

1 Minutes of the Centerville **City Council** regular meeting held Tuesday, May 19, 2015 at 7:00
2 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

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4 **MEMBERS PRESENT**

5
6 Mayor Paul A. Cutler

7
8 Council Members Ken S. Averett (arrived at 7:05 p.m.)
9 Tamilyn Fillmore
10 John T. Higginson
11 Stephanie Ivie
12 Lawrence Wright

13
14 **STAFF PRESENT**

15 Steve Thacker, City Manager
16 Blaine Lutz, Finance Director/Assistant City Manager
17 Lisa Romney, City Attorney
18 Cory Snyder, Community Development Director
19 Katie Rust, Recording Secretary

20 **VISITORS**

Interested citizens (see attached sign-in sheet)

21
22 **PLEDGE OF ALLEGIANCE**

23
24 **PRAYER OR THOUGHT** Councilwoman Ivie

25
26 **OPEN SESSION**

27
28 Patricia Hedrick – Ms. Hedrick expressed concern for student safety at the school
29 crossing at Parrish Lane and Main Street. She suggested adding a second crossing guard at
30 that location. Ms. Hedrick also suggested an electric sign to announce City news and meetings
31 to let people know what is happening.

32
33 Dale McIntyre – Mr. McIntyre said he was very pleased with the inspired and uplifting
34 Centennial Celebration event on May 17th. He also stated he was pleased that all five Council
35 members voted to require candidate financial disclosure prior to the primary election.

36
37 **YOUTH CITY COUNCIL**

38
39 Youth Mayor Jessica Greer reported on Youth Council activities during 2014-2015. Lisa
40 Summers, Youth Council Advisor, recognized the outgoing Youth Council members:

41
42 Jessica Greer, Youth Mayor Jenna Lewis
43 Abbie Hodgson Jeremiah Moore
44 Abigail Wadley Jordan Hawkes
45 Brenna Wilkinson Rachel Creer
46 Brittney McDonald Spencer Vorgrinec
47 Hannah Klein Valarie Beer
48 Jens Fillmore

49
50 **SUMMERFEST**

51
52 Emma Dugal, Executive Director of the Bountiful Davis Arts Council, introduced her
53 assistant, Alysa Revell, and reported that the Arts Council has moved into their new location on
54 Main Street in Bountiful. Summerfest will be held August 5th – 8th. Ms. Dugal thanked

1 Centerville City for continued sponsorship, and asked the Council to get the word out regarding
2 the need for host families.

3
4 **MINUTES REVIEW AND ACCEPTANCE**

5
6 The minutes of the May 5, 2015 work session and regular Council meeting, and the May
7 12, 2015 special meeting and closed meeting were reviewed. Councilman Higginson made a
8 **motion** to accept the May 5th work session and regular meeting minutes. Councilwoman
9 Fillmore seconded the motion, which passed by unanimous vote (5-0). The Council chose to
10 table approval of the May 12th minutes until the next meeting.

11
12 **SUMMARY ACTION CALENDAR**

- 13
14 a. Approve extension of Independent Auditor's contract
15 b. Begin warranty period for Chick-Fil-A
16

17 Councilman Wright requested the Council consider the two items on the Summary
18 Action Calendar separately. Councilman Wright made a **motion** to approve item (b) on the
19 Summary Action Calendar. Councilman Higginson seconded the motion, which passed by
20 unanimous vote (5-0). Councilman Wright said he agrees with the extension of the Independent
21 Auditor's contract this year, but said he would prefer to put auditor services up for bid next year.
22 Councilman Wright made a **motion** to approve item (a) on the Summary Action Calendar,
23 approving a one year extension of the Independent Auditor's contract. Councilman Higginson
24 seconded the motion, which passed by unanimous vote (5-0).

25
26 **MUNICIPAL CODE AMENDMENT – SECTION 2-03-110 – CAMPAIGN FINANCE**
27 **DISCLOSURE STATEMENTS – ORDINANCE NO. 2015-07**

28
29 Lisa Romney, City Attorney, explained that she prepared Ordinance No. 2015-07
30 according to Council direction to follow State law regarding campaign finance disclosure, with
31 the addition of disclosure prior to the primary election. The penalty for not complying with
32 disclosure requirements prior to the general election is removal from the ballot. She asked the
33 Council for confirmation that the same penalty would apply for failure to comply prior to the
34 primary election. Responding to a question from Councilman Wright regarding campaign
35 expenditures on credit cards, Ms. Romney explained that recent amendments to State law now
36 define an expense is reportable when the charge is incurred on a credit card.

