

1 Minutes of the Centerville City Council meeting held Tuesday, August 18, 2015 at 7:00 p.m. at
2 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 Marsha Morrow, City Recorder
19 Paul Child, Centerville Police Chief
20 Bruce Cox, Parks and Recreation Director
21 Katie Rust, Recording Secretary

22 **STAFF ABSENT**

23 Blaine Lutz, Finance Director/Assistant City Manager

24 **VISITORS**

25 Interested citizens (see attached sign-in sheet)

26 **PLEDGE OF ALLEGIANCE**

27
28 **PRAYER OR THOUGHT**

29 Steve Thacker, City Manager

30 **POLICE DEPARTMENT RECOGNITIONS**

31
32 Police Chief Child recognized Lieutenant Von Steenblik and Sergeant Jake Alexander
33 for promotions within the Police Department, and Detective William Barnes for his new
34 assignment. He introduced two new officers, Colton Robinson and Marquelle Peters, who were
35 sworn in by City Recorder Marsha Morrow. The officers were welcomed and congratulated by
36 the Council, and Chief Child thanked the Council and Mayor for the trust placed in the Police
37 Department.

38
39 **OPEN SESSION**

40
41 Mayor Cutler submitted to the record a letter (attached) signed by owners of properties
42 between 100 South and 400 South on Main Street requesting that the zoning in their area of
43 Main Street allow medium density residential.

44
45 Dale McIntyre – Mr. McIntyre pointed out that the Council meeting was begun with the
46 Pledge of Allegiance and prayer. He mentioned that the words “under God” were added to the
47 Pledge of Allegiance in 1954, and “In God We Trust” was adopted as the motto of the United
48 States of America in 1956. He quoted from the Book of Mormon, and expressed a desire to see
49 the national motto proudly displayed in the City Council chambers.

50
51 **CANVASS OF AUGUST 11, 2015 PRIMARY ELECTION**

52
53 Marsha Morrow, City Recorder, distributed the canvass report of the August 11, 2015
54 Primary Election to the Council members, and the canvass was reviewed. Councilwoman

1 Fillmore stated it would be interesting to calculate and compare the cost of providing an early
2 voting period with the cost of the vote-by-mail option.

3
4 Councilman Wright made a **motion** to accept the canvass report of the August 11, 2015
5 Primary Election. Councilman Higginson seconded the motion, which passed by unanimous
6 vote (5-0). Councilman Wright expressed appreciation for Ms. Morrow's work as the City's
7 Election Official.

8
9 **MINUTES REVIEW AND ACCEPTANCE**

10
11 The minutes of the July 8, 2015 joint City Council/Planning Commission meeting, and
12 the August 4, 2015 joint City Council/Planning Commission work session and regular Council
13 meeting were reviewed. Councilwoman Fillmore requested two additions to the July 8 joint
14 meeting. Councilman Wright requested an addition to the August 4 Council meeting minutes.
15 Councilwoman Ivie requested the recording secretary double-check a statement made by the
16 Community Development Director during the August 4 joint work session. Councilman Averett
17 made a **motion** to accept the July 8, 2015 joint City Council/Planning Commission meeting
18 minutes as amended and the August 4, 2014 regular Council meeting minutes as amended, and
19 table approval of the August 4, 2015 joint City Council/Planning Commission work session
20 minutes, directing the recording secretary to listen to Mr. Snyder's comments. Councilman
21 Wright seconded the motion, which passed by unanimous vote (5-0).

22
23 **SUMMARY ACTION CALENDAR**

- 24
25 a. Award Annual Drainage Maintenance Project contract to Twin D Environmental
26 Services in the estimated total amount of \$96,710
27 b. Planning Commission Per Diem for Training – Consider Resolution No. 2015-15
28

29 Councilman Wright made a **motion** to approve both items on the Summary Action
30 Calendar, including Resolution No. 2015-15. Councilwoman Ivie seconded the motion, which
31 passed by unanimous vote (5-0).

32
33 **MUNICIPAL CODE AMENDMENTS – SECTION 7-02-022 – PROHIBITING FEEDING**
34 **OR ATTRACTING WILD ANIMALS – CONSIDER ORDINANCE NO. 2015-17**
35

36 As of August 1, 2015 the Division of Wildlife Resources (DWR) has authority to assist
37 Utah cities with deer control problems, subject to regulatory requirements and guidelines. A city
38 must develop an "Urban Deer Plan" and solicit public comment before the DWR will allow
39 implementation of the plan. The initial requirements include the passage of an ordinance
40 prohibiting the intentional feeding of deer, elk and moose prior to applying for a certificate of
41 registration with the DWR. Steve Thacker, City Manager, explained the process involved in
42 obtaining the help of the DWR, and suggested that the City receive public comments regarding
43 the issue by email, at an open house, and at a public hearing. Councilwoman Ivie said she
44 would prefer to hear from residents before passing an ordinance. Councilman Wright agreed,
45 and commented that the first requirement listed for a municipality regarding urban deer control
46 is to demonstrate that deer are causing significant damage or threatening public safety.
47 Councilman Wright said he does not feel the City has shown evidence that deer are threatening
48 public safety. He added that the ordinance has expanded the scope to include elk, moose, and
49 turkeys. Lisa Romney, City Attorney, responded that elk and moose must be included in order
50 to qualify for DWR help, but the Council could choose to eliminate turkeys from the ordinance,
51 which was provided by the DWR.

