

1 Minutes of the Centerville **City Council** meeting held Tuesday, December 15, 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 Jacob Smith, Management Assistant
18 Brandon Toponce, Assistant City Planner
19 Kevin Campbell, City Engineer
20 Katie Rust, Recording Secretary

21 **STAFF ABSENT**

22 Blaine Lutz, Finance Director/Assistant City Manager

23 **VISITORS**

24 Interested citizens (see attached sign-in sheet)

25 **PLEDGE OF ALLEGIANCE**

26
27 **PRAYER OR THOUGHT** Councilwoman Fillmore

28
29 **COUNCIL MEMBER RECOGNITION**

30
31 Mayor Cutler recognized the three outgoing Council members and thanked them for their
32 years of dedicated service - Councilman Ken Averett (eight years), Councilman John Higginson
33 (four years), and Councilman Larry Wright (eight years). Councilman Averett commented that it
34 has been a pleasure to serve on both the Council and the Planning Commission over the last
35 twelve years, Councilman Higginson thanked the Council members and staff, and thanked the
36 citizens for their trust over the last four years, and Councilman Wright thanked the community
37 for the privilege of serving on the City Council.

38
39 **YOUTH COUNCIL COLORING CONTEST PRESENTATION**

40
41 Youth Mayor Lindsay Kunzler presented awards to winners of the Youth Council
42 Coloring Contest.

43
44 **OPEN SESSION**

45
46 Dale McIntyre – Mr. McIntyre informed the Council that the Council microphones are not
47 amplifying sound equally.

48
49 Lee Skabelund – Mr. Skabelund thanked all who were involved in removing the
50 substantial amount of snow that fell in the last couple of days. Councilman Wright echoed Mr.
51 Skabelund's gratitude.

52
53 William Ince, Planning Commissioner, Council member elect – Commissioner Ince
54 expressed appreciation for the service of those on the City Council.

1 Robyn Mecham, Council member elect – Ms. Mecham thanked the City Council
2 members for their service.

3
4 **MINUTES REVIEW AND ACCEPTANCE**

5
6 The minutes of the December 1, 2015 Council meeting were reviewed. Mayor Cutler
7 requested an amendment. Councilwoman Fillmore made a **motion** to approve the minutes as
8 amended. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

9
10 **SUMMARY ACTION CALENDAR**

- 11
12 a. City Council 2016 Meeting Schedule – Resolution No. 2015-19
13 b. Approve amendments to recording secretary services contracts
14 c. Approve purchase of a 2016 Ford Explorer from Ken Garff Ford in the amount of
15 \$27,437.91 for the Police Department

16
17 Councilman Wright made a **motion** to approve all items on the Summary Action
18 Calendar. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

19
20 **PUBLIC HEARING – ZONING ORDNIANCE TEXT AMENDMENT, CHAPTER 12-60,**
21 **ACCESSORY DWELLING UNITS (ADUs)**

22
23 The public hearing regarding ADUs was postponed until January 19, 2016.

24
25 **DEUEL CREEK HISTORIC DISTRICT**

26
27 The Landmarks Commission and Planning Commission have recommended creation of
28 a historic district covering the area bounded by Main Street, Parrish Lane, 400 East and both
29 sides of Porter Lane. The ordinance would not force any property owner to comply with the
30 desired building standards expressed in the ordinance, but incentive would be offered in the
31 form of reduced building setbacks and reduced building permit fees for remodeling or
32 reconstruction that meets the architectural criteria. Brandon Toponce, Assistant City Planner,
33 reported that the Landmarks Commission discussed the concern expressed at the last Council
34 meeting regarding adding a historic overlay to the South Main Street Corridor (SMSC) Overlay.
35 He said the Landmarks Commission feels the two overlays do not conflict. Mr. Toponce also
36 reported that the Landmarks Commission did not comment on the suggestion to include the
37 east side of 400 East in the historic district boundaries. The proposed historic district would be
38 recognized locally, but not registered with the State. Councilman Wright repeated the
39 suggestion he made at the previous Council meeting to include “Centerville” in the name of the
40 historic district.

