

Minutes of the Centerville **City Council** meeting held Tuesday, March 7, 2023, at 7:00 p.m. with participants present at Centerville City Hall, 250 North Main Street, and electronically via Zoom.

MEMBERS PRESENT

Mayor	Clark Wilkinson
Council Members	Gina Hirst William Ince George McEwan Robyn Mecham Spencer Summerhays

STAFF PRESENT

Brant Hanson, City Manager
Lisa Romney, City Attorney
Jennifer Robison, City Recorder
Jacob Smith, Administrative Services Director
Cory Snyder, Community Development Director
Nate Plaizier, Finance Director
Bryce King, Community Services Manager
Kevin Campbell, City Engineer
Mike Carlson, Public Works Director
Marc Marchant, Street Maintenance Supervisor
Paul Child, Centerville Police Chief

VISITOR

Dane Stone, South Davis Metro Fire Chief

PRAYER OR THOUGHT

Councilmember Hirst

PLEDGE OF ALLEGIANCE

OPEN SESSION

None

STATION ALERT SYSTEM – SOUTH DAVIS METRO FIRE SERVICE AREA

South Davis Metro Fire Chief Dane Stone briefly explained the need to upgrade the existing Station Alert System, and answered questions from the Council. The Centerville City portion of the upgrade cost, as agreed upon by the Administrative Committee of South Davis Metro Fire Service Area, was \$41,924.11.

Councilmember Summerhays **moved** to approve the additional assessment of \$41,924.11 for the Station Alert System for South Davis Metro Fire Service Area. Councilmember Ince seconded the motion, which passed by unanimous vote (5-0).

MEMORANDUM OF UNDERSTANDING – LAW ENFORCEMENT SURVEILLANCE TRAILER CAMERAS

Police Chief Paul Child explained an opportunity to purchase surveillance trailer cameras for regional mobile surveillance through a Law Enforcement Terrorism Prevention Action Grant (LETPA) awarded to Cache County, and said the Centerville Police Department wanted to

1 purchase one of the surveillance trailer cameras. He requested the Council approve a
2 Memorandum of Understanding with Cache County authorizing such use.

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4 Councilmember Summerhays **moved** to approve a Memorandum of Understanding with
5 Cache County for the use of surveillance trailer cameras purchased with funds from the LETPA.
6 Councilmember Ince seconded the motion, which passed by unanimous vote (5-0).

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8 **MUNICIPAL CODE AMENDMENTS – REMOVAL OF SNOW FROM SIDEWALKS –**
9 **CMC 11.01.120**

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11 Public Works Director Mike Carlson explained that in response to a recent question from
12 a citizen regarding snow removal after a snowstorm, staff found that CMC 11.01.120 did not have
13 a specific time frame for required snow removal from City sidewalks, but merely stated snow
14 should be removed from sidewalks within a reasonable time after snow had fallen. He shared
15 snow removal timeframes in other cities in the area for comparison, and said staff recommended
16 adding a 24-hour period for removal of snow from sidewalks as measured from the end of a storm.

17
18 Responding to a question from Councilmember McEwan, City Attorney Lisa Romney said
19 the core purpose of the ordinance was to keep sidewalks safe and have residents fulfill their
20 obligation. Mayor Wilkinson said he did not like making laws or ordinances the City could not
21 enforce, and expressed the opinion that the proposed timeframe would be hard to enforce. He
22 commented that residents could be away from home for multiple days at a time, and sidewalks
23 would not get cleaned off unless neighbors took care of it. Mayor Wilkinson said he preferred the
24 "within a reasonable time" language. Councilmember McEwan expressed concern regarding
25 reasonableness of enforcement.

26
27 Chief Child spoke of a specific problem area near Centerville Elementary where snow
28 covered sidewalks had been a hazard to students walking to school. He spoke of another situation
29 in which snow-covered sidewalks were a hazard to a handicapped individual. Chief Child said it
30 would be nice to have a specific timeframe in the Code when giving direction to citizens and
31 businesses, but said the Department would be reasonable with enforcement. Ms. Romney
32 explained City policy regarding enforcement.

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34 Councilmember Summerhays said he would prefer the ordinance to reflect how the City
35 actually handled the situation, which was to begin with a warning on a first-time offense. Ms.
36 Romney said she would not advise a mandatory warning in a public safety situation where
37 someone could get hurt. She emphasized that every city in Davis County other than Centerville
38 had a specific timeframe in their ordinance. Mr. Carlson spoke in favor of having a set timeframe
39 to emphasize the urgency of getting it done.

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41 Councilmember McEwan asked if specific corridors could be identified that were more
42 critical for snow removal. Mr. Hanson recommended keeping the ordinance as uncomplicated as
43 possible. Responding to a question from Councilmember Ince, Mr. Carlson said there were very
44 few complaints prompting enforcement, but it would be nice to have the bite in the Code when
45 enforcement was necessary. Ms. Romney spoke in favor of having a more enforceable ordinance.