1 Councilman Wright asked what constitutes intentionally feeding the animals, and stated
2 that the Council needs to be careful with passing a law that gives government more power. The
3 Council and Mayor discussed the language of the ordinance pertaining to the intent to feed.
4 Councilwoman Ivie repeated her desire to hear from citizens before passing an ordinance. Mr.
5 Thacker suggested the Council move forward with inviting public comment, and consider
6 proposed edits to the ordinance in September. He emphasized that Council members would be
7 welcome to attend the open house. Councilman Wright stated that public comment should
8 validate that significant damage is occurring or that public safety is threatened. Mayor Cutler
9 responded that the DWR has already stated the City meets the standard regarding significant
10 damage.

11
12 An article will be included in the next utility bill insert inviting email comments and
13 attendance at an open house on September 8th [later moved to Sept. 9th], and the Council may
14 consider an ordinance prohibiting the intentional feeding of the animals on September 15th
15 following a public hearing. Councilman Averett stated it is his understanding that the only option
16 available to the City is a kill plan, which he does not support. He commented that if there is not
17 majority support of the Council for a kill plan, there is not a need to proceed. Councilman Wright
18 responded that he also cannot support a kill plan. Councilwoman Ivie stated that, with the right
19 balance, she could support it. She added that the food bank does not accept meat that has not
20 been commercially packaged. Councilwoman Fillmore stated that two deer have died probably
21 painful deaths in her neighborhood, and she would have an open mind and be open to receiving
22 more information on all sides of the story. Council members Ivie, Fillmore, and Higginson
23 expressed interest in moving forward with collecting public input.

24 25 **RAP TAX DISCUSSION**

26
27 Lisa Romney, City Attorney, stated that the deadline to submit a request to write an
28 argument for or against the RAP Tax for publication in the Voter Information Packet is Monday,
29 August 31st at 5:00 p.m., and arguments must be submitted to the City Recorder by September
30 14th. The Council will designate who will write the formal arguments both for and against. The
31 argument that will be placed on the State website must be submitted to the City Recorder by
32 September 4th. The City cannot expend public funds to campaign for or against, but can provide
33 factual information. Mayor Cutler suggested that websites separate from the City website could
34 be set up by individuals for comments and information for or against the RAP Tax. Councilman
35 Wright added that historical information regarding the RAP Tax would be helpful. Ms. Romney
36 provided a training sheet regarding the Political Activities of Public Entities Act. Mayor Cutler
37 reported that the County Commissioners have voted in favor of placing a Transportation Tax on
38 the ballot.

39
40 Councilman Higginson stated that, if approved by the voters, RAP Tax revenues need to
41 benefit all aspects of recreation, arts, and parks. The CenterPoint Legacy Theatre (CPT)
42 benefited from the previous RAP Tax, and he feels CPT should not plan for or rely on the RAP
43 Tax in the future.

44 45 **CITY COUNCIL LIAISON REPORT**

46
47 Councilman Wright suggested postponing his liaison report on the Whitaker Museum
48 until a meeting in September.

49 50 **JOINT WORK SESSION WITH PARKS & RECREATION AND TRAILS COMMITTEES**

51
52 At 8:20 p.m. Councilman Wright made a **motion** to adjourn to a joint work session with
53 members of the Parks & Recreation Committee and the Trails Committee. Councilwoman Ivie

1 seconded the motion, which passed by unanimous vote (5-0). The Council returned to regular
2 meeting at 9:36 p.m. after a short recess.

3
4 **MAYOR'S REPORT**

- 5
6 • Mayor Cutler thanked Jacob Smith, Management Assistant, for his work on the
7 quarterly Operational Metrics Report. The Council discussed how the metrics will be
8 utilized. Councilman Wright expressed a desire to receive more detailed information
9 regarding code enforcement.
10 • The Mayor reported on the initial success of the staffing changes implemented by the
11 Fire Agency in July.

12
13 **PERSONNEL POLICIES AND PROCEDURES – AMENDMENTS – LONG-TERM SICK**
14 **LEAVE AND ALL-PURPOSE LEAVE, CONSIDER RESOLUTION NO. 2015-16**

15
16 City Manager Thacker reported that the employee committee recommends preserving
17 the separation between long-term sick leave and all-purpose leave, with a recommendation to
18 establish a cap on the accumulation of long-term sick leave at 800 hours. Cashing out the 800
19 hours of long-term sick leave when employment ends would require formal retirement or at least
20 20 years of employment with the City. Councilman Wright pointed out that the purpose of
21 granting leave is to promote employee morale, and employees should be encouraged to use the
22 leave given. Mr. Smith displayed the City's current financial liability from accrued employee sick
23 leave, and Mr. Thacker explained staff's recommendation regarding buying down the accrued
24 amounts. Responding to the question of whether the City is obligated to buy-down the accrued
25 amounts in excess of 800 hours, Ms. Romney stated that it is more of an employee morale
26 issue than a legal issue, and expressed willingness to research the issue further if directed by a
27 majority of the Council.

