

1 Minutes of the Centerville **City Council** meeting held Tuesday, December 2, 2014 at 7:00 p.m.  
2 in the Centerville City Hall Council Chambers, 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 John T. Higginson  
10 Stephanie Ivie  
11 Lawrence Wright

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13 **MEMBER ABSENT** Ken S. Averett

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15 **STAFF PRESENT** Steve Thacker, City Manager  
16 Blaine Lutz, Finance Director/Assistant City Manager  
17 Neal Worsley, Centerville Police Chief  
18 Cory Snyder, Community Development Director  
19 Lisa Romney, City Attorney  
20 Katie Rust, Recording Secretary

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22 **VISITORS** Jeff Bassett, South Davis Metro Fire Chief  
23 Interested citizens (see attached sign-in sheet)

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25 **PLEDGE OF ALLEGIANCE** Justin Boucher

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27 **PRAYER OR THOUGHT** Councilwoman Tamilyn Fillmore

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29 **COMMENDATION**

30  
31 Mayor Cutler read aloud a letter of commendation addressed to Officer Jason Read from  
32 Assistant Police Chief Paul Child recognizing his role, as well as that of Officer David Boucher,  
33 in responding to an emergency call and saving the life of a child. Those present showed  
34 appreciation with a standing ovation. Fire Chief Jeff Bassett spoke of the importance of public  
35 safety organizations working together for a positive outcome. Council members expressed  
36 gratitude for the service performed by first responders, and Mayor Cutler thanked the officers  
37 and Fire Agency employees for their daily efforts to make Centerville a safe place.

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39 **OPEN SESSION**

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41 No one wished to comment.

42  
43 **MINUTES REVIEW AND ACCEPTANCE**

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45 The minutes of the November 18, 2014 Council meeting and closed meeting were  
46 reviewed. Councilwoman Ivie requested an addition to the Council meeting minutes.  
47 Councilman Higginson made a **motion** to approve the November 18, 2014 closed meeting  
48 minutes and the Council meeting minutes as amended. Councilwoman Fillmore seconded the  
49 motion, which passed by unanimous vote (4-0).  
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1                    **CONSIDER NAME CHANGE FOR WHITAKER MUSEUM**  
2

3                    Spencer Packer, Chair of the Whitaker Museum Board, presented a recommendation of  
4 the Board to change the name of the museum facility to: "The Whitaker" Centerville's Heritage  
5 Museum (keeping our stories alive). He expressed the Board's desire to replace the sign that  
6 blew down during a windstorm some time ago. Mr. Packer reported that the Museum Board is  
7 in the process of reviewing City ordinances pertaining to the Museum with the intention of  
8 recommending changes to provide clarity and improve consistency. The proposed changes will  
9 be presented to the Council when completed.

10  
11                    Councilman Wright made a **motion** to approve the name change as recommended by  
12 the Board. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0).

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14                    **LEGACY TRAIL SUBDIVISION DEVELOPMENT – 1250 WEST PARRISH LANE**  
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16                    Cory Snyder, Community Development Director, presented a final subdivision plan for  
17 the Legacy Trail Subdivision, which consists of office, retail, gas/convenience store uses and  
18 multi-family units, to be located at the corner of 1250 West and Parrish Lane. Mr. Snyder stated  
19 he anticipates the site plan process for Lot 4 of the development will begin in the next month or  
20 two. UDOT has expressed optimism that traffic signals at the 1250 West/Parrish Lane  
21 intersection will be constructed by next summer. Landscaping plans for the development have  
22 not been received by staff. Lisa Romney, City Attorney, outlined conditions for the Legacy Trail  
23 Subdivision proposed by staff relating to the trail system, landscaping, and fencing, in addition  
24 to the conditions recommended by the Planning Commission. Mr. Thacker explained that the  
25 City and UDOT will enter into a Trail Maintenance Agreement for the trail system.

26  
27                    Fred Hale, applicant, answered questions from the Council. Councilwoman Ivie  
28 expressed concern regarding the amount of parking in the development. Mr. Snyder responded  
29 that the planned parking ratio exceeds City requirements.

30  
31                    At 8:02 p.m. Mayor Cutler opened a public hearing and, seeing that no one wished to  
32 speak, closed the public hearing. Ms. Romney suggested additional language for proposed  
33 conditions (10) and (11). The Council agreed to delegate final approval of the landscaping to  
34 staff in condition (9). The Council, staff, and Mr. Hale discussed fencing maintenance  
35 responsibility.

