Minutes of the Centerville **City Council** meeting held Tuesday, September 16, 2014 at 7:05 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Ken S. Averett Tamilyn Fillmore John T. Higginson Stephanie Ivie Lawrence Wright
STAFF PRESENT	Steve Thacker, City Manager Blaine Lutz, Finance Director/Assistant City Manager (arrived at 8:05 p.m.) Lisa Romney, City Attorney Jacob Smith, Management Assistant Cory Snyder, Community Development Director Lt. Paul Child, Assistant Police Chief Katie Rust, Recording Secretary
VISITORS	Interested citizens (see attached sign-in sheet)
PLEDGE OF ALLEGIANCE	Luke Hansen, local Boy Scout
PRAYER OR THOUGHT	Councilman Lawrence Wright

OPEN SESSION

No one wished to comment.

SEWER DISTRICT REPORT

Dee Hansen, Centerville representative on the South Davis Sewer District Board of Directors, reported to the Council regarding the budget and operations of the Sewer District.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the September 2, 2014 City Council meeting were reviewed. Councilman Higginson made a **motion** to approve the minutes. Councilman Averett seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

a. Personnel Policies and Procedures – Amendments – Cell Phone Policy – Consider Resolution No. 2014-22
b. Personnel Policies and Procedures – Amendments – Outside Employment – Consider Resolution No. 2014-23
c. Consider Pipeline Crossing Agreements with UPRR and UTA for Chase Lane Waterline Project
d. Approve easements for Questar to provide natural gas to UTOPIA huts

e. Award Annual Drainage Maintenance Project contract to Twin D Environmental Services in the amount of $96,710
f. Approve purchase of 12 Tasers and accessories for the Police Department in an amount of $12,274.50, plus warranty/replacement plan for an additional amount of $9,150 over a 5-year period
g. Award bids for Pine Hills Subdivision waterline project to Anchored Excavation for labor in the amount of $11,486.90 and to WR White in the amount of $4,304.69 (plus tax) for materials

Councilman Wright requested that items (a) and (f) on the Summary Action Calendar be considered separately. Councilman Wright made a **motion** to approve items (b), (c), (d), (e), and (g) on the Summary Action Calendar, including Resolution No. 2014-23. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

Lisa Romney, City Attorney, explained the proposed changes to the personnel cell phone policy, item (a) on the Summary Action Calendar, which incorporate suggestions made by department heads, and comply with State law regarding mobile devises while driving a City vehicle or on City time. Councilman Higginson made a **motion** to approve item (a) on the Summary Action Calendar. Fillmore seconded the motion, which passed by unanimous vote (5-0).

Referring to item (f) on the Summary Action Calendar, Lt. Paul Child, Assistant Police Chief, explained that most of the Tasers currently used by the Police Department are seven years old, with a recommended use time of five years. He described the Tasers and warranty plan proposed by the Department, and stated that Tasers are a valuable tool of the Police Department when they are used appropriately. Councilman Wright made a **motion** to approve item (f) on the Summary Action Calendar. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENTS – APIARIES/BEEKEEPING

At a previous meeting the Council removed the prohibition of apiary use and directed the Planning Staff to prepare necessary Zoning Text Amendments to create minimal regulatory standards related to the keeping of bees. Cory Snyder, Community Development Director, explained the proposed Zoning Ordinance Text Amendments recommended by the Planning Commission. The proposed amendments set the number of colonies allowed in the Agricultural-Low (A-L) or Residential-Low (R-L) Zones at:

1. one-quarter acre or less tract size – up to two colonies
2. more than one-quarter acre to one-half acre tract size – up to four colonies
3. more than one-half acre to one acre tract size – up to six colonies
4. more than one acre tract size – up to eight colonies

Mayor Cutler suggested including a graphic to explain the flyway requirements on the City website for public education. At 8:00 p.m. Mayor Cutler opened a public hearing.

Dale McIntyre – Mr. McIntyre asked if he read correctly that a beekeeper would not be able to have a colony if a neighbor expresses objection. Ms. Romney responded that the proposed ordinance does not contain that restriction.

