

Minutes of the Centerville **City Council** meeting held Tuesday, November 1, 2016 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  
Jacob Smith, Assistant to the City Manager  
Cory Snyder, Community Development Director  
Paul Child, Centerville Police Chief  
Randy Randall, Public Works Director  
Katie Rust, Recording Secretary

**STAFF ABSENT**

Lisa Romney, City Attorney  
Blaine Lutz, Finance Director/Assistant City Manager

**VISITORS**

Interested citizens (see attached sign-in sheet)

**PLEDGE OF ALLEGIANCE**

**PRAYER OR THOUGHT**

Councilwoman Ivie

**RECOGNITION**

Mayor Cutler recognized winners of a drawing taken from residents who participated in the recent Island View Park renovation survey.

**OPEN SESSION**

Baely Smith – Ms. Smith said she lives on Jennings Lane not far from the intersection on the agenda for discussion. She is a mother of four young children. Ms. Smith said Chief Child has been very helpful when she has talked to him about the intersection. She stated the intersection is part of the Reading Elementary SNAP plan, and she is in favor of a four-way stop. She said that, without a stop sign for through traffic, cars fly through the intersection, making it dangerous for children. Ms. Smith said she knows her neighbors support the four-way stop. She said she feels fixing the curb and gutter to improve visibility is a great idea.

Kathleen Gilbert – Ms. Gilbert stated she is a member of the CenterPoint Legacy Theatre (CPT) Board. She recognized there are many organizations the City could support with RAP Tax funds, and asked the Council to keep CPT in mind. She stated the Board is careful with the money entrusted to them, always trying to keep the budget under control. Funds are needed to continue with the goal to maintain the facility and add new technology to continue attracting patrons. She thanked the Council for their consideration.

Sunny Larsen – Ms. Larsen said she lives on Jennings Lane close to the intersection listed for discussion on the agenda. She said she is in favor of a four-way stop, but not in favor of adding yellow striping down the middle, which she feels would increase speed. Ms. Larsen also spoke in favor of mountain bike trails. She said she knows of other communities that have built mountain bike trails, and she would like to see the same done in Centerville. Her family

1 drives all the way to Park City to mountain bike. She suggested it could be an Eagle Scout  
2 project, and said she would be happy to help organize the effort. Mayor Cutler commented that  
3 citizens passed Proposition One last year, which includes money for trails. He encouraged Ms.  
4 Larsen to also talk to the County. As Council liaison to the Trails Committee, Councilwoman  
5 Mecham added that the Trails Committee has a new member with a background in biking.

6  
7 **MINUTES REVIEW AND ACCEPTANCE**  
8

9 The minutes of the August 25, 2016 joint City Council/Trails Committee meeting and the  
10 October 18, 2016 City Council meeting were reviewed. Councilman McEwan made a **motion** to  
11 reapprove the minutes of the August 25, 2016 joint meeting. Councilman Ince seconded the  
12 motion, which passed by unanimous vote (5-0). Councilman Ince made a **motion** to approve  
13 the October 18, 2016 regular meeting minutes. Councilwoman Fillmore seconded the motion,  
14 which passed by unanimous vote, (5-0).

15  
16 **SUMMARY ACTION CALENDAR**  
17

- 18 a. Assignment Agreement for Legacy Crossing Development Agreement (Lots 2 & 3)  
19 b. Commence two-year warranty period for Park Hills Phase 3 Subdivision  
20 c. Terminate warranty period for Pine Hills Subdivision  
21

22 Councilman McEwan made a **motion** to approve all three items on the Summary Action  
23 Calendar, with a note that the warranty period for the Park Hills Phase 3 Subdivision is for two-  
24 years. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).  
25

26 **PUBLIC HEARING – ZONING CODE AMENDMENT – RECEPTION CENTER IN I-H**  
27 **ZONE**  
28

29 Cory Snyder, Community Development Director, explained the requested Zoning Code  
30 Amendment to allow a reception center as a conditional use in the Industrial-High (I-H) Zone.  
31

