

Minutes of the Centerville **City Council** meeting held Tuesday, July 18 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
Marsha Morrow, City Recorder

STAFF ABSENT

Jacob Smith, Assistant to the City Manager

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

Councilman Ince

Mayor informed the audience that the County Commissioners will stay at the meeting until after the Open Session. If any citizens present would like to ask them any questions, they may do so.

OPEN SESSION

Cami Layton, Centerville, said the citizens of Centerville have been patient with the zoning in our community but they have now had enough. She was referring to the rezone request that is on tonight's agenda for southwest Centerville from Agricultural-Low to Residential-Medium. She said people are leaving Centerville who don't want to live here anymore. She is asking the City Council to think about the long-lasting affect this is having on the city. She will fight against any more Residential-Medium or Residential-High zoning.

Brett Millburn, Centerville, said he is speaking as a resident of this fine city and not in his capacity as a Davis County Commissioner. He said he appreciates the fine work and services that the City Council renders on behalf of the citizens of Centerville. He stated that these are not easy discussions to have and there are two sides to every issue. Decisions need to be made that not only affect us today but for future generations.

Mayor Cutler thanked the Commissioners for their partnership they have with Centerville. The Commissioners left the meeting.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the July 5, 2017 minutes were reviewed. Councilwoman Fillmore made a **motion** to approve the July 5, 2017 City Council meeting minutes. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

- a. Approve commencement of the warranty period for the Maverik Site Plan, effective July 18, 2017
- b. Award bid to M.C. Green & Sons Inc. in the amount of \$29,845 for labor and to Mountainland Supply in the amount of \$11,210.48 for materials for the Chitose Johnson Amended Subdivision waterline

Councilwoman Fillmore made a **motion** to approve the two items on the Summary Action Calendar. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

FINANCIAL REPORT FOR YEAR END PERIOD ENDING JUNE 30, 2017

Steve said the financial report is normally presented later in the meeting, but Steve said Marcus had to be somewhere else tonight as soon as he leaves here, so it was moved up on the agenda to accommodate him. He said this is the financial report for the 12-month period ending June 30. Mr. Thacker said it is not quite the final report due to revenue we don't actually receive until after June 30 and accounts payable that come in after June 30. He explained the performance of the City's revenues are worse than he expected when he prepared the Proposed Budget, particularly in the General Fund. He said the other funds are doing pretty good and Marcus will address those funds. Mr. Thacker said that following the Financial Report from Marcus, he will speak to the attached Summary Page that he has marked up regarding the General Fund.

Marcus Arbuckle, CPA, explained to the City Council the tracking of Cash Position by Fund and the restricted cash as of June 30, 2017. He then went through each Fund, noting revenues and expenditures and how he is tracking the cash and restricted cash in each fund.

Steve recommended that the City Council hold a work session prior to their August 1 meeting to discuss the FY 2017-2018 Tentative Budget before the Council adopts it. He said they can also discuss any concerns with the FY 2017 finances before closing the books on the FY 2017 Budget.

Mayor Cutler said his biggest question is whether the lower than projected revenue is just a Centerville issue because people are shopping more elsewhere or is this a wider trend among the municipalities in our area.

Steve responded that they were overly optimistic on the budget revenue projections, i.e. last two years there was an assumption of 6% and it was more like 4%. Mr. Thacker explained the adjusted Financial Summary and explained some of the shortfalls in revenues. The Council will discuss this and other items at the August 1 work session.

PUBLIC HEARING - ZONE MAP AMENDMENT – PROPERTY LOCATED AT 640 W. PORTER LANE FROM A-L TO R-M, JAMES GRAHAM, APPLICANT

Cory Snyder, Community Development Director, explained the petition received from Mr. James Graham who is interested in purchasing property from Dave Bell. The property is located on Porter Lane, essentially a long parcel situated behind Dave's Auto & Les Swab area. The property is currently zoned Agriculture-Low (A-L). Mr. Snyder said the petitioner desires to acquire the vacant lot and a lot with a home. He said the request of the petitioner is to rezone the property from A-L to Residential-Medium (R-M) with the intent to develop the land into townhomes, which could be an allowed project provided it meets the development allowances in the R-M Zone. The Planning Commission recommended approval of the rezone to the City Council.

1 James Graham, Chad Associates, said he thinks this project follows the General Plan.
2 He said that he with the agricultural zoning it is an island. He thinks this property is a good
3 place to zone to R-M. Mr. Graham said their intent is to build townhomes with designs that
4 would allow baby boomers and millennials a place to live. There is a huge demand in
5 Centerville for this type of housing. He said right now it is 2 acres and they desire to build 16
6 units, which are less units than next door but is the same zoning.