41
42 At 7:31 p.m. Mayor Cutler opened a public hearing regarding both ordinances relating to
43 the historic district, and closed the public hearing seeing that no one wished to comment.
44 Councilman Averett made a **motion** to adopt Ordinance No. 2015-30 adopting Chapter 12-49 of
45 the Centerville Zoning Ordinance for the Deuel Creek Historic District based on the following
46 findings of the Planning Commission, and Ordinance No. 2015-31 amending the Centerville
47 Zoning Map by changing the zoning of various properties within the Deuel Creek Historic District
48 to the Deuel Creek Historic District Overlay Zone based on the following findings of the Planning
49 Commission. Councilwoman Ivie seconded the motion.

1 Findings for Ordinance No. 2015-30:
2

- 3 1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
4 2. The proposed zoning text amendment meets the goals and objectives of the General
5 Plan concerning a historic district [Section 12-480-8(3)].
6 3. Creating the Deuel Creek Historic District would not have a negative impact on the
7 surrounding community.
8 4. Through research, site visits, three public work sessions and several meetings, the
9 Landmarks Commission believes they have covered important aspects of location,
10 guidelines and incentives.
11 5. The Landmarks Commission believes the proposed district and subsequent created
12 documents will be beneficial to the neighborhood.
13

14 Findings for Ordinance No. 2015-31:
15

- 16 1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
17 2. The proposed Zone Map Amendment meets the goals and objectives of the General
18 Plan concerning a historic district [Section 12-480-8(3)].
19 3. Creating the Deuel Creek Historic District would not have a negative impact on the
20 surrounding community.
21 4. Through research, site visits, three public work sessions and several meetings, the
22 Landmarks Commission believes they have covered important aspects of location,
23 guidelines and incentives for the overlay zone.
24 5. The Landmarks Commission believes the proposed overlay zone and related
25 proposed Ordinance will be beneficial to the neighborhood.
26

27 Mayor Cutler asked staff to discuss the slight risk that the incentives offered might
28 encourage demolition. Mr. Thacker responded it is the opinion of staff that the reduced building
29 permit fee incentive should not go beyond 25% for bash-and-build situations. He suggested the
30 highest reduction (not more than 50%) apply to structures listed on the National Register of
31 Historic Places, with the requirement that the home remain on the National Register following
32 the improvement. Mr. Toponce commented that the Landmarks Commission follows National
33 standards when examining remodel proposals for homes on the National Register. Mr. Thacker
34 suggested a two or three tier system, with the highest discount (50%) for homes on the National
35 Register that would remain such, a second tier (25%-30%) for homes that are older than 50
36 years that are modified or added to within the standards, and another tier (15%) for bash-and-
37 build situations. Mr. Toponce added that within the historic district boundaries there are larger
38 lots with the potential for infill. He suggested that a 25% reduction for new homes might provide
39 incentive to match the look of the rest of the community.
40

41 Mayor Cutler recommended the Council approve the ordinances as they are now, and
42 direct the Landmarks Commission to recommend criteria for the reduction. Councilwoman
43 Fillmore stated she agrees with the proposed three-tier system. She commented that
44 restoration and bash-and-build projects will not occur solely as a result of the offered fee
45 reduction. The incentive is a symbolic show of appreciation for property owners who go to the
46 effort to preserve historically valuable buildings. Councilwoman Fillmore made a **motion to**
47 **amend** the motion to accept the Ordinance as written with the following changes: a three-tier
48 fee reduction system for residential properties of 25% for new builds or remodel of homes under
49 50 years old; 50% for remodel of homes 50 years or older; and 100% for homes listed and
50 remaining on the National Register of Historic Places; and adding the east side of 400 East to
51 the Deuel Creek Historic District boundaries. Councilman Averett stated he would accept the
52 friendly amendment if the east side of 400 East were removed. Lisa Romney, City Attorney,
53 commented that State law requires notice of every property owner for zoning changes.

