

Minutes of the Centerville **City Council** meeting held Tuesday, September 17, 2024, at 7:00 p.m. with participants present at Centerville City Hall, 250 North Main Street.

MEMBERS PRESENT

Mayor Clark Wilkinson
Council Members Cheylynn Hayman
Robyn Mecham
Brian Plummer
Gina Hirst
Spencer Summerhays

STAFF PRESENT

Brant Hanson, City Manager
Lisa Romney, City Attorney
Jennifer Robison, City Recorder
Mike Carlson, Public Works Director
Mike Eggett, Community Development Director
Bryce King, Administrative Services Director
Nate Plaizier, Finance Director
Cameron Woodbury, Drainage Utility Supervisor
Dave Walker, Deputy Public Works Director
Haley Turner, Communications Manager

VISITORS

Roger Timmerman, UTOPIA
Danny Inkley, Fourth of July Chair
Interested citizens

PRAYER OR THOUGHT Mayor Clark Wilkinson

PLEDGE OF ALLEGIANCE

OPEN SESSION

Gary Evanson, Centerville resident, expressed his dissatisfaction with the back-billing of drainage utility fees, and shared that funds were withdrawn from his account without his authorization.

Ricky Clay, Centerville resident, shared his concerns related to the methodology and timeline for the calculation of new drainage utility fees, asking for clarification and a defined appeals process.

UTOPIA FIBER UPDATE

Roger Timmerman, UTOPIA Fiber representative, presented an update on the city's fiber network progress, touching on improvements to infrastructure and ongoing expansion. Details around subscriber growth, future plans, competitive advantages of the service, and nuances regarding network architecture were discussed. City council members engaged in dialogue about the financial aspects and commitments of the fiber service, considering its ongoing impact on the city's budget.

FOURTH OF JULY REPORT

Fourth of July Chair Danny Inkley gave a detailed report on the success of the recent Fourth of July celebration, attributed largely to volunteer efforts and the involvement of city staff. Modifications in scheduling future events were suggested to consolidate the celebration into a single day, thus meeting public expectations and improving logistics. The necessity for documenting event processes to ease transitions for future planning committees was emphasized, as well as the potential for increased sponsorships.

MUNICIPAL CODE AMENDMENTS – RESIDENCE REQUIREMENT OF CITY MANAGER – CMC 3.01.080

The council reviewed amendments to establish that a "reasonable driving distance" for residence requirements for the city manager's position would be determined by the City Council.

Councilmember Hayman **moved** to approve Ordinance No. 2024-13 amending CMC 3.01.130 to add a provision that "reasonable driving distance" for residence shall be determined by the City Council. Councilmember Summerhays seconded the motion which passed by a unanimous vote (5-0).

MUNICIPAL CODE AMENDMENTS – UNIFORM FINE SCHEDULE – CMC 1.05.040

City Attorney Lisa Romney outlined the Uniform Fine Schedule amendments, which involved renaming and updating the local fine schedule to align with state terminology changes, as well as ensuring accessibility by linking to the online version. Clarification was given that the schedule outlines recommended fines for various violations, while emphasizing alignment with justice court processes.

Councilmember Hirst **moved** to approve Ordinance No. 2024-14 amending CMC 1.05.040 to rename the State and Local Fine/Bail Schedule to "Fine Schedule" and to add a link to the online version of the Centerville Fine Schedule. Councilmember Hayman seconded the motion which passed by a unanimous vote (5-0).

PRIVACY SPACES COMPLIANCE PLAN – RESOLUTION NO. 2024-21

The Council considered and discussed the adoption of a Privacy Spaces Compliance Plan mandated by recent legislation. The plan initially outlined privacy obligations for public facilities including scrutiny of bathrooms. Councilmember Hayman proposed several amendments, focusing on reporting obligations and distinctions between restrooms and changing rooms. Council discussions addressed indemnification affecting coverage liabilities.

