

1 Minutes of the Centerville City Council meeting held Tuesday, June 21, 2016 at 7:00 p.m. at
2 Centerville City Hall, 250 North Main Street, Centerville, Utah.

3
4 **MEMBERS PRESENT**

5
6 Mayor Paul A. Cutler

7
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 Blaine Lutz, Finance Director/Assistant City Manager
17 Jacob Smith, Assistant to the City Manager
18 Lisa Romney, City Attorney
19 Cory Snyder, Community Development Director
20 David Miller, Centerville Justice Court Judge
21 Lisa Summers, Youth Council Advisor
22 Katie Rust, Recording Secretary

23 **VISITORS**

Interested citizens (see attached sign-in sheet)

24
25 **PLEDGE OF ALLEGIANCE**

26
27 **PRAYER OR THOUGHT** Councilwoman Fillmore

28
29 **RECOGNITION OF JUDGE MILLER**

30
31 Mayor Cutler recognized that Judge David Miller was named Justice Court Judge of the
32 Year for the State of Utah.

33
34 **YOUTH CITY COUNCIL**

35
36 Lisa Summers, Youth Council Advisor, introduced new members of the 2016-2017
37 Youth City Council. Judge Miller swore in new Youth City Council members and those returning
38 for a new two-year term.

39
40 **New Youth Council Members**

41
42 Zachary Barton Hana Pertab
43 Sami Freeman Joshua Pitt
44 Kathrine Kimball Lindsey Richards
45 Mica McKee

46
47 **OPEN SESSION**

48
49 James Dix – Mr. Dix reminded the Council that his reptile rescue organization is unique
50 in the State of Utah, providing valuable safety training and animal rescue service. He is not paid
51 for the services he provides. He stated that, although it has been necessary for a time, it is not
52 his intention to house the organization in a residential neighborhood. He said he is trying to find
53 another location to house the animals, and would like to open a park where they can be enjoyed
54 by the public. Mr. Dix stated he has never had an escapee or an injury. He asked the Council
55 to bear with him as he looks for another location. He stressed that the animals are a necessary

1 tool for his trade. He said his home has been inspected by the Division of Wildlife Resources
2 (DWR) and Davis County Animal Control. Mr. Dix emphasized the importance of the service he
3 provides, and showed a document containing more than 2,000 signatures of Utah citizens
4 supporting what he does.

5
6 **MINUTES REVIEW AND ACCEPTANCE**
7

8 The minutes of the May 31, 2016 work session and June 7, 2016 work session and
9 regular Council meeting were reviewed. Lisa Romney, City Attorney, and Councilwoman Ivie
10 requested changes to the June 7th work session minutes. Councilman Ince made a motion to
11 accept the May 31, 2016 work session minutes, the June 7, 2016 regular meeting minutes, and
12 the June 7, 2016 work session minutes as amended. Councilwoman Ivie seconded the motion,
13 which passed by unanimous vote (5-0).

14
15 **PUBLIC HEARING – ZONE MAP AMENDMENT (REZONE) – 142 AND 144 EAST**
16 **1200 SOUTH – ORDINANCE NO. 2016-18**
17

18 On May 25, 2016, the Planning Commission reviewed and recommended for approval
19 the proposed rezone of the subject property (142 and 144 East 1200 South) from Residential-
20 Medium (R-M) to Commercial-High (C-H). Cory Snyder, Community Development Director,
21 explained that the property has been used for commercial purposes, yet has remained empty
22 for the past two years and, therefore; the grandfathered non-conforming right for commercial
23 use has now expired, and is required to convert to the current zoning classification. The
24 property was originally zoned commercial, but became R-M when the current Zoning Map was
25 approved in 2003. Staff believes this may have been an oversight, since the lot was clearly
26 commercial in 2003. Mr. Snyder stated the site shares a parking lot with the property to the
27 west, located within Bountiful, and would therefore be more appropriate to remain commercial
28 and be rezoned to C-H. The property is served by Bountiful Power and pays property taxes to
29 Bountiful, but receives water from Centerville. Mr. Snyder reported there is some uncertainty
30 regarding city boundary lines at that location, with the County records differing from other
31 records. Councilwoman Fillmore stated switching to commercial makes the most sense, but
32 asked if Commercial-Medium (C-M) was considered rather than C-H. Mr. Snyder responded
33 that the neighboring property is C-H, and the Planning Commission only considered C-H.
34 Councilwoman Fillmore commented she feels C-M would be a better buffer for the adjacent
35 residential neighborhood. Councilwoman Ivie agreed that C-M would be more appropriate than
36 C-H. Mr. Snyder confirmed that office uses would conform with C-M requirements.

