Minutes of the Centerville **City Council** meeting held Tuesday, November 18, 2014 at 7:08 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 John T. Higginson Stephanie Ivie Lawrence Wright
STAFF PRESENT	Steve Thacker, City Manager Blaine Lutz, Finance Director/Assistant City Manager (arrived at 7:40 p.m.) Jacob Smith, Management Assistant Lisa Romney, City Attorney Neal Worsley, Centerville Police Chief Katie Rust, Recording Secretary
VISITORS	Interested citizens (see attached sign-in sheet)
PLEDGE OF ALLEGIANCE	
PRAYER OR THOUGHT	Councilwoman Stephanie Ivie

COMMENDATIONS

Mayor Cutler recognized and congratulated Councilwoman Ivie and Management Assistant Jake Smith for graduating from the Citizens Police Academy. Police Chief Neal Worsley described the significant commitment involved, and the knowledge gained through participation.

OPEN SESSION

No one wished to comment.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the November 4, 2014 work session, and November 5, 2014 work session and regular Council meeting were reviewed. Councilman Wright requested an addition to the November 5 regular Council meeting minutes. Councilman Wright made a **motion** to approve the November 4 work session minutes, the November 5 work session minutes, and the November 5 Council meeting minutes as amended. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

a. Approve purchase of Dodge Ram 3500, Tradesman, 2 wheel drive cab and chassis for Water Department from Young Automotive Group in the amount of $25,663; and

service body (9-foot Reading Classic II) from Semi Service in the amount of $12,297.80

b. Approve purchase of two new hand held and two new mobile radios from Motorola in the amount of $10,479.50 for the Police Department

c. Authorize release of funding for new Police Officer position

Councilman Wright asked if the truck listed in item (a), and the hand held and mobile radios listed in item (b) of the Summary Action Calendar were approved in the current Budget. Steve Thacker, City Manager, confirmed that both expenditures were included in the approved Budget. Councilman Higginson made a **motion** to approve all items on the Summary Action Calendar. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). Councilman Wright thanked the Police Department for taking additional time for explanations regarding the new Police Officer position.

COST-SHARING PROPOSAL FROM UDOT FOR LARGER CULVERT UNDER I-15 AT LUND LANE

The current I-15 project has provided an opportunity for the City to install a larger (36-inch) drainage culvert under the freeway at Lund Lane, with UDOT sharing the cost. This culvert would tie into the 36-inch culvert recently installed under the railroad tracks as a joint project between the City and developer of the Woods Park Subdivision. This project (i.e. installing a larger culvert under I-15) is on the drainage master plan list of projects reviewed by the City Council earlier this year – but near the end of a 10-year period. This was based on the assumption that UDOT would be willing to cost-share a larger culvert when the freeway is reconstructed in the future. However, due to the current I-15 project, staff raised the issue of constructing this culvert now with UDOT's participation in the cost. UDOT recently agreed to share the cost 50/50 and has presented a proposal from the I-15 contractor to install this culvert.

City Manager Thacker displayed a portion of corroded pipe from a recent storm drain collapse on 400 East, and explained that staff feels the master plan list of projects for the next 10 years should be revised prior to the Council making a decision regarding the cost-sharing proposal from UDOT. Staff recommends the Council meet in a work session to discuss reprioritizing the drainage master plan list of projects, and the rate increases that will be needed to fund the revised project list. Mr. Thacker said that staff has pressed UDOT to become aware of the condition of the many drainage pipes under I-15 through Centerville, and UDOT has agreed to line some of the existing drainage pipes at its own expense. Councilman Higginson asked which entity is responsible when storm drain lines under I-15 fail. Mr. Thacker responded that staff would argue that UDOT retains responsibility. If the drainage pipes were enlarged, maintenance would possibly become a joint responsibility. The Council will meet in a work session on Tuesday, November 25th at 5:00 p.m.

POTENTIAL USE OF CITY PROPERTY FOR TELECOMMUNICATIONS FACILITIES

The City has been contacted by a wireless internet service provider about installing a tower (10-25 feet tall) and related equipment on the City's property on the mountainside designated for use by the Small Arms Association. Staff expect there will be similar requests from other companies in the future. Councilman Higginson asked if the City would be obligated to allow more if the current request is granted. Mayor Cutler stated that the City is not obligated, but the request provides an opportunity to lease space. The Mayor expressed concern over the company's request that the City not allow anyone else to use the space. The Mayor said he is also concerned that the requesting company would be using the same unlicensed frequency bands used by residents for Wi-Fi routers, and the same frequency used by the City for wireless

cameras at City well sites. Mr. Thacker stated that the company is proposing to power the site with solar power. He said he does not believe the tower would be very visible from most of the City.

