

1 Minutes of the Centerville **City Council** meeting held Tuesday, August 4, 2015 at 7:10 p.m. at  
2 Centerville City Hall, 250 North Main Street, Centerville, Utah.

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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 Lisa Romney, City Attorney  
17 Bruce Cox, Parks and Recreation Director  
18 Katie Rust, Recording Secretary

19 **STAFF ABSENT**

20 Blaine Lutz, Finance Director/Assistant City Manager

21 **VISITORS**

22 Craig Poll, Assistant Superintendent Davis County School  
23 District  
24 Jeff Bassett, South Davis Metro Fire Chief  
25 Dave Powers, Deputy Fire Chief  
26 Karl Hendrickson, Fire Agency Attorney  
27 Interested citizens (see attached sign-in sheet)

28 **PLEDGE OF ALLEGIANCE** led by John Henry Phillips, Cub Scout

29  
30 **PRAYER OR THOUGHT** Reverend Briggs, Episcopal Church of the Resurrection

31  
32 **OPEN SESSION**

33  
34 Dale McIntyre – Mr. McIntyre stated that he has been to most of the Council meetings  
35 and reviewed the minutes, and has found that not everything that is said is included in the  
36 minutes. He asked if there is a reason the minutes cannot be verbatim, and said he thinks it  
37 would be beneficial for the citizens.

38  
39 Councilman Larry Wright – Councilman Wright said he would like the Council to consider  
40 providing a video recording of Council meetings for citizens who are unable to attend. He said  
41 he was told by UTOPIA representatives that it could probably be done at no cost to the City.

42  
43 The Council discussed visual recording and storage options.

44  
45 **DAVIS SCHOOL DISTRICT BOND ELECTION**

46  
47 Craig Poll, Assistant Superintendent of the Davis School District, showed a video and  
48 gave a presentation about the District's proposed bond issue on the November election ballot.  
49 He explained the District's infrastructure and capital needs to be able to provide room to learn  
50 for the growing student population. The bond income would fund capital needs, and would not  
51 be used to fund salaries or educational supplies. Councilman Wright expressed the hope that  
52 the money would be used to really benefit the students rather than for structural aesthetics. Mr.  
53 Poll responded that it costs just as much to build an ugly building as an attractive building, and  
54 explained some of the District's cost-saving construction decisions. Mayor Cutler thanked Mr.

1 Poll for the presentation, and stated that he supports the bond. Councilman Wright stated he  
2 also supports the bond.

3  
4 **MINUTES REVIEW AND ACCEPTANCE**

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6 The minutes of the July 7, 2015 work session and Council meeting, the July 8, 2015 joint  
7 City Council/Planning Commission meeting, and the July 21, 2015 Council meeting were  
8 reviewed. Councilwoman Fillmore requested two amendments to the July 7, 2015 Council  
9 meeting minutes. Council members Fillmore and Ivie requested amendments to the July 8,  
10 2015 joint meeting minutes, and it was suggested the Council table approval of the July 8  
11 minutes. Councilwoman Fillmore agreed to send information regarding an email she referred to  
12 during the July 8<sup>th</sup> meeting to the City Recorder. Councilwoman Ivie agreed to send to the City  
13 Recorder a proposed addition she requested pertaining to Councilwoman Fillmore's comments  
14 in the July 8 meeting, to be considered as an addition to those minutes. Councilman Wright  
15 made a **motion** to accept the July 7, 2015 work session minutes, the July 7, 2015 Council  
16 meeting minutes as amended, and the July 21, 2015 Council meeting minutes. Councilman  
17 Higginson seconded the motion, which passed by unanimous vote (5-0). Councilman Wright  
18 made a **motion** to table approval of the July 8, 2015 joint City Council/Planning Commission  
19 meeting minutes. Councilman Averett seconded the motion, which passed by unanimous vote  
20 (5-0).

21  
22 **SUMMARY ACTION CALENDAR**

- 23  
24 a. Approve purchase of a Jacobsen R311 4WD with cab large-area mower from RMT  
25 Equipment in the amount of \$69,101 for Parks Department  
26 b. Approve purchase of a cab and chassis F550 truck from Ken Garff Ford for  
27 \$33,648.78 and the plow bed equipment from Semi Service for \$22,415.52 for Street  
28 Department.

