Minutes of the Centerville **City Council** meeting held Tuesday, December 15, 2015 at 7:00 p.m. at Centerville City Hall, 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 Lisa Romney, City Attorney Jacob Smith, Management Assistant Brandon Toponce, Assistant City Planner Kevin Campbell, City Engineer Katie Rust, Recording Secretary
STAFF ABSENT	Blaine Lutz, Finance Director/Assistant City Manager
VISITORS	Interested citizens (see attached sign-in sheet)
PLEDGE OF ALLEGIANCE	
PRAYER OR THOUGHT	Councilwoman Fillmore

COUNCIL MEMBER RECOGNITION

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

YOUTH COUNCIL COLORING CONTEST PRESENTATION

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

OPEN SESSION

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

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

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

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

MINUTES REVIEW AND ACCEPTANCE

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

SUMMARY ACTION CALENDAR

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

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

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

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

DEUEL CREEK HISTORIC DISTRICT

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

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

Findings for Ordinance No. 2015-30:

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

Findings for Ordinance No. 2015-31:

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

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

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

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

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

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

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

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

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

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

MUNICIPAL CODE AMENDMENTS – TITLE 5 – REVENUE AND FINANCE

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

REVIEW BID FOR INSTALLATION OF FENCING ON PARRISH LANE

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

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

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

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

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

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

FINANCIAL REPORT

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

MAYOR'S REPORT

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

CITY MANAGER'S REPORT

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

MISCELLANEOUS BUSINESS

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

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

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

APPOINTMENTS

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

ADJOURNMENT

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

Marsha L. Morrow, City Recorder

1-5-2016
Date Approved

Katie Rust, Recording Secretary

RECEIVED
DEC 2 1 2015
CENTERVILLE CITY CORP

Dec 16, 2015

Centerville City Attorney
Centerville City Planning Commission
Community Development
City Council

As a property owner in Centerville I am writing to object to the proposed Historic District and want my objection written in City Council meeting minutes and filed with the City Attorney so there is written evidence that I objected to being included in this Historic District.

I have found through experience over my years of living in Centerville that promises become a thing of the past and are not honored as the years go by. Because the Mayor changes as well as the city council members and no one remembers those promises.

My husband James N. Jensen Jr. and myself Ada Jensen have lived on the corner for 59 years we have complied with the changes made but do not agree with them.

We are owners of the property @ 315 East 100 North list us as, Object to the Historic District and do not include our property. Our home is not a historic home.

Sincerely,
Ada Jensen

Received 12/21/15

CENTERVILLE CITY COUNCIL MEETING

Tuesday, Dec. 15, 2015
7:00 p.m.

NAME (PLEASE PRINT)	ADDRESS**
Lee Skabelund	466 E. 200 S.
Jeff Thomas	225 E 800 So
MATT HORLACHER	898 N 700 E
J	
Dale McIntyre	258 E. 200 S
William Ince	1145 N 300 E Ctrvl
Robyn Meeks	

** 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.