

1 Minutes of the Centerville **City Council** meeting held Tuesday, November 4, 2015 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 Ken S. Averett
9 Tamilyn Fillmore
10 John T. Higginson
11 Stephanie Ivie
12 Lawrence Wright

13
14 **STAFF PRESENT**

15 Steve Thacker, City Manager
16 Lisa Romney, City Attorney
17 Cory Snyder, Community Development Director
18 Bruce Cox, Parks and Recreation Director
19 Jacob Smith, Management Assistant (arrived at 7:25 p.m.)
20 Katie Rust, Recording Secretary

21 **STAFF ABSENT**

Blaine Lutz, Finance Director/Assistant City Manager

22
23 **VISITORS**

Interested citizens (see attached sign-in sheet)

24
25 **PLEDGE OF ALLEGIANCE** Randy Mansfield, Marine Corps League

26
27 **PRAYER OR THOUGHT** Councilwoman Ivie

28
29 **PRESENTATION**

30
31 Robert Bruhn of the Marine Corps League presented a check for \$300 to Police Chief
32 Child for the Centerville DARE Program. Chief Child thanked the Marine Corps League for their
33 donation and service, and reported on the success of the DARE Program.

34
35 **OPEN SESSION**

36
37 Heather Strasser – Ms. Strasser thanked the Mayor and Council for their continued
38 service, and specifically thanked Councilman Higginson for the time he has spent listening to
39 her concerns in the past months. As a cofounder of Zone Centerville Right, Ms. Strasser
40 expressed the opinion that the Bountiful land swap issue scheduled for discussion later in the
41 meeting would have a detrimental effect on the quality of life in Centerville if approved by
42 Bountiful. She applauded Mayor Cutler for reaching out to Bountiful Mayor Lewis, applauded
43 Council members Ivie and Higginson for their presence at a public hearing held in Bountiful on
44 October 27th, and applauded Councilman Higginson's message delivered at the public hearing
45 that Centerville is interested in partnership and preservation for the shared hillside.

46
47 Marty Money – Adding to Ms. Strasser's comments, Ms. Money encouraged the Council
48 to continue to reach out across the City's southern boundary to champion the preservation of
49 shared open space. She expressed a desire to pay the resource forward for the next
50 generation. She stated that the trickle-over effect of development on the hillside boundary with
51 Bountiful would threaten to unravel preservation efforts already in place in Centerville. Ms.
52 Money asked the Council to discourage municipal endorsement of the project, and protect and
53 preserve the hillside.

1 Blaine Roskelley – Mr. Roskelley thanked those who have served, currently serve, and
2 will serve on the City Council, and said he hopes the best for the community in the weighty
3 matters that need to be considered.
4

5 William Ince, Centerville Planning Commission – Commissioner Ince read from a letter
6 sent to him by Congressman Chris Stewart regarding the proposed Bountiful land swap, stating
7 that the matter is currently a local issue, with Bountiful engaging in preliminary discussions.
8 Congressman Stewart stated he will not consider a potential deal until he is presented with a
9 formal proposal. Commissioner Ince strongly endorsed everything said by Councilman
10 Higginson at the October 27th public hearing in Bountiful, and encouraged continued city
11 participation in the discussions.
12

13 Holly Ince – Ms. Ince stated that she sat through the work session prior to the Council
14 meeting, and is concerned that the Council is more worried about widening sidewalks on Main
15 Street than the effect on private property. She added that many Centerville streets do not have
16 sidewalks. She said she is an avid walker and, considering the noise on Main Street, she does
17 not think widening the sidewalks will encourage more walkers.
18

19 Ryan Archibald – Mr. Archibald said he attended the work session, and although the
20 designs presented look nice, he feels focusing on what is placed on the curb before determining
21 density is a mistake. Mr. Archibald expressed the opinion that density should be decided first.
22

23 Mayor Cutler clarified that the Council met in a work session on October 29th to discuss
24 density and other items in the ordinance. The follow-up work session prior to the Council
25 meeting allowed the Council to continue the discussion.
26