29  
30 Bruce Cox, Parks and Recreation Director, explained the proposed mower replacement.  
31 Councilman Wright made a **motion** to approve both items on the Summary Action Calendar.  
32 Councilman Averett seconded the motion, which passed by unanimous vote (5-0).

33  
34 **RESOLUTION AUTHORIZING RAP TAX BALLOT QUESTION**

35  
36 The Council previously initiated the process to place reauthorization of the RAP Tax on  
37 the ballot. The next step in the process is for the Council to approve a resolution submitting the  
38 RAP Tax ballot proposition to the residents. Ninety percent of the current RAP Tax revenues  
39 are used for debt service relating to the Performing Arts Center. None of the RAP Tax revenues  
40 after April 1, 2016 – assuming voter approval of the extension – will be needed for debt service  
41 on this facility. The proposed ballot question would allow revenues to be used for “recreational  
42 facilities and cultural facilities and organizations for the City.”

43  
44 Mayor Cutler stated that Former Mayor Ron Russell has offered to serve as a contact for  
45 citizens regarding the proposition. Councilman Wright expressed concern that, given Former  
46 Mayor Russell's affiliation with the Performing Arts Center, he would bias citizens in favor of  
47 more funding for the Performing Arts Center. Mayor Cutler reminded Councilman Wright that  
48 the Council will decide how the funds are used. The Mayor said it is his understanding that the  
49 Council is supportive of using most of the revenues for parks and trails, with a smaller amount  
50 going to support the Whitaker Museum and CenterPoint Theatre. Mayor Cutler expressed a  
51 desire for a broad coalition of citizens representing a variety of interests in the community to  
52 work together on this issue. Council members Wright and Higginson both emphasized they  
53 would like a show of support for all aspects of RAP, not just the Performing Arts Center.

1 Councilman Wright reemphasized his support for the RAP Tax to provide funding for the  
2 Whitaker Museum. Lisa Romney, City Attorney, reminded the Council that they cannot get  
3 involved with leading the effort in their official capacity as Council members. The City Council is  
4 required, however, to write the argument in support of the proposition that will be posted on the  
5 State website. Councilman Wright suggested the Council ask the different City committees and  
6 boards to write out why they would support RAP Tax renewal. Ms. Romney stated that  
7 committees can be used for research, but cannot be used for campaign purposes.  
8

9 Councilman Wright made a **motion** to adopt Resolution No. 2015-13 submitting a ballot  
10 question to residents regarding the reauthorization and imposition of a local sales and use tax of  
11 one-tenth of one percent (0.1%) on certain qualifying transactions within the City to fund  
12 recreational facilities and cultural facilities and organizations. Councilman Higginson seconded  
13 the motion, which passed by unanimous vote (5-0). City Manager Thacker emphasized the  
14 need to have an active group of citizens working on public awareness. Mr. Thacker stated he  
15 feels Ron Russell would be a strong advocate for park improvements and recreation for the  
16 community, and could take direction from the Council regarding what should be emphasized.  
17 Councilman Wright recommended holding an opportunity for public comment during open  
18 meeting. Councilman Averett said he understands Councilman Wright's concerns regarding a  
19 possible bias with Former Mayor Russell, but he feels that no one has served the community  
20 more or better than Ron Russell, and he is supportive of Ron Russell's involvement.  
21

22 **CONSIDER RESOLUTION INITIATING PROCESS OF CREATING LOCAL DISTRICT**  
23 **AND SERVICE AREA FOR FIRE/EMS SERVICES**  
24

25 Councilman Averett disclosed that his son works as a part-time employee for both the  
26 South Davis Metro Fire Agency and the North Davis Fire District. City Manager Thacker briefly  
27 reviewed information presented at the July 7<sup>th</sup> Council work session. The South Davis Metro  
28 Fire Agency was originally created with the intention to consider moving to an independent  
29 taxing district after a number of years. The existing debt of the Agency cannot be paid entirely  
30 from impact fees. If a district is not created, the debt will have to be paid with assessments from  
31 the individual cities. The need to fund capital improvements is also a driving force behind the  
32 current discussions regarding creation of a district. If a district is created, the funding sources  
33 currently relied on would continue to be relied on. An offset would occur for the citizens with the  
34 cities reducing property taxes by the same amount as the initial increase from the district. The  
35 district would then need to go through the Truth-in-Taxation process for any future increase.  
36 The cities would continue to be assessed an amount similar to current assessments for the  
37 operations budget.  
38

