Minutes of the Centerville City Council meeting held Tuesday, February 20, 2018 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor
Clark Wilkinson

Council Members
Tamilyn Fillmore
William Ince
Stephanie Ivie
George McEwan
Robyn Mecham

STAFF PRESENT
Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith, Management Services Director
Cory Snyder, Community Development Director
Cassie Younger, Assistant Planner
Paul Child, Centerville Police Chief
Marcus Arbuckle, Kedington & Christensen
Bruce Cox, Parks and Recreation Director
Katie Rust, Recording Secretary

VISITORS
Jeff Bassett, South Davis Metro Fire Chief
Interested Citizens (see attached sign-in sheet)

PRAYER OR THOUGHT
Councilwoman Fillmore

PLEDGE OF ALLEGIANCE

OPEN SESSION

No one wished to comment.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the February 6, 2018 work session, Council meeting and closed meeting, and February 13, 2018 Special Meeting were reviewed. Amendments were requested to the February 6 work session and regular Council meeting minutes, as well as the February 13 Special Meeting minutes. Councilwoman Fillmore made a motion to approve the February 6 closed meeting minutes, and the February 6 work session and Council meeting and February 13 Special Meeting minutes as amended. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

a. Amendment No. 2 to Interlocal Agreement for Animal Control Services – Resolution No. 2018-09
c. Reschedule March 20 City Council meeting to March 21
Councilwoman Fillmore made a motion to approve all three items on the Summary Action Calendar, including Resolution No. 2018-09 and Resolution No. 2018-10. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ZONE CODE AMENDMENTS – “CATERING, GENERAL” AND “CATERING, LIMITED” DEFINITIONS AND TABLE OF USES

In November of 2017, the Planning Commission and City Council voted to approve a new definition of the use “Catering, Limited” and allow the use as a Conditional Use in Commercial-Medium Zones with an approved application. The City Council directed staff and the Planning Commission to examine Catering use beyond the scope of the original request and incorporate a broader definition into the rest of the Table of Uses in other zones. Cassie Younger, Assistant Planner, presented to the Council the Table of Uses for “Catering, General” and “Catering, Limited” recommended by the Planning Commission. Ms. Younger explained that staff suggested limiting “Catering, General” to Industrial Zones, but the Planning Commission chose to recommend Conditional Use in Commercial-Very High Zones. Councilwoman Fillmore said she agrees with staff’s recommendation to limit “Catering, General” to Industrial Zones.

Mayor Wilkinson opened a public hearing at 7:20 p.m., and closed the public hearing seeing that no one wished to comment. Councilman McEwan stated he would prefer to restrict industrial levels of traffic to Industrial Zones. Councilwoman Fillmore made a motion to approve Ordinance No. 2018-06 regarding Zoning Code Amendments for “Catering, General” and "Catering, Limited" including amendments to CZC 12.12.040 regarding Definitions and CZC 12.36.040 regarding Table of Uses as presented, with the change that “Catering, General” is not permitted in C-VH Zones. Councilwoman Ivie seconded the motion, which passed by majority vote (4-1), with Councilman Ince dissenting.

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PUBLIC HEARING – MUNICIPAL CODE AND ZONING CODE AMENDMENTS – HOME OCCUPATIONS

In the 2017 General Session, the Utah Legislature adopted S.B. 81 restricting a municipality’s authority to charge a business license fee for home based businesses, unless the combined offsite impact of the home-based business and the primary residential use materially exceed the offsite impact of the primary residential use alone. Mr. Snyder made the following recommendation to the Council:

- Maintain requirement for Home Occupation to be licensed by the City to help home businesses to comply with local and state regulations.
- Amend the Municipal Code’s Business License Ordinance to eliminate a license fee, which will also eliminate the annual license renewal fee.
- Amend the Zoning Ordinance to require a "permitted use review and permit" for zoning compliance purposes – a one-time review with a fee to cover costs for zoning compliance review and approval.

