Minutes of the Centerville City Council meeting held Tuesday, December 5, 2017 at 7:00 p.m.
at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

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

MEMBER ABSENT         Tamilyn Fillmore

STAFF PRESENT         Steve Thacker, City Manager
                       Lisa Romney, City Attorney
                       Jacob Smith, Management Services Director
                       Cory Snyder, Community Development Director
                       Cassie Younger, Assistant Planner
                       Randy Randall, Public Works Director
                       Kevin Campbell, City Engineer
                       Katie Rust, Recording Secretary

VISITORS              Interested Citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT     Councilman Ince

OPEN SESSION          No one wished to comment.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the November 15, 2017 joint City Council/Planning Commission work
session, and the November 21, 2017 work session and regular meeting were reviewed.
Councilman Ince made a motion to accept all three sets of minutes. Councilman McEwan
seconded the motion, which passed by unanimous vote (4-0).

PUBLIC HEARING – PROPOSED VACATION OF PUBLIC UTILITY EASEMENTS –
HOGAN OFFICE PARK SUBDIVISION

Lisa Romney, City Attorney, explained the petition to vacate a public utility easement
located along the side lot lines of Lot 4 and Lot 5 of the Hogan Office Park Subdivision located
at approximately 940 North 950 West. Lot 4 and Lot 5 have been legally combined into one
parcel or lot as recorded in the Davis County Recorder's Office, and Opulent Holdings, LLC
desires to develop the combined lots with construction of a building over and across the
previous lot line between Lot 4 and Lot 5 and the corresponding public utility easement. The
City has received signed letters from the major utility companies authorizing release of the
public utility easement.

Mayor Cutler opened a public hearing at 7:04 p.m., and closed the public hearing seeing
that no one wished to comment. Councilman McEwan made a motion to approve Ordinance
No. 2017-33 vacating public utility easements along the shared side lot lines of Lot 4 and Lot 5
of the Hogan Office Park Subdivision. Councilman Ince seconded the motion, which passed by unanimous vote (4-0).

PUBLIC HEARING – SUBDIVISION PLAT AMENDMENT – CENTERVILLE ORCHARD PLAT C AND ISLAND VIEW PLAT H

Cory Snyder, Community Development Director, explained that the subject property used to be two subdivided lots that were combined into one parcel or lot located at approximately 629 East 700 South. The applicant desires to once again subdivide the property into two lots. In order to create two lots, a plat amendment is required to amend the Centerville Orchards Plat C and the Island View Subdivision Plat H. Ilene Ethington, property owner, stated her daughter and son-in-law intend to build a home on the new lot.

Mayor Cutler opened a public hearing at 7:15 p.m.

Robert Burns, Deuel Creek Irrigation Company President – Mr. Burns showed a County plat for the original subdivision, and said a public utility easement (PUE) that predated the subdivision should still exist for the irrigation pipeline that runs through the subject property. He requested a tapering PUE on the west side of the property (15 feet at the front tapering to probably 20 feet at the northwest corner) for the pipeline that continues to serve the neighborhood. Mr. Snyder commented that clarification will be needed to determine necessary easements and setbacks.

John Haight, applicant – Mr. Haight stated the Ethingtons have documentation that the easements shown on the proposed plat plan are the actual easements.

Lisa Romney, City Attorney, stated that staff will review the title report and easements as part of the final plat process. She suggested the Council add a condition of approval in response to Mr. Burns’ comments.

Mayor Cutler closed the public hearing at 7:29 p.m. Councilwoman Ivie made a motion to approve the proposed plat amendment for Lots 302 and Lot 15 of the Centerville Orchard and Island View Subdivisions, subject to the following conditions and findings. Councilwoman Mecham seconded the motion. Councilman Ince said he believes it would make more sense to find out where things really are before approval. Councilwoman Ivie responded that resolution of the easement issue does not need to affect approval of the plat amendment. The motion passed by majority vote (3-1), with Councilman Ince dissenting. Councilman Ince clarified that he is not opposed to the end product, but he is nervous about the process.

Conditions:

1) Preparation and submittal of a final subdivision plat, as outlined in City Ordinance, to the City Recorder’s Office, which shall reflect the approved amendment presented to the City Council and the alterations required by this approval.

2) The interior lot line between the depicted lots shall be adjusted to comply with the minimum setback requirement of eight feet of the R-L Zone, which shall be verified by the Zoning Administrator prior to plat recordation.

3) All lots shall have at least a 10’ wide front yard public utility easement, and at least two other 7’ wide side or rear yard public utility easements, to be verified by the City Engineer prior to plat recordation.

4) This amendment approval shall be conditioned upon payment of any applicable impact fee. Fee amounts to be paid shall be verified by the City Engineer and City Attorney, in accordance with the City’s impact fee regulations prior to plat
recordation. (Note: The South Davis Sewer District handles the assessment of any related sewer fees)

5) City Staff and applicant shall confirm the existing and necessary width of the PUE on the west side of Lot 302 in response to Deuel Creek Irrigation’s concerns regarding irrigation line in this area.