37
38 Councilwoman Ivie made a **motion** to adopt Ordinance No. 2015-07 amending Section
39 2-03-110 of the Centerville Municipal Code regarding campaign finance disclosure statements,
40 with the addition of a sentence clarifying the penalties for failing to file prior to the primary
41 election. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

42
43 **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENTS – SIGNS**
44 **PERMITTED IN ALL ZONES – ORDINANCE NO. 2015-08**

45
46 Cory Snyder, Community Development Director, explained the recommendation from
47 the Planning Commission for Text Amendments regarding signs permitted in all zones. The
48 recommendations include three-foot setbacks in commercial zones, and no setback
49 requirements in residential zones. The Council discussed size restrictions, and Councilman
50 Averett argued against excessive visual pollution. Mr. Snyder stated that the previous Council
51 gave direction that staff is to conduct occasional sweeps when visual pollution builds up in the
52 commercial corridors. He asked if the current Council would like staff to continue with the same
53 practice. Councilwoman Fillmore commented that sign clutter contributes to the impression

1 given by the City. She said she is comfortable with the proposed changes, and with conducting
2 regular sweeps. Mr. Snyder said that sweeps have typically occurred every month to month
3 and a half. Councilman Wright expressed confidence that candidates will be self-monitoring.
4 Mayor Cutler stated that the City needs some level of proactive enforcement to deal with sign
5 clutter, and suggested every two weeks. The Mayor pointed out that the City cannot treat the
6 campaign period differently. Councilwoman Fillmore suggested sweeps of the commercial
7 corridors once a month. Councilman Wright suggested that, to be consistent with other
8 enforcement, they could go with complaint-based sign ordinance enforcement. Mayor Cutler
9 agreed, with the exception of a periodic sweep in the commercial corridors.

10
11 At 8:00 p.m. Mayor Cutler opened a public hearing.

12
13 Patricia Hedrick – Ms. Hedrick asked for a definition of the types of signs included in the
14 discussion. She repeated that she is interested in an electronic sign for the City as a benefit for
15 the citizens.

16
17 The Council clarified that the portion of the code under consideration involves signs by
18 right. Electronic signs are not allowed in certain areas of the City.

19
20 Mark Gabriel – Mr. Gabriel asked if the City gives public notification of these ordinances
21 to citizens. Many property owners do not know what the ordinances are. The Mayor responded
22 that the ordinance is available on the City website. Mr. Gabriel emphasized that whatever the
23 rules end up being, they need to be lived by.

24
25 Dale McIntyre – Mr. McIntyre stated he is in favor of free speech, but said that
26 attachments to signs that can pose a safety hazard (i.e., balloons and flags) should be
27 addressed. Mr. Thacker responded that attachments are not allowed in the current Sign
28 Ordinance, other than for grand openings.

29
30 Patricia Hedrick – Ms. Hedrick asked if garage sale signs are included in the Ordinance.
31 The Mayor responded that garage sale signs are prohibited within the public right-of-way or park
32 strips in the current Sign Ordinance.

33
34 Mayor Cutler closed the public hearing at 8:08 p.m. Councilwoman Fillmore made a
35 **motion** to approve Ordinance No. 2015-08 amending Section 12-54-080 of the Centerville City
36 Zoning Ordinance regarding signs permitted in all zones, and direct staff to conduct monthly
37 sweeps of Parrish Lane and the South Main Street Corridor for sign violations. Councilman
38 Averett seconded the motion. Councilman Wright **motioned to amend** the motion, removing
39 the three-foot setback in commercial zones, and directing staff to conduct quarterly sweeps of
40 the commercial corridor. Councilwoman Ivie seconded the motion to amend. Mr. Snyder
41 explained that the recommended setback is intended to prevent encroachment of signs in the
42 sidewalk area, as well as preserve the visual, aesthetic appeal of the Parrish Lane area. The
43 Council continued to discuss setbacks and frequency of sweeps. Councilman Wright amended
44 his **motion to amend** to include a one-foot setback in commercial areas, and quarterly sweeps
45 of the commercial corridor. Councilwoman Ivie seconded the motion to amend, which failed to
46 pass (2-3), with Council members Wright and Ivie in favor, and Council members Averett,
47 Fillmore, and Higginson dissenting. Councilman Wright made a **motion to amend** the original
48 motion to approve Ordinance 2015-08 with the three-foot commercial setback and sweeps
49 every two months, which failed for lack of second. The original motion to approve Ordinance
50 2015-08 and direct staff to conduct monthly sweeps passed by majority vote (3-2), with Council
51 members Averett, Fillmore, and Higginson in favor, and Council members Ivie and Wright
52 dissenting.