37
38 At 7:38 p.m. the Mayor Cutler opened a public hearing.

39
40 Alice Giauque – Ms. Giauque stated she and her husband own the property directly to
41 the west of the subject property. She said their biggest concern is the lack of parking provided
42 for the subject property. No parking agreement exists, and considering the minimal amount of
43 parking available for their property, they would not be able to allow tenants of the subject
44 property to use their parking spaces. Her husband pointed out on a map the location of parking
45 specific to the subject property.

46
47 Mayor Cutler closed the public hearing at 7:43 p.m. Mr. Snyder stated that any user
48 coming in would be subject to current zone requirements to utilize the buildings. The number of
49 required parking stalls is based on use and not just square footage. The subject property
50 contains one building with two small suites. Ms. Romney commented that the applicant has
51 requested C-H, and suggested the Council could table the rezone to allow the applicant to
52 respond to the C-M suggestion. Councilman McEwan stated he thinks the City should consider
53 annexation of the portion of the parcel outside of City limits.

1 Councilwoman Fillmore made a **motion** to table the issue and direct staff to contact the
2 applicant for feedback regarding the suggested rezone to C-M rather than C-H. Councilwoman
3 Ivie seconded the motion. Mr. Snyder commented that location of the city boundary line would
4 need to be confirmed before pursuing any possible annexation. He also mentioned that in order
5 to annex the neighboring property, the Centerville Council would need to make the request of
6 Bountiful City. Councilman McEwan responded he would want to annex to clean up the
7 boundary line, not necessarily to annex property obviously in Bountiful. Ms. Romney
8 commented that the property tax issue should also be cleared up. Councilwoman Fillmore
9 **withdrew the motion** to table, and made a **motion** to change proposed Ordinance No. 2016-18
10 to state Commercial-Medium (C-M) instead of Commercial-High (C-H), including findings 1-5.
11 Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). Mr. Snyder
12 said he will work with the property owner regarding business license and property taxes.
13

14 Findings:

- 15
- 16 1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
 - 17 2. The proposed Zone Map Amendment meets the goals and objectives of the General
18 Plan concerning Neighborhood 1 [Section 12-480-2].
 - 19 3. Adequate facilities and services to serve the property are located along 1200 South
20 [Section 12-21-080(e)(5)].
 - 21 4. Historic Zoning Maps indicate this property to have been zoned commercial as far
22 back as 1961 until 2003. In addition, the use found on the property has also been
23 commercial since the property was developed.
 - 24 5. The property is rezoned to C-M rather than C-H to provide a buffer for adjacent
25 residential properties.
- 26

27 FY 2016 BUDGET

28

29 Blaine Lutz, Finance Director, presented a financial report for the eleven month period
30 ending May 31, 2016. He explained proposed amendments to the FY 2016 Budget. At 8:15
31 p.m. Mayor Cutler opened a public hearing, and closed the public hearing seeing that no one
32 wished to comment.
33

34 Councilman McEwan made a **motion** to adopt Resolution No. 2016-16 amending FY
35 2016 Budget of Funds, including a one-time payment to Macquarie from Council Contingency.
36 Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
37