27 Kyle Green – Mr. Green expressed approval that the deer problem is scheduled for
28 discussion on the agenda. He stated that deer have taken up permanent residence in his
29 backyard, affecting his ability to have a garden. Regarding Main Street, Mr. Green stated that
30 people are against density, although the City continues to add more and more. He expressed
31 the opinion that the bridge under construction over I-15 will be a pedestrian hazard, and said
32 that adding more density will continue to increase problems. Mr. Green said he lives on a street
33 without sidewalks, and he does not want sidewalks, but he agreed that pedestrian safety is a
34 major concern as density increases. Density increases risks and demands on infrastructure and
35 emergency responders. He encouraged the Council to minimize the risks and limit the number
36 of people crammed into the city. Mr. Green thanked the Council for their service.
37

38 Ted Olson – Mr. Olson asked the Council the potential for light-rail coming to Centerville.
39 Mayor Cutler responded there is zero chance of light-rail coming to Centerville. It is not on any
40 long-range plans. Councilman Higginson stated that light-rail was talked about during the
41 campaign process by some candidates, but there is no risk of light-rail coming to Centerville.
42 Councilwoman Ivie said that bus rapid transit was proposed a year ago by UTA, but Centerville
43 elected not to be involved in continued studies. Mr. Olson thanked the Council for the
44 clarification, and expressed the opinion that light-rail in Centerville would be a waste of time and
45 money. Councilman Wright said he feels it is good to be vigilant and make sure it doesn't come.
46

47 Bret Millburn, County Commissioner – Commissioner Millburn is a former Chair of the
48 Wasatch Front Regional Council, providing recommendations regarding transit projects, and is a
49 member of the UTA Board of Trustees. He agreed with Councilman Higginson's observation
50 that rumors of light-rail in Centerville are strictly rumors. It is not on any long-term plan and has
51 no funding allocated. Light-rail is not coming down Main Street in Centerville. There are other
52 opportunities to enhance transit, including increased bus service, and possibly bus rapid transit

1 at some point in the future. Centerville chose not to participate in continued studies, and the
2 message that Centerville is not interested in light-rail was very clear.
3

4 Kami Layton – Ms. Layton said she is still concerned that a plan encouraging density
5 would increase the chance for light-rail. She quoted from past newspaper articles and a letter
6 written by former Mayor Russell, and stated that precautions should be taken in the General
7 Plan to shut the door on the possibility. Ms. Layton asked Councilwoman Fillmore if she wants
8 light-rail on Main Street in the future. Councilwoman Fillmore responded she does not, adding
9 that the concept was explored many years in the past, with public input, and the decision was
10 made that light-rail is not right for Centerville – the issue is closed. Ms. Layton expressed her
11 opinion that mixed-use is not in character for Main Street.
12

13 Robyn Mecham – Ms. Mecham said she was told by a developer that parking with
14 mixed-use does not work. She urged the Council, if mixed-use is included in the SMSC Plan, to
15 add more parking before the TZRO is removed.
16

17 Patricia Hedrick – Ms. Hedrick said she knows from experience that parking is a
18 constant problem with mixed-use development.
19

20 MINUTES REVIEW AND ACCEPTANCE

21
22 The minutes of the October 6, 2015 work session and the October 20, 2015 Council
23 meeting were reviewed. Councilwoman Fillmore and Mayor Cutler requested changes to the
24 October 20, 2015 Council meeting minutes. Councilman Averett made a **motion** to accept the
25 October 6 work session minutes and the October 20, 2015 Council meeting minutes as
26 amended. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-
27 0).
28

29 SUMMARY ACTION CALENDAR

- 30
31 a. Approve Software Service Agreement with Municipal Code Online, Inc. for
32 conversion, adoption, hosting and related services for transfer and servicing of
33 Centerville Municipal Code to an online code
34 b. Approve Public Improvements Deferral Agreement between the City and Mason
35 Family Partnership for deferral of installation of certain public improvements related
36 to the Tri-City Polaris property located at approximately 461 South 800 West
37 c. Terminate warranty for MTC Lot 2 Amended Subdivision
38 d. Approve the purchase of two police vehicles from Ken Garff Ford in the amounts of
39 \$30,253.55 and \$27,437.97
40

41 Councilman Wright made a **motion** to approve all items on the Summary Action
42 Calendar. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).
43