32 Jaden Malan, agent for the applicant, explained the desire to convert an industrial  
33 building that was previously converted for office use, to use for a reception center. He said he  
34 feels the reception center would add diversity to the city, and offset daytime traffic with mostly  
35 evening use. Indoor recreation and entertainment is already permitted in the I-H Zone, which is  
36 not too different from the proposed use. The applicant is currently in business in North Salt  
37 Lake accommodating private events and parties, and is looking to expand in Centerville.  
38

39 Councilwoman Mecham asked how late at night events would occur, and whether or not  
40 alcohol would be involved. Mr. Malan responded that events would most likely occur between  
41 the hours of 5:00 p.m. and 1:00 a.m. Mr. Snyder stated the conditional use process would  
42 examine the hours of use and necessary mitigation, which might include security. The State  
43 regulates the ability to serve alcohol at an event. Luz Estrada, applicant, stated that an alcohol  
44 permit is required only if alcohol is sold on site. Customers can provide their own alcohol, and  
45 the facility can provide a certified bartender.  
46

47 Mayor Cutler opened a public hearing at 7:26 p.m., and closed the public hearing seeing  
48 that no one wished to speak. Councilwoman Fillmore said she feels the proposed use is closely  
49 tied to the already permitted use of indoor recreation and entertainment. She said she feels a  
50 mix of uses in that area is a good thing, and she is in favor of approving the request.  
51 Councilman Ince said to him it seems it would be a non-issue in that neighborhood – a use that  
52 will not bother anyone – and he is not sure why the request would need to be subject to the

1 conditional use process. Mr. Snyder responded that, given the change would apply to all I-H  
2 Zones, the Planning Commission felt a conditional use permit was appropriate.

3  
4 Councilwoman Fillmore made a **motion** to approve Ordinance No. 2016-33 amending  
5 Section 12.36.030 of the Centerville Zoning Code regarding Table of Uses for Public and Civic  
6 Uses to allow "Reception Center" as a conditional use in the I-H Zone. Councilman Ince  
7 seconded the motion. Councilwoman Ivie expressed her concern that adding a new use to an  
8 area that does not already have use during those hours increases the need for security and  
9 adds pressure to the Police Department, which is already under a lot of pressure. She  
10 commented that a reception center would affect how the officers patrol the area. Councilwoman  
11 Ivie said she would like to see more information before making a decision. Councilwoman  
12 Fillmore agreed, but pointed out that introducing activity where there is not any may have the  
13 opposite effect. Councilman McEwan pointed out that the conditional use process will allow  
14 input from the Police Chief. Councilwoman Ivie stated she is not willing to give the Planning  
15 Commission full responsibility for determining if an impact on the Police Department is fully  
16 mitigated. Councilwoman Fillmore pointed out the I-H Zone already has potential for similar  
17 activities and use with the indoor recreation and entertainment.

18  
19 Police Chief Child arrived at the meeting at 7:35 p.m. He stated the alcohol aspect can  
20 be problematic, but if it is served in a responsible manner to adults it is generally not a problem.  
21 Chief Child said he is not concerned about traffic in the area, and stated that, with his current  
22 knowledge of the proposal, the use would probably not be that big of an impact. Councilwoman  
23 Ivie pointed out that several elements have been added to the community that will occasionally  
24 require police presence, and she feels it is short sighted to continue adding elements without  
25 acknowledging the overall impact on the Police Department. Chief Child said it is a combination  
26 of everything that is happening that creates an impact. On its own, a reception center would  
27 probably not be a large impact. The motion passed by majority vote (4-1), with Councilwoman  
28 Ivie dissenting.

