Minutes of the Centerville City Council meeting held Tuesday, January 3, 2017 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor Paul A. Cutler
Council Members Tamilyn Fillmore
                                          William Ince
                                          Stephanie Ivie
                                          George McEwan
                                          Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith, Assistant to the City Manager
Chief Paul Child, Centerville Police Department
Cassie Younger, Assistant City Planner
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

VISITORS

Mark Dimond, Trails Committee Chair
Brandon Federico, Trails Committee
Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Councilwoman Fillmore

COMMENDATION

Mayor Cutler expressed gratitude to the individuals responsible for clearing snow from City streets, and acknowledged the significant sacrifice made to clear the streets early Christmas morning. He also expressed appreciation to all police and fire officials who sacrifice holiday time to keep the community safe.

OPEN SESSION

Dave Farnsworth – Mr. Farnsworth expressed appreciation for the wonderful efforts to keep the streets free of snow, and congratulated the Parks Department on the beautiful holiday light display in Founders Park. As a member and representative of the Sons of Utah Pioneers (SUP), Mr. Farnsworth expressed concern about the fencing currently restricting access to the plaque placed by the SUP on the County-owned property located on 100 South. He asked the Council to register the concern with the County, with the request that citizens have free and full access to that property. He said he is not aware of any dangerous incident occurring on the property in the last 35 years, and he feels the property should not be posted “No Trespassing”.

Wayne Argyle – Mr. Argyle said he lives across the street from the County-owned property on 100 South. He expressed concern that the County-owned parcel of land that has been enjoyed by many as a nature spot could be lost to something that only a few homeowners would enjoy. Mr. Argyle said the property is used extensively by both children and adults for taking walks, crossing the bridge, and enjoying the water cascading over the rocks. The land is important as it is now. The comparable small amount of money gained in a sale, would be nothing compared to the loss of the natural historical site. He referred to the “No Trespassing” signs currently posted, and said he understands the issue of liability. However, in its current
state, there is little, if any, upkeep. Mr. Argyle suggested that liability insurance could be acquired at a cost much less than the maintenance on any of Centerville’s parks. He suggested the area along 100 South be left as it is, even if Davis County continues the plan to urbanize the area along 200 South.

Tracy James – Mr. James stated he is a commercial developer. He said he believes the northern half of the County-owned property on 100 South would be very expensive to develop, and he thinks a peace offering could be made. He suggested the County sell the southern half of the property for development, and preserve the northern half. Mr. James said he has made the offer to the County to purchase some of the land at the current asking rate, and also suggested to others in the community that money could be raised to purchase some of the property.

Lee Skabelund – Mr. Skabelund stated that, as a retiree with the Forest Service, he recognizes the value of natural land. He echoed the expressions of gratitude for the snow plowing. Referring to the County-owned property on 100 South, Mr. Skabelund said he feels good-faith communication has been lacking between the City and the County. He said he feels the property has a lot of opportunity, and he encouraged open communication between representatives of both groups.

Jennifer Decker – Ms. Decker said it is her understanding that the Council and Mayor are concerned about the lack of available cemetery space, and are looking into options to add or expand burial space. She questioned the financial feasibility of the options under consideration, and expressed concern regarding legal liability. She suggested the proposed wall would be a short-term solution, not a long-term solution. Ms. Decker suggested the Council explore the possibility of utilizing some of the County-owned property on 100 South for expanded cemetery space.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the December 6, 2016 Council meeting were reviewed. Councilwoman Fillmore made a motion to approve the minutes. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

a. Approve amendments to recording secretary services contracts
b. Commence warranty period – Porter Walton Townhomes
c. Terminate warranty period – Chick-Fil-A
d. Award bid for replacing three submersible pumps and pump column to Nickerson Company in the amount of $88,738.00

Mr. Thacker requested that the motion to approve item (d) on the Summary Action Calendar include authorization to participate in a Rocky Mountain Power energy savings agreement. Councilman Ince made a motion to approve all four items on the Summary Action Calendar, and include with item (d) the authorization to participate in a Rocky Mountain Power energy savings agreement. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – FINAL SUBDIVISION – RAY SUBDIVISION

On December 14, 2016, the Planning Commission reviewed and recommended for approval the proposed Final Subdivision Plat for the Ray Subdivision located at approximately
233 South 100 East. Cassie Younger, Assistant City Planner, explained the recommendation and answered questions from the Council.

