

1 Minutes of the Centerville **City Council** meeting held Tuesday, September 6, 2016 at 7:00 p.m.
2 at 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 Lisa Romney, City Attorney
18 Jacob Smith, Assistant to the City Manager
19 Cory Snyder, Community Development Director
20 Paul Child, Centerville Police Chief
21 Bruce Cox, Parks and Recreation Director
22 Randy Randall, Public Works Director
23 Katie Rust, Recording Secretary

24 **VISITORS**

25 Jeff Bassett, South Davis Metro Fire Chief
26 Interested citizens (see attached sign-in sheet)

27 **PLEDGE OF ALLEGIANCE**

28
29 **PRAYER OR THOUGHT**

30 Rev. Lyn Briggs, Episcopal Church of the Resurrection

31 **RECOGNITION OF EMERGENCY RESPONDERS**

32
33 Police Chief Child recognized Utah Highway Patrol Sgt. Chamberlain Neff, Centerville
34 Police and South Davis Metro Fire Agency personnel, and Leah Elam and Cecilia Elam for the
35 roles they played in saving the life of a child on July 12, 2016 at the Pineae Gardens swimming
36 pool.

37
38 **OPEN SESSION**

39
40 Blaine Randall – Mr. Randall expressed his love for Centerville. He said he feels there is
41 evidence that the former Police Chief was involved in covering up crimes committed by his
42 brother at his father's request. He described a situation involving a City Public Works employee
43 and stated he feels the City should have a better way for receiving and handling complaints
44 from citizens regarding City employees. Mr. Randall stated that Police Chief Child, City
45 Manager Thacker, and Mayor Cutler have been very responsive when he has contacted them.

46
47 Lisa Sommer, Whitaker Museum Director – Ms. Sommer invited the Council members to
48 an evening with Mabel Devore at The Whitaker on September 13th.

49
50 **MINUTES REVIEW AND ACCEPTANCE**

51
52 The minutes of the August 16, 2016 work session and regular Council meeting, and the
53 August 25, 2016 joint Trails Committee/City Council meeting were reviewed. Councilwoman
54 Fillmore requested an amendment to the August 16 regular meeting minutes, and made a
55 **motion** to accept the August 16 work session minutes, the August 16 regular Council meeting

1 minutes as amended, and the August 25 joint meeting minutes. Councilwoman Ivie seconded
2 the motion, which passed by unanimous vote (5-0).

3
4 **SUMMARY ACTION CALENDAR**

- 5
6 a. Approve Recording Secretary Agreement
7 b. Approve addition of Police Department Evidence Technician/Emergency
8 Management Assistant Position to the Centerville City Position Pay Grade Schedule
9 – Ordinance No. 2016-23
10 c. Approve Amendment No. 1 to Interlocal Cooperation Agreement with Davis County
11 regarding CDBG Program – Resolution No. 2016-23
12

13 Councilwoman Ivie made a **motion** to approve item (b) on the Summary Action
14 Calendar, including Ordinance No. 2016-23. Councilman McEwan seconded the motion, which
15 passed by unanimous vote (5-0). Councilwoman Fillmore made a **motion** to approve items (a)
16 and (c) on the Summary Action Calendar, including Resolution No. 2016-23. Councilman Ince
17 seconded the motion, which passed by unanimous vote (5-0).
18

19 **GENERAL PLAN AMENDMENTS – BICYCLE AND NON-MOTORIZED VEHICLE**
20 **PATHWAYS AND TRAILS MASTER PLAN MAP**

21
22 On August 26, 2016, the Council met in a joint work session with the Trails Committee to
23 discuss proposed General Plan amendments regarding trails and bikeways. As part of that
24 meeting, the groups discussed the City Attorney proposed edits to the language in the General
25 Plan and agreed to these edits as well as another change to make reference to two maps: (1) a
26 map showing the current existing trails and bikeways; and (2) a map showing future proposed
27 trails and bikeways.
28

