

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON DECEMBER 4, 2018 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Jacob Smith, Centerville Management Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. Upon request, a citizen may obtain (without charge) the City Manager's memo summarizing the agenda business, **or may read this memo on the City's website: <http://centerville.novusagenda.com/agendapublic>.**

Tentative - The times shown below are tentative and are subject to change during the meeting.
Time:

6:00 **RDA/ACB Meeting**

7:00 **A. ROLL CALL**

(See City Manager's Memo for summary of meeting business)

B. PRAYER OR THOUGHT

Councilwoman Mecham

C. PLEDGE OF ALLEGIANCE

7:05 **D. OPEN SESSION (This item allows for the public to comment on any subject of municipal concern, including agenda items that are not scheduled for a public hearing. Citizens are encouraged to limit their comments to two (2) minutes per person. Citizens may request a time to speak during Open Session by calling the City Recorder's office at 801-295-3477, or may make such request at the beginning of Open Session.) Please state your name and city of residence.**

E. BUSINESS

7:10 1. Minutes Review & Acceptance
November 20, 2018 regular meeting minutes

7:10 2. Summary Action Calendar

- a. Adopt Resolution No. 2018-24 approving 2019 City Council Meeting Schedule
 - b. Approve agreement with Utah State University re update of parks master plan
 - c. Approve end of warranty period for Miles Manor Subdivision
- 7:10 3. Gun Range Lease Renewal
- Consider approval of Amendment No. 1 to Gun Range Lease Agreement authorizing renewal of the Gun Range Lease for one year and other various amendments
- 7:20 4. Public Hearing - Police Department Application for Federal Grant to Purchase Ballistic Helmets
- Based on updated information from the grantor agency, this matter no longer needs a public hearing or approval by the City Council.**
- 7:25 5. Public Hearing - Zoning Code Amendment - Table of Uses and Definitions for Commercial Medium Zone (South Main Street Corridor)
- Consider the proposed Zoning Code Amendments to CZC 12.21.040 regarding Definitions and CZC 12.36 regarding Table of Uses for uses within the Commercial Medium (C-M) Zone (which is located along Main Street from Parrish Lane to Porter Lane) - Ordinance No. 2018-25
- 8:05 6. Approve Final Draft of Community Survey Questionnaire re Parks and Funding for Survey Administration
- 8:15 7. Resolution Supporting the Continuation of the Prohibition of Large Trucks on Legacy Parkway
- Consider Resolution No. 2018-25 supporting the continuation of the prohibition of large trucks on Legacy Parkway
- 8:25 8. City Manager Recruitment
- a. Approve job announcements
 - b. Confirm process and calendar
- 8:35 9. Discussion of Ranked Choice Voting
- 8:50 10. Open and Public Meetings Act Training
- 9:00 11. Mayor's Report
- 9:10 12. City Manager's Report
- a. Process for determining Main Street striping
 - b. Update re compensation study and set date for work session with consultant.
13. Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended
14. Possible action following closed meeting, including appointments to boards and committees

F. ADJOURNMENT

CENTERVILLE

Staff Backup Report 12/4/2018

Item No.

Short Title: RDA/ACB Meeting

Initiated By:

Scheduled Time: 6:00

SUBJECT

RECOMMENDATION

See separate agenda and related documents for the RDA/ACB meeting on NovusAgenda.

BACKGROUND

CENTERVILLE

Staff Backup Report 12/4/2018

Item No.

Short Title: (See City Manager's Memo for summary of meeting business)

Initiated By:

Scheduled Time:

SUBJECT

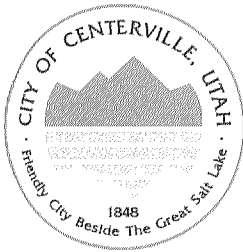
RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- 11-30-18 City Manager Summary Memo



CENTERVILLE CITY

250 North Main • Centerville, Utah 84014-1824 • (801) 295-3477 • Fax: (801) 292-8034

Incorporated in 1915

Mayor

Clark Wilkinson

City Council

Tamelyn Fillmore

William Ince

Stephanie Ivie

George McEwan

Robyn Mecham

City Manager

Steve H. Thacker

interoffice MEMORANDUM

to: Mayor Wilkinson
City Council
cc: Department Heads, Planning Commission
from: Steve H. Thacker, City Manager *A. Thacker*
subject: City Manager's Summary of the December 4, 2018 Council Meeting
date: November 30, 2018

6:00 RDA/ACB Meeting – The Redevelopment Agency Board and the Administrative Control Board for the performing arts center will hold a joint meeting at 6:00 p.m. to review the 2019 annual budget for CenterPoint Theatre. The Operating Lease requires the RDA/ACB review CPT's budget and approve specifically the portion relating to facilities maintenance. As time permits in this meeting, CPT reps can provide updates on other projects or issues, including the process for a new HVAC maintenance contract, preparation of a long-range facilities maintenance plan, and negotiations regarding Operating Lease amendments. Dinner will be available beginning about 5:45 p.m.

7:00 City Council Meeting

E.1. Minutes Review – The minutes to be approved are available via NovusAgenda.

E.2. Summary Action Calendar –

a. 2019 City Council Meeting Schedule – State law requires the Council to adopt and publish its regular meeting schedule each year. Two regular meetings will move from Tuesday to Wednesday—to accommodate the New Year's holiday and municipal general election in November.

b. USU Agreement re Parks Master Plan – Although a USU graduate student has been working on this project for several months, an Agreement has not yet been executed. The recommended Agreement requires the City pay half of its \$15,000 obligation at time of execution and the other half upon completion of the approved scope of work.

c. End Warranty Period – The City Engineer recommends end of warranty period for the Miles Manor Subdivision.

E.3. Gun Range Lease Renewal – The Centerville Small Arms Association operates the gun range under a Lease Agreement that expires December 31, 2018. The Lease provides for the possibility of a 5-year renewal if mutually acceptable. However, since the City is in the midst of a comprehensive study of foothills property on which the gun range is located, staff recommend the Lease be extended or renewed for only one year at this time. Staff met recently with gun range reps and agreed upon several revisions to the Lease, which are shown in redline in the staff report attachment.

E.4. Public Hearing—Police Department Grant Application – Each year the Police Department has opportunity to apply for a Justice Assistance Grant to purchase equipment. However, now the grant regulations require the public be given opportunity to comment on the



proposed uses of the grant funds. The \$4600 being requested would be used to purchase ballistic helmets for police officers.

- E.5. **Public Hearing—Zoning Code Amendment re C-M Zone (South Main Street Corridor)** – After months of work and several meetings and open houses, the Planning Commission has forwarded their recommendations about changes to the uses allowed in the Commercial Medium Zone, in the South Main Street Corridor. Staff assume this matter will involve extensive discussion by the City Council following the public hearing and could be continued to a later meeting.
- E.6. **Survey Questionnaire re Parks** – In their November 20 meeting, the City Council reviewed an earlier draft of a questionnaire about parks that will be sent to all residents. The questionnaire was subsequently revised and is now before the Council again for their approval. The Council should also decide some questions about the administration of the survey, including funding for printing and mailing.
- E.7. **Resolution re Large Trucks on Legacy Parkway** – Council Members Mecham and McEwan requested this matter be added to the agenda. They would like the Council to consider approving a resolution similar to those approved by city councils in Woods Cross and Farmington—to extend the ban on large trucks on Legacy Parkway beyond the current expiration date.
- E.8. **City Manager Recruitment** – I have announced my retirement effective end of March 2019. The Council reviewed a job description and job announcement in an earlier meeting and approved a recruitment process and calendar. This is another opportunity to approve revisions to the job announcement and confirm the process and calendar. Advertising is to begin December 10 and the job posting closes January 11, 2019.
- E.9. **Ranked Choice Voting** – Several Council Members would like to discuss the option of “ranked choice voting” for municipal elections. State law requires a city to decide by January 1, 2019 whether it will conduct its next municipal election using this option. The City Attorney will report on her discussion with Davis County election officials about whether the County would administer this type of election for its cities.
- E.10. **Open and Public Meetings Act Training** – State law requires city councils to receive training each year on the Open and Public Meetings Act. The City Attorney will provide this training.
- E.11. **Mayor’s Report** – Mayor Wilkinson will report on matters of City interest.
- E.12. **City Manager’s Report** – I will report on those matters shown on the agenda, and possibly other topics.
- E.13. **Closed Meeting, if necessary** – At this time I do not know of a need for a closed meeting, but the agenda allows for that possibility.
- E.14. **Appointments to Boards/Committees** – Mayor Wilkinson may recommend appointments.

Potential Agenda Items for December 18, 2018 meetings (subject to change):

- *RDA meeting*
- *Public Hearing – Woods Park Subdivision plat amendments*
- *Monthly financial report*

CENTERVILLE

**Staff Backup Report
12/4/2018**

Item No.

Short Title: Councilwoman Mecham

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE

**Staff Backup Report
12/4/2018**

Item No. 1.

Short Title: Minutes Review & Acceptance

Initiated By:

Scheduled Time: 7:10

SUBJECT

November 20, 2018 regular meeting minutes

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

▯ 11-20-18 City Council Minutes

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

MEMBERS PRESENT

Mayor	Clark Wilkinson
Council Members	Tamilyn Fillmore Stephanie Ivie George McEwan Robyn Mecham

MEMBER ABSENT William Ince

STAFF PRESENT Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith, Management Services Director
Lt. Zan Robison, Centerville Police Department
Kevin Campbell, City Engineer
Marcus Arbuckle, Keddington & Christensen
Katie Rust, Recording Secretary

VISITORS Lynn Keddington, Parks and Recreation Committee Chair
Tiffany Rees, Parks and Recreation Committee
John Ruedas, Parks and Recreation Committee
Interested Citizens

PRAYER OR THOUGHT Jacob Smith

PLEDGE OF ALLEGIANCE BSA Troop 1776

OPEN SESSION

Jared Hale – Mr. Hale said he noticed on the agenda that City Manager Thacker is retiring in March 2019. He expressed appreciation for Mr. Thacker's many years of faithful service in Centerville.

Dale Engberson – Mr. Engberson requested prayers for Debbie Randall, a former Planning Commissioner who is in critical condition.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the November 7, 2018 work session and regular meeting were reviewed. Councilman McEwan made a **motion** to accept both sets of minutes. Councilwoman Mecham seconded the motion, which passed by unanimous vote (4-0).

SUMMARY ACTION CALENDAR

- a. Approve three license agreements with UTA for culverts under D&RGW trail corridor
- b. Accept Public Utility Easement for Dave Bell property

- c. Approve end of warranty period for Mickelson Meadows Subdivision
- d. Authorize purchase of Police Department vehicles

City Manager Thacker explained corrections to the license agreements with UTA, and shared updated information regarding the purchase of Police Department vehicles. Councilwoman Fillmore made a **motion** to approve all four items on the Summary Action Calendar. Councilman McEwan seconded the motion, which passed by unanimous vote (4-0).

APPROVE 2018 UPDATED STORM DRAIN AND SUB-DRAIN PROJECTS LISTS

Drainage Utility fees were increased in 2014 following a Storm Drain Impact Fee Facilities Plan/Analysis. Kevin Campbell, City Engineer, presented updated Storm Drain and Sub-Drain Projects lists. Staff are not recommending further increases in Drainage Utility fees at this time. However, since it has been nearly five years since the last update of the Storm Drain Impact Fee Facilities Plan/Analysis, staff recommend another update of those documents in 2019, to take into account any changes in growth-related projects that would justify impact fee funding.

Councilwoman Fillmore made a **motion** to approve the 2018 Storm Drain Projects Update and 2018 Sub-Drain Projects Update. Councilman McEwan seconded the motion, which passed by unanimous vote (4-0).

FINANCIAL REPORT

Marcus Arbuckle, the City's contract CPA Advisor, presented a financial report for the period ending October 31, 2018.

REVIEW DRAFT OF COMMUNITY SURVEY QUESTIONNAIRE REGARDING PARKS

Lynn Keddington, Parks and Recreation Committee Chair, presented a draft of a community survey questionnaire regarding parks, and received feedback from the Council. The Council discussed possible delivery methods for the survey. John Ruedas, a member of the Parks and Recreation Committee, recommended using social media and the City website in addition to a mailer.

CITY MANAGER JOB DESCRIPTION AND ORDINANCE

Lisa Romney, City Attorney, presented proposed Ordinance No. 2018-24 regarding the appointment and duties of the City Manager. Councilman McEwan made a **motion** to adopt Ordinance No. 2018-24. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (4-0). The Council and staff discussed the job description and job announcement drafted by Mr. Thacker, to be finalized at the December 4, 2018 Council meeting.

MAYOR'S REPORT

Mayor Wilkinson reported on matters of City interest, including the Fire Service Area, the Centerville Cares Committee, and the Summer Recreation Program.

CITY MANAGER'S REPORT

- A majority of the Council supported the submittal of an application to WFRC for funding for improvements to the Parrish Lane/Marketplace Drive intersection, with the understanding that, if funding is awarded, the City may try to negotiate the scope of improvements and/or exchange the project's timing with the project already funded for the Parrish Lane/400 West intersection.
- The Council approved scheduling a work session with Legislators on January 15, 2019.
- The Centerville employee Christmas dinner will take place on December 11th.
- The RDA/ACB will meet on December 4th prior to the regular Council meeting.

ADJOURNMENT

At 9:00 p.m., Councilwoman Ivie made a **motion** to adjourn the meeting. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (4-0).

Mackenzie Wood, City Recorder

Date Approved

Katie Rust, Recording Secretary

CENTERVILLE

Staff Backup Report 12/4/2018

Item No. 2.

Short Title: Summary Action Calendar

Initiated By:

Scheduled Time: 7:10

SUBJECT

- a. Adopt Resolution No. 2018-24 approving 2019 City Council Meeting Schedule
- b. Approve agreement with Utah State University re update of parks master plan
- c. Approve end of warranty period for Miles Manor Subdivision

RECOMMENDATION

- a. Adopt Resolution No. 2018-24 approving the 2019 City Council Meeting Schedule.
- b. Approve agreement with USU regarding update of parks master plan and authorize the RAP Tax Fund contingency budget be used to pay the City's obligation of \$15,000 for this project.
- c. Approve end of warranty period for Miles Manor Subdivision and authorize release of all remaining bond funds.

BACKGROUND

a. There are two conflicts with regular Council meetings in 2019. The January 1, 2019 Council meeting falls on New Years Day, an official City holiday. Staff recommend the Council meet the next day, Wednesday, January 2, 2019. Also, the November 2019 Municipal Election is held on November 5, which is normally a regular Council meeting. In the past, the Council has agreed to hold the meeting on the day after, or Wednesday, November 6.

Both of these proposed changes are assumed in the attached schedule. Upon approval by the City Council, the 2019 regular meeting schedule will be published as required by State law. This does not mean the City Council has to meet on each of these dates. However, if a regular meeting is cancelled, a notice of such cancellation should be posted in advance of that date.

b. The process of updating the Parks Master Plan has been underway for several months, despite the fact a contract has not yet been executed. USU sent an initial Agreement draft based on a standard template that was not well-suited for this project. A much simpler and more appropriate version was sent later. The City Manager requested a revision regarding the timing of the City's obligation of \$15,000. The attachment includes this revision--i.e. the City will pay \$7500 upon execution of the Agreement and the other \$7500 upon completion.

When the City Council agreed earlier this year to use a USU graduate student for this project, they

understood the cost of \$30,000 would be shared 50/50 with the University. The Council and staff were assuming the City's financial share might be required during the FY 2018 Fiscal Year, so the Council authorized the \$15,000 be paid equally between the Council's General Fund contingency budget and the RAP Tax Fund. No payment was required, however, during FY 2018. At this point in FY 2019, the City Manager recommends the Council authorize the use of the RAP Tax Fund contingency budget (estimated at \$20,000) to pay the entire \$15,000. If the Council wants to fund the City's share from other sources, this matter should be taken off the Summary Action Calendar and acted on separately.

c. See attached email from City Engineer, Kevin Campbell, recommending end of warranty period for this subdivision.

ATTACHMENTS:

Description

- ▢ Resolution No. 2018-24 2019 City Council Meeting Schedule
- ▢ USU Agreement re Parks Master Plan
- ▢ Miles Manor End of Warranty Document

RESOLUTION NO. 2018-24

A RESOLUTION ESTABLISHING THE REGULAR MEETING SCHEDULE OF THE CENTERVILLE CITY COUNCIL FOR 2019.