7
8 Mayor Cutler opened the public hearing at 7:49 p.m. and invited anyone who wanted to
9 speak regarding the recommended zoning change.

10
11 Dean Williams, Centerville, said after going through the Brighton Homes project and the
12 Balling project he thought the City Council had concluded there would not be any more zoning
13 to medium or high density. When is it going to end? He said it is not acceptable to put in more
14 R-M zoning in South Centerville. As a homeowner in Centerville and living here all his life, he
15 has just as many rights as anyone else. He said he is not in favor of this rezone.

16
17 Mayor Cutler clarified that the City does not seek for this from property owners. Any
18 owner of private property can bring in a request any time they want. It is the City's responsibility
19 to respond to the application.

20
21 Dale McIntyre, Centerville, said he has looked through the General Plan a couple of
22 times and he believes that it talks about the desire of the citizens of Centerville to have
23 Residential-Low zoning. Mr. McIntyre also brought up the comment Councilman McEwan made
24 regarding the number of citizens who watch the video of the meetings. He suggested if there
25 was a better angle of the camera that took in less space of the Council room, they might get
26 more people to pay more attention to the video.

27
28 Laura Dudley, Centerville, said she is a 20-year resident of Centerville and the last 12
29 years has lived in Shaela Park, which is directly affected by this new development. Their quiet
30 neighborhood is not quiet anymore. Roads have been torn up again and again and patched,
31 therefore they get detoured making it hard to get home. She wants to know who is going to put
32 their street back to its original state. She said putting in new utility lines with the Brighton
33 Development they have incurred water pressure damages and costs in the form of paying for
34 plumbers, parts and inconveniences. She would like to know who should be responsible for
35 these costs. She referred to the parking issues with the Brighton Development. The street is
36 not wide enough and there are no sidewalks within the development. She asked the Council to
37 not make it worse by allowing another medium-density project to go in to an already
38 overcrowded area. There needs to be a change to the zoning in South Centerville and clarify
39 what medium density is.

40
41 Miss Dudley read a letter from Marti Money, a Centerville resident, who could not be in
42 attendance this evening. She thanked the City Council for their work on the Council. She said it
43 is respected and appreciated. This letter is public comment to the proposed rezone request for
44 property located at 640 W. Porter Lane. She said this rezone request is a mistake. It continues
45 the lopsided, high-density development of South Centerville. The Porter Walton Townhomes
46 should be the bookend on this type of housing development on Porter Lane rather than allowing
47 another multi-unit development. It negatively affects the quality of life in our community. She
48 does not support this development. She explained the issues this kind of development causes
49 for their neighborhood. The water pressure has decreased, not enough parking, no curbs
50 marked red. She would like the Council to change the laws to prohibit this kind of zoning in
51 South Centerville. Please vote no to this project and zone Centerville right.

52

1 Heather Strauss, Centerville, thanked the Council for their work in behalf of the citizens
2 of Centerville. She stated that her thoughts and opinions have not changed from the
3 presentation she and Marti Money gave to the Council in November 2016. She quoted from the
4 General Plan and said if this project is allowed to move forward it will negatively affect the
5 quality of life of citizens of South Centerville. She explained the issues this kind of development
6 causes.

7
8 Seeing no one else wishing to speak, Mayor Cuter closed the public hearing at 8:06 p.m.
9

10 Councilman McEwan asked if there had been any reports from Public Works on the
11 water pressure in that area. The Mayor said they needed clarification on whether it is irrigation
12 water or City water pressure. Someone in the audience said it is both.

13 Councilwoman Fillmore said her area has had water pressure problems and she talked
14 with Deuel Creek and they have had major breaks in supply lines. Mayor Cutler said Deuel
15 Creek is having major issues all over, but he was not aware of any City water pressure issues.
16 He asked Mr. Thacker to look into it with Mike and Randy in Public Works.

17 Councilwoman Mecham would like to see more options in their zoning. She didn't feel
18 like she could support this rezone at this time. She would like staff to come back with
19 recommendations of more options in the City's zoning. She felt eight units is too high. She
20 would like to maybe have an option of 5 or 6 units. Councilman McEwan said he thought the
21 City had talked about adding granularity to their zoning, i.e. R-2, R-4. He asked Cory if that had
22 been brought before the Planning Commission. Mr. Snyder indicated that the City Council had
23 said they would address that later.