Mayor Cutler opened a public hearing at 7:24 p.m., and closed the public hearing seeing that no one wished to comment. Councilwoman Fillmore made a motion to approve the Final Subdivision Plat for the Ray Subdivision, subject to the following conditions and based on the following findings. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. The Final Plat Linen shall meet all standards found in Chapter 15.3 of the Subdivision Ordinance.
2. After the final plat is deemed acceptable by the City Engineer and City Attorney, the developer shall submit the final plat with all required signatures and acknowledgments to the City Recorder for recording with the Davis County Recorder’s Office. The developer shall submit an updated title report current within 30 days of recording the plat to the City Recorder along with the final plat.
3. The final construction drawings shall be reviewed and approved by the City Engineer prior to the recommendation of the Subdivision Plat.
4. The developer shall submit a signed public improvements agreement and bond prior to recording the final plat regarding any required public improvements.
5. Developer shall pay all required development, impact and recording fees prior to recording of the final plat.
6. The developer shall remove the shed on Lot 2 prior to the issuance of any building permit within the subdivision.

Findings:

1. The final subdivision plat is in harmony with the General Plan [Section 12-480-52(1)(e)].
2. The new subdivision meets the objectives for development within a Residential-Low Zone [Section 12-30-020(b)(1)].
3. It appears all applicable development standards for development within an R-L Zone have been satisfied [Table 12.32.1].
4. It appears all general requirements for a subdivision have been satisfied [Chapter 15-5].
5. All applicable standards found in the Subdivision Ordinance pertaining to a final subdivision review have been satisfied [Chapter 15-4].

POLICE DEPARTMENT BUSINESS

Police Chief Child explained the need for continual updates to Police Department Policies, and presented revisions to the Physical Fitness Policy. The current policy was drafted and recommended by URMMA several years ago through an extensive validation process. It requires that an employee be terminated or transferred into a non-police officer position if, after several attempts, that employee continues to fail the fitness tests. In the context of the current police officer job market, Chief Child is concerned about retaining his current officers, and therefore would like to back off the termination requirements and use other incentives to encourage compliance.

City Manager Thacker explained that authority for the content and adoption of the Police Policy Manual resides normally with the Police Chief. However, the Council has the authority to
override the Chief if they disagree with the content of a Police Department policy. The Council
is being apprised of these revisions because the changes could affect the amount of premium
paid by the City to URMMMA for liability insurance coverage. The increase would be slight, if any,
due to this factor. Councilman McEwan suggested the Chief consider the acceptable physical
fitness test alternatives used by the military. Chief Child responded that URMMMA has indicated
they would not acknowledge military physical fitness test alternatives. A majority of the Council
appeared to support the change.

Chief Child explained the proposal to transition an existing position in the Police
Department to an Administrative Sergeant position. He explained the proposed duties for the
position, and the shift of duties that would occur within the Department. Councilman Ince made
a motion to approve the proposal to convert a Police Officer position to an Administrative
Sergeant position, and support use of Contingency for the transition. Councilwoman Mecham
seconded the motion, which passed by unanimous vote (5-0).

**COUNTY PROPERTY ON 100 SOUTH STREET**

In March of 2016, County officials attended a City Council meeting and informed the
Council that they intend to sell the 2 acres of County-owned property on 100 South, which
contains the Deuel Creek channel and sedimentation basin on the north portion. From 1997 to
2014 the property was the subject of a lease agreement between the County and Centerville
City, allowing the property to be used as a natural open space by City residents. Recently,
County employees have fenced the property and posted "No Trespassing" signs.

