Minutes of the Centerville City Council meeting held Tuesday, February 19, 2019 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor: Clark Wilkinson
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, Randy Randall, Public Works Director, Cory Snyder, Community Development Director, Cassie Younger, Assistant Planner, Marcus Arbuckle, Kedington & Christensen, Katie Rust, Recording Secretary

VISITORS: Interested Citizens

PRAYER OR THOUGHT: Councilwoman Mecham

PLEDGE OF ALLEGIANCE

OPEN SESSION

Sherri Lyn Lindstrom — Former Councilwoman Lindstrom expressed gratitude to Mr. Thacker for his more than twenty years of dignity and respectful service in the community as City Manager. She said she hopes this Council and Mayor will consider setting aside funds to make sure the community knows Mr. Thacker is retiring and has an opportunity to say goodbye and wish him well. Mayor Wilkinson responded that a retirement open house is scheduled for March 27th from 3:00-6:00.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the February 5, 2019 regular meeting, the February 7, 2019 special meeting, and the February 8, 2019 special 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 — FINAL SUBDIVISION PLAT — THE COTTAGE ON THE CORNER — 323 EAST PAGES LANE

On February 13, 2019, the Planning Commission reviewed and recommended for approval the Final Subdivision Plat for the Cottage on the Corner PUD located at approximately 323 East Pages Lane. These residential units are already built based on earlier Site Plan and
CUP approvals. The proposed action would divide the property into units that can be individually owned. Cory Snyder, Community Development Director, explained the request for Final Subdivision Plat. Councilwoman Mecham said she received a video from a citizen showing a garbage truck backing out of the Cottage on the Corner onto Pages Lane, an action prohibited by the CUP. Mr. Snyder responded that he has reminded the applicant of conditions related to garbage removal. He explained the enforcement process available to the city. Councilwoman Mecham said she understands that “no parking” signs were damaged during the construction process, and asked who would be responsible for replacement.

Scott Balling, applicant, stated a sign was damaged during construction, and he would be happy to pay for replacement. He said he contracts with Ace Disposal for garbage removal. The weight of the garbage trucks is hard on the driveway, and the cost to reinforce the driveway is prohibitive. The Ace Disposal trucks have been backing out of his property rather than turning around within the development, and doing the same at the neighboring property to the east. Mr. Balling said he has tried to schedule a collection time that does not conflict with school hours and commuter traffic on Pages Lane. He asked if there is a time the Council would prefer collection to occur at the two properties. Mr. Balling commented that it will be difficult to enforce the driver turning around onsite unless he is always present at the time of collection.

Ms. Romney commented that enforcement of the CUP conditions is a separate issue from Final Subdivision Plat approval. Mr. Balling is obligated to comply with the terms and conditions of the CUP. He has the option to petition the Planning Commission to alter the conditions, but until and unless the conditions of the CUP are amended, the developer must comply with such conditions.

Mayor Wilkinson opened a public hearing at 7:24 p.m., and closed the public hearing seeing that no one wished to comment. Councilman Ince made a motion to approve the Final Subdivision Plat for the Cottage on the Corner PUD located at approximately 323 East Pages Lane based on the following findings and conditions. Councilman McEwan seconded the motion.

**Conditions:**

1. The applicant shall finalize any plat related formatting and/or survey errors and omissions, which shall be deemed acceptable by the City’s Engineer and Attorney.
2. The subdivision plat shall contain necessary notes that the development of the properties is subject to the conditions of the approved Final Site Plan and Conditional Use Permit. This approval also suggests that such references should be included in the CC&R’s for disclosure to all future owners.
3. Prior to plat recordation, the related Articles and CC&R documents will need to be reviewed by the City Attorney to verify compliance with state statutes.
4. Prior to the recording of the subdivision plat, the City’s Building Official and the Fire District shall provide verification that the existing construction complies with the requirements to allow for the platting of the townhomes.
5. Prior to plat recordation, the secondary irrigation company shall provide verification that the plat reflects the needed easements that the applicant agreed to during the construction of the development.
6. In accordance with the City’s addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City’s Public Works Director.
7. The applicant shall provide an updated title report (within 30 days) for review and acceptance of any final paper and/or linen plat, at a time deemed appropriate by the City's Attorney and/or Recorder.

8. All existing easements of record must be shown on the plat or vacated prior to the recording of the final plat.

Findings:

a) The City Council finds that the subdivision plat and plans and plat are in harmony with the relevant provisions of the City's Zoning Approvals and Subdivision regulations.

b) The City Council finds that the development has previously been approved by the City and that the subdivision is also subject to other terms and conditions, as approved by the City for the related final site plan and conditional use permit.

c) The City Council finds that with the Conditions listed for this approval, the subdivision can be deemed consistent with the expectations for PUD subdivisions, as outlined in Chapter 15-6, Planned Unit Development.

