance estimate 6/30/2014		$87,660		
Park				
Revenues:				
Fund Balance			$335,683	
Impact Fees	$0	$55,539	$75,000	74.05%
Transfer	$0	$0	$0	0.00%
Grants	$0	$0	$0	0.00%
Other	$0	$0	$400	0.00%
Total Revenues	$0	$55,539	$411,083	73.66%
Expenditures	$7,472	$38,640	$403,074	9.59%
Fund Balance at Beginning of Year (est.)		$336,436		
Fund Balance estimate 6/30/2014		$353,335		
Capital Projects Fund				
Revenues:				
Fund Balance				
Transfers - General	$0	$273,001	$273,001	100.00%
RDA additional increment	$0	$163,000	$163,000	100.00%
Other	$0	$251	$250	100.40%
Total Revenues	$0	$436,252	$436,251	100.00%
Expenditures				
UTOPIA Pledge	$36,354	$436,251	$436,251	100.00%
Projects	$0	$0	$0	0.00%
Total Expenditures	$36,354	$436,251	$436,251	100.00%
Balance at Beginning of Year		$42,296		
Fund Balance estimate 6/30/2014		$42,297		

Source: Current Centerville City financial statements. May be subject to change

RDA/Other Funds
(Unaudited)
June 30, 2014

	This Month	Year to Date	FY 14 Budget	% Budget
RDA				
Revenues	$12,200	$1,861,444	$1,847,000	100.78%
Expenditures	$25,067	$1,376,187	$1,847,000	74.51%
Fund Balance at Beginning of Year (est.)		$244,971		
Fund Balance estimate 6/30/2014		$730,228		
Recreation				
Revenues				
Recreation	$10,367	$60,588	$87,000	69.64%
Youth Baseball	$9,225	$32,430	$31,000	104.61%
Concession Sales	$7,271	$20,013	$23,635	84.68%
Other	$0	$39,000	$39,000	100.00%
Total Revenues	$26,863	$152,031	$180,635	84.16%
Expenditures				
Recreation	$24,903	$98,448	$126,670	77.72%
Concessions	$6,965	$17,212	$23,635	72.82%
Youth Baseball/Softball	$18,023	$26,022	$28,425	91.55%
Total Expenditures	$49,891	$141,682	$178,730	79.27%
Revenue Over/Under Expend	$ (23,028)	$ 10,349	$ 1,905	
Balance at Beginning of Year (est.)		$22,088		
Fund Balance estimate 6/30/2014		$32,437		
Sales Tax Debt Service (DCAC)				
Revenues	$0	$1,597,488	$1,597,488	100.00%
Expenditures	$0	$1,597,488	$1,597,488	100.00%
Reserved Fund Balance		$0		
Fund Balance estimate 6/30/2014		$0		
Whitaker Trust				
Beginning fund balance			$14,850	
Revenues	$25	$26,861	$71,860	37.38%
Expenditures	$1,989	$16,497	$71,860	22.96%
Fund Balance at Beginning of Year		$14,854		
Fund Balance estimate 6/30/2014		$25,218		

Source: Current Centerville City financial statements. May be subject to change

Enterprise Funds
(Unaudited)
June 30, 2014

	This Month	Year to Date	FY 14 Budget	% Budget
Water				
Revenues:				
Impact/construction Fees	$79,617	$511,613	$230,500	221.96%
Water Sales	$156,410	$1,881,765	$1,811,250	103.89%
Bond Revenue	$0	$419,197	$450,000	93.15%
Other	$1,123	$22,077	$36,000	61.33%
Total Revenues	$237,150	$2,834,652	$2,527,750	112.14%
Expenditures				
Operating/Dep/Debt	$127,192	$1,665,404	$1,865,552	89.27%
Capital Improvement	$50,064	$691,192	$706,850	97.78%
Total Expenditures	$177,256	$2,356,596	$2,572,402	91.61%
Unresrestricted Cash Beginning of Year (est.)		$1,098,940		
Fund Balance estimate 6/30/2014		$1,576,996		
Sanitation				
Revenues:				
Collection Fees	$57,241	$686,788	$681,600	100.76%
Recycling fees	$14,237	$169,516	$165,700	102.30%
Green Waste fees	$6,977	$81,743	$78,675	103.90%
Other	$420	$3,990	$6,200	64.35%
Total Revenues	$78,875	$942,037	$932,175	101.06%
Expenditures:				
Disposal	$56,618	$337,584	$293,000	115.22%
Collection	$48,374	$287,238	$258,000	111.33%
Recycling	$28,436	$169,242	$165,250	102.42%
Green Waste	$5,949	$35,145	$30,000	117.15%
Other	$9,427	$94,587	$186,200	50.80%
Total Expenditures	$148,804	$923,796	$932,450	99.07%
Unresrestricted Cash Beginning of Year		$18,920		
Fund Balance estimate 6/30/2014		$37,161		
Drainage				
Revenues	$48,380	$726,486	$566,500	128.24%
Operating Expenditures	$61,322	$434,152	$528,722	82.11%
Capital Expenditures	$0	$53,036	$72,750	72.90%
Total Expenditures	$61,322	$487,188	$601,472	81.00%
Unresrestricted Cash Beginning of Year		$284,745		
Fund Balance estimate 6/30/2014		$524,043		
Telecommunications				
Revenues:				
Connection Fees	$22,647	$256,247	$276,000	92.84%
Transfers - GF	$31,254	$163,400	$163,400	100.00%
Total Revenues	$53,901	$419,647	$439,400	95.50%
Expenditures:				
Utility Service charges	$40,930	$255,798	$262,200	97.56%
UIA operating assessment	$31,254	$128,262	$163,400	78.50%
Operating service charge	$603	$6,647	$13,800	48.17%
Total Expenditures	$72,787	$390,707	$439,400	88.92%
Unresrestricted Cash Beginning of Year		$14,850		
Fund Balance estimate 6/30/2014		$43,790		

Source: Current Centerville City financial statements. May be subject to change

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 6.

Short Title: Animal Control "Trap, Neuter, Return" program for ferel cats

Initiated By: Clint Thacker, Director, Davis County Animal Care & Control

Scheduled Time: 8:25

SUBJECT

RECOMMENDATION

Allow Tracy Roddom, Assistant Director of Davis County Animal Care & Control, to make a presentation about their "Trap Neuter Return" program for ferel cats. The City Council will be asked if they are willing to allow Animal Control to initiate this program in Centerville, at no cost to the City.

BACKGROUND

Tracy Roddom is standing in for Clint Thacker, Director, who will be out of town. Animal Control has made this presentation in a number of Davis County cities (see attached newspaper articles), and the program has already been implemented in some of those cities. Animal Control officials believe it will reduce the number of cats euthanized, which has been as high as 4400 per year.