38 FY 2017 BUDGET

39

40 Following brief discussion of the FY 2017 Budget, the following actions were taken:

- 41
- 42 • Councilman McEwan made a **motion** to adopt Resolution No. 2016-17 adopting the
43 Certified Tax Rate for FY 2017. Councilman Ince seconded the motion, which
44 passed by unanimous vote (5-0).
 - 45 • Councilman Ince made a **motion** to approve Ordinance No. 2016-19 adopting the
46 Employee Compensation Plan. Councilman McEwan seconded the motion, which
47 passed by unanimous vote (5-0).
 - 48 • Councilman McEwan made a **motion** to adopt Resolution No. 2016-18 approving
49 compensation for the Justice Court Judge. Councilwoman Ivie seconded the motion,
50 which passed by unanimous vote (5-0).
 - 51 • Councilwoman Ivie made a **motion** to approve Prosecutor Agreements as presented
52 in the Council packet. Councilwoman Mecham seconded the motion, which passed
53 by unanimous vote (5-0).

- 1 • Councilman Ince made a **motion** to adopt Resolution No. 2016-19 increasing
2 culinary water rates. Councilman McEwan seconded the motion, which passed by
3 unanimous vote (5-0). Councilman McEwan stated that, while painful, the increases
4 are necessary to maintain a quality water system and avoid getting behind a “power
5 curve”. Mr. Thacker emphasized that the Council has chosen to go with a more
6 aggressive rate increase structure to avoid borrowing for the water projects.
7 • The Council discussed the desire to have further discussion before moving forward
8 with the two new staff positions, the decant building, and the speed sign included in
9 the Budget. Councilman McEwan made a **motion** to adopt Resolution No. 2016-20
10 adopting the Centerville City FY 2017 Budget of Funds with an effective date of July
11 1, 2016. Councilman Ince seconded the motion. Councilwoman Fillmore asked the
12 Council to discuss where funds might be found to complete the City Hall foyer project
13 all at once, and to discuss tagging a percentage of the roads budget for Complete
14 Streets. Councilman McEwan said he would prefer to handle the foyer project with
15 the amount included in the Budget, with additional funds from Council Contingency if
16 needed when a final decision is made. Councilwoman Fillmore made a **motion to**
17 **amend** the motion to add the FY 2016 Council Contingency balance of \$6,000 to the
18 \$5,000 allocated for this purpose in FY 2016 and carried over to the FY 2017
19 Budget. The motion died for lack of second. Councilwoman Fillmore said she liked
20 Councilman Ince’s idea to use funds from the Justice Court for the foyer project,
21 since the foyer is used heavily by the Court. Mr. Lutz explained that Court revenues
22 are part of the General Fund. Mayor Cutler said he likes the idea of having
23 something in the budget for safety and Complete Streets, but pointed out that
24 Department Heads would prefer to have control of their budgets. Councilwoman Ivie
25 stated she is reluctant to tag streets money for safety, since she feels safety projects
26 should be funded by the General Fund. Councilwoman Mecham agreed. Mayor
27 Cutler commented that safety is an appropriate use of transportation funds.
28 Councilwoman Fillmore responded that all citizens pay into the transportation funds,
29 so the Council should be obligated to consider all users of the roads. Councilman
30 Ince commented that, while he recognizes the benefit of Councilwoman Fillmore’s
31 proposal, he has a hard time with irresponsible pedestrian and bicycle users of the
32 roads. He said the roads are critical infrastructure, and he has a hard time with
33 taking money away from road maintenance for other elements. Councilwoman
34 Fillmore made a **motion** to allocate 5% of the Transportation Fund in FY 2017 for
35 Complete Street elements. Councilwoman Mecham pointed out that the City will still
36 do the sidewalks and other projects without the suggested allocation, and she would
37 not want to tie up a specific amount that may be needed for a different purpose.
38 Councilwoman Fillmore said she feels there is value in tying up the funds, because
39 the way a budget is set up speaks to priorities. She said one of her priorities has
40 been to do quality street projects and to consider all users. Councilman McEwan
41 commented that the City cannot financially keep up with street needs with the current
42 100-year street plan. He said he does not disagree with the importance of safety,
43 but asked if 5% is a meaningful number. Councilman McEwan said he would be
44 more willing to talk about what property taxes need to look like in the future to
45 address ongoing issues such as safety. Councilwoman Fillmore responded that the
46 first step is to have the allocation become part of the culture and continue to evaluate
47 what is needed over time. Councilwoman Ivie commented that the City has a history
48 of property owners paying part or all of the sidewalk costs, and she would not want to
49 set a precedent of the City paying for sidewalks or trees. The motion to allocate 5%
50 of the Transportation Fund died for lack of second. The motion to adopt Resolution
51 No. 2016-20 passed by unanimous vote (5-0).