1 Councilwoman Fillmore removed the east side of 400 East from the motion to amend, and
2 Councilman Averett seconded the friendly amendment.
3

4 Councilman Wright made a **motion to amend** the motion to include changing the name
5 of the proposed historic district to Centerville Deuel Creek Historic District. Councilwoman
6 Fillmore seconded the motion to amend the motion, which passed by unanimous vote (5-0).
7

8 Councilman Wright made a **motion to amend** the original motion to adopt Ordinance
9 No. 2015-30 and Ordinance No. 2015-31 to specify that the 25% fee reduction would only apply
10 to homes on and remaining on the National Register of Historic Places. Councilwoman Fillmore
11 commented that Councilman Wright's motion to amend is very different from the
12 recommendations from the Landmarks Commission and the Planning Commission. As liaison
13 to the Landmarks Commission, Councilwoman Ivie explained that homeowners with a home
14 already on the National Register have put a lot of time and money into renovation. There are
15 many homes that could perhaps be on the Register, but have not yet been nominated, and she
16 would not want to exclude those homes from the incentive to accomplish necessary renovation
17 to be on the National Register. She said she agrees with the three-tier idea. Councilman
18 Wright withdrew his motion to amend.
19

20 Mayor Cutler pointed out that a 100% fee reduction is significant considering the
21 expense to the City. Mr. Thacker stated that staff did not discuss more than a 50% reduction,
22 but added that there are fewer than 20 homes on the Historic Register within the boundaries of
23 the proposed historic district. Councilwoman Fillmore emphasized that the fee reduction would
24 apply only to residentially zoned buildings, excluding commercial buildings on Main Street from
25 the incentive. Mr. Toponce responded that the Landmarks Commission did not want to exclude
26 the historic buildings on Main Street from the preservation incentives. Councilwoman Fillmore
27 commented that the financial impact on the City of a 100% reduction for residential would be
28 small, but the impact of a 100% reduction for commercial would be more significant. She added
29 that the SMSC Plan already has strict design standards, and the commercial corridor is different
30 from the residential area. Councilman Wright said he has learned it is better to measure twice
31 before cutting. He said he does not disagree with the direction the Council is heading, but
32 suggested that staff study it out more completely and come back with a recommendation.
33

34 Councilman Wright made a **motion to amend** the motion to table the three-tiered fee
35 reduction system to allow further staff review. Ms. Romney agreed that a fiscal impact analysis
36 would be advisable for a reduction greater than 50% for commercial properties. The motion to
37 amend died for lack of a second. Councilwoman Ivie stated she is uncomfortable with the 100%
38 reduction. She said she realizes there are not many homes on the National Register, but asked
39 how much impact the applications have on staff time. Mayor Cutler responded that most of the
40 review process is done by outside contractors. Mr. Toponce reminded the Council that the
41 incentives apply only to exterior remodel or renovation projects, not interior, following National
42 Register standards. Councilwoman Fillmore's motion to amend the motion passed by majority
43 vote (4-1), with Councilman Wright dissenting.
44

45 Councilwoman Fillmore made another **friendly amendment to the motion** specifying
46 that the entire ordinance only applies to residential zoned projects. Councilman Wright
47 repeated that he feels staff should take a closer look before the Council makes a decision
48 regarding the commercial properties. Councilman Averett seconded the friendly amendment,
49 which passed by majority vote (3-2), with Council members Averett, Fillmore, and Higginson in
50 favor and Council members Ivie and Wright dissenting. The original motion to adopt Ordinance
51 No. 2015-30 and Ordinance No. 2015-31, amended to include the three-tier fee reduction
52 system for residential exterior properties, excluding all commercial properties, and to change the

1 name to Centerville Deuel Creek Historic District passed unanimously (5-0). Mr. Thacker
2 thanked Mr. Toponce for all of his work with the Landmarks Commission on this matter.