Rick Bingham – Mr. Bingham asked if the ordinance would preclude a beekeeper from having a hive colony on smaller than a quarter-acre lot. The Council clarified that the proposed ordinance would allow up to two colonies on one-quarter acre or less tract size, and a maximum of eight colonies on more than one acre tract size. Mr. Bingham suggested removing the chicken tax.

Mayor Cutler closed the public hearing at 8:03 p.m. Councilman Wright made a **motion** to adopt Ordinance No. 2014-18 amending Chapter 12-36 of the Centerville City Zoning Ordinance regarding apiaries and enacting Section 12-55-250 of the same regarding supplemental development standards for apiaries. Councilman Higginson seconded the motion. Councilwoman Ivie stated that after her limited research the proposed limitation of up to two colonies on one-quarter acre or less and up to four colonies on one-quarter acre to one-half acre is strict. She proposed a friendly amendment to the ordinance to allow up to four colonies on one-half acre or less tract size. Councilman Higginson seconded her amendment to the ordinance. Councilwoman Fillmore added that in the A-L and R-L Zones there is not much distinction between a less than quarter-acre lot and a quarter-acre lot. Mayor Cutler stated he would be inclined to follow the direction of the Planning Commission, and Councilman Averett agreed. The friendly amendment to change the number of colonies allowed to up to four colonies on up to one-half acre passed by majority vote (4-1), with Councilman Averett dissenting. The motion to adopt Ordinance No. 2014-18 as amended passed by unanimous vote (5-0).

PUBLIC HEARING – ZONE MAP AMENDMENT (REZONE) – HAFOKA PROPERTY – 564 WEST PORTER LANE

Mr. Snyder explained the request to rezone the property located at 564 West Porter Lane from Residential-Low (R-L) to Residential-Medium (R-M). Both R-L and R-M are consistent with the General Plan for the area west of 500 West, and the Planning Commission has recommended approval of the rezone. Commercial-High (C-H), Agricultural-Low (A-L), R-M, and R-L Zones all interface at the subject parcel.

Nate Pugsley with Brighton Homes explained that the rezone is needed before they can begin development plans. Brighton Homes conducted a market study to determine the feasibility of building an assisted living center in Centerville, and found that the Class A centers in the area are all fully occupied, with the highest demand in memory care. Brighton Homes would build a quality facility and partner with an operating company with experience in operating Class A assisted living facilities. An assisted living center would be a conditional use in the R-M Zone. Mayor Cutler asked if Mr. Pugsley had considered the commercial properties on Pages Lane. Mr. Pugsley responded that the property owners of the commercial properties on Pages Lane were hoping to sell at an improved value, and were not willing to sell the properties just for land value.

At 8:28 p.m. Mayor Cutler opened a public hearing.

Fire Chief Jeff Bassett – Chief Bassett referred to the discussion held during the work session prior to the Council meeting regarding inadequate funding for staff and resources within the South Davis Metro Fire Agency. He asked the Council to keep the needs of the Fire Agency in mind as the community continues to grow. Assisted living facilities are great for the community, but place a large demand on Fire Department resources.

Mayor Cutler closed the public hearing at 8:30 p.m. Councilwoman Fillmore reminded the Council that the issue on the table is whether or not the proposed rezone is consistent with

the General Plan. She said that as a land use planner she feels the rezone to R-M is appropriate. Councilwoman Fillmore made a **motion** to adopt Ordinance No. 2014-19 amending the Centerville City Zoning Map by changing the zoning of the property located at 564 West Porter Lane from Residential-Low (R-L) to Residential-Medium (R-M). Councilman Averett seconded the motion. Councilman Wright asked what type of planning factors the Fire Agency looks at for assisted living centers. Mr. Snyder responded there are three areas of consideration: (1) is there sufficient capacity to provide emergency services; (2) can the impacts of the project on the ability to provide emergency services be mitigated with a conditional use permit; and (3) the overall operation long-term. Chief Bassett clarified that he is not opposed to including assisted living facilities in the community; he just wants the Council to consider the overall impacts to EMS and fire services. Councilman Wright said he is deeply concerned about the current staffing level in the Centerville fire station. He said he thinks it is a good idea to move forward with the rezone, but the ability to provide services in the community needs to be closely looked at. The motion to adopt Ordinance No. 2014-19 passed by unanimous vote (5-0).