29 Steve Thacker, City Manager, explained changes to the two maps recommended by
30 staff to improve the accuracy and clarity of the maps. The Council and staff discussed
31 equestrian use of roadways and trails. Bruce Cox, Parks and Recreation Director stated he
32 feels equestrian use is not compatible with paved cycling/pedestrian trails. Space for equestrian
33 use is provided along side the paved Legacy Parkway Trail. Lisa Romney, City Attorney, said
34 she is not aware of any prohibition of equestrian use of City streets. Councilman McEwan made
35 a **motion** to table approval of Ordinance No. 2016-21 pending revised maps from City staff.
36 Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
37

38 **FINANCIAL REPORT**

39
40 Blaine Lutz, Finance Director, presented a financial report (unaudited) for the fiscal year
41 ending June 30, 2016, and answered questions from the Council.
42

43 **ACCESSORY BUILDING SETBACKS AND FLAG LOT ORDINANCE AMENDMENTS**

44
45 Cory Snyder, Community Development Director, asked for direction from the Council
46 regarding accessory building setbacks and the flag lot ordinance. Discussions of these two
47 topics – and potential code amendments – are among the short-term goals the Council agreed
48 upon in their March goal-setting session. Since these topics are addressed in the Zoning Code,
49 any amendments would have to be considered by the Planning Commission before coming
50 back to the Council for formal approval. Responding to a question from Councilman Ince, Mr.
51 Snyder explained that in the past the zoning process was more involved with asking for direct
52 neighbor input and consent. The process has been generalized to a public notice system with
53 input received at public hearings. Councilwoman Mecham expressed concern with potential
54 impact of flag lots on neighborhood privacy. Councilwoman Fillmore stated she understands

1 the value of having clean and simple ordinances as much as possible, but with the flag lot
2 ordinance she feels the Planning Commission really tackled some of the difficulties that come
3 with flag lots. She said she feels when it came back to the Council it was taken to the most
4 simple and basic level without considering the deeper issues. Councilwoman Fillmore said she
5 is not comfortable with the flag lot ordinance as it is, and would be comfortable with either
6 eliminating flag lots as an option, or really analyzing the difficulties to achieve a detailed
7 ordinance. Mr. Snyder said, from his point of view, the flag lot discussion was initiated as an
8 infill tool, but he questions the validity of using it as an infill tool if setbacks are increased.

9
10 Mayor Cutler said he feels it is a property rights issue – do people have the right to use
11 their property in the way they see fit, or does the Council want to heavily regulate? He said he
12 believes it is a useful tool if the Council agrees with allowing people to make use of larger
13 properties. It is difficult to balance personal property rights with community feel. Councilman
14 Ince stated he is torn between the right of a property owner to develop, and the right of those
15 who have lived next to a property for years to continue to enjoy their property in the fashion they
16 are used to. Councilman McEwan said he believes there has to be some consideration given to
17 the peaceful coexistence in a community. He said he tends to lean toward peaceful coexistence
18 and existing infrastructure. Councilwoman Ivie said she struggles with property rights as well,
19 but feels the Council should keep the existing expectations of neighbors in mind. She said she
20 is in favor of eliminating the flag-lot option at this time.

21
22 Councilwoman Ivie made a **motion** to recommend to the Planning Commission that flag
23 lots be eliminated as an option. Councilwoman Mecham seconded the motion, which passed by
24 unanimous vote (5-0). Councilwoman Fillmore made a **motion** to direct the Planning
25 Commission to revisit accessory building requirements, specifically appropriate setbacks and
26 appropriate heights, and the relationship between the two. Councilwoman Ivie seconded the
27 motion, which passed by unanimous vote (5-0).