WHEREAS, the Governing Body of Centerville City intends to hold regular and open public meetings generally on the first and third Tuesdays of each month, beginning at 7:00 p.m.; and

WHEREAS, pursuant to Section 52-4-202, Utah Code Annotated 1953, as amended, the City Council has determined its annual meeting schedule as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Meeting Schedule. The annual meeting schedule of the Centerville City Council for the calendar year 2019 shall be as follows:

January 2 nd (Wednesday)	July 2 nd
January 15 th	July 16 th
February 5 th	August 6 th
February 19 th	August 20 th
March 5 th	September 3 rd
March 19 th	September 17 th
April 2 nd	October 1 st
April 16 th	October 15 th
May 7 th	November 6 th (Wednesday)
May 21 st	November 19 th
June 4 th	December 3 rd
June 18 th	December 17 th

*Note: Elections are held on the first Tuesday in November (November 5); therefore, the City Council meeting will be held on Wednesday, November 6, 2019.

Section 2. Time & Location. Unless otherwise determined by the City Council pursuant to State statute, all said meetings shall be held at the City Council Chambers, City Hall, 250 North Main Street, Centerville, Utah, beginning at 7:00 p.m.

Section 3. Publication. The City Recorder shall provide public notice of this annual meeting schedule by posting written notice at City Hall and on the Utah Public Notice Website created under Utah Code § 63F-1-701 and by providing notice of the same to at least one newspaper of general circulation within the geographic jurisdiction of the City or a local media correspondent in accordance with Utah Code § 52-4-202.

Section 4. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 4TH DAY OF DECEMBER 2018.

ATTEST:

CENTERVILLE CITY

Mackenzie Wood, City Recorder

By: _____
Mayor Clark A. Wilkinson

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

MACKENZIE WOOD, City Recorder

DATE: _____

EFFECTIVE DATE: ____ day of _____, 2018.

Utah State University

USU Proposal No. 5040

University	Company
Name: Utah State University Sponsored Programs Office of Research and Graduate Studies 1415 Old Main Hill Logan, UT 84322-1415 Attn: Devin Hansen Email: devin.hansen@usu.edu Phone: (435) 797-9153 Fax: (435) 797-3543	Name: Address: Email: Phone: Fax:
Make checks payable to: Utah State University P.O. Box 410027 Salt Lake City, UT 84141-0027 (Please include invoice number where applicable)	Send Invoice To: (If different than above) Name: Address:

Specialized Research Services Requested: (See attached Exhibit A)

THIS AGREEMENT is entered into on this 2nd day of November by and between Centerville City (Company), and Utah State University (University), a state-owned institution of higher education.

WHEREAS, Company desires academic design engagement services which USU has developed under the direction of Ole Sleipness (hereinafter referred to as Principal Investigator), which Services it intends to utilize in fulfillment of its role as a Land Grant University by providing Services to its various constituencies, including private companies, for the benefit of the public.

- 1. Scope of Work** – University shall provide the Services identified in the attached Exhibit A.
- 2. Payment for Services** – Upon entering into this agreement, Sponsor agrees to pay the fixed price amount of \$15,000 to University for the costs incurred by University in the performance of the Services and in accordance with the budget found in Exhibit A. 50% of payment (\$7,500) shall be due upon the execution of this agreement. The remaining 50% (\$7,500) shall be due upon the completion of the Scope of Work.
- 3. Term of Agreement** - This Agreement shall be in effect from the date first herein written for a period of twelve (12) months.
- 4. Scheduling Services** - The scheduling of such services shall be arranged to avoid conflict with University's educational and research programs. USU shall control the scheduling of such services, but will try to meet the convenience of the Company.
- 5. Reports** - Unit shall provide Company with deliverables described within Exhibit A.
- 6. Confidentiality** –“Confidential Information” shall mean any Company-provided materials, written information, and data marked “Confidential” or non-written information and data disclosed which is identified at the time of disclosure as confidential and is reduced to writing and transmitted to the other party within sixty (60) days of such non-written disclosure. University hereby agrees to use the same reasonable care it uses to protect its own confidential information to maintain as confidential any data and interpretation of said confidential information arising out of said Services until Company has had the opportunity to review the same. Publications will be limited to new scientific information regarding Services performed, and University will not disclose proprietary processes, methods of Company, the nature or composition of materials provided by Company or data that is collected from the Services provided. University will provide Company with thirty (30) days to review any manuscripts or proposed publications arising out of Services. University's obligations hereunder do not apply to information in the public domain, or independently known or obtained by University.
- 7. Intellectual Property** - During the performance of the services identified in Exhibit A, all rights, title and interest to completed design products derived by the University through the use of Company provided materials or on site reconnaissance described in Exhibit A shall reside jointly between Company and University. University reserves the right to use methodologies, procedures, processes, design products, and company-provided data used by University to complete Services for educational, assessment, research, scholarly, or professional purposes. Company reserves rights to use design deliverables described within Exhibit A for informational, business, and commercial purposes.
- 8. Publicity** - Neither party will use the name of the other party in any publicity, advertising, or news release without the prior written approval of the authorized representative of the other party.
- 9. Termination** - Either party may terminate this Agreement upon fifteen (15) days prior written notice to the other.
- 10. University Status** - In the performance of all Services, hereunder, University shall be deemed to be and shall be an independent contractor.
- 11. Warranties and Indemnity** - University in no way guarantees Services performed pursuant to this Agreement and makes no warranties, express or implied, regarding the quality of product produced under this Agreement. Company agrees to indemnify and hold harmless University against any claims and costs (including counsel fees) arising out of Company's commercial sale or distribution of products or processes developed under this Agreement, or its reliance upon the reports set forth in Item 5 above.
- 12. Governing Law** - This Agreement shall be governed and construed in accordance with the laws of the State of Utah.
- 13. Priority** - Notwithstanding anything to the contrary contained herein, in the event that the terms of this Agreement conflict with the terms of any Purchase Order or any other agreement entered into by the Parties, the terms of this Agreement will take precedence over any conflicting terms.
- 14. Entire Agreement** - This Agreement contains the entire and only agreement between the parties respecting the subject matter hereof and supersedes or cancels all previous negotiations, agreements, commitments representations, understandings, and writings between the parties on the subject of this Agreement. Should processing of this Agreement require issuance of a purchase Agreement or other contractual document, all terms and conditions of said document are hereby deleted in entirety. This Agreement may not be amended in any manner except by an instrument in writing signed by the duly authorized representatives of each of the parties hereto.

By an Authorized Official of Utah State University

Devin Hansen
Sr. Grant & Contract Officer, Division of Sponsored Programs
Office of Research and Graduate Studies

Date

By an Authorized Official of _____

Typed Name: _____
Title: _____

Date

Centerville Parks Master Plan Update

The Narrative outlines the services anticipated, includes a description of each task, and corresponds with the Budget Spreadsheet below. This update will be completed in close collaboration with Centerville Parks Director, Bruce Cox, Lynn Keddington, and other members of the Centerville community.

Inventory of Existing conditions

1. **Context and Community Character:** Context given, characteristics of Centerville outlined and unique opportunities defined with Parks Director.
2. **Population Demographics:** Population demographics of Centerville will be retrieved from US census data and documented.
3. **Photograph Existing Conditions:** On site photographs will be taken, with attention on issues or concerning areas that may exist.
4. **Fly Drone to Map Existing Conditions:** Detailed data will be collected from drone flights including detailed aerial photographs, maps and contour data.
5. **Map existing parks:** Drone data will be processed and parks will be mapped and outlined with contours, and other pertinent information generated.
6. **Classification of parks:** Parks will be classified to assist in planning and clarity of this document.
7. **Proximity of Parks in Farmington and Bountiful:** Centerville residents have access to nearby amenities and these will be taken into consideration when considering conditions and needs of the community. External use of Centerville's amenities will also be considered.
8. **Projects Currently Underway:** Current projects that are planned or in progress will be listed, such as the Community Parks expansion, the redesign of Island View Park, etc.
9. **Meet with Parks Director to Review:** Travel to meet with Parks Director to review all work and confirm it aligns with project.

Analysis of Existing conditions

1. **List of Parks and Conditions:** Positive aspects and issues of each park will be listed.
2. **Areas of Concern:** Conditions that need repair or attention will be documented and flagged for review
3. **Analysis of Centerville against National Standards:** Existing conditions of Centerville's parks and trails will be measured against national Standards.
4. **Adjacent Context Analysis:** Amenities adjacent to Centerville will be reviewed and taken into consideration for the needs of the community.
5. **Meet with Parks Director to Review:** Travel to meet with Parks Director to review all work and confirm it aligns with project.

Needs Assessment

1. **Prepare Survey:** A survey will be constructed to measure the needs and desires of the community, exploring how residents feel current parks and trails are meeting their needs. The survey will be administered by Centerville.
2. **Process and synthesize data collected:** The community needs, wants, and priorities will be derived from survey responses.

3. **Meet with Parks Director to Review:** Travel to meet with Parks Director to review all work and confirm it aligns with project.

Recommendations

1. **Meeting national standards:** Adjustments needed to meet national standards will be outlined.
2. **Community Parks:** Recommendations will be explored for new or additional park space and expansion or improvements to existing community parks.
3. **Neighborhood Parks:** Recommendations will be explored for new or additional park space and expansion or improvements to existing neighborhood parks.
4. **Guidelines:** Considerations important to citizens as updates are made, and as implementation takes place.
5. **Meet with Parks Director to Review:** Travel to meet with Parks Director to review all work and confirm it aligns with project.

Action Plan

1. **Immediate (1-2 years):** Programs, policies and developments that are planned for immediate implementation. These are very detailed and focused and have high priority.
2. **Short term (5 years):** Programs, policies and developments that are planned for implementation soon. These may be lower priority, or require additional funding, or are waiting on other projects before action can be taken.
3. **Long term (15-20 years):** Broader goals and plans that align to Centerville's values. It is expected that adjustments will be needed and plans will need refinement as updates are made.
4. **Updates:** Plan for updating this plan, evaluated and refined based on the vision of the city every x number of years.
5. **Meet with Parks Director to Review:** Travel to meet with Parks Director to review all work and confirm it aligns with project.

Final Master Plan Document Production

1. **Outline document:** General outline of the document and introduction. The Executive Summary will be placed at the beginning of the document.
2. **Image Editing:** Images such as maps, photos, etc. will be refined and edited as needed.
3. **Text Writing and Editing:** Text will be adjusted and final editing done as needed to outline the information adequately.
4. **Composition:** Layout of the document will be finalized.
5. **Meet with Parks Director to Review:** Travel to meet with Parks Director to review all work and confirm it aligns with project.

Project Administration and Travel

1. **Travel:** Travel to Centerville for all aspects of the project requiring on site inventory, analysis and design, and for all meetings with the Parks Committee, city administrators and City Council.
2. **Faculty Supervision:** Salary and benefits for the faculty associated with the oversight of the work of the thesis candidate.
3. **Facilities & Administration:** Compensation for the use of Utah State University facilities and associated administration that supports the work of the thesis candidate for the duration of the contract period.

Budget Spreadsheet

Inventory and Analysis of Existing Conditions	\$3,500
Needs Assessment	\$2,000
Recommendations	\$2,500
Action Plan	\$1,500
Final Master Plan Document	\$2,500
Travel	\$493.70
Faculty Supervision and Benefits	\$1142.66
Facilities and Administration	\$1363.64
Total	\$15,000

Page 1 of 2
Proj. # 12-057

Release of the sum of \$ 4,150.00 , is hereby authorized.

Recommendation for approval:

Kevin L. Campbell, P.E. 11-28-18
City Engineer Date

CENTERVILLE CITY
IMPROVEMENTS AGREEMENT BOND REDUCTION REQUEST
No. 4 (End Warranty) Date: 11-28-18

Subdivision: Miles Manor Subdivision

Item Nos.	Description	Estimated Amount	Completed Amount	Amount Released
1	Remove C & G, sidewalk, drive approaches	\$3,000.00	100%	\$3,000.00
2	New sidewalk	\$9,520.00	100%	\$9,520.00
3	New drive approaches	\$4,680.00	100%	\$4,680.00
4	Road-base for road and concrete work	\$1,500.00	100%	\$1,500.00
5	Import granular for trenches	\$1,200.00	100%	\$1,200.00
6	Asphalt patching	\$3,000.00	100%	\$3,000.00
7	Sewer Laterals	\$2,500.00	100%	\$2,500.00
8	Irrigation laterals	\$2,500.00	100%	\$2,500.00
9	Underground power	\$2,100.00	100%	\$2,100.00
10	Demo of shed and removal of power pole	\$11,500.00	100%	\$11,500.00
11	Contingency	\$8,300.00	100%	\$8,300.00
	Total	\$49,800.00		\$49,800.00

CENTERVILLE

Staff Backup Report

12/4/2018

Item No. 3.

Short Title: Gun Range Lease Renewal

Initiated By:

Scheduled Time: 7:10

SUBJECT

Consider approval of Amendment No. 1 to Gun Range Lease Agreement authorizing renewal of the Gun Range Lease for one year and other various amendments

RECOMMENDATION

Approve Amendment No. 1 to Gun Range Lease Agreement authorizing renewal of Gun Range Lease for one year and other various amendments

BACKGROUND

The City and the Centerville Small Arms Association entered into the Gun Range Lease Agreement on December 24, 2013. The term of this Lease Agreement expires on December 31, 2018. The City desires to renew the Gun Range Lease for an additional year subject to various other amendments to the Lease Agreement as set forth in the attached Amendment No. 1 to the Gun Range Lease Agreement. The City is only recommending a one year renewal at this time pending additional study of the foothills and hillside area uses that is currently underway.

ATTACHMENTS:

Description

- ▢ Amendment No. 1 to Gun Range Lease Agreement
- ▢ Gun Range Lease Agreement - Amended Exhibit A (Property Description)
- ▢ Gun Range Lease Agreement - Amended Exhibit B (Site Map)

AMENDMENT NO. 1 TO THE GUN RANGE LEASE AGREEMENT

THIS AMENDMENT NO. 1 TO THE GUN RANGE LEASE AGREEMENT ("Amendment") is entered into this _____ day of December, 2018, by and between the **CENTERVILLE SMALL ARMS ASSOCIATION**, a Utah non-profit corporation ("Association"), and **CENTERVILLE CITY**, a Utah municipal corporation ("City").

RECITALS

WHEREAS, the City and the Association have previously entered into that certain Gun Range Lease Agreement dated December 24, 2013 ("Lease Agreement"), regarding the lease and operation of a gun range on property owned by the City consisting of a portion of Parcel No. 02-069-0001; and

WHEREAS, the term of the Lease Agreement expires on December 31, 2018, and the City and the Association desire to amend the Lease Agreement to extend the term for one year and to make other amendments as more particularly set forth in this Amendment;

NOW, THEREFORE, in consideration of the mutual promises and covenants of the parties contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Amendment. Section 4 of the Lease Agreement regarding Access Road and Drainage Culverts is hereby amended to to read in its entirety as follows:

4. Access Road and Drainage Culverts. Except during winter months, the Association will maintain, at its sole cost and expense, a passable access road from the existing lower gate to a cleared parking area behind the firing points, in the location and design as shown on **Exhibit B**. The Association will maintain, at its sole cost and expense, the drainage culverts installed along the access road from the lower gate to the Leased Property for the purpose of improving drainage on the premises. The drainage culverts shall be maintained in their current locations or in alternative locations as approved by the City Engineer. ~~as shown on Exhibit B.~~

2. Amendment. Section 5 of the Lease Agreement regarding Indemnification and Insurance is hereby amended to to read in its entirety as follows:

5. Indemnification and Insurance. The Association will save, protect and hold harmless the City, its elected and appointed officials, employees, volunteers and agents from and against any liability, loss or claims whatsoever for injury to persons or property arising from the use or occupancy of the Leased Property. The Association shall furnish the City with a liability insurance policy or certificate of insurance (with the City, its elected and appointed officials, employees, volunteers and agents named as additional insureds) with reasonable limits specified by the City, but not less than ~~\$3~~ \$2-million in the aggregate, to protect it against liability for such loss or damage. The City shall give a six-month written notice if it requires coverage to exceed ~~\$3~~ \$2 million. A current certificate of coverage shall be maintained with the City Recorder at all times. The Association shall annually provide the City with a new certificate of insurance at the time of renewal.

Failure of the Association to maintain the required insurance shall be deemed a violation and breach of this Lease Agreement.

