

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

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4 **MEMBERS PRESENT**

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6 Mayor Paul A. Cutler

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8 Council Members Tamilyn Fillmore
9 William Ince
10 Stephanie Ivie
11 George McEwan
12 Robyn Mecham

13
14 **STAFF PRESENT**

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

21 **STAFF ABSENT**

22 Blaine Lutz, Finance Director/Assistant City Manager

23 **VISITORS**

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

27 **PLEDGE OF ALLEGIANCE**

28 **PRAYER OR THOUGHT**

29 Councilwoman Fillmore

30
31 **COMMENDATION**

32
33 Mayor Cutler expressed gratitude to the individuals responsible for clearing snow from
34 City streets, and acknowledged the significant sacrifice made to clear the streets early
35 Christmas morning. He also expressed appreciation to all police and fire officials who sacrifice
36 holiday time to keep the community safe.

37
38 **OPEN SESSION**

39
40 Dave Farnsworth – Mr. Farnsworth expressed appreciation for the wonderful efforts to
41 keep the streets free of snow, and congratulated the Parks Department on the beautiful holiday
42 light display in Founders Park. As a member and representative of the Sons of Utah Pioneers
43 (SUP), Mr. Farnsworth expressed concern about the fencing currently restricting access to the
44 plaque placed by the SUP on the County-owned property located on 100 South. He asked the
45 Council to register the concern with the County, with the request that citizens have free and full
46 access to that property. He said he is not aware of any dangerous incident occurring on the
47 property in the last 35 years, and he feels the property should not be posted “No Trespassing”.

48
49 Wayne Argyle – Mr. Argyle said he lives across the street from the County-owned
50 property on 100 South. He expressed concern that the County-owned parcel of land that has
51 been enjoyed by many as a nature spot could be lost to something that only a few homeowners
52 would enjoy. Mr. Argyle said the property is used extensively by both children and adults for
53 taking walks, crossing the bridge, and enjoying the water cascading over the rocks. The land is
54 important as it is now. The comparable small amount of money gained in a sale, would be
55 nothing compared to the loss of the natural historical site. He referred to the “No Trespassing”
56 signs currently posted, and said he understands the issue of liability. However, in its current

1 state, there is little, if any, upkeep. Mr. Argyle suggested that liability insurance could be
2 acquired at a cost much less than the maintenance on any of Centerville's parks. He suggested
3 the area along 100 South be left as it is, even if Davis County continues the plan to urbanize the
4 area along 200 South.

5
6 Tracy James – Mr. James stated he is a commercial developer. He said he believes the
7 northern half of the County-owned property on 100 South would be very expensive to develop,
8 and he thinks a peace offering could be made. He suggested the County sell the southern half
9 of the property for development, and preserve the northern half. Mr. James said he has made
10 the offer to the County to purchase some of the land at the current asking rate, and also
11 suggested to others in the community that money could be raised to purchase some of the
12 property.

13
14 Lee Skabelund – Mr. Skabelund stated that, as a retiree with the Forest Service, he
15 recognizes the value of natural land. He echoed the expressions of gratitude for the snow
16 plowing. Referring to the County-owned property on 100 South, Mr. Skabelund said he feels
17 good-faith communication has been lacking between the City and the County. He said he feels
18 the property has a lot of opportunity, and he encouraged open communication between
19 representatives of both groups.

20
21 Jennifer Decker – Ms. Decker said it is her understanding that the Council and Mayor
22 are concerned about the lack of available cemetery space, and are looking into options to add
23 or expand burial space. She questioned the financial feasibility of the options under
24 consideration, and expressed concern regarding legal liability. She suggested the proposed
25 wall would be a short-term solution, not a long-term solution. Ms. Decker suggested the Council
26 explore the possibility of utilizing some of the County-owned property on 100 South for
27 expanded cemetery space.

28 29 MINUTES REVIEW AND ACCEPTANCE

30
31 The minutes of the December 6, 2016 Council meeting were reviewed. Councilwoman
32 Fillmore made a **motion** to approve the minutes. Councilman Ince seconded the motion, which
33 passed by unanimous vote (5-0).