36  
37                    Councilman Higginson made a **motion** to approve the final subdivision plan of the  
38 Legacy Trail Subdivision, including the conditions and findings recommended by the Planning  
39 Commission, and additional conditions (8) – (12) with changes recommended by the City  
40 Attorney. Councilwoman Fillmore seconded the motion, which passed by majority vote (3-1),  
41 with Councilwoman Ivie dissenting.

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43                    **Conditions**  
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- 45                    1. The plat and plans shall provide for the construction of the entire common internal  
46 roadway loop connecting Parrish Lane to the 1250 West Round-About.  
47                    2. An off-site dedication parcel to UDOT and a public trail easement, located to the  
48 southwest, shall be recorded in conjunction with the subdivision plat.  
49                    3. As deemed acceptable to the City and UDOT, the trail system shall establish a non-  
50 access line with fencing to prohibit users from access to the roadway and ramp  
51 systems along identified sections of the trail.

- 1 4. As deemed acceptable to the City and UDOT, the final plans and plat shall provide or  
2 comply with curb and gutter changes, re-striping, and a restriction median, as part of  
3 traffic circulation patterns.
- 4 5. Concerning the trail system, the final plat and plans, along with the landscaping plan  
5 and design, shall be reviewed by both the City and UDOT and shall obtain written  
6 acceptance from each entity.
- 7 6. The final plat and plans shall be deemed acceptable, in accordance with applicable  
8 Ordinances or PDO approval, by the City's Engineer and Attorney (e.g., the  
9 engineering review comments, providing a final title report, and providing a copy of  
10 the CC&R's).
- 11 7. The applicant/developers shall establish, post, or pay any applicable bonds, impact  
12 fees, or other related costs, as defined in the City's Fee Schedule or Ordinances.
- 13 8. Developer shall construct and install an 8-foot wide asphalt trail along Parrish Lane  
14 and the west side of the subdivision connecting into the Legacy Parkway Trail just  
15 north of the Birnam Woods Trailhead as more particularly set forth in the subdivision  
16 plans and construction drawings ("Trail System"). Developer shall pay for the cost of  
17 installation and construction of the Trail System, subject to possible tax increment  
18 reimbursement as may be approved by the Centerville City Redevelopment Agency.
- 19 9. Developer shall submit a landscaping and fencing plan for landscaping and fencing  
20 associated with and adjacent to the Trail System to be reviewed and approved by the  
21 City staff prior to recording of the final subdivision plat. The landscaping plan shall  
22 include drought-tolerant plants along Parrish Lane.
- 23 10. Except as otherwise agreed to in writing by UDOT or the City, the Developer or an  
24 acceptable owners association shall own and maintain all fencing and landscaping  
25 associated with and adjacent to the Trail System in accordance with landscaping and  
26 fencing plans approved by the City. If such improvements are to be maintained by  
27 an owners association, the maintenance obligations shall be specifically addressed  
28 in the CC&R's for the project. Developer and/or the owners association shall enter  
29 into maintenance agreements as required by UDOT or the City regarding such  
30 maintenance to be recorded against the property. All maintenance obligations,  
31 CC&R's and maintenance agreements shall be finalized and executed prior to  
32 recording of the final subdivision plat.
- 33 11. Developer shall not be responsible for maintaining the trail surface. The City agrees  
34 to enter into a Trail Maintenance Agreement with UDOT acceptable to the City  
35 regarding maintenance of the trail. The final subdivision plat shall not be recorded  
36 until and unless such agreement has been fully executed by the City and UDOT.
- 37 12. If Developer desires to install any public improvements within the subdivision prior to  
38 recording of the final subdivision plat (as allowed by Utah Code Ann. § 10-9a-604.5),  
39 Developer shall enter into a development and construction agreement with the City  
40 specifying the terms and conditions for such construction prior to recording of the  
41 plat.

42  
43 Findings

- 44
- 45 a. The City Council finds that the proposed subdivision is subject to the terms and  
46 conditions of the PDO approval for the Legacy Trail Apartment Project.
- 47 b. The City Council finds that the submitted final subdivision plat and plans are  
48 sufficient in scope to access the subdivision's compliance with the City's General  
49 Plan, Zoning, Subdivision, and other applicable regulations adopted by the City.
- 50 c. The City Council finds that the Legacy Trail Development contains a non-traditional  
51 land use pattern involving an integrated mixture of uses.