24 Lisa Romney, City Attorney, said she would like to respond to the suggestion. Ms.
25 Romney said the Council as the Legislative Body does have the authority to amend the Zoning
26 Code as well as the General Plan and to revisit those policies, but when an applicant has filed
27 an application, they have a right to pursue their application in accordance with the ordinances
28 that are in place at the time they file the application. Ms. Romney said her advice would be to
29 review this application in accordance with the existing General Plan policies.

30 Councilman McEwan said he did have a major concern regarding the water pressure
31 issue in the area. If it is not mitigable, that is a significant impact and would like to know more
32 about that from Randy before doing a rezone. That could be a major issue if they have to go in
33 and tear up the streets after the fact because there is not adequate water pressure.

34 Councilwoman Fillmore stated that those were valid points, but the application before
35 them tonight is more of a bigger picture decision. The bigger picture level is the General Plan,
36 which is very general. There are extremely legitimate reasons why the General Plan says this
37 area could be zoned R-L or R-M. Buffering is one of those reasons, which is buffering from the
38 Commercial-Very High Zone in the area. There is a market issue as well as a property rights
39 issue. Councilwoman Fillmore said in response to Ms. Layton's comment earlier, there is a high
40 cost in spreading out. The City has a lot of fiscal challenges, as well as the region and the
41 State. Spreading out could cost cities millions or even billions of dollars for the infrastructure that
42 has to be installed in order to spread out.

43 Councilwoman Mecham said the R-M in between two A-L should not have been
44 approved in the first place, so she felt the City created the problem by approving the R-M zoning
45 earlier for the Porter Walton Townhomes project.

46 Councilwoman Ivie said she is not in favor of buffering just for the sake of buffering. She
47 regrets making that earlier decision to allow R-M zoning in that area. She does not think
48 buffering is ok to the detriment of the people already living there. She said because of the water
49 pressure issue and street issues she cannot agree to approve the rezone at this time.

50 Councilman McEwan responded to the market forces issue that Councilwoman Fillmore
51 addressed. He said there needs to be a balance between the market forces and what is good
52 for the community as a whole. He cited the Sugar House as an example. It used to be a nice
53 place to visit and walk around but is not like that anymore. It is not a desirable place to be

1 anymore. He said although the market needs to be respected the community also needs to be
2 respected.

3 Mayor Cutler thanked the Council for their comments. He said it is a legitimate option for
4 the Council to seek opinions from professionals to unemotionally evaluate if there are issues
5 with the roads, traffic, and water pressure.

6
7 Councilman McEwan made a **motion** to table Ordinance No. 2017-1918 pending review
8 of the water pressure and comments related to traffic congestion and ability to keep the road
9 repaired by Public Works. Councilwoman Ivie seconded the motion.

10
11 There were further comments on whether there had been changes to this property
12 earlier. Cory Snyder responded that this property has not changed. They did change the
13 Haffoka property earlier and the traffic study at that time concluded there would not be a
14 problem with traffic on Porter Lane. Councilman Ince stated he would also like to get a list of
15 complaints filed by the Shaela Park residents and add to the list in the motion safety concerns
16 for surrounding residents on the road. Councilwoman Fillmore would also like in the motion to
17 have this ready to be brought back at the next Council meeting. Councilman McEwan said he
18 doesn't want to put the City Manager in a corner if they are not able to get the information by the
19 next meeting date, but if he can then he agreed. The Council voted unanimously to table
20 Ordinance 2017-18 (5-0).

21
22 **PUBLIC HEARING – ZONING CODE TEXT AMENDMENT – INCENTIVES FOR**
23 **HISTORIC LANDMARK REGISTER**
24

25 Cassie Younger, Assistant Planner, said they were here to discuss incentives for the
26 properties on the Historic Landmarks Register (HLR). The Deuel Creek Historic District was
27 created last year and the City Council approved incentives for the properties located in that
28 District. Owners can get anywhere between 25% and 100% reduction in their Building Permit
29 fee if they are on the Historic Landmarks Register. She said there are approximately 25
30 properties listed on the HLR. The majority of those properties are within the Deuel Creek
31 Historic District, but about 10 are not. Ms. Younger said to be fair they wanted to also offer the
32 incentives to all the homes on the Historic Landmarks Register regardless of whether they are in
33 the Historic District.

34 Mayor Cutler asked about the criteria to get on the HLR list. She said the Planning
35 Commission voted unanimously at their June 28 meeting to approve this text amendment.

36
37 Mayor Cutler opened the public hearing at 8:34 p.m. Seeing no one wishing to comment
38 he closed the public hearing at 8:40 p.m.