44 SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY ZONE

45
46 Continuing the ongoing discussion and consideration of the SMSC Overlay Zone, the
47 Council met in a work session on October 29th and again prior to the Council meeting to discuss
48 proposed Zone Code text amendments. After the October 29th work session staff made
49 revisions as directed by the Council. Anticipating that the Council will not vote unanimously on
50 all of the amendments, Mayor Cutler suggested the Council consider each section individually to
51 make any additional changes. Councilman Wright pointed out that the Council has not received
52 a report from staff regarding the consequences of removing mixed-use from the scenario, as
53 requested at the October 20th Council meeting. Mr. Snyder responded that the entire fabric of

1 the ordinance could be left in place and the mixed-use component removed from the use lists.
2 He said he still takes the position that the impetus of redevelopment was centered on going
3 beyond commercial uses. He admitted that mixed-use is not the only possible impetus for
4 change, but said that from a landowner perspective redevelopment would not make sense
5 without a change in use unless the market changes, or the building/property deteriorates to a
6 point that redevelopment is necessary. Mr. Snyder pointed out that the two districts under
7 consideration are not retail centers, are made up mostly of small parcels, and are more than
8 60% locally owned. He predicted that, without mixed-use as an incentive, most of the properties
9 will not change for a long time. He added that the concern with proposed development on the
10 O'Brien property has related to density, which is addressed with the density caps.
11

12 Mr. Snyder suggested that, if mixed-use is eliminated from the ordinance, the form-
13 based code would delay redevelopment of the Commercial-Medium (C-M) Zone. He suggested
14 that commercial uses would need to be expanded to incentivize redevelopment, and urged the
15 Council to look outside the proposed development of the O'Brien property and consider the
16 corridor as a whole. More intensive commercial use would most likely involve increased traffic
17 intensity and later hours. Mr. Snyder referred to the strip of stores adjacent to Dick's Market in
18 the north gateway area as an example of increased commercial value. Councilwoman Fillmore
19 pointed out that increased commercial intensity would have a serious impact on neighboring
20 residential neighborhoods. Mr. Snyder added that a third option available to the Council is to
21 leave the C-M zoning as it is, including the 35-foot building height restriction on the east side.
22 Councilman Wright said he thinks an RDA could be used to incentivize commercial
23 redevelopment. Mr. Snyder responded that he does not believe an RDA is very likely, but an
24 improvement district program might be possible with a majority vote of property owners.
25

26 Councilman Wright commented that the assisted living facility being considered by
27 Brighton Homes for the O'Brien property exceeds the square-foot limitations in place for
28 commercial. He said he believes there is a problem if the zoning laws established by the
29 Council for the future are considered simply guidelines. Mr. Snyder encouraged the Council to
30 stay away from making decisions based on a particular property, but agreed that, if the rumored
31 proposal is submitted, the city would be looking at hybridizing the plan to accommodate a larger
32 facility in a more commercial venue than is being discussed at the moment. Councilwoman
33 Fillmore added that any proposal submitted would go through the established thorough public
34 process and be judged based on merit. Any property owner has the right to submit a proposal
35 and request a change.
36

37 Mayor Cutler expressed a desire to move forward and make decisions. Councilwoman
38 Fillmore made a **motion** to approve Ordinance No. 2015-25 regarding proposed Zoning Code
39 Text Amendments for the SMSC Overlay Ordinance – including changes to the City Center
40 District, Traditional District, North and South Gateway Districts, adding a Public Space Plan for
41 Main Street, and other related changes, with the intent to affirm or amend section by section.
42 Councilman Higginson seconded the motion.
43

44 Section 1 – Definition Lisa Romney, City Attorney, pointed out changes made to
45 Section 1 since the October 29th work session. The Council discussed the definition of mixed-
46 use development. Councilwoman Fillmore made a **motion** to replace “public street” and “public
47 or private street” in Section 1 (A), (B) and (C) with “Main Street”. Councilman Averett seconded
48 the motion. Mr. Snyder commented that the selected language was used to ensure appropriate
49 transitions to the residential neighborhoods. Councilman Wright commented that a more
50 complex ordinance reduces incentive to redevelop. Councilwoman Fillmore agreed, and stated
51 that the motion would make the ordinance more simple. The motion to replace language in the
52 definition of mixed-use development passed by majority vote (4-1), with Councilman Wright
53 dissenting.

