Minutes of the Centerville **City Council** meeting held Wednesday, March 19, 2019 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah. The meeting was called to order at 7:07 p.m.

MEMBERS PRESENT

Mayor	Clark Wilkinson
Council Members	Tamilyn Fillmore (left the meeting at 11:02 p.m.)
	William Ince
	Stephanie Ivie
	George McEwan
	Robyn Mecham
STAFF PRESENT	Steve Thacker, City Manager
	Mark Marchant, Streets Supervisor
	Randy Randall, Public Works Director
	Lisa Romney, City Attorney
	Jacob Smith, Management Services Director
	Cory Snyder, Community Development Director
	Jamie Brooks, Recording Secretary
VISITORS	Jason Burningham, Lewis Young Robertson & Burningham
	Brant T. Hanson
	Interested Citizens
PRAYER OR THOUGHT	Councilmember Fillmore

In honor of Steve Thacker's last City Council meeting as the City Manager of Centerville, the Centerville Junior High Choir sang the National Anthem in addition to a second musical number.

OPEN SESSION

Jake Layton – Chair of Centerville's Trails Committee, explained that the committee members had just received a copy of the draft *Foothills Management Plan.* He and the other members were surprised and upset that they were not involved in the drafting of the plan. Moreover, they disagreed with much of what was contained in it. He asked that the City Council appoint two committee members to the ad hoc committee proposed in Item #4 on the meeting agenda. He also felt some additional residents should be added to the ad hoc committee.

Mark Oligschlaeger- He, too, was disappointed in the fact that the City's Trails Committee was not included in the planning process of the *Foothills Management Plan.* He indicated there was a lack of good communication and that creating the plan had not been a collaborative effort. Although he understood that this was only a draft, he felt it misrepresented the nature of what the Trails Committee had tried to create. Like Mr. Layton, he hoped the Trails Committee would be represented on the ad hoc committee in addition to other community members.

Sunny Larsen –Explained that she was not only on the Trails Committee but was also a professional trails specialist. It appeared to her that the new ad hoc committee intended to remove the mountain biking trails. She knew of no other trail system in Utah that prohibited mountain bikes. She felt there had either been a misunderstanding or was some prejudice against mountain bike trails. She was working on hundreds of trail projects around the nation and almost all of them were multi-use or shared purpose. She pointed out that equestrian users caused more erosion on trails than did mountain bikers. She indicated that trails would not cause erosion as long as they were professionally planned and improved. Mountain biking helped support the community, improved health, promoted volunteerism and preserved open space. Biking and hiking on trails were also activities that families could take part in together. The State provided outdoor recreation grants and competition for those grants was increasing. Ninety-five percent of the residents surveyed last year wished to have a trail system that allowed mixed uses.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the March 5, 2019 regular meeting were reviewed. Councilmember Fillmore **moved** to accept the minutes as presented. Councilmember Ince seconded the motion which passed unanimously (5-0).

SUMMARY ACTION CALENDAR

a. Accept Public Right-of-Way and Access Easement from Centerville Deuel Creek Irrigation Company for extension of 100 South.

Mayor Wilkinson explained that Summary Action Item **a** would not be addressed that evening, but would be tabled to the following meeting.

b. Approve purchase of pickup truck for the Parks Department

Councilmember Ince **moved** to approve item "b" on the Summary Action calendar. Councilmember Fillmore seconded the motion which passed unanimously (5-0).

PUBLIC HEARING – JOB VALUE AND COMPENSATION SCHEDULE

Mayor Wilkinson explained that this compensation schedule was the result of a great deal of time and effort that began with the hiring of a consultant in August 2018.

Councilmember Ince mentioned that among the non-management positions there are some that lagged by as much as 18%. He did not recall hearing that figure previously. Mr. Thacker responded that 18% would have been an outlier but he did not recall what position it was off the top of his head. He said the average for non-management positions was five to six percent below the market target. Councilmember Ince indicated he still wished to see specific salaries associated with each job title.

Councilmember Fillmore pointed out that the item on the agenda that evening was whether or not to approve the associated ordinance. She asked Councilmember Ince if he was ready to vote on the ordinance or if he needed more time. He responded that he would prefer more time but agreed to move forward. Jacob Smith invited Councilmember Ince to visit with him in his office at some point and he would walk him through the specific information.

Mayor Wilkinson opened the Public Hearing at 7:42 p.m. There was no one who wished to speak and Mayor Wilkinson closed the public hearing.