39
40 Lee Skabelund, Centerville, said he would mainly like some more information about
41 where the money comes from. Mayor Cutler responded the City charges building permits to
42 recover costs that staff incur. Mr. Skabelund said the City needs to be careful to spend
43 taxpayer's money on things that are most important. He said the oldest LDS Church building in
44 Centerville is not on the National Register but should be. He just wanted the Council to make
45 sure they are spending the taxpayer dollars wisely.

46
47 Assistant Planner Cassie Younger responded that there are 25 properties on the
48 National Register, which is their elite list of historic places and then they have a secondary list
49 which is called Significant Sites. She said the Church that Mr. Skabelund was referring to could
50 most likely be on the Significant Sites list. There are a lot of properties on that list because they
51 are locally historically significant and should be recognized on a list.

52 Councilman Ince made a **motion** to adopt Ordinance No. 2017-19 with regard to
53 expanding the incentive program to historic assets outside of the Historic District.

1 Councilwoman Ivie seconded the motion. The motion passed unanimously by a roll-call vote (5-
2 0).

3
4 **PUBLIC HEARING – REQUEST FOR BUSINESS LICENSE REVOCATION RELEASE**
5 **– TIM FLANERY**
6

7 Mr. Flanery has filed a request for relief from provisions of the Municipal Code that state
8 that once a business license is revoked there is a 12-month waiting period before another
9 license can be issued. The Council recently amended the Municipal Code to provide for some
10 relief in certain circumstances. The new ordinance allows someone who has had their business
11 license revoked to request relief from the 12-month license restriction period under certain
12 circumstances. The request before the Council is from Tim Flanery of Cleaner Image Dry
13 Cleaning wanting the Council to give him some relief of this 12-month period. A copy of Section
14 6.03.102 of the Municipal Code is in the packet which provides the following five criteria for the
15 Council to look at in considering the request for relief:

- 16 1) Must be the first time the license has been revoked;
- 17 2) The person must pay all delinquent business license fees
- 18 3) Pay for pending civil or criminal penalties;
- 19 4) Must be in good standing with the State and pay back taxes; and
- 20 5) Show sufficient evidence that the business meets all fire, health, and police
21 regulations.

22 Ms. Romney suggests the Council let Mr. Flanery present his case to them and ask him any
23 questions to make a decision. The Council will then need to have a public hearing to see if there
24 is anyone to speak about this request and then the Council can make a decision or ask staff any
25 further questions.

26 Mr. Flanery said he feels he has met these stipulations. This is his first offense. He has
27 proof of paying the civil penalties. He will pay the City what he owes regarding his business
28 license. He has a letter from the State saying he is in good standing and that his EIN is active.
29 He explained the agreement he has with the State—i.e. that as long as he paid his current taxes
30 he could pay \$400 a month toward his previous taxes to get them paid off. He contacted the
31 Fire Department and they said he is current on his last inspection. The Health Department had
32 no concerns. He has no equipment in there and does not have any plans to ever put it in. He
33 appreciates the opportunity to get back on his feet.

34 Mayor Cutler opened that public hearing at 8:56 p.m. and closed the public hearing
35 seeing no one wishing to comment.

36 Lisa Romney said the City Ordinance does require written findings and a written decision
37 to provide to the petitioner and the business license official. She said she sent out a draft of
38 proposed Findings and Decision if the City Council is inclined to approve this request. The only
39 additional conditions would be that he has to pay his business license fees before it can be
40 reinstated. The Council also needs to determine the period they will grant relief. The revocation
41 date was officially May 9, so the Council can decide if they want to wait 2 months or 6 months,
42 for example, from that date. She also said Mr. Flanery needs to provide the Justice Court
43 evidence of this new business license by August 10.

44 Councilwoman Fillmore asked if he had paid his business fees to the City. Ms. Romney
45 said he had not paid them yet, but is willing to pay them. There was concern that he would think
46 he had a business license if he paid them, so we wanted to wait until the Council had rendered
47 a decision. Councilwoman Fillmore wanted to know if he was still operating his business even
48 though his license was revoked. Ms. Romney said the criminal citation for operating a business
49 without a license was issued just for that specific day and he has paid the Justice Court the
50 penalty. She also said they have not issued any more citations since the initial citation and she
51 can't speak to what he has done since then. Councilwoman Fillmore said she didn't feel Mr.
52 Flanery complied with the revocation of his license if he has still been operating without a
53 license. She doesn't feel comfortable voting in favor of this request.