1 Section 2 – Traditional and City Center Districts Ms. Romney highlighted changes
2 made to Section 2 since the October 29th work session, particularly the removal of multiple-
3 dwelling units as a permitted use on both the east and west sides of Main Street, and removal of
4 all dwelling units as a conditional use. Councilwoman Ivie said she does not grammatically like
5 the use of commas in use lists, i.e., “Restaurant, Eatery” in Subsection (1). Mr. Snyder
6 explained that the use of commas is standard in defining different types of uses. Councilwoman
7 Ivie made a **motion** to use a dash or a colon instead of a comma when defining categories
8 within categories in the ordinance. Councilman Higginson seconded the motion, which passed
9 by majority vote (3-2), with Council members Averett and Fillmore dissenting.

10
11 Councilman Wright made a **motion** to eliminate the last two permitted uses in Section 2:
12 Dwelling – Town House or Two-Family as part of mixed-use development on both the east and
13 west sides of Main Street. Councilwoman Ivie seconded the motion, which failed (2-3), with
14 Council members Ivie and Wright in favor, and Council members Averett, Fillmore, and
15 Higginson voting against. Councilwoman Fillmore said she feels consistent land use planning is
16 best, and made a **motion** to eliminate single-family dwellings as a permitted use. The motion
17 died for lack of a second.

18
19 Section 3 – North Gateway Mixed-Use District Ms. Romney highlighted changes
20 made to Section 3 since the October 29th work session, particularly the elimination of dwelling
21 units under conditional uses.

22
23 Councilwoman Ivie asked the Council to go back to Section 2, and made a **motion** to
24 eliminate the Conditional Use Density of not more than 8 dwelling units per acre from Section 2
25 (3), Maximum Gross Density. Councilman Wright seconded the motion, which failed (2-3), with
26 Council members Averett, Fillmore, and Higginson dissenting. Councilwoman Fillmore
27 reminded the Council that staff presented data showing that with a cap of 8 units per acre, the
28 maximum capacity of units in the entire corridor covered in Section 2 would be 72, assuming
29 that every parcel likely to redevelop was developed to maximum capacity.

30
31 Councilwoman Ivie made a **motion** to remove the exception allowing any legal lot at
32 least two dwelling units regardless of size from Section 2. Councilman Higginson asked how
33 many properties would qualify for the exception. The Council and staff looked at a map of the
34 two districts and found that only a few properties would apply. Mr. Snyder explained that the
35 exception was included to incentivize redevelopment of the smaller parcels. Councilwoman
36 Fillmore commented that the initial reason for reevaluating the plan was potential
37 redevelopment of the large O'Brien property, but the bulk of the corridor is made up of small,
38 locally owned parcels. The density cap hampers the incentive for small parcel redevelopment.
39 She said she feels the proposed amendments are a good compromise, taking care of the
40 density concern on the bigger parcels, yet still considering the smaller parcels and the ability for
41 positive redevelopment. Councilwoman Ivie said she is concerned that tiny apartments would
42 contribute to the transitory nature of the area. Councilman Wright asked what would prevent a
43 property owner from subdividing to get more density. Mr. Snyder responded that the
44 subdivision ordinance and the zoning all tie back to the General Plan and policies, with approval
45 required by both the Planning Commission and the Council. Councilwoman Fillmore pointed out
46 that some of the properties, using the density calculation, would be allowed 1.8 dwelling units.
47 The exception gives the property owners options that should be given. She said she feels very
48 comfortable rounding up the ability of the smallest properties to redevelop. Councilwoman Ivie
49 responded that the neighborhood has a lot of strain already, and the possibility of increased
50 traffic on Main Street, and the remote chance of 72 dwelling units in the corridor, is not okay
51 with her. Councilwoman Fillmore pointed out that some of the commercial uses that might go in
52 would be even more intensive than residential.

1 Councilwoman Fillmore repeated the three options available: encourage redevelopment
2 of small, locally owned parcels; encourage redevelopment of higher intensity commercial use; or
3 leave it as it is and likely not have redevelopment for many years. Councilwoman Ivie said she
4 is not sure those are the only options, and said she is okay with redevelopment not occurring for
5 a few years. Councilwoman Ivie said that developers will look for opportunities to develop, and
6 she feels the Council needs to be true to the citizens already living here and do what they want.
7 Councilwoman Ivie repeated her **motion** to eliminate the exception from Section 2. Councilman
8 Wright seconded the motion, which failed (2-3), with Council members Averett, Fillmore, and
9 Higginson dissenting. Councilman Higginson pointed out there is only one legal lot smaller than
10 an eighth of an acre.