Prior to adoption of S.B. 81, Centerville charged an annual $40 business license fee for home occupations. Staff recommends a one-time home occupation zoning compliance review fee of $75 for permitted use and $150 for conditional use. Councilwoman Mecham expressed concern that switching from a business license fee to a zoning compliance review fee feels like trying to get around what the State was trying to do. Ms. Romney explained the intent of S.B. 81, which does not prevent regulation of zoning and use. Councilwoman Fillmore said she feels it would be irresponsible to not charge a fee to cover administrative costs. Mr. Snyder clarified that only new business license applications would be subject to the zoning compliance review.

Mayor Wilkinson opened a public hearing at 7:48 p.m., and closed the public hearing seeing that no one wished to comment. Ms. Romney suggested the Council authorize staff to look into adding language that would limit permits for home occupation to make them non-transferable to any other person or property, and expire after twelve months of continuous non-use.

Councilwoman Fillmore made a motion to approve Ordinance No. 2018-05 regarding Municipal Code and Zoning Code Amendments for Home Occupations as set forth in CMC 6.01.070 and C2ZC 12.62, and authorize staff to add language that would limit permits for home occupation to make them non-transferable to any other person or property, and expire after twelve months of continuous non-use. Councilwoman Ivie seconded the motion. The Council and staff discussed existing home occupations in Centerville. The motion passed by majority vote (4-1), with Councilwoman Mecham dissenting.

PUBLIC HEARING – ZONING CODE AMENDMENTS – CHICKEN AND RABBIT PERMITS

In 2010, the City Council passed an ordinance that allows residents to raise up to ten chickens and rabbits (combined total) in Residential-Low Zones. The ordinance requires an initial permit application with a fee of $10, and an annual permit renewal fee of $5. The intent and purpose of the permit is for the city to have a list of names and addresses of those who keep these animals in the case of any disease outbreak or neighborhood complaint. A permit also ensures the owner is aware of regulations regarding chickens and rabbits.

Ms. Younger stated it has been brought to the attention of staff that the annual renewal is burdensome for owners. In response, staff suggests the Council require an initial permit with a cost of $10-$20, and eliminate annual permit renewal. The downside of eliminating annual permit renewal is that the city would not have a running list of who currently has chickens in their yard. The Planning Commission suggested staff contact the permit holders annually to see if the permit holders still have their chickens and rabbits and how many. There would be no fee associated with this survey.

Councilman Ince argued against reducing requirements considering the nuisance to both owners and neighbors of flies that often accompany chickens. Councilman McEwan said he agrees with charging an initial permit fee, but he cannot see that chicken owners receive tangible benefit or service from an annual renewal fee. At 8:08 p.m., Mayor Wilkinson opened a public hearing, and closed the public hearing seeing that no one wished to comment. As Council liaison to the Mosquito Abatement Board, Councilman McEwan pointed out that West
Nile Virus travels through the bird population. He agreed that tracking and maintaining contact with the owners is important.

Councilwoman Ivie made a motion to adopt Ordinance No. 2018-04 regarding Zoning Code Amendments for Chicken and Rabbit Permits, including amendments to CZC 12.55.240. Councilwoman Mecham seconded the motion. Ms. Younger stated the city has about 30 active Chicken and Rabbit Permits, and 10-15 that have been closed out over the years. The motion passed by majority vote (3-2), with Councilmembers Ince and Fillmore dissenting.

FEE SCHEDULE AMENDMENTS

Ms. Romney explained proposed Fee Schedule Amendments regarding Chicken and Rabbit Permits and Home Occupations. Councilwoman Fillmore made a motion to adopt Resolution No. 2018-05 approving amendments to the Centerville Fee Schedule regarding Chicken and Rabbit Permits, setting a $20 one-time permit fee and no renewal fee. Councilman Ince seconded the motion, which passed by unanimous vote (5-0). Councilman Ince made a motion to adopt Resolution No. 2018-06 approving amendments to the Centerville Fee Schedule regarding Home Occupations. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-0).

FINANCIAL REPORT

Marcus Arbuckle, the City's contract CPA adviser, presented a financial report for the seven-month period ending January 31, 2018, and answered questions from the Council. Mr. Thacker recommended distribution of the Personnel Contingency in the General Fund — and a portion of the City Council's Contingency — to offset the impact of retirements, annual cash-outs of paid leave, and other personnel actions. Following discussion, Councilman Ince made a motion to transfer from Council Contingency to Personnel Contingency enough to cover the shortfall and leave $5,000 in Personnel Contingency. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

The Council took a break at 8:56 p.m., and returned at 9:08 p.m.

