

1 Minutes of the Centerville City Council meeting held Tuesday, February 20, 2018 at 7:00 p.m.
2 at Centerville City Hall, 250 North Main Street, Centerville, Utah.
3

4 **MEMBERS PRESENT**

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6 Mayor Clark Wilkinson

7
8 Council Members Tamilyn Fillmore
9 William Ince
10 Stephanie Ivie
11 George McEwan
12 Robyn Mecham
13

14 **STAFF PRESENT**

15 Steve Thacker, City Manager
16 Lisa Romney, City Attorney
17 Jacob Smith, Management Services Director
18 Cory Snyder, Community Development Director
19 Cassie Younger, Assistant Planner
20 Paul Child, Centerville Police Chief
21 Marcus Arbuckle, Keddington & Christensen
22 Bruce Cox, Parks and Recreation Director
23 Katie Rust, Recording Secretary

24 **VISITORS**

25 Jeff Bassett, South Davis Metro Fire Chief
26 Interested Citizens (see attached sign-in sheet)

27 **PRAYER OR THOUGHT**

Councilwoman Fillmore

28
29 **PLEDGE OF ALLEGIANCE**

30
31 **OPEN SESSION**

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33 No one wished to comment.
34

35 **MINUTES REVIEW AND ACCEPTANCE**

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37 The minutes of the February 6, 2018 work session, Council meeting and closed meeting,
38 and February 13, 2018 Special Meeting were reviewed. Amendments were requested to the
39 February 6 work session and regular Council meeting minutes, as well as the February 13
40 Special Meeting minutes. Councilwoman Fillmore made a **motion** to approve the February 6
41 closed meeting minutes, and the February 6 work session and Council meeting and February
42 13 Special Meeting minutes as amended. Councilman Ince seconded the motion, which passed
43 by unanimous vote (5-0).
44

45 **SUMMARY ACTION CALENDAR**

- 46
47 a. Amendment No. 2 to Interlocal Agreement for Animal Control Services – Resolution
48 No. 2018-09
49 b. Appointment to Wasatch Integrated Waste Management Board – Resolution No.
50 2018-10
51 c. Reschedule March 20 City Council meeting to March 21

Councilwoman Fillmore made a motion to approve all three items on the Summary Action Calendar, including Resolution No. 2018-09 and Resolution No. 2018-10. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ZONE CODE AMENDMENTS – “CATERING, GENERAL” AND “CATERING, LIMITED” DEFINITIONS AND TABLE OF USES

In November of 2017, the Planning Commission and City Council voted to approve a new definition of the use “Catering, Limited” and allow the use as a Conditional Use in Commercial-Medium Zones with an approved application. The City Council directed staff and the Planning Commission to examine Catering use beyond the scope of the original request and incorporate a broader definition into the rest of the Table of Uses in other zones. Cassie Younger, Assistant Planner, presented to the Council the Table of Uses for “Catering, General” and “Catering, Limited” recommended by the Planning Commission. Ms. Younger explained that staff suggested limiting “Catering, General” to Industrial Zones, but the Planning Commission chose to recommend Conditional Use in Commercial-Very High Zones. Councilwoman Fillmore said she agrees with staff’s recommendation to limit “Catering, General” to Industrial Zones.

Mayor Wilkinson opened a public hearing at 7:20 p.m., and closed the public hearing seeing that no one wished to comment. Councilman McEwan stated he would prefer to restrict industrial levels of traffic to Industrial Zones. Councilwoman Fillmore made a motion to approve Ordinance No. 2018-06 regarding Zoning Code Amendments for “Catering, General” and “Catering, Limited” including amendments to CZC 12.12.040 regarding Definitions and CZC 12.36.040 regarding Table of Uses as presented, with the change that “Catering, General” is not permitted in C-VH Zones. Councilwoman Ivie seconded the motion, which passed by majority vote (4-1), with Councilman Ince dissenting.

Commercial Uses	Zones					
	Commercial- Medium (C-M)	Commercial- High (C-H)	Commercial- Very High (C-VH)	Industrial- Medium (I-M)	Industrial- High (I-H)	Industrial- Very High (I-VH)
Catering, General	Not permitted	Not permitted	Not permitted	Permitted	Permitted	Permitted
Catering, Limited	Conditional	Conditional	Permitted	Permitted	Permitted	Permitted

PUBLIC HEARING – MUNICIPAL CODE AND ZONING CODE AMENDMENTS – HOME OCCUPATIONS

In the 2017 General Session, the Utah Legislature adopted S.B. 81 restricting a municipality’s authority to charge a business license fee for home based businesses, unless the combined offsite impact of the home-based business and the primary residential use materially exceed the offsite impact of the primary residential use alone. Mr. Snyder made the following recommendation to the Council:

- Maintain requirement for Home Occupation to be licensed by the City to help home businesses to comply with local and state regulations.
- Amend the Municipal Code’s Business License Ordinance to eliminate a license fee, which will also eliminate the annual license renewal fee.