11
12 Councilwoman Ivie made a **motion** to reduce the exception from two to one dwelling unit
13 regardless of size as part of mixed-use development. Councilman Wright seconded the motion,
14 which failed (2-3), with Council members Averett, Fillmore, and Higginson dissenting.

15
16 Section 3 – North Gateway Mixed-Use District Councilman Wright said he
17 considers the North Gateway area to be a commercial area, and made a **motion** to remove all
18 dwellings from permitted uses. Mayor Cutler pointed out that the Bavelas property is the only
19 property that would be eligible for mixed-use. Councilwoman Ivie seconded the motion.
20 Councilman Higginson pointed out he has not heard the citizens ask for commercial only, just
21 for limited density, which is why he has not voted to eliminate the mixed-use component. He
22 said he would prefer to allow property owners flexibility. Councilman Wright responded he does
23 not personally think residential makes sense at that location. Mayor Cutler pointed out, and
24 Councilman Averett agreed, that the area already has a fair number of residences. Any
25 additional dwellings would be part of mixed-use. Councilman Wright agreed, and withdrew his
26 motion.

27
28 Councilman Wright made a **motion** to eliminate the Section 3 Maximum Gross Density
29 Conditional Use of not more than eight dwelling units per acre as part of mixed-use
30 development. Councilwoman Ivie seconded the motion, which failed (2-3), with Council
31 members Averett, Fillmore, and Higginson dissenting. Councilwoman Fillmore expressed a
32 desire to consider rezoning residential neighborhoods adjacent to the North Gateway area from
33 Residential-Medium (R-M) to Residential-Low (R-L). Councilwoman Fillmore made a **motion**
34 requesting a staff report on the possibility at the next Council meeting. Councilman Averett
35 seconded the motion. Councilman Wright expressed the opinion that this issue would be better
36 to leave for the next Council. The motion passed by majority vote (3-2), with Council members
37 Ivie and Wright dissenting.

38
39 Councilwoman Ivie made a **motion** to cap the Section 3 Maximum Gross Density
40 Conditional Use at six units per acre as part of a mixed-use development instead of eight in the
41 North Gateway District. Councilman Higginson seconded the motion, which passed by majority
42 vote (3-2), with Council members Ivie, Higginson, and Wright in favor, and Council members
43 Averett and Fillmore dissenting.

44
45 Councilwoman Ivie made a **motion** to cap the Section 2 Maximum Gross Density
46 Conditional Use at six units per acre as part of a mixed-use development instead of eight in the
47 Traditional and City Center Districts. Councilman Wright seconded the motion. Councilman
48 Higginson suggested allowing a maximum of six on the east side of Main Street and eight on
49 the west side. Councilwoman Ivie changed her **motion** to reduce the Maximum Gross Density
50 Conditional Use to six dwelling units per acre on the east side of Main Street in the Traditional
51 and City Center Districts. This would leave the Conditional Use of eight dwelling units per acre
52 as part of mixed-use development in place for the west side of Main Street. Councilman Wright
53 said he feels six is a good compromise for both sides of the road. Councilman Higginson

1 seconded the motion, stating he feels it is a good compromise. Councilman Wright made a
2 substitute **motion** to allow six dwelling units per acre on both the east and the west sides of
3 Main Street as part of mixed-use development. Councilwoman Ivie seconded the motion, which
4 failed (2-3), with Council members Averett, Fillmore, and Higginson dissenting. The original
5 motion to cap the Maximum Gross Density Conditional Use at six dwelling units per acre on the
6 east side of Main Street and eight dwelling units per acre on the west side passed by
7 unanimous vote (5-0).

8
9 Councilwoman Fillmore made a **motion** to cap the Section 3 Maximum Gross Density
10 Conditional Use at six dwelling units per acre on the east side of Main Street and eight dwelling
11 units per acre on the west side as part of mixed-use development in the North Gateway District.
12 Councilman Averett seconded the motion, which failed (2-3), with Council members Ivie,
13 Higginson, and Wright dissenting.

14
15 Section 4 – Pages Lane Mixed-Use District Ms. Romney stated the edits made to
16 Section 4 since the October 29th work session eliminate any possibility of residential in the
17 Pages Lane District. Mayor Cutler mentioned that it would be unlikely that the Council would
18 find something that would work for the Pages Lane District without a specific project application.
19 The Council agreed with the removal of residential from the Pages Lane District, and did not
20 desire further changes to Section 4 at this time.