3. Amendment. Section 6 of the Lease Agreement regarding Signage, Flags and Lookouts is hereby amended to to read in its entirety as follows:

6. Signage, Flags and Lookouts. The Association shall at all times maintain and exhibit range safety signs at the lower and upper gates and along the access road in accordance with NRA range safety practices and as determined reasonably necessary by the Association. The Association shall provide and fly at least one range safety flag during all Association events or whenever the range is in use. ~~Range safety flags shall be flown from designated flag poles as more particularly shown on Exhibit B. The If only one range safety flag is flown, it shall be flown from the flag pole located at the 300/600 yard firing line as shown in Exhibit B.~~ The Association shall post and maintain proper lookouts and/or range officers at all times during Association events where the visibility from point of discharge to point of impact is limited and during any organization event, hunter safety or public shooting event in accordance with Section 11.

4. Amendment. Section 10 of the Lease Agreement regarding Police Department Use is hereby amended to to read in its entirety as follows:

10. Police Department Use. The City Police Department is authorized to use the Leased Property and the range facilities at any time without cost for training its personnel. Such use of the Leased Property by the City Police Department shall be at its own risk and responsibility. The Association shall permit the City to continue to maintain a storage facility on the Leased Property for police use and in the maintenance of target uprights for police use. A joint shooting calendar will be prepared at the beginning of each year scheduling major events and coordinating shooting activities between the Association and the City Police Department. Other law enforcement agencies may be allowed to use the Leased Property and range facilities, provided such use is coordinated and arranged through the City Police Department and the Association. The City Police Department shall have first priority to use the Gun Range during week days when there are no previously scheduled Association events for those days. The City Police Department shall not be subject to Association rules and regulations or the use restrictions set forth in this Lease, but shall follow its own policies and procedures. The City Police Department or other law enforcement agencies allowed to use the range facilities shall provide the Association with at least 24 hours' notice of any use that will close the range. Additional courtesy notice to the Association is appreciated for law enforcement use that will close the range.

5. Amendment. Section 12 of the Lease Agreement regarding Membership and User Fees is hereby amended to to read in its entirety as follows:

12. Membership and User Fees. By ~~March 1~~ February 1 of each year, an annual schedule of membership and user fees shall be submitted by the Association to the City Manager for approval by the City. The fee schedule will be deemed approved unless objection is received by the Association within thirty (30) days after receipt of the schedule by the City Manager. Membership and user fees may be charged to help defray the cost of insurance, remediation, toilet facilities, garbage removal, and in developing, maintaining, and improving the Gun Range and related facilities.

6. Amendment. Section 14 of the Lease Agreement regarding Termination is hereby amended to to read in its entirety as follows:

14. Termination. Notwithstanding anything to the contrary herein expressed, the City expressly reserves the right to cancel or terminate this Lease Agreement and the privileges herein granted and/or the use of the Leased Property for range purposes: (1) upon prior written notice when, in the reasonable opinion of the City, the Association has breached any of the terms or provisions of this Agreement and such breach is not corrected by the Association within sixty (60) days after receipt of such notice (it being understood, however, that the Association will use its best efforts to cure any breach as soon as practicable after receipt of the notice of breach); or (2) upon six (6) months prior written notice when the City Council has determined, in its sole discretion, following a public hearing that the use of the Leased Property as a shooting facility is no longer in the public interest, constitutes a nuisance, or there is another higher priority use for the Leased Property or in the vicinity. In the absence of such termination by the City, the lease and privileges herein granted shall continue until December 31, ~~2019-2018~~. The parties may thereafter renew this Lease Agreement unless otherwise renewed by mutual consent of the parties for an additional five (5) year term through December 31, 2024-2023. Such additional term shall be approved in writing by the parties prior to the expiration of the original term. Upon termination of this Agreement, the Association shall remove its equipment, improvements, and facilities within a reasonable period of time and shall remediate the Leased Property in accordance with the provisions of Section 15.

7. Amendment. Exhibit A to the Lease Agreement regarding the Property Description is hereby amended to read in its entirety as set forth in Exhibit 1 to this Amendment, attached hereto and incorporated by this reference.

8. Amendment. Exhibit B to the Lease Agreement regarding Site Map of Range Facilities is hereby amended to read in its entirety as set forth in Exhibit 2 to this Amendment, attached hereto and incorporated by this reference.

9. Full Force and Effect. The terms of this Amendment are hereby incorporated as part of the Lease Agreement. All other terms and conditions of the Lease Agreement not modified by this Amendment shall remain the same and are hereby ratified and affirmed. To the extent the terms of this Amendment modify or conflict with any provisions of the Lease Agreement, the terms of this Amendment shall control.

10. Binding Effect. This Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective officers, employees, representatives, successors and assigns.

[signature page to follow]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

CENTERVILLE SMALL ARMS ASSOCIATION

By: _____
Its: _____

CENTERVILLE CITY

By: _____
Mayor Clark A. Wilkinson

ATTEST:

Mackenzie Wood, City Recorder

ASSOCIATION ACKNOWLEDGMENT

STATE OF UTAH)
 :ss.
COUNTY OF DAVIS)

On the _____ day of _____, 2018, personally appeared before me _____, who being by me duly sworn, did say that (s)he is the _____ of **CENTERVILLE SMALL ARMS ASSOCIATION**, a Utah nonprofit corporation, and that said instrument was signed in behalf of said nonprofit corporation by authority of its bylaws or by a resolution of its Board of Directors and that said nonprofit corporation executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:

EXHIBIT 1

Amended Exhibit A
Map of Leased Property

EXHIBIT 2

Amended Exhibit B Site Map of Range Facilities, Improvements and Access Road



500 Feet

Print Date: 10/24/2018

Centerville Gun Range Leased Property - Exhibit A



Leased Property

Contour - 5300'

PLSS - Quarter, Quarter Sections

PLSS - Quarter Sections

PLSS - Sections

CityBoundary

Leased Boundary drawn from this description:

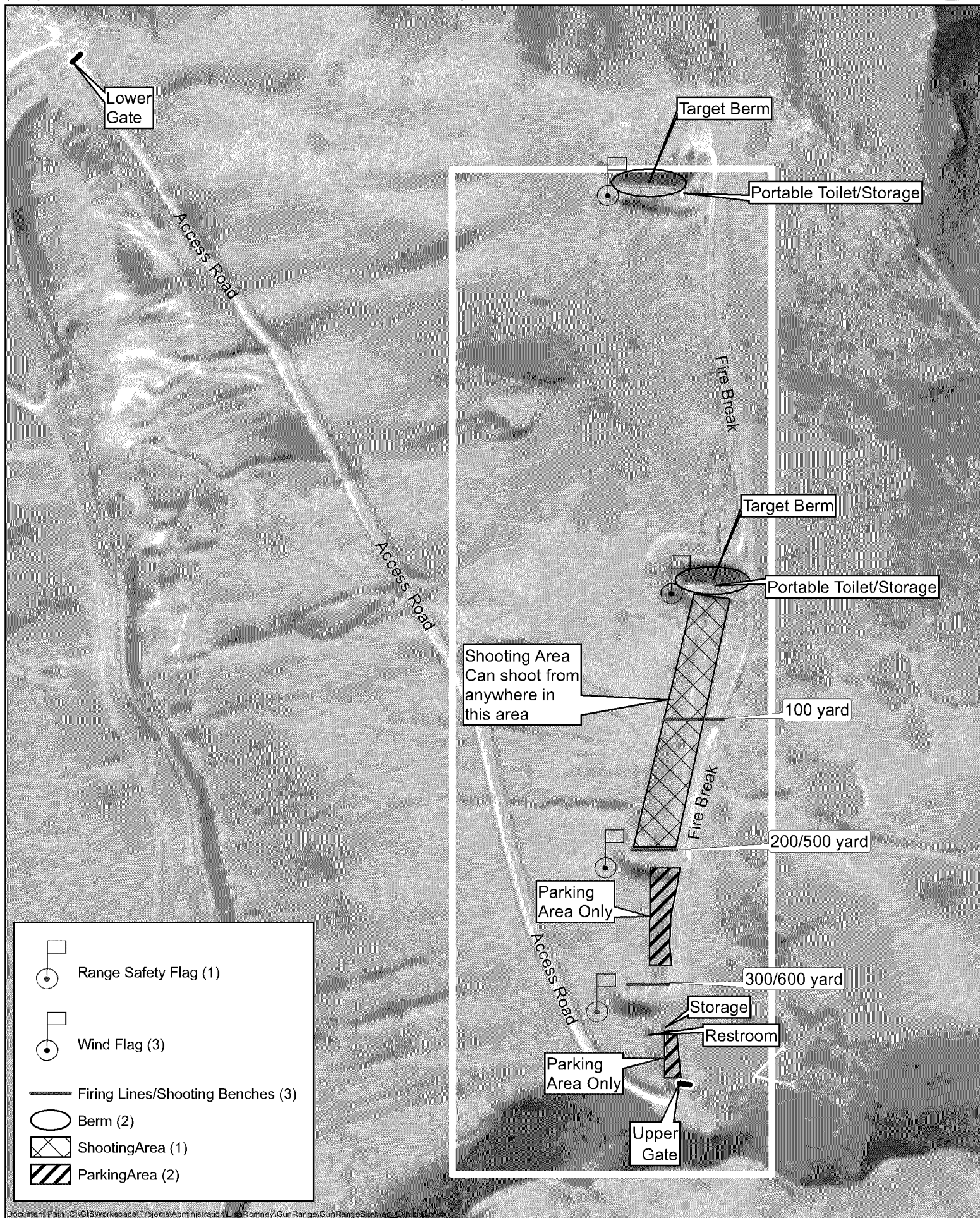
That portion of the Northeast Quarter of Section 17, Township 2 North, Range 1 Eastm, Salt Lake Meridian, lying below the 5,300-foot level and extending approximately 700 feet West to a steep incline, and covering about 2,200 feet in a north/south direction from the north boundary of Section 17 to a ravine on the South.



400 Feet

Print Date: 10/24/2018

Centerville Gun Range Site Map - Exhibit B



CENTERVILLE

Staff Backup Report

12/4/2018

Item No. 4.

Short Title: Public Hearing - Police Department Application for Federal Grant to Purchase Ballistic Helmets

Initiated By: Police Chief

Scheduled Time: 7:20

SUBJECT

Based on updated information from the grantor agency, this matter no longer needs a public hearing or approval by the City Council.

RECOMMENDATION

Receive public comment regarding the proposed application for grant funding, and then authorize the Police Chief to submit the application.

BACKGROUND

Each year the Police Department has the opportunity to apply for Justice Assistance Grant (JAG) funding through the Utah Commission on Criminal and Juvenile Justice. That process now includes a requirement for an opportunity for public comment on the proposed use of the funds. The Chief is requesting \$4600 in grant funds to purchase ballistic helmets for the officers. An attached excerpt from the grant application provides additional explanation.

ATTACHMENTS:

Description

- ▯ Grant Application Excerpt

Application Narrative and Budget

Please respond to sections A - B (please limit to 1 or 2 pages).

A - Equipment, Supplies and Operating (ESO) - If you are requesting grant funding in the ESO budget category then please itemize your purchases to include cost and quantity (*FYI. ESO purchases must follow the regular procurement policies of your agency or the State of Utah if your agency has no procurement policies*).

1. Honos brand ballistic helmet. The Honos brand level IIIA ballistic helmets would be used to offer additional protection to officers on higher risk calls or other situations as needed. The helmets offer level IIIA ballistic protection which will stop most handgun rounds. These helmets would provide officers more safety and more peace of mind during critical incidents. Each helmet is \$342.00, and we would purchase as many as possible with the funds from this grant to add additional protective gear for our sworn officers.

A - Total Grant Funds Requested for Equipment, Supplies and Operating (ESO) = \$4,600.00

B - Travel/Training - If you are requesting grant funding in the Travel/Training budget category then describe the Travel/Training costs you will pay for with JAG funds. Include your travel destination, travel purpose, cost of lodging, per diem, ground transport, airfare, etc. (*FYI. Travel costs must follow state of Utah travel rates unless your agency travel rates are more restrictive. See State of Utah Travel Rates: <http://fleet.utah.gov/menu-state-travel.html>*)

B - Total Grant Funds Requested for Travel/Training = \$0.00

Total Grant Funds Requested (A + B) = \$4,600.00

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/4/2018**

Item No. 5.

Short Title: Public Hearing - Zoning Code Amendment - Table of Uses and Definitions for Commercial Medium Zone (South Main Street Corridor)

Initiated By: Planning Commission & City Council

Scheduled Time: 7:25

SUBJECT

Consider the proposed Zoning Code Amendments to CZC 12.21.040 regarding Definitions and CZC 12.36 regarding Table of Uses for uses within the Commercial Medium (C-M) Zone (which is located along Main Street from Parrish Lane to Porter Lane) - Ordinance No. 2018-25

RECOMMENDATION

Approve Ordinance No. 2018-25 amending CZC 12.12.040 regarding Definitions and CZC 12.36 regarding Table of Uses for uses within the Commercial Medium (C-M) Zone.

BACKGROUND

On November 14, 2018, the Planning Commission reviewed and recommended approval of proposed amendments to CZC 12.12.040 regarding Definitions and CZC 12.36 regarding Table of Uses for uses within the Commercial Medium (C-M) Zone. The Planning Commission recommendation comes after a number of meetings and open houses with residents and property owners located near the Main Street commercial area. These prior public meetings are outlined in the attached Staff Transmittal Report for this matter.

ATTACHMENTS:

Description

- ▢ 12-4-18 CC Transmittal Staff Report - Table of Uses (C-M Zones)
- ▢ Ordinance No. 2018-25 - Table of Uses (C-M)
- ▢ 11-14-18 PC Staff Report Text Amendment C-M Table of Use
- ▢ Uses Definitions
- ▢ Main Street Forum - Property Owners
- ▢ Main Street Forum - Local Residents
- ▢ Main Street Forum - General Public

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

CITY COUNCIL TRANSMITTAL REPORT

APPLICATION: **ZONING TEXT AMENDMENTS FOR
DEFINITIONS & TABLE OF USES IN C-M ZONE,
CZC 12.12 AND 12.36**

ZONING DISTRICT: **COMMERCIAL- MEDIUM**

STAFF RECOMMENDATION: **SEE TABLE BELOW**

Background

Since February, the Planning and City Council have discussed potential changes to the Main Street district corridor, specifically the area between Parrish and Porter Lane as an area in need of revitalization. As a first step, they agreed to start examining potentially expanding the uses allowed in this zone, which is zoned entirely Commercial-Medium, as a way to open up business possibilities and future tenants to currently vacant or underused properties. Multiple public meetings were held on this issue in order to receive as much public feedback as possible, including meeting with the property owners, adjacent residents, and the general public as a whole.

The Planning Commission narrowed down the list to those below, adding most new uses as a Conditional Use Permit, along with modifying or adding some new definitions to the list of uses.

Public Meetings Held:

September 12th, 2018 -- Property Owners of those located on the Commercial Medium Zone
September 26th, 2018 – Local Residents within a block of Main Street commercial properties
October 12th, 2018 – Open to the General Public
October 24th, 2018 – Public meeting and Commission discussion without hearing

(Please see the notes from these public meetings attached in this packet)

New or Amended definitions: CZC 12.12

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental, **agricultural**, or landscaping purposes. **May include renting or selling of landscaping equipment and yard or animal care products.**

- *The Planning Commission originally wanted to add “Agricultural Sales and Service, limited” as a new use to the table, but instead decided to amend Garden Center’s definition to expand the possibilities within this use.*

[ADD] Construction Sales and Service, Limited: An establishment engaged in the retail or wholesale of various small materials, supplies, and services used in the construction of buildings or other structures with activities which are conducted within an enclosed building, but not including outdoor storage of large construction equipment or materials yards on lot or parcel other than a construction site. Typical uses include, electrical, plumbing, air conditioning and heating supply stores, swimming pool contract sales and supplies, construction and trade contractors' offices including small equipment and supplies.

See a full list of definitions of all uses included in this list in the Backup Materials in this packet, or refer to CZC 12.12

12.21.080 Zoning Map and Zoning Code Amendments: Approval Standards

1. Whether the proposed Zoning Code or Zoning Map amendment is consistent with goals, objectives and policies of the General Plan;

General Plan, 12-430-2

“Main Street commercial area . The area on Main Street between 400 South (Porter Lane) and 400 North (Parrish Lane) has been regarded as the traditional commercial center of Centerville, though in reality it never became a strong focal point. The Main Street commercial area is old now and somewhat deteriorating, though a few new buildings have been constructed here in recent years. Restoration or revitalization should be encouraged.”

