

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON OCTOBER 2, 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:

5:00 Site Visit - Pickleball Courts at Farmington Recreation Complex
294 S 650 W Farmington, Utah

7:00 **A. ROLL CALL**

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

B. PRAYER OR THOUGHT

Bill Ince

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

7:05 1. Minutes Review & Acceptance
September 18, 2018 Regular meeting minutes
September 18, 2018 Worksession minutes

- | | | |
|------|----|--|
| 7:10 | 2. | Renew Street Sweeping Contract |
| 7:15 | 3. | Public Hearing - Zoning Text Amendments - Sign Ordinance Amendments to Allow Murals - CZC 12.54
Consider the proposed Zoning Code Amendments to CZC 12.54 (Signs) to allow murals on buildings. |
| 7:45 | 4. | Discuss Potential Amendments to South Main Street Corridor Overlay Zone Affecting Fire Station Project |
| 8:00 | 5. | Reports re training at ULCT annual conference |
| 8:45 | 6. | Mayor's Report |
| 8:50 | 7. | Discuss Process for Recruiting New City Manager |
| | 8. | 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 |
| | 9. | Possible action following closed meeting, including appointments to boards and committees |

F. ADJOURNMENT

CENTERVILLE

Staff Backup Report 10/2/2018

Item No.

Short Title: Site Visit - Pickleball Courts at Farmington Recreation Complex

Initiated By: Mayor Wilkinson

Scheduled Time: 5:00

SUBJECT

294 S 650 W Farmington, Utah

RECOMMENDATION

BACKGROUND

CENTERVILLE

**Staff Backup Report
10/2/2018**

Item No.

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

Initiated By:

Scheduled Time:

SUBJECT

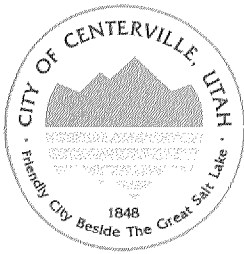
RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▣ City Manager's 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

Tamilyn 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 *S. Thacker*
subject: City Manager's Summary of October 2, 2018 Council Meeting
date: September 28, 2018

5:00 **Fieldtrip to Pickleball Courts** - Mayor Wilkinson would like to see pickleball courts eventually built in Centerville. He has invited the City Council and Parks & Recreation Committee to be introduced to the game of pickleball on Tuesday, October 2, at 5:00 p.m. at the Farmington Recreation Center, 294 South 650 West in Farmington. You can come either dressed to play or just observe others playing. Two instructors will be there—one from Weber State University and the other from the Utah Pickleball Association. **Sandwiches will be available for City Council members at the end of the field trip, since they will be coming back to City Hall for a regular meeting at 7 p.m.**

7:00 **Regular City Council Meeting**

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

E.2. **Renew Street Sweeping Contract** – Staff recommend the Council renew the street sweeping contract with Jacketta Sweeping at the same prices as in the expired contract. Staff have contacted a number of other cities to identify other potential bidders. The only other sweeping contractor identified has not indicated interest in bidding. Jacketta is willing to renew their contract with the City at the same prices as paid in FY 2018. Dave Walker, Drainage Utility Supervisor, will attend the council meeting to answer questions.

E.3. **Public Hearing - Zoning Text Amendments re Sign Ordinance to Allow Murals** – The Planning Commission recommends approval of zoning code amendments that would allow murals on the outside of buildings in the Commercial-Medium Zone. The applicant is a business owner at the northeast corner of Center and Main Street.

E.4. **Reports re Training at ULCT Annual Conference** – Mayor Wilkinson has asked that Council Members Fillmore and Ince, along with himself, share with the entire Council what they learned at the recent ULCT Annual Conference in Salt Lake City.

E.5. **Mayor's Report** – Mayor Wilkinson may report on matters of City interest.

E.6. 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.7. Appointments to Boards/Committees – Mayor Wilkinson may recommend appointments.

