

1 Minutes of the Centerville City Council meeting held Tuesday, December 16, 2014 at 7:05 p.m.
2 in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

3
4 **MEMBERS PRESENT**

5
6 Mayor Paul A. Cutler

7
8 Council Members Ken S. Averett
9 Tamilyn Fillmore
10 John T. Higginson
11 Stephanie Ivie
12 Lawrence Wright

13
14 **STAFF PRESENT**

15 Steve Thacker, City Manager
16 Blaine Lutz, Finance Director/Assistant City Manager
17 Lisa Romney, City Attorney
18 Jacob Smith, Management Assistant
19 Katie Rust, Recording Secretary

20 **VISITORS** Interested citizens (see attached sign-in sheet)

21
22 **PLEDGE OF ALLEGIANCE**

23
24 **PRAYER OR THOUGHT** Mayor Paul Cutler

25
26 **YOUTH COUNCIL COLORING CONTEST**

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28 Youth Mayor Jessica Greer and members of the Youth Council presented awards to
29 winners of the Youth Council Coloring Contest.

30
31 **OPEN SESSION**

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33 No one wished to comment.

34
35 **MINUTES REVIEW AND ACCEPTANCE**

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37 The minutes of the November 25, 2014 work session and December 2, 2014 regular
38 Council meeting were reviewed. Council members Fillmore and Ivie requested amendments to
39 the December 2 Council meeting minutes. Councilwoman Ivie made a **motion** to approve the
40 November 25, 2014 work session minutes and the December 2, 2014 meeting minutes as
41 amended. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

42
43 **SUMMARY ACTION CALENDAR**

- 44
45 a. Approve City Council 2015 meeting schedule – Resolution No. 2014-31
46 b. Approve amendments to recording secretary services contracts
47 c. South Davis Sewer District Site Plan – Terminate warranty period
48 d. Approve Telecommunications Franchise Agreement with Syringa Networks
49

50 Councilman Wright requested the Council discuss item (b) on the Summary Action
51 Calendar separately, and Mayor Cutler recommended the Council hear from a representative of
52 Syringa Networks prior to approving item (d) on the Summary Action Calendar. Councilman

1 Averett made a **motion** to approve items (a) and (c) on the Summary Action Calendar, including
2 Resolution No. 2014-31. Councilman Wright seconded the motion, which passed by unanimous
3 vote (5-0).
4

5 Brandon Wilson, Lead Field Engineer for the Salt Lake office of Syringa Networks,
6 explained Syringa's goals for operating in Centerville. Syringa is a broadband carrier focused
7 primarily on business rather than residential service. Councilman Wright made a **motion** to
8 approve item (d) on the Summary Action Calendar, a Telecommunications Franchise
9 Agreement with Syringa Network, including the changes outlined in the staff report. Councilman
10 Higginson seconded the motion, which passed by unanimous vote (5-0).
11

12 Referring to item (b) on the Summary Action Calendar, Councilman Wright suggested
13 the Council delay renewal of the contracts until July to align them with the rest of the budget
14 process. Mr. Thacker responded that the recording secretaries are independent contract
15 service providers. If the Council chooses to change the timing of the contract renewal, he
16 recommended the Council implement the recommended pay increases at this time and approve
17 a pro rated amount at the start of the next fiscal year. Council members Averett and Higginson
18 expressed that, considering the nature of independent contract services, they do not feel the
19 timing of renewal affects the budget process. Councilwoman Fillmore made a **motion** to
20 approve item (b) on the Summary Action Calendar, amendments to the recording secretary
21 services contracts. Councilman Higginson seconded the motion, which passed by unanimous
22 vote (5-0).
23

24 **MUNICIPAL CODE AMENDMENTS – SECTION 3-03-060 – WHITAKER MUSEUM**
25 **BOARD**
26

27 The Whitaker Museum Board has reviewed City ordinances pertaining to the Museum
28 and recommended changes. Mr. Thacker and Lisa Romney, City Attorney, explained some of
29 the recommended changes. Spence Packer, Chair of the Museum Board, stated the Board has
30 recommended the changes to provide direction to future Boards. He said the Museum Board
31 wants some leeway moving forward, but also desires an amount of oversight from the Council to
32 remain aligned with the Council's goals for the Museum. Mr. Thacker mentioned that staff will
33 find an appropriate section of Title 8 to include mention of the Museum as a City facility.
34 Councilman Wright added that he would like the City to be consistent in acknowledging the
35 Museum as a City facility with regards to matching grant funds. City Manager Thacker added
36 that at the end of each fiscal year unspent money in the Museum Fund transferred from the
37 General Fund remains in the Museum Fund, an advantage not shared by most City
38 departments.
39