39 Councilman Wright stated that he would prefer a clean break between the cities and the  
40 proposed district. He said he does not think it will take long for the District to increase property  
41 taxes, and he does not agree with the citizens paying what he considers two property taxes for  
42 fire services. Mayor Cutler agreed that the proposed format is a hybrid, not a clean break. The  
43 Mayor added that during Fire Board discussions a majority of cities were in favor of preserving  
44 property tax income to the cities. For some of the cities, the amount assessed by the Fire  
45 Agency exceeds property tax income. Councilwoman Ivie asked if the Resolution allows for  
46 assessments to the cities to end. Karl Hendrickson, Fire Agency Attorney, responded that the  
47 Resolution does include the ability to end city assessments. The assessment formula now and  
48 over time is subject to a separate interlocal agreement that has to be reviewed and approved  
49 prior to the final decision. Fire Chief Bassett further explained the desire of some cities to  
50 preserve property tax income and retain a certain amount of control. Mr. Thacker pointed out  
51 that property tax revenue goes into the General Fund, and the City's assessment is paid from  
52 the General Fund.  
53

1 Mayor Cutler stated that the Agency is in need of more revenue, and does not have the  
2 ability to bond. The proposed Resolution No. 2015-14 would start the process of proposing  
3 creation of a Fire District. Mr. Hendrickson added that any non-participating city could contract  
4 with the new district. Councilman Wright stated that the services need to be provided. He has  
5 concerns with the taxation issues, but feels the City should move forward with the Resolution.  
6 The Council discussed when and where to hold an open house for citizen education.  
7

8 Councilman Wright made a **motion** to adopt Resolution No. 2015-14 proposing creation  
9 of a Fire District, recognizing that this is the beginning of a process that will involve the public.  
10 Councilman Averett seconded the motion, which passed by unanimous vote (5-0). Councilman  
11 Higginson stated he feels retaining as much control and accountability as possible is in  
12 everyone's best interest. Chief Bassett stated that he has rough story boards and presentation  
13 information ready. Councilman Wright suggested the Chief make an informational video.  
14 Councilwoman Ivie said she feels strongly that the open house should occur prior to the  
15 September public hearing. Councilwoman Fillmore suggested the Fire Agency host a first open  
16 house at the station, with a second open house prior to the September 15<sup>th</sup> meeting at City Hall.  
17 She added that she knows Chief Bassett is always willing to speak to citizens and answer  
18 questions. Chief Bassett suggested the information could be added to what is presented at the  
19 Fire Prevention Open House already scheduled for September 9<sup>th</sup> at the Centerville Station.  
20

21 At 9:03 p.m. the Council took a break, returning at 9:12 p.m.  
22

### 23 **MAYOR'S REPORT**

24

- 25 • Mayor Cutler reported that he, the City Manager, the Police Chief, and  
26 representatives of the Utah Division of Wildlife Resources (DWR) met recently with  
27 four property owners impacted by deer residing on their land year-round. These  
28 owners are seeking the City's help in reducing the number of resident deer, which  
29 feed on their gardens, orchards and other vegetation. As of August 1, 2015, the  
30 DWR has authority to assist Utah cities with deer control problems, subject to  
31 regulatory requirements and guidelines. A city must develop an "urban deer plan"  
32 and solicit public comment before DWR with allow implementation of the plan. The  
33 plan could include trapping and euthanizing, or recruitment of experienced  
34 sportsmen to help eliminate the deer with property owner consent. Councilwoman  
35 Fillmore expressed safety concerns with the shooting option, and said she prefers  
36 the trapping and euthanizing option. A majority of the Council indicated a desire to  
37 move forward with the process.
- 38 • Mayor Cutler reported that the Fire Agency Board is in agreement that the current  
39 problem facing the Agency is structural, not a short-term financial problem.  
40 Response times seem to be decreasing with the new rapid-response structure.  
41 Councilwoman Fillmore said she is confident the rapid-response structure would not  
42 have been implemented without City Manager Thacker's influence.
- 43 • Mayor Cutler has received a letter from the local elementary school principals  
44 proposing a "Lunch with the Mayor" program. The City's current budget includes  
45 \$2,000 for this program. The letter indicates the schools are willing to share the cost.  
46 Councilman Wright asked if the programs could be coupled with the DARE program.  
47 Mayor Cutler responded that every 6<sup>th</sup> grade student participates in the DARE  
48 program. The "Lunch with the Mayor" program would include a limited number of  
49 students selected by the teachers. He added that Council members may be invited  
50 to participate.  
51