Potential Agenda Items for October 16, 2018 meetings (subject to change):

- *Presentation from Housing Gap Coalition*
- *Preparation for landscape architect interviews on October 23*
- *Financial report for 3-month period ending September 30*
- *Update re foothills planning process*
- *RDA meeting: update re Welcome to Centerville sign and funding*

ST/mw

CENTERVILLE

**Staff Backup Report
10/2/2018**

Item No.

Short Title: Bill Ince

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE

**Staff Backup Report
10/2/2018**

Item No. 1.

Short Title: Minutes Review & Acceptance

Initiated By:

Scheduled Time: 7:05

SUBJECT

September 18, 2018 Regular meeting minutes

September 18, 2018 Worksession minutes

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- 9-18-18 Regular Meeting Minutes
- 9-18-18 Work Session Minutes

Minutes of the Centerville **City Council** meeting held Tuesday, September 18, 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 (excused at 10:30 p.m.)
William Ince
Stephanie Ivie
George McEwan
Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith, Management Services Director
Cory Snyder, Community Development Director
Bruce Cox, Parks and Recreation Director
Randy Randall, Public Works Director
Mackenzie Wood, City Recorder
Marc Marchant, Streets Supervisor
Katie Rust, Recording Secretary

VISITORS

Marcus Arbuckle, Keddington & Christensen
Interested Citizens (see attached sign-in sheet)

PRAYER OR THOUGHT

Steve Thacker

PLEDGE OF ALLEGIANCE

OPEN SESSION

No one wished to comment.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the September 4, 2018 regular Council meeting and work session were reviewed. Councilwoman Fillmore made a **motion** to accept both sets of minutes. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – PROPOSED VACATION OF PUBLIC UTILITY AND STORM DRAIN EASEMENTS – DEUEL SPRINGS AMENDED SUBDIVISION

Lisa Romney, City Attorney, explained the request that the City vacate public utility and storm drain easements running through Lot 101 of the Deuel Springs Amended Subdivision located at approximately 451 Rawlins Circle and accept the proposed new relocated public utility and storm drain easements on the same lot. Tyler Young, applicant, answered questions from the Council.

Mayor Wilkinson opened a public hearing at 7:16 p.m., and closed the public hearing seeing that no one wished to comment. Councilwoman Fillmore made a **motion** to approve Ordinance No. 2018-21 vacating public utility and storm drain easements running through Lot 101 of the Deuel Springs Amended Subdivision located at approximately 451 Rawlins Circle and accept new public utility and storm drain easements on the same lot, with the following four conditions. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

1. Applicant shall provide legal descriptions for the vacated PUE and storm drain easements, subject to review and acceptance by the City Engineer;
2. Applicant shall provide legal descriptions for the new PUE and storm drain easements, subject to review and acceptance by the City Engineer;
3. Applicant shall submit signed approval letters from the major utility companies regarding the PUE vacation; and
4. Applicant shall provide signed PUE and storm drain easement prepared by the City Attorney granting the City new PUE and storm drain easements in the new locations, acceptable to the City Engineer. Such easements must be signed by the property owner of record of the subject property.

PDO ZONE MAP AMENDMENT, CONCEPTUAL SITE PLAN AND CONCEPTUAL SUBDIVISION PLAN – SHEFFIELD DOWNS – 274 EAST PAGES LANE

On September 4, 2018, the City Council held a public hearing on this matter and tabled action until the September 18 meeting. The Council continued the public hearing to receive comments through September 12, and directed staff to provide all submitted comments to the Council for consideration. Emails or letters received as public comment are available with the agenda on NovusAgenda.

Taylor Spendlove with Brighton Development answered questions from the Council. He explained that Brighton would be willing to discuss dedicating the park area to the City if the City agrees to take over maintenance and liability. If the HOA retains ownership, the park area will remain private space. Mr. Spendlove said the hope is to have the development built out in about two years, with the park space completed next spring. He explained that the proposed plan exceeds UDOT requirements for street spacing. Cory Snyder, Community Development Director, confirmed that the conditions recommended by the Planning Commission address the possibility of future redevelopment of the commercial that will currently remain on the east side of the proposed development. Councilman McEwan expressed the opinion that the proposed project is better than the alternatives discussed in the last few years.