40 Mayor Cutler expressed appreciation for the progress made by the Museum Board and
41 support for the proposed changes. Councilman Wright expressed appreciation for the
42 contributions of volunteers at the Museum. Councilwoman Fillmore pointed out a numbering
43 error in the proposed Ordinance. Councilman Wright made a **motion** to adopt Ordinance No.
44 2014-21 amending Section 3-03-060 of the Centerville Municipal Code regarding the creation,
45 organization and duties of the Whitaker Museum Board, with the numbering change.
46 Councilwoman Fillmore seconded the motion. Councilman Higginson expressed a hope that
47 the City and the Museum Board will continue to work well together, and encouraged increased
48 communication. Councilwoman Ivie commended the Board for time spent working on the
49 changes. Councilman Wright amended the motion to include a review of policies and
50 procedures within the next three months, and to include mention of the Museum in Title 8.
51 Councilwoman Fillmore seconded the motion as amended, and the motion passed unanimously

1 (5-0). Mr. Packer thanked Ms. Romney and Mr. Thacker for their help in reviewing and revising
2 the ordinances.
3

4 **COST-SHARING AGREEMENT WITH UDOT FOR CULVERT UNDER I-15 AT LUND**
5 **LANE AND PEDESTRIAN BRIDGE BETTERMENTS**
6

7 UDOT has proposed to cost-share the I-15 segment of the drainage culvert project at
8 Lund Lane if the City agrees to have it done as part of the current I-15 project. Mr. Thacker
9 recommended the Council include in the agreement that overrun in the cost of the project be
10 shared 50/50, and include the stipulation that UDOT clean out the culvert at Chase Lane that
11 has been filled during current I-15 construction. Mr. Thacker also explained that the agreement
12 as proposed by UDOT gives the City maintenance responsibility and ownership of the new pipe
13 at Lund Lane under the freeway. Maintenance of the existing pipe is UDOT's responsibility. Mr.
14 Thacker has sent an email to UDOT raising the issue, but not yet received a response. Ms.
15 Romney mentioned that the Council could approve the agreement conditioned on UDOT owning
16 and maintaining the betterments.
17

18 Councilwoman Ivie made a **motion** to approve a betterment agreement with UDOT
19 covering the culvert under I-15 at Lund Lane and Pedestrian Bridge enhancements subject to
20 following conditions: (1) the scope of work include connecting the pipe on the west end to the
21 existing box at the railroad corridor; (2) any cost overruns above the bid amount are shared
22 50/50; (3) UDOT will clean out the Chase Lane culvert in the middle of the freeway that has
23 been plugged due to construction; (4) maintenance and ownership will remain the responsibility
24 of UDOT; (5) other nonsubstantive changes as recommended by staff; (6) subject to the RDA
25 approving the same agreement (because of RDA funding for the pedestrian bridge
26 enhancements); and (7) an amendment identifying the betterment credit relating to the bridge
27 and the cost of painting. Councilman Higginson seconded the motion, which passed by
28 unanimous vote (5-0). Councilman Wright made a **motion** to direct staff to investigate the
29 possibility of an interfund loan between the Drainage Utility Fund and the Storm Drain Capital
30 Improvement Fund pertaining to the Lund Lane culvert. Councilwoman Ivie seconded the
31 motion, which passed by unanimous vote (5-0).
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33 **STAFF REPORT REGARDING BUSINESS LICENSE FEES**
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35 At a previous meeting the Council expressed an interest in evaluating current business
36 license fees as a potential source for additional funds. Jake Smith, Management Assistant,
37 reported on the City's current business license fee structure – a base fee of \$40 for every
38 business plus an enhanced service fee for police and fire services based on square footage and
39 number of employees. The amount received by the City has increased over the years due to an
40 increased number of businesses in Centerville. Centerville's business license fees are on the
41 high end compared to other cities in the area. Councilman Wright commented that an increased
42 business license fee could help fund an additional police officer to patrol the commercial areas
43 of the City. He said he does not think the business license fee should be revenue neutral.
44 Councilwoman Fillmore responded that retail brings revenue to the City through sales tax, and
45 in a sense already covers the police cost. She said she would not want to increase the
46 business license fee to gain a little more revenue along with a reputation of not being business
47 friendly. Councilman Wright asked how much of an increase would bring the business license
48 fee up to date. Staff responded an analysis would be necessary.
49

50 Councilwoman Fillmore stated she is not in favor of raising the business license fee
51 considering how high it is compared to other cities. Councilwoman Ivie said she is torn because
52 she is aware of the strain on the Police Department, yet she is aware that Centerville is in

1 competition with neighbors to the north for retail business. She added she would be interested
2 in information regarding the police call volume generated by retail businesses. Councilman
3 Wright commented that many of the retail businesses pay for their own security services. Mayor
4 Cutler pointed out that businesses like MTC with many employees would be drastically affected
5 by an increase. Mr. Thacker added that a business license fee increase would be in addition to
6 the drainage rate increase currently being considered by the Council that would significantly
7 affect businesses in the City. A majority of the Council seemed to indicate they are not in favor
8 of increasing the business license fees at this time.
9

10 At 8:25 p.m. the Council took a short recess, returning at 8:32 p.m.

11 TRANSPORTATION FUNDING INITIATIVE

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14 The Council considered a sample resolution encouraging the State to address
15 comprehensive transportation funding, and discussed desired revisions. Mr. Thacker
16 recommended the addition of a "whereas clause" related to road maintenance in Centerville.
17 The Council approved his recommendation, agreed to strike all but the first sentence of Section
18 2, and gave staff direction regarding other portions to strike. Councilwoman Ivie made a
19 **motion** to approve Resolution No. 2014-32 as discussed and edited by the Council.
20 Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).
21

