

Minutes of the Centerville City Council meeting held Tuesday, January 3, 2017 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor Paul A. Cutler

Council Members Tamilyn Fillmore
William Ince
Stephanie Ivie
George McEwan
Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith, Assistant to the City Manager
Chief Paul Child, Centerville Police Department
Cassie Younger, Assistant City Planner
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

VISITORS

Mark Dimond, Trails Committee Chair
Brandon Federico, Trails Committee
Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

Councilwoman Fillmore

COMMENDATION

Mayor Cutler expressed gratitude to the individuals responsible for clearing snow from City streets, and acknowledged the significant sacrifice made to clear the streets early Christmas morning. He also expressed appreciation to all police and fire officials who sacrifice holiday time to keep the community safe.

OPEN SESSION

Dave Farnsworth – Mr. Farnsworth expressed appreciation for the wonderful efforts to keep the streets free of snow, and congratulated the Parks Department on the beautiful holiday light display in Founders Park. As a member and representative of the Sons of Utah Pioneers (SUP), Mr. Farnsworth expressed concern about the fencing currently restricting access to the plaque placed by the SUP on the County-owned property located on 100 South. He asked the Council to register the concern with the County, with the request that citizens have free and full access to that property. He said he is not aware of any dangerous incident occurring on the property in the last 35 years, and he feels the property should not be posted "No Trespassing".

Wayne Argyle – Mr. Argyle said he lives across the street from the County-owned property on 100 South. He expressed concern that the County-owned parcel of land that has been enjoyed by many as a nature spot could be lost to something that only a few homeowners would enjoy. Mr. Argyle said the property is used extensively by both children and adults for taking walks, crossing the bridge, and enjoying the water cascading over the rocks. The land is important as it is now. The comparable small amount of money gained in a sale, would be nothing compared to the loss of the natural historical site. He referred to the "No Trespassing" signs currently posted, and said he understands the issue of liability. However, in its current

1 state, there is little, if any, upkeep. Mr. Argyle suggested that liability insurance could be
2 acquired at a cost much less than the maintenance on any of Centerville's parks. He suggested
3 the area along 100 South be left as it is, even if Davis County continues the plan to urbanize the
4 area along 200 South.

5
6 Tracy James – Mr. James stated he is a commercial developer. He said he believes the
7 northern half of the County-owned property on 100 South would be very expensive to develop,
8 and he thinks a peace offering could be made. He suggested the County sell the southern half
9 of the property for development, and preserve the northern half. Mr. James said he has made
10 the offer to the County to purchase some of the land at the current asking rate, and also
11 suggested to others in the community that money could be raised to purchase some of the
12 property.

13
14 Lee Skabelund – Mr. Skabelund stated that, as a retiree with the Forest Service, he
15 recognizes the value of natural land. He echoed the expressions of gratitude for the snow
16 plowing. Referring to the County-owned property on 100 South, Mr. Skabelund said he feels
17 good-faith communication has been lacking between the City and the County. He said he feels
18 the property has a lot of opportunity, and he encouraged open communication between
19 representatives of both groups.

20
21 Jennifer Decker – Ms. Decker said it is her understanding that the Council and Mayor
22 are concerned about the lack of available cemetery space, and are looking into options to add
23 or expand burial space. She questioned the financial feasibility of the options under
24 consideration, and expressed concern regarding legal liability. She suggested the proposed
25 wall would be a short-term solution, not a long-term solution. Ms. Decker suggested the Council
26 explore the possibility of utilizing some of the County-owned property on 100 South for
27 expanded cemetery space.

28 29 MINUTES REVIEW AND ACCEPTANCE

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31 The minutes of the December 6, 2016 Council meeting were reviewed. Councilwoman
32 Fillmore made a **motion** to approve the minutes. Councilman Ince seconded the motion, which
33 passed by unanimous vote (5-0).