1 Mayor Cutler said his opinion is that staff worked with Mr. Flanery to find a solution. He
2 thinks Mr. Flanery has shown significant effort to try and remedy this issue and get back into
3 compliance. He supports the Council to give him another opportunity to have a legally opened
4 business and have a license.

5
6 Councilman Ince made a **motion** to implement the provisions of the License Revocation
7 Restriction for Mr. Flanery's benefit so that he can finish paying off all of the fees, and upon
8 payment of all fees, he can be given a business license again under this revised Ordinance;
9 including the Findings and Decision provided by the City Attorney and the conditions she
10 recommended; and that the period of time that has passed from when his license was
11 suspended to be two months. Councilwoman Ivie seconded the motion.

12
13 Councilwoman Fillmore said she thinks it is good to have this Ordinance in place but she
14 feels like the way they are going about it they are setting an expectation and precedent. One
15 other thing that concerned her was that there was no physical evidence with the staff report of
16 all of the conditions being met before this meeting. She said that she didn't feel like the effort
17 was there to provide this information prior to the meeting.

18
19 Mayor Cutler called for a vote on the motion by a roll-call vote. The motion was passed
20 by a 3-1 vote. Councilwoman Fillmore cast the no vote and Councilman McEwan recused
21 himself from voting.

22
23 **MUNICIPAL CODE AMENDMENTS TO ENACT CHAPTER 8.04 – WHITAKER**
24 **MUSEUM PROPERTY**

25
26 Lisa Romney, City Attorney, explained the proposed Municipal Code Amendments. It is
27 a City initiated amendment, which essentially started with the Museum Board. They wanted to
28 be recognized in the Municipal Code as a public asset. She said in Title 8 there is the cemetery
29 and the parks and they wanted to add another chapter that specifically addressed the Whitaker
30 Museum. Ms. Romney said she prepared Ordinance 2017-20 enacting Chapter 8.04 of the
31 Municipal Code. She said since this is a Municipal Code amendment it does not require a public
32 hearing, but there are representatives from the Museum Board present. The Council may wish
33 to provide the Museum Chair, Spencer Packer, an opportunity to speak to this proposal.

34
35 Mayor Cutler invited Spence Packer, Museum Director to make any comments he would
36 like.

37 Spencer Packer thanked the Council for considering this amendment to the Code and
38 staff's time in getting to this point. The Board reviewed it several times and made tweaks to it.
39 This is an important step to give them a legal nitch in the City that they haven't had in the past.
40 Mr. Packer thanked the Council for their consideration.

41 Councilwoman Fillmore stated that she was grateful for active Boards, Committees and
42 Commissions that will do the work and bring it forward to improve our ordinances. She thanked
43 Mr. Packer.

44
45 Councilwoman Mecham made a **motion** to adopt Ordinance No. 2017-20 enacting
46 Chapter 8.04 of the Centerville Municipal Code. Councilwoman Ivie seconded the motion and
47 motion passed unanimously (5-0).

48
49 Councilwoman Ivie thanked Lisa Sommer and Lisa Romney as well as Chair Packer and
50 the Whitaker Board for all their effort and hard work to get this accomplished. It has been years
51 in the making and she is grateful for their efforts.

52
53 The Council took a five minute break at 8:59 p.m.

DISCUSS PROPOSED MAIN STREET SIGN ORDINANCE AMENDMENTS

Councilwoman Fillmore stated she would like the Planning Commission to consider an amendment to the Sign Ordinance. She suggests the Planning Commission review the Main Street section that allows one exception situation where electronic signs are allowed. She said she would like to eliminate that as a loophole. She also suggests placing a TZRO on Main Street pertaining to the Sign Ordinance while it is being discussed by the Planning before coming back to the City Council. Councilwoman Fillmore made a **motion** to send to the Planning Commission the direction to revisit this section as soon as possible. George McEwan seconded the motion.

Councilwoman Ivie does not want to give the Planning Commission any assignments until the zoning issues have been resolved. She said she didn't see the electronic sign issue as being more pressing at this time.

Councilman Ince said it's not that simple. It will take time to revisit the sign ordinance.

Councilwoman Fillmore quoted from the Sign Ordinance. She said this is the entrance to our Historic District and there have been many discussions on how to preserve the character of our community. She said she feels this would be a simple way to would help preserve his character of the Historic District.

After further discussion the Mayor called for a vote on the motion. Councilman Ince said he is not supportive of the motion because he would like the City to have a nice monument sign to give information to the public. If they are done nicely he didn't see a problem with them.

The Mayor asked for a roll-call vote. The motion failed by a 4-1 vote. Councilmembers Ince, McEwan, Ivie and Mecham voted nay.