29  
30 **PUBLIC HEARING – ZONING CODE AMENDMENT- CLIMATE CONTROLLED**  
31 **STORAGE**

32  
33 The applicant desires to amend the City's Zoning Ordinance to add "Climate Controlled  
34 Storage" to the Zoning Code Definitions and Table of Uses to allow this use in the Commercial-  
35 High (C-H) Zone. The applicant owns the Parrish Square Shopping Center just west of Dick's  
36 Market, and would like to establish a climate control storage facility in one of the suites. Mr.  
37 Snyder explained the request and the Planning Commission's recommendation. Climate  
38 controlled storage would be allowed at the subject location in the C-H Zone as a conditional  
39 use, but would not be allowed in other C-H Zones. Councilman Ince said he supports the  
40 request, but he is concerned this is the type of action that causes a lot of complaint and concern  
41 from citizens.

42  
43 Steve Tate, applicant, said he cares about the community, and he understands  
44 Councilman Ince's concerns. He said he understands that granting the request for the property  
45 may bring up questions. Mr. Tate explained difficulties associated with the awkward shape of  
46 the shopping center. He said climate controlled storage has become a more requested service,  
47 especially in urban markets. He said he knows it would not be very profitable, but it would solve  
48 a difficult problem for him as a property owner, and solve a parking issue for the whole square.

49  
50 Mayor Cutler opened a public hearing at 8:04 p.m., and closed the public hearing seeing  
51 that no one wished to comment. Councilman McEwan said he does not see a down side to this  
52 request, and if someone were to approach the Council about wanting to do the same thing in  
53 the old Dick's Market location he would be willing to discuss it. Councilman McEwan made a

1 **motion** to approve Ordinance No. 2016-32 amending Section 12.12.040 of the Centerville  
2 Zoning Code adding a definition of climate controlled storage and amending Section 12.48.080  
3 of the South Main Street Corridor Overlay to exempt the Parrish Square Shopping Center from  
4 the South Main Street Corridor provisions and allow climate controlled storage as a conditional  
5 use. Councilwoman Ivie seconded the motion. Councilwoman Fillmore pointed out the  
6 Planning Commission made it clear they do not feel comfortable with this use in C-H in general.  
7 She said as much as she wants to see all retail spots filled, she feels this is more about the  
8 process than the end result. She repeated Councilman McEwan's comment from the work  
9 session earlier in the evening that it is not the Council's job to make sure a business is  
10 successful and is able to make a certain amount of money. It is the Council's job to be as  
11 consistent as possible with what is allowed. Councilwoman Fillmore said, if the Planning  
12 Commission is not comfortable with this use in C-H in general, she is all the more uncomfortable  
13 adding it to the Main Street Corridor because of the proximity to residential neighborhoods.  
14 Because of the gymnastics involved to accomplish this, Councilwoman Fillmore said she would  
15 consider it to be spot zoning. Councilwoman Ivie stated that, having personally enjoyed the use  
16 of climate controlled storage in the past, she does not have a problem with adding this use to a  
17 shopping center. The motion to approve passed by majority vote (4-1), with Councilwoman  
18 Fillmore dissenting.

19  
20 **GENERAL PLAN AMENDMENTS – WEST CENTERVILLE NEIGHBORHOOD PLAN –**  
21 **REMOVING INDUSTRIAL VERY-HIGH ZONING DISTRICT – SECTION 12-480-6**  
22

23 Councilman McEwan made a **motion** to table this issue to another meeting.  
24 Councilman Ince seconded the motion, which passed by unanimous vote (5-0).  
25

26 **CITIZEN PRESENTATION REGARDING GENERAL PLAN**  
27

28 Council members Mecham and Ince requested that Marti Money and Heather Strasser,  
29 Centerville citizens, be allowed time to make a presentation. Ms. Money and Ms. Strasser  
30 quoted portions of the General Plan emphasizing a desire for low-density residential  
31 development in the City. Ms. Money stated she views the approval of the climate controlled  
32 storage in Parrish Square as an indicator that the City is moving away from that goal. Ms.  
33 Strasser said she views the General Plan to be the citizens' contract with the community, and  
34 she continues to be confused about why high-density continues to be part of the community.  
35 She stated that Centerville cannot solve the growth problems along the Wasatch Front. They  
36 recommended that high-density residential be eliminated from the General Plan, and requested  
37 that the Council strengthen the language of the General Plan to preserve the quality of life  
38 outlined therein.  
39