South Main Street Corridor Plan

Goal #1: Promote the South Main Street Corridor as the cultural, civic, and community heart of Centerville by providing a careful balance of land uses, which service residents, businesses, and visitors.

1.A. Preserve the existing mix of land uses along the South Main Street Corridor, recognizing that each District has a different character and different land use needs.

- Staff Response: The C-M Zone from Parrish to Porter is the highest concentration of small, local, commercial activity along Main Street and is somewhat of a local businesses and civic center of the City, while Parrish Lane is the big box, fast food commercial hub of the city. The character of this Main Street is taken into consideration when adding new uses to the Commercial Medium Zone. Staff and the Planning Commission would like to keep this street occupied with local businesses, and have reached out to the property owners as to what their wants and need for this area are and have tailored the list to encourage further small businesses on this street.

1.B. Minimize, to the extent possible, potential conflicts between adjacent land uses.

- By listing the new uses as Conditional Use Permits, potentially adverse conflicts between uses can be minimized by the conditions of the Planning Commission, as outlined in CZC 12.21.100, including traffic circulation, aesthetics, noise and odors that may impact surrounding properties.

1.C. Encourage additional single family and multi-family residential land uses, by way of mixed-use development, throughout the South Main Street Corridor.

- Although the residential uses were not included on this list, a residential mixed-use component is still included in the South Main Street Overlay Zone, as outlined in CZC 12.48.

1.D. Encourage greater intensity in land uses in appropriate areas along the South Main Street Corridor. Examples include mixed use developments, such as a retail use with a housing component above, and greater floor-area-ratios (FAR), such as a two-story building rather than a one-story building of the same footprint.

- While these proposed modifications do not affect the building footprint, FAR, or height of the building, they are encouraging a wider range of uses allowed in this zone. Commercial Medium is *only* located along Main Street from Parrish Lane to Porter Lane, the highest concentration of commercial along Main Street. Expanding the permitted uses to other low impact but commercially viable businesses intends to revitalize this street without adversely affecting surrounding properties as much as possible.

1.E. Incorporate Main Street into the neighborhood planning process for both the east and west side neighborhood plans to allow for consistency and coordination.

- Residents adjacent to the C-M zone were invited to participate in multiple public forums. Residents spoke up about traffic concerns, pedestrian safety, but were ultimately supportive in trying to improve this street by adding new uses that they would find useful and appealing.

Staff Analysis:

The purpose of the Commercial Medium Zone, as defined in 12.30.020, is to “promote a combination of retail and service facilities that meet day to day needs of nearby residents which are compatible in character and scale with adjacent development”. There is also a 10,000 square foot floor area limit to this zone, as well as a height limit of 35 feet. [CZC 12.34.400]

By adding the new uses as Conditional Use Permits, the City can expand the number of services and business to the city residents, while the Planning Commission retains the right to control and limit any negative impacts that may occur with these new uses, including effects on traffic, noise, odor, light, aesthetics, and overall harmony with the surrounding area. [As outlined in 12.21.100(5)(A-J)] These conditions limit the potential negative impact to the surrounding residents and neighbors that any new uses may cause.

The Commission has gathered the opinions of many interested stakeholders – many stated they were interested in improving the look and feel of Main Street, along with the safety and congestion of the street, in addition to adding desirable businesses for the community. Staff believes these amendments to the definitions and Table of Uses in this zone balances the needs of businesses and residents in the community and will encourage a wider variety of uses as well as bringing non-conforming uses into conforming status. Further steps will be needed in the future to possibly amend to South Main Street Overlay for a full revitalization effort.

PLANNING COMMISSION RECOMMENDATION AND MOTION

On November 14th, the Planning Commission made a motion to recommend to the City Council the following amendments to CZC 12.12 “Definitions” and CZC 12.36 “Table of Uses”:

12.12 “Definitions”

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental, **agricultural**, or landscaping purposes. **May include renting or selling of landscaping equipment and yard or animal care products.**

[ADD] Construction Sales and Service, Limited: An establishment engaged in the retail or wholesale of various small materials, supplies, and services used in the construction of buildings or other structures with activities which are conducted within an enclosed building, but not including outdoor storage of large construction equipment or materials yards on lot or parcel other than a construction site. Typical uses include, electrical, plumbing, air conditioning and heating supply stores, swimming pool contract sales and supplies, construction and trade contractors' offices including small equipment and supplies.

12.36 “Table of Uses”

Use	C-M
Assisted Living Facility	C
Business equipment rental, services and supplies	C
College or university	C
+ Construction Sales and service, <i>limited</i>	C
Indoor Recreation and entertainment	C
Mortuary	C
Outdoor recreation and entertainment	C
Printing, general	C
Protective Service	C
Reception Center	C
Research Service	C
Restaurant, fast food	C
Restaurant, general	C
Secondhand store	P
Shopping Center	C
Veterinary Clinic (<i>added by Staff</i>)	C
Vocational School (<i>added by Staff</i>)	C
Bank or financial institution	P
Cultural service	P

Reasons For Action:

- a) Consistent with General Plan, Commercial and Industrial Development 12-430 and the South Main Street Corridor Plan, 12-480-7
- b) Amendments are consistent with the purpose of the Commercial Medium Zone, 12.30.020(d).

ORDINANCE NO. 2018-25

AN ORDINANCE AMENDING SECTION 12.12.040 OF THE CENTERVILLE ZONING CODE TO ADD A NEW DEFINITION FOR “CONSTRUCTION SALES AND SERVICE, LIMITED” AND TO AMEND THE DEFINITION OF “GARDEN CENTER,” AND AMENDING SECTIONS 12.36.020, 12.36.030, AND 12.36.040 OF THE SAME REGARDING TABLE OF USES FOR USES WITHIN THE COMMERCIAL MEDIUM (C-M) ZONE

WHEREAS, the Planning Commission and City Council requested amendments to the Zoning Code regarding various uses in the Commercial Medium (C-M) Zone located along Main Street between Parrish Lane and Porter Lane; and

WHEREAS, the proposed amendments to the Zoning Code regarding the Table of Uses and the recommendations regarding amendments to certain Definitions in the Zoning Code were reviewed and revised by the Planning Commission with a positive recommendation to the City Council as more particularly set forth herein; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code regarding Definitions and Table of Uses are in the best interest of the City and the public to encourage additional uses within the City, particularly within the Main Street commercial area; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 12.12.040 of the Centerville Zoning Code regarding Definitions is hereby amended to add a new definition for “Construction Sales and Service, Limited” and to amend the definition of “Garden Center” as more particularly provided as follows:

12.12.040 Definitions

* * *

Construction Sales and Service, Limited: An establishment engaged in the retail or wholesale of various small materials, supplies, and services used in the construction of buildings or other structures with activities which are conducted within an enclosed building, but not including outdoor storage of large construction equipment or materials yards on lot or parcel other than a construction site. Typical uses include, electrical, plumbing, air conditioning and heating supply stores, swimming pool contract sales and supplies, construction and trade contractors' offices including small equipment and supplies.

* * *

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental, agricultural, or landscaping purposes. Use may include renting or selling of landscaping equipment and yard or animal care products.

* * *

Section 2. Amendment. Section 12.36.020 of the Centerville Zoning Code regarding Table of Uses for Residential Uses is hereby amended to allow “Assisted Living Facility” as a conditional use in the Commercial-Medium (C-M) Zone as more particularly provided as follows:

12.36.020 Table of Uses for Residential Uses

Legend: "P" - permitted use, "C" - conditional use, "N" - not permitted

Residential Uses	Zones														
	A-L	A-M	R-L	R-M	R-H	PF-L	PF-M	PF-H	PF-VH	C-M	C-H	C-VH	I-M	I-H	I-VH
Assisted Living Facility	N	N	N	C	P	N	C	P	P	C N	N	N	N	N	N

* * *

Section 3. Amendment. Section 12.36.030 of the Centerville Zoning Code regarding Table of Uses for Public and Civic Uses is hereby amended to change certain uses in the Commercial-Medium (C-M) Zone as more particularly provided as follows:

12.36.030 Table of Uses for Public and Civic Uses

Legend: "P" - permitted use, "C" - conditional use, "N" - not permitted

Public and Civic Uses	Zones														
	A-L	A-M	R-L	R-M	R-H	PF-L	PF-M	PF-H	PF-VH	C-M	C-H	C-VH	I-M	I-H	I-VH
College or university	N	N	N	N	N	N	C	P	P	C N	N	N	N	N	N
Cultural service	N	N	N	N	N	C	P	P	P	P C	P	P	N	N	N

Protective service	N	N	N	N	N	C	P	P	P	CN	C	P	N	N	N
Reception center	N	N	N	N	N	N	C	P	P	CN	C	P	N	C	N
School, vocational	N	N	N	N	N	C	C	P	P	CN	P	P	P	P	P

* * *

Section 4. Amendment. Section 12.36.040 of the Centerville Zoning Code regarding Table of Uses for Commercial Uses is hereby amended to change certain uses in the Commercial-Medium (C-M) Zone as more particularly provided as follows:

12.36.040 Table of Uses for Commercial Uses

Legend: "P" - permitted use, "C" - conditional use, "N" - not permitted

Commercial Uses	Zones														
	A-L	A-M	R-L	R-M	R-H	PF-L	PF-M	PF-H	PF-VH	C-M	C-H	C-VH	I-M	I-H	I-VH
Bank or financial institution	N	N	N	N	N	N	N	N	N	PC	P	P	P	P	P
Business equipment rental, services, and supplies	N	N	N	N	N	N	N	N	N	CN	P	N	P	P	P
Construction sales and services, limited	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N
Mortuary	N	N	N	N	N	N	N	N	N	CN	P	P	N	N	N
Printing, general	N	N	N	N	N	N	N	N	N	CN	N	N	P	P	P
Recreation and entertainment, indoor	N	N	N	N	N	N	N	N	N	CN	P	P	N	P	N
Recreation and entertainment, outdoor	N	N	N	N	N	C	C	C	C	CN	C	C	N	N	N
Research service	N	N	N	N	N	N	N	N	N	CN	P	C	P	P	P
Restaurant, fast-food	N	N	N	N	N	N	N	N	N	CN	C	C	N	N	N
Restaurant, general	N	N	N	N	N	N	N	N	N	CN	P	P	N	N	N

Secondhand store	N	N	N	N	N	N	N	N	N	PN	P	C	P	P	P
Shopping center	N	N	N	N	N	N	N	N	N	CN	C	C	N	N	N
Veterinary service	C	P	N	N	N	N	N	N	N	CN	C	C	N	P	P

* * *

Section 5. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 6. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 7. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 4th DAY OF DECEMBER, 2018.

ATTEST:

CENTERVILLE CITY

Mackenzie Wood, City Recorder

By: _____
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mecham	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

MACKENZIE WOOD, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2018.

PUBLISHED OR POSTED this ____ of _____, 2018.

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 3**

APPLICATION: **ZONING TEXT AMENDMENTS FOR
DEFINITIONS & TABLE OF USES IN C-M ZONE,
CZC 12.12 AND 12.36**

ZONING DISTRICT: **COMMERCIAL- MEDIUM**

STAFF RECOMMENDATION: **SEE TABLE BELOW**

Background

Since February, the Planning and City Council have discussed potential changes to the Main Street district corridor, specifically the area between Parrish and Porter Lane as an area in need of revitalization. As a first step, they agreed to start examining potentially expanding the uses allowed in this zone, which is zoned entirely Commercial-Medium, as a way to open up business possibilities and future tenants to currently vacant or underused properties. Multiple public meetings were held on this issue in order to receive as much public feedback as possible, including meeting with the property owners, adjacent residents, and the general public as a whole.

The Planning Commission narrowed down the list to those below, adding most new uses as a Conditional Use Permit, along with modifying or adding some new definitions to the list of uses.

Public Meetings Held:

September 12th, 2018 -- Property Owners of those located on the Commercial Medium Zone
September 26th, 2018 – Local Residents to those that abut Main Street properties
October 12th, 2018 – Open to the General Public
October 24th, 2018 – Public meeting and Commission discussion without hearing

New or Amended definitions: CZC 12.12

Agricultural Sales and Service: An establishment primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products, anhydrous ammonia, farm supplies and the like, and including accessory food sales and machinery repair services.

Instead of adding an “Agricultural, Sales and Service, limited” similar to what Staff proposed for Construction Sales and Service, Staff decided to simply add onto the definition for “Garden Center” to include agricultural products, so as to not to overlap use definitions. Outdoor Nursery/ Growers Outlet also is defined in our code and a Conditional Use Permit in the C-M Zone.

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental, **agricultural**, or landscaping purposes. **May include renting or selling of landscaping equipment and yard or animal care products.**

Construction Sales and Service: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumber yards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, swimming pool sales, construction and trade contractors' offices and storage yards, and public utility corporation storage yards.

[ADD] Construction Sales and Service, Limited: An establishment engaged in the retail or wholesale of various small materials, supplies, and services used in the construction of buildings or other structures with activities which are conducted within an enclosed building, but not including outdoor storage of large construction equipment or materials yards on lot or parcel other than a construction site. Typical uses include, electrical, plumbing, air conditioning and heating supply stores, swimming pool contract sales and supplies, construction and trade contractors' offices including small equipment and supplies.

See a full list of definitions of all uses included in this list in the Backup Materials in this packet, or refer to CZC 12.12

Commission proposed Amendments to the Table of Uses in the Commercial Medium Zone, CZC 12.36:

Use	Current	Proposed
Agricultural sales and service	N	N
Assisted Living Facility	N	C
Business equipment rental, services and entertainment	N	C
Car wash	N	C
College or university	N	C
Construction Sales and service	N	N
+ Construction Sales and service, <i>limited</i>	N/A	C
Garden Center (amended)	C	C
Indoor Recreation and entertainment	N	C
Mortuary	N	C
Outdoor recreation and entertainment	N	C
Park	N	N
Printing, general	N	C
Protective Service	N	C
Reception Center	N	C
Research Service	N	C
Restaurant, fast food*	N	C
Restaurant, general	N	C
School, elementary, middle or high	N	N
Secondhand store	N	P
Shopping Center	N	C
Veterinary Clinic (<i>added by Staff</i>)	N	C
Vocational School (<i>added by Staff</i>)	N	C
Catering, limited	C	C
Bank or financial institution*	C	P
Bed & Breakfast	C	C
Cultural service	C	P
Church or place of worship	C	C

**No drive thrus shall be allowed for these uses in the C-M Zone*

Park, elementary, middle and high school, as well as colleges and universities are all exclusively permitted in Public Facility Zones, so in order to maintain consistency within our code, Staff

would recommend for these uses remain Public Facility only, with the exception of college or university. Since many colleges are more frequently hosting smaller off campus classrooms, staff believes there could be value to adding this use within a Commercial zone, so as to not have to rezone an entire parcel into Public Facility. For this reason staff has added vocational schools onto the list, which is a permitted use in every other Commercial, Industrial and Public Facility Zones.

Veterinary Clinic is another existing use that is currently not permitted in the C-M Zone. Medical clinics, offices, and dental offices already are prevalent on this street, making veterinary clinic a good fit for this district.

12.21.080 Zoning Map and Zoning Code Amendments: Approval Standards

1. Whether the proposed Zoning Code or Zoning Map amendment is consistent with goals, objectives and policies of the General Plan;

General Plan, 12-430-2

Main Street commercial area . The area on Main Street between 400 South (Porter Lane) and 400 North (Parrish Lane) has been regarded as the traditional commercial center of Centerville, though in reality it never became a strong focal point. The Main Street commercial area is old now and somewhat deteriorating, though a few new buildings have been constructed here in recent years. Restoration or revitalization should be encouraged.

South Main Street Corridor Plan

Goal #1: Promote the South Main Street Corridor as the cultural, civic, and community heart of Centerville by providing a careful balance of land uses, which service residents, businesses, and visitors.

- 1.A. Preserve the existing mix of land uses along the South Main Street Corridor, recognizing that each District has a different character and different land use needs.
 - The C-M Zone from Parrish to Porter is the highest concentration of small, local, commercial activity along Main Street and is somewhat of a local businesses and civic center of the City, while Parrish Lane is the big box, fast food commercial hub of the city. The character of this Main Street is taken into consideration when adding new uses to the Commercial Medium Zone. Staff and the Planning Commission would like to keep this street occupied with local businesses, and have reached out to the property owners as to what their wants and need for this area are and have tailored the list to encourage further small businesses on this street.
- 1.B. Minimize, to the extent possible, potential conflicts between adjacent land uses.