28
29 Mayor Cutler stated three questions that need to be considered and answered by the
30 Council:

- 31 • Is 800 hours a good cap?
32 • What should be done about accrued amounts over the cap?
33 • Should the accrual rate be changed?
34

35 Councilman Wright emphasized that the use of leave time needs to be well managed by
36 department heads. Further discussion of the issue was tabled.

37
38 **CITY MANAGER'S REPORT**

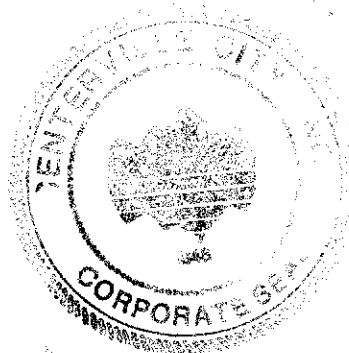
- 39
40 • An I-15 Project Milestone Event will take place on Friday, August 21st.
41 • Mr. Thacker updated the Council regarding the pedestrian bridge fencing, and
42 reported that UDOT has suggested the City might receive lower bids for
43 administering the sidewalk connection on the east side of the bridge. Councilwoman
44 Fillmore suggested the City request that a percentage of the project cost include an
45 amount for City administrative costs for oversight of the project.
46 • The next utility bill insert will include an article regarding the proposal to create a Fire
47 District, and will advertise the September 9th open house [corrected later to be Sept.
48 8th] at the Centerville Station, and the open house at City Hall prior to the regular
49 Council meeting on September 15th. Councilman Wright said he would like to see a
50 breakdown of the City's property tax revenue between the General Fund and RDA.

Councilwoman Fillmore reported that the Recreation Center is willing to host a free admission day for Centerville citizens any day the City chooses. She said she would look into the possibility of selecting a Saturday in February, 2016.

At 10:24 p.m. Councilwoman Fillmore made a **motion** to adjourn the meeting. Councilman Wright seconded the motion, which passed by unanimous vote (5-0).

9-1-2015
Date Approved


Katie Rust, Recording Secretary



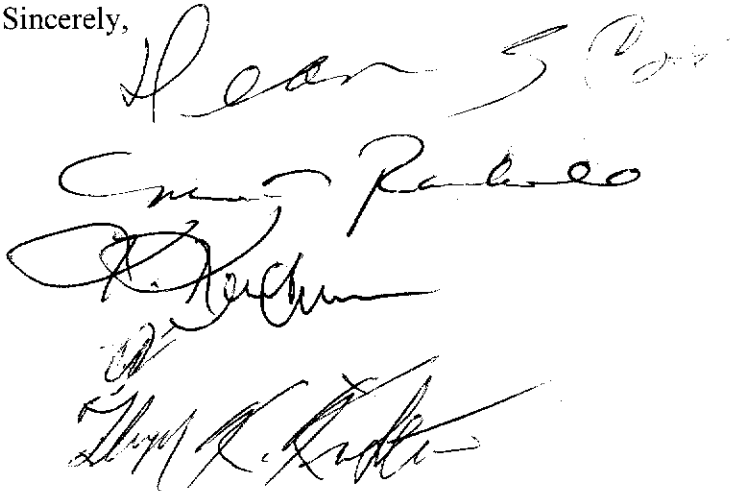
Centerville City Council

August 18, 2015

Dear Council Members,

We the undersigned owners of property between 100 South and 400 South on Main Street hereby express our desires regarding the current debate on the zoning in our area. Proposals have been made to limit the housing density portion of the ordinance to low density which we are not in favor of. We believe that it should remain medium density with discussion of what that density allows.

Sincerely,

Four handwritten signatures are stacked vertically. The first signature is 'Dean S. [unclear]', the second is 'Cindy [unclear]', the third is 'R. [unclear]', and the fourth is 'L. [unclear]'. The signatures are written in cursive and are somewhat overlapping.

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Sincerely,

Heather Scott
Chris Ralston

Ann Fadel: maintain commercial/med. density overlay.
Scott R. Larsen - Larsen Electric

CENTERVILLE CITY COUNCIL MEETING

Tuesday, August 18, 2015
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Dale McIntyre

258 E. 2005 Centerville

Robin Carbaugh

115 E Porter Lane

Mike Carbaugh

115 E Porter Lane

Becky Holt

Don & Robin Nault

415 S. Main St.

Robyn Meekins

202 W. 100 E. Cent

NEIL LISH

475 E. 1200 N. Cent

Lisa Sommes

2212 N. Main Cent.

Mike & Karen

Shelby Ferrin

737 Mountain View Cir.

Skyler Ferrin

"

JEVE ALLEN

153 E. ROCK MANOR DR

Bruce Cox

364 W. 375 N. Cent

ALAN PETERSON

319 N. BRICKHURST CIR

** 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.