

1 Minutes of the Centerville **City Council** meeting held Tuesday, September 3, 2013 at 7:00 p.m.
2 in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

3
4 **MEMBERS PRESENT**

5
6 Mayor Ronald G. Russell

7
8 Council Members Justin Y. Allen
9 Ken S. Averett
10 John T. Higginson
11 Sherri Lyn Lindstrom
12 Lawrence Wright

13
14 **STAFF PRESENT**

15 Blaine Lutz, Finance Director/Assistant City Manager
16 Lisa Romney, City Attorney
17 Cory Snyder, Community Development Director
18 Neal Worsley, Centerville Police Chief
19 Paul Child, Assistant Police Chief
20 Jacob Smith, Management Assistant
21 Katie Rust, Recording Secretary

22 **STAFF ABSENT**

Steve Thacker, City Manager

23
24 **VISITORS**

Interested citizens (see attached sign-in sheet)

25
26 **PLEDGE OF ALLEGIANCE**

27
28 **PRAYER OR THOUGHT**

Councilman Lawrence Wright

29
30 **OPEN SESSION**

31
32 No one wished to comment.

33
34 **MINUTES REVIEW AND APPROVAL**

35
36 The minutes of the Tuesday, August 20, 2013 Canvass of Primary Election, and the
37 August 20, 2013 Council meeting were reviewed. Councilwoman Lindstrom made a **motion** to
38 approve both sets of minutes. The motion was seconded by Councilman Averett and passed by
39 unanimous vote (5-0).

40
41 **PUBLIC HEARING – CHAPEL RIDGE COVE PUD SUBDIVISION – 2250 NORTH 150**
42 **EAST (TABLED FROM AUGUST 20, 2013 MEETING)**

43
44 Cory Snyder, Community Development Director, explained the recommended
45 amendments to the Chapel Ridge Cove PUD Subdivision resulting from a review of the plans by
46 City staff.

47
48 At 7:06 p.m. Mayor Russell opened a public hearing. Seeing no one who wished to
49 comment, the Mayor closed the public hearing. Lisa Romney, City Attorney, recommended the
50 Council approve a waiver of the plat amendment application and professional services fees
51 since the amendments are requested by the City.

1 Councilman Allen made a **motion** to approve the amended plat for the Chapel Ridge
2 Cove PUD based on the recommended findings of the Planning Commission set forth in the
3 Staff Report, and approve waiver of a plat amendment application and professional services
4 fees based on the City's request for the amendments. Councilwoman Lindstrom seconded the
5 motion, which passed by unanimous vote (5-0).
6

7 **Amendments:**

- 8 1) Adjust the eastern boundary of Lot #1 to have the right-of-way line incorporate the
9 sidewalk system.
10 2) Add a note to the amended plat to describe the grading expectations for building on
11 the lots.
12

13 **Findings:**

- 14 a. The Planning Commission finds that the public interest will NOT be materially injured
15 by the proposed plat amendment.
16 b. The Planning Commission finds that there is good cause for the plat amendment.
17 c. The Planning Commission finds that the northern sidewalk system jogs as it
18 transitions into Farmington City and a portion of the sidewalk is not within the right-
19 of-way of the current subdivision plat.
20 d. The Planning Commission finds that the petitioner's contractor adjusted the
21 approved grading plan and such change affects how some of the homes reach
22 native soil for placement of footings and foundations.
23 e. The Planning Commission finds that the amendment corrects the above stated
24 situations.
25 f. The Planning Commission finds that there are both public and private positive
26 interests to allow these amendments to this subdivision.
27

28 **WOODS PARK ASSIGNMENT AND ASSUMPTION AGREEMENT**

29
30 Lisa Romney, City Attorney, explained that since the original parties entered into a
31 Development Agreement for the Woods Park PDO on April 4, 2013, property within the
32 development has been purchased and sold to various individuals and entities. All property
33 within the development has now been purchased by HWD Woods Park, LLC. In accordance
34 with Section 23 of the Development Agreement, HWD Woods Park, LLC is required to enter into
35 an Assignment and Assumption Agreement agreeing to be bound by all the terms and
36 conditions of the Development Agreement. The Assignment Agreement will be recorded
37 against the property prior to or concurrent with recording the Woods Park PDO final plat.
38

39 Councilman Allen made a **motion** to approve an Assignment and Assumption
40 Agreement between the City and various parties for the Woods Park Development Agreement
41 governing property located at 690 West 2400 North. Councilwoman Lindstrom seconded the
42 motion, which passed by unanimous vote (5-0).
43

44 **NOVUSAGENDA**

45
46 On the agenda for the August 20, 2013 Council meeting was Council approval of the
47 NovusAgenda software program. During the Open Session of that meeting, a citizen expressed
48 a desire to discuss other software options with staff prior to Council approval. Blaine Lutz
49 reported that he discussed available options with the citizen, who sent him an email stating that
50 "NovusAgenda is indeed a good Agenda software and the cost seems reasonable compared to
51 other similar Agenda software solutions". Mr. Lutz stated that staff recommends the Council
52 approve the proposed Agreement with NovusAgenda.