40 **PROPOSAL FOR SAFETY IMPROVEMENTS AT JENNINGS LANE/400 WEST**  
41 **INTERSECTION**  
42

43 Police Chief Child explained the proposed safety improvements for the intersection at  
44 Jennings Lane and 400 West, and expressed the high degree of concern of residents in the  
45 area. A recent traffic study showed traffic flows to be fairly equal on each leg, and a four-way  
46 stop was recommended. Randy Randall, Public Works Director, explained the recommendation  
47 to change the radius of the northwest corner of the intersection before doing the four-way stop.  
48 He said the improvements could be made within a week or two. Councilwoman Fillmore agreed  
49 with the earlier comment that yellow striping is not necessary, but said she supports the  
50 shoulder striping. Mr. Thacker said the project would be funded by the Transportation Fund.

1 Councilman Ince asked how the Jennings Lane intersection is different from the Chase  
2 Lane and 400 West intersection. Mr. Randall responded that the Chase Lane intersection is not  
3 skewed in the same way. Mr. Thacker also explained that the volume of traffic in the  
4 north/south direction is much greater than east/west, whereas it is equally balanced on all four  
5 legs at the Jennings/400 West intersection. Councilman McEwan made a **motion** to approve a  
6 budget not to exceed \$10,000 for safety improvements to the Jennings Lane/400 West  
7 intersection. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).  
8 Councilwoman Mecham said she would like to see if there are projects within the city that could  
9 be funded with State SNAP funds.

#### 10 11 **DAVIS COUNTY NATURAL HAZARD PRE-DISASTER MITIGATION PLAN**

12  
13 DeeEll Fifield, a consultant hired by Davis County, gave a presentation summarizing the  
14 process and content of the 2016 Davis County Natural Hazard Pre-Disaster Mitigation Plan, and  
15 answered questions from the Council. Chief Child pointed out that a lot of work has been done  
16 in the city since the 2009 Pre-Disaster Mitigation Plan was put in place and goals were set.

17  
18 Councilman Ince made a **motion** to approve Resolution No. 2016-26 approving the  
19 2016 Davis County Natural Hazard Pre-Disaster Mitigation Plan. Councilwoman Mecham  
20 seconded the motion. At 8:58 p.m. Mayor Cutler opened a public hearing.

21  
22 Priscilla Todd, former Centerville Mayor – Ms. Todd asked if FEMA allows homes to be  
23 built within 10 feet of the fault lines. She said at the time she was in office the city was told it  
24 does not have the authority to regulate distance of homes from fault lines. Mr. Fifield responded  
25 he does not think FEMA regulates that at all. He said determining where the fault runs can be  
26 very difficult. Ms. Todd suggested the City at least consider applying pressure to have some  
27 authority to do mitigation where documentation and proof is available.

28  
29 Mr. Thacker responded that he remembers staff saying that development cannot occur  
30 within 50 feet of the determined fault line. Councilwoman Fillmore said she would be interested  
31 in more factual information regarding what the City is allowed to regulate. Mayor Cutler closed  
32 the public hearing at 9:04 p.m. The motion to approve passed by unanimous vote (5-0).