- By listing the new uses as Conditional Use Permits, potentially adverse conflicts between uses can be minimized by the conditions of the Planning Commission, as outlined in CZC 12.21.100, including traffic circulation, aesthetics, noise and odors that may impact surrounding properties.

1.C. Encourage additional single family and multi-family residential land uses, by way of mixed-use development, throughout the South Main Street Corridor.

- Although the residential uses were not included on this list, a residential mixed-use component is still included in the South Main Street Overlay Zone, as outlined in CZC 12.48.

1.D. Encourage greater intensity in land uses in appropriate areas along the South Main Street Corridor. Examples include mixed use developments, such as a retail use with a housing component above, and greater floor-area-ratios (FAR), such as a two-story building rather than a one-story building of the same footprint.

- While these proposed modifications do not affect the building footprint, FAR, or height of the building, they are encouraging a wider range of uses allowed in this zone. Commercial Medium is *only* located along Main Street from Parrish Lane to Porter Lane, the highest concentration of commercial along Main Street. Expanding the permitted uses to other low impact but commercially viable businesses intends to revitalize this street without adversely affecting surrounding properties as much as possible.

1.E. Incorporate Main Street into the neighborhood planning process for both the east and west side neighborhood plans to allow for consistency and coordination.

- Residents adjacent to the C-M zone were invited to participate in multiple public forums. Residents spoke up about traffic concerns, pedestrian safety, but were ultimately supportive in trying to improve this street by adding new uses that they would find useful and appealing.

Staff Response:

The purpose of the Commercial Medium Zone, as defined in 12.30.020, is to “promote a combination of retail and service facilities that meet day to day needs of nearby residents which are compatible in character and scale with adjacent development”. There is also a 10,000 square foot floor area limit to this zone, as well as a height limit of 35 feet. [CZC 12.34.400]

By adding the new uses as Conditional Use Permits, the City can expand the number of services and business to the city residents, while the Planning Commission retains the right to control and limit any negative impacts that may occur with these new uses, including effects on traffic, noise, odor, light, aesthetics, and overall harmony with the surrounding area. [As outlined in 12.21.100(5)(A-J)] These conditions limit the potential negative impact to the surrounding residents and neighbors that any new uses may cause.

The purpose behind limiting drive thrus on Main Street is the high traffic flow of this corridor at 40 mph speeds. Drive thrus have the effect of limiting flow traffic through a site, and can cause congestion problems that spill onto the street. Also, the Commission's overall goals for this zone are to improve the pedestrian experience and site design of these buildings, of which drive thrus do not contribute to these goals.

The Commission has gathered the opinions of many interested stakeholders – many stated they were interested in improving the look and feel of Main Street, along with the safety and congestion of the street, in addition to adding desirable businesses for the community. Staff believes these amendments to the definitions and Table of Uses in this zone balances the needs of businesses and residents in the community and will encourage a wider variety of uses as well as bringing non-conforming uses into conforming status. Further steps will be needed in the future to possibly amend to South Main Street Overlay for a full revitalization effort.

STAFF RECOMMENDATION AND MOTION

I hereby make a motion to recommend to the City Council was the following amendments to CZC 12.12 “Definitions” and CZC 12.36 “Table of Uses”:

12.12 “Definitions”

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental, agricultural, or landscaping purposes. **May include renting or selling of landscaping equipment and yard or animal care products.**

***[ADD] Construction Sales and Service, Limited:** An establishment engaged in the retail or wholesale of various small materials, supplies, and services used in the construction of buildings or other structures with activities which are conducted within an enclosed building, but not including outdoor storage of large construction equipment or materials yards on lot or parcel other than a construction site. Typical uses include, electrical, plumbing, air conditioning and heating supply stores, swimming pool contract sales and supplies, construction and trade contractors' offices including small equipment and supplies.*

12.36 “Table of Uses”

Use	C-M
Agricultural sales and service	N
Assisted Living Facility	C
Business equipment rental, services and entertainment	C
Car wash	C
College or university	C
Construction Sales and service	N
+ Construction Sales and service, <i>limited</i>	C
Garden Center (amended)	C

Indoor Recreation and entertainment	C
Mortuary	C
Outdoor recreation and entertainment	C
Park	N
Printing, general	C
Protective Service	C
Reception Center	C
Research Service	C
Restaurant, fast food*	C
Restaurant, general	C
School, elementary, middle or high	N
Secondhand store	P
Shopping Center	C
Veterinary Clinic <i>(added by Staff)</i>	C
Vocational School <i>(added by Staff)</i>	C
Catering, limited	C
Bank or financial institution*	P
Bed & Breakfast	C
Cultural service	P
Church or place of worship	C

**No drive thrus shall be allowed for these uses in the C-M Zone*

Reasons For Action:

- a) Consistent with General Plan, Commercial and Industrial Development 12-430 and the South Main Street Corridor Plan, 12-480-7
- b) Amendments are consistent with the purpose of the Commercial Medium Zone, 12.30.020(d).

Agricultural Sales and Service: An establishment primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products, anhydrous ammonia, farm supplies and the like, and including accessory food sales and machinery repair services.

Assisted Living Facility: A residential facility, licensed by the State of Utah, with a home-like setting that provides an array of coordinated supportive personal and health care services, available 24 hours per day, to residents who have been assessed under Utah Department of Health or the Utah Department of Human Services rules to need any of these services and who have a service plan based on the assessment, which may include: (1) specified services of intermittent nursing care; (2) administration of medication; and (3) support services promoting residents' independence and self-sufficiency. An assisted living facility does not include adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

Auditorium or Stadium: An open, partially enclosed or fully enclosed facility used or intended to be used primarily for spectator sports, entertainment events, expositions and other public gatherings. Typical uses include convention and exhibition halls, sports arenas and amphitheaters

Bank or Financial Institution: An organization involved in deposit banking, finance, investment, mortgages, trusts, and the like. Typical uses include commercial banks, credit unions, finance companies, and savings institutions.

Bed and Breakfast: A limited commercial activity where paying guests:

1. Obtain lodging on a day-to-day basis in a room or rooms without cooking facilities,
2. May obtain breakfast or other meals, and
3. May engage in other limited related activities

Business Equipment Rental, Services, and Supplies: An establishment primarily engaged in the display, storage, sale, rental or repair of equipment and supplies used by office, professional or business service establishments, or individuals. Excludes automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops and hotel equipment and supply firms.

Car Wash: A place for the cleaning or detailing of motor vehicles, whether self-service, automatic or by hand.

Catering, Limited: An establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption with a limited number of catering transport vehicles. Includes catering for food for single event-based food services and contractual agreements for a specified period of time. This use does NOT include mobile food trucks or carts, or any other mobile food service uses. This use is intended to be a low-intensity use permissible in commercial areas commonly located adjacent to residential uses and shall prohibit the off-site dissemination of any detectable ambient food-source odors.

Cemetery: Land used or intended to be used for the burial of the dead, whether human or animal, including crematoriums and mausoleums.

Church or Place of Worship: Any structure or site such as a church, synagogue, chapel, sanctuary or cathedral, used primarily for collective or individual involvement with a religious activity, such as rites, rituals, ceremonies, prayers and discussions, and for church-related activities.

College or University: An institution of higher education offering undergraduate or graduate degrees and including, but not limited to, extension services and accessory uses such as dormitories, museums, stadiums, and theaters.

Construction Sales and Service: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumber yards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, swimming pool sales, construction and trade contractors' offices and storage yards, and public utility corporation storage yards.

Cultural Service: A library, museum or similar public or registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental or landscaping purposes.

Hotel: An establishment with or without fixed cooking facilities in individual rooms offering transient lodging accommodations to the general public, and which may provide additional services such as restaurants and meeting rooms.

Indoor Recreation and Entertainment: An establishment offering recreation, entertainment or games of skill to the general public that is wholly enclosed in a building. Typical uses include bowling alleys, indoor theaters, bingo parlors, pool halls, billiard parlors, video game arcades, racquetball and handball courts, and amusement rides.

Mortuary: An establishment engaged in preparing human deceased for burial and conducting funerals.

Multiple-Family Dwelling: A dwelling having three or more dwelling units.

Outdoor Recreation and Entertainment: An establishment offering recreation, entertainment or games of skill to the general public or members wherein any portion of the activity takes place in the open. Typical uses include archery ranges, batting cages, golf driving ranges, drive-in theaters, miniature golf courses, tennis courts, and amusement rides.

Outdoor Nursery/Grower's Outlet: An establishment or premises where nursery products, such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes, are sold at retail to the general public from covered or open air areas on a temporary or seasonal basis.

Park: A playground or other area or open space providing opportunities for active or passive recreational or leisure activities.

Post Office: A facility or structure owned by the U.S. Postal Service and used for collecting, sorting or distributing mail within one or more zip code areas, or providing limited retail services for the general public, such as the sale of stamps, postcards and postal insurance.

Printing, General: The production of books, magazines, newspapers and other printed matter, as well as publishing, engraving and photoengraving, but excluding Printing and Copying, Limited uses.

Protective Service: A facility for conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services.

Reception Center: A facility rented for private social gatherings.

Research Service: An establishment engaged in industrial, medical, or scientific inquiries.

Restaurant, Fast-food: An establishment that sells ready-to-eat food and beverages quickly and which has one or more of the following characteristics:

1. Food and beverage orders are not taken at the customer's table;
2. Food and beverages are generally served in disposable wrapping or containers; or
3. Food and beverages are offered directly to the customer in a motor vehicle from a "drive-up" service window.

Restaurant, General: An establishment that derives not less than 50% of its gross receipts from the sale of food and beverages for consumption on the premises and which has one or more of the following characteristics:

1. Food and beverage orders are taken at the customer's table from an individually-provided menu;
2. Food and beverages are served in non-disposable containers by a restaurant employee at the same table or counter where said items are consumed;
3. Food and beverages are generally self-served in non-disposable containers and consumed on the premises; or
4. A restaurant having some characteristics of a fast-food restaurant, other than drive-up service, which is located exclusively within a shopping center, shares common parking facilities with other businesses within the center, and has access to a common interior pedestrian access way.

School, Elementary, Middle, or High: Any building or group of buildings or premises approved by the State of Utah for public or private elementary or secondary instruction.

School, Vocational: An establishment, for profit or not, offering regularly scheduled instruction in technical, commercial or trade skills, including but not limited to business, real estate, building and construction trades, electronics, computer programming and technology, automotive and aircraft mechanics and technology, and similar types of instruction.

Secondhand Store: A retail establishment that engages in the purchase and resale of used goods such as clothing, furniture, appliances, books, and other household items.

Shopping Center: A group of three or more commercial establishments that is planned, developed, and managed as a unit with common areas for off-street parking and landscaping provided on the property.

Single-Family Dwelling : A building having only one dwelling unit.

Twinhome: Two single-family dwelling units connected by a common wall and located on adjacent, contiguous, and individually owned lots or parcels.

Two-Family Dwelling: A dwelling having only two dwelling units.

Veterinary Service: An establishment providing medical care and treatment for animals, which may include accessory grooming or boarding services.

MAIN STREET USE FORUM

Property Owners Invite

09/12/2018 | 6:00 p.m. at *City Hall*

Planning Commissioners Attending

Chair Hayman | Kevin Daly | Gina Hirst | Kathy Helgeson

#	Comment	Category
1	Issues Involving Consistency	Long Range Commitment
2	Residential Status Questions	Housing
3	Concerns with diminishing uses, specifically mixed-use	Long Range/ Housing
4	Where does mixed-use fit in?	Expansion/ Housing
5	Potential lack of trust	Long Range Commitment
6	Creating potential options for façade upgrades, but with constraints	Design/ Layout
7	Don'ts are in place. Where are the do's	Design/ Layout
8	Making a Living Matters – Allow Market Patterns	Economic Needs
9	What are the historic uses – e.g. Construction, fuel/gas stations, City Hall, missed opportunity for the Library	Community Identity
10	May NOT be retail – But it's a local business area	Economic
11	What to Do (use) verse What to Design (buildings)	Design/ Layout
12	Substantial conversion of buildings may NOT be feasible	Economic
13	Limitation of Old Fire Station/ No remodel beyond 30% Expansion	Design/ Layout
14	Create considerations for existing buildings/ layouts	Design/ Layout
15	Parking to the rear may create increased traffic near residential uses	Design/ Layout
16	What are the incentives to upgrade – Are they equitable?	Design/ Layout

MAIN STREET USE FORUM

Local Residents Invite

09/26/2018 | 6:00 p.m. at *City Hall*

Planning Commissioners Attending

Chair Hayman | Kevin Daly | Gina Hirst | Kathy Helgeson | Kia Hintze | Becki Wright

#	Comment	Category
1	Things can and should be improved (e.g. Old Williams Barn)	Long Range Commitment
2	Not in favor of high-density residential (e.g. SLC Apartments)	Housing
3	Centerville is a commuter City – like the country feel of the city	Community Identity
4	Parrish Lane is likely the City's Main Street (1970s Parrish Interchange)	Community Identity
5	No gas stations, theater, car wash – issues regarding Cup-Bop	Economic
6	Youth need to feel safe – need a local place to go instead of Ogden/SLC	Community Identity
7	Maybe small restaurant or satellite education uses – Nothing illegal/immoral	Community Identity
8	Residents & businesses need to compromise – a unified outcome	Economic Needs
9	Business hours of use need to respect surrounding residents	Community Identity
10	How much do we desire to bring people to the city?	Community Identity
11	Local businesses may or may not need to rely on new traffic for achieving success	Economic Needs
12		

MAIN STREET USE FORUM

General Public Invite

10/12/2018 | 6:00 p.m. at *City Hall*

Planning Commissioners Attending

Chair Hayman | Kevin Daly | Gina Hirst | Kathy Helgeson | Kia Hintze | Logan Johnson | Becky Wright

#	Comment	Category
1	Are there future plans for redeveloping Main Street	Long Range Commitment
2	How do you blend the historical pattern of residential & local commercial	Community Identity
3	Tourism/Group Tours like the small town feel – like the people of the community	Community Identity
4	Main Street has good access, there is local beauty, things are pretty good already	Community Identity
5	Three principles; How do they feel, What do they see, and blending local appeal with commercial success	Community Identity & Economic Needs
6	We love Centerville – but need to develop or maintain it's quaintness.	Community Identity
7	Main should not be like Parrish – ability to walk should be important	Land Use & Design Patterns
8	Main Street can get congested – specifically for left hand turn movements	Transportation
9	Better manage traffic flow and vehicle spacing	Transportation
10	Main Street needs to be more walkable and safer	Transportation

11	Main Street needs wider sidewalks (think Strollers) and eliminate goat head weeds.	Transportation
12	Main Street is an elephant – how do you tackle future changes	Long Range Commitment
13	Are there other places to use as examples?	Long Range Commitment
14	Uses that demand parking could be a problem	Transportation
15	Uses should be in context with the traffic flow and speeds – sidewalk style restaurants may not be appropriate	Transportation
16	The higher the speed the less town feel is present – keep speeds less than 40 mph – more like 30 to 35 mph.	Transportation
17	Keep in mind the needs of the local youth – local jobs, closer to get to work	Economic Needs
18	A pleasing streetscape will improve the look of Main Street and help commercial be successful	Land Use & Design Patterns

CENTERVILLE

Staff Backup Report

12/4/2018

Item No. 6

Short Title: Approve Final Draft of Community Survey Questionnaire re Parks and Funding for Survey Administration

Initiated By: Parks & Recreation Committee

Scheduled Time: 8:05

SUBJECT

RECOMMENDATION

Review and approve the attached survey questionnaire, with any revisions agreed upon by the City Council. Also give direction regarding the process for administering the survey.

BACKGROUND

The Council reviewed an earlier draft of the questionnaire on November 20. At that time the Council agreed survey responses should be allowed both by mail or online. A decision is still needed as to whether the questionnaire will be distributed in connection with the City Newsletter, or as a separate mailing, and whether to pay for return postage. The City Recorder prepared the attached cost estimates for printing and mailing.