3
4 **MUNICIPAL CODE AMENDMENTS – TITLE 5 – REVENUE AND FINANCE**

5
6 Ms. Romney explained proposed amendments to Title 5 of the Centerville Municipal
7 Code regarding Revenue and Finance. Councilman Wright made a **motion** to approve
8 Ordinance No. 2015-32 amending various provisions of Title 5. Councilman Higginson
9 seconded the motion, which passed by unanimous vote (5-0).

10
11 **REVIEW BID FOR INSTALLATION OF FENCING ON PARRISH LANE**

12
13 During the recent I-15 South Davis project, UDOT gave Centerville City the opportunity
14 to pay for an upgrade to the fencing to be installed on the new pedestrian bridge and along
15 Parrish Lane. The additional cost was embodied in a Betterment Agreement approved by the
16 City Council in March 2015. After UDOT's contractor began installing the fence, UDOT
17 determined the fence did not meet AASHTO requirements and work was suspended. The City
18 was allowed to come up with fencing alternatives that meet AASHTO standards as well as
19 UDOT's approval. Kevin Campbell, City Engineer, subsequently bid the work. Bids were
20 received and opened on December 10. Despite the fact there were three plan holders and
21 questions from several potential bidders, only one bid was received – from Custom Fence – the
22 same company which was a subcontractor under WWClayde for the I-15 project. Mr. Campbell
23 explained that the bid was much higher than anticipated. Funding this bid award would require
24 much more funding than approved earlier by the RDA Board. Mr. Campbell stated he received
25 feedback that contractors are busy, but could maybe do the work in the spring. He added that
26 contractors are hesitant to bid for projects involving Buy America and AASHTO requirements.

27
28 Mr. Campbell advised that the Betafence bid should not be awarded at this time, but
29 could possibly be bid again as vinyl coated chain link that meets the AASHTO requirement. A
30 new bid process would take three or four weeks. The Cooperative Agreement with UDOT gives
31 until June 1, 2016 to complete the work. Mr. Thacker explained possible sources of funding for
32 the project. Mr. Campbell advised that Bid Schedule A is a decent bid. The Council has 60
33 days in which to accept or reject the bids. Mr. Campbell suggested the Council could wait the
34 60 days to accept the Schedule A bid, and rebid the Schedule B portion to have more options.
35 Mr. Thacker supported the recommendation to rebid the Schedule B portion. Mr. Campbell
36 stated that the bid process can be delicate, and explained the risk that Custom Fence might
37 increase their bid for Schedule A. Councilwoman Fillmore agreed that vinyl coated chain link
38 with design elements could be acceptable if a better bid is not received for the preferred option,
39 and provided a rough sketch of her idea. She suggested the Council accept the Schedule A bid
40 and rebid Schedule B with additional options. Mayor Cutler stated he would prefer to rebid the
41 entire length for the chain link option, and said he is willing to abandon the Betafence idea
42 based on the bid received. The Council and staff discussed bid options. Ms. Romney stated
43 that legally, the Council could: reject all of the bids and start over; accept part of the bid and
44 reject the rest; or, within the 60 days to award the contract, obtain bids for the chain link option
45 for comparison.

46
47 Mr. Campbell said Custom Fence might be incentivized to lower their bid on the vinyl
48 coated chain link if the Ameristar fencing were included in the bid schedule. Custom Fence
49 would have an advantage, but Ameristar fencing elements are readily available to all
50 contractors. Mr. Campbell suggested two realistic options: 1) award Schedule A in 60 days and
51 obtain bids on vinyl coated chain link at same time; or 2) rebid the whole thing with Ameristar
52 and vinyl coated chain link. He advised the Council to only bid vinyl coated chain link for the
53 entire length if they are really interested in that option. Mayor Cutler expressed that,

1 considering cost, he is very interested. Councilwoman Fillmore reminded the Council that they
2 had considered using a professional designer earlier in the process to consult on fencing, and
3 suggested that a professional designer could be very helpful at this point. The cost for a
4 professional designer's time would be approximately \$800. Mr. Campbell suggested welcoming
5 professional advice regarding the end pillars, but recommended the Council not plan to attach
6 elements to vinyl coated chain link panels for safety reasons. Councilwoman Fillmore agreed.
7 Mr. Campbell stated he could provide cost estimates for chain link options in the next few days.
8