Councilmember McEwan **moved** to approve Ordinance 2019-04, adopting the new Job Value and Compensation Schedule. Councilmember Fillmore seconded the motion.

Councilmember Ivie indicated that she still had concerns about the schedule and thought there might be a disconnect between what the Council had said were its priorities and what it was funding. Councilmember Fillmore responded that they now had the data which was the foundational layer to make policy decisions. Councilmember Ivie felt the ordinance tied the Council's hands. Councilmember McEwan pointed out that at a previous work session, the Council had agreed the model was fundamentally sound and that they were comfortable moving forward. Councilmember Ince spoke in support of the motion.

Councilmember McEwan agreed that the data could have been presented in a more readable fashion. Steve Thacker explained for the benefit of the public that the schedule adopted pay ranges for each position in the City but did not provide guidance regarding pay raises. However, he recommended that the compensation for employees whose current salaries are below the new minimums be increased to meet the new minimum compensation levels if/when the ordinance went into effect. For non-management positions, compensation was compared with all cities along the Wasatch Front, regardless of population. For management positions, only municipalities with populations between 10,000 and 30,000 people were used as the comparative market data.

The motion to approve Ordinance 2019-04 passed unanimously (5-0).

APPOINT AD HOC COMMITTEE TO REVIEW FOOTHILLS MANAGEMENT PLAN

Cory Snyder presented information regarding the creation of an ad hoc committee to review the *Foothills Management Plan.* Councilmember Fillmore asked that he address the process that had taken place thus far, rather than dive into the language of the draft. Councilmember McEwan asked him to speak to the concerns that had been brought forth during the open session.

Mr. Snyder stated the process had been somewhat fluid. A process was discussed in an open meeting in April 2018, but the project had not advanced as scheduled. Staff had conducted an internal review of the property to assess current conditions. Originally the Committee was scheduled to be created sooner but due to some technical concerns, they had opted to delay forming the committee until after the internal assessment. Instead, a Strategy Task Group was created in late August to address those technical issues. Several weeks ago,

Mr. Snyder had approached the City Council expressing concern about staff making decisions about the use of the property without Council input. However, he was comfortable drafting a potential management plan. He felt the plan was a step between the strategy of "how do we handle this property?" and the final outcome of uses. The Task Group had assigned different entities to vet certain uses on the property. He pointed out that this information had been provided in a November email with direction to distribute it to the Trails Committee. He received responses from individuals on both the Trails and Parks Committees. He pointed out that the plan as currently written did not prohibit mountain bikes. It merely mentioned concern about them. The plan needed to balance a variety of uses and an ad hoc committee was now needed to vet the findings of the plan which had come from a variety of meetings, conversations and data. He asked that the Council identify those individuals or entities it wished to have a seat on the committee.

Councilmember Fillmore wished to ensure that those who had put in hundreds of hours of work and had the needed information, were included in the ad hoc committee. She preferred to have two members come from the current Trails Committee. Councilmember McEwan pointed out that there was a sizable OHV dealer in the City and perhaps they should be included on the committee. Mr. Snyder stated that Chief Child had reached out to the business previously and there had not seemed to be a great deal of interest in participating. The Council discussed which other interest areas within the City should be represented. Ms. Romney wished to confirm the Council's final direction regarding the make-up of the ad hoc committee:

- 1-2 City Staff members - Public Works (Drainage/Utility Division and City Engineer)
- 1 City Staff – Public Works (Streets Division)
- 2 Trails Committee representatives (1 from the Committee itself; 1 appointed by the Committee)
- 1 Parks Committee representative
- 1 City Council representative
- 2 Island View area residents (1 neutral, 1 concerned)
- Four select interest groups (gun club, OHV user, equestrian user and hiker/runner)

This would leave a total of 12-13 Committee members. The Community Development Department would facilitate the meetings of the new committee.

Councilmember Ince **moved** to create an ad hoc committee as outlined in the discussion, in order to help refine the management plan for the 180 acres on the hillside. Councilmember McEwan seconded the motion which passed unanimously (5-0).

Councilmember Fillmore would find a hiker/runner interested in serving on the Committee. Councilmember Ince would contact the gun club for a recommendation. Councilmember Ivie would contact the OHV business. Councilmembers Ivie and Fillmore would work on locating an interested party from the equestrian community and Councilmember Ivie was aware of interested parties from the Island View area. It was agreed that the proposed names would be provided to Mr. Snyder within one week.