Lisa Romney, City Attorney, commented that the City is not obligated to approve requests for use of City property. She pointed out that the proposal would require an amendment to the agreement with the Small Arms Association. Ms. Romney expressed concern regarding barrier to entry, and suggested finding a site that could accommodate a few towers if the Council is inclined to approve the request. The Mayor has offered to participate in the evaluation process if the Council is willing to consider the request. Councilman Higginson stated he does not feel a lease involving construction of a tower would be worth doing for only a couple thousand dollars in lease revenue per year. He suggested it may be attractive if there were an additional benefit to the City. Councilman Wright mentioned there could possibly be an emergency management benefit to the City. Councilmen Averett and Wright echoed the Mayor's concern about potential Wi-Fi interference. Councilman Averett asked if it is common for companies to share towers. Mayor Cutler responded that sharing is common between licensed carriers, but unlicensed carriers tend to distance themselves from other companies using the same space. Councilman Averett said he is not in favor of the potential inconvenience to the Small Arms Association, and potential visibility of the tower from the City and the freeway.

Mr. Thacker asked the Council members if they are in favor of exploring the request. The Council indicated they are not enthusiastic about the proposal, but would be willing to hear more if the Council's concerns could be mitigated, and value added to the City.

CONSIDER PARTICIPATION IN THE UTAH TRANSPORTATION COALITION

The Utah Transportation Coalition consists of businesses, chambers of commerce, cities, and counties working together to educate the general public and policymakers of the urgent need for more transportation funding. Councilman Higginson stated he is impressed with the united effort of every city and county in the State to get more help from the Legislature for transportation funding. The private sector is paying about two-thirds of the Coalition's costs. Each city's contribution amount is based on population. The Coalition has requested $500 from Centerville City.

Mr. Thacker explained that the method preferred by the Utah League of Cities and Towns (ULCT) is a quarter-cent sales tax increase which each city would have flexibility to fund a broad range of transportation purposes. Each city would be able to choose whether to implement the increase, if authorized by the Legislature, and which transportation purposes to fund with the increased revenues. Councilwoman Fillmore stated she is grateful for the step forward after getting behind for so many years, and made a **motion** to approve the agreement for professional services between Centerville and Salt Lake Chamber of Commerce relating to the initiative to increase transportation funding for Utah cities, and authorize the expenditure of $500 from the Council's contingency budget to pay Centerville's share of the Coalition costs. Councilman Higginson seconded the motion. Councilman Wright suggested the Council take time to become familiar with the Coalition's plan before approving participation. Mr. Thacker stated he feels it is a small investment for a big potential return. ULCT is seeking a funding solution that provides maximum flexibility for the cities. Mayor Cutler recommended the Council approve participation and authorize funding, and ask staff to supply copies of the Unified Transportation Plan to the Council. He also encouraged Council members to study utahtransportation.org.

Councilwoman Ivie expressed frustration with the number of government agency "toolkits" provided, and said she feels if there is enough need for transportation funding Centerville citizens will figure it out without the City paying the Coalition $500. Mr. Thacker stated that the tools given to the cities could be customized to the needs of each city. Councilman Wright said he feels the mention of mass transit sounds like light rail on Main Street. Councilman Higginson expressed confidence that the Coalition will be city driven, and other cities like St. George, Cedar City, and Logan have no interest in Centerville having a light rail system. Councilman Wright said he feels if the City is going to implement a tax increase they need to be able to articulate the reasons for the increase. Councilwoman Fillmore stated that the need for transportation funding is not a new issue, and she is surprised to hear mention that the attempt to tackle the problem is a new thing to be further studied before giving support. She said the ULCT has been representing the cities on this matter for many years.

The motion to participate in the Utah Transportation Coalition failed by majority vote (3-2), with Council members Averett, Ivie, and Wright voting against and Council members Fillmore and Higginson voting in favor. Councilman Averett stated he would be interested in learning more about the Plan to become more comfortable. At this time he feels it is slanted toward mass transit. Mr. Thacker said ULCT is seeking a flexible funding source based on the needs of each city. He said he is convinced that basic road maintenance is the main priority, but the Coalition wants a broader appeal to be flexible for other uses if a city desires. Councilman Higginson repeated that it is not a mass transit issue in his opinion. Councilwoman Ivie agreed with Councilman Averett stating that she would like to learn more.

FINANCIAL REPORT

Blaine Lutz, Finance Director/Assistant City Manager, presented a financial report for the period ending October 31, 2014.

AMEND FY 2015 BUDGET OF FUNDS – CONSIDER RESOLUTION NO. 2014-29

Mr. Lutz explained the proposed FY 2015 Budget amendments included in Resolution No. 2014-29. Mayor Cutler opened a public hearing at 8:42 p.m. and closed the public hearing seeing that no one wished to comment. Councilwoman Fillmore made a **motion** to adopt Resolution No. 2014-29 amending the FY 2014-15 Budget of Funds. Councilman Averett seconded the motion, which passed by unanimous vote (5-0).

