

1 Minutes of the Centerville **City Council** meeting held Tuesday, January 17, 2017 at 7:00 p.m. at
2 Centerville City Hall, 250 North Main Street, Centerville, Utah.

3
4 **MEMBERS PRESENT**

5
6 Mayor Paul A. Cutler

7
8 Council Members William Ince
9 Stephanie Ivie
10 George McEwan
11 Robyn Mecham

12
13 **MEMBER ABSENT** Tamilyn Fillmore

14
15 **STAFF PRESENT** Steve Thacker, City Manager
16 Blaine Lutz, Finance Director/Assistant City Manager
17 Lisa Romney, City Attorney
18 Marsha Morrow, City Recorder
19 Randy Randall, Public Works Director
20 Dave Walker, Drainage Utility Supervisor
21 Katie Rust, Recording Secretary

22
23 **STAFF ABSENT** Jacob Smith, Assistant to the City Manager

24
25 **VISITORS** Brian McKenzie, Davis County
26 Curtis Koch, Davis County
27 Interested citizens (see attached sign-in sheet)

28
29 **PLEDGE OF ALLEGIANCE** Maxwell Dodge, BSA Troop 7121

30
31 **PRAYER OR THOUGHT** Mayor Cutler

32
33 **OPEN SESSION**

34
35 Steven Weed – Mr. Weed stated he has become aware of the Trails Committee
36 proposal to construct a mountain bike switchback trail on the hillside across the street from his
37 home. He explained that he is against this proposal, mainly because of the likelihood that the
38 sensitive hillside would be destabilized. He said he would also not want the street to turn into a
39 parking lot for mountain bikers. Mr. Weed said the neighborhood has recently experienced a
40 number of break-ins, and he is concerned about inviting an element that would not be desirable.

41
42 Patricia Marsh – Referring to the Trails Committee proposal to construct a mountain bike
43 trailhead on Island View Drive, Ms. Marsh said she uses the hillside daily and is aware of the
44 unstable slope. She expressed concern regarding erosion, and the fact that Island View Drive
45 is not zoned as a community parking lot. Ms. Marsh pointed out that an area for recreational
46 parking is already designated nearby on 100 South. She said she is opposed to a mountain
47 bike trailhead so close to a residential neighborhood.

48
49 Kayleen Weed – Ms. Weed pointed out that Twin Hollows has a mountain biking trail
50 with parking. She said she has experience with the unstable hillside – the hill is totally sand and
51 would erode with bike use, eventually ending in flooding.

52
53 Lori Love – Ms. Love said she has young children. She said there are already four-
54 wheeler users that race up and down Island View Drive, and she is concerned that a trail head
55 would bring additional four-wheeler users and add to the danger for residents.

1 **MINUTES REVIEW AND ACCEPTANCE**
2

3 The minutes of the January 3, 2017 work session and regular Council meeting were
4 reviewed. Councilman McEwan requested an amendment to the regular Council meeting
5 minutes. Councilman Ince made a **motion** to approve the January 3, 2017 work session
6 minutes and regular meeting minutes as amended. Councilman McEwan seconded the motion,
7 which passed by unanimous vote (4-0).
8

9 **SUMMARY ACTION CALENDAR**
10

- 11 a. Ron Schultz Subdivision – Commence Warranty
12 b. Amendments to Personnel Policies – Resolution No. 2017-01
13 c. Accept Public Utility Easement for Rohletter Small Subdivision
14 d. Approve Public Improvements Deferral Agreement for Lot 10 of the Duncan Hills
15 Subdivision Amended
16

17 Councilwoman Mecham pointed out that the address listed in the staff report for the Ron
18 Schultz Subdivision is incorrect. Staff agreed to amend the address. Councilman Ince made a
19 **motion** to approve all items on the Summary Action Calendar as amended. Councilwoman
20 Mecham seconded the motion, which passed by unanimous vote (4-0).
21

22 **2017 MUNICIPAL ELECTION – VOTE-BY-MAIL RECOMMENDATION**
23

24 Marsha Morrow, City Recorder, introduced Brian McKenzie and Curtis Koch
25 representing Davis County. She informed the Council that beginning this year Davis County will
26 only administer the vote-by-mail option for elections. She explained reasons in favor of the
27 vote-by-mail option, and reasons against the city running its own traditional election. Mr. Koch
28 confirmed that the County experienced a turnout of 88.21% of registered voters in the 2016
29 election, with just over 85% of the voters utilizing the vote-by-mail option. The County's
30 recommended plan includes one polling location in each city that would be consistent from year
31 to year to avoid confusion. Mr. McKenzie stated that with a four-week mailing period, the
32 County found that one-quarter of the ballots were returned in each of the four weeks. With a
33 three-week mailing period, the County found that one-third of the ballots were returned in each
34 of the three weeks. The County has asked for a tentative decision from the cities by February
35 13, 2017.
36