#### 33 34 **PROFESSIONAL SERVICES AGREEMENT RELATING TO ISLAND VIEW PARK** 35 **RENOVATION CONCEPTUAL PLANNING PHASE**

36  
37 Lynn Keddington, Parks and Recreation Committee Chair, explained the request for  
38 approval of a professional services agreement relating to the Island View Park Renovation. The  
39 Parks Committee has held the first focus group with citizens, and made progress regarding what  
40 is wanted at Island View Park. The Parks Committee would like to apply for Federal grant funds  
41 allocated by the State to help with the project, and a realistic budget will be necessary to submit  
42 an application. Mr. Thacker and Mayor Cutler expressed confidence in the professional ability  
43 of Dan Sontagg, landscape architect with MGB+A.

44  
45 Councilwoman Ivie said she feels the city is rushing and not looking at the whole picture.  
46 She said Centerville has a massive cemetery problem, and until the Council decides whether  
47 some of the park space will be used for cemetery space, professional services seem premature.  
48 Mr. Keddington responded that Island View Park has already benefited from Land and Water  
49 Grant funds, which restricts uses of the property. Existing park use cannot change without  
50 running the risk of having to refund previous grant funds. Mr. Keddington added that a portion  
51 of the Park could be exempted from the application if desired. He offered to obtain clarification  
52 of the requirements of previous grants. Moving forward now would allow the city to be ready to  
53 submit an application in February of next year, although a grant award decision would not be

1 made until about a year later, according to Mr. Keddington. Councilman Ince asked if cemetery  
2 space could be integrated into the grant application. The Council discussed the desire to visit  
3 Island View Park and other potential property for cemetery expansion.

4  
5 The professional services agreement would be funded by RAP Tax revenue.  
6 Councilwoman Fillmore made a **motion** to approve an agreement for landscape architect  
7 services with MGB+A, in the amount of \$5,900, for preparation of a schematic site plan and cost  
8 estimate. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

9  
10 The Council took a break at 9:18 p.m. and returned at 9:33 p.m.

11  
12 **CONTINUE DISCUSSION REGARDING POTENTIAL USES OF RAP TAX REVENUE**

13  
14 Councilwoman Fillmore made a **motion** to table discussion of potential uses of RAP Tax  
15 revenue to the next Council meeting. Councilman McEwan expressed a preference to discuss  
16 RAP Tax revenue use, since the funds are currently being used in a nickel and dime fashion.  
17 The motion died for lack of a second. Mr. Thacker said he presumes the Council is willing to go  
18 forward with the next two phases of the Community Park Expansion. Councilman Ince  
19 responded that the biggest decision that needs to be made is whether or not to borrow money  
20 internally to complete the work sooner. He said he can see a substantial benefit to doing the  
21 work sooner rather than later. Mayor Cutler said he intends to request a low-interest loan from  
22 the South Davis Recreation Board. Mr. Thacker stated that staff can evaluate and make a  
23 recommendation regarding the possibility of internal loans. Councilman McEwan commented  
24 that organizations are waiting to hear how the money will be allocated. Councilwoman Fillmore  
25 said she is comfortable with the numbers suggested by Councilman Ince at the last discussion.  
26 Mayor Cutler said he would like the allocation to have a little flexibility, tentatively going with  
27 85% for parks and trails, up to 10% for various performing arts organizations and facilities, and  
28 up to 5% for the Whitaker Capital Improvement Plan. Councilman McEwan said he would  
29 approve 85% for parks and trails, 10% for the Whitaker Museum, and 5% for CenterPoint. Mr.  
30 Thacker reported to the Council that CenterPoint did not receive a RAP Tax grant from Bountiful  
31 City. Mayor Cutler said he would like to see the Council make a significant commitment that  
32 reflects a desire to keep the theatre facility in great shape. Councilwoman Fillmore pointed out  
33 that visitors to the theatre facility help pay for the building by spending money in the community  
34 and increasing RAP Tax collection. She said the Whitaker Museum is valuable to the  
35 community, but the Council needs to do an impartial analysis taking the value of the buildings  
36 and the number of people reached into account to justify the allocation.