34 35 SUMMARY ACTION CALENDAR

- 36
37 a. Approve amendments to recording secretary services contracts
38 b. Commence warranty period – Porter Walton Townhomes
39 c. Terminate warranty period – Chick-Fil-A
40 d. Award bid for replacing three submersible pumps and pump column to Nickerson
41 Company in the amount of \$88,738.00

42
43 Mr. Thacker requested that the motion to approve item (d) on the Summary Action
44 Calendar include authorization to participate in a Rocky Mountain Power energy savings
45 agreement. Councilman Ince made a **motion** to approve all four items on the Summary Action
46 Calendar, and include with item (d) the authorization to participate in a Rocky Mountain Power
47 energy savings agreement. Councilman McEwan seconded the motion, which passed by
48 unanimous vote (5-0).

49 50 PUBLIC HEARING – FINAL SUBDIVISION – RAY SUBDIVISION

51
52 On December 14, 2016, the Planning Commission reviewed and recommended for
53 approval the proposed Final Subdivision Plat for the Ray Subdivision located at approximately

233 South 100 East. Cassie Younger, Assistant City Planner, explained the recommendation and answered questions from the Council.

Mayor Cutler opened a public hearing at 7:24 p.m., and closed the public hearing seeing that no one wished to comment. Councilwoman Fillmore made a **motion** to approve the Final Subdivision Plat for the Ray Subdivision, subject to the following conditions and based on the following findings. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. The Final Plat Linen shall meet all standards found in Chapter 15.3 of the Subdivision Ordinance.
2. After the final plat is deemed acceptable by the City Engineer and City Attorney, the developer shall submit the final plat with all required signatures and acknowledgments to the City Recorder for recording with the Davis County Recorder's Office. The developer shall submit an updated title report current within 30 days of recording the plat to the City Recorder along with the final plat.
3. The final construction drawings shall be reviewed and approved by the City Engineer prior to the recommendation of the Subdivision Plat.
4. The developer shall submit a signed public improvements agreement and bond prior to recording the final plat regarding any required public improvements.
5. Developer shall pay all required development, impact and recording fees prior to recording of the final plat.
6. The developer shall remove the shed on Lot 2 prior to the issuance of any building permit within the subdivision.

Findings:

1. The final subdivision plat is in harmony with the General Plan [Section 12-480-52(1)(e)].
2. The new subdivision meets the objectives for development within a Residential-Low Zone [Section 12-30-020(b)(1)].
3. It appears all applicable development standards for development within an R-L Zone have been satisfied [Table 12.32.1].
4. It appears all general requirements for a subdivision have been satisfied [Chapter 15-5].
5. All applicable standards found in the Subdivision Ordinance pertaining to a final subdivision review have been satisfied [Chapter 15-4].

POLICE DEPARTMENT BUSINESS

Police Chief Child explained the need for continual updates to Police Department Policies, and presented revisions to the Physical Fitness Policy. The current policy was drafted and recommended by URMMA several years ago through an extensive validation process. It requires that an employee be terminated or transferred into a non-police officer position if, after several attempts, that employee continues to fail the fitness tests. In the context of the current police officer job market, Chief Child is concerned about retaining his current officers, and therefore would like to back off the termination requirements and use other incentives to encourage compliance.

City Manager Thacker explained that authority for the content and adoption of the Police Policy Manual resides normally with the Police Chief. However, the Council has the authority to

1 override the Chief if they disagree with the content of a Police Department policy. The Council
2 is being apprised of these revisions because the changes could affect the amount of premium
3 paid by the City to URMMA for liability insurance coverage. The increase would be slight, if any,
4 due to this factor. Councilman McEwan suggested the Chief consider the acceptable physical
5 fitness test alternatives used by the military. Chief Child responded that URMMA has indicated
6 they would not acknowledge military physical fitness test alternatives. A majority of the Council
7 appeared to support the change.
8

9 Chief Child explained the proposal to transition an existing position in the Police
10 Department to an Administrative Sergeant position. He explained the proposed duties for the
11 position, and the shift of duties that would occur within the Department. Councilman Ince made
12 a **motion** to approve the proposal to convert a Police Officer position to an Administrative
13 Sergeant position, and support use of Contingency for the transition. Councilwoman Meham
14 seconded the motion, which passed by unanimous vote (5-0).
15