34 35 SUMMARY ACTION CALENDAR

- 36
37 a. Approve amendments to recording secretary services contracts
38 b. Commence warranty period – Porter Walton Townhomes
39 c. Terminate warranty period – Chick-Fil-A
40 d. Award bid for replacing three submersible pumps and pump column to Nickerson
41 Company in the amount of \$88,738.00

42
43 Mr. Thacker requested that the motion to approve item (d) on the Summary Action
44 Calendar include authorization to participate in a Rocky Mountain Power energy savings
45 agreement. Councilman Ince made a **motion** to approve all four items on the Summary Action
46 Calendar, and include with item (d) the authorization to participate in a Rocky Mountain Power
47 energy savings agreement. Councilman McEwan seconded the motion, which passed by
48 unanimous vote (5-0).

49 50 PUBLIC HEARING – FINAL SUBDIVISION – RAY SUBDIVISION

51
52 On December 14, 2016, the Planning Commission reviewed and recommended for
53 approval the proposed Final Subdivision Plat for the Ray Subdivision located at approximately

1 233 South 100 East. Cassie Younger, Assistant City Planner, explained the recommendation
2 and answered questions from the Council.
3

4 Mayor Cutler opened a public hearing at 7:24 p.m., and closed the public hearing seeing
5 that no one wished to comment. Councilwoman Fillmore made a **motion** to approve the Final
6 Subdivision Plat for the Ray Subdivision, subject to the following conditions and based on the
7 following findings. Councilwoman Mecham seconded the motion, which passed by unanimous
8 vote (5-0).
9

10 Conditions:

- 11 1. The Final Plat Linen shall meet all standards found in Chapter 15.3 of the
12 Subdivision Ordinance.
- 13 2. After the final plat is deemed acceptable by the City Engineer and City Attorney, the
14 developer shall submit the final plat with all required signatures and
15 acknowledgments to the City Recorder for recording with the Davis County
16 Recorder's Office. The developer shall submit an updated title report current within
17 30 days of recording the plat to the City Recorder along with the final plat.
- 18 3. The final construction drawings shall be reviewed and approved by the City Engineer
19 prior to the recommendation of the Subdivision Plat.
- 20 4. The developer shall submit a signed public improvements agreement and bond prior
21 to recording the final plat regarding any required public improvements.
- 22 5. Developer shall pay all required development, impact and recording fees prior to
23 recording of the final plat.
- 24 6. The developer shall remove the shed on Lot 2 prior to the issuance of any building
25 permit within the subdivision.
26

27
28 Findings:

- 29 1. The final subdivision plat is in harmony with the General Plan [Section 12-480-
30 52(1)(e)].
- 31 2. The new subdivision meets the objectives for development within a Residential-Low
32 Zone [Section 12-30-020(b)(1)].
- 33 3. It appears all applicable development standards for development within an R-L Zone
34 have been satisfied [Table 12.32.1].
- 35 4. It appears all general requirements for a subdivision have been satisfied [Chapter
36 15-5].
- 37 5. All applicable standards found in the Subdivision Ordinance pertaining to a final
38 subdivision review have been satisfied [Chapter 15-4].
39

40
41 **POLICE DEPARTMENT BUSINESS**

42
43 Police Chief Child explained the need for continual updates to Police Department
44 Policies, and presented revisions to the Physical Fitness Policy. The current policy was drafted
45 and recommended by URMMA several years ago through an extensive validation process. It
46 requires that an employee be terminated or transferred into a non-police officer position if, after
47 several attempts, that employee continues to fail the fitness tests. In the context of the current
48 police officer job market, Chief Child is concerned about retaining his current officers, and
49 therefore would like to back off the termination requirements and use other incentives to
50 encourage compliance.
51

52 City Manager Thacker explained that authority for the content and adoption of the Police
53 Policy Manual resides normally with the Police Chief. However, the Council has the authority to

1 override the Chief if they disagree with the content of a Police Department policy. The Council
2 is being apprised of these revisions because the changes could affect the amount of premium
3 paid by the City to URMMA for liability insurance coverage. The increase would be slight, if any,
4 due to this factor. Councilman McEwan suggested the Chief consider the acceptable physical
5 fitness test alternatives used by the military. Chief Child responded that URMMA has indicated
6 they would not acknowledge military physical fitness test alternatives. A majority of the Council
7 appeared to support the change.
8