ATTACHMENTS:

Description

- Newspaper article - Standard - Davis' feral cat solution
- Newspaper article - Clipper - County hopes new plan will decrease feral cat population

Date: Aug 26, 2014; Section: Front Page; Page: 1A

Davis' feral cat solution

County adopts a catch, neuter, return policy; sees number of felines decrease

By BRYON SAXTON
Standard-Examiner staff

FRUIT HEIGHTS — Many of the cages at the Davis County animal shelter that once held feral cats, now sit empty.

The change is due to a 5-year pilot program Davis County Animal Care and Control adopted in June. Under the program, feral cats brought to the shelter will be neutered, vaccinated and re-released back into their original surroundings, rather than destroyed.

"It's a big shift in thinking," said Davis County Animal Control Director Clint Thacker.

The program is modeled after similar programs in Salt Lake County and West Valley City.

"We're not holding near as many (feral cats at the shelter)," Thacker said, "or for as long."

The county is still receiving a large number of feral cats that have been trapped by the public, but they want to try this new tactic.

"I see a pattern. Killing cats is not working," Thacker said.

County officials recently asked Farmington city to participate in the program. In 2013, the animal shelter received 166 feral cats from Farmington residents. Six cities have so far agreed to participate in the program.

Rather than euthanize the feral cats, the county will trap, neuter, vaccinate and then quickly release the cats back into their surroundings within a few days, before nature reacts and fills that void for them, Thacker said. In the past, the county has destroyed feral cats only to find through nature's social order of felines, another feral cat will come along and fill that space.

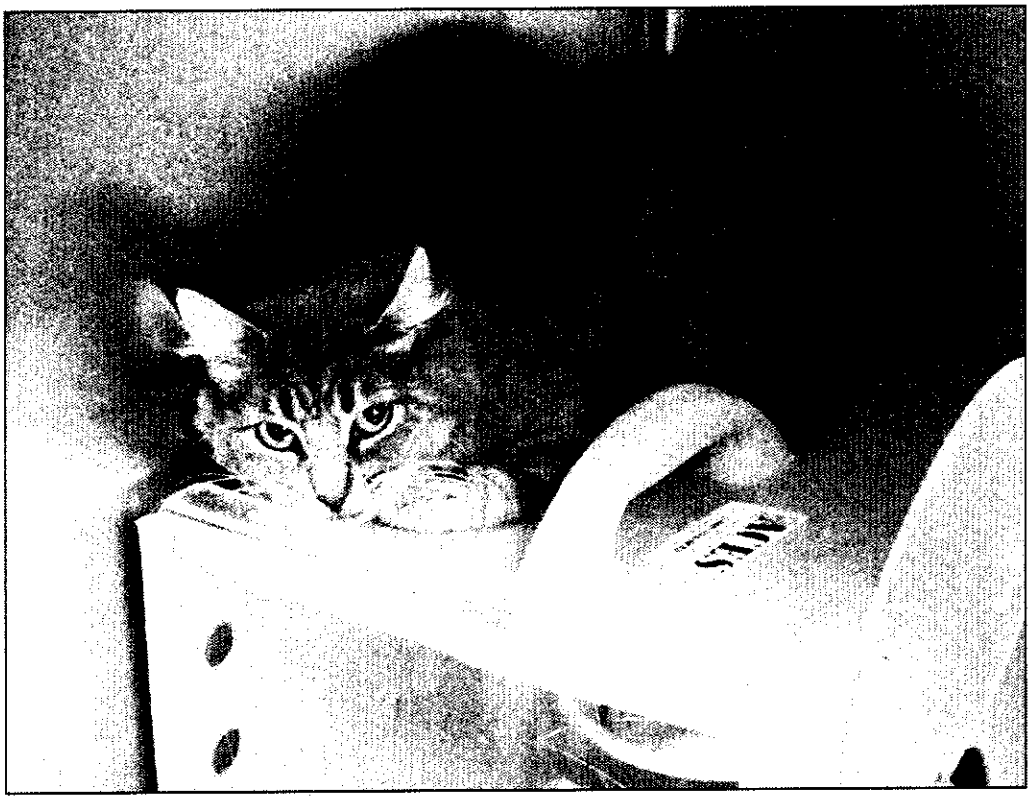
A sterilized cat also does not roam as far, since it no longer has the instinct to be continually marking new territory, he said.

"The whole idea is to get all the cats in the area sterilized and vaccinated," Thacker said.

On the shelter-side of things, animal control is already seeing a difference with fewer feral cats, Thacker said.

The county's plan, which has the full funding

See FERAL, Page 8A



KATHLEEN DUNCAN/Standard-Examiner

A feral cat peer out of a cage Monday at the Davis County Animal Shelter. This cat came into the shelter on Aug.18 and is not friendly toward humans. Feral cats are often distinguished from strays by the condition and the disposition of the cat, says Lisa Larsen, shelter technician, seen below petting a tabby cat that is a good candidate for adoption. "Feral cats often have no people skills, strays tend to be the friendlier ones. With feral cats we fix, vaccinate and tip the ear before releasing them if the city has a Trap, Neuter, Return (TNR) program," she says.

print

County hopes new plan will decrease feral cat population

by MELINDA WILLIAMS
08.25.14 - 03:02 pm

WOODS CROSS — Davis County Animal Control euthanizes between 6,000 and 7,000 cats annually.

That's about to change as the department institutes a five year pilot program to trap, sterilize and neuter feral cats and release them.

"For the past 15 years, our officers have used trap and kill methods, but our euthanization levels has remained the same," said Davis County Animal Control Director Clint Thacker.

Thacker gave a presentation on the program to Woods Cross City Council members last week. The council will vote on whether to approve it for the city in a future council meeting.

He is giving his presentation to city councils in every city in Davis County.

"So far, the reception has been very good. Most of the councils have loved the idea," Thacker said.

The program is already operating in Sunset, Clearfield, Fruit Heights, Farmington and North Salt Lake, and is being considered by Woods Cross and Layton.

Under the program, animal control officers will trap feral cats and bring them into the shelter, Thacker said. If they're healthy and have no sign of ownership such as a collar or chip, the cat is sterilized, vaccinated and released back into the area they were found. During the procedure, the tip of the ear is clipped, so officers know the cat has already been sterilized.

Cats who are released are returned to their environment healthier and are not reproducing, Thacker said.

Any cat that is trapped is kept five days. After a feral cat is trapped for the third time, it is kept for five days and then euthanized, Thacker said.