- Amend the Zoning Ordinance to require a "permitted use review and permit" for zoning compliance purposes – a one-time review with a fee to cover costs for zoning compliance review and approval.

Prior to adoption of S.B. 81, Centerville charged an annual \$40 business license fee for home occupations. Staff recommends a one-time home occupation zoning compliance review fee of \$75 for permitted use and \$150 for conditional use. Councilwoman Mecham expressed concern that switching from a business license fee to a zoning compliance review fee feels like trying to get around what the State was trying to do. Ms. Romney explained the intent of S.B. 81, which does not prevent regulation of zoning and use. Councilwoman Fillmore said she feels it would be irresponsible to not charge a fee to cover administrative costs. Mr. Snyder clarified that only new business license applications would be subject to the zoning compliance review.

Mayor Wilkinson opened a public hearing at 7:48 p.m., and closed the public hearing seeing that no one wished to comment. Ms. Romney suggested the Council authorize staff to look into adding language that would limit permits for home occupation to make them non-transferable to any other person or property, and expire after twelve months of continuous non-use.

Councilwoman Fillmore made a **motion** to approve Ordinance No. 2018-05 regarding Municipal Code and Zoning Code Amendments for Home Occupations as set forth in CMC 6.01.070 and CZC 12.62, and authorize staff to add language that would limit permits for home occupation to make them non-transferable to any other person or property, and expire after twelve months of continuous non-use. Councilwoman Ivie seconded the motion. The Council and staff discussed existing home occupations in Centerville. The motion passed by majority vote (4-1), with Councilwoman Mecham dissenting.

PUBLIC HEARING – ZONING CODE AMENDMENTS – CHICKEN AND RABBIT PERMITS

In 2010, the City Council passed an ordinance that allows residents to raise up to ten chickens and rabbits (combined total) in Residential-Low Zones. The ordinance requires an initial permit application with a fee of \$10, and an annual permit renewal fee of \$5. The intent and purpose of the permit is for the city to have a list of names and addresses of those who keep these animals in the case of any disease outbreak or neighborhood complaint. A permit also ensures the owner is aware of regulations regarding chickens and rabbits.

Ms. Younger stated it has been brought to the attention of staff that the annual renewal is burdensome for owners. In response, staff suggests the Council require an initial permit with a cost of \$10-\$20, and eliminate annual permit renewal. The downside of eliminating annual permit renewal is that the city would not have a running list of who currently has chickens in their yard. The Planning Commission suggested staff contact the permit holders annually to see if the permit holders still have their chickens and rabbits and how many. There would be no fee associated with this survey.

Councilman Ince argued against reducing requirements considering the nuisance to both owners and neighbors of flies that often accompany chickens. Councilman McEwan said he agrees with charging an initial permit fee, but he cannot see that chicken owners receive tangible benefit or service from an annual renewal fee. At 8:08 p.m., Mayor Wilkinson opened a public hearing, and closed the public hearing seeing that no one wished to comment. As Council liaison to the Mosquito Abatement Board, Councilman McEwan pointed out that West

1 Nile Virus travels through the bird population. He agreed that tracking and maintaining contact
2 with the owners is important.
3

4 Councilwoman Ivie made a **motion** to adopt Ordinance No. 2018-04 regarding Zoning
5 Code Amendments for Chicken and Rabbit Permits, including amendments to CZC 12.55.240.
6 Councilwoman Mecham seconded the motion. Ms. Younger stated the city has about 30 active
7 Chicken and Rabbit Permits, and 10-15 that have been closed out over the years. The motion
8 passed by majority vote (3-2), with Councilmembers Ince and Fillmore dissenting.
9

10 **FEE SCHEDULE AMENDMENTS**

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12 Ms. Romney explained proposed Fee Schedule Amendments regarding Chicken and
13 Rabbit Permits and Home Occupations. Councilwoman Fillmore made a **motion** to adopt
14 Resolution No. 2018-05 approving amendments to the Centerville Fee Schedule regarding
15 Chicken and Rabbit Permits, setting a \$20 one-time permit fee and no renewal fee. Councilman
16 Ince seconded the motion, which passed by unanimous vote (5-0). Councilman Ince made a
17 **motion** to adopt Resolution No. 2018-06 approving amendments to the Centerville Fee
18 Schedule regarding Home Occupations. Councilwoman Fillmore seconded the motion, which
19 passed by unanimous vote (5-0).
20

21 **FINANCIAL REPORT**

22
23 Marcus Arbuckle, the City's contract CPA adviser, presented a financial report for the
24 seven-month period ending January 31, 2018, and answered questions from the Council. Mr.
25 Thacker recommended distribution of the Personnel Contingency in the General Fund – and a
26 portion of the City Council's Contingency – to offset the impact of retirements, annual cash-outs
27 of paid leave, and other personnel actions. Following discussion, Councilman Ince made a
28 **motion** to transfer from Council Contingency to Personnel Contingency enough to cover the
29 shortfall and leave \$5,000 in Personnel Contingency. Councilman McEwan seconded the
30 motion, which passed by unanimous vote (5-0).
31