22 The Council continued a discussion from November 18 and December 2 regarding the
23 request for City participation in the Utah Transportation Coalition. Mayor Cutler stated he is in
24 favor of joining the Coalition. Councilman Wright responded he does not support joining the
25 Coalition. Councilman Averett stated he was against joining the Coalition at first because he did
26 not completely understand it. Since the last meeting he has read backup material and listened
27 to audio of the last meeting, spoken with representatives of WFRM and UTA, and done a lot of
28 research. Councilman Averett said he shares Councilman Wright's concern of sending the
29 wrong message regarding mass transit, but stated it is clear to him that UTA understands
30 Centerville is not interested in mass transit. He said he does not think Centerville should stifle
31 other cities in the State from pursuing mass transit because mass transit is good for air quality
32 and good for traffic. Councilman Averett stated that if joining the Coalition provides the
33 opportunity to receive more revenue for road maintenance it would be a good thing, and he
34 does not feel it would in any way act as a catalyst to initiate mass transit in Davis County.
35 Councilman Averett stated he is in support of joining the Coalition.
36

37 Councilwoman Fillmore made a **motion** to approve the agreement for professional
38 services between Centerville City and the Salt Lake Chamber of Commerce relating to the Utah
39 Transportation Coalition. Councilman Higginson seconded the motion, which passed by
40 majority vote (3-2), with Council members Ivie and Wright dissenting.
41

42 FINANCIAL REPORT

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44 Blaine Lutz, Finance Director/Assistant City Manager, presented a financial report for the
45 period ending November 30, 2014.
46

47 MAYOR'S REPORT

- 48
49 • The FY 2015 Budget for the South Davis Metro Fire Agency was approved at the
50 most recent Board meeting. Mr. Thacker reported on a recent meeting with Davis
51 County and Layton City officials regarding paramedic funding. The Council was
52 asked if they would be in favor of a citizen committee to discuss allocation of

1 paramedic funding and assist with public education. Mayor Cutler and Councilman
2 Averett stated they are in favor. Councilman Wright said he would be more
3 interested in elected officials being involved. Council members Averett and Ivie
4 volunteered to participate.

- 5 • Mayor Cutler updated the Council regarding UTOPIA matters. Auditors recently
6 offered a clean opinion on the UTOPIA FY 2014 audit, which has been posted
7 online.

8 9 **CITY MANAGER'S REPORT**

- 10
11 • A Complete Streets policy has been drafted. City Manager Thacker suggested the
12 Council hold a joint work session with the Planning Commission for Complete Streets
13 training before considering the draft policy in a later meeting.
- 14 • Mr. Thacker shared a summary of 2014 projects/issues and anticipated
15 projects/issues for 2015.

16 17 **CITY COUNCIL LIAISON REPORT**

18
19 Councilwoman Fillmore represents the City on the Board of the South Davis Recreation
20 District. She updated the Council on the status of memberships and activities at the Recreation
21 Center, and received feedback from the Council. Councilwoman Fillmore also serves as the
22 City Council's liaison to the City's Parks and Recreation Committee. She reported on the
23 success of the summer Movies in the Park events, and stated that the Committee is working on
24 suggestions for the Centennial Celebration as requested by the Mayor.

25 26 **OPEN AND PUBLIC MEETINGS TRAINING**

27
28 The Council received training on open and public meetings from the City Attorney.

29 30 **MISCELLANEOUS BUSINESS**

- 31
32 • The Council will hold a public open house regarding the proposed drainage utility fee
33 increase on January 13, 2015. [Note: This was later changed to another work
34 session on this topic, delaying the public comment process to February.]
- 35 • Mayor Cutler stated that Jack Dellastatious, Chair of the Centerville Community
36 Foundation, will be presenting goals of the Foundation to the Council at a future
37 Council meeting.

38 39 **APPOINTMENT**

40
41 Mayor Cutler recommended the Council reappoint Nancy Smith to an additional term on
42 the Whitaker Museum Board. Councilman Wright made a **motion** to reappoint Nancy Smith to
43 an additional three-year term on the Whitaker Museum Board. Councilwoman Fillmore
44 seconded the motion, which passed by unanimous vote (5-0).

45 46 **ADJOURNMENT**

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48 At 10:03 p.m. Councilman Wright made a **motion** to adjourn the meeting. Councilman
49 Higginson seconded the motion, which passed by unanimous vote (5-0).

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Marsha L. Morrow

Marsha L. Morrow, City Recorder

1-6-2015

Date Approved

Katie Rust

Katie Rust, Recording Secretary



CENTERVILLE CITY COUNCIL MEETING

Tuesday, December 16, 20 14
7:00 p.m.



NAME (PLEASE PRINT)

ADDRESS**

SPENCER PACER

Don Miller

Lisa Sommer

2212 No. Main

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the City Council meeting.