16 COUNTY PROPERTY ON 100 SOUTH STREET

17
18 In March of 2016, County officials attended a City Council meeting and informed the
19 Council that they intend to sell the 2 acres of County-owned property on 100 South, which
20 contains the Deuel Creek channel and sedimentation basin on the north portion. From 1997 to
21 2014 the property was the subject of a lease agreement between the County and Centerville
22 City, allowing the property to be used as a natural open space by City residents. Recently,
23 County employees have fenced the property and posted "No Trespassing" signs.
24

25 Mayor Cutler said he is confident that both the County and the City are willing to work
26 together for the best possible outcome. He said one possibility is to allow the south side of the
27 property to be developed, leaving the north side in a permanent conservation status, possibly
28 deeded back to the City. The desire of residents seems to be to keep the north end in a more
29 natural state. The County would retain responsibility of the stream channel. Councilwoman
30 Meham said she would love to leave the entire property open as a legacy, and she strongly
31 feels the City needs to work with the County. Councilman McEwan said he feels the fence is
32 probably an overreaction, since there is not a history of problems on the property, and working
33 to have the fence removed would be good. Councilwoman Fillmore said she feels the Council
34 missed an opportunity in past discussions by not looking into the possibility of extending the
35 liability agreement. Mayor Cutler showed on a map a suggestion for retaining a public-access
36 path through the north portion of the property. A pathway on the south portion of the property
37 would be more expensive to create.
38

39 Wayne Argyle – Mr. Argyle said he feels the Mayor's suggestion would be something the
40 citizenry would not like. There is an established nature path on the south portion of the property
41 that would not cost anything.
42

43 Ron Schultz – Mr. Schultz described the existing trail on the property, and commented
44 that keeping the existing trail would not cost anything.
45

46 Lee Skabelund – Mr. Skabelund commented that he is experienced at operating trail
47 systems. He said he is confident that area residents would be willing to commit to annual
48 cleanup of the property to minimize maintenance expense.
49

50 Dale Engberson – Mr. Engberson commented that property rights of the homes on the
51 south portion will need to be respected.

1 The Council agreed to proceed with negotiations with the County, with Mayor Cutler
2 taking the lead.

3
4 **MAYOR'S REPORT**

- 5
6 • Mayor Cutler reported that a number of citizens have approached him with concerns
7 about the options being considered to expand the cemetery.
8 • The Mayor reported that he attended two DARE graduations in December.
9 • There have been significant challenges recently with the City website. Councilman
10 McEwan commented that more and more citizens are looking to the internet as their
11 first source for information, and the City needs to have a reliable website, with an
12 established backup plan. The Mayor and Council discussed the City's current
13 provider, and options for improving the situation.
14