PROPOSED RECRUITMENT STRATEGIES FOR POLICE OFFICERS

Police Chief Child described the current tight market for hiring police officers. He proposed the possibility of hiring a police academy applicant and putting that person on the payroll while attending the academy. A number of law enforcement agencies are using this strategy. Chief Child said he is aware of an individual, already known and respected by the Department, who desires to attend the academy and become a police officer. Councilwoman Ivie expressed her approval, and stated she is willing to provide whatever tools needed to maintain a quality Police Department. Councilman Ince made a motion to approve the proposed recruitment strategy, on an as-needed basis, subject to agreement by the City Manager. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

REQUEST FOR USE OF RAP TAX CONTINGENCY FUNDS

Bruce Cox, Parks and Recreation Director, introduced Matt Layton, Baseball Program Coordinator. Mr. Layton presented funding requests for the baseball program. He reported the program has grown to involve about 500 kids per season, with 4,000 – 5,000 Centerville citizens
at the park for games each week. The first priority on the list is new homerun fences (estimated cost of $7,624.94), and the second priority is batting cages ($3,889.99). Mr. Cox commented that the Parks and Recreation Committee reviewed and voted unanimously to support the request for use of RAP Tax Contingency funds.

Mr. Thacker stated approximately $8,400 in RAP Tax Contingency funds is available. Councilman McEwan made a motion to approve the purchase of homerun fences with up to $8,000 of RAP Tax Contingency. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

**MAYOR’S REPORT**

- A bid to remodel the Bountiful Fire Station was recently approved by the South Davis Metro Fire Board.
- Mayor Wilkinson reported on the Lunch with the Mayor program.
- The Mayor updated the Council regarding UTOPIA/UIA.

**CITY COUNCIL LIAISON REPORT**

Councilwoman Fillmore updated the Council on the South Davis Recreation District and the Parks and Recreation Committee. She suggested a City-wide parks analysis and plan would be beneficial, which could possibly be done by university students.

**CITY MANAGER’S REPORT**

- The Council will meet in a joint work session with the Planning Commission on Wednesday, February 21, at 6:30 p.m.
- The Council scheduled a RDA work session on March 6 prior to the regular Council meeting.
- A majority of the Council agreed with expanding the waste collection services RFP to include the option of up to five days per week to get the best price as long as all garbage is collected each week.
- Mr. Thacker updated the Council regarding wetlands issues at Community Park, which the Army Corps of Engineers is reviewing. The City has not implemented a mitigation plan approved in 1990. Mr. Thacker and Bruce Cox recently became aware of the full scope of this plan.

**APPOINTMENT**

Based on recommendation from the Mayor, Councilman Ince made a motion to reappoint Brandon Federico to a second term on the Trails Committee, and reappoint Jack Dellastatious to the Centerville Community Foundation. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

**ADJOURNMENT**

At 10:31 p.m., Councilman Ince made a motion to adjourn the meeting. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-0).
Minutes of the Centerville City Council work session held Tuesday, February 20, 2018 at 5:45 p.m. in the Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor                               Clark Wilkinson
Council Members                    Tamielyn Fillmore
                                     William Ince
                                     Stephanie Ivie
                                     George McEwan
                                     Robyn Mecham

STAFF PRESENT                      Steve Thacker, City Manager
                                     Lisa Romney, City Attorney
                                     Jacob Smith, Management Services Director
                                     Paul Child, Centerville Police Chief
                                     Katie Rust, Recording Secretary

STAFF ABSENT                      Bruce Cox, Parks and Recreation Director

TRAILS COMMITTEE PRESENT           Matt Johnson
                                     Sunny Larson
                                     Mark Oligschlaeder, Vice-Chair
                                     Blair Parrish
                                     Mike Remington, Chair
                                     Richard Turner

VISITOR                            Randy Cook, Davis County Tourism Office

CONCEPTUAL PLAN FOR MOUNTAIN BIKE TRAILS

Mark Oligschlaeder, Trails Committee Vice-Chair, presented an aerial view of a conceptual plan for mountain bike trails on city-owned hillside property. He said the Trails Committee believes the conceptual plan encourages recreation and is consistent with the Foothills Management Plan. The proposed trails are multi-use, bi-directional trails designed to accommodate drainage and minimize erosion. The average slope is no more than 7%. The estimated cost to build the proposed 4.7 miles of trail system as designed by Bob Radke is $112,000. Vice-Chair Oligschlaeder stated he believes the project could be accomplished with minimal financial contribution from the city by utilizing grants and other outside funding sources.