AWARD OF BID – SIDEWALK REPLACEMENT PROJECT

Mr. Thacker explained that in the agenda packet was a summary of what had taken place on the project since Autumn. Approximately $20,000 of work for the residents who responded to the City's invitation to share costs of sidewalk repair was complete or nearly so. Funding for a larger amount of work was now sought—none of which involved the removal of trees. Staff did not recommend going with the lowest bid as there was no evidence that the low bidder had experience doing cement work only demolition.

Councilmember Ince **moved** to award a bid for sidewalk repair to JMR Construction in the amount of $71,884, based on the City Engineer's recommendation. Councilmember Ivie seconded the motion which passed unanimously (5-0).

Councilmember Ince expressed appreciation to Mr. Thacker for providing him with the information he needed to deliver to numerous residents that had contacted him on this topic.

Mr. Thacker indicated that between the roughly $20,000 spent in the Fall, the $71,884 now being encumbered and some engineering oversight, $100,000 will have been spent, which was the total budgeted for sidewalks repair in FY 2019.

The Council asked that Mark Marchant report back with the number of minor and major sidewalk faults that were corrected after the next phase of repairs was completed. An emailed report would be sufficient.

The City Council recessed at 8:45 p.m. and reconvened at 9:03 p.m.

PROPOSAL FOR IMPROVING LUND LANE IN CONJUNCTION WITH DEVELOPER OF FARMINGTON SUBDVISION

Steve Thacker explained that there was a proposal that as the developer on the Farmington side of Lund Lane built the road, Centerville re-build 9.5 feet of the roadway on the Centerville side. He recommended the City plan a cost of roughly $60,000. He pointed out that this project was not included in the list of capital projects in that evening's City Manager's report, but that funding was still available. (This was assuming that the bids for the other projects came in at or below the estimates). If they came in higher, it would be necessary to strike one of the overlay projects in order to complete this Lund Lane work.

Ms. Romney explained that Farmington would prepare an agreement formalizing the arrangement and that would be brought back to the City Council. However, Farmington was willing to allow the developers to move forward at their own risk. Additionally, the contractor wished to close Lund Lane during construction which would affect one driveway. Access would be provided for that homeowner.

Mayor Wilkinson did not wish to commit $60,000 without making a motion on the matter. Mr. Thacker stated he would also be more comfortable with a formal motion to move forward on the project.

Councilmember Ince **moved** to approve the tentative arrangement with Farmington in an amount not to exceed $60,000 for the re-build of Lund Lane as discussed. Councilmember Ivie seconded the motion which passed unanimously (5-0). Ms. Romney would bring a written agreement with Farmington back to the City Council at a future date.

Councilmember Ince **moved** to recess the City Council meeting at 9:11 p.m. and convene the Redevelopment Agency/Administrative Control Board meeting. Councilmember McEwan seconded the motion which passed unanimously (5-0).

The Redevelopment Agency adjourned their meeting and the regular City Council meeting reconvened at 10:21 p.m.

ISLAND VIEW PARK PROJECT – REVIEW UPDATED FINANCIAL SUMMARY OF FUNDING AND ESTIMATED COST FOR ISLAND VIEW PARK PROJECT PHASES I AND II; AND CONSIDER RESOLUTION OF INTENT TO ENTER INTO LEASE PURCHASE AGREEMENT WITH ZIONS BANK

Mr. Thacker stated that in order to ensure the City did its due diligence, he had felt it would be best for the City to get independent advice regarding other funding options for this project than that which was provided by Zions Bank. Therefore, Staff had spoken at length with Jason Burningham of Lewis Young Robertson & Burningham. Mr. Burningham indicated that revenue bonds could be issued for a 7-year period, secured by a portion of the Recreation, Arts and Parks (RAP) taxes. The anticipated reduction in interest rate was sufficient to off-set the increased issuance fees. Mr. Burningham projected a significantly better interest rate by proceeding in this manner. He was in the process of creating a comparison between the two options and was expecting to make it available to the City by the end of the week. The fees for Mr. Burningham's firm's work would be incorporated into the cost of the bond issuance. Approving a Parameters Resolution as soon as possible would allow the City to take final action on this by the first City Council meeting in May, prior to awarding a bid for the Island View Project. Mr. Thacker then distributed an updated Cash Flow Analysis for the Island View Park Project. The park impact fees had been removed per previous City Council direction. The estimate was that the City's funding would be $487,146 less than what is needed for Phase 1.