1 **RDA MEETING**
2

3 At 8:50 p.m. Councilman McEwan made a **motion** to adjourn to a meeting of the
4 Redevelopment Agency. Councilman Ince seconded the motion, which passed by unanimous
5 vote (5-0). In attendance were: Paul A. Cutler, Chair; Stephanie Ivie, Vice-Chair; Directors
6 Fillmore, Ince, McEwan, and Mecham; Steve Thacker, Executive Director; Blaine Lutz, Finance
7 Director; Lisa Romney, City Attorney; Jacob Smith, Assistant to the City Manager; and Katie
8 Rust, Recording Secretary.
9

10 The Council returned to regular meeting at 9:05 p.m. following a short break.

11 **PUBLIC HEARING – CENTERVILLE ZONING CODE AMENDMENTS – TITLE 12 –**
12 **ZONING CODE – ORDINANCE NO. 2016-20**
13

14 As part of the FY 2016 Budget, the Council approved funding to transition the Municipal
15 Code, Zoning Code and General Plan to an online version to be hosted by Municipal Code
16 Online, Inc. The Zoning Code is the first “book” to be uploaded onto the online platform and a
17 sample beta version of the online code is now available for the City to review. Ms. Romney
18 explained that a number of formatting, renumbering, code references, and other changes have
19 been made as part of the transition to the online version of the Zoning Code.
20

21 At 9:20 p.m. Mayor Cutler opened a public hearing.
22

23 **Steve Allen** – Mr. Allen complimented Ms. Romney for her professional manner and the
24 work that she does for the City.
25

26 Councilman McEwan made a **motion** to adopt Ordinance No. 2016-20 amending,
27 renumbering and recodifying Title 12 of the Centerville Municipal Code regarding the Centerville
28 Zoning Code. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
29

30 **MAYOR’S REPORT**
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- 32
- 33 • City Manager Thacker recommended the Council cancel the July 5, 2016 Council
34 meeting for lack of pressing agenda items. Councilman Ince made a **motion** to
35 cancel the July 5, 2016 Council meeting, with the condition that a meeting could be
36 called if necessary. Councilwoman Ivie seconded the motion, which passed by
37 unanimous vote (5-0).
 - 38 • The Council discussed South Davis Metro Fire Agency staffing and financial reports.
 - 39 • Mayor Cutler reported on a UTA presentation given at a recent Davis County COG
40 meeting.
41

42 **CITY COUNCIL LIAISON REPORT**
43

44 Councilman McEwan presented UTOPIA financial data, and updated the Council
45 regarding Mosquito Abatement District projects.
46

47 **CITY MANAGER’S REPORT**
48

49 Mr. Thacker informed the Council that the Parrish Lane pedestrian bridge fencing project
50 will soon be completed. The Council discussed the possibility of holding a ribbon-cutting for the
51 pedestrian bridge on July 2nd at 9:00 a.m.

MISCELLANEOUS BUSINESS

Councilman McEwan made a motion to terminate the warranty period for Sonic Drive-In, effective June 21, 2016. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 10:01 p.m. Councilwoman Ivie made a motion to adjourn the meeting. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-0).



Marsha L. Morrow, City Recorder

7-19-2016
Date Approved



Katie Rust, Recording Secretary