15 **CITY MANAGER'S REPORT**

- 16
17 • The Trails Committee has proposed the construction of mountain bike trails on the
18 mountainside. Brandon Federico, a member of the Trails Committee, showed the
19 proposed bike trails on a map. He stated that the Trails Committee is willing to take
20 on responsibility of maintaining the trails. It is intended that bikers would park their
21 vehicles on Island View Drive and access the trail system at that location.
22 Councilwoman Ivie expressed her concern regarding erosion, and said she knows
23 the Island View Drive neighborhood is on high alert because of crime – watching for
24 vehicles that do not belong in the neighborhood. Councilman McEwan stated he
25 would want the gun range property to the east to be well posted to prevent bikers
26 from straying into a dangerous situation. Councilwoman Fillmore said she loves that
27 Centerville has a Trails Committee that is active, and pointed out the possible
28 opportunity to partner with the County. Mayor Cutler suggested Trails Committee
29 representatives join him in a meeting with County representatives. Mr. Federico
30 expressed confidence that the trails could be constructed with volunteer labor and
31 hand tools. Councilman McEwan said he would be interested in knowing what kind
32 of impact similar trail systems have had on liability and emergency responders in
33 other communities. Mayor Cutler commented that, since a portion of the proposed
34 trail system extends into Bountiful, it would make sense to involve Bountiful in
35 discussions. Mark Dimond, Trails Committee Chair, and Mr. Federico indicated they
36 could put together a phased proposal. City Manager Thacker referred to the trail that
37 currently runs through the gun range property, and Councilman Ince agreed that the
38 trail is a problem. Mr. Federico responded that he feels the lack of signage is the
39 problem.
40 • In the past few weeks staff have been working on the Council's directive to study
41 options for increasing burial space at the City Cemetery. Mr. Thacker updated the
42 Council on the options being considered. Mayor Cutler suggested the Council hold a
43 work session to receive a report from staff as well as citizen input. The Council
44 appeared to be in agreement that they would only consider an expansion project if it
45 were cost neutral for the City. Councilman McEwan said he is intrigued by the
46 suggestion to use part of the County-owned property on 100 South as a memorial
47 park and columbarium space. Staff will continue to study the possibilities.
48 • Mr. Thacker updated the Council on the plan to improve parking space at the
49 Whitaker Museum. He explained that the estimated cost for an improved parking lot
50 (without curb and gutter) with approximately eight parking stalls is \$20,000-\$30,000.

- A Summary of Projects/Issues for 2016 and 2017, and an update of the Capital Improvement Program Summary for 2017 are included in the staff report available with the agenda on NovusAgenda.
- A majority of Council members indicated interest in the City hosting an emergency management training meeting, with other cities invited to attend.
- The Council indicated they would like an update from a UTOPIA representative at a future meeting, and an update from Dee Hansen about the Sewer District's biowaste-to-energy project.
- The Council will meet with Legislators in a work session prior to the regular Council meeting on January 17th, and will meet with the Parks Committee in a work session prior to the Council meeting on February 7th.

CLOSED MEETING

At 9:15 p.m. Councilwoman Ivie made a **motion** to move into a closed meeting to discuss the character and competence of individuals. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Mayor; Council members Fillmore, Ince, Ivie, McEwan, and Mecham; Steve Thacker, City Manager; Lisa Romney, City Attorney; Jacob Smith, Assistant to the City Manager; and Katie Rust, Recording Secretary.

The Council returned to regular meeting at 9:40 p.m.

APPOINTMENTS

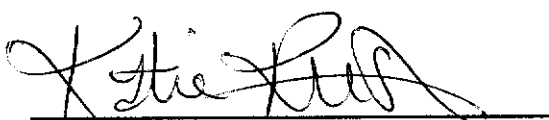
Mayor Cutler recommended the following appointments: reappoint Scott Sappenfield to the Board of Adjustment, and appoint Kevin Merrill and Paula Tew to the Board of Adjustment; reappoint Gina Hurst and Logan Johnson to the Planning Commission; and reappoint Diane Chamberlain to the Whitaker Museum Board. Councilman McEwan made a **motion** to reappoint Scott Sappenfield to the Board of Adjustments and appoint Kevin Merrill and Paula Tew to the Board of Adjustments; reappoint Gina Hurst and Logan Johnson to the Planning Commission; and reappoint Diane Chamberlain to the Whitaker Museum Board. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

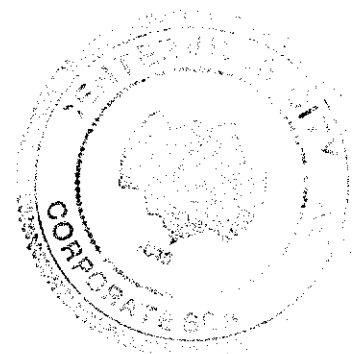
ADJOURNMENT

At 9:43 p.m., Councilman Ince made a **motion** to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).


Marsha L. Morrow, City Recorder

1-17-2017
Date Approved


Katie Rust, Recording Secretary



Tuesday, January 3, 2017
7:00 p.m.

ADDRESS**

BEANOSO FLORENO

222 W 925 14

** 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.