Councilman McEwan made a **motion** to approve the PDO Zone Map Amendment, Conceptual Site Plan, and Conceptual Subdivision Plan for the Sheffield Downs project located at 274 East Pages Lane with the following conditions and findings. Councilwoman Ivie seconded the motion, which passed by majority vote (5-0).

Conditions:

1. The PDO Approval is subject to the layout and exhibits submitted to the City on July 19, 2018 and August 1, 2018 – Consisting of PDO Exhibit A-1 through Exhibit F and Sheets C400, X900, and L101 of the Conceptual Site Plan.
2. The Sheffield Downs PDO Rezone shall be limited to the following:
 - Rezone of approximately 5.6 acres to R-M/PD on the Centerville Zoning Map.

- 1 • Density shall NOT exceed Six (6) units per acre. A bonus density is NOT
- 2 APPROVED for the development.
- 3 • All residential development shall be limited to the construction of single-family
- 4 homes
- 5 • The commercial area, located at the northwest corner, is not part of this PDO
- 6 approval. However, it must be legally subdivided in accordance with City
- 7 ordinances to separate it from the portion to remain in the proposed development.
- 8 3. The PDO approved Sheffield Architectural Design Plan shall consist of the following:
- 9 a. All single-family dwelling design shall comply with Exhibits A-1 through A-4.
- 10 b. Each dwelling type depicted may use any color or material selection of the
- 11 approved materials and colors and shall be consistent with approved PDO
- 12 building elevation exhibits.
- 13 c. All building permit submittals shall provide a “building elevation plan”
- 14 addressing the application and use of the approved Architectural Design Plan
- 15 elements.
- 16 d. Any dispute that arises regarding the application and use of the Architectural
- 17 Design Plan elements shall be submitted to the Centerville City Planning
- 18 Commission for resolution.
- 19 4. The PDO approved Sheffield Downs Landscaping Design Plan shall consist of the
- 20 following:
- 21 a. The project shall be landscaped in accordance with Exhibit B-1 – Landscape
- 22 Plan (also Sheet L101 of the Conceptual Plan) and Exhibit B-2 – Plant Types.
- 23 b. As part of the Park area, a detention basin may be installed and shall be
- 24 deemed acceptable by the City Engineer, as part of any Final Approval by the
- 25 City.
- 26 c. The total landscaping for the project shall meet the ordinance minimum
- 27 requirements of 40%, as per CZC 12.52.070 or as otherwise allowed by the
- 28 ordinance.
- 29 5. The PDO approved Sheffield Downs Fencing Design Plan shall consist of the
- 30 following:
- 31 a. All use of fencing shall comply with Exhibit C.
- 32 b. The placement of fencing shall comply with Exhibit B-1 (also Sheet L101 of the
- 33 Conceptual Plan).
- 34 c. Other fencing shall be limited to the private rear yard areas from the rear lot
- 35 line to the rear building line of the dwelling.
- 36 d. The side yard areas between buildings/dwellings and any front yard area shall
- 37 NOT contain any fencing.
- 38 6. The PDO approved Sheffield Downs Open Space Amenities Design Plan shall consist
- 39 of the following:
- 40 a. The Open Space amenities shall be provided within the project as depicted on
- 41 Exhibit D-1 through D-2 and on L101 of the Conceptual Site Plan.
- 42 b. The Open Space Amenities shall, at minimum, consist of the following:
- 43 i. A Patio and Plan Garden Area
- 44 ii. A Play Structure Area
- 45 iii. A Detention Facility, as approved by the City
- 46 iv. A 10-foot Landscape Buffer along Pages Lane
- 47 v. The Buffer area (Trees and Shrubs) along the western boundary of the
- 48 development
- 49 vi. The Visitor Parking Buffer on the west end of the dwellings
- 50 vii. The decorative lighting fixtures as depicted in the Exhibits