Before developing the program, Thacker checked with other cities and found both Salt Lake City and County have similar programs and "West Valley City is loving their results," he said. Jacksonville, Fla., has had one of the biggest pushes forits program and it's working well there as well, he said.

Even though the program is not operating countywide yet, Thacker said he's already seen a difference in the numbers of feral cats being put down.

"For the first time in quite a while we have empty cages in our feral cat room."

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CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 7.

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 8:45

SUBJECT

a. Agendas/minutes distribution
b. COG report

RECOMMENDATION

BACKGROUND

Mayor Cutler will report on the direction he has given staff about the manner in which the public can receive copies of the approved meeting minutes. He will also report on business discussed in the monthly Davis County Council of Governments (COG) meetings that he attends.

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 8.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 8:55

SUBJECT

a. Bus stop at Founders Park
b. Schedule volunteer dinner, employee Christmas dinner and Youth City Council dinner/work session

RECOMMENDATION

a. Consider design options for bus stop at Founders Park
b. Approve the following proposed dates for these events:

- October 7, 5:30 p.m. -- Youth Council work session/dinner with City Council
- October 20, 6:30 p.m. -- Volunteer Recognition Dinner
- December 3, 6:30 p.m. -- Employee Christmas Dinner

BACKGROUND

a. Staff have obtained the attached bus shelter options and amenities from UTA. Some of these options are being considered by Ogden City. Bruce Cox, Centerville Parks & Recreation Director, is obtaining cost estimates for the concrete pad, depending on whether or not the concrete is colored.

ATTACHMENTS:

Description

- UTA Passenger Amenities Information Sheet
- Email From Splan on Ogden Shelter Options
- Bus Stop Shelter Options - Daytech
- Ogden Bus Stop Shelter Options

UTA Passenger Amenities

Information Sheet

The information sheet should be a cost guide for improving a bus stop into a ADA compliant pad with room for typical amenities consistent with UTA.

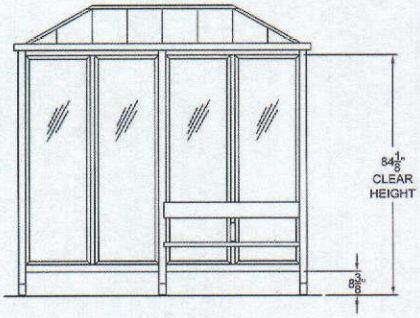
Cost are approximate and depend on many variables some of which are listed below:

1. If the site is first located within public right of way (ROW)
2. If land purchase is required from private party
3. If full survey and ROW documentation is required
4. Zoning, easement, encroachment or permitting issues
5. If retaining wall, curb or asphalt is required beyond flatwork

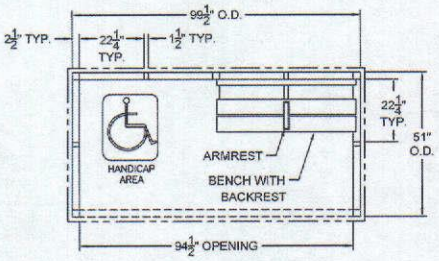
Funding for passenger amenities used by UTA comes through Federal Grants and requires adherence to numerous federal clauses and processes.

Discuss with your UTA planner on how matching funds or contributing certain aspects of work can accelerate your projects.

Task	Cost Estimate
Survey, Engineering, Right of Way Documentation	$2,500 - $3,500
Property Easement or Purchase	$0 - $2,000
Flatwork and ADA Compliance	$5,000 - $15,000
6 foot Bench	$500
Trash Can	$500
Standard 4' x 8' Shelter	$5,000
Approximate Total	**$13,500 - $26,500**



FRONT ELEVATION



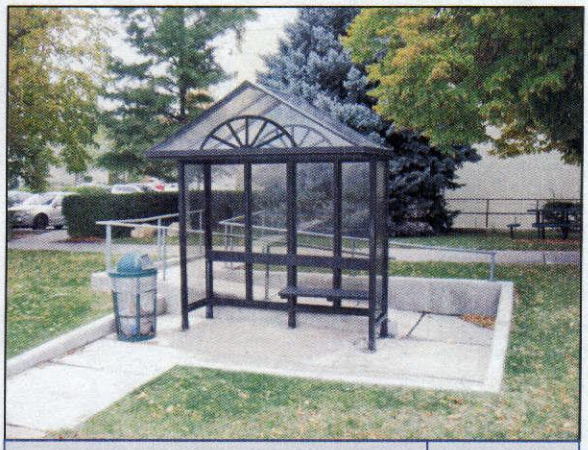
PLAN VIEW

Shelter = $5,000

Decorative 6' bench = $700

Standard 6' bench = $400

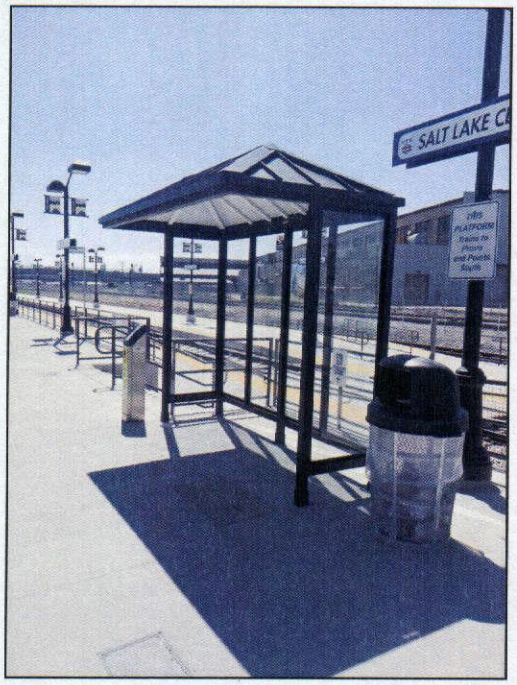
Recent Examples



Task	Cost
Survey, Engineering, ROW	$3,500
Property Easement	$ 0
Flatwork, Railing, ADA Ramp work	$15,000
6 foot Bench	$ 0
Trash Can	$500
Cantilever 4' x 8' Shelter	$5,000
Total	**$24,000**

Task	Cost
Survey, Engineering, ROW	$2,500
Property Easement	$ 0
Flatwork and ADA Compliance	$5,000
6 foot Bench	$ 0
Trash Can	$500
Cantilever 4' x 8' Shelter	$5,000
Total	**$13,000**

New Shelter Model in Use



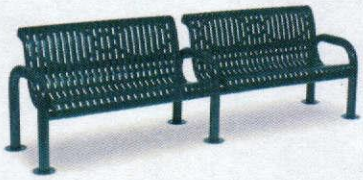
Cantilever Shelter (28" x 8')
used in tight spaces