37 Responding to a question from Councilwoman Mecham regarding the cost of the city
38 running its own election, Mr. McKenzie encouraged the Council to remember that the County
39 has a full staff focused on efficient election preparation, with years of experience.
40 Councilwoman Ivie said she is disappointed at the loss of traditional voting, and said she feels
41 the vote-by-mail method trivializes voting rights a little bit. Councilwoman Ivie talked about
42 taking her children with her to the polls as a teaching experience. She said she realizes the
43 efficiency and cost effectiveness, but she feels vote-by-mail caters to heavily-funded
44 candidates. Councilwoman Mecham said she worries that citizens will receive the ballot in the
45 mail and color in the circles without researching the options, whereas with the traditional method
46 citizens had to make an effort to vote. Councilman McEwan stated that most people do not pay
47 attention to the issues until the week prior to Election Day, and he feels there are a lot of people
48 who will just check boxes and mail the ballot back. He agreed that the vote-by-mail option
49 trivializes voting in a way.
50

51 Mr. Koch agreed that candidates will need to rethink how they reach out to the voting
52 public. The County has tried to help facilitate that by hosting a website where each candidate
53 can place a 200-word or less bio, as well as a link to personal websites. Mr. McKenzie stated

1 the election system cannot be hacked because it is not networked. Responding to
2 Councilwoman Ivie, Mr. McKenzie said he understands the nostalgic feeling of going to a polling
3 location, but he explained that when he receives the ballot in the mail he sits down to discuss
4 the issues and candidates at home with his children. The method is different, but can still be
5 meaningful. He repeated that polling locations will still be available. Mr. McKenzie
6 recommended the Council allow the voting public to decide for themselves what they want to do
7 with their ballot. Councilwoman Ivie said she feels taking the exit poll and discussing it with her
8 children is a valuable learning experience.

9
10 The Mayor expressed the opinion that higher voter involvement is better, and
11 recommended the Council choose to contract with the County to facilitate the 2017 election.
12 Councilwoman Mecham asked why the polling location is at a school with school in session,
13 rather than City Hall. Mr. McKenzie responded that the slope of the City Hall parking lot does
14 not meet accessible parking requirements. Mr. Koch said the County is working on finding a
15 different polling location other than the school.

16
17 The Council expressed a desire to have time to get more information before making a
18 decision. The issue will be placed on the agenda for the first meeting in February. Councilman
19 Ince asked staff to put together estimates of the cost of doing an election as it has been done in
20 the past.

21
22 **STORMWATER REGULATIONS AND IMPACTS ON CITY OPERATIONS**

23
24 Dave Walker, Drainage Utility Supervisor, briefed the Council on Federal stormwater
25 regulations and their impact on City operations, and answered questions from the Council.

26
27 **GREEN WASTE COLLECTION**

28
29 For many years the City has offered a green waste curbside pickup service in the spring.
30 Residents are allowed to place green waste in the gutter for pickup by the City's contractor over
31 a two-week period. Placing this debris in the street is contrary to the City's own stormwater
32 regulations, which are intended to protect the quality of stormwater runoff and operational
33 condition of the drainage system. Debris in the streets also interferes with garbage pickup and
34 mail delivery. Mr. Walker explained that the estimated cost for the annual spring curbside
35 pickup for 2017 is about \$35,000. Although the spring curbside pickup is extremely popular, Mr.
36 Walker explained that staff recommend it is time to discontinue a practice that is at odds with
37 City regulations. Staff propose three alternatives to the current practice in Centerville:

- 38
39
- 40 • Provide residents with vouchers to pay the tipping fee when they haul their own
41 green waste to the landfill.
 - 42 • Allow residents to haul their green waste to the Public Works/Parks Maintenance
43 Facility on designated days. A contractor would be hired to bring in a tub grinder,
44 grind the green waste, and haul it off.
 - 45 • Allow residents to haul their green waste to two designated locations at City parks on
46 designated days. A contractor would be hired to bring in a tub grinder, grind the
47 green waste, and haul it off.