- c. As part of any Final Approval, the developer shall address the timing/phasing for the installation of the Open Space Amenities, as deemed acceptable by the City as part of any Phasing approval, OR
 - d. These Open Space amenities shall be installed as per CZC 12.51.100 prior to a certificate of occupancy for any dwelling.
 7. The PDO approved Sheffield Downs Buildings Setbacks shall consist of the following:
 - a. The approved setbacks for dwellings shall comply with Exhibit E, which are:
 - ⇒ The Interior Lot Setbacks are:
 - Front Porch/Living Area = 15-feet
 - Front Garage = 19-feet
 - Side Yards = 5-feet
 - Rear Yards = 15-feet
 - ⇒ The Perimeter Lot Setbacks are:
 - Front Porch/Living Area = 15-feet
 - Front Garage = 19-feet
 - Side Yards = 8-feet
 - Rear Yard = 20-feet
 8. The PDO approved Sheffield Downs Buildings Parks, Driveway/Approach Widths, and Recreation Vehicle (RV) Use shall consist of the following:
 - a. Each dwelling shall provide parking within an enclosed garage with a capacity of two-vehicles. Every garage shall meet the minimum size requirements of the City's Zoning Ordinance.
 - b. The project shall provide the visitor parking, as shown on the Conceptual Site Plans, and shall not be less than the 30 stalls depicted.
 - c. The project shall limit driveway and approach aprons to a minimum width needed for two-car garage parking, as deemed acceptable by the City Engineer and Public Works Director and a minimum width needed for a three-car garage for Lots 31, 32, and 33, as deemed acceptable by the City Engineer and Public Works Director.
 - d. The use of outside storage of Recreational Vehicles (RVs) for dwellings or in the common space areas for longer than 48 hours shall be prohibited.
 - e. These restrictions shall be noted on any plan submitted for Final Approval and shall be included on the application subdivision plat and associated CC&Rs.
 9. Other Matters related to the Sheffield Downs PDO development are the following:
 - a. As part of any Final Approval, the developer shall comply with Exhibit F and provide a future access easement for potential re-development of the remaining commercial properties to the east, as per the Southeast Neighborhood Plan objectives.
 - b. The project shall remain subject to the Residential Medium (R-M) Zone standards, unless otherwise modified by the PDO Approval.
 - c. The project shall be subject to the applicable subdivision ordinance requirements, and the Planned Unit Development (PUD) platting process.
 - d. An existing commercial building "demolition plan" shall be submitted and deemed acceptable to the City prior to receiving any Final Plan approval. All demolition of building and related elements shall comply with all local, state, or federal regulations, as may be applicable.
 - e. Remaining Commercial Area Parking shall NOT be less than the current Zoning Ordinance Parking requirements and shall be addressed with any Final Plan submittal to the City.

Findings:

- a) The City Council finds that the PDO Concept Plan is in harmony with the Southeast Neighborhood Plan to allow future residential re-development to occur in the eastern half of the Pages Lane Commercial Area.
- b) The City Council finds that the PDO request, with the listed conditions, sufficiently addresses the PDO Development Standards found in Section 12-41-080, as addressed in the applicable staff reports provided to the Council.
- c) The City Council finds that the PDO Concept Plan, with the listed conditions, provides sufficient compliance with regards to the project's design and amenities requirements for R-M Zone Development.

**CIVIC REVIEW SOFTWARE CONTRACT FOR COMMUNITY DEVELOPMENT
LICENSES AND PERMITS**

Mr. Snyder explained his recommendation to approve contract with Civic Review for use of software for online business licensing and permitting. Online business licensing and permitting would not be mandatory at this point, and staff would continue to keep hard copies of each application. The City is required to keep business license information for seven years.

Councilwoman Fillmore made a **motion** to approve contract with Civic Review for use of software for online licensing and permitting and authorize the use of \$5,300 of the Council's contingency budget for this purpose. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

COLUMBARIUM AND MAUSOLEUM IN CITY CEMETERY

Bruce Cox, Parks and Recreation Director, presented photographs and information regarding the possible construction of a niche wall for cremated remains at the Centerville Cemetery. A proposal has been received from Rocky Mountain Monument & Vault for construction of a 48 niche wall for \$25,000-\$28,000. The City Manager recommends the General Fund be used as the source of upfront funding for this project, with the intent the General Fund would be repaid from sales of niche spaces over time.