Councilwoman Ivie said she finds it frustrating to consider granting the ability to sell individual units when the applicant has not complied with all CUP requirements. Mr. Balling said he will communicate with Ace Disposal and instruct them to comply with turning around onsite, until such time as he can apply to the Planning Commission for a change. The motion passed by unanimous vote (4-0).

BID AWARDS

Randy Randall, Public Works Director, updated the Council on 2019 Public Works projects, including UDOT projects in Centerville. UDOT has requested to be allowed to work on the summer Main Street project at night because of the tremendous impact the project will have during the daytime. Mr. Thacker said staff thoroughly reviewed daytime and nighttime impacts, and determined that the city will be better off allowing nighttime work, with the exclusion of percussive pneumatic tools. Mr. Thacker stated that public education will be a high priority.

Councilman McEwan made a motion to award bids for 100 South Culinary Waterline Replacement Project (700 East to 850 East) to: Mountainland for materials in the amount of $26,629.23 plus tax; Waterford for materials in the amount of $2,974.90 plus tax; and Green Construction Inc. for labor in the amount of $96,515.00. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0).

Councilman Ince made a motion to award bids for the Main Street Storm Drain & Culinary Waterline Replacements Project (100 North to 50 South) to: Mountain States Supply for materials in the amount of $21,643.93 plus tax; Oldcastle Infrastructure for materials in the amount of $7,230.40 plus tax; and Ormond Construction for labor in the amount of $318,048.19. Councilman McEwan seconded the motion, which passed by unanimous vote (4-0).

AMENDMENT NO. 3 TO INTERLOCAL AGREEMENT FOR ANIMAL CONTROL SERVICES – RESOLUTION NO. 2019-01

In 2016 Davis County entered into a 5-year agreement with its 15 cities regarding animal control services. Each year, the County reassesses costs to the cities and prepares an amendment to the Interlocal Agreement for Animal Control Services. Amendment No. 3 to the
Interlocal Agreement reflects a 7.5% increase in the total cost for these services for the City. Councilwoman Ivie said she would like the incidence numbers broken down by animal and month and included in the City newsletter or website. The Council and staff discussed the possibility of involving the Police Chief in trying to help homeowners mitigate recurring problems to reduce the number of calls and the cost to the city.

FINANCIAL REPORT

Marcus Arbuckle, the City’s contract CPA adviser, presented a financial report for the seven-month period ending January 31, 2019. Councilman McEwan requested that the Youth Mayor present a Youth Council financial report in conjunction with the Youth Mayor annual report.

The Council took a break at 8:25 p.m., and returned at 8:37 p.m.

ORDINANCE 2019-01 REGARDING COMMERCIAL-MEDIUM ZONE TABLE OF USES IN THE SOUTH MAIN STREET CORRIDOR AREA

On November 14, 2018, the Planning Commission reviewed and recommended approval of proposed amendments to CZC 12.12.040 regarding Definitions and CZC 12.36 regarding Table of Uses for uses within the Commercial Medium (C-M) Zone. On December 4, 2018, the City Council held a public hearing on the proposed amendments to the Zoning Code and tabled action on the item until the next meeting. On December 18, 2018, the Council tabled the matter until the February 19, 2019 meeting. At the December 4, 2018 meeting, Councilman Ince asked staff to prepare a table for the C-M Zone showing all uses as either permitted, CUP, or not permitted, and how those would change under the proposed Ordinance. Cassie Younger, Assistant Planner, presented the table prepared as requested.

Councilwoman Mecham said she thought she had understood that building size on Main Street was limited to a maximum of 10,000 square feet, regardless of use, providing a degree of protection. However, she said she now understands that with the Overlay there is potential to exceed 10,000 square feet. Councilwoman Mecham said she does not want to change the Table of Uses without fixing the Overlay. She pointed out that many uses were taken off the Main Street use list years ago after extensive consideration, and said she would not want to put uses back on the use list without understanding why they were taken off in the first place. Councilmembers Mecham and Ivie talked about issues they associate with allowing drive-thru windows.

Councilman McEwan said he does not think there would be a drastic revitalization of Main Street from simply adding more commercial uses to the use list. He said he suspects a more viable option would be to figure out a residential density component to integrate with existing commercial that is not onerous to the neighborhood.

Ms. Romney remarked that if the Council wants to support and preserve the single-family residential character of Centerville, the Council should work on increasing the City’s economic tax base to support the residential development. She pointed out that commercial development on Main Street and the west side of the City could help support and retain existing single-family development. Councilwoman Mecham said she thinks additional commercial on Main Street should be service oriented. Councilman McEwan said he does think approving additional uses makes sense at this point. Councilman Ince commented that the Shupe Electric project has been held hostage to this process for some time, and he feels Construction Sales
Councilman Ince made a motion to revise Ordinance No. 2018-25 by changing Recreation and Entertainment, Outdoor; Research Service; Restaurant, Fast-food; Secondhand Store; and Shopping Center back to "not permitted" on the Table of Uses. The motion failed for lack of second. Councilman McEwan said he cannot support Bank or Financial Institution; Business Equipment Rental, Services, and Supplies; Construction Sales and Services, Limited; or Mortuary because they are not compatible with the area. Councilman McEwan made a motion to deny Ordinance No. 2018-25 in its entirety. Councilwoman Mecham seconded the motion, which passed by unanimous vote (4-0). The Council emphasized that they want to reconsider the proposed use list after changing the Overlay Zone.