DESIGN AND FUNDING FOR BUS STOP AT FOUNDERS PARK

Mr. Thacker reported that UTA has committed to provide, maintain and repair a standard bus stop structure at Founders Park, but would not accept responsibility for maintenance/repair if an alternative, upgraded structure is chosen by the Council. If the City installs alternative shelters at several locations along Main Street in the future, this would place significant maintenance burden on the City long term. Councilwoman Fillmore stated her opinion that the standard structure is palatable. Mr. Thacker stated that the City will provide the land and pay for the concrete pad (approximately $1,500). He recommended the Council authorize the use of up to $2,000 of Contingency funds for the City's share of costs. The Council discussed the possibility of adding an extra bench outside the shelter if needed. Councilman Wright made a **motion** to authorize Councilwoman Fillmore to make the final decision regarding the selection of a bus stop shelter, and authorize spending up to $2,000 in improvements for the bus stop at Founders Park. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

LEGISLATIVE UPDATE – 2014 GENERAL SESSION

Ms. Romney gave a presentation to the Council regarding municipal related bills passed by the Utah Legislature in the 2014 General Session.

At 9:10 p.m. the Council took a brief recess, returning at 9:18 p.m.

FINANCIAL REPORT

Blaine Lutz, Finance Director/Assistant City Manager, presented a financial report for the period ending August 31, 2014. The Council and staff discussed the possible reevaluation of RDA assessment values. The State Auditor recently reported that properties in RDA areas have been undervalued for taxation purposes for a number of years.

MAYOR'S REPORT

- Mayor Cutler reported on resolutions approved in a recent Business Meeting of the Utah League of Cities and Towns (ULCT). ULCT has asked that public officials encourage Legislators to increase transportation funding.
- The Mayor updated the Council regarding UTOPIA matters.

CITY MANAGER'S REPORT

- City Manager Thacker explained that the estimate used to budget for re-roofing City Hall is low compared to the three bids received, and that the low bidder withdrew his bid. Councilman Wright made a **motion** to thank the bidders, but reject all bids. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0). Staff will re-bid the project in 2015.
- Staff recently contacted the President of the Chase Lane Village HOA and received approval to add a gate in the fence between the Community Park Expansion area and Chase Lane Village. The idea of a gate was originally rejected by the HOA, but has now been accepted.
- Mr. Thacker informed the Council of a full-time dispatch staff vacancy.
- City Manager Thacker extended an invitation to staff and Council members to participate in Complete Streets training sessions on October 1st and 15th at City Hall.

DAVIS CHAMBER OF COMMERCE LIAISON REPORT

Mayor Cutler will speak at the Davis Chamber of Commerce meeting on Thursday, September 18th. Councilman Averett invited fellow Council members to attend the luncheon meeting.

CITIZEN CORPS COUNCIL/EMERGENCY MANAGEMENT LIAISON REPORT

Councilman Averett reported on his participation in CERT and Citizen Police Academy training, as well as the Citizen Corps Council. He expressed a desire to expand the function of the Citizen Corps Council within the community. He described the Corps Council's plans for the emergency management trailer purchased in 2013. The Citizen Corps Council meets monthly. Councilman Averett suggested that graduates of the CERT program be recognized in City Council meetings. The Council and Mayor indicated support for the suggestion.

APPOINTMENT

Mayor Cutler recommended Dakon and Carolee Tanner be appointed Co-Chairs of the Centennial Celebration Committee/4th of July Committee. Councilman Wright made a **motion** to appoint Dakon and Carolee Tanner as Co-Chairs of the Centennial Celebration Committee/4th of July Committee for 2015. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 10:05 p.m. Councilman Wright made a **motion** to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

Marsha L. Morrow, City Recorder

10-7-2014
Date Approved

Katie Rust, Recording Secretary

CENTERVILLE CITY UTAH
CORPORATE SEAL

CENTERVILLE CITY COUNCIL MEETING

Tuesday, Sept 16, 2014
7:00 p.m.

NAME (PLEASE PRINT)	ADDRESS**
Dee Hansen	368 E. 500 N
Dale McIntyre	25 [illegible]
[illegible]	
Rob Eckel	1555 Pony Express Way
Nate Pugsley	
Rick Bingham	290 E Casa Loma Dr.

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the City Council meeting.