21
22 Section 5 – Public Space Plan Mr. Snyder explained that the proposed Public
23 Space Plan is symmetrical, divided into three sectors: the Street Furnishings Sector, the
24 Pedestrian Path Sector, and the Pedestrian Space/Plaza Sector. Some of the language related
25 to the Furnishings Sector as proposed in the ordinance is in conflict with UDOT standards. The
26 Plan would rely on performance standards to implement amenities that would support the 5-6
27 foot sidewalk system. Councilman Wright expressed a desire to table approval of the Public
28 Space Plan to a special Council meeting on November 10th, and said he would prefer using the
29 phrase “may include the following elements” rather than “shall include the following elements”,
30 leaving the details up to the Council at the time of application. Councilman Higginson
31 expressed a desire to have as much detail in place as possible before the TZRO expires.
32 Councilman Averett stated he is not available on the 10th. Councilman Wright repeated he
33 would rather provide flexibility on the details for individual proposals. Ms. Romney advised that
34 developers need enough guidelines to know what to propose. Councilwoman Fillmore
35 commented that from the Planning Commission perspective, there are “shalls” and there are
36 “shoulds”. The “shalls” are a powerful tool, and the “shoulds” give flexibility. Councilwoman
37 Fillmore said having a few “shalls” in the first ten feet will provide for a more unified, improved
38 corridor. Much more flexibility could be given in the next ten feet.

39
40 Mayor Cutler proposed that the Public Space Plan could be passed as it is to provide
41 some protection when the TZRO expires, with the intention of making changes at the next
42 meeting, or it could be eliminated from the ordinance at this time. Councilwoman Ivie suggested
43 adding a substitute section with the desired park strip and six-foot sidewalk requirements for a
44 little protection now, with the intention to talk about more on the 17th. Councilman Higginson
45 said he would rather get as much protection as possible now. Councilman Wright suggested
46 the Council pass the Public Space Plan as it is now and let the next Council look at making
47 changes. Councilwoman Fillmore commented that the Council hired a landscape architect that
48 presented some good ideas. She recommended the Council discuss which elements they liked
49 for inclusion in the text, with the intention to revisit the Plan again on the 17th. Councilwoman
50 Fillmore stated she has some minor text edits to make before the Plan is approved.
51 Councilman Wright said he would prefer to wait and approve the Plan at the next council
52 meeting.

1 Councilwoman Fillmore made a **motion** to spend a short amount of time making edits
2 now to have an ordinance in place. Councilman Averett seconded the motion, and asked when
3 the TZRO expires. Staff responded that it expires on November 12th. The motion passed by
4 majority vote (4-1), with Councilman Wright dissenting.

5
6 Councilwoman Fillmore made a **motion** to replace "expanded pedestrian pathway" with
7 "pedestrian protection from traffic". Mayor Cutler commented that the change does not have
8 any teeth. Councilman Wright said he does not think the change is necessary. Councilman
9 Averett seconded the motion, but said he feels they mean the same thing. Councilwoman
10 Fillmore responded that the intention is to frame the street and create a division between the
11 street and the sidewalk. The motion passed by majority vote (3-2), with Council members Ivie
12 and Wright dissenting.

13
14 Councilwoman Fillmore explained her desire to replace "street lighting" with "pedestrian
15 lighting" in subsection (c) under Priority Street Furnishings Sector Design Elements. Mr. Snyder
16 agreed the city could probably negotiate lighting with UDOT as long as standards are met.
17 Councilman Higginson made a **motion** to replace "street lighting" with "pedestrian lighting" in
18 Subsection (c) for the Street Furnishings Sector. Councilwoman Fillmore second the motion,
19 which passed by unanimous vote (5-0).

