Minutes of the Centerville City Council work session held Tuesday, September 19, 2017 at 5:30 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 Summers, Youth Council Advisor
Katie Rust, Recording Secretary

STAFF ABSENT

Lisa Romney, City Attorney
Jacob Smith, Management Services Director

YOUTH COUNCIL PRESENT

Lana Bangerter Eliza Greer, Youth Mayor Lindsay Richards
Jace Barton Smith Jackson Anna Roberts
Hannah Chamberlain Kymsle Johnson Isabelle Santini
Hudson Christensen Katherine Kimball Ally Seelos
Scotty Cutler Mica McKee Brittney Weight
Emily Erekson Sarah Moore Becca Vogrinec
Sami Freeman Shaelee Nielsen
Isaak Getz Hana Pertab

WORK SESSION WITH CITY YOUTH COUNCIL

Youth Mayor Eliza Greer reported on Youth Council activities and events planned for 2017-2018. Mayor Cutler and Council members described their responsibilities as elected officials. Youth Council members commented on what they like about living in Centerville. Mayor Cutler led a discussion of issues significant to the community including density decisions, maintaining a “small town” community atmosphere, parks and recreation opportunities, and public safety.

ADJOURNMENT

Mayor Cutler thanked the Youth Council for their service, and adjourned the work session at 6:51 p.m.

Marsha L. Morrow, City Recorder

Katie Rust, Recording Secretary
Youth Council 2017-2018

August:
  15-17 – Training retreat

September:
  11th – Business meeting - 4pm
  19th – Council Dinner/ Work Session
  25th – Volunteer Dinner

October:
  9th – Business meeting – 4pm
  23th – Prep Pumpkin Walk
  30th – Pumpkin Walk

November:
  6th – Business Meeting - 4pm
  20th – Coloring Contest/ Prep Bake Sale
  27th – Festival of Lights/ Bake Sale

December:
  4th - Santa letters. Coloring contest winners – 4pm
  19th - City Council Coloring Contest Winners
  21st – Santa Letter Breakfast

January:
  8th – Business meeting -4pm
  Day at the Legislature
  22rd -Service Activity – Bears and Blankets

February:
  5th – Business Meeting – 4pm
  19th Service Activity

March:
  6th – Business Meeting -4pm
  USU Conference 8-10th
  19th Pack Easter Eggs
  March 31st – Easter Egg Hunt

April: 2nd – Business meeting – 4pm
  16th - YC Applications available and distributed
  30th YC Interviews

May: 7th – Business meeting – 4pm
  City Council Meeting – Thank You YC and Dinner

June:
  Swearing In Ceremony and Ice Cream Social
  Plan for Freedom Run and Parade

July:
  4th – Freedom Run and Parade
  YC Street Dance
Minutes of the Centerville City Council meeting held Tuesday, September 19, 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
Randy Randall, Public Works Director
Marcus Arbuckle, Kedington & Christensen
Katie Rust, Recording Secretary

STAFF ABSENT

Jacob Smith, Management Services Director

VISITORS

Lynn Kedington, Parks and Recreation Committee Chair
Interested Citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

OPEN SESSION

No one wished to comment.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the September 5, 2017 Council meeting and the September 13, 2017 joint work session with the Planning Commission were reviewed. Councilwoman Fillmore made a motion to accept the September 5, 2017 Council meeting minutes. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). Councilwoman Fillmore made a motion to accept the minutes of the September 13, 2017 joint work session. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

ZONING CODE AMENDMENTS – “CONSTRUCTION SALES AND SERVICE, LIMITED” DEFINITION AND USE TABLE

On July 12, 2017, the Planning Commission reviewed and forwarded a positive recommendation for approval of the proposed Zoning Code Amendments regarding “Construction Sales and Service, Limited.” The City Council reviewed this matter and held a public hearing at both Council meetings in August, and continued discussion at the September 5, 2017 Council meeting, ultimately deciding to table action until after the joint work session with the Planning Commission on September 13th. The Planning Commission is planning to forward a recommendation to the Council regarding the South Main Street Corridor Plan in November, with a Council goal of completing the process by next spring.

Councilwoman Fillmore made a motion to amend the proposed Ordinance No. 2017-21 to address concerns and allow “Construction Sales and Services, Limited” in Commercial and Industrial Zones. The motion died for lack of a second. Responding to a question from
Councilman McEwan, City Attorney Lisa Romney pointed out that this is a City initiated Zone Text Amendment — whatever is done should apply across the board to anything within that Zone. Councilman Ince commented that putting too many limitations on a business makes enforcement very difficult, especially if the limitations deny the basic needs of the business. He expressed concern with enticing Shupe Electric into a situation that may essentially not work for them, with the possible result that Shupe Electric would join the group of businesses already stepping over the line. Councilman Ince said he knows those living around Main Street are concerned about the types of business allowed on Main Street.