**CITY MANAGER'S REPORT**

- The Council confirmed support for encouraging Planning Commission attendance at training opportunities with per diem of \$35 for any training session of 2 hours or more. Staff will prepare a document for approval in a future meeting.
- Mr. Thacker reported on a meeting with property owners and area Senators in which the property owners tried to convince the Director of UDOT that UDOT has a moral obligation to pay for the extension of 1250 West based on previous verbal agreements. The UDOT Director only agreed to provide technical assistance in making application to the Army Corps of Engineers regarding the wetlands. Councilwoman Fillmore asked about the possibility of creating an EDA to help cover the cost, and Mr. Thacker responded that it would be a likely tool to help with development of the property.
- A retirement open house will be held for Police Chief Worsley on Friday, August 7<sup>th</sup>.
- Mr. Thacker reported that construction of the pedestrian bridge fencing was stopped at the City's request because construction was not being done according to the City's specifications. He stated that, upon subsequent review of the contractor's specifications, the City's structural engineer agreed that the specifications used are comparable with one remaining question about the plate anchor bolts. Staff will continue to work with the contractor. Mayor Cutler reported that a Region One representative stated they are moving forward with the sidewalk connection on the east side of the bridge.
- The County proposed that over a five-year period the majority of responsibility for animal control funding transfer to the individual cities. Mr. Thacker gave historical background regarding animal control funding, and said he pushed back, suggesting a return to the 50/50 cost sharing that occurred prior to the recession. The County subsequently sent a letter announcing the intension to move to a 50/50 cost sharing arrangement for the County's FY 2016 with the intent to discuss further with the cities.
- Mr. Thacker asked the Council if they wish to continue the liaison program between the Youth Council and City committees. Councilwoman Ivie stated that Youth Council members are very busy, and said she wonders if asking them to serve as liaisons is asking too much. Councilman Higginson suggested the opportunity could be offered, but not required. Councilwoman Fillmore said the intent of the program was to provide more exposure and make serving on the Youth Council more than being party planners. She added that she doesn't mind if Youth Council members cannot participate, but she feels the youth perspective is valuable. She said she feels the committees could do a better job of pulling them in. Councilman Wright suggested holding an orientation program with information regarding the individual City departments rather than participation with one committee. Councilwoman Fillmore suggested having the Youth Council Advisor ask the Youth Council how much involvement they are interested in. Councilman Wright suggested discussing specific issues researched by the Youth Council with them at the upcoming joint work session.
- City Manager Thacker reported that a new Police Officer has been hired to fill the vacancy as positions shift with Chief Worsley's retirement.
- The National Citizens Police Academy Association has recognized Davis County as Agency of the Year for the outstanding efforts in conducting a Citizen Police Academy program.

1                    **MISCELLANEOUS BUSINESS**  
2

- 3                    • The Utah League of Cities and Towns Annual Conference will occur September 16-  
4                    18. Officials wishing to attend should provide registration information to the City  
5                    Recorder by August 27<sup>th</sup>.  
6                    • Councilwoman Ivie expressed concern that a presentation she and Councilman  
7                    Higginson requested be placed on the July 7<sup>th</sup> agenda was not included. Mayor  
8                    Cutler explained that the presenter had wanted to wait. Councilman Higginson  
9                    agreed to reach out to the individual and find out if the presentation is available.  
10                  • Mr. Thacker provided the Council with a memo regarding reassignment of duties  
11                  related to the Finance Director's current health limitations.  
12

13                    **ADJOURNMENT**  
14

15                  At 10:02 p.m. Councilwoman Fillmore made a **motion** to adjourn the meeting.  
16                  Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).  
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21 \_\_\_\_\_  
22 Marsha L. Morrow, City Recorder  
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27 \_\_\_\_\_  
28 Katie Rust, Recording Secretary

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Date Approved