1 **MUNICIPAL CODE AMENDMENTS – SECTION 11-01-160 – STREET NAME AND**
2 **ADDRESSING REGULATIONS – ORDINANCE NO. 2015-09**
3

4 The proposed Ordinance No. 2015-09 would add a new section to the Municipal Code.
5 The City has received a request to add a street name to the officially assigned street numeric
6 label. Staff thought it advisable for the City Council to adopt policies and regulations regarding
7 such request prior to responding. Ms. Romney described the requirements in the proposed
8 Ordinance. Councilman Wright suggested the Ordinance require a public hearing as part of the
9 process. The Ordinance specifies that all costs associated with the application should be born
10 by the applicant, but does not specifically address the issue of replacing street signs.
11

12 Councilman Higginson made a **motion** to approve Ordinance 2015-09 enacting Section
13 11-01-160 of the Centerville Municipal Code regarding street name and addressing regulations,
14 including the addition of a public hearing. Councilwoman Fillmore seconded the motion.
15 Councilman Averett suggested requiring the applicant to collect a certain percentage of
16 registered property owners' signatures in favor of the change instead of, or in conjunction with, a
17 public hearing. Councilman Higginson **amended** his motion directing staff to include the
18 requirement that 75% of property owners on the street must approve the change by signature.
19 Councilwoman Fillmore seconded the amendment. Councilman Wright made a **motion** to table
20 the issue to allow staff time to draft language that includes the two suggested components.
21 Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
22

23 **SOUTH MAIN STREET CORRIDOR ZONE**
24

25 City Manager Thacker presented a proposed schedule, with target dates, for action
26 regarding review of the South Main Street Corridor Plan and Overlay Zone and proposed
27 Zoning Ordinance Amendments. Councilman Wright mentioned a suggestion made by
28 Councilwoman Fillmore that the Council have a month of listening, with a public hearing at every
29 Council meeting in June, as well as accepting comments electronically. Mayor Cutler invited
30 public comment.
31

32 Cami Layton – Ms. Layton commented that the first week of June is a busy week with
33 school getting out for the summer, and suggested the Council reconsider the first public hearing.
34

35 Carol Bake – Ms. Bake agreed that the first week of June is a busy week, but pointed
36 out that for many citizens it is the week before vacations start.
37

38 Mayor Cutler agreed with the suggestion to hold multiple public hearings.
39 Councilwoman Fillmore encouraged Council members to attend the Planning Commission
40 public hearing, and the Planning Commissioners to attend the Council public hearings. The
41 following schedule was agreed on:
42

- | | |
|---|---------|
| 43 Public hearing during regular Council meeting | June 2 |
| 44 | |
| 45 Electronic comments will be accepted between June 2 and | |
| 46 July 1. | |
| 47 | |
| 48 Public hearing during Planning Commission meeting | June 10 |
| 49 | |

50 At the June 10th meeting, the Planning Commission would
51 proceed with the process to cap residential density at
52 Residential-Medium, and the process to amend the Zoning

1 Code to allow the PDO option for areas less than five
2 acres in size.

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4 Public hearing during regular Council meeting June 16

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6 Meeting with property/business owners within the SMSC June 17

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8 Travis Davis – Mr. Davis said he does not understand why the City would hold a
9 separate meeting with business owners. He suggested the property owners and residents
10 could comment at the same meetings.

11
12 Mayor Cutler responded that the Council met with property owners as part of the
13 previous SMSC planning process to understand their concerns and discuss what might motivate
14 them to invest in their property. Mr. Thacker commented that the property owners may be more
15 willing to discuss openly in a setting other than a potentially charged public hearing. The
16 meeting on June 17th will be a public meeting, with everyone welcome. If property owners are
17 unable to attend the meeting on June 17th, they are welcome to comment at one of the other
18 public hearing opportunities. Councilwoman Fillmore agreed that it is important to be respectful
19 of property owners when zoning changes are considered.

20
21 The Council took a break from 8:59 p.m. to 9:10 p.m.