ATTACHMENTS:

Description

- ▢ Survey Questionnaire
- ▢ Cost for Newsletter/Survey
- ▢ Cost for Newsletter/Survey 12-4-18 Update



Parks	Never	Rarely	Monthly	Weekly	Daily
Centerville Community	☐	☐	☐	☐	☐
Island View	☐	☐	☐	☐	☐
Porter-Walton	☐	☐	☐	☐	☐
Freedom Hills	☐	☐	☐	☐	☐
Smoot	☐	☐	☐	☐	☐
William R Smith (Founders)	☐	☐	☐	☐	☐
Pocket Park	☐	☐	☐	☐	☐
Other _____	☐	☐	☐	☐	☐

☐ Yes (please specify) _____

☐ No

[illegible]

Q5. When you visit Centerville parks, how do you travel there? (select all that apply)

	Centerville Community	Island View	Porter- Walton	Freedom Hills	Smoot	William R. Smith
Walk	☐	☐	☐	☐	☐	☐
Bike	☐	☐	☐	☐	☐	☐
Transit (UTA)	☐	☐	☐	☐	☐	☐
Drive	☐	☐	☐	☐	☐	☐
Other _____	☐	☐	☐	☐	☐	☐

Q6. What activities do you or your family actively participate in? (select all that apply)

	Never	Occasionally	Sometimes	Often
Walking /walking a pet	☐	☐	☐	☐
Jogging/running	☐	☐	☐	☐
Hiking	☐	☐	☐	☐
Road Biking	☐	☐	☐	☐
Mountain biking	☐	☐	☐	☐
Horseback riding	☐	☐	☐	☐
Playgrounds	☐	☐	☐	☐
Picnic/pavilions	☐	☐	☐	☐
Baseball	☐	☐	☐	☐
Basketball	☐	☐	☐	☐
Softball	☐	☐	☐	☐
Pickleball	☐	☐	☐	☐
Tennis	☐	☐	☐	☐
Soccer	☐	☐	☐	☐
Track and Field	☐	☐	☐	☐
Football	☐	☐	☐	☐
Lacrosse	☐	☐	☐	☐
Volleyball	☐	☐	☐	☐
Frisbee	☐	☐	☐	☐
Swimming	☐	☐	☐	☐
Wildlife/birdwatching	☐	☐	☐	☐
Skateboarding/Scooters/Rollerblading	☐	☐	☐	☐
BMX	☐	☐	☐	☐
ATV	☐	☐	☐	☐
Hunting/shooting	☐	☐	☐	☐
Other _____	☐	☐	☐	☐

Q7. The following are South Davis Recreation District programs. Which (if any) do you or your family participate in? (select all that apply)

- ☐ Youth Soccer
- ☐ Youth Flag football
- ☐ Jr. Jazz Basketball
- ☐ Youth babysitting training
- ☐ Swimming
- ☐ Ice skating
- ☐ Fitness Classes
- ☐ Other _____

Q8. Which of the following does Centerville need more of? (Please indicate whether you feel that each item should NOT be a priority, should be given a LOW priority, MEDIUM priority or HIGH priority)

	Not	Low	Medium	High
Organized athletic/Sporting events	☐	☐	☐	☐
Children's activities	☐	☐	☐	☐
Yoga/meditation	☐	☐	☐	☐
Outdoor markets	☐	☐	☐	☐
Arts/Crafts	☐	☐	☐	☐
Educational opportunities	☐	☐	☐	☐
Passive recreation opportunities	☐	☐	☐	☐
Bird watching/Wildlife observation	☐	☐	☐	☐
Other _____	☐	☐	☐	☐

Q9. What type of park land do you value most for Centerville? (arrange in order of importance, from 8 being low priority, and 1 being your highest priority)

- _____ Neighborhood park (Island View Park, Porter-Walton Park, Freedom Hills Park, Smoot Park, William R Smith Park/Founders Park)
- _____ Community park, multi-use (Centerville Community Park)
- _____ Large open-space preserves
- _____ Linear parks along streams/washes
- _____ Park land for sports fields
- _____ Mini parks (Pocket parks/specialty parks/dog parks/etc)
- _____ Community garden
- _____ Other _____

Q10. What additional facilities does Centerville need? (Please indicate whether you feel that each item should NOT be a priority, should be given a LOW priority, MEDIUM priority or HIGH priority)

	Not	Low	Medium	High
1. Nature Trails/Native Landscapes	☐	☐	☐	☐
2. Fishing pond	☐	☐	☐	☐
3. Golf/Driving range	☐	☐	☐	☐
4. Skateboard park	☐	☐	☐	☐
5. Zipline	☐	☐	☐	☐
6. Benches	☐	☐	☐	☐
7. Picnic shelters/Pavilions	☐	☐	☐	☐
8. Drinking fountains	☐	☐	☐	☐
9. Outdoor gym/fitness equipment	☐	☐	☐	☐
10. Additional Parks	☐	☐	☐	☐
11. Recreation Center	☐	☐	☐	☐
12. Dog park/areas	☐	☐	☐	☐
13. Pool	☐	☐	☐	☐
14. Splash pad/Waterplay areas	☐	☐	☐	☐
15. Basketball courts	☐	☐	☐	☐
16. Baseball fields	☐	☐	☐	☐
17. Pickleball court	☐	☐	☐	☐
18. Tennis courts	☐	☐	☐	☐
19. Football /Soccer fields	☐	☐	☐	☐
20. Volleyball courts	☐	☐	☐	☐
21. Walking/Hiking trails	☐	☐	☐	☐
22. Cemeteries	☐	☐	☐	☐
23. Other _____	☐	☐	☐	☐

Q11. From your answers above (Q10), which high priority items are MOST important to you? (arrange in order of importance, highest priority at the top)

_____ Most Important

_____ Second Most Important

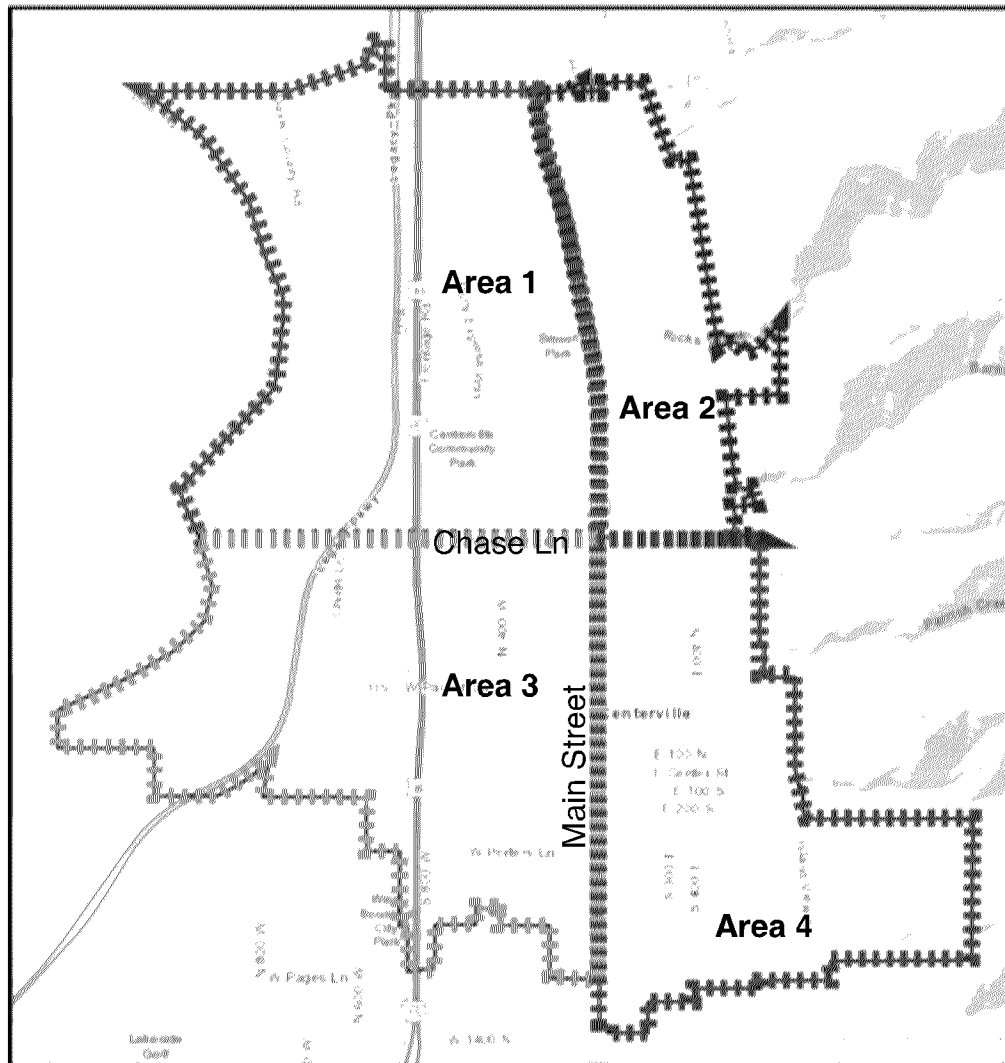
_____ Third Most Important

Q12. Please select what specific park improvements are needed at each Centerville park. (Please indicate by entering a value, 1-4; whether you feel that each improvement should (4) NOT be a priority, (3) should be given a LOW priority, (2) MEDIUM priority, or (1) HIGH priority)

	Centerville Community	Island View	Porter- Walton	Freedom Hills	Smoot	William R Smith
Improved Playground Equipment						
Improved Sports Field/ Courts						
Maintenance/Cleanliness						
Additional Trees/Vegetation						
Enhanced Lighting/Safety						
Additional Picnic facilities/ Pavilions						
Better ADA/Access						
Additional Restrooms						
Additional Parking						
Additional Trails						
Additional Shade						
No Improvements needed						
Other _____						

☐ Not sure

- ☐ Area 1
- ☐ Area 2
- ☐ Area 3
- ☐ Area 4



- ☐ Proximity to Salt Lake/Convenience for commuting
- ☐ Quiet Community/Safe environment
- ☐ Small Town Atmosphere/Quality of life
- ☐ Recreation amenities
- ☐ Other

Q16. What is your age?

- ☐ Under 18 (please specify) _____
- ☐ 18 - 24
- ☐ 25 - 34
- ☐ 35 - 44
- ☐ 45 - 54
- ☐ 55 - 64
- ☐ 65 - 74
- ☐ 75 or older

Q17. Do you have children living at home under 18 years of age? (select all that apply)

- ☐ None
- ☐ 0-5 years
- ☐ 6-12 years
- ☐ 13-18 years

Q18. What is your gender?

- ☐ Male
- ☐ Female
- ☐ Prefer not to answer

Q19. Do you own or rent your primary home?

- ☐ Rent
- ☐ Own
- ☐ Prefer not to answer

Q20. What is your income?

- ☐ \$0 - \$35,000
- ☐ \$36,000 - \$75,000
- ☐ \$76,000 - \$100,000
- ☐ \$100,000+
- ☐ Prefer not to answer

Q21. Additional comments?

- ☐ Yes: _____
- ☐ None

Cost for Newsletter/Survey

11/30/2018

Households

6413

Preparation Costs

Survey	50# offset, black	\$	652.15
Newsletter	60# offset black	\$	337.00
	60# offset pantone	\$	399.80
Calendar	80# black	\$	708.35
Envelope	#10 white	\$	412.08
Collating		\$	300.00

Total cost Diagraphics	\$ 2,409.58
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Sending out Costs

Postage	\$ 1,000.43
Price pre-return postage	\$ 3,410.01

Return Mail Costs

Return Mail Permit	\$ 225.00
Per returned envelope	\$ 1.33

Possible Return postage	\$ 8,529.29	\$ 6,396.97	\$ 4,264.65	\$ 2,132.32	\$ 426.46
	100%	75%	50%	25%	5%
	6413	4810	3207	1603	321

Possible Totals	\$ 12,164.30	\$ 10,031.98	\$ 7,899.66	\$ 5,767.33	\$ 4,061.47
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12/4/2018

6413

		Preparation Costs		
Survey (8 pages)	50# offset, black			\$ 1,304.30
Newsletter	60# offset black			\$ 337.00
	60# offset pantone		\$ 399.80	
Calendar	80# black			\$ 708.35
Envelope	#10 white			\$ 412.08
Collating				\$ 300.00
Total cost Diagnostics				<u>\$ 3,061.73</u>
Postage				<u>\$ 1,000.43</u>
Price pre-return postage				<u>\$ 4,062.16</u>
Return Mail Permit				\$ 225.00
Per returned envelope				\$ 1.33
Possible Return postage	\$ -	\$ 426.46	\$ 852.93	\$ 1,705.86
	0%	5%	10%	15%
	0	321	641	962
				1283
				1603
Possible Totals	\$ 4,287.16	\$ 4,713.62	\$ 5,140.09	\$ 5,993.02
				\$ 6,419.48

12/4/2018

12/4/2018

6413

		Preparation Costs		
Survey (8 pages)	50# offset, black			\$ 1,304.30
Newsletter	60# offset black			
	60# offset pantone			
Calendar	80# black			\$ 708.35
Envelope	#10 white			\$ 412.08
Collating				\$ 300.00
Total cost Diagnostics				<u>\$ 2,724.73</u>
Postage			Mailing Costs	<u>\$ 1,000.43</u>
Price pre-return postage				<u>\$ 3,725.16</u>
Return Mail Permit				
Per returned envelope			Return Mail Costs	\$ 225.00
				\$ 1.33
Possible Return postage	\$ -	\$ 426.46	\$ 852.93	\$ 1,279.39
	0%	5%	10%	15%
	0	321	641	962
				1283
				1603
Possible Totals	\$ 3,950.16	\$ 4,376.62	\$ 4,803.09	\$ 5,229.55
				\$ 5,656.02
				\$ 6,082.48

Cost for Separate Newsletter/Survey

12/4/2018

Households	6413	
	4 pages	8 pages
Survey Preparation Costs		
Survey	\$ 652.15	\$ 1,304.30
Envelope	\$ 412.08	\$ 412.08
Collating	\$ 300.00	\$ 300.00
Total cost Diagnostics	<u>\$ 1,364.23</u>	<u>\$ 2,016.38</u>
Mailing Costs		
Postage	\$ 1,000.43	\$ 1,000.43
Price pre-return postage	\$ 2,364.66	\$ 3,016.81
Return Mail Costs		
Return Mail Permit	\$ 225.00	\$ 225.00
Per returned envelope	\$ 1.33	\$ 1.33
Possible Return postage	\$ -	\$ 426.46
Cost	\$ -	\$ 852.93
Percentage	0%	5%
Amount Returned	0	321
		641
		962
		1283
		1603
Possible Totals (4 pages)	\$ 2,589.66	\$ 3,016.12
Possible Totals (8 pages)	\$ 3,241.81	\$ 3,668.27
	\$ 4,094.74	\$ 4,521.20
	\$ 4,947.67	\$ 5,374.13
Newsletter Preparation Costs		
Newsletter	\$ 337.00	
60# offset black		\$ 399.80
60# offset pantone		\$ 708.35
80# black		\$ 1,108.15
Calendar		
Postage		\$ 1,000.43
Total		\$ 2,108.58
Separate Mailers Total Cost at 15% return rate	\$ 5,977.63	\$ 6,629.78

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/4/2018**

Item No. Z.

Short Title: Resolution Supporting the Continuation of the Prohibition of Large Trucks on Legacy Parkway

Initiated By: Councilmembers Mecham and McEwan

Scheduled Time: 8:15

SUBJECT

Consider Resolution No. 2018-25 supporting the continuation of the prohibition of large trucks on Legacy Parkway

RECOMMENDATION

BACKGROUND

In 2005, the Utah Legislature adopted statutory restrictions prohibiting large trucks on Legacy Parkway as adopted by SB 2001. This legislation also provided a sunset provision on the truck restrictions to expire on January 1, 2020. Farmington City and Woods Cross have passed resolutions encouraging the Utah Legislature to consider repealing or extending the sunset restriction. A copy of the Farmington and Woods Cross resolutions are attached as well as a copy of SB 2001 (2005). Councilmembers Mecham and McEwan have requested this matter be presented to the Council for consideration and adoption. The proposed Resolution prepared by the City Attorney varies slightly from the Farmington and Woods Cross resolutions in that it refers to a "prohibition on large trucks" rather than a "truck ban." This change is due to the fact that not all trucks are banned from Legacy Parkway, but just those large trucks that exceed 5 axles or 80,000 pounds.