Mayor Cutler said he is confident that both the County and the City are willing to work
together for the best possible outcome. He said one possibility is to allow the south side of the
property to be developed, leaving the north side in a permanent conservation status, possibly
deeded back to the City. The desire of residents seems to be to keep the north end in a more
natural state. The County would retain responsibility of the stream channel. Councilwoman
Mecham said she would love to leave the entire property open as a legacy, and she strongly
feels the City needs to work with the County. Councilman McEwan said he feels the fence is
probably an overreaction, since there is not a history of problems on the property, and working
to have the fence removed would be good. Councilwoman Fillmore said she feels the Council
missed an opportunity in past discussions by not looking into the possibility of extending the
liability agreement. Mayor Cutler showed on a map a suggestion for retaining a public-access
path through the north portion of the property. A pathway on the south portion of the property
would be more expensive to create.

Wayne Argyle – Mr. Argyle said he feels the Mayor's suggestion would be something the
citizenry would not like. There is an established nature path on the south portion of the property
that would not cost anything.

Ron Schultz – Mr. Schultz described the existing trail on the property, and commented
that keeping the existing trail would not cost anything.

Lee Skabelund – Mr. Skabelund commented that he is experienced at operating trail
systems. He said he is confident that area residents would be willing to commit to annual
cleanup of the property to minimize maintenance expense.

Dale Engberson – Mr. Engberson commented that property rights of the homes on the
south portion will need to be respected.
The Council agreed to proceed with negotiations with the County, with Mayor Cutler taking the lead.

**MAYOR'S REPORT**

- Mayor Cutler reported that a number of citizens have approached him with concerns about the options being considered to expand the cemetery.
- The Mayor reported that he attended two DARE graduations in December.
- There have been significant challenges recently with the City website. Councilman McEwan commented that more and more citizens are looking to the internet as their first source for information, and the City needs to have a reliable website, with an established backup plan. The Mayor and Council discussed the City's current provider, and options for improving the situation.

**CITY MANAGER'S REPORT**

- The Trails Committee has proposed the construction of mountain bike trails on the mountainside. Brandon Federico, a member of the Trails Committee, showed the proposed bike trails on a map. He stated that the Trails Committee is willing to take on responsibility of maintaining the trails. It is intended that bikers would park their vehicles on Island View Drive and access the trail system at that location. Councilwoman Ivie expressed her concern regarding erosion, and said she knows the Island View Drive neighborhood is on high alert because of crime – watching for vehicles that do not belong in the neighborhood. Councilman McEwan stated he would want the gun range property to the east to be well posted to prevent bikers from straying into a dangerous situation. Councilwoman Fillmore said she loves that Centerville has a Trails Committee that is active, and pointed out the possible opportunity to partner with the County. Mayor Cutler suggested Trails Committee representatives join him in a meeting with County representatives. Mr. Federico expressed confidence that the trails could be constructed with volunteer labor and hand tools. Councilman McEwan said he would be interested in knowing what kind of impact similar trail systems have had on liability and emergency responders in other communities. Mayor Cutler commented that, since a portion of the proposed trail system extends into Bountiful, it would make sense to involve Bountiful in discussions. Mark Dimond, Trails Committee Chair, and Mr. Federico indicated they could put together a phased proposal. City Manager Thacker referred to the trail that currently runs through the gun range property, and Councilman Ince agreed that the trail is a problem. Mr. Federico responded that he feels the lack of signage is the problem.

- In the past few weeks staff have been working on the Council’s directive to study options for increasing burial space at the City Cemetery. Mr. Thacker updated the Council on the options being considered. Mayor Cutler suggested the Council hold a work session to receive a report from staff as well as citizen input. The Council appeared to be in agreement that they would only consider an expansion project if it were cost neutral for the City. Councilman McEwan said he is intrigued by the suggestion to use part of the County-owned property on 100 South as a memorial park and columbarium space. Staff will continue to study the possibilities.