Standard 4' x 8' shelter

UTA Amenities

UTA Benches currently installed at Salt Lake Central

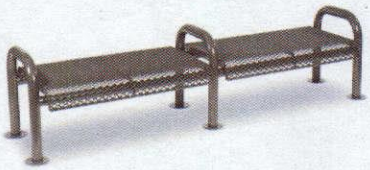
Some available benches that meet "Buy America" regulation



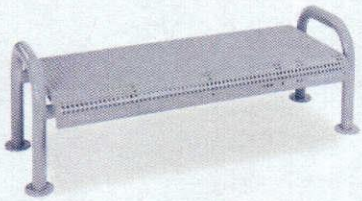
8 foot bench = $1,100

6 foot bench = $700

6 foot bench = $400



8 foot bench = $1,000



6 foot bench = $650

6 foot bench = $400

Plate Covers = $100

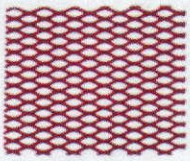
Arm braces = $50 each

$600

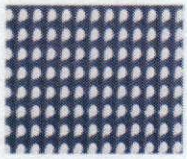
Available Colors

*White, Vanilla & Orange only in frame colors.

Available Patterns for benches



Diamond



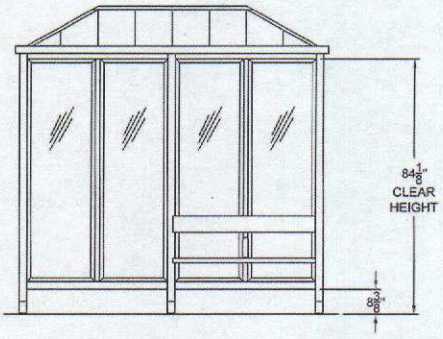
Perforated

Rib Pattern

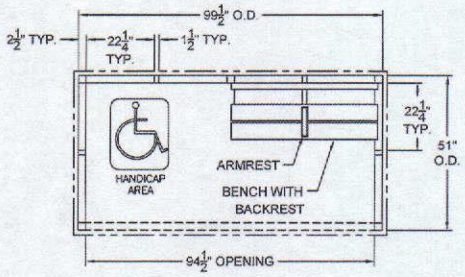
Slat

Prices are approximate and do not include freight, handling, and other fees/taxes

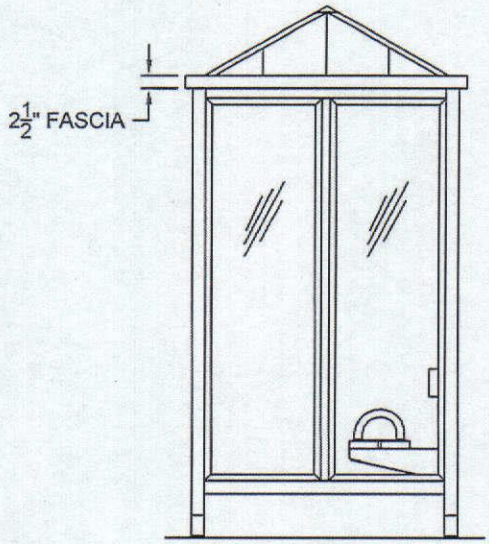
UTA Shelters currently in use



FRONT ELEVATION

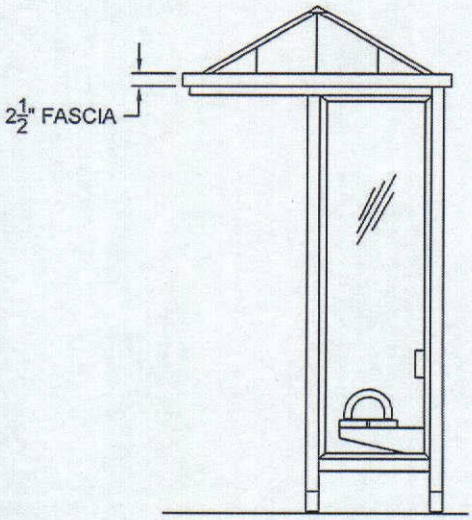


PLAN VIEW



SIDE ELEVATION

Standard 4' by 8' shelter = $5,000



SIDE ELEVATION

Cantilever 4' by 8' shelter = $5,000 (28" deep x 8' wide)

EMAIL FROM Splan to Ogden City officials and UTA staff on 28 October.

Ogden City,

There have been a few email threads bouncing around so I wanted to consolidate.

In our search for an acceptable 12' wide shelter unique for Ogden we have come up with 4 viable options for roughly $10,000 a piece depending on materials and finishes. Please see the "12' wide shelters" attachment. This search was a result from the "Ogden Shelter preferences" I received a few weeks ago and is also attached for reference.

The manufactures would only give a ballpark cost of $8,000 - $14,000 a piece depending on materials and finishes. These shelters all install on 4" concrete just fine.

If any of these 4 options seem acceptable I propose we move forward to finalize the site plans based on the larger shelters so Ogden city can construct for this winter as your contribution. UTA can then purchase the shelters through our formal matching process over the next few months and get them installed next year.

Let me know your thoughts so we can keep this project moving for our customers! Thanks,

Daytech Avanti
http://www.daytechlimited.com/Products/TransitShelters/Avanti/tabid/127/Default.aspx

DaytechVangarde
http://www.daytechlimited.com/Products/TransitShelters/Vangarde/tabid/125/Default.aspx

Brasco Eclipse &Sunline
http://www.brasco.com/product-gallery/commuter-shelters/contemporary-shelters

Jacob Splan
UTA Engineer/Construction Planner III
Email: jsplan@rideuta.com
Desk: 801-287-2219

From: Splan, Jacob (Engineering-Const Planner III)
Sent: Monday, October 28, 2013 2:35 PM
To: 'Montgomery, Greg'
Subject: RE: BUS STOP IMPROVEMENTS_2013 PKG#1-Ogden 60% FINAL(Optimized).pdf

Greg,

Daytech told me that the Vista and Oakville were custom orders and suggested that the Avanti and Vangarde are cheaper being a stock model. He still delayed on getting me a price but they look similar to the Brasco and I would assume the $10k range.

Also, These shelters also install on 4" concrete. It appears that most options we are looking at are considerate of that construction factor.