**PROCESS AND CALENDAR FOR REPLACING SOUTH MAIN STREET GENERAL PLAN POLICIES AND OVERLAY ZONE REGULATIONS**

Mr. Snyder presented a schedule for replacing the South Main Street General Plan and Overlay Zone Regulations, broken down by project tasks, with the Planning Commission potentially forwarding a recommendation to the City Council in July. Although the proposed schedule does not meet the Council's original goal to complete the process by June, the Council agreed with the proposed schedule to allow enough time to thoroughly address the issue.

**MAYOR'S REPORT**

- The Mayor reported that the South Davis Metro Fire Service Area and UDOT have both been made aware of the need to coordinate curb cuts at the new fire station with the UDOT Main Street project.
- Brian and Kim Cumow have agreed to serve as Co-Chairs of the 4th of July Committee.
- Mayor Wilkinson, Ms. Romney, and Councilman Ince updated the Council on the Legislative Session.

**CITY MANAGER'S REPORT**

- Mr. Thacker reported actions taken by the Planning Commission at their last meeting. The Council agreed to meet in a work session with the Planning Commission on Wednesday, March 13th, prior to the regular Planning Commission meeting, to begin the process of replacing the South Main Street General Plan and Overlay Zone regulations.
- Information regarding the Spring 2019 bulk green waste collection will be included in the City newsletter. Councilman McEwan suggested including information about the significant savings and reduced impact on the storm drain system realized last year with the change in format.

**APPOINTMENTS**

Mayor Wilkinson recommended the Council appoint Thomas Hunt to the Planning Commission, and Dailee Gardner to the Parks and Recreation Committee. Councilman McEwan made a motion to approve both appointments. Councilwoman Mecham seconded the motion, which passed by unanimous vote (4-0).
ADJOURNMENT

At 10:20 p.m., Councilman McEwan made a motion to adjourn to a RDA meeting in Council chambers, with intent to return to regular Council meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0). In attendance at the RDA meeting were: Clark Wilkinson, Chair; Stephanie Ivie, Vice Chair; Directors Ince, McEwan, and Mecham; Steve Thacker, RDA Executive Director; Lisa Romney, City Attorney; Jacob Smith, Management Services Director; and Katie Rust, Recording Secretary.

The Council returned at 11:09 p.m., at which time Councilman McEwan made a motion to adjourn the Council meeting with no intention to return, and move to a closed meeting in Council chambers for the purpose of discussing character and competency of an individual. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0). In attendance at the closed meeting were: Clark Wilkinson, Mayor; Councilmembers Ince, Ivie, McEwan, and Mecham; Steve Thacker, City Manager; and Lisa Romney, City Attorney.

Mackenzie Wood, City Recorder

Date Approved

Katie Rust, Recording Secretary
### March to August 2019

**Main Street General Plan & Zoning Ordinance Amendments Timeline**

**March**
- **Projects**: Kickoff with Council & Commission
  - Main Street Objectives Discussion
    - City Council/Planning Commission Work Session
  - Post Required General Plan "NOTICE OF INTENT"
    - Also Send Notice to Property & Business Owners

**April**
- **Projects**: General Plan & Zoning Ordinance Drafting
  - Drafting of General Plan Amendments
    - Staff prepares Draft GP Language
  - Drafting of Zoning Regulations Amendments
    - Staff prepares ZO Language

**May**
- **Projects**: Planning Commission Review & Feedback
  - Planning Committee Meetings
    - PC Review of GP Draft Language & Feedback
  - Planning Committee Meetings
    - PC Review of ZO Draft Language & Feedback

**June**
- **Projects**: Staff Continued Editing of General Plan & Zoning Ordinance Drafts

**July**
- **Projects**: Notice, Formal Public Hearings & Recommendations
  - 1st Commission Public Hearing:
    - General Plan Amendments
    - Conduct Public Hearing
    - Directives to Staff
  - 2nd Commission Public Hearing:
    - Zoning Ordinance Amendments
    - Conduct Public Hearing
    - Directives to Staff
  - Planning Commission Forwards Recommendations
    - PC PRESENTATION
    - JULY 16th PLANNING COMMISSION MEETING

**August**
- **Projects**: Notice, Formal Public Hearings & Recommendations
  - 3rd Commission Public Hearing:
    - Zoning Ordinance Amendments
    - Conduct Public Hearing
    - Directives to Staff
  - Planning Commission Forwards Recommendations
    - PC PRESENTATION
    - JULY 16th PLANNING COMMISSION MEETING

**Post Draft Amendments on City's Website, and A Notice in the Utility Billing or Newsletter. Also, Send Notice to Property/Business Owners with Website Link.**

**Community Development Department**
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