Councilmember Fillmore pointed out that impact fees would provide additional revenue. Mr. Thacker responded that would be applied to the payments to the Recreation District as it related to the community park expansion. Mr. Thacker had provided Mr. Burningham with the figures in the cash flow analysis.

Mr. Burningham indicated that the City could borrow approximately $1.5 million for the project based on the RAP tax analysis and that they could proceed in one of two ways—a real property lease or a bond. A bond required 30 days' public notice once the Parameters Resolution was adopted. Mr. Thacker recommended that if the Council wished to move forward with a bond, it would be best to hold a special meeting the following week in order to meet the project's timeline.

Mr. Thacker asked if the Council was still supportive of borrowing funds to complete Phase I in its entirety and to proceed with Phase II. Councilmember Fillmore was comfortable doing so but Councilmember Ince preferred to reduce the $1.5 million by borrowing from other City funds. Councilmember Fillmore responded that if the Council had bought into the principle that waiting on the Parks projects that would be provided by the RAP tax funds was more costly than borrowing the money, it made sense to borrow as much as they were comfortable borrowing because both phases would be finished and the money would be spent at a low interest rate. There would still be other park projects that needed funding and if it made financial sense, the Council could then discuss borrowing from other City funds. Mr. Thacker pointed out that the Public Treasurer's Investment Fund (PTIF) was earning 2.97% interest the previous month.

Councilmember Ince stated that the constituents he had spoken to preferred to borrow less money. While he was not saying he would vote against borrowing that amount, he preferred to borrow less. Councilmember McEwan wondered at what point administrative costs made borrowing ineffective. Councilmember Ince was less concerned with administrative costs than with the fact that the residents had indicated a preference to limit borrowing. Councilmember Fillmore pointed out that the City conducted a Master Plan Survey, which included a question about bonding with RAP tax funds. In that survey, a majority (53%) of those with an opinion answered in the affirmative. Councilmember Ivie countered that 47% of those with an opinion did *not* wish to bond. Additionally, she stated that some residents had expressed interest in reducing the cost through their own sweat equity as an alternative to bonding. Councilmember Ince thought that was a laudable idea but was impractical in today's world.

Mr. Burningham mentioned that if it increased the Council's level of comfort, there was no penalty for early bond payments if other revenues became available. Councilmember Ince responded that the City would be better off with the money in the PTIF.

Mr. Burningham asked for the Council to provide direction regarding a dollar amount for the Parameters Resolution. If $1.5 million was the Council's target amount, he recommended a couple hundred thousand dollars as a buffer, knowing that it would likely be a lesser dollar amount. 3% appeared to be a maximum interest rate that the Council was comfortable with and seven years was the maximum term. Those were the parameters that needed to be identified in order to draft a resolution. He pointed out that the resolution would declare the Council's intent, but would not bind the Council until their decision was officially ratified in May.

The Council would convene a Special Meeting to review and potentially approve the resolution on Tuesday, March 26 at 5:30 p.m.

Councilmember Fillmore left the meeting at 11:02 p.m.

MUNICIPAL CODE AMENDMENT – CMC 8.03 – CEMETERY REGULATIONS

Ms. Romney explained that there was a conflict between the City's Fee schedule and this particular ordinance regarding cemetery regulations. Currently, City Fee Schedule allowed one to purchase a burial right only when in immediate need. Therefore, she proposed a code amendment to address the conflict.

Regarding 6.010(1)(d) in the *Cemetery and Burial Fees*, Councilmember Ince had been under the impression that there was a provision that allowed a former Centerville resident to still be considered a resident for a period of three years upon moving elsewhere, even if the move was *not* to a medical or residential care facility. He and Councilmember Ivie felt that moving in with family outside of Centerville ought to be treated the same as moving into a facility. Ms. Romney mentioned there had been a discussion during a previous meeting about how long an individual could live with family outside of Centerville but still be considered a resident for purposes of this provision. It was determined that the concern would be addressed at some point in the future but that the Council would move forward on the currently proposed ordinance amendment.

Upon reviewing this chapter in its entirely, Staff recommended an amendment to 8.03.280, eliminating the liability clause and instead, handling liability on a case by case basis.

Councilmember McEwan **moved** to approve Ordinance 2019-05, amending Centerville Municipal Code 8.03.090 regarding the purchase of Right of Burial for Centerville City Cemetery, and Section 8.03.280 regarding perpetual care obligation. Councilmember Ince seconded the motion which passed unanimously (4-0).