6) All existing easements of record shall be shown on the final plat.

Findings:

a. The City Council finds that since the majority of the land is located in subdivision plats and also lot line adjustments are allowed by state law, therefore a “plat amendment” request is the most appropriate process to accomplish the desires of the applicant and owner.

b. The City Council finds that, with the conditions imposed, the amendment is consistent with the R-L Zoning of the property.

c. The City Council finds that, with the conditions imposed, the amendment is consistent with the City’s Subdivision Ordinance.

d. The City Council finds that there is good cause for the plat amendment by allowing the construction of a single-family home.

e. The City Council finds that, with the conditions imposed, the public interest will NOT be materially injured by the proposed plat amendment.

PUBLIC HEARING – ZONING MAP AMENDMENT – DAVIS COUNTY – 641 EAST 200 SOUTH

Cassie Younger, Assistant Planner, explained the request from the County to rezone the southern portion of the former detention property located at 641 East 200 South from Public Facility-Low (PF-L) to Residential-Low (R-L). The property for rezone is .97 acres with a gross density size (including half the roadway) of 1.15 acres, with the possibility of up to four lots. Davis County has indicated they plan to develop three lots. Staff and the Planning Commission both recommend approval of the rezone.

Tony Thompson, Property Manager for Davis County, briefly described the history of the subject property. Councilwoman Mecham asked if there is a way to guarantee that only three lots will be created. Mr. Thompson responded the County feels three larger lots would bring more revenue than four smaller lots. He said the County does not desire to change the character of the existing neighborhood.

Mayor Cutler opened a public hearing at 7:46 p.m.

Bryan Espenschied – Mr. Espenschied said he attended the Planning Commission meeting and visited with Mr. Thompson. He responded to some of the comments made at the Planning Commission meeting, and stated the subject property is the last piece of open land in the city. Mr. Espenschied said he understands the history of the property and the reasoning involved in deciding to develop the southern portion, but he believes that in a perfect world the citizens would retain access to the entire area. He said the natural state of the subject property is a totally different experience from nearby Island View Park, and he thinks it would be an asset for the community to have an additional park. He commented that the gross density size of 1.15 acres was never brought up in the Planning Commission meeting. Mr. Espenschied expressed the opinion that if the City can afford recreation programs and parades and movies in the park, it should be able to afford this park. He said he knows citizens would be willing to help with volunteer labor and donated vegetation.
Jesse Montgomery — Mr. Montgomery said he agrees with Mr. Espenschied's comments. He expressed appreciation that the County does not want to change the character of the area, but said he disagrees with the idea that putting homes on that site would not change the character. He said he feels the subject property in its natural state is the most beautiful part of the neighborhood, and putting homes there will drastically change the neighborhood.

Conner Simmons — Mr. Simmons said he is new to the neighborhood, and is in favor of the proposed homes on the south portion. He expressed concern with the City taking ownership of the north portion of the property and the possibility that the City may at some point see value in reengineering the space and developing the north portion with homes. He asked if there is any way to keep that from happening in the future. He agreed that the gross density size of 1.15 acres was never mentioned in the Planning Commission meeting. Mr. Simmons said he would like to see the small-town feel of the neighborhood preserved.

The public hearing was closed at 8:01 p.m. Ms. Romney clarified that the Interlocal Agreement with the County does not address or restrict the City's use of the north portion of the property. She said she would not recommend the City encumber that property. She emphasized that significant effort went into negotiating with the County to preserve the north portion. Ms. Romney clarified that the subject property is .97 acres. Density allowance is calculated with the 200 South half-street, which brings the gross density size to 1.15 acres with a maximum of four lots possible.

Councilwoman Ivie said this is a painful issue for her. She said she is sad to see houses go on the property, but she knows the City does not have the money to purchase the entire area. The County has been gracious enough to negotiate with the City. Councilwoman Ivie said she would rather approve the rezone and retain the north portion in its natural state than deny the rezone and lose the entire portion to possible development. Councilman McEwan pointed out that the County has a fiduciary responsibility to maximize return on surplus properties. Mr. Thacker acknowledged the County's investment in putting the debris basin up stream, removing more than 200 homes in the City from the flood plain. Councilwoman Mecham agreed with Councilwoman Ivie that it is painful, but said she appreciates the County's willingness to work with the City to make the result as beneficial as possible.

Councilman Ince made a motion to accept Ordinance No. 2017-32 amending the Centerville Zoning Map by changing the zoning of approximately 0.97 acres of real property located at approximately 641 East 200 South from PF-L to R-L. Councilman McEwan seconded the motion, which passed by majority vote (3-1), with Councilwoman Ivie dissenting.