Mr. Cox answered questions from the Council. A majority of the Council indicated a desire to pursue additional information with a goal of adding a niche wall to the City Cemetery. Mr. Thacker recommended a multi-step process, including a master plan for phasing potentially several niche walls, and policies regarding fees, etc.

Mr. Cox presented information regarding possible construction of a mausoleum wall along the east side of the Cemetery. He estimated the wall could include 200 spaces per row, with three or four rows. The estimated cost of \$350,000-\$400,000 includes installation, but does not take into account demolition and reconstruction of 700 East. The first step would include a \$1,000 design fee. Mr. Cox expressed confidence in Rocky Mountain Monument & Vault's capability and experience. No direction regarding a mausoleum wall was given by the City Council at this time.

**SELECTION OF LANDSCAPE ARCHITECT FOR ISLAND VIEW PARK RENOVATION
PROJECT**

Mr. Thacker explained that staff initially understood the City could select any firm included on the list of landscape architect firms approved by the State and negotiate rates for the Island View Park Renovation Project. Staff now have a better understanding of the Land & Water

1 Conservation Fund (LWCF) Grant guidelines, and the competitive processes required for project
2 design and construction. Mr. Thacker presented a proposed RFQ process/calendar regarding
3 Island View Park design services, and provided a list of recommended landscape architect firms
4 (attached). A majority of the Council indicated the proposed process is acceptable. Councilman
5 McEwan requested an invitation also be posted on the City website for any firm/individual to
6 present qualifications to the City for consideration. The Council will meet to interview finalists on
7 October 23rd. Staff was directed to research whether the interviews could be closed to the public.
8

9 The Council took a break at 9:03 p.m. and returned at 9:13 p.m.

10
11 **STAFF RECOMMENDATIONS FOR SIDEWALK REPAIR PROGRAM FOR FY 2019**
12

13 The City Council designated \$100,000 for sidewalk repair in the current budget (shared
14 between General Fund and Transportation Projects Fund). A city-wide inventory of sidewalk
15 conditions in 2016 identified thousands of vertical faults that will cost over \$500,000 to repair.
16 This cost estimate did not include the cost of removing trees that are causing some of the sidewalk
17 damage. More than \$30,000 was spent in 2017 to replace sidewalk in nine locations with vertical
18 faults greater than 3 inches, including removing the trees causing those faults. Staff recommend
19 a program this year which targets repair of faults greater than 1 inch, and requires the removal of
20 trees causing those faults. It also recommends, however, a voluntary approach this first year
21 regarding tree removal. In other words, sidewalk faults associated with trees within the "buffer
22 zone" would not be repaired unless the adjacent property owners agree to have the trees
23 removed. Staff are assuming there will be enough residents willing to have the trees removed to
24 use the current funding. For those locations with faults greater than 1 inch that appear to be
25 caused by trees, staff have identified the trees that can be removed by City employees (not
26 including stump grinding) versus those that will need to be removed by a tree contractor.
27

28 Councilwoman Fillmore said she is uncomfortable with placing priority on removing trees
29 and repairing sidewalk affected by trees, when the data shows that half of the 1-3 inch faults do
30 not have trees within the tree buffer and are not caused by trees. Councilman Ince commented
31 that he is aware of the role trees play in air quality, and agreed that the faults caused by trees
32 should not necessarily take first priority. Ms. Romney said she believes the tree removal should
33 be paired with a responsible park strip tree ordinance. Mayor Wilkinson agreed that trees are an
34 important aspect of neighborhood and property appeal. Councilman McEwan said he would
35 prefer to repair as many faults as possible with the money available now. The Council and staff
36 discussed possibilities for cost-sharing with property owners to repair different types of sidewalk
37 problems. Councilwoman Ivie commented that Public Works is available to remove trees this fall.
38