22 23 PROPOSED COMPLETE STREETS POLICY

24
25 Mr. Thacker stated that the intent of the proposed Complete Streets Policy is to consider
26 opportunities to accommodate users other than automobiles as redevelopment occurs.
27 Councilman Wright pointed out that the Policy should consider all elements in an area, and
28 repeated his desire to have power lines on Main Street put underground. Councilman Wright
29 stated that, in his opinion, the utility companies should bear the cost of putting the power lines
30 underground in the interest of public safety. Councilwoman Fillmore added that the Complete
31 Streets Policy is the macro level, and then the first micro application could be the Main Street
32 Public Space Plan, which is a priority set by the Council for this year. Mr. Thacker asked the
33 Council to clarify whether this is a priority.

34
35 Councilwoman Fillmore made a **motion** to adopt the Complete Streets Policy as written
36 and direct staff to bring back recommendations regarding how to implement the Policy.
37 Councilman Wright seconded the motion. Councilwoman Ivie commented that portions of the
38 Policy feel to her like overregulation. The motion passed by unanimous vote (5-0).

39 40 FINANCIAL REPORT

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42 Blaine Lutz, Finance Director/Assistant City Manager, presented a Financial Report for
43 the period ending April 30, 2015.

44 45 MAYOR'S REPORT

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- The Council and Mayor commented on the success of the Centennial Celebration event on May 17th, and expressed appreciation for all of the citizens who made it possible.
 - Mayor Cutler reported that the Fire Agency Board has agreed to move forward with drafting a proposal to create a Fire District that would be focused only on capital improvements.

- 1 • The Mayor reported that UTOPIA is doing better financially than it has in the past. If
2 all cities pay their assessments, there will be no need for assessments in FY 2016.
3 A number of cities have begun paying assessments again, and Mayor Cutler asked if
4 the Council would be willing to pay assessments for the last three months of this year
5 as a show of support. He said if all the cities would pay their past due assessments,
6 UTOPIA would not need to have future assessments to the cities. UTOPIA will
7 continue invoicing the cities for at least another six months. A work session will be
8 held on June 16th regarding UTOPIA.
9

10 **CITY MANAGER'S REPORT**

- 11
- 12 • City Manager Thacker and the Council discussed dates and topics for work sessions
13 in May and June. A public hearing regarding the FY 2016 Tentative Budget will be
14 held at 6:00 p.m. on June 9th, and will be continued to the June 16th meeting. Mr.
15 Thacker commented that he will be interviewing each employee of the Police
16 Department prior to the Police Chief's retirement.
- 17 • Mr. Thacker reported that the air conditioner in the concessions building at
18 Community Park needs to be replaced. The estimated cost of replacement is around
19 \$6,000.
20

21 **RDA MEETING**

22

23 At 10:01 p.m. Councilman Wright made a **motion** to move to a meeting of the
24 Centerville Redevelopment Agency. Councilwoman Ivie seconded the motion, which passed by
25 unanimous vote (5-0). In attendance were: Paul A. Cutler, Chair; John T. Higginson, Vice Chair;
26 Directors Averett, Fillmore, Ivie, and Wright; Steve Thacker, Executive Director; Blaine Lutz,
27 Finance Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.
28

29 The Council returned to regular meeting at 10:18 p.m.
30

31 **APPOINTMENT**

32

33 Mayor Cutler reported that he has received applications for the Planning Commission
34 from three individuals, all three of whom have spoken against the current Brighton Homes
35 application in public meeting, and would be encouraged to recuse themselves from that issue if
36 appointed. Mayor Cutler recommended the Council appoint Cheylynn Hayman to a three-year
37 term on the Planning Commission. The Council discussed the recommendation. Councilman
38 Averett stated that he can support the recommendation, but suggested that the next individuals
39 appointed to the Planning Commission not be appointed based on professional qualifications.
40 Councilwoman Fillmore made a **motion** to appoint Cheylynn Hayman to a three-year term on
41 the Planning Commission. Councilman Averett seconded the motion, which passed by majority
42 vote (3-2), with Council members Ivie and Wright dissenting.
43

44 **ADJOURNMENT**

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46 At 10:31 p.m. Councilman Wright made a **motion** to adjourn the meeting.
47 Councilwoman Ivie seconded the motion, which passed by unanimous vote (6-0).

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Marsha L. Morrow
Marsha L. Morrow, City Recorder

6-2-2015
Date Approved

Katie Rust
Katie Rust, Recording Secretary