The proposed trails could be accessed from existing parking areas at the Parrish and Deuel Creek trailheads, as well as Twin Hollow Park in Bountiful. An upper trail system would be located just below the existing gun range connecting to the Bonneville Shoreline Trail, and a lower trail system would be located just below the motorized vehicle “bowl” area. The lower trail system would include a trail for young children located near the Deuel Creek trailhead. Vice-Chair Oligschlaeder said he suspects users will spend most of their time on the lower trail system. A public restroom is available at Twin Hollow Park. Vice-Chair Oligschlaeder said the Trails Committee does not feel it would be necessary to add restroom facilities at the trailheads, but they are not opposed to the idea. Councilwoman Ivie commented that it would be a good idea to provide restroom facilities near the trail for young children.

The aerial view presented by Vice-Chair Oligschlaeder showed existing trails as well as proposed trails. Chief Child expressed concern with safety of an existing trail that runs near the gun range. Vice-Chair Oligschlaeder confirmed that the existing trail near the gun range could
be decommissioned. Chief Child stated improving the Deuel Creek trailhead parking area and
the dirt road leading up to it would be beneficial to all users, including emergency vehicles. Mr.
Thacker explained that the gun club has some responsibility for maintaining the road, but does
not have all the necessary equipment. Councilwoman Fillmore suggested help with road
maintenance could be a potential benefit of partnering with the County.

The group discussed difficulties experienced by other mountain bike trail locations.
Vice-Chair Oligschlaeder said he does not anticipate the type of volume experienced by other
bike parks. It is estimated trail maintenance would require approximately one man hour per mile
per year. Randy Cook with the Davis County Tourism Office talked about some of the bike
parks along the Wasatch Front. Vice-Chair Oligschlaeder said he would classify the proposed
trails as more of a multi-use trail system than a bike park. Mr. Cook pointed out that the
proposed trail system would not be used for competitions.

Mr. Cook commented that partnering with other entities (e.g. Davis County, private bike
shops) would increase the City's chance of receiving a grant. Councilwoman Fillmore
suggested approaching Bountiful City about the possibility of putting the trail designed for young
children close to the Twin Hollow Park access rather than the proposed location near the Deuel
Creek trailhead. She said she likes the idea of decommissioning the existing trail that cuts too
near the gun range.

Sunny Larson, Trails Committee member, listed benefits often associated with bike trail
systems: improve home values; preserve open space; decrease health costs in the community;
stimulate the economy; family friendly; contribute to improved air quality; and potential to link
with other trails in the County. Councilman McEwan said he would want to ensure that all users
feel welcome on the trails. Blair Parrish, Trails Committee member, said he is excited about the
trails as a hiker, not a biker. Councilman McEwan recommended signs to clearly designate gun
range danger. Richard Turner, Trails Committee member, agreed that education and good
signage will be necessary. The group discussed multi-use compatibility of the proposed trails.
Vice-Chair Oligschlaeder said signage is available that addresses yield priority.

Mr. Cook confirmed Davis County is interested in cooperating with the City, and willing to
move forward with the consideration process when a proposal is submitted. Ms. Romney
suggested a signage package and a 5-7 year maintenance plan should be added to the
proposal. Maintenance responsibility of the access road needs to be determined. Vice-Chair
Oligschlaeder said the grant application process opens March 31st and closes April 15th. He
suggested holding a public workshop/open house in the next three weeks. Mr. Thacker
suggested Tuesday, March 13 for the open house.

ADJOURNMENT

The work session was adjourned at 6:53 p.m.

Mackenzie Wood, City Recorder

Katie Rust, Recording Secretary