BIENNIAL REPORT REGARDING MODERATE INCOME HOUSING PLAN

Ms. Younger presented a draft Moderate Income Housing Plan Report (available with the agenda on NovusAgenda). Mayor Cutler said he would discourage wording that implies the City is open to reducing hillside protections. Councilman McEwan suggested changing the phrase "loosen and adapt" in reference to hillside regulations to "review". Following discussion, a majority of the Council indicated a desire for staff to remove any reference to the hillside from the draft.

CONSIDER EMPLYEE ASSOCIATION PROPOSAL OF DEFINITION OF 'RESIDENT'

Mr. Thacker reported that most cities responding to his email offer some type of break or benefit within the city to current city employees. The Employee Association request for "resident" status for employees could possibly apply to burial related fees, park pavilion rentals, and recreation program fees. Councilman Ince suggested that, although it would be logistically
complicated, any "resident" benefits granted to former employees should also be granted to
former residents of Centerville. Following discussion, Councilman Ince made a motion to grant
resident benefits to current employees and immediate family members living within the same
household, during time of employment, for park pavilion rentals, recreation program fees, and
burial related fees at time of immediate need. Councilwoman Mecham seconded the motion,
which passed by unanimous vote (4-0). Formal approval will occur in a future Council meeting.

PURCHASE OF GENERATORS FOR WATER SYSTEM

Randy Randall, Public Works Director, explained his recommendation that the City
purchase two Tier III generators and a step-down transformer, rather than the 250kw generator
included in the FY 2018 Budget. Councilman McEwan made a motion to award bid to
Cummins Power for two 200kw stationary stand-by generators for the total amount of $79,290,
plus $5,900 for a 225 VA step-down transformer. Councilwoman Ivie seconded the motion,
which passed by unanimous vote (4-0).

FRONTAGE ROAD BIKE LANE PROJECT

Kevin Campbell, City Engineer, presented two proposed cross-sections for the planned
federally-funded project to widen and add bike lanes to the Frontage Road. Councilman
McEwan asked if beautification of the west side of the Frontage Road is included in the plan.
Mr. Campbell responded that no landscaping is planned for the west side. It may be possible to
put irrigation sleeves under the road to leave the option open for the future. The Council
expressed interest in this future possibility.

Councilman McEwan made a motion to authorize the City Manager to enter into the
Federal Aid Agreement pertaining to the federal funding of nearly $1 million for the Frontage
Road Bike Lane Project. Councilwoman Mecham seconded the motion, which passed by
unanimous vote (4-0).

The Council took a break at 9:25 p.m., and returned at 9:33 p.m.

PROPOSAL TO UPDATE PARK IMPACT FEE ANALYSIS

In their November 21 meeting, the Council directed staff to evaluate the desirability of
upgrading the City's park impact fee analysis at this time. Actual costs for the Community Park
Expansion have been substantially higher than estimated in the December 2012 analysis,
thereby suggesting that an updated analysis and fee may be appropriate. Steve Thacker and
Jake Smith, Management Services Director, met with the impact fee specialist of LYRB, who
agreed the proposed approach would be defensible and could be done very quickly by City Staff
with very little assistance from LYRB. Based on that advice, staff have identified a process that
will allow a public hearing to be held on December 19, followed by adoption of a new park
impact fee that would become effective 90 days later. [NOTE: It was subsequently learned that
the public hearing must be postponed to the January 2, 2018 Council meeting to accommodate
public notice requirements.]

EXTENSION OF LEGACY PARKWAY SCENIC BYWAY DESIGNATION

The northern cities of Davis County would like the future West Davis Corridor highway to
be designated as a State Scenic Byway, thereby prohibiting billboards along that roadway. The
Legacy Parkway is currently designated a scenic byway and, therefore, has no billboards.
Councilwoman Mecham made a motion to approve Resolution No. 2017-25 supporting
extension of the Great Salt Lake Legacy Parkway Scenic Byway and renaming it the Great Salt
Lake Scenic Byway. Councilman McEwan seconded the motion, which passed by unanimous vote (4-0).

**2018 CITY COUNCIL MEETING SCHEDULE**

Councilwoman Ivie made a motion to accept Resolution No. 2017-24 approving the 2018 City Council meeting schedule. Councilman Ince seconded the motion, which passed by unanimous vote (4-0).

**MAYOR’S REPORT**

Mayor Cutler reported on Moderate Income Housing concerns discussed at a recent meeting of the Davis County Council of Governments.

**CITY MANAGER’S REPORT**

- A limited number of burial spaces have been identified and will be made available to Centerville residents at time of immediate need. Mr. Smith shared information gathered regarding public/private partnerships for cemetery space.
- The Council reviewed upcoming work session topics and dates. Councilman Ince suggested the Council schedule a work session with the County Commissioners at some point during the next year.

**ADJOURNMENT**

At 10:01 p.m., Councilwoman Mecham made a motion to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0).