MAYOR'S REPORT

- FIRE SERVICE AREA REPORT – The Mayor reported they had a Fire Board meeting yesterday and this continues to be a challenging time for fire service. He reminded the Council of the Open House tomorrow night at 6:00 p.m. here at City Hall. They've had very light attendance at the two previous open houses. Mayor Cutler said he attached to the packet a proposed rendering of the Centerville Station. They are considering doors that fold together to allow the trucks to go in and out.
- UTOPIA/UIA financial reports – Mayor Cutler said he didn't have anything new on UTOPIA/UIA. The financial reports are attached.
- Mayor Cutler did want to provide an update about the Tingey pavilion. The Tingey family wants to donate for the building of a pavilion with the stipulation that it be named the Tingey Family Pavilion in honor of their parents. The family has given verbal approval for the family to donate \$50,000 toward the pavilion.

John Higginson asked to postpone his report about the solid waste district until September.

CITY MANAGER'S REPORT

Steve Thacker, City Manager, said the Council may need to amend the Tentative Budget to include the proposed property tax increase in order to make it available for the 10-day period for public review before the public hearing on August 8.

Councilman McEwan said he would like to error on the side of caution and hold a special meeting to make sure they comply with the 10-day notice requirement. After further discussion

1 the Council decided to hold a special meeting on Tuesday, July 25 at 6:00 p.m. The Mayor said
2 he will be out of town but they could still hold the meeting. Mayor Pro Tem Stephanie Ivie will be
3 Chair at the meeting.
4

5 **MISCELLANEOUS BUSINESS**
6

7 Councilwoman Mecham said she has been getting a lot of pressure regarding a
8 cemetery. She thought a small park could be put by the DI and have the current cemetery
9 expand into Island View Park. She would like to have a work session to discuss this. The
10 Council appeared willing to hold this work session in September.
11

12 **ADJOURNMENT AND CLOSED MEETING**
13

14 At 9:50 p.m., George McEwan made a **motion** to adjourn the regular meeting and move
15 to a closed meeting to discuss the character, professional competence, or physical or mental
16 health of an individual.
17

18 In attendance at the closed meeting were: Paul A. Cutler, Mayor; and Council members
19 Fillmore, Ince, Ivie, McEwan, and Mecham; Steve Thacker, City Manager; Lisa Romney, City
20 Attorney.
21

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

8-1-2017

Date Approved



CENTERVILLE CITY COUNCIL MEETING

Tuesday, July 18, 2017
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Heather Strasser

434 S 600 W

Barbara Finn

458 S 675 W

Aidan Houbeng

177 W 200 N

Laura Dudley

446 S. 675 W.

Lisa Astling

104 W 780 S

James Astling

104 W 780 S

Porter Randall

60 W 780 S

Richard Ford

568 E 550

Sharon Ford

" " "

Xander Kjar

801-982-0641

Tim Flavery

801-309-5979

Fred Millburn

801-510-7776

Lee Strabelund

460 E 200 S.

Dale McIntyre

259 E. 200 S.

STEVE TENA ALLEN

133 ROCK MARR DR

Angella Brown

88 W 50 S

Spencer Cook

581 Valley Dr

Gregor March

874 E 725 S.

Janae Werry

851 216 Canyon Breeze 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.

Marsha Morrow

From: Marti Money <martimoney@yahoo.com>
Sent: Tuesday, July 18, 2017 3:49 PM
To: George McEwan; Tami Fillmore; Bill Ince; Mayor; Stephanie Ivie; Robyn Mecham
Cc: Zone Right
Subject: Public Comments RE: 640 W. Porter Lane Zoning Map Amendment

Dear Members of the Centerville City Council and Mayor Cutler,

Thank you for your work on the Council. It is respected and appreciated.

Please accept this letter as public comment regarding the proposed Zoning Map Amendment at 640 W. Porter Lane. Please know that with all due respect to the work of city staff and the Planning Commission, this zoning amendment is a mistake. It continues the lopsided, highly-dense development of South Centerville. It disproportionately affects the neighborhoods around Porter Lane.

With the Porter-Walton Townhomes nearly complete, that project should be the bookend to this housing type on Porter Lane, rather than turning the page for another multi-unit development. The reason for my lack of support is the same as has been explained to this Council at the kind invitation of Councilmembers Mecham and Ince last fall. It negatively affects the quality of life in our community. Because a developer asks for a change does not obligate the Council to grant it when it negatively affects the quality of life of our city's residents. Time will be the greatest indicator of how this area is being over-built as a revolving door neighborhood. But NOW is the time to do something about it.