Daytech Avanti
http://www.daytechlimited.com/Products/TransitShelters/Avanti/tabid/127/Default.aspx

DaytechVangarde
http://www.daytechlimited.com/Products/TransitShelters/Vangarde/tabid/125/Default.aspx

Brasco Eclipse &Sunline
http://www.brasco.com/product-gallery/commuter-shelters/contemporary-shelters

Jacob Splan
UTA Engineer/Construction Planner III
Email: jsplan@rideuta.com
Desk: 801-287-2219

From: Splan, Jacob (Engineering-Const Planner III)
Sent: Monday, October 28, 2013 10:34 AM
To: 'Montgomery, Greg'
Subject: RE: BUS STOP IMPROVEMENTS_2013 PKG#1-Ogden 60% FINAL(Optimized).pdf

You have not and I will get them addressed.

Daytech has been non-responsive about cost for their 12' wide shelters. I will bug them today.

Brasco on the other hand send me two options that are roughly $10k a piece depending on finishes. Both models bolt into 4" concrete and if they look acceptable we could keep this moving.
http://www.brasco.com/product-gallery/commuter-shelters/contemporary-shelters

There were a few conflicting emails last week but I am working from the "Ogden Shelter preference" sheet you email on 10/14 as your preferred shelters.

Call anytime to discuss.

Jacob Splan
UTA Engineer/Construction Planner III
Email: jsplan@rideuta.com
Desk: 801-287-2219

Vangarde by Daytech

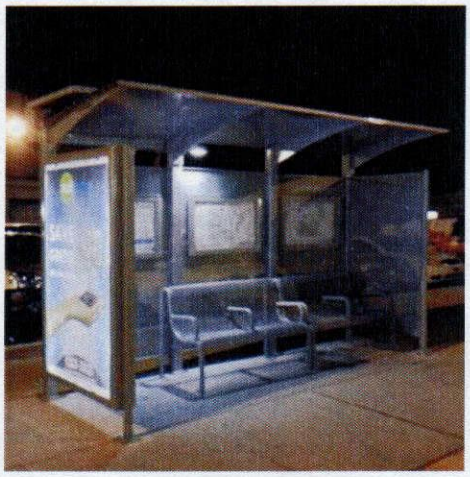
Avanti by Daytech

Bart and Jacob,

Jacob sent me several brochures from companies that make shelters since the Mayor did not like the standard shelter that was proposed along the 25th Street route. After meeting with the Mayor on the various styles he liked these three styles. I have listed the names and which company they come from. What is our next step to move this forward? Do I contact the companies to find out cost?

#1 Vista from Daytech

#2 Special design for Oakville by Daytech



#3 Sunline from Brasco

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 9.

Short Title: City Council Liaison Report

Initiated By:

Scheduled Time: 9:05

SUBJECT

a. Whitaker Museum – Councilman Lawrence Wright

RECOMMENDATION

Allow Councilman Wright to report on the activities of the Whitaker Museum Board.

BACKGROUND

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 10.

Short Title: Miscellaneous Business

Initiated By:

Scheduled Time: 9:20

SUBJECT

a. Issues Relating to Employees' Accrued Leave
b. Discuss Planning Commission compensation
c. Service awards for permanent part-time employees

RECOMMENDATION

If time permits and the City Council desires, discuss two topics mentioned during the budget work sessions earlier this year--i.e. employee accrued leave financial liability and Planning Commission compensation. The City Manager would also like the Council to consider the possibility of expanding the longevity service award program to include permanent part-time employees--i.e. those employees who work at least 20 hours per week year-round.

BACKGROUND

All three of these issues have budget implications, so actually implementing any decisions may have to wait until the next annual budget; but the City Manager would like to discuss these matters with the City Council as time permits in upcoming meetings.

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 11.

Short Title: Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended

Initiated By:

Scheduled Time: 9:50

SUBJECT

RECOMMENDATION

At this time the City Manager is not aware of a need for a closed meeting; however, the agenda allows for that possibility.

BACKGROUND

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No. 12.

Short Title: Possible action following closed meeting, including appointments to boards and committees

Initiated By:

Scheduled Time: 9:50

SUBJECT

RECOMMENDATION

Mayor Cutler may recommend appointments to City boards/committees.

BACKGROUND

CENTERVILLE CITY COUNCIL

Staff Backup Report
9/2/2014

Item No.

Short Title: Items of Interest (i.e., newspaper articles, not items on agenda)

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- Fire Prevention Week Flyer
- South Davis Preparedness Fair Flyer
- Newspaper article - Clipper - Public to help shape west side plan
- Newspaper article - SL Trib - UTOPIA may not appear on cities' ballots
- Newspaper article - Des News - UTOPIA mayors looking for alternative method to poll residents
- Newspaper article - Standard - Mayor-Layton residents may still have a say on UTOPIA
- Newspaper article - Standard - Taxpayers group offers to help UTOPIA with survey
- Newspaper article - Standard - UTOPIA vote
- South Davis Fire