37  
38 Councilman McEwan said he feels the Council should look at it in terms of priorities –  
39 the park is free access to everyone, the theatre is not. Councilman Ince asked if CenterPoint  
40 could be encouraged to host some kind of free event for Centerville residents. Mayor Cutler  
41 commented that Centerville Junior High is allowed to produce performances at the facility,  
42 recognizing that it is a public facility. The Mayor also commented that the Fairytale Festival is  
43 viewed as a gift to the community. Councilman McEwan stated that parks are the highest  
44 priority. The theatre is viable, and the Whitaker Museum has been on hold while the theatre has  
45 received RAP Tax funds. Councilwoman Ivie said she feels it is important to address the  
46 safety/liability concerns at the Whitaker Museum right away. The Council discussed possible  
47 allocation formulas.

48  
49 Councilman McEwan made a **motion** to approve the following distribution of RAP Tax  
50 revenue: 85% to parks and trails, 5% to Whitaker Museum with emphasis on safety issues, 5%  
51 to theatre facility-related projects, and 5% for general contingency on a project-to-project basis.  
52 Councilman Ince seconded the motion, which passed by unanimous vote (5-0). Mr. Thacker

commented that the HVAC service contract for the theatre facility is equal to approximately 5% of estimated RAP Tax revenue.

#### **MAYOR'S REPORT**

- Mayor Cutler informed the Council that a helpful video is available online explaining the proposed Davis County property tax increase.
- The Mayor complimented Jacob Smith, Assistant to the City Manager, for his efforts in putting together the most recent metrics packet.

#### **CITY MANAGER'S REPORT**

Mr. Thacker presented two preliminary concept designs for the Parrish Lane and I-15 interchange, and described measures suggested by UDOT that might improve traffic congestion along the Parrish Lane corridor in the short term.

#### **MISCELLANEOUS BUSINESS**

The Council discussed the idea of putting a mausoleum on the east side of the cemetery, along the 700 East right-of-way. The Council discussed the proposed fieldtrip to Island View Park and other potential property for cemetery expansion, and expressed a desire to meet in a work session to discuss the cemetery prior to the regular meeting on November 15<sup>th</sup>.

#### **APPOINTMENTS**

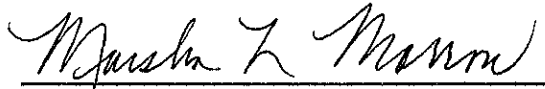
Mayor Cutler recommended the Council reappoint Lynn Keddington to the Parks and Recreation Committee. Councilwoman Fillmore made a **motion** to reappoint Lynn Keddington to the Parks and Recreation Committee. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

Mayor Cutler recommended reappointing Jeannie Randall to the Landmarks Commission, contingent on her willingness to serve another term. Councilwoman Ivie made a **motion** to reappoint Jeannie Randall to the Landmarks Commission, contingent on her willingness to serve another term. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

Mayor Cutler recommended the Council appoint Kathy Helgeson to the Planning Commission. Councilwoman Ivie expressed a desire to meet with Ms. Helgeson prior to approving the appointment. Councilwoman Fillmore said she respects the Mayor's role in choosing appointees, and made a **motion** to appoint Kathy Helgeson to the Planning Commission. Councilman Ince seconded the motion. Councilwoman Ivie repeated that she would rather meet Ms. Helgeson first. Councilman McEwan asked if the appointment could be tabled to allow Council members time to be confident in their role of "advice and consent". Mayor Cutler said he is uncomfortable setting a precedent that candidates need to appear and make their case before the Council. The Council discussed the recommended appointment. Mayor Cutler suggested Council members speak with Ms. Helgeson independently. The motion failed (2-3), with Council members Fillmore and Ince in favor and Council members Ivie, McEwan, and Mecham abstaining. The recommended appointment will be reconsidered at a future meeting.

**ADJOURNMENT**

At 10:41 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

11-15-2016  
Date Approved

  
Katie Rust, Recording Secretary