ATTACHMENTS:

Description

- ▢ Resolution No. 2018-25 - Trucks on Legacy Parkway
- ▢ SB 2001 (2005)
- ▢ Farmington Resolution
- ▢ Woods Cross Resolution

RESOLUTION NO. 2018-25

A RESOLUTION SUPPORTING THE CONTINUATION OF THE PROHIBITION OF LARGE TRUCKS ON LEGACY PARKWAY AND ASKING THE STATE LEGISLATURE TO REMOVE THE SUNSET OF THE RESTRICTIONS AS SET FORTH IN UTAH CODE § 72-3-113

WHEREAS, trucks with five or more axels or 80,000 lbs. or greater gross vehicular weight are not allowed on Legacy Parkway in accordance with State statute; and

WHEREAS, the statutory large truck restrictions on Legacy Parkway will terminate on January 1, 2020 as prescribed in Utah Code §631-2-272; and

WHEREAS, Legacy Parkway was designed as a parkway to create a special driving experience for the motorist and allowing trucks on the Parkway will negate the special attributes UDOT had in mind when designing the Parkway; and

WHEREAS, Centerville City residents and those from other communities living in close proximity to Legacy Parkway will experience diminished quality of life due to the increased noise and air pollution created by the large trucks if they are allowed on Legacy Parkway; and

WHEREAS, users on the Legacy Trail will have a diminished recreational experience due to the increased noise and air pollution if large trucks are allowed on Legacy Parkway; and

WHEREAS, the unique location of Legacy Parkway adjacent to the Legacy Nature Preserve was stated as the purpose of the restriction on large trucks and the negative effects large trucks will have on the Nature Preserve such as noise and diminished air quality have not changed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH:

Section 1. Support and Request. Be it resolved that Centerville City supports the continuation of the prohibition of large trucks on Legacy Parkway as set forth in Utah Code § 72-3-113 and asks the Utah State Legislature to remove the January 1, 2020 sunset on the truck restrictions.

Section 2. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH ON THIS 4th DAY OF DECEMBER, 2018.

ATTEST:

CENTERVILLE CITY

Mackenzie Wood, City Recorder

BY:_____
Clark A. Wilkinson, Mayor

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. 910-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

MACKENZIE WOOD, City Recorder

DATE: _____

EFFECTIVE DATE: _____ day of _____, 2018.

**LIMITATION OF TRUCKS ON LEGACY
PARKWAY**

2005 SECOND SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Dan R. Eastman

House Sponsor: David Clark

LONG TITLE

General Description:

This bill modifies the Transportation Code by amending provisions relating to trucks being operated on Legacy Parkway.

Highlighted Provisions:

This bill:

- provides definitions;
- requires the department to restrict certain trucks from being operated on the Legacy

Parkway except in certain circumstances; and

- repeals the provision that requires the department to restrict certain trucks from being operated on the Legacy Parkway on January 1, 2020.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63-55b-172, as last amended by Chapter 131, Laws of Utah 2003

ENACTS:

72-3-113, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63-55b-172** is amended to read:

63-55b-172. Repeal dates -- Title 72.

Section 72-3-113 is repealed January 1, 2020.

Section 2. Section **72-3-113** is enacted to read:

72-3-113. Truck limitations on Legacy Parkway.

(1) As used in this section:

(a) "Legacy Parkway" means the proposed or existing four-lane limited access highway that runs approximately 14 miles from I-215 in Salt Lake County to US 89 in Davis County.

(b) (i) "Reconstruction of I-15 between US 89 in Farmington and I-215 in North Salt Lake City" means the physical construction work necessary to add capacity to the portion of I-15 from I-215 in Davis County to the interchanges with US 89 and I-15 in Farmington.

(ii) "Reconstruction of I-15 between US 89 in Farmington and I-215 in North Salt Lake City" does not include:

(A) preparation of environmental impact statements;

(B) preliminary design work or repairs; and

(C) maintenance and operations of the highway that do not add capacity to the highway.

(c) (i) "Truck" means any vehicle:

(A) with five or more axles; or

(B) of 80,000 pounds or greater registered gross vehicle weight.

(ii) "Truck" does not include:

(A) equipment owned and operated by the United States Department of Defense when driven by any active duty military personnel and members of the reserves and National Guard on active duty including:

(I) personnel on full-time National Guard duty;

(II) personnel on part-time training;

(III) National Guard military technicians; and

(IV) civilians who are required to wear military uniforms and are subject to the Code of Military Justice;

(B) authorized emergency vehicles as defined in Section 41-6a-102 operated by emergency personnel but not including commercial tow trucks; or

(C) recreational vehicles that are driven solely as family or personal conveyances for noncommercial purposes.

(2) The Legislature finds and declares that the limitation of trucks being operated on the Legacy Parkway under Subsection (3) is due to the unique location of the Legacy Parkway, which is adjacent to the Legacy Nature Preserve.

(3) The department shall restrict trucks from being operated on the Legacy Parkway provided that:

(a) trucks shall be allowed to be operated on the Legacy Parkway during reconstruction of I-15 between US 89 in Farmington and I-215 in North Salt Lake City; and

(b) trucks shall be allowed to be operated on the Legacy Parkway if diversion of traffic from I-15 or another route is determined to be necessary by the highway patrol and the department in the event of an incident, following standard procedures for protecting public safety.

RESOLUTION 2018-02

A RESOLUTION SUPPORTING THE CONTINUATION OF THE TRUCK BAN ON LEGACY PARKWAY AND ASKING THE STATE LEGISLATURE TO REMOVE THE SUNSET OF THE BAN.

WHEREAS: Trucks with five or more axels or 80,000 lbs. or greater gross vehicular weight are not allowed on Legacy Parkway in accordance with State statute; and

WHEREAS: The Statutory truck ban on Legacy Parkway will terminate on January 1, 2020 as prescribed in Section 631-2-272 of the Utah State Code; and

WHEREAS: Legacy Parkway was designed as a parkway to create a special driving experience for the motorist. Allowing trucks on the Parkway will negate the special attributes UDOT had in mind when designing the Parkway; and

WHEREAS: Farmington City residents and those from other communities living in close proximity to the Parkway will experience diminished quality of life due to the increased noise and air pollution created by the trucks if they are allowed on the Parkway; and

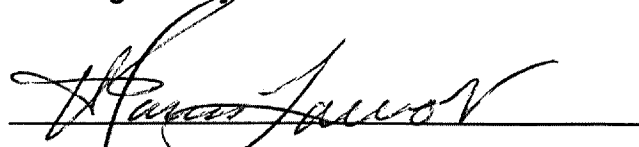
WHEREAS: Users on the Legacy Trail will have a diminished recreational experience due to the increased noise and air pollution if trucks are allowed on the Parkway; and

WHEREAS: The unique location of Legacy Parkway adjacent to the Legacy Nature Preserve and existing and possible future conservation subdivisions and areas approved by Farmington City were stated as the purpose of the ban and the negative effects trucks will have on the Nature Preserve and conservation areas such as noise and diminished air quality have not changed.

NOW, THEREFORE, LET IT BE RESOLVED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH THAT FARMINGTON CITY SUPPORTS THE CONTINUATION OF THE TRUCK BAN ON LEGACY PARKWAY AND ASKS THE UTAH STATE LEGISLATURE TO REMOVE THE JANUARY 1, 2020 SUNSET OF THE BAN.

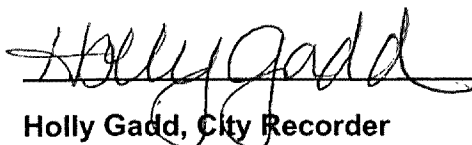
PASSED AND ADOPTED BY THE FARMINGTON CITY COUNCIL, STATE OF UTAH, ON THIS 2ND DAY OF JANUARY 2018.

Farmington City



H. James Talbot, Mayor

Attest:



Holly Gadd, City Recorder



RESOLUTION 2017-640

A RESOLUTION SUPPORTING THE CONTINUATION OF THE TRUCK BAN ON LEGACY PARKWAY AND ASKING THE STATE LEGISLATURE TO REMOVE THE SUNSET OF THE BAN.

WHEREAS: Trucks with five or more axels or 80,000 lbs. or greater gross vehicular weight are not allowed on Legacy Parkway in accordance with State statute; and

WHEREAS: The Statutory truck ban on Legacy Parkway will terminate on January 1, 2020 as prescribed in Section 63I-2-272 of the Utah State Code; and

WHEREAS: Legacy Parkway was designed as a parkway to create a special driving experience for the motorist. Allowing trucks on the Parkway will negate the special attributes UDOT had in mind when designing the Parkway; and

WHEREAS: Woods Cross City residents and those from other communities living in close proximity to the Parkway will experience diminished quality of life due to the increased noise and air pollution created by the trucks if they are allowed on the Parkway; and

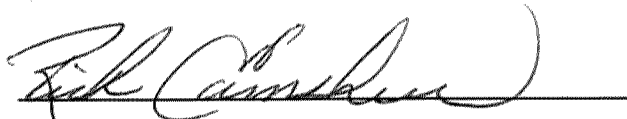
WHEREAS: Users on the Legacy Trail will have a diminished recreational experience due to the increased noise and air pollution if trucks are allowed on the Parkway; and

WHEREAS: The unique location of Legacy Parkway adjacent to the Legacy Nature Preserve was stated as the purpose of the ban and the negative effects trucks will have on the Nature Preserve such as noise and diminished air quality have not changed.

NOW, THEREFORE, LET IT BE RESOLVED BY THE CITY COUNCIL OF WOODS CROSS CITY, STATE OF UTAH THAT WOODS CROSS CITY SUPPORTS THE CONTINUATION OF THE TRUCK BAN ON LEGACY PARKWAY AND ASKS THE UTAH STATE LEGISLATURE TO REMOVE THE JANUARY 1, 2020 SUNSET OF THE BAN.

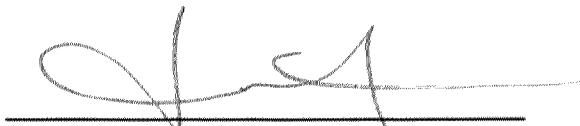
PASSED AND ADOPTED BY THE WOODS CROSS CITY COUNCIL, STATE OF UTAH, ON THIS 7TH DAY OF NOVEMBER 2017.

Woods Cross City



Rick Earnshaw, Mayor

Attest:



Jessica Sims, City Recorder

CENTERVILLE

Staff Backup Report 12/4/2018

Item No. 8.

Short Title: City Manager Recruitment

Initiated By:

Scheduled Time: 8:25

SUBJECT

- a. Approve job announcements
- b. Confirm process and calendar

RECOMMENDATION

- a. Approve long and short versions of the job announcement for replacing the City Manager, who is retiring at the end of March 2019.
- b. Confirm the process and calendar shown in the attachment, "City Manager Recruitment Process".

BACKGROUND

Advertising this opening is to begin the week of December 10 and run until January 11, 2019. Several revisions to the long-form job announcement were requested in the Council's November 20 meeting. A short-form announcement draft will be attached when available.

ATTACHMENTS:

Description

- ▢ City Manager Job Announcement updated 11/30/18
- ▢ City Manager Recruitment Process
- ▢ City Manager Job Announcement - Short Form Draft

Job Announcement for Centerville City, Utah

11/30/18 Draft

City Manager

Centerville City, Utah is seeking its next City Manager to replace the current City Manager who is retiring. This job posting will be open until January 11, 2019.

Centerville City is located 10 miles north of Salt Lake City on I-15, only 15 minutes from the international airport. Centerville is bordered on the west by the Farmington Bay area of the Great Salt Lake, and on the east by the mountains of the Wasatch National Forest. Four creeks flow through its boundaries. Multiple outdoor recreational opportunities are within a very close distance, including trails, water sports, snow skiing and fishing. Centerville is a highly desirable place to live, known for its safe neighborhoods, parks and recreation programs, high educational levels, good schools and volunteerism, and is home to CenterPoint Theatre, a very successful community theatre. The City has an annual budget of \$19 million and 53 full-time employees serving a population of 18,000. City services include police, parks & cemetery, recreation, culinary water, streets maintenance, drainage systems, solid waste collection, community planning & development, and justice court.

The Position

The City Manager works under the broad policy guidance and direction of the City Council, consisting of a Mayor and five Council Members. The City Manager performs a variety of professional and managerial duties related to planning, directing, organizing and controlling the efficient delivery of City services. The position demands a team approach in cooperation with multiple department heads. The City Manager is the Budget Officer, and also serves as Executive Director of the City's Redevelopment Agency, administering three project areas that encompass much of the commercial development that has occurred in the City. The preferred candidate will exhibit problem-solving, negotiation and conflict resolution skills to address community and operational issues. The City Manager must have the ability to concurrently manage several complex projects in an effective/efficient manner and to advise the Mayor and Council on changing priorities and related recommendations.

Salary and Benefits

The salary range is currently under review. The successful candidate's placement within the range will depend on qualifications and experience. The City provides excellent benefits that include either State retirement or ICMA-RC contributions, medical and dental insurance, car allowance, vacation and sick leave, disability and life insurance, and paid holidays. The City Council will negotiate a mutually agreeable employment agreement with the successful candidate.

Qualifications

- Graduation from an accredited college with a master's degree in business management, public administration or a related field; AND eight (8) years of progressively responsible experience in municipal management, including three (3) years in a supervisory capacity;
- OR an equivalent combination of education and experience.

- The applicant must be able to perform all required job duties identified in Section 3.01.080 of the Centerville Municipal Code.

To Apply

Submit a resume and cover letter no later than 5:00 p.m. on January 11, 2019 to the City Recorder, via email to mwood@centervilleut.com , or by mail to 250 N. Main, Centerville, Utah 84014; reference “City Manager Recruitment” in your submittal. Hiring is conditioned upon successfully passing a background and drug test. Each candidate traveling from out of area to interview may request a travel reimbursement up to \$500.

Questions

For questions regarding this position or about Centerville City, contact Steve Thacker, City Manager, stevet@centervilleut.com , or by phone at 801-295-3477.

City Manager Recruitment Process
November 8, 2018

- Job Description and Profile (3-5 weeks) – (*October 16 – November 20*)
 - Review job description for City Manager position
 - Review ordinances regarding City Manager duties
 - Review salary range and compensation package
 - Make necessary changes to any of the above documents
- Advertising for Job Posting (6-8 weeks) – (*November 1 – January 11*)
 - Prepare job posting and advertisement – (*November 1 – December 7*)
 - Post job opening for at least four weeks – (*December 10 to January 11*)
 - Post job opening on following platforms
 - Centerville City Website
 - Utah City Management Association
 - Utah League of Cities and Towns
 - Utah Workforce Services (State law)
 - International City Management Association
 - Alumni Networks
- Acknowledgment Letters – (*December 10 – January 18*)
 - Prepare sample acknowledgment letter to go out to all applicants
 - Send individual acknowledgment letter to each applicant when receive application
- Resume Review Panel (1 week) – (*January 14 – January 18*)
 - City Manager and a Department Head to review resumes for minimum qualifications compliance
 - Prepare criteria form for determining minimum qualifications compliance
 - Qualified resumes to be reviewed by resume review panel
 - Prepare criteria form for ranking resumes (CC to weigh in on ranking criteria)
 - Resume review panel to select top six to ten candidates for interviews (by January 18)
 - Resume review panel to consist of following
 - Current City Manager
 - Current Mayor
 - Current City Councilmember
 - Two Department Heads
- Recommending Committee (1 week) – (*January 21 – February 8*)
 - Recommending committee to interview top six to ten candidates (picked by resume review panel)
 - Schedule interviews (may need to allow week or two lead time for travel) – (*January 21 – January 25*)
 - Conduct interviews - (*January 28 – February 1*) or (*February 4 – February 8*)
 - Prepare standard interview questions and criteria form for ranking
 - Outline legal restrictions on interview questions
 - Recommending committee to rank top six to ten candidates and forward ranking to City Council
 - Recommending committee to recommend top three candidates to City Council (by *February 1 or 8*)
 - Recommending committee to consist of the following
 - All Department Heads (excluding any Department Head that applies for position)
 - City Manager (from neighboring community)
 - Mayor (current)
 - City Councilmember (current)
 - Municipal Expert (such as UCLT member or local City Attorney)

- Optional Fieldtrip Scenario (*concurrent with interviews by recommending committee*)
- City Council (1 week) – (*January 28 – February 8*)
 - Recommending committee to submit ranking on all six to ten candidates to City Council
 - Recommending committee to submit recommendation on top three candidates to City Council
 - Conduct background checks on top six to ten candidates (with release forms)
 - Council to meet with recommending committee to receive recommendations on candidates
 - Council to select top three to six candidates to interview
 - Schedule interviews with Council (allow for combined travel) (*January 28 – February 1*)
 - Council to conduct interviews with top candidates – (*February 4 – February 8*)
 - Prepare standard interview questions and criteria form for ranking
 - Outline legal restrictions on interview questions
 - Council to select top candidate
- Hiring (2 weeks) – (*February 11 – February 19*)
 - Make conditional offer of employment to top candidate
 - Conduct medical evaluation (with release forms)
 - Prepare and negotiate employment contract
 - Approve final appointment in open session
- Notice to Current Employer (4 weeks) – (*February 20 – March 22*)
 - Allow 30 day notice to current employer
 - Allow for one week overlap if needed (*March 25 – March 29*)
 - Start date April 1
- Regret letters
 - Prepare sample regret letter to go out to interviewed candidates
 - Send individual regret letter to candidates not selected
- Travel Budget
 - Allow \$500 travel budget for each selected finalists (if out of area)

Job Announcement for Centerville City, Utah
City Manager

Centerville City, Utah is seeking a replacement for the current City Manager who is retiring. Position open until January 11, 2019. Works under the broad policy guidance and direction of the City Council, consisting of a Mayor and five Council Members. Oversees daily operations of City government, delivering municipal services to population of 18,000. Serves as Budget Officer; annual budget of \$19 million. Also serves as Executive Director of Redevelopment Agency. Salary range currently under review. Excellent benefits, including retirement contribution, health insurance and paid leave. Requires master's degree in business management, public administration or related field; and 8 years progressively responsible experience in municipal management, including 3 years in supervisory capacity; OR equivalent combination of education and experience. To apply, submit a resume and cover letter no later than 5:00 p.m. on January 11, 2019 to the City Recorder, via email to mwood@centervilleut.com , or by mail to 250 N. Main, Centerville, Utah 84014; reference "City Manager Recruitment" in your submittal. Hiring conditioned upon successfully passing a background and drug test. Each candidate traveling from out of area to interview may request a travel reimbursement up to \$500. For questions about this position or Centerville City, contact Steve Thacker, City Manager, stevet@centervilleut.com , or by phone at 801-677-6094. Equal Opportunity Employer.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/4/2018**

Item No. 9.