- 1 d. Therefore, the City Council finds that the subdivision will require a cohesive review  
2 and approval approach to ensure that the subdivision addresses the needs of the  
3 entire project in relation to creating self-sustaining independent lots.  
4 e. The City Council finds that the conditions of the preliminary plan approval address  
5 the adequacy for probable compliance with the adopted regulations and provide  
6 needed feedback for preparing and submitting a final subdivision plat and plan  
7 application.  
8

9 **RDA MEETING**

10  
11 At 8:12 p.m. Councilman Wright made a **motion** to move to a meeting of the  
12 Redevelopment Agency of Centerville. Councilman Higginson seconded the motion, which  
13 passed by unanimous vote (4-0). In attendance were: Paul A Cutler, Chair; John T. Higginson,  
14 Vice Chair; Directors Fillmore, Ivie, and Wright; Steve Thacker, Executive Director; Blaine Lutz,  
15 Finance Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.  
16

17 The Council returned to regular meeting at 9:04 p.m.  
18

19 **AGREEMENT FOR PROFESSIONAL SERVICES PERTAINING TO THE UTAH**  
20 **TRANSPORTATION COALITION**

21  
22 Roger Tew, a representative of Utah League of Cities and Towns (ULCT), explained that  
23 ULCT is advocating a \$0.0025 local option sales tax increase to fund a broad definition of  
24 transportation purposes, with specific uses to be identified by individual communities. He  
25 provided data comparing a \$0.0025 local option sales tax increase and a \$0.05 Statewide gas  
26 tax increase. Mr. Tew stated that ULCT will not support a proposal that does not include tax  
27 increase revenues returning to the municipalities. The Council and staff discussed the goals of  
28 the Utah Transportation Coalition and whether Centerville should participate. Councilman  
29 Wright expressed concern with the general statements on the Coalition website, and stated he  
30 does not see a benefit to joining a coalition that Centerville has no control over, considering the  
31 City can already take the initiative to talk to its Representatives. Councilwoman Fillmore  
32 emphasized that ULCT has been trying to work with the Legislature regarding transportation  
33 funding for years, and the Coalition is simply ULCT's attempt at a clear, unified voice on the  
34 issue. Mayor Cutler stated he sees more benefit to joining a group rather than going alone, and  
35 recommended the Council approve the agreement for professional services related to the Utah  
36 Transportation Coalition.  
37

38 Councilman Higginson said he can see a benefit to putting the City's name behind the  
39 Coalition. Mayor Cutler pointed out that the City would not have to impose the proposed tax  
40 increase. Councilwoman Fillmore mentioned that since it seems most Centerville residents  
41 prefer driving their private cars over transit, the majority of residents will be using the road  
42 system, which is very expensive to expand to keep up with increasing congestion. Thus,  
43 Centerville residents benefit from the reduced number of vehicles that results from increased  
44 transit service in other communities. She added that the Council has seen the responsiveness  
45 level of UTA to input from the public and city councils. They witnessed this responsiveness with  
46 the dropping of the rail on Main idea, and also very recently with the Council's expressed  
47 preference for UTA to not study improved bus service through the City at this time. She  
48 expressed the opinion that the City should support transit in general for the region while  
49 retaining the ability to control transit options in Centerville. Mayor Cutler stated he feels the  
50 consumption approach to taxing is better than the property approach.  
51

1 Councilman Wright made a **motion** to table the discussion until Councilman Averett is  
2 present. Councilwoman Ivie seconded the motion, which passed by unanimous vote (4-0).  
3

#### 4 **FIRE AGENCY FY 2015 TENTATIVE BUDGET**

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6 Jeff Bassett, South Davis Metro Fire Chief, explained a new operational deployment plan  
7 that will increase response capabilities of the Fire Agency. The Centerville Police Department  
8 currently uses the Davis County dispatch service for 911 emergency calls. Councilman Wright  
9 suggested the City take another look at the possibility of switching to the Bountiful dispatch,  
10 which is used by the Fire Agency. Councilwoman Fillmore commented that the Legislature will  
11 be discussing the dispatch issue during the next Session. Mayor Cutler recommended  
12 discussing the issue with local Legislators during the work session in January.  
13