32 The Council took a break at 8:56 p.m., and returned at 9:08 p.m.
33

34 **PROPOSED RECRUITMENT STRATEGIES FOR POLICE OFFICERS**

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36 Police Chief Child described the current tight market for hiring police officers. He
37 proposed the possibility of hiring a police academy applicant and putting that person on the
38 payroll while attending the academy. A number of law enforcement agencies are using this
39 strategy. Chief Child said he is aware of an individual, already known and respected by the
40 Department, who desires to attend the academy and become a police officer. Councilwoman
41 Ivie expressed her approval, and stated she is willing to provide whatever tools needed to
42 maintain a quality Police Department. Councilman Ince made a **motion** to approve the
43 proposed recruitment strategy, on an as-needed basis, subject to agreement by the City
44 Manager. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-
45 0).
46

47 **REQUEST FOR USE OF RAP TAX CONTINGENCY FUNDS**

48
49 Bruce Cox, Parks and Recreation Director, introduced Matt Layton, Baseball Program
50 Coordinator. Mr. Layton presented funding requests for the baseball program. He reported the
51 program has grown to involve about 500 kids per season, with 4,000 – 5,000 Centerville citizens

1 at the park for games each week. The first priority on the list is new homerun fences (estimated
2 cost of \$7,624.94), and the second priority is batting cages (\$3,889.99). Mr. Cox commented
3 that the Parks and Recreation Committee reviewed and voted unanimously to support the
4 request for use of RAP Tax Contingency funds.
5

6 Mr. Thacker stated approximately \$8,400 in RAP Tax Contingency funds is available.
7 Councilman McEwan made a **motion** to approve the purchase of homerun fences with up to
8 \$8,000 of RAP Tax Contingency. Councilwoman Mecham seconded the motion, which passed
9 by unanimous vote (5-0).
10

11 MAYOR'S REPORT

- 12
- 13 • A bid to remodel the Bountiful Fire Station was recently approved by the South Davis
- 14 Metro Fire Board.
- 15 • Mayor Wilkinson reported on the Lunch with the Mayor program.
- 16 • The Mayor updated the Council regarding UTOPIA/UIA.
17

18 CITY COUNCIL LIAISON REPORT

19
20 Councilwoman Fillmore updated the Council on the South Davis Recreation District and
21 the Parks and Recreation Committee. She suggested a City-wide parks analysis and plan
22 would be beneficial, which could possibly be done by university students.
23

24 CITY MANAGER'S REPORT

- 25
- 26 • The Council will meet in a joint work session with the Planning Commission on
- 27 Wednesday, February 21, at 6:30 p.m.
- 28 • The Council scheduled a RDA work session on March 6 prior to the regular Council
- 29 meeting.
- 30 • A majority of the Council agreed with expanding the waste collection services RFP to
- 31 include the option of up to five days per week to get the best price as long as all
- 32 garbage is collected each week.
- 33 • Mr. Thacker updated the Council regarding wetlands issues at Community Park,
- 34 which the Army Corps of Engineers is reviewing. The City has not implemented a
- 35 mitigation plan approved in 1990. Mr. Thacker and Bruce Cox recently became
- 36 aware of the full scope of this plan.
37

38 APPOINTMENT

39
40 Based on recommendation from the Mayor, Councilman Ince made a **motion** to
41 reappoint Brandon Federico to a second term on the Trails Committee, and reappoint Jack
42 Dellastatious to the Centerville Community Foundation. Councilman McEwan seconded the
43 motion, which passed by unanimous vote (5-0).
44

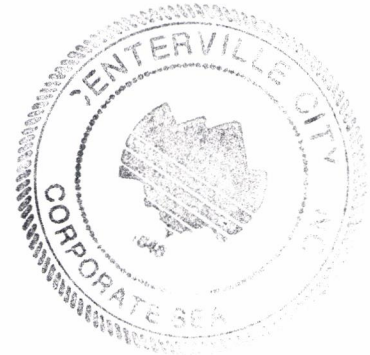
45 ADJOURNMENT

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47 At 10:31 p.m., Councilman Ince made a **motion** to adjourn the meeting. Councilwoman
48 Fillmore seconded the motion, which passed by unanimous vote (5-0).

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4
5 Mackenzie Wood
6 Mackenzie Wood, City Recorder

3-6-18
Date Approved

7
8
9
10 Katie Rust
Katie Rust, Recording Secretary



CENTERVILLE CITY COUNCIL MEETING

Tuesday, February 20, 2018
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

STEVE ALLEN

** 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.