20
21 Councilwoman Fillmore expressed approval of Subsection (e) for the Street Furnishings
22 Sector regarding landscaping near utility structures. Councilman Wright stated he would prefer
23 using "may" rather than "shall". Councilwoman Fillmore made a **motion** to add the statement:
24 "Landscaping elements shall also be used as a visual buffer between cars and pedestrian
25 traffic." Councilman Wright repeated he has a problem with imposing the requirements on every
26 developer. Councilwoman Ivie commented that planter boxes in the park strip would get in the
27 way of citizens watching the 4th of July parade every year. Councilwoman Fillmore agreed that
28 the parade should be considered, and expressed confidence that a solution could be found.
29 Councilman Higginson seconded the motion. Councilman Averett agreed with the parade
30 concern. Councilwoman Fillmore referred to options presented by the landscape architect
31 during the work session prior to the Council meeting, and stated confidently that the city could
32 give flexibility to property owners and still achieve a unified look. Councilwoman Ivie responded
33 that parade seating would still be eliminated. Mayor Cutler pointed out that the options
34 presented by the landscape architect include plaza space that would provide more parade
35 seating. Councilwoman Fillmore pointed out that the Plan would realistically be applied only to
36 the Traditional and City Center Districts, leaving a lot of the parade route the same. Mayor
37 Cutler said the proposed language does not seem to have a lot of teeth. Councilman Averett
38 said he would want the Plan to be parade-viewer friendly. Councilwoman Fillmore agreed with
39 the concern, but commented that the more day-to-day concern is providing pedestrian
40 friendliness and protection. She suggested providing a list of recommended plants that would
41 be parade friendly. The motion passed by majority vote (3-2), with Council members Ivie and
42 Wright dissenting.

43
44 Ms. Romney suggested a six-foot sidewalk width requirement rather than the range of
45 5'-6'. She also pointed out a minor correction to Subsection 3(A) of the Pedestrian Space/Plaza
46 Sector Design Elements changing "back of sidewalk" to "back of curb" for the point of
47 measurement. Councilman Higginson made a **motion** to change the sidewalk width
48 requirement to six feet in the Pedestrian Path Sector. Councilman Averett seconded the
49 motion, which passed by unanimous vote (5-0). Councilwoman Ivie made a **motion** to change
50 "back of sidewalk" to "back of curb" in Subsection 3(A) for the Pedestrian Space/Plaza Sector as
51 recommended by the City Attorney. Councilman Higginson seconded the motion, which passed
52 by unanimous vote (5-0). Councilwoman Fillmore made a **motion** to delete "and/or" from the
53 first line of Subsection 3(B), and eliminate "pedestrian path lighting" from the same Subsection.

1 Councilman Higginson seconded the motion, which passed by unanimous vote (5-0). No
2 changes were made to Section 6.

3
4 Section 7 – Building Height Councilwoman Ivie made a **motion** to change the
5 maximum building height for buildings on the east side of Main Street to 25 feet. Councilman
6 Wright seconded the motion, which failed (2-3), with Council members Averett, Fillmore, and
7 Higginson dissenting. Councilman Higginson stated he feels 30 feet is a compromise between
8 25 and 35, allowing for pitched roofs. Councilwoman Fillmore said she heard from the public
9 that people care more about density than building height.

10
11 Councilwoman Fillmore made a **motion** directing staff to update the Public Space Plan
12 illustration, specifying a right-of-way of approximately 66 feet, and a Pedestrian Path Sector of
13 six feet. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
14 Councilwoman Ivie made a **motion** directing staff to bring back updated visuals and a draft
15 ordinance on November 17th. Councilman Higginson seconded the motion, which passed by
16 unanimous vote (5-0).

17
18 Councilwoman Fillmore made a **motion** to accept Ordinance No. 2015-25 as amended.
19 Councilman Higginson seconded the motion, which passed by majority vote (3-2), with Council
20 members Ivie and Wright dissenting.

21
22 Mr. Snyder stated he is aware of an application waiting for the TZRO to be lifted. The
23 Council discussed whether to lift the TZRO or wait and let it expire. Councilman Averett made a
24 **motion** to repeal Ordinance No. 2015-05, ending the TZRO effective November 5, 2015.
25 Councilman Higginson seconded the motion, which failed (2-3), with Council members Ivie,
26 Fillmore, and Wright dissenting.

27
28 At 9:27 p.m. the Council took a break, returning at 9:40 p.m.