Councilman Ince made a motion to deny Ordinance No. 2017-21. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

**DEFERRAL AGREEMENT FOR INSTALLATION OF PUBLIC IMPROVEMENTS — 318 EAST 1825 NORTH**

The Samuelsons own a home and related property located at 318 East 1825 North (formerly two separate parcels, combined in 2008). They have received final site plan approval from the Planning Commission to construct an accessory structure on their property. The eastern portion of the property where the home is located contains sidewalk and other public improvements along the property's frontage on 1825 North. However, the western portion of the property does not have sidewalk. Under existing City Ordinances, unless otherwise deferred by the Council, the property owner must install all required public improvements associated with the property in order to obtain a building permit for the accessory structure. Ms. Romney and Public Works Director Randy Randall explained that staff does not recommend approval of the deferral request as it fails to meet the requirements of CXC 12.55.200(c) because sidewalks exist on the same side of the street contiguous to the parcel in both directions.

Kim Samuelson, applicant, said it was his understanding when he purchased the parcel that all public improvements on the parcel were paid for with the bond associated with the neighboring subdivision (Rolling Hills). He said it has been six months since they submitted papers to build a barn. Mr. Samuelson expressed frustration with time delay and additional cost necessary because of City ordinances, and said he thinks the Storm Drain Impact Fee should be called a tax rather than an impact fee, since drainage will have to flow three blocks before meeting up with the City's storm drain system. Mr. Samuelson repeated that he feels he already paid for the sidewalk. He pointed out that if the western portion of the property is ever developed, sidewalk would have to be removed to add a road. Mr. Samuelson said he requests not only a deferral, but also a waiver until the property is developed.

Mr. Thacker explained that the bond submitted in 1989 for the Rolling Hills Estate Plat H — a letter of credit from Zion's Bank that was later claimed by the City — did not pertain to the subject property. Mr. Samuelson agreed there may have been a misunderstanding on the part of staff communicating with him at the time regarding what the bond would cover. Ms. Romney pointed out that the parcel is outside of any subdivision, and a bond is only required at the subdivision level.

Councilman McEwan asked what triggered the deferral application. Ms. Romney responded that development on a parcel outside of a subdivision requires site plan review, with evaluation for payment of impact fees and installation of public improvements. The parcel meets all provisions for deferral except provision four since sidewalk is already in place on both sides of the parcel. Councilwoman Fillmore expressed a desire to respect the ordinance, as well as act with common sense. She agreed that the common sense action, if the property develops in the future, would be to not require sidewalk at this time. Councilman McEwan said he does not think provision four is disputable. Responding to a question from Councilman McEwan, Ms. Romney confirmed that staff correctly interpreted the Code in requiring the site
plan review. Public improvements are required with any site plan review or subdivision. Mr. Samuelson showed on an aerial image the planned access and location of the barn.

Ms. Romney pointed out that under Title 10 of the Municipal Code, the City may defer or waive installation of any or all public improvements when, in its judgment, they are not requisite in the interest of public health and safety or general welfare, or are inappropriate because of inadequacies or lack of connecting facilities. She advised that the second stipulation would not apply, but the interest of public health and safety could be argued. Ms. Romney said it would be her preference to revise Title 10 to refer to Title 12, but until that amendment is made, the Council could make a decision based on Title 10. Councilwoman Fillmore stated she values the Ordinance because it requires a check for lack of improvements, but she also believes improvements in this location at this time would be unnecessary if future development is going to occur. Ms. Romney responded that the City makes development decisions based on today. Staff has not examined the possibility of a road going through the property in the future. Ms. Romney repeated staff's recommendation to not approve the deferral agreement.

Councilwoman Fillmore made a motion to approve the Deferral Agreement for installation of public improvements at 318 East 1825 North, based on the following findings. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

Findings:

a. The location is not considered a walkable street and does not have a lot of traffic, and the lack of sidewalk will not threaten public health and safety (Municipal Code Title 10 Section 10).

b. The property is undeveloped with potential for future development.

c. The property is not within a subdivision.

Councilman McEwan expressed a desire to direct staff to reference Title 12 in Title 10 as soon as possible. Mr. Samuelson said he thinks the Council should consider each application individually based on its own merits, and act with common sense.

PARK ISSUES

Mr. Thacker updated the Council regarding the grant application for the Island View Park renovation. The application has been submitted to the State, but will not be submitted to the Federal Government until November. It is anticipated that grant contracts will be prepared by June of 2018. Mr. Thacker stated that, realistically, the City is looking at the 2019 construction season to begin the project. Lynn Keddington, Parks and Recreation Committee Chair, explained that the Parks Committee is concerned about the idea of converting a portion of Island View Park to cemetery. He said the Parks Committee is confident the City will receive the grant. However, if the City is not going to accept or follow through with using the grant, it would be best to withdraw the application before it is submitted to the Federal Government. Withdrawal after the application is submitted would prejudice any future application. Mr. Thacker recommended the Council meet in a work session to discuss the cemetery in October. Mr. Keddington commented that, although the Federal grant program is funded at this time, there is no guarantee that it will receive funding from the current administration in the future.