48 Council members expressed concern that many citizens do not have access to a vehicle
49 that could haul green waste to a separate location. Councilman McEwan commented that the
50 spring pickup service helps with beautification of the entire city. Councilman Ince pointed out
51 that, in addition to beautification, the cleanup helps the city qualify for wildfire insurance with the
52 State. Mr. Walker expressed confidence in the volunteer spirit within the community. Mr.
53 Thacker said he believes individuals and groups in the community would step up and help their

1 neighbors if given enough notice. The suggestion to change is prompted by the annual violation
2 of ordinances, with the cost being a secondary consideration.
3

4 Mayor Cutler pointed out that eventually the city will have to make a change. The
5 Council discussed ways to continue providing the service. Mr. Walker commented that many
6 citizens would be able to fit the green waste in their own green waste cans if the spring pickup is
7 moved to the parks or does not happen. Councilman McEwan suggested the Council leave the
8 program alone this year, and educate citizens so they can plan ahead for a change next year.
9 Mayor Cutler suggested moving the service to the parks this year, with the intention to
10 discontinue the spring pickup beginning next year. The Mayor pointed out that a fee-based fall
11 cleanup is already in place, and asked why the spring cleanup could not be the same. Blaine
12 Lutz, Assistant City Manager/Finance Director, responded that the spring pickup has been in
13 place long enough that citizens expect it to happen. Only 10-15 households have participated in
14 the fall pickup in the last several years. Mr. Lutz suggested a notice be included in the
15 community brochure emphasizing that material cannot be put in the street more than one week
16 prior to the pickup. Councilwoman Mecham suggested offering the service in the parks, with the
17 option that citizens could pay \$10-\$15 for curbside pickup.
18

19 Councilman McEwan asked what the Council needs to do to get a permitted use during
20 the spring pickup to be ordinance compliant. Staff discussed requirements that would have to
21 be met, emphasizing that compliance would really be unmanageable. Mr. Thacker said he is
22 willing to support Councilman McEwan's idea of continuing the service this year, with education
23 that a change will occur next year. Councilman McEwan made a **motion** to leave the spring
24 green waste collection in place for 2017, with instruction to begin education that the service will
25 move to the parks in 2018. Councilman Ince seconded the motion, which failed (2-3), with
26 Council members McEwan and Ince in favor, Council members Mecham and Ivie against, and
27 Mayor Cutler voting against. Councilman Ince made a **motion** to begin community education,
28 offer the service free at selected parks and offer curbside pickup for a \$15 fee to be
29 implemented as well as possible in 2017, with either park-only or no service at all next year
30 depending on results this year. Councilwoman Ivie seconded the motion. Staff and the Council
31 discussed the logistics of implementing the motion. At 9:44 p.m., Mayor Cutler opened an
32 impromptu public hearing.
33

34 Spencer Dodge – Mr. Dodge commented that placing yard waste in the park strips
35 instead of the street might minimize the stormwater concern. Mr. Walker responded that the
36 equipment used to collect the green waste rips up grass and sprinklers in park strips. Mr.
37 Dodge said he feels it would be okay if the city does not offer the service.
38

39 The motion passed (3-1), with Councilman McEwan dissenting. Mr. Lutz stated that staff
40 will try to implement the motion, but he predicted it will be a disaster this spring.
41

42 At 9:49 p.m. the Council took a break, returning at 10:00 p.m. Staff explained difficulties
43 associated with the motion that passed, and recommended the Council reconsider. Following
44 further discussion, Councilman Ince made a **motion** to reconsider the motion on the advice of
45 staff. Councilwoman Ivie seconded the motion to reconsider, which passed by unanimous vote
46 (4-0).
47

48 Councilman McEwan made a **motion** to maintain the spring green waste pickup in 2017,
49 and instruct staff to educate citizens on stormwater regulations and the change that beginning in
50 2018 the green waste service will be offered only at selected City parks. Councilwoman Ivie
51 seconded the motion, which passed by majority vote (3-1), with Councilwoman Mecham
52 dissenting.

1 **MAYOR'S REPORT**

- 2
- 3 • UTOPIA financial statements are included with the agenda on NovusAgenda.
 - 4 • Mayor Cutler updated the Council regarding plans for the Centerville Fire Station.