28 SIDEWALK ANALYSIS AND RELATED ACTIONS

29
30
31 Mr. Thacker referred to the Centerville City Sidewalk Inventory and recommended the
32 Council authorize staff to proceed with the correction of sidewalk faults at the eight locations
33 with vertical faults over three inches, at an estimated cost of \$25,000. The cost estimate
34 includes removal of trees next to the faults in the public right-of-way, as well as removal of trees
35 behind the sidewalk on private property on three lots. Randy Randall, Public Works Director,
36 said he has spoken with one of the three property owners, who indicated he would not remove
37 the tree himself, but would allow the tree to be removed at the City's expense. Councilwoman
38 Fillmore suggested an appeals process would allow property owners to be more involved.
39 Mayor Cutler said he is comfortable proceeding if property owners give permission. Ms.
40 Romney suggested the City move forward with fixing the eight recommended locations, using
41 the experience as a test case scenario – helping the property owners understand the need, and
42 not setting a precedent that the City will always pay, but working on options and taking time to
43 adopt a formal written policy over the next several months. Councilwoman Fillmore suggested
44 involving an arborist to assess age and growth stage of the trees. Mayor Cutler suggested that
45 offering a replacement option might help property owners accept the necessary action.
46 Councilman McEwan suggested allowing property owners to "buy" the affected sidewalk pieces
47 and assume responsibility and liability if they want the trees to remain. Councilwoman Fillmore
48 suggested there should be uniform options for all property owners.

49
50 Mayor Cutler said he would like to have an open house to fully inform property owners of
51 the risks and needs. Councilman McEwan agreed, and said it should be soon. The Council
52 discussed possible options to present to property owners, and agreed to schedule an open
53 house for Wednesday, October 5th at 6:00 p.m. An arborist will be invited to participate in the
54 open house.

1 Councilwoman Ivie made a **motion** to authorize staff to proceed with the correction of
2 sidewalk faults and tree removal at the eight locations with faults over three inches, at an
3 estimated cost of \$25,000 funded from the Transportation Fund. If a property owner does not
4 give permission to remove a tree on private property that has been identified by staff as causing
5 damage, staff will notify the Council. Councilman Ince seconded the motion, which passed by
6 unanimous vote (5-0).

7
8 The Council took a break at 9:04 p.m., returning at 9:11 p.m.

9
10 **MAYOR'S REPORT**

- 11
- 12 • A joint work session with the Planning Commission regarding the SMSC Public
 - 13 Space Plan will be held on September 7th.
 - 14 • A Volunteer Recognition Dinner will be held on September 26th.
 - 15 • A ribbon cutting ceremony for the pedestrian bridge is scheduled for October 8th.
 - 16 • Mayor Cutler reported that UDOT has indicated a genuine willingness to talk about
 - 17 improving crosswalks on Main Street within established limits. He explained the idea
 - 18 of having a HAWK pedestrian crossing in front of Centerville Junior High instead of
 - 19 the two existing crossings. As a crossing guard at the Junior High, Councilwoman
 - 20 Mecham expressed safety concerns, and said she would not recommend a HAWK
 - 21 crossing. A majority of the Council agreed. UDOT has approved use of crossing
 - 22 flags and curb markers behind the curb at crosswalks on Main Street.
 - 23 Councilwoman Fillmore made a **motion** to authorize up to \$2,000 from the
 - 24 Transportation Fund for crosswalk improvements for the two Centerville Junior High
 - 25 crosswalks and the crosswalk near Don's Meats (55 South Main Street).
 - 26 Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
 - 27 • Mayor Cutler updated the Council on UTA plans for bus stops.
 - 28 • The Mayor presented community information released by the Health Department.
 - 29 • Mayor Cutler informed the Council about the Circles Program offered by the Family
 - 30 Connection Center, a nonprofit group operating locally out of the Bountiful
 - 31 Community Church.
 - 32 • In the past the informal City policy has been to include information from non-profit
 - 33 organizations associated in some way with local government in the utility bill mailer
 - 34 or the City newsletter. Councilman Ince has brought up some concerns. Ms.
 - 35 Romney advised that the City should objectively stick to a set policy, and suggested
 - 36 limiting inclusion to public information from an entity related to the City. Councilman
 - 37 McEwan stated he feels inclusion of CenterPoint Theatre notices in City utility
 - 38 mailers should be recognized financially as an in-kind donation for better
 - 39 transparency. Councilman Ince suggested three levels: (1) a list of charities/groups
 - 40 allowed to include information in a utility mailer up to four times per year; (2) other
 - 41 charities allowed to include information in a utility mailer for a fee; (3) commercial
 - 42 advertising/information included in utility mailer for \$1,000. Councilwoman Mecham
 - 43 stated she would not want to include commercial information in City mailings
 - 44 because of the possible appearance of endorsement. Councilwoman Fillmore said
 - 45 she feels the existing arrangement has worked fine and there is nothing to fix.
 - 46 Councilwoman Ivie agreed with the suggestion that inclusion of CenterPoint inserts
 - 47 in City mailers should be formally recognized as an in-kind donation. Councilman
 - 48 McEwan emphasized the City should be careful about what is endorsed in official
 - 49 communications. Responding to a question from Mr. Thacker regarding a request
 - 50 from the Family Connection Center, Ms. Romney said she does not think the Family
 - 51 Connection Center would qualify as being related to the City. Mayor Cutler said he
 - 52 feels the Family Connection Center insert would be beneficial to include in a City
 - 53 mailer for community awareness. Councilman Ince agreed, and added that the