9 Councilwoman Fillmore made a **motion** directing staff to hold on to the Schedule A bid,
10 reject the Schedule B bid, and, rebid the length of both Schedule A and Schedule B, including
11 the pillars, with square or rectangular vinyl coated chain link, with the ability to award portions A
12 and B separately. Councilwoman Ivie seconded the motion, which passed by unanimous vote
13 (5-0). Councilwoman Fillmore repeated her desire to involve a professional designer, and Mr.
14 Thacker agreed with her recommendation.
15

16 The Council took a break at 8:57 p.m., returning at 9:05 p.m.
17

18 FINANCIAL REPORT

19 The Council reviewed the Financial Report for the period ending November 30, 2015.
20
21

22 MAYOR'S REPORT

- 23
- 24 • The City Council will meet with State Legislators on January 19, 2016 prior to the
25 regular Council meeting, and will meet in a work session regarding City finances,
26 including the annual audit report, on January 5, 2016 following the regular Council
27 meeting.
 - 28 • The Mayor reported on DARE graduations and the first "Lunch with the Mayor" for
29 elementary students.
 - 30 • Mayor Cutler reported that UTOPIA is getting close to a 30% take rate in Centerville.
31 He reported that he expects there will be no more operating assessments to the
32 cities. UTOPIA and UIA combined have passed the \$1 million per month revenue
33 milestone. Mayor Cutler reported on projects accomplished by UTOPIA during 2015.
34 Councilman Wright suggested the city research the possibility of video streaming
35 Council meetings and other City events. Free WiFi access is available in all City
36 parks at select pavilions.
37

38 CITY MANAGER'S REPORT

39
40 Mr. Thacker provided a summary of 2015 projects/issues and anticipated projects/issues
41 for 2016. Councilman Wright suggested adding an analytic hierarchy process to help prioritize
42 projects and issues during the goal setting process.
43

44 MISCELLANEOUS BUSINESS

- 45
- 46 • Councilwoman Fillmore mentioned that Sandy City has a few parking spots in front of
47 their police station designated as a safe exchange area for internet sales. Mayor
48 Cutler responded that a number of cities have implemented the same idea. He has
49 asked Chief Child to consider the idea and make recommendations.
 - 50 • Mr. Thacker explained proposed amendments to the Centerville City Position Pay
51 Grade Schedule. Councilman Wright expressed approval for the succession
52 planning implemented with the amendments. Councilman Higginson made a **motion**

1 to approve Ordinance No. 2015-33 and the recommended pay raises. Councilman
2 Wright seconded the motion, which passed by unanimous vote (5-0).

- 3 • Land Use Training for the Planning Commission and City Council will occur on
4 Wednesday, February 10, 2016 at 6:00 p.m.

5
6 **APPOINTMENTS**

7
8 Mayor Cutler recommended the Council appoint Becki Wright to the Planning
9 Commission, and appoint Kevin Daly to fill the remainder of Bill Ince's term on the Planning
10 Commission. He also recommended the Council appoint Brian Curnow to the Parks and
11 Recreation Committee. Councilman Averett made a **motion** to appoint Becki Wright to the
12 Planning Commission, appoint Kevin Daly to fill the remainder of Bill Ince's term on the Planning
13 Commission, and appoint Brian Curnow to the Parks and Recreation Committee. Councilman
14 Higginson seconded the motion, which passed by unanimous vote (5-0).

15
16 **ADJOURNMENT**

17
18 At 9:38 p.m. Councilman Wright made a **motion** to adjourn the City Council meeting and
19 move to a meeting of the Redevelopment Agency of Centerville. Councilwoman Ivie seconded
20 the motion, which passed by unanimous vote (5-0).

21
22
23
24 
25 _____
26 Marsha L. Morrow, City Recorder

6-5-2016

Date Approved

27
28
29 
30 _____
31 Katie Rust, Recording Secretary
32