9 Chief Child explained the proposal to transition an existing position in the Police
10 Department to an Administrative Sergeant position. He explained the proposed duties for the
11 position, and the shift of duties that would occur within the Department. Councilman Ince made
12 a **motion** to approve the proposal to convert a Police Officer position to an Administrative
13 Sergeant position, and support use of Contingency for the transition. Councilwoman Mecham
14 seconded the motion, which passed by unanimous vote (5-0).
15

16 COUNTY PROPERTY ON 100 SOUTH STREET

17

18 In March of 2016, County officials attended a City Council meeting and informed the
19 Council that they intend to sell the 2 acres of County-owned property on 100 South, which
20 contains the Deuel Creek channel and sedimentation basin on the north portion. From 1997 to
21 2014 the property was the subject of a lease agreement between the County and Centerville
22 City, allowing the property to be used as a natural open space by City residents. Recently,
23 County employees have fenced the property and posted "No Trespassing" signs.
24

25 Mayor Cutler said he is confident that both the County and the City are willing to work
26 together for the best possible outcome. He said one possibility is to allow the south side of the
27 property to be developed, leaving the north side in a permanent conservation status, possibly
28 deeded back to the City. The desire of residents seems to be to keep the north end in a more
29 natural state. The County would retain responsibility of the stream channel. Councilwoman
30 Mecham said she would love to leave the entire property open as a legacy, and she strongly
31 feels the City needs to work with the County. Councilman McEwan said he feels the fence is
32 probably an overreaction, since there is not a history of problems on the property, and working
33 to have the fence removed would be good. Councilwoman Fillmore said she feels the Council
34 missed an opportunity in past discussions by not looking into the possibility of extending the
35 liability agreement. Mayor Cutler showed on a map a suggestion for retaining a public-access
36 path through the north portion of the property. A pathway on the south portion of the property
37 would be more expensive to create.
38

39 Wayne Argyle – Mr. Argyle said he feels the Mayor's suggestion would be something the
40 citizenry would not like. There is an established nature path on the south portion of the property
41 that would not cost anything.
42

43 Ron Schultz – Mr. Schultz described the existing trail on the property, and commented
44 that keeping the existing trail would not cost anything.
45

46 Lee Skabelund – Mr. Skabelund commented that he is experienced at operating trail
47 systems. He said he is confident that area residents would be willing to commit to annual
48 cleanup of the property to minimize maintenance expense.
49

50 Dale Engberson – Mr. Engberson commented that property rights of the homes on the
51 south portion will need to be respected.

1 The Council agreed to proceed with negotiations with the County, with Mayor Cutler
2 taking the lead.

3
4 **MAYOR'S REPORT**

- 5
6 • Mayor Cutler reported that a number of citizens have approached him with concerns
7 about the options being considered to expand the cemetery.
8 • The Mayor reported that he attended two DARE graduations in December.
9 • There have been significant challenges recently with the City website. Councilman
10 McEwan commented that more and more citizens are looking to the internet as their
11 first source for information, and the City needs to have a reliable website, with an
12 established backup plan. The Mayor and Council discussed the City's current
13 provider, and options for improving the situation.
14