5

6 **COUNCIL LIAISON REPORT**

7

8 Councilman McEwan explained that the Mosquito Abatement Board is concerned about
9 possible legislation that would require all boards to be election based, including the Mosquito
10 Abatement Board. Councilman McEwan stated he is not in support of such legislation. He
11 stated there may also be legislation regarding the ability of special districts to bond.

12

13 **CITY MANAGER'S REPORT**

- 14
- 15 • Mr. Thacker showed proposed changes to the Marketplace Drive/Parrish Lane
16 intersection and the 400 West/Parrish Lane intersection. Funding applications are
17 due to Wasatch Front Regional Council by Thursday, January 19th.
- 18 • The Council will meet in a work session on January 31st.
- 19 • The Council is invited to submit comments regarding the 2017 community brochure
20 until Friday, January 20th.
- 21 • Ms. Romney stated a revised Municipal Code will be ready for Council review
22 sometime in February.

23

24 **OPEN AND PUBLIC MEETINGS TRAINING**

25

26 The Council chose to table the training to a future meeting due to the late hour.

27

28 **ADJOURNMENT**


29

30 At 10:33 p.m. Councilwoman Ivie made a **motion** to adjourn the meeting. Councilman
31 Ince seconded the motion, which passed by unanimous vote (4-0).

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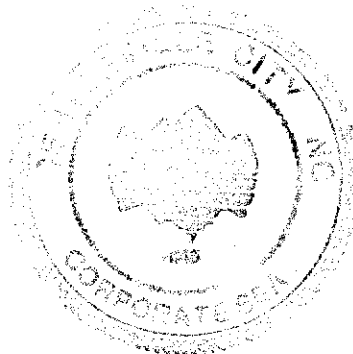
35 
36 _____
37 Marsha L. Morrow, City Recorder

38

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40 2-7-2017
41 _____
42 Date Approved

43 
44 _____
45 Katie Rust, Recording Secretary



1 Minutes of the Centerville City Council **work session** held Tuesday, January 17, 2017 at 5:30
2 p.m. in the Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

3
4 **MEMBERS PRESENT**

5
6 Mayor Paul A. Cutler

7
8 Council Members William Ince
9 Stephanie Ivie
10 George McEwan
11 Robyn Mecham

12
13 **MEMBERS ABSENT** Tamilyn Fillmore

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15 **STAFF PRESENT** Steve Thacker, City Manager
16 Lisa Romney, City Attorney
17 Katie Rust, Recording Secretary

18
19 **STAFF ABSENT** Blaine Lutz, Finance Director/Assistant City Manager
20 Jacob Smith, Assistant to the City Manager

21
22 **VISITORS** Senator Todd Weiler
23 Representative Tim Hawkes (arrived at 5:47 p.m.)
24 Senator Stuart Adams (arrived at 6:00 p.m.)
25

26 **WORK SESSION WITH STATE LEGISLATORS REPRESENTING CENTERVILLE**

27
28 **Cemetery Expansion Update** – City Manager Thacker updated the Council on staff
29 research regarding the options for expanding cemetery space. He suggested that a terraced
30 approach to a retention wall on the west side of the cemetery may be financially feasible.
31 Councilman McEwan asked about the possibility of partnering with the County for memorial park
32 space on the County-owned property on 100 South. Staff is compiling a list of plot owners who
33 may be interested in selling unused cemetery plots back to the City, if City ordinances were
34 altered to allow the City to re-purchase the plots at current rates.
35

36 **Online Sales Tax** – The Mayor and Council members discussed the need for online
37 sales tax legislation with Senator Weiler and Representative Hawkes. The Legislators said they
38 do not expect the Legislature to take further action this year considering Governor Herbert's
39 recent agreement with Amazon. Senator Weiler expressed the opinion that this is an issue that
40 should be addressed by Congress. Mr. Thacker emphasized that he would not be in support of
41 action that would make collection of online sales tax revenue neutral for the cities. Senator
42 Weiler said he feels there is no logical policy argument as to why online sales should be tax-
43 free.
44

45 **Education Spending** – Responding to a question from Councilman McEwan, the
46 Legislators explained that State and local school boards are responsible for education spending,
47 and are the groups that should be questioned regarding financial accountability.
48

49 **Land-Use Task Force** – As a member of the State Land-Use Task Force, City Attorney
50 Lisa Romney said she would encourage that any legislation regarding land use be submitted to
51 the Land-Use Task Force for review.