Short Title: Discussion of Ranked Choice Voting

Initiated By: Council Members

Scheduled Time: 8:35

SUBJECT

RECOMMENDATION

BACKGROUND

Various Councilmembers have requested information regarding ranked choice voting. Earlier this year the Utah Legislature adopted the "Municipal Alternate Voting Methods Pilot Project" as set forth in HB 35 (2018) initiating a pilot program that allows the option of ranked choice voting. The effective dates of the pilot program are January 1, 2019 through January 1, 2026. Municipalities interested in participating in the pilot program must notify the Lieutenant Governor before January 1 of the odd-numbered municipal election year. Staff has researched this matter and has determined that the pilot program is not currently an option for Centerville City. Centerville contracts with Davis County to provide election services and Davis County is not providing the ranked choice voting as a service at this time. Further information can be provided at the meeting. A copy of HB 35 (2018) can be found [here](#).

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/4/2018**

Item No. 10.

Short Title: Open and Public Meetings Act Training

Initiated By: Lisa Romney, City Attorney

Scheduled Time: 8:50

SUBJECT

RECOMMENDATION

BACKGROUND

The City Council is required by law to receive annual training regarding the requirements and provisions of the Utah Open Meetings Act. The City Attorney has prepared the attached handouts and will provide additional training for the City Council at the meeting.

ATTACHMENTS:

Description

- ☐ Open Meetings - Handout
- ☐ Closed Meetings - Handout
- ☐ Open Meetings Presentation



CENTERVILLE CITY ATTORNEY'S OFFICE

250 North Main Street
Centerville, Utah 84014
801.335.8842

OPEN AND PUBLIC MEETINGS ACT

The Utah Legislature has adopted the Open and Public Meetings Act (Open Meetings Act), as set forth in *Utah Code Ann. §§ 52-4-101, et seq.* The Open Meetings Act applies to all administrative, advisory, elected, appointed and legislative public bodies of the City, including the City Council, Planning Commission, Board of Adjustment, and other boards and committees of the City. As a matter of public policy, the Utah Legislature has declared that the State and all of its entities and political subdivisions exist to aid in the conduct of the public's business. As such, the purpose of the Open Meetings Act is to ensure that the City takes its actions and conducts its deliberations regarding the public's business openly. By law, the Mayor is required to ensure that the members of the City Council receive annual training on the Open Meetings Act. This means you will be seeing and hearing about open meetings from the City Attorney (or more talented and engaging personalities) every year.

Every Meetings Is Public (Unless Closed for Reasons Allowed by Law)

Every meeting of the City Council shall be open to the public unless such meeting is closed for legitimate reasons provided by law. Meetings include regular meetings, special meetings, executive sessions, work sessions, field trips or other meetings of the City Council where a quorum of its members is present and the purpose of the meeting is to discuss or take action on matters within the City Council's jurisdiction. A quorum of the City Council is defined by statute as three members, excluding the mayor. A chance meeting of a quorum of the City Council or a social event, such as the annual City dinner, does not constitute a "meeting" under the Open Meetings Act so long as the members of the City Council do not discuss or act upon matters of public business at the party. Lawful reasons to go into a closed session are summarized in a separate handout on Closed Meetings.

Public Notice

In order to provide the public with an opportunity to attend and participate in the public's business, the City is required to give at least 24 hours public notice of each meeting of the City Council. This public notice must include the agenda for the meeting and the date, time and place of the meetings. The City must also provide public notice at least once each year of the City Council's annual meetings schedule. Public notice of the annual meetings schedule and the 24 hour notice of each meeting requires: (1) posting written notice at City Hall; (2) posting notice on the Utah Public Notice Website; and (3) providing notice to at least one local newspaper or local media correspondent. The City is encouraged to develop and use additional electronic means to provide notice of its meetings, which Centerville does by providing notice of all of its meetings on the City website. The City also provides public electronic access to all of its City Council meeting agendas and packet information through Novus as found on the City website. Other noticing requirements apply to various applications under Centerville City Ordinances in addition to notice required under the Open Meetings Act.

Written Minutes and Recordings

Except otherwise provided by law, written minutes and a recording shall be kept of all open meetings of the City Council. Written minutes are not a verbatim transcript of the meeting but should include the substance in brief of the discussions of the Council and any testimony or public comment. The minutes must also include a record, by individual member, of each vote taken by the City Council. Approval of minutes by City Council shall comply with the City's Minutes Approval Policy. Pending minutes, approved minutes and the recording of an open meeting are public records. Pending minutes of the City Council must be made available to the public within 30 days after holding the meeting. Approved minutes of the City Council must be posted to the Utah Public Notice Website within 3 days after approval. The recording of an open meeting of the City Council must be available to the public within 3 business days after the meeting. Although not required by law, the City also posts audio recordings of City Council meetings on the Utah Public Notice Website. Written minutes from open meetings, once approved by the City Council, are the official record of the meetings and are generally retained permanently by the City Recorder. The Council should make sure the minutes properly reflect the actions taken by the Council.

Electronic Meetings

The City Council may hold electronic meetings, such as conference call or video conferencing, in accordance with the City's Electronic Meeting Policy. In general, there must be an anchor location for the electronic meeting (usually City Hall), and there must be sufficient facilities and technology available at the anchor location to allow all participants of the meeting the ability to communicate with the members of the City Council, and so that each member of Council can communicate with all participants and other members. As extra noticing and facility set up is required for electronic meetings, it is requested that Council members provide sufficient advanced notice to staff of the need for an electronic meeting.

Fun Rules

- A work session or executive session of the City Council that is held on the same day as a regularly scheduled public meeting of the Council is required to be held at the same place as the regular meeting (unless otherwise allowed by law); i.e. you can't have your work session at Dairy Queen.
- The City Council must list the proposed agenda topics and items for discussion and action by the Council. Each agenda item must be listed with reasonable specificity to notify the public as to the topics to be considered at the meeting.
- The City Council should avoid talking about matters that are not listed on the agenda and is prohibited from taking final action on any matter that is not listed on the agenda or included with the advance public notice of the meeting.
- Recordings of open meetings must be a complete and unedited record of all portions of the open meeting; i.e. you can't stop and start the recording to exclude discussions.
- You don't have to make a recording of an open meeting that is a site visit or traveling tour so long as no vote or action is taken by the City Council during the site visit or travelling tour.
- Notice requirements may be disregarded to consider matters of an emergency or urgent nature if the City gives the best notice practicable. Check with City Attorney for applicable requirements.
- Council members should not send emails or texts to other members of the Council when the Council is convened and Council members should avoid creating an electronic meeting through group email chats.
- Anyone can independently record all or any part of an open meeting so long as the recording does not interfere with the conduct of the meeting.
- Members of the City Council who knowingly or intentionally violate the Open Meetings Act may be guilty of a class B misdemeanor.



CENTERVILLE CITY ATTORNEY'S OFFICE

250 North Main Street
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CLOSED MEETINGS

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Lawful Reasons to go into a Closed Meeting

Pursuant to *Utah Code Ann.* § 52-4-205, the City Council may only go into a closed session for the following reasons:

- ⇒ Discussion of the character, professional competence, or physical or mental health of an individual;
- ⇒ Strategy sessions to discuss pending or reasonably imminent litigation;
- ⇒ Strategy sessions to discuss the purchase, sale, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would: (i) disclose the appraisal or estimated value of the property under consideration; or (ii) prevent the City from completing the transaction on the best possible terms;
- ⇒ Discussion regarding deployment of security personnel, devices or systems; and
- ⇒ Investigative proceedings regarding allegations of criminal misconduct.

Procedures to go into a Closed Meeting

In order to go into a closed session, a quorum of the City Council must be present at an open meeting for which notice has been provided. Two-thirds of the members of the City Council present at the open meeting must vote to approve going into a closed meeting. The following information is required to be publicly announced and entered into the minutes of the open meeting when the closed meeting is approved: (1) the reason or reasons for holding the closed meeting; (2) the location where the closed meeting will be held; and (3) the vote by name of each member of the City Council either for or against the motion to go into a closed meeting.

Minutes and Recording.

Generally, the City is required to record all closed meetings and “may” keep detailed written minutes of such closed meetings. The recording of the closed meeting must be complete and unedited from commencement of the closed meeting through adjournment of the closed meeting. The recording and minutes of a closed meeting shall include: (1) the date, time, and place of the closed meeting; (2) the names of members present and absent; and (3) the names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of the closed meeting. If the City Council closes a meeting exclusively for the purpose to discuss the character, professional competence, or physical or mental health of an individual or to discuss deployment of security personnel, devices or systems, a recording does not have to be made of the closed meeting so long as the person presiding signs a sworn statement affirming that the sole purpose for closing the meeting was to discuss such exempted topics.

Additional Restrictions

A closed meeting is only allowed if each matter discussed in the closed meeting is permitted under Section 52-4-205. Thus, just because the Council closes a meeting for a lawful reason, does not mean Councilmembers can then talk about anything and everything they want in that closed meeting. The Council’s discussion is limited to the lawful reasons for which the Council voted to go into the closed meeting. No ordinance, resolution, rule, regulation, contract, or appointment may be approved in a closed meeting. The City Council is also prohibited from interviewing a person applying to fill an elected position or discussing the character, professional competence, or physical or mental health of a person whose name has been submitted for consideration to fill a midterm vacancy or temporary absence under Title 20A regarding vacancies in elected offices.

Challenges and Enforcement

The Attorney General and the County Attorneys of the State are authorized to enforce the provisions of the Open Meetings Act. A person denied a right under the Act may commence suit in court to compel compliance with the Act, to enjoin violations of the Act, or to determine the Act’s applicability to discussions or decisions of the City Council. The court may award attorneys’ fees and court costs to a successful plaintiff. In a challenge to the legality of a closed meeting held by the City Council, the court shall review the recording or written minutes of the closed meeting *in camera* and decide the legality of the closed meeting. If the judge determines that the Council did not comply with the Act regarding closed meetings, the judge shall publicly disclose or reveal from the recording or minutes of the closed meeting all information about the portion of the meeting that was illegally closed. If the judge determines that the Council did comply with the Act in going into the closed meeting, the judge will dismiss the case without disclosing or revealing any information from the recording or minutes of the closed meeting.

Criminal Penalties

In addition to any other penalty provided in the Open Meetings Act, any member of the City Council who knowingly or intentionally violates or knowingly or intentionally abets or advises a violation of any of the closed meeting provisions of the Act is guilty of a class B misdemeanor.

OPEN AND PUBLIC MEETINGS

CITY COUNCIL TRAINING

Presented by City Attorney
December 4, 2018

PUBLIC BODY

All public bodies of the State are subject to the provisions and requirements of the Utah Open and Public Meetings Act.

ANNUAL TRAINING REQUIRED

The presiding officer of every public body is required to ensure that the members of the public body receive annual training on the Utah Open and Public Meetings Act.

DECLARATION OF PUBLIC POLICY

The State and all of its entities and political subdivisions exist to aid in the conduct of the public's business.

OPEN MEETINGS

All meetings of the City Council must be open to the public unless closed by reasons allowed by law.

OPEN DELIBERATIONS

All actions and deliberations of the City Council are to be conducted openly.

NOTICE

The City must provide at least 24 hours' notice of every City Council meeting, including the agenda, date, time and place of the meeting.

- **Posted at City Hall**
- **Posted on the Utah Public Notice Website**
- **Sent to at least one local newspaper or media correspondent**

AGENDAS

All matters to be discussed at the City Council meeting must be described with “reasonable specificity” to notify the public as to the topics to be considered at the meeting.

MINUTES

The City is required to take and prepare written minutes of all City Council meetings.

- Substance of the matters discussed
- Record of vote by each member
- Summary of public comments

Minutes must be available to the public within 3 business days of approval.

RECORDINGS

The City is required to take and keep a recording of all City Council meetings (except for site visits or traveling tour if no vote or action is taken).

The recording must be available to the public for listening within 3 business days after the meeting.

ELECTRONIC INFORMATION

If any individual publicly presents or provides electronic information at an open meeting relating to an item on the City Council's agenda, the City Council must require the individual to provide the City Council an electronic or hard copy of the electronic information for inclusion in the public record.

CLOSED MEETINGS

The City Council can only go into a closed sessions for reasons specified by law.

Two-thirds of the Council must vote to go into a closed meeting.

An ordinance, resolution, rule, regulation, contract, or appointment may not be approved in a closed meeting.

ELECTRONIC MEETINGS

The City has adopted an electronic meetings policy which allows the City Council members to call into meetings when they are out of town or unable to attend meetings in person. All electronic meetings must comply with the policy.

THE END

CENTERVILLE

**Staff Backup Report
12/4/2018**

Item No. 11.

Short Title: Mayor's Report

Initiated By: Mayor Wilkinson

Scheduled Time: 9:00

SUBJECT

RECOMMENDATION

Mayor Wilkinson will report on matters of City interest.

BACKGROUND

CENTERVILLE

Staff Backup Report

12/4/2018

Item No. 12.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 9:10

SUBJECT

- a. Process for determining Main Street striping
- b. Update re compensation study and set date for work session with consultant.

RECOMMENDATION

The City Manager will report on several issues/projects, including those identified on the agenda.

BACKGROUND

a. UDOT plans to resurface Main Street in 2019. They have invited the City to propose a re-striping plan based on the City's desires for bike lanes, turn lanes, etc. UDOT hired Lochner Engineering as the design consultant for the Main Street project. Lochner's team has had an initial discussion with City staff about this matter. Staff propose the following process for making this re-striping decision:

- Lochner submits a concept plan to City
- Concept plan is reviewed in a meeting that includes the Complete Streets Committee (staff members), ALTA Planning (the consultant conducting the Active Transportation Plan study for three South Davis cities), a Trails Committee rep and, if desired, one or two Council Members.
- The group described above submits a revised concept plan to the City Council to review and receive public comment.
- City Council approves concept plan for submission to UDOT/Lochner.

The City Manager would like the Council's reaction to this proposed process.

b. The City Manager and Management Services Director met on November 29 with the Compensation Study consultant, Mike Swallow. Based on that conversation, they propose a City Council work session during the first half of January on a night other than regular council meetings. This would be the Council's opportunity to review preliminary results and give direction to allow the consultant to complete his work. The Council also needs to pick a date for a community open house about the Island View Park preliminary plans. A couple of possibilities are Tuesday, January 8 and Wednesday, January 16.

CENTERVILLE

Staff Backup Report

12/4/2018

Item No. 13.

Short Title: Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

Staff are not aware of a need for a closed meeting, but the agenda allows for that possibility.

BACKGROUND

CENTERVILLE

**Staff Backup Report
12/4/2018**

Item No. 14.

Short Title: Possible action following closed meeting, including appointments to boards and committees

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

Mayor Wilkinson may recommend appointments to City boards/committees.

BACKGROUND