MUNICIPAL CODE AMENDMENT – CMC 3.01.130 – CHIEF OF POLICE

Ms. Romney explained that the Centerville Police Department is seeking formal accreditation by the Utah Chiefs of Police Association (UCOPA). One requirement was that the Police Chief must have full authority and control of the operation and administration of the Police Department. Because Utah Code §10-3-918 provided that the Chief of Police shall be "under the direction, control, and supervision of the person or body that appointed the Chief," she had reference to that code in the ordinance, providing that the Chief had authority "...subject to and in accordance with applicable provisions of Utah Code §10-3-918." Additionally, because State law now provided that a Chief had the authority to "create a child protection unit..." similar language was added to the City ordinance, even though there were no current plans to create such a unit.

Councilmember McEwan **moved** to adopt Ordinance 2019-06, amending Section 3.01.130 of the Centerville Municipal Code regarding the appointment and duties of the Chief of Police. Councilmember Ivie seconded the motion which passed unanimously (4-0).

FINANCIAL REPORT FOR 8-MONTH PERIOD ENDING FEBRUARY 28, 2019

Council agreed to pass over this matter due to lateness of the hour. Mayor Wilkinson pointed out that the agenda packet contained the applicable financial reports. He asked if the City Council wished to continue to receive monthly financial presentations or if they preferred to receive the financial report via email on a monthly basis with actual presentations only made quarterly. They agreed that the latter was preferable. However, Councilmember McEwan asked that when monthly reports were sent to the Council, that it be documented in an agenda for

those residents interested in the information. Mr. Thacker indicated that the reports could be referenced in the agenda and posted on Novus as part of the City Manager Report.

MAYOR'S REPORT

- The U.S. Census Bureau would soon begin its work. Mayor Wilkinson would speak with Assistant Planner Cassie Younger regarding the census process in Centerville.
- Regarding the South Davis Metro Fire Service report, large trucks will be allowed on Legacy Parkway in 2020 which caused concern for many. Unfortunately, it was out of the City's control. Fire access was extremely challenging and it was possible that in the event of an emergency involving a semi on the south end of the Parkway, Salt Lake Fire would have to respond.
- 5-year-old Charlotte Healey's surgery had gone well and her family asked that in addition to keeping Charlotte in their thoughts, that the community keep the driver who was involved in their thoughts as well.
- The Mayor had three appointments to recommend. 1) Debbie Dahl to the Whitaker Museum Committee; 2) Shawna Dickamore to the Trails Committee; and 3) Julianne Zollinger to the Parks and Recreation Committee.

Councilmember Ince **moved** to approve all three appointments. Councilmember Ivie seconded the motion which passed unanimously (4-0).

CITY MANAGER'S REPORT

- Staff reported that the Planning Commission had recommended for approval the three-lot subdivision on Davis County property. The subdivision plat would soon come before the City Council. There had also been a CUP approved for a dog-grooming facility
- Mr. Thacker updated the City Council about calendar year 2019's infrastructure projects. There was sufficient funding in place for all the projects. But again, if bids came in higher than expected on the Streets projects, an overlay project might need to be omitted in order to cover the Lund Lane project costs
- The storm drains within Island View Park which would involve approximately $70,000 needed to be added to the list
- Mr. Smith indicated he had to prepare a tentative budget by May so he suggested choosing 2 or 3 dates for some future budget work sessions. The Department Heads also wished to have an opportunity to present their longer-term goals and objectives to the City Council. They suggested 5:30 p.m. on April 2 and April 16, 2019.

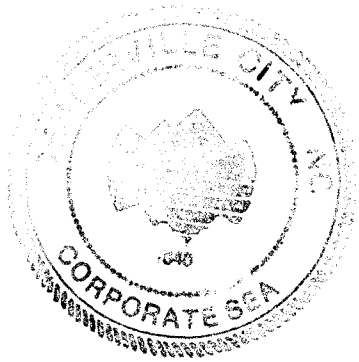
CLOSED MEETING

There was no need for a Closed Meeting.

ADJOURNMENT

Councilmember Ince **moved** to adjourn at 11:20 p.m. Councilmember Ivie seconded the motion which passed unanimously (4-0).

Mackenzie Wood, City Recorder

April 2, 2019
Date Approved

Jamie Brooks, Recording Secretary