FIRE PREVENTION WEEK

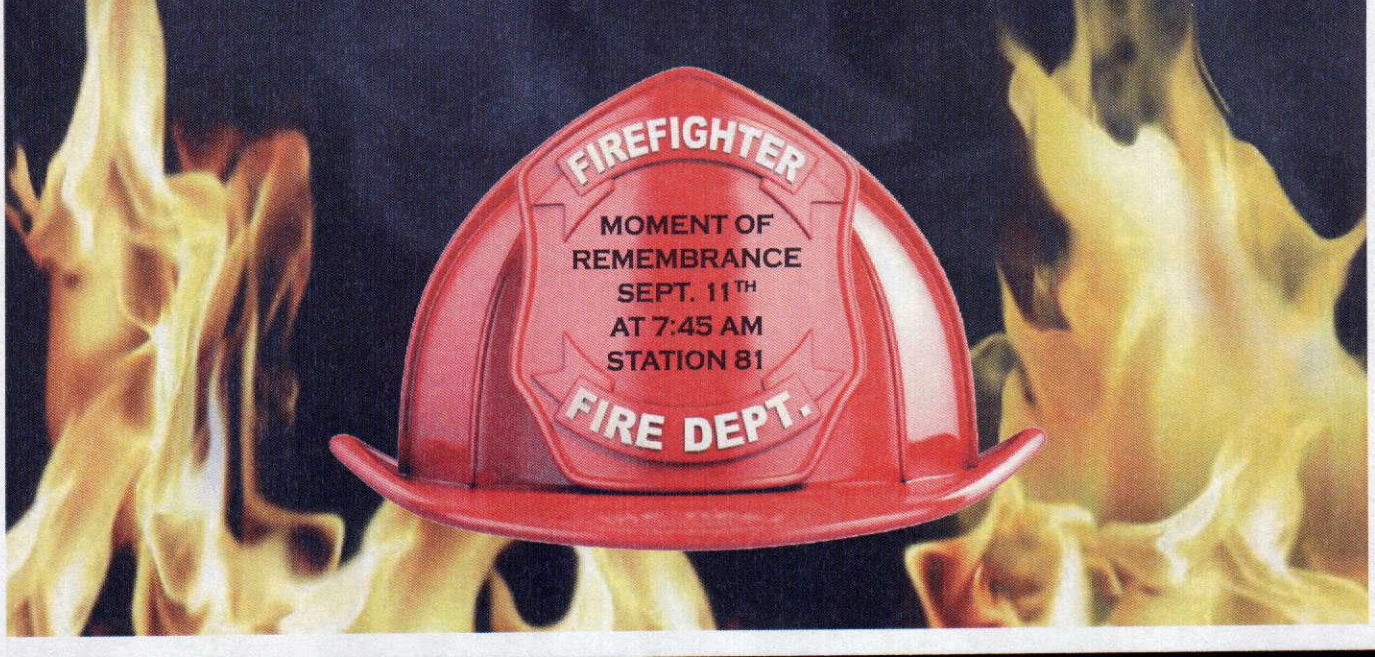
SOUTH DAVIS METRO FIRE AGENCY

FIRE PREVENTION WEEK OPEN HOUSE
SEPTEMBER 8TH -11TH 6 - 8 PM

SEPT. 8TH	STATION 81 (255 S. 100 W., BOUNTIFUL)
SEPT. 9TH	STATION 83 (125 S. MAIN, CENTERVILLE)
SEPT. 10TH	STATION 85 (836 W. 1100 N., NSL)
SEPT. 11TH	STATION 82 (701 EAGLEWOOD DR., NSL)

FIRE PREVENTION WEEK ACTIVITIES

- FIRE PREVENTION SMOKE TRAILER
- COOKIE DECORATING
- JR FIREFIGHTER CHALLENGE
- LIFEFLIGHT / AIRMED
- FIRE PREVENTION HANDOUTS
- FACE PAINTING
- FIREFIGHTER / HAZMAT DEMO
- ROPE RESCUE DEMO



South Davis Preparedness Fair

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print

Public feedback to help shape Centerville west side

by JENNIFFER WARDELL
08.22.14 - 09:00 am

CENTERVILLE — City officials are giving residents a say in what they want the city's west side to look like.

After gathering approximately 70 surveys from residents about what kind of development they wanted to see on Centerville's west side, the results will be compiled into one of four possible scenarios outlining options for potential growth in the area. Those scenarios, along with more feedback, will eventually become a plan that will shape the future of the city's west side.

"We can't create the necessary zoning ordinances until we know what the preferred scenario looks like," said Community Development Director Cory Snyder.

City officials began the process of making an amendment to the city's general plan earlier this year, designed to cover the west side area between Parrish Lane and West Bountiful's northern border.

The first scenario focuses on the west side as it currently is, with zoning that accommodates storage, manufacturing and industrial facilities, while the second scenario imagines the area built out under its current zoning. Both scenarios look at information such as estimated job creation.

The third scenario would focus on what it would take to make the neighborhood into the kind of area where UTA would consider putting a FrontRunner stop. Factors like ideal population density would be considered, though Snyder said that zoning the area along these lines would be no assurance of a stop.

"A lot would have to happen to create a station there," he said.

Even if a station was built, Snyder said that it likely wouldn't look like Farmington's Station Park.

"It would be more of an off-peak station," he said, referring to stops that were serviced during off peak times for commuters. "It would service residents in the area, and let them travel to Salt Lake without having to rely on a car."

The fourth scenario will be built using the survey answers. The survey covered topics about how much residential versus commercial property people would prefer, the importance of manufacturing zoning, the style of development and the importance of a FrontRunner connection.

The project's oversight committee is expected to look at the scenarios after press time tonight, Aug. 21, and offer their feedback. The four scenarios will then be the focus of a public open house sometime in September, where more feedback

will be gathered and the suggestions will be streamlined.

"We'll massage those into a preferred scenario, or a preferred scenario with alternatives," said Snyder. "We've started the ordinance process, but that's been tabled until we get the scenario."

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The Salt Lake Tribune

UTOPIA may not appear on Utah cities' ballots

Elections • Six Wasatch Front cities may resort to mail-in survey instead.

BY TONY SEMERAD

THE SALT LAKE TRIBUNE

PUBLISHED: AUGUST 20, 2014 09:49AM

UPDATED: AUGUST 20, 2014 09:49AM

Six Wasatch Front cities are reconsidering their plans for putting a question about UTOPIA on the ballot this November after being told they lack a solid legal basis for the proposed referendum.

Rick Egan | The Salt Lake Tribune Mayors for six of the 11 Utah cities involved in UTOPIA, announce a November citizens ballot on what to do with the high-speed network at West Valley City Hall Wednesday, August 6, 2014. Mayors from left to right, JoAnn Seghini, Midvale, Roger Fridal, Tremonton, Bob Stevenson, Layton, Karen Cronin Perry, Tyler Vincent, Brigham City, and Ron Bigelow, West Valley City.

Two weeks ago, mayors for West Valley City, Layton, Midvale, Tremonton, Brigham City and Perry announced they would give voters a say in whether the high-speed municipal network should be run by a private company in exchange for residents paying a monthly utility fee of about $20.

But state elections director Mark Thomas confirmed Tuesday that officials with the lieutenant governor's office and several county clerks believe the proposed initiative is not explicitly allowed in state law. Arguments from the cities that Utah code also does not directly forbid such a referendum, Thomas said, do not amount to a legal authority to conduct the vote.

"Nothing stops a municipality from getting the opinion of their voters and we're not trying to stop that," Thomas said. "We're just trying to follow the statute as best we can."

West Valley City Mayor Ron Bigelow acknowledged Tuesday that cities were reviewing their strategy, but said "certainly we still want to go to the people. We want their feedback. We want to get it out there in some way."

Bigelow said city leaders are debating the option of a formal mail-in survey, possibly held around Election Day. But the exact approach and the wording, he said, are still being debated.

Even if participating city councils approved a survey, Bigelow said, "we want to treat it as a ballot and give the public every assurance that it is being handled properly and with due diligence."

Formed in 2004, UTOPIA is a fiber-optic grid managed by 11 Wasatch Front cities as an economic-development tool to deliver Internet access at speeds well above those widely available to residential and business customers through private companies such as Comcast or CenturyLink. A decade later, the system remains partially built and financially beleaguered, leaving member cities on the hook for up to $500 million in bond debt with little cash flow to pay it off.

The six cities proposing a referendum all have approved a plan by Australian investment company Macquarie Capital Group to develop a plan for finishing, operating and upgrading the grid under a 30-year contract. The Sydney-based firm's proposal also calls for charging households in participating cities a monthly utility fee of up to $20.