14 Chief Bassett presented the Fire Agency FY 2015 Tentative Budget (January –  
15 December 2015), which includes an increase of 3.34% in Centerville's assessment, but an  
16 estimated 7% increase for the City's FY 2016 assessment compared with FY 2015.  
17 Councilman Wright commented that a number of services within the City are in need of  
18 additional funding, and suggested taking a comprehensive approach and looking inward at  
19 services that could be cut out before discussing a potential property tax increase.  
20

21 Chief Bassett explained a Paramedic Funding Resolution proposed by the Fire Agency  
22 requesting that the County fairly fund paramedic services. Mr. Thacker stated that Bountiful and  
23 West Bountiful City Councils will not be considering their own versions of this Resolution, but  
24 Woods Cross and North Salt Lake City Councils will be considering versions of the Resolution.  
25 Mr. Thacker suggested removing the last "whereas" in the proposed document if the Council  
26 decides to adopt the Resolution.  
27

28 Councilman Wright made a **motion** to adopt Resolution No. 2014-30 petitioning Davis  
29 County to increase funding for paramedic services, deleting the last "whereas" paragraph.  
30 Councilman Higginson seconded the motion, which passed by unanimous vote (4-0). Fire Chief  
31 Bassett thanked City Manager Thacker for his help in preparing the Fire Agency Budget.  
32

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

- 34
- 35 • Following up with a request by Councilman Wright made at the previous Council  
36 meeting, Mayor Cutler approached three of the four South Davis mayors, and  
37 reported that the Bountiful, Woods Cross, and West Bountiful Mayors are not in favor  
38 of exploring the idea of creating a South Davis City.
  - 39 • Mayor Cutler reported that UTOPIA continues to increase the number of subscribers.  
40

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

- 42
- 43 • The Council will meet with local Legislators in a work session on January 20, 2015 to  
44 discuss potential legislation that would affect cities.
  - 45 • The Council will meet in a work session prior to the Council meeting on December  
46 16, 2014 to review the Drainage Fund Rate Analysis.  
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#### 48 **CITY COUNCIL LIAISON REPORT**

49  
50 Councilman Higginson updated the Council regarding the Wasatch Integrated Waste  
51 Management District. Relating to the request for use of City property for a wireless internet  
52 facility, Councilman Higginson stated that the Waste Management District has had a negative

1 experience with a tower that was allowed to be constructed on its property many years ago. He  
2 said he feels the potential problems associated with allowing a tower to be constructed outweigh  
3 any potential benefit.

4  
5 **MISCELLANEOUS BUSINESS**

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7 Mayor Cutler reported that he and Mr. Thacker met with representatives of Digis, the  
8 company requesting use of City property on the hillside for a wireless internet facility. The  
9 Mayor reported that most of his concerns were resolved during the meeting, but he agreed with  
10 Councilman Higginson's comment that the arrangement would need to be substantially  
11 beneficial for the City. The Digis representatives indicated willingness to pay up to a \$1,000 per  
12 month lease fee. Mr. Thacker suggested the agreement could include the requirement of a  
13 deposit for future removal of the tower. The Council discussed possible benefits and  
14 disadvantages. Council members Higginson and Ivie said they are not in favor. Councilman  
15 Wright suggested approving a 10-year lease agreement to see how it goes. Councilwoman  
16 Fillmore said she believes Centerville residents appreciate the hillside the way it is and would  
17 prefer that the Council protect the hillside.

18  
19 Mr. Thacker pointed out that Digis could enter into an agreement with a private property  
20 owner on the hillside outside City limits in a less desirable location, and without City  
21 requirements to reduce impact. Councilwoman Fillmore responded that if a tower is going to be  
22 on the hillside whether the Council likes it or not, there might be value in considering the  
23 request. The Mayor will continue discussions with Digis.

24  
25 **APPOINTMENT**

26  
27 Mayor Cutler recommended the Council reappoint David Hirschi to another three year  
28 term on the Planning Commission. Councilman Higginson made a **motion** to reappoint David  
29 Hirschi to the Planning Commission for a three year term. Councilwoman Fillmore seconded  
30 the motion, which passed by unanimous vote (4-0).

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32 **ADJOURNMENT**

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34 At 10:39 p.m. Councilwoman Ivie made a **motion** to adjourn the meeting. Councilman  
35 Wright seconded the motion, which passed by unanimous vote (4-0).

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Marsha L. Morrow, City Recorder

\_\_\_\_\_ Date Approved

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46 \_\_\_\_\_  
Katie Rust, Recording Secretary