The proposed project will undoubtedly be riddled with the same problems we see at Porter-Walton Townhomes—too many homes on too narrow streets, not enough parking, lack of sidewalks, lack of useable greenspace, access that inhibits fire safety and emergency responders. There are no red curbs or posted signs about parking restrictions in the development. Cars are often parked on those streets. The water pressure in the nearby neighborhood has decreased. These issues should sound very familiar. I again BEG the Council to address these issues at an ordinance level. Change the laws, and you will change how developers can negatively affect our community.

Porter Lane already has its fair share of medium-density housing. Please vote no to this project and ZONE CENTERVILLE RIGHT.

Thank you,

Marti Money

938 N. 500 W.
Centerville, UT
801-336-7806

Minutes of the Centerville City Council **work session** held Tuesday, July 18, 2017 at 5:40 p.m. in the Centerville City Council Chambers, 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
Marsha Morrow, City Recorder

STAFF ABSENT

Jacob Smith, Assistant to the City Manager

VISITORS

County Commissioner Jim Smith, Commission Chair
County Commissioner Randy Elliot
County Commissioner Brett Milburn, (arr. 5:52 p.m.)

Work Session with Davis County Commissioners

Mayor Cutler thanked the Commissioners for coming to discuss a few items of concern. After introductions, Mayor Cutler said that they had a few things to discuss with the Commissioners and then the Commissioners could discuss other items as well.

Library/Park land swap

Mayor Cutler said the City is interested in the possibility of a land swap with the County regarding the land owned by the City on which the Centerville Library sits with the County owned land of part of Founders Park. Mayor Cutler said they have been discussing this possibility for several years. Steve Thacker, City Manager said he thought they were the about same acreage. The three Commissioners indicated that could be something that they could explore. Councilwoman Mecham wanted to know if there would be any hidden consequences in doing the swap. Commissioner Smith said he could not think of any, but that would be part of the discussion in exploring the request.

Foothills recreation planning

Mayor Cutler said they had some discussions with the County at one time about foothills recreation planning. At that time there was an agreement to work with the County because a significant portion of the hillside is County property. He said it was his recollection the County was going to do a master plan for all the foothills and the City's Trails Committee was providing input into that master plan. The County was going to take the lead on the master plan.

There was some discussion on the Firebreak Road and who is responsible for the maintenance and fixing of portions of that road in the various cities. There are portions of that road that are in Centerville that need to be fixed. Councilwoman Fillmore asked about the Deuel Creek Trail and the Gun Range. Mayor Cutler said the City wants to work with the County on creating a plan for the hillside. There was some discussion on making the trailheads better and Councilman Ince brought up the related problems for citizens that live in the area of the trailheads, i.e. parking, safety, etc. Commissioner Smith asked if the City had a vision for the hillside.

1 Councilwoman Fillmore indicated that the Trails Committee has a vision. Mayor Cutler said the
2 City does not want residential development on the hillside. The trails in Centerville are used quite
3 frequently and the trails should be available for our citizens and others for their enjoyment.
4 Commissioner Elliott said the Firebreak Road extends from North Salt Lake up to South Weber.
5 The County and the various cities need to meet to discuss what the plan would be.

6
7 Commissioner Millburn joined the meeting at 5:52 p.m.

8
9 **100 South Property**

10
11 Commissioner Millburn displayed a map showing the three lots proposed for the 100 South
12 property and explained the easements related to the lots. He said each lot is 1/3 of an acre. The
13 City will need to have Kevin Campbell, City Engineer, and Randy Randall, Public Works Director,
14 review and comment on the map. Lisa Romney, City Attorney said the Public Works Director said
15 there is a dam breach pipe on the property.

16 Lisa Romney, City Attorney explained the County prefers to deed the 8 to 10 feet of
17 property to the City for a pathway from 200 South, rather than by easement. The Mayor said there
18 have been several revisions made to the Agreement between the City and the County but think
19 they are now in agreement on the language. The County wants to take one more look at the
20 agreement with all the exhibits before making the final decision. Miss Romney said once the
21 Agreement has been finalized and signed, the County will have 30 days to remove the fence and
22 10 days to give the City a recorded copy of the document.

23
24 **Proposition One Grant Program**

25
26 The City would like to know what the County's priorities are for the Proposition One grant
27 money. Commissioner Millburn said what they will be looking for in the applications is if the project
28 would have a more regional impact than just benefitting individual cities. The County wants the
29 projects to benefit more people in Davis County. They will also consider how much the cities are
30 willing to share in the cost.