1 Councilman Wright commented that the software program does not fill his iPad screen
2 properly. Mr. Lutz responded that Novusolutions would most likely be able to make adjustments
3 and correct the problem, adding that he has a list of other issues that need to be resolved.
4 Councilman Wright made a **motion** to approve the Agreement with NovusAgenda in the annual
5 amount of \$4,200, subject to staff confirmation that critical issues can be resolved.
6 Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (5-0).

7
8 **BRIEFING ON COMMUNITY DISASTER EXERCISE**
9

10 Assistant Police Chief Paul Child of the Centerville Police Department briefed the City
11 Council on the community disaster exercise scheduled for September 28, 2013. The exercise
12 will be based on a 6.5 earthquake scenario.

13
14 **REPORT REGARDING DEER WITHIN CITY LIMITS**
15

16 In an earlier Council meeting, Chief Worsley participated in a discussion with Council
17 members about deer within city limits, which was initiated by the complaints of a few residents
18 about the damage being done to their landscaping and gardens. At that time the City Council
19 requested staff bring back a draft ordinance for their consideration, prohibiting the feeding of
20 deer within the city.

21
22 Chief Worsley updated the Council regarding the two "pilot communities", Bountiful and
23 Highland, working with the Division of Wildlife Resources regarding deer control. Bountiful has
24 decided not to move forward with the Urban Deer Control program. Highland is the only Utah
25 city Chief Worsley has been able to identify as having taken any definitive action to reduce the
26 deer population within their city limits. Chief Worsley does not believe Highland's program is
27 suitable for Centerville's situation. As requested, Lisa Romney prepared a draft ordinance for
28 Council consideration. However, Chief Worsley is of the opinion that such an ordinance would
29 not have a meaningful impact and would be problematic to enforce. Since the Council and
30 Chief last discussed the deer situation, Chief Worsley has not received a single citizen
31 complaint regarding deer. There have been seven deer-related traffic accidents in Centerville
32 since January 1, 2013. Five of the seven accidents occurred between 1500 North and 1440
33 North on Main Street, where the deer come into the city via Rick's Creek.

34
35 Chief Worsley expressed that he feels for the citizens losing vegetable gardens to deer.
36 He suggested the City grant variances for higher fences to protect vegetable gardens in the
37 problem areas, and ask the community as a whole to clean up densely wooded areas on private
38 property where deer would feel safe and choose to stay. Councilman Higginson stated since
39 the complaints have dropped off, he does not think the problem is great enough to take action.
40 Councilman Wright asked Chief Worsley if he would be willing to write an article to educate the
41 public regarding what can be done to reduce the negative impact of urban deer. Chief Worsley
42 responded he would put something together that could be included in a newsletter or on the City
43 website.

44
45 **FY 2013 FINANCIAL REPORT (UNAUDITED)**
46

47 Blaine Lutz, Finance Director/Assistant City Manager, gave an unaudited financial report
48 as of June 30, 2013.

1 **MAYOR'S REPORT**

- 2
- 3 • Mayor Russell reported on the possibility of legislation in 2014 that would allow
 - 4 counties to levy a local option gas tax to help fund the maintenance of local roads.
 - 5 He stated the option would essentially double the amount of money the City receives
 - 6 for Class C road funds. The Mayor thinks the County Commissioners would support
 - 7 the increase if it were supported by the cities. Mayor Russell feels the legislation
 - 8 would be a positive development.
 - 9 • Fire Prevention Week, sponsored by the South Davis Metro Fire Agency, will be
 - 10 September 9-12, 2013.

11

12 **CITY MANAGER'S REPORT**

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14 Per the Council's request, Management Assistant Jake Smith contacted the cities in

15 south Davis County to learn if they collect water impact fees at time of development approval, at

16 time of building permit, or at some other point. Mr. Smith reported that, according to his

17 contacts, all of the cities except North Salt Lake collect the entire fee at time of building permit.

18 North Salt Lake uses the same approach as Centerville – i.e., half upon development approval

19 and half at building permit. None collect the entire fee at time of development approval.

20

21 **MISCELLANEOUS BUSINESS**

22

23 Councilwoman Lindstrom made a **motion** to approve the purchase of a Police Vehicle

24 from Willey Ford in the amount of \$26,382 (including trade in). Councilman Higginson

25 seconded the motion, which passed by unanimous vote (5-0).

26

27 **ADJOURNMENT**

28

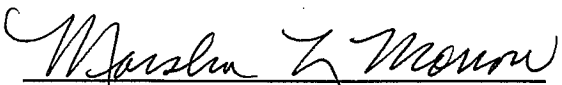
29 At 8:27 p.m. Councilwoman Lindstrom made a **motion** to adjourn, which was seconded

30 by Councilman Allen and passed by unanimous vote (5-0).

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36 Marsha L. Morrow, City Recorder

37

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39 9-17-13

40 _____

41 Date Approved

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 Katie Rust, Recording Secretary