Five other UTOPIA cities – Murray, Centerville, Orem, Lindon and Payson – have turned down Macquarie's proposal and are going their own way. No specific plan has emerged among them as yet on UTOPIA's future.

tsemerad@sltrib.com

Twitter: @Tony_Semerad

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Deseret News

UTOPIA mayors looking for alternative method to poll residents

By Benjamin Wood Deseret News
Published: Friday, Aug. 22 2014 10:27 p.m. MDT

Community members ask questions about UTOPIA during a Lindon city council meeting at Lindon City Center, Tuesday, June 17, 2014. (Michelle Tessier, Deseret News)

WEST VALLEY CITY — Elections officials have put the brakes on a proposal to have voters weigh in on a controversial Internet utility fee during November's election, but the mayors of six UTOPIA cities say they still intend to seek public input.

Earlier this month, the mayors of Layton, West Valley, Tremonton, Perry, Brigham City and Midvale announced their intention to push for a non-binding ballot question asking residents whether they approve of a roughly $20 monthly utility fee to maintain and complete the embattled UTOPIA fiber-optic network.

But state and county elections officials have reviewed the law and have determined that such a ballot question is not allowed.

"As much as it's nice to get citizen input and have citizens weigh in, the way the current code is doesn't allow for it," Salt Lake County Clerk Sherrie Swensen said.

Swensen said the issue is not whether the question is binding or non-binding, but rather that ballot questions must either be specifically approved or deal with particular uses listed in statute, such as bonding.

"There's certain things that are allowed by statute under state law, and opinion questions are not unless they are approved by the Legislature," she said.

The Utah Telecommunications Open Infrastructure Agency was created more than a decade ago by a consortium of 11 cities. It was envisioned as a means for providing ubiquitous access to high-speed data service.

But the network has been plagued by operating deficits and stalled construction, resulting in an incomplete build-out that cities continue to pay for through debt obligations.

Macquarie Capitol Group, an Australia-based investment firm, has offered to complete construction and assume management of the network for 30 years in exchange for a universal fee levied against all residents.

Five cities — Centerville, Lindon, Murray, Orem and Payson — have rejected Macquarie's proposal, and while city councils in the remaining six cities voted to move forward, the respective mayors have called for greater public input to settle lingering division.

"We're just looking at all the options and trying to figure out what's best, what will work and what will get the best participation under the circumstances," West Valley Mayor Ron Bigelow said. "We said we're going to take it to the people, and we will."

Bigelow said it is likely the cities will use some form of mail-in ballot, though he added that they are working "literally every day" to explore options and determine the best way to proceed.

There are concerns related to sponsoring a poll that need to be addressed, he said, such as the potential to create confusion if the utility fee ballot is distributed too close to November's election or a decline in voter participation.

"If we get a very low turnout, it really doesn't tell us anything," Bigelow said. "We need to have participation, so we're going to work very aggressively at getting our citizens to participate."

Bigelow said that beyond the structure of how voters are polled, and independent of whether they accept or reject the Macquarie proposal, the 11 cities involved with UTOPIA continue to have pressing issues to address regarding the network.

"This will answer part of the problem, but not all of it," he said.

Email: benwood@deseretnews.com
Twitter: bjaminwood

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Mayor: Layton residents will still have say on UTOPIA

Friday, August 22, 2014 - 11:12 AM

By ANTONE CLARK

Standard-Examiner correspondent

LAYTON – Stymied in their effort to get the issue before residents on a traditional ballot, officials from six communities pursuing talks with an Australian company about a bid to take over the UTOPIA network are expected to find another way to put the issue before their citizens.

Mayor Bob Stevenson said residents will have a say in whether or not cities like Layton, Perry, Tremonton and Brigham City, which are among the six cities, should help finance the final buildout of the beleaguered Utah Telecommunication Open Infrastructure Agency. Stevenson said he met with fellow UTOPIA mayors, and they have discussed putting the matter before residents in a vote-by-mail poll, sometime around election time.

Originally officials had hoped to put the issue on the November ballot, but the state Lieutenant Governor's Office, which oversees elections, raised concerns about the legality of putting an opinion question before voters.

The nonbinding question would ask residents to weigh in on whether citizens should pay a monthly utility fee to help finance UTOPIA's final construction phase. The utility fee, estimated at $18-$20 a month, is part of a financing option proposed by Macquarie, an investment company pursuing a 30-year deal to manage the fiber-to-the-home network.

"Our goal is to educate every citizen in Layton dealing with this issue. We feel it's very important that this be taken to the people so they understand the cost savings it could be for them. The only way to accomplish that is to put it to a vote of the people," Stevenson said.

Even if residents weigh in on the question, any final vote on whether a community pursues further talks with Macquarie would be up to city councils in the individual communities.

The polling question comes even as members of the 11-city network are split on which direction they should pursue. Five cities, Centerville, Orem, Murray, Payson, and Lindon, all voted not to pursue further discussions with Macquarie. Officials from those cities have expressed interest in talking with FirstDigital, a telecommunications company in Salt Lake City, which has also expressed interest in taking over the

UTOPIA network. They have been blocked from formally negotiating with the company as a group, by the UTOPIA board.

The matter is further complicated because UTOPIA is operating at a loss, and Lindon and Payson have chosen not to make payments to address that loss, while other cities, like Centerville and Murray, have not committed to operating payments beyond December 2014.

Details of the FirstDigital proposal have not been made public, but Stevenson said he has talked with officials from the company, and he suggested it comes with more limits on open access than the Macquarie proposal and doesn't resolve the network's problems.

Wesley Mcdougal, CEO of FirstDigital, told the Standard-Examiner his company would not require a utility fee to finish the buildout of the fiber network. He said FirstDigital would also eliminate UTOPIA's operating losses and help defray some of the long-term expenses that communities have from existing bond commitments. He did not elaborate on what financing requirements for residents would be part of the takeover bid.

Stevenson suggests the idea of any easy solution, from either Macquarie or FirstDigital, is unrealistic. He notes the city already has bond commitments of over $2.5 million a year to pay for the network for 30 years, whether or not it moves forward with either plan.

Councilman Jory Francis is Layton's representative on the UTOPIA board, and he told the Standard-Examiner he could envision a mixed solution involving both companies moving forward. He outlined a scenario in which Macquarie would manage the telecommunications network for six cities, while the network for the other five cities would be managed by FirstDigital.

In the meantime, Stevenson contends Macquarie is a good solution for Layton going forward. He said the company would take care of UTOPIA's operating losses, finish buildout and manage the company without charging a hookup fee for the service. The current hookup fee for UTOPIA is estimated at $2,000 per household.