- Mr. Thacker updated the Council on the plan to improve parking space at the Whitaker Museum. He explained that the estimated cost for an improved parking lot (without curb and gutter) with approximately eight parking stalls is $20,000-$30,000.
• A Summary of Projects/Issues for 2016 and 2017, and an update of the Capital Improvement Program Summary for 2017 are included in the staff report available with the agenda on NovusAgenda.
• A majority of Council members indicated interest in the City hosting an emergency management training meeting, with other cities invited to attend.
• The Council indicated they would like an update from a UTOPIA representative at a future meeting, and an update from Dee Hansen about the Sewer District’s biowaste-to-energy project.
• The Council will meet with Legislators in a work session prior to the regular Council meeting on January 17th, and will meet with the Parks Committee in a work session prior to the Council meeting on February 7th.

CLOSED MEETING

At 9:15 p.m. Councilwoman Ivie made a motion to move into a closed meeting to discuss the character and competence of individuals. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Mayor; Council members Fillmore, Ince, Ivie, McEwan, and Mecham; Steve Thacker, City Manager; Lisa Romney, City Attorney; Jacob Smith, Assistant to the City Manager; and Katie Rust, Recording Secretary.

The Council returned to regular meeting at 9:40 p.m.

APPOINTMENTS

Mayor Cutler recommended the following appointments: reappoint Scott Sappenfield to the Board of Adjustment, and appoint Kevin Merrill and Paula Tew to the Board of Adjustment; reappoint Gina Hurst and Logan Johnson to the Planning Commission; and reappoint Diane Chamberlain to the Whitaker Museum Board. Councilman McEwan made a motion to reappoint Scott Sappenfield to the Board of Adjustments and appoint Kevin Merrill and Paula Tew to the Board of Adjustments; reappoint Gina Hurst and Logan Johnson to the Planning Commission; and reappoint Diane Chamberlain to the Whitaker Museum Board. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 9:43 p.m., Councilman Ince made a motion to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

Marsha L. Morrow, City Recorder

[Signature]

Katie Rust, Recording Secretary

[Stamp]
Minutes of the Centerville City Council work session held Tuesday, January 3, 2017 at 6:15 p.m.
in the Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor                                      Paul A. Cutler
Council Members
Tamilyn Fillmore                           William Ince
Stephanie Ivie                             George McEwan
Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith Assistant to the City Manager
Lisa Summers, Recreation Coordinator
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

CITY RECREATION PROGRAM

Lisa Summers, Recreation Coordinator, updated the Council on the City’s recreation program. She explained that the goal of the program has been to offer classes at a reduced rate to the community, and to offer summer jobs to community youth. She estimated that around 500 merit badge cards are signed through the City every year. Council members looked at a list of classes offered by the City over the years, and Ms. Summers stated that she tries to change the classes offered as the needs in the community change. The number of adult classes offered has reduced as other options have become available in the community. Recreation booklets are only mailed to Centerville residents, but registration priority is not given to Centerville residents. Registration is taken on a first-come, first-served basis.

Responding to a comment from Councilwoman Ivie regarding making the classes more affordable for all, Ms. Summers said she feels the classes offered are a good deal. She said she can only remember three instances in all the years she has held this position that she has been asked about a reduced fee. Staff worked with those families on an individual basis. Councilwoman Ivie said she suspects there are many families in the area in which she lives that do not even consider the City classes because the cost is out of their league. Councilwoman Ivie suggested that schools in the City could be contacted for the number of students on the reduced lunch program for a better idea of need.

Councilwoman Mecham asked about the possibility of summer classes running longer than three weeks, perhaps offering something that would last all summer. Ms. Summers responded that she is always open to ideas of ways to improve the program. She has noticed that the first session of the summer has more participation than the later session, and not all subjects are able to hold participants’ interest for more than the three weeks. Councilwoman Mecham asked if it would be possible to involve volunteers to make the classes more affordable. Ms. Summers described the training and work schedule for summer employees. She said she would be thrilled to have quality volunteers, but she has not seen proof that enough consistent volunteer labor would be available. Councilman Ince asked if Ms. Summers has had any pushback from local companies. Ms. Summers responded that the City partners with local companies rather than competing. She said she has never felt any pushback.
**ADJOURNMENT**

Mayor Cutler adjourned the work session at 6:53 p.m.

Marsha L. Morrow, City Recorder

Katie Rust, Recording Secretary

1-17-2017

Date Approved