Mr. Keddington pointed out that if any portion of Island View Park is used for any other service, the City would have to go through a conversion process to provide comparable park space elsewhere in the City. Councilman McEwan asked if the grant application would be affected if the footprint of the park were reduced by a couple of acres, with all the amenities listed in the application provided in remaining park space. Mr. Keddington responded that he does not know, but could ask. Mayor Cutler said the Council needs to really consider the
realities of the cost of conversion at other locations. The Council scheduled a work session to
discuss the cemetery on October 5th.

Mr. Keddington made the Council aware that entities such as the Larry H. Miller
Foundation (Utah Jazz) and Real Salt Lake have begun sponsoring municipal park amenities
like basketball courts and playing fields. He asked the Council’s opinion of the Parks
Committee seeking corporate sponsorship, and the Council’s opinion of the resulting signage on
the amenities recognizing such sponsorship. Mayor Cutler responded that, in his opinion, any
help paying for improvements is good. Councilman McEwan said he believes there is a fine line
to draw regarding acceptable corporate sponsorship. He said he does not personally feel it is
appropriate to turn public amenities into advertising. Councilman Ince disagreed, stating he
believes the City should look at any options to accomplish what is desired. Councilwoman Ivie
said she agrees with Councilman McEwan. Ms. Romney said the idea raises interesting issues.
City Code currently prohibits advertising in City parks. Mr. Keddington pointed out that
sponsored amenities could not be placed in park space funded by Land and Water
Conservation Fund grants. Councilwoman Fillmore said she would want to learn how other
cities have dealt with the situation. Councilwoman Mecham agreed.

The Council took a break at 8:46 p.m. and returned at 8:53 p.m.

FINANCIAL REPORTS

Marcus Arbuckle, the City’s contract CPA advisor, presented a financial report for FY
2017, and answered questions from the Council. He presented a financial report for FY 2018
for the two-month period ending August 31, 2017.

SIDEWALKS AND PARKSTRIP TREES

Mr. Thacker updated the Council on efforts to level sidewalk faults. Faults in excess of
three inches were taken care of earlier this year. Sidewalk faults measuring one-half to one
inch will be ground this fall within a designated area, using the $25,000 budget for this purpose
in the Street unit of the General Fund Budget. Per the Council’s direction, the City will not grind
faults measuring less than one-half inch, but the paint marking those faults will be refreshed
next spring if needed. Staff suggested a policy should be established by next spring for faults
measuring 1-3 inches, including how to deal with trees in the park strips. A majority of the
Council indicated approval for staff moving forward with grinding sidewalks this fall.

MAYOR’S REPORT

- The annual Sons of Utah Pioneers conference occurred in Centerville last week.
- UTOPIA/UIA financial reports are available with the agenda on NovusAgenda.
- The Mayor updated the Council on South Davis Metro Fire plans for capital
  improvements.

CITY COUNCIL LIAISON REPORT

Councilwoman Ivie reported on upcoming Whitaker Museum and Landmarks
Commission events, and reported that Whitaker Museum renovations are progressing.

CITY MANAGER’S REPORT

- The Council indicated approval for advertising the Candidate Forum scheduled for
  October 4th in the next utility bill insert.
Mr. Thacker reminded the Council that conceptual design drawings were commissioned a few years ago for the Main Street frontage of Smith Park. Councilwoman Fillmore pointed out the designs include a kiosk with a City trails map. Councilwoman Mecham suggested a trails map might make more sense on the east end of Smith Park. Mayor Cutler pointed out that a design for a new sign would help with fundraising efforts. The Council directed staff to obtain a detailed cost estimate from Dan Sonntag for elevation drawings and new sign design. Councilwoman Mecham said she feels the cost should be kept reasonable so people feel their contribution helps.

MISCELLANEOUS BUSINESS

Councilman McEwan made a motion to approve Resolution No. 2017-10 amending the City Fee Schedule to repeal Section 12.040 regarding Fire/EMS Impact Fees. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT AND RDA MEETING

At 9:56 p.m., Councilman McEwan made a motion to adjourn the regular meeting and move to a meeting of the Centerville Redevelopment Agency. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). In attendance at the RDA meeting were: Paul A. Cutler, Chair; Directors Fillmore, Ince, Ivie, McEwan, and Mecham; Steve Thacker, Executive Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.

Date Approved 10-3-2017

Marsha L. Morrow, City Recorder

Katie Rust, Recording Secretary