"We do feel we have a solution we want to take to the people. If the people want to deny this, we'll all be in the same situation to make this go," Stevenson said.

"By saying no to UTOPIA does not resolve the problem. The problem will become more complicated. You cannot simply say we do not want to do this," the mayor said.

Stevenson warned that if cities choose not to pay for operational costs of the network beyond this year, UTOPIA will go dark —and that will open the door for legal problems for all of the participating cities.

He suggested cities like Layton, with a buildout of only 12 percent, may consider legal action against communities where the buildout has been completed and subsidized by other members of the network.

Taxpayers group offers to help UTOPIA with survey
Monday, August 25, 2014 - 11:50 AM
By ANTONE CLARK
Standard-Examiner correspondent

DRAPER — An organization with a history of speaking against UTOPIA from its inception, is offering to help six cities pursuing talks with an Australian company develop a survey for residents about a possible funding tool to complete build out of the fiber-to-the-home network.

The Utah Taxpayer Association has offered to help officials from Layton, Brigham City, Perry, Tremonton, Midvale and West Valley City set up an opinion survey in identifying "accurate and unbiased questions," dealing with the future of UTOPIA. City councils in those six communities have chosen to pursue talks with Macquarie about potentially taking over management of the 11-city fiber networks. Five cities have voted not to pursue those talks.

The non-binding question would ask residents to weigh in whether citizens should pay a monthly utility fee to help finance UTOPIA's final construction phase. The utility fee, estimated at $18 to $20 a month, is part of a financing option proposed by Macquarie, an investment company pursing a 30-year deal to manage the fiber-to-the-home network.

"Anyone who has worked with surveys knows that the structure and wording of a survey dictates its outcome," said M. Royce Van Tassell, vice president of the UTA. He said the UTA can work with officials from the six cities to identify unbiased questions, to elected officials can trust the results.

"Following more than a decade of UTOPIA roiling these cities, it's time for elected officials to really understand what the voting public thinks. By working with these cities to develop a valid methodology and question, the Taxpayers Association will help elected officials find the right path forward," Van Tassell said.

Date: Aug 28, 2014; Section: Opinion; Page: 13A

OUR VIEW

Ballot issues for UTOPIA

It's certainly a good idea to let residents of UTOPIA-affected cities have a say on the broadband Internet initiative's future, but it won't be on election day. County clerks have poured cold water on six cities' efforts to put a $300 million investment deal with Macquarie Capital on the ballot as a nonbinding resolution.

Box Elder County Clerk Marla Young was correct when she said, "The statutes are pretty clear. On a nonbinding opinion question, it has to be approved by the Legislature before it can go on the ballot."

In short, putting it on the ballot is not legal. The solution is pretty clear. If the UTOPIA cities want to have a survey on how residents of affected cities feel about the Macquarie Capital proposal, they can do their own poll and pay for the costs themselves. And it looks as if that will be the solution. Recently, Layton Mayor Bob Stevenson said that after talking with UTOPIA cities' mayors, there will likely be a vote-by-mail poll for residents later this year. Also, another firm, FirstDigital, of Salt Lake City, has expressed interest in UTOPIA, but details are scarce at the present time.

The Australian-based Macquarie has a plan to bail out UTOPIA, which has not been successful in building a profitable broadband initiative. However, Macquarie's deal comes with a future billing of up to $20 a month for all residents of UTOPIA-affected cities, whether or not they are signed for UTOPIA's broadband. That's made it a tough sell and several UTOPIA-affected cities have declined to support the Macquarie offer.

UTOPIA must have sounded like a great idea a long time ago, but its inherent flaw — not being a strictly private-sector initiative — has continued to plague its success. The public sector can do many things capably, but overseeing broadband Internet appears best suited as a private-sector initiative. Having said that, we do wish the best ending possible for the UTOPIA cities. What they offer should be used by many.

Date: Aug 29, 2014; Section: Morning Briefing; Page: 4A

Creating a fire district in South Davis not so easy

By ANTONE CLARK
Standard-Examiner correspondent

BOUNTIFUL — It's almost been 10 years since five south Davis County communities joined forces to form the South Davis Metro Fire Agency, with an eye to providing emergency services in a more cost-effective way and reducing the strain on local governments through an independent fire district.

Now almost a decade later, some officials are still wrestling with one of the premises of that original setup — the creation of an independent fire district. The coalition of Bountiful, West Bountiful, North Salt Lake, Woods Cross and Centerville remains an agency, but not an independent district. The distinction is significant, according to SDMFA Fire Chief Jeff Bassett.

A district would have its own taxing ability and be able to potentially bond for projects and not be subject to the whims of local government revenue ups and downs.

Bassett said the agency is in dire need of a new fire station in Centerville, where the existing structure is old and small. Without bonding ability, the only way to build a new facility is to get all five communities and their city councils to buy into the idea of increasing quarterly budget appropriations to the agency.

Besides the ability to bond, the independence of being a district would allow the department to more aggressively pursue equipment replacement and personnel staffing, the chief said.

On the other hand, some officials, especially those from Bountiful, worry the district would not be subject to local control and voter input the same way an agency is.

"There have been several proposals, but nothing has been decided yet. Our stance has been that it's working well the way it is. We have some concerns. When you create districts, you lose your connections to the constituency," Bountiful Mayor Randy Lewis said.

Bassett said when the district was formed, the communities signed a five-year interlocal agreement, which was considered a long enough time for the district to be formed.

Besides the interlocal agreement, two new fire stations were built and funded by bonds acquired through the community impact board. Impact fees were then put into place to pay back the bonds. The economic downturn in 2008 changed all of that.

Bassett said the department implemented budget restraints during the recession, which have never been completely removed. Besides being short on personnel, he said the department is behind three firetrucks in keeping up with the replacement of equipment.

The current setup also comes with administrative headaches. Bassett said he essentially has 10 bosses, which include mayors from all five cities and city managers from those communities.

He said a new district wouldn't necessarily cut off local accountability, either, since elected mayors would serve on the board.

Mayor Paul Cutler of Centerville said officials have been talking about a fire district, but described the discussion to his council at a recent meeting as a "slow-moving multiyear process."

City Administrator Duane Huffman, of West Bountiful, said Mayor Ken Romney wants to talk about the issue with his city council in the near future to flesh out the pros and cons of an agency versus a new district.

Agency members also hired the firm of Lewis, Young, Robertson and Burningham to look at the benefits of making the agency into a taxing district as well as a debt repayment plan and the advantages of refinancing existing bonds at a low interest rate.

There has been no time frame established for further talks on the issue.