15 **CITY MANAGER'S REPORT**

- 16
17 • The Trails Committee has proposed the construction of mountain bike trails on the
18 mountainside. Brandon Federico, a member of the Trails Committee, showed the
19 proposed bike trails on a map. He stated that the Trails Committee is willing to take
20 on responsibility of maintaining the trails. It is intended that bikers would park their
21 vehicles on Island View Drive and access the trail system at that location.
22 Councilwoman Ivie expressed her concern regarding erosion, and said she knows
23 the Island View Drive neighborhood is on high alert because of crime – watching for
24 vehicles that do not belong in the neighborhood. Councilman McEwan stated he
25 would want the gun range property to the east to be well posted to prevent bikers
26 from straying into a dangerous situation. Councilwoman Fillmore said she loves that
27 Centerville has a Trails Committee that is active, and pointed out the possible
28 opportunity to partner with the County. Mayor Cutler suggested Trails Committee
29 representatives join him in a meeting with County representatives. Mr. Federico
30 expressed confidence that the trails could be constructed with volunteer labor and
31 hand tools. Councilman McEwan said he would be interested in knowing what kind
32 of impact similar trail systems have had on liability and emergency responders in
33 other communities. Mayor Cutler commented that, since a portion of the proposed
34 trail system extends into Bountiful, it would make sense to involve Bountiful in
35 discussions. Mark Dimond, Trails Committee Chair, and Mr. Federico indicated they
36 could put together a phased proposal. City Manager Thacker referred to the trail that
37 currently runs through the gun range property, and Councilman Ince agreed that the
38 trail is a problem. Mr. Federico responded that he feels the lack of signage is the
39 problem.
40 • In the past few weeks staff have been working on the Council's directive to study
41 options for increasing burial space at the City Cemetery. Mr. Thacker updated the
42 Council on the options being considered. Mayor Cutler suggested the Council hold a
43 work session to receive a report from staff as well as citizen input. The Council
44 appeared to be in agreement that they would only consider an expansion project if it
45 were cost neutral for the City. Councilman McEwan said he is intrigued by the
46 suggestion to use part of the County-owned property on 100 South as a memorial
47 park and columbarium space. Staff will continue to study the possibilities.
48 • Mr. Thacker updated the Council on the plan to improve parking space at the
49 Whitaker Museum. He explained that the estimated cost for an improved parking lot
50 (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).

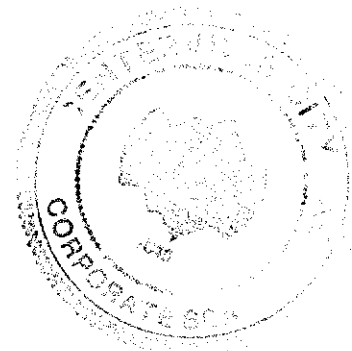
ADJOURNMENT

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

1-17-2017
Date Approved


Katie Rust, Recording Secretary



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

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4 **MEMBERS PRESENT**

5
6 Mayor Paul A. Cutler

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8 Council Members Tamilyn Fillmore
9 William Ince
10 Stephanie Ivie
11 George McEwan
12 Robyn Mecham

13
14 **STAFF PRESENT**

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

20 **STAFF ABSENT**

21 Blaine Lutz, Finance Director/Assistant City Manager

22 **CITY RECREATION PROGRAM**

23
24 Lisa Summers, Recreation Coordinator, updated the Council on the City's recreation
25 program. She explained that the goal of the program has been to offer classes at a reduced
26 rate to the community, and to offer summer jobs to community youth. She estimated that
27 around 500 merit badge cards are signed through the City every year. Council members looked
28 at a list of classes offered by the City over the years, and Ms. Summers stated that she tries to
29 change the classes offered as the needs in the community change. The number of adult
30 classes offered has reduced as other options have become available in the community.
31 Recreation booklets are only mailed to Centerville residents, but registration priority is not given
32 to Centerville residents. Registration is taken on a first-come, first-served basis.

33
34 Responding to a comment from Councilwoman Ivie regarding making the classes more
35 affordable for all, Ms. Summers said she feels the classes offered are a good deal. She said
36 she can only remember three instances in all the years she has held this position that she has
37 been asked about a reduced fee. Staff worked with those families on an individual basis.
38 Councilwoman Ivie said she suspects there are many families in the area in which she lives that
39 do not even consider the City classes because the cost is out of their league. Councilwoman
40 Ivie suggested that schools in the City could be contacted for the number of students on the
41 reduced lunch program for a better idea of need.

42
43 Councilwoman Mecham asked about the possibility of summer classes running longer
44 than three weeks, perhaps offering something that would last all summer. Ms. Summers
45 responded that she is always open to ideas of ways to improve the program. She has noticed
46 that the first session of the summer has more participation than the later session, and not all
47 subjects are able to hold participants' interest for more than the three weeks. Councilwoman
48 Mecham asked if it would be possible to involve volunteers to make the classes more
49 affordable. Ms. Summers described the training and work schedule for summer employees.
50 She said she would be thrilled to have quality volunteers, but she has not seen proof that
51 enough consistent volunteer labor would be available. Councilman Ince asked if Ms. Summers
52 has had any pushback from local companies. Ms. Summers responded that the City partners
53 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.

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Marsha L. Morrow
Marsha L. Morrow, City Recorder

1-17-2017
Date Approved

Katie Rust
Katie Rust, Recording Secretary