46
47 The Council and staff discussed the fact that snow was not allowed to be removed to the
48 street. Mr. Carlson said in the last couple years the City newsletter had included instruction
49 regarding acceptable snow removal. Councilmember Mecham pointed out that enforcement in
50 Centerville was on a complaint basis. Councilmember McEwan expressed the opinion that
51 disparate enforcement could be problematic. Chief Child said the City had many ordinances that
52 were needed, but not enforced all the time in every situation. He spoke of the intent of the law

and the importance of discretion of enforcement, and said his department tried to be reasonable with citizens.

Councilmember Summerhays **moved** to approve Ordinance No. 2023-06 regarding amendments to CMC 11.01.120 (Removal of Snow from Sidewalks) to set specific time frame for required removal of snow from sidewalks after snowstorm, along with other amendments outside of the time frame. Councilmember Ince seconded the motion. Councilmember McEwan said he would vote in favor of the motion, but asked that in Autumn staff prepare a message for public distribution regarding the changes to the ordinance and citizen responsibilities. Councilmember Ince suggested a single distribution would not be enough, and suggested inclusion in the water bill from November to March. The motion passed by unanimous vote (5-0). The Council expressed appreciation for the job done by City snow plow drivers that winter.

FEE SCHEDULE AMENDMENTS – CEMETERY FEES – PURCHASE OF NICHE WALL SPACE PRE-NEED – CFS 6.010 (CEMETERY AND BURIALS)

The City Council previously directed staff to prepare amendments to the City Fee Schedule regarding Cemetery Fees to allow residents to purchase niche wall spaces on a pre-need basis. Ms. Romney said staff reviewed the matter and prepared suggested amendments that would allow a resident to purchase up to two niche spaces on a pre-need basis, and an unlimited number of niche spaces at time of immediate need. The Council and staff discussed changes to the proposed amendments, including the following language:

- Residents may purchase a maximum of two niche spaces on a pre-need basis, and one niche space on an immediate need basis at the time of need.
- Non-residents are not eligible or permitted to purchase a right of burial or niche space in the cemetery at this time.

Councilmember Summerhays **moved** to approve Resolution No. 2023-04 amending CFS 6.010 regarding Cemetery Fees to allow for the purchase of niche wall spaces on a pre-need basis, with the changes listed above. Councilmember McEwan seconded the motion, which passed by unanimous vote (5-0).

CDBG SUBRECIPIENT AGREEMENT WITH DAVIS COUNTY – ADA RAMPS

Administrative Services Director Jacob Smith explained the City was required to enter into an agreement with Davis County to access CDBG funds for continuation of the ADA ramp replacement program. Streets Maintenance Supervisor Marc Marchant answered questions from the Council about the ADA ramp replacement program.

Councilmember Hirst **moved** to adopt Resolution No. 2023-05, a Subrecipient Agreement with Davis County. Councilmember Mecham seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION

1. Bid Award – Line Existing Storm Drain & Sub-Drain System to Whitaker Construction in the amount of \$241,245.00
2. Bid Award – Culinary Water Laterals & Storm/Sub-Drain Maintenance 2023 to Strong Excavation in the reduced amount of \$270,117.09
3. Bid Award – Scada Radio Replacement and Upgrade to SCI in the amount of \$96,076.20

Public Works Director Mike Carlson and City Engineer Kevin Campbell answered questions from the Council about the proposed bid awards. Councilmember Ince **moved** to approve all three Summary Action items as listed above. Councilmember Mecham seconded the motion, which passed by unanimous vote (5-0).

MINUTES REVIEW AND APPROVAL

Minutes of the February 21, 2023 Work Session and City Council Meeting were reviewed. Councilmember Mecham **moved** to approve both sets of minutes. Councilmember Ince seconded the motion, which passed by unanimous vote (5-0).

CITY COUNCIL REPORT

Councilmember Summerhays updated the Council regarding South Davis Recreation District and the Centerville Trails Committee.

MAYOR'S REPORT

- Mayor Wilkinson spoke of the recent Legislative Session.
- Mayor Wilkinson reported on visiting the recent Rural Water Annual Conference in St. George.
- The Mayor provided an update on 4th of July celebration planning, and received feedback from the Council. A majority of the Council indicated a desire for the parade to take place on the morning of July 4th. Mr. Hanson summarized that a majority of the Council appeared to favor an all-day carnival and fireworks on Saturday, July 1st, and the parade on Tuesday, July 4th in 2023 – with a preference for the celebration to take place on July 3rd and 4th in the future when possible.

CITY MANAGER REPORT

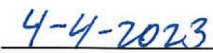
- A City Council budget retreat was scheduled for March 22nd and 23rd.
- Mr. Hanson spoke of an upcoming meeting scheduled with UDOT regarding the I-15 widening project.
- Mr. Hanson reported on the recent Rural Water Annual Conference in St. George.

ADJOURNMENT

At 9:51 p.m., Councilmember McEwan **moved** to adjourn the meeting. Councilmember Summerhays seconded the motion, which passed by unanimous vote (5-0).



Jennifer Robison, City Recorder



Date Approved