29
30 **URBAN DEER PLAN DRAFT**

31
32 Bruce Cox, Parks and Recreation Director, reported on his discussion of the urban deer
33 control process with the Department of Wildlife Resources (DWR), and discussed a draft of an
34 Urban Deer Plan with the Council. Councilwoman Ivie suggested giving hunting priority to
35 Centerville residents. The Police Department will oversee the process for approving hunters.
36 Councilman Wright suggested the City publicize the opportunity to participate. Councilman
37 Averett expressed the opinion that the cost of the program should be itemized and a fee set
38 accordingly, at least covering background costs. Councilman Wright responded he hopes a fee
39 is not charged, and added that government can provide services without collecting money. Mr.
40 Thacker suggested a compromise requiring those who want to keep the meat to pay a fee.
41 Councilwoman Ivie pointed out that processing meat is a huge undertaking. Mr. Cox explained
42 the trapping and lethal reduction process, and stated this is the first time the DWR has allowed
43 the program to happen in this manner.

44
45 Councilwoman Ivie made a **motion** to set a public hearing for November 17th.
46 Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).
47 Councilwoman Ivie asked that the Urban Deer Plan be amended to give priority participation to
48 Centerville residents prior to the public hearing.

49
50 **MUNICIPAL CODE AMENDMENTS**

51
52 The proposed amendments are part of a continuing effort by the City Attorney to prepare
53 the Code for conversion to the online version made possible by the contract with Municipal

1 Code Online, Inc. The amendments are not intended to change the substance of the Code –
2 unless required to harmonize with State law – but consist primarily of improved wording,
3 reformatting, renumbering, and conforming to State law. Councilman Averett made a **motion** to
4 adopt Ordinance No. 2015-26 amending various provisions of Title 2, and Ordinance No. 2015-
5 27 amending various provisions of Title 3 of the Centerville Municipal Code. Councilman
6 Higginson seconded the motion, which passed by unanimous vote (5-0).

7
8 **MAYOR'S REPORT**

- 9
- 10 • A majority of the Council expressed a desire to send a formal letter to Bountiful
11 regarding the proposed hillside land swap. The Mayor said he would work with Mr.
12 Thacker to draft a letter for Council signatures. Councilman Higginson commented
13 that he could support a statement of the Council's preference, but would not support
14 a letter telling Bountiful what to do. Councilwoman Fillmore agreed that the letter
15 needs to be diplomatic. Mayor Cutler expressed confidence that the Council's
16 concerns can be stated and the good relationship between the two cities preserved.
 - 17 • The Council discussed the County-owned sedimentation basin property currently for
18 sale. Mr. Thacker explained that the Council was approached by the County when
19 the property was first listed, with little or no interest shown. As a citizen and a natural
20 resources manager, Lee Skabelund commented that the need for a sedimentation
21 basin has not been eliminated. Councilwoman Fillmore made a **motion** directing
22 staff to prepare a report on the County-owned property. Councilman Wright
23 seconded the motion, which passed by unanimous vote (5-0).
 - 24 • The Mayor reported that the UIA Board voted to issue the remaining bonds
25 authorized by the UIA cities when the UIA was created, despite Centerville's UIA
26 representative voting against the motion to issue the remaining bonds. UTOPIA
27 subscribership continues to increase at a consistent rate.
 - 28 • Deuel Creek Irrigation has been invited to meet with Randy Randall, Mayor Cutler,
29 and Mr. Thacker regarding an infrastructure plan.
- 30

31 **CITY COUNCIL LIAISON REPORT**

32
33 Councilman Averett reported on Citizen Corps Council/Emergency Management training
34 efforts, emphasized the importance of emergency management, and stated he has thoroughly
35 enjoyed the liaison assignment.

36
37 **CITY MANAGER'S REPORT**

- 38
- 39 • Mr. Thacker presented a landscaping concept plan for the 1250 West/Parrish Lane
40 intersection prepared by Dan Sonntag of MGB&A. Councilwoman Fillmore pointed
41 out that Maverick will hopefully participate financially in improvements for the
42 southwest corner. Maverick's application and the offer for a sign from Hogan were
43 the impetus for engaging an architect.
 - 44 • Traffic signal studies for the 400 West/Porter Lane and 400 West/Bellano Way
45 intersections are underway. Staff might present the results on November 17th.
- 46

47 **MISCELLANEOUS BUSINESS**

- 48
- 49 • The Council tabled discussion regarding the use of the City's newsletter and utility
50 bill insert to the November 17th meeting.
 - 51 • Mayor Cutler said he wrote a letter of endorsement for CenterPoint Legacy Theatre
52 to assist in their attempt to partner with community businesses.