Councilmember Hayman **moved** to approve Resolution No. 2024-21 adopting a Privacy Space Compliance Plan as required in accordance with state law requirements enacted under HB 257, with the following changes:

1. City Attorney will add additional definitions to correspond with the underlying enactment statute.
2. 45.050 will add the four applicable exceptions, rather than just cross-referencing those exceptions, and it will also add the following sentence at the end of that provision: *"This section 45.050 does not apply to sex designated restrooms that are not contained in or attached to a changing room."*
3. Change 45.100 to read "City staff should report to the Centerville City Police Department any complaint or allegation they receive alleging that an individual has:
 - 1) Engaged in any prohibited conduct set forth in section 45.090 Subsections 1 through 4 in any privacy space in a facility that is open to the general public, or
 - 2) Engaged in any prohibited conduct as set forth in section 45.090 Subsection 5 in any changing room that is open to the general public.

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2 with a direction to staff to explore and implement as fully as staff deems reasonable, to
3 exclude any court costs attorney's fees that the city incurs to enforce provisions of that proposed
4 policy or provisions of Utah Code Section 63G-31-101 et. seq., that aren't covered by the city's
5 insurance policies or coverage agreement the state risk management fund issues. With discretion
6 to staff to figure out how to best do that in a way that will protect the city without making the city
7 be on the hook for damages as a result of enforcement of that provision because of the
8 legislatures' statutory obligation to indemnify cities that don't have that protection.
9 Councilmember Summerhays seconded the motion, which passed by unanimous vote (5-0).

10 11 **MINUTES REVIEW AND APPROVAL**

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13 Minutes of the August 20, 2024 City Council meeting, September 3, 2024 Work Session,
14 City Council, and Closed session meetings were reviewed. Councilmember Hirst **moved** to
15 approve all sets of minutes. Councilmember Hayman seconded the motion, which passed by
16 unanimous vote (5-0).

17 18 **COUNCIL LIAISON REPORT**

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- 21 • Councilmember Hayman shared that mosquito season is coming to an end. She also
 - 22 reported that Mosquito Abatement District is running low on storage space for
 - 23 chemicals, and are starting to look at options for expanded facilities, and that may
 - 24 require a bond.
 - 25 • Councilmember Hayman notified the Council of the upcoming Fall Festival put on by
 - 26 the Whitaker Museum Board on October 14th at Smith Park.
 - 27 • Councilmember Hayman and Communications Manager Haley Turner presented the
 - 28 preliminary virtual tour of the Whitaker Museum.

29 30 **MAYOR REPORT**

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- 32 • Mayor Wilkinson reported on the First Responder Honoring program that was put on
 - 33 at Smith Park.
 - 34 • Mayor Wilkinson shared details on Service Day and Emergency Preparedness Fair,
 - 35 and thanked Centerville staff for all their hard work on those events.
 - 36 • Mayor Wilkinson reported insights from infrastructure meetings regarding road
 - 37 improvements.

38 39 **CITY MANAGER REPORT**

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- 41 • Mr. Hanson reported on participation at Water School, highlighting discussions around
 - 42 current water issues and outlining long-term solutions.
 - 43 • Mr. Hanson had Haley Turner announce that they are bringing back the volunteer
 - 44 dinner to recognize and thank all the City's volunteers for their time and service.

45 46 **ADJOURNMENT AND CLOSED SESSION**

47 At 9:25 pm, Councilmember Summerhays **moved** to go into closed session in the Council
48 Chambers to discuss pending or reasonably imminent litigation and attorney-client matters
49 privileged under Utah Code 78B-1-137, and to discuss the purchase, exchange, or lease of real
50 property, with no intent to return to open meeting. Councilmember Hirst seconded the motion,
51 which passed by unanimous vote (5-0). In attendance at the closed session: Mayor Clark
52 Wilkinson; Councilmembers Spencer Summerhays, Cheylynn Hayman, Robyn Mecham, Gina
53 Hirst, and Brian Plummer; City Manager Brant Hanson; City Attorney Lisa Romney; City Recorder
54 Jennifer Robison; Community Development Director Mike Eggett.

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Jennifer Robison
Jennifer Robison, City Recorder

10/4/2024 | 1:04 PM MDT
Date Approved