1 phrase "inclusion of this does not constitute endorsement by the City" could be
2 added to inserts. Councilwoman Fillmore suggested that, if taxpayer money goes to
3 support an organization, or if a Council member sits on an organization's board as a
4 City representative, that organization's information would qualify for inclusion.
5 Council members McEwan and Ivie requested a recommendation from the City
6 Attorney regarding the framework of a written policy regarding information that could
7 be included in the City utility bill, newsletter, and website.

8
9 **CITY MANAGER'S REPORT**

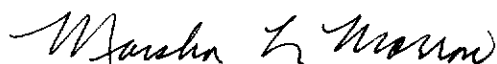
- 10
11 • The Council reviewed proposed agendas for the September 13th RDA/ACB meeting,
12 and the September 20th work session with the Youth City Council.
13 • City Manager Thacker updated the Council on a recent meeting with UDOT
14 regarding eventual replacement of the I-15 interchange at Parrish Lane—i.e.
15 potential ways to improve traffic flow, including conceptual designs for future
16 replacement of the interchange.
17 • A concern has been raised regarding possible vehicle use of the pedestrian bridge.
18 Staff recommends placing signage at the east and west ends of the pedestrian
19 bridge to indicate that usage is limited to bicyclists and pedestrians, and continuing
20 to monitor use before resorting to the expense of installing bollards. A majority of the
21 Council indicated approval for giving staff flexibility.

22
23 **MISCELLANEOUS BUSINESS**

24
25 Jake Smith, Assistant to the City Manager, reported on efforts to improve the reliability
26 and/or quality of video streaming and audio recording of Council meetings.

27
28 **ADJOURNMENT AND CLOSED MEETING**

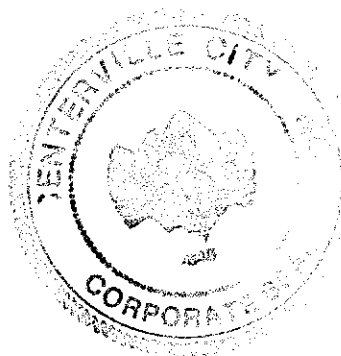
29
30 At 10:20 p.m. Councilman Ince made a **motion** to adjourn the regular meeting and move
31 to a closed session for the purpose of discussing the character and competency of individuals.
32
33
34

35 
36 _____
37 Marsha L. Morrow, City Recorder

38
39
40 9-20-2016
41 _____
42 Date Approved

43 

Katie Rust, Recording Secretary



CENTERVILLE CITY COUNCIL MEETING

Tuesday, September 6, 2016
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Lynn Buzz

Episcopal Church of the Resurrection

Brian Tomvacca

395 S. 700 E Centerville

Brenden Tomvacca

305 S. 700 E. Centerville

Carter COSPE

80 S. 200 E. Centerville

Gregory Tomvacca

395 S 700 E Centerville

Doug Hancey

112 E. JENNINGS LANE

Ben Rendon

Marilyn Tomvacca

1437 Willow Valley Dr., Cental.

Bruce Cox

364 W. 1375 N. Cent.

MARK DIMOND

120 W 925 N cent

STEVE ALLEN

133 ROCK MANOR

Lisa Sommet

2212 No. Main St.

[Empty lines for names]

[Empty lines for addresses]

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the City Council meeting.