31 Steve Thacker explained what projects they specified in their Letters of Intent:

- 32 • Sidewalk repairs/replacement
- 33 • Bus stop improvements
- 34 • Legacy Parkway trail restroom
- 35 • Hillside access/trailhead access

36
37 Commissioner Millburn provided feedback that the County is looking for projects of
38 regional significance, and sidewalk repairs within a city are a city responsibility and would not
39 score well.

40
41 Councilman Bill Ince mentioned a complaint he received from a citizen regarding hillside
42 vandalism by the petroglyphs on the hillside. He would like to know whose responsibility it is to fix
43 it. He said the citizen also complained about dogs running wild on the hillside. Commissioner
44 Elliott said it depends on who owns the land. There is only one Forest Service enforcement officer
45 for several counties in our area.

46
47 At 6:40 p.m. Mayor Cuter asked if there were any citizens that had questions for the
48 Commissioners. Lee Skabelund, Centerville citizen, said he didn't have a question but had a few
49 comments on trails. He said anytime a trail is opened you can expect issues. He said it would
50 be better to have multi-purpose trails that would benefit all citizens and not just certain groups.
51 Mr. Skabelund said the Forest Service is not carrying their share of taking care of the land.
52

1 Mayor Cutler expressed appreciation to the Commissioners for their time in attending the
2 work session and for the comments. The City appreciates the good partnership they have had
3 with the County over the years.

4
5 **ADJOURNMENT**

6
7 The work session was adjourned at 6:52 p.m.

8
9
10 
11 Marsha L. Morrow, City Recorder

8-1-2017

Date Approved



CENTERVILLE CITY COUNCIL MEETING

Tuesday, July 18, 2017
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Heather Strasser

434 S 600 W

Barbara Finn

458 S 675 W

Aidan Houbeng

177 W 200 N

Laura Dudley

446 S. 675 W.

Lisa Astling

104 W 780 S

James Astling

104 W 780 S

Porter Randall

60 W 780 S

Richard Ford

568 E 550

Sharon Ford

" " "

Xander Kjar

801-982-0641

Tim Flavery

801-309-5979

Fred Millburn

801-510-7776

Lee Strabelund

460 E 200 S.

Dale McIntyre

259 E. 200 S.

STEVE TENA ALLEN

133 ROCK MARR DR

Angella Brown

88 W 50 S

Spencer Cook

581 Valley Dr

Gregor March

874 E 725 S.

Ja Janae Wrry

851 216 Canyon Breeze 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.

Marsha Morrow

From: Marti Money <martimoney@yahoo.com>
Sent: Tuesday, July 18, 2017 3:49 PM
To: George McEwan; Tami Fillmore; Bill Ince; Mayor; Stephanie Ivie; Robyn Mecham
Cc: Zone Right
Subject: Public Comments RE: 640 W. Porter Lane Zoning Map Amendment

Dear Members of the Centerville City Council and Mayor Cutler,

Thank you for your work on the Council. It is respected and appreciated.

Please accept this letter as public comment regarding the proposed Zoning Map Amendment at 640 W. Porter Lane. Please know that with all due respect to the work of city staff and the Planning Commission, this zoning amendment is a mistake. It continues the lopsided, highly-dense development of South Centerville. It disproportionately affects the neighborhoods around Porter Lane.

With the Porter-Walton Townhomes nearly complete, that project should be the bookend to this housing type on Porter Lane, rather than turning the page for another multi-unit development. The reason for my lack of support is the same as has been explained to this Council at the kind invitation of Councilmembers Mecham and Ince last fall. It negatively affects the quality of life in our community. Because a developer asks for a change does not obligate the Council to grant it when it negatively affects the quality of life of our city's residents. Time will be the greatest indicator of how this area is being over-built as a revolving door neighborhood. But NOW is the time to do something about it.

The proposed project will undoubtedly be riddled with the same problems we see at Porter-Walton Townhomes—too many homes on too narrow streets, not enough parking, lack of sidewalks, lack of useable greenspace, access that inhibits fire safety and emergency responders. There are no red curbs or posted signs about parking restrictions in the development. Cars are often parked on those streets. The water pressure in the nearby neighborhood has decreased. These issues should sound very familiar. I again BEG the Council to address these issues at an ordinance level. Change the laws, and you will change how developers can negatively affect our community.

Porter Lane already has its fair share of medium-density housing. Please vote no to this project and ZONE CENTERVILLE RIGHT.

Thank you,

Marti Money

938 N. 500 W.
Centerville, UT
801-336-7806