CONSIDER PARTICIPATION IN ELECTION DAY VOTER REGISTRATION PILOT PROGRAM

Mayor Cutler stated he is interested in the City participating in the election day voter registration pilot program in the hope of increasing voter participation. The same-day registration pilot program would affect the 2015 municipal election, and would allow citizens to register and vote at the same time, eliminating the requirement to register at least 14 days before voting. Councilwoman Fillmore made a **motion** directing staff to apply for participation in the election day voter registration pilot program. Councilman Wright seconded the motion. Councilwoman Ivie expressed disappointment that such a program is necessary, stating she feels it cheapens the voting process and encourages uninformed voting. The Council discussed drawbacks and benefits related to voting by mail. The motion passed by majority vote (4-1), with Councilwoman Ivie dissenting.

MAYOR'S REPORT

- Mayor Cutler reported that Centerville's Fire Agency assessment will increase 3.4% per the Fire Chief's proposed budget for FY 2015. Mayor Cutler suggested Fire Chief Bassett be invited to present his proposed budget to the Council. Councilman Wright suggested that a long-range solution to the existing difficulties with emergency services would be to create a South Davis City. He said he would support a feasibility study that would identify the savings and problems that would be associated with a unified South Davis City. Councilman Averett suggested the Mayor bring up the idea first with the other cities' mayors to test for potential support. Councilman Higginson stated he is in favor of increased cooperation and cost savings, but concerned about the problems citizens in the different cities would take on by combining. Mayor Cutler agreed to talk to the other mayors about Councilman Wright's suggestion.
- Mayors from many UTOPIA cities met on Friday, November 14th, to discuss UTOPIA matters. Mayor Cutler reported they did not reach consensus regarding how UTOPIA should move forward, or regarding division of the recent legal settlement. Mr. Lutz cautioned that no date has been set for delivery of the $10 million settlement. Mayor Cutler also updated the Council on current UTOPIA revenue and continued discussions with Macquarie. Councilman Wright asked how UTOPIA/UIA will continue to provide services after December if consensus is not reached by the Board. Mayor Cutler stated he has suggested that a mechanism other than refusing to pay operating assessments needs to be put in place that would allow cities to show disapproval.
- The Council was made aware of third quarter utility bill adjustments.
- West Bountiful City has expressed concern about potential rezoning on Centerville's west side in the form of a letter to the Mayor and Council. Mayor Cutler recommended the Council allow the Planning Commission to finish their process, and hold an educational joint work session with the West Bountiful City Council if the Planning Commission recommends a General Plan change.
- The Mayor stated there has been some discussion regarding the possibility of allowing donations to City parks for naming baseball fields or taking donations for other baseball related amenities in conjunction with the Centennial Celebration. The Mayor asked for authority to investigate the idea further, and the Council expressed support.

CLOSED MEETING

At 9:15 p.m. Councilman Higginson made a **motion** to move to a closed meeting following a brief recess to discuss pending or reasonably imminent litigation. Councilman Wright seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Mayor; Council members Averett, Fillmore, Higginson, Ivie, and Wright; Steve Thacker, City Manager; Blaine Lutz, Finance Director/Assistant City Manager; Lisa Romney, City Attorney; Katie Rust, Recording Secretary; and Heather White, Attorney.

The Council returned to regular meeting at 10:02 p.m.

CITY MANAGER'S REPORT

- Mr. Thacker reported that staff has been able to generate sources for some of the excess soil from the Community Park Expansion Site to avoid spreading the soil along the Frontage Road. He authorized the contractor to lower the fields a little

further to bring them closer to the level of the existing fields, as recommended by the Parks Director and City Engineer. This will cost an additional estimated amount of about $20,000.

- City Manager Thacker reported that UDOT has granted the City $50,000 to add sidewalk along the north end of the Frontage Road for continuous sidewalk. The total estimated cost of the project is $83,000. The City will contribute some in-kind services. The Council indicated support for accepting the UDOT funds for the sidewalk project.
- The Council plans to hold a work session with Legislators in January, 2015.

APPOINTMENT

Mayor Cutler recommended reappointing Bridget Lee to the Whitaker Museum Board for a term to expire in December of next year. Councilman Higginson made a **motion** to reappoint Bridget Lee to the Whitaker Museum Board for a term to expire December 31, 2015. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

MISCELLANEOUS BUSINESS

Councilwoman Ivie referred to the Police Department's policy regarding on-call detectives, and suggested the City reevaluate the current restrictions. City Manager Thacker suggested discussion of the matter should take place with management before Council action.

ADJOURNMENT

At 10:29 p.m. Councilman Wright made a **motion** to adjourn the Council meeting. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

Marsha L. Morrow, City Recorder

12-2-2014
Date Approved

Katie Rust, Recording Secretary

CENTERVILLE CITY UT CORPORATE SEAL

CENTERVILLE CITY COUNCIL MEETING

Tuesday, November 18, 2014

7:00 p.m.

NAME (PLEASE PRINT)	ADDRESS**
[illegible]	1020 No Main
[illegible]	25 & E 200 S.
Joyce Turner	
Gavin Turner	941 N 150 W
Joel Turner	
Steve Allen	133 Rock Manor Dr
Peter Summo	2212 N. Main
Jessica Greer	2115 N Main St
William Ince	1148 N 300 East
Lee Krabelund	1460 E. 200 S.

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