39 Councilwoman Fillmore made a **motion** to move forward with the first phase by sending
40 letters to property owners with 1-3 inch sidewalk faults not caused by trees, explaining that work
41 would happen in the spring and explaining possibilities for cost sharing, with an opt-in deadline
42 determined by staff. Councilman Ince seconded the motion. Councilwoman Mecham made a
43 **motion to amend** the motion to send letters to property owners with 1-3 inch sidewalk faults
44 caused by trees with the option to remove the trees if the Public Works Department is able to
45 remove them. Councilwoman Ivie seconded the motion to amend, which failed (2-3), with Council
46 members Ince, McEwan, and Fillmore dissenting. The original motion passed by unanimous vote
47 (5-0). Councilwoman Mecham made a **motion** to send letters to property owners with 1-3 inch
48 sidewalk faults caused by trees that can be removed by the Public Works Department, if enough
49 funds remain after the initial deadline for situations in which trees are not involved. Councilman
50 McEwan seconded the motion. Councilwoman Fillmore stated she would prefer to wait to see
51 what the numbers are after the initial deadline, and prefer to decide what to do about stump

1 grinding before moving forward. The motion passed by majority vote (4-1), with Councilwoman
2 Fillmore dissenting.

3
4 Councilwoman Fillmore was excused at 10:30 p.m.

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6 **FINANCIAL REPORT**

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8 Marcus Arbuckle, the City's contract CPA adviser, presented a final unaudited report for
9 FY 2018, and FY 2019 report for the two-month period ending August 31, 2018.

10
11 **MAYOR'S REPORT**

- 12
13 • Mayor Wilkinson expressed a desire to put together a Tree Board to review City tree
14 policy and provide suggestions for what the City should be doing regarding trees. He
15 suggested the Tree Board could consist of the Parks and Recreation Director, a
16 representative from Public Safety, a representative from Public Works, an arborist,
17 and a few additional individuals.
18 • The Mayor invited Councilmembers to join him at the Farmington pickleball courts on
19 October 2nd at 5:30 p.m.
20 • Information regarding the Centerville Cares Committee is available on the City
21 website.
22 • South Davis Metro Fire Service Area financial statements are available with the
23 agenda on NovusAgenda.

24
25 **LIAISON REPORT**

26
27 Councilwoman Ivie updated the Council regarding the Landmarks Commission and the
28 Whitaker Museum Board.

29
30 **CITY MANAGER'S REPORT**

31
32 Mr. Thacker reported the City received a request for a presentation from the Salt Lake
33 Chamber of Commerce Housing Gap Coalition in the October 16th Council meeting. He
34 recommended the Council invite the Planning Commission to attend that presentation as
35 members of the audience – i.e. not a joint meeting.

36
37 **ADJOURNMENT**

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39 At 11:08 p.m., Councilwoman Ivie made a **motion** to adjourn the meeting. Councilman
40 Ince seconded the motion, which passed by unanimous vote (4-0).

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Mackenzie Wood, City Recorder

Date Approved

Katie Rust, Recording Secretary

Minutes of the Centerville City Council **Work Session** held Tuesday, September 18, 2018 at 5:30 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Clark Wilkinson
Council Members	Tamilyn Fillmore William Ince (arrived at 5:45 p.m.) Stephanie Ivie George McEwan Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Cory Snyder, Community Development Director
Jacob Smith, Management Services Director
Myron Williams, City Building Official
Katie Rust, Recording Secretary

VISITORS

Senator Todd Weiler, Utah State Senate
Rep. Tim Hawkes, Utah House of Representatives
Cameron Diehl, Utah League of Cities and Townes

IMPACT OF BUILDING CODE ON ACCESSORY DWELLING UNITS

The City's Building Official, Myron Williams, briefed the City Council regarding the Building Code's impact on the feasibility of having an accessory dwelling unit (ADU) within an existing home, with the intent to identify Code requirements that might make it costly for a homeowner to convert a part of a home for use as an ADU (presentation available with the agenda on NovusAgenda). A dwelling is defined as any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes. Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating. Mr. Williams emphasized that interpretation of the Code varies by city, with requirements including egress windows in bedrooms, carbon monoxide alarms, independent utility controls, independent power, and separate entrances.

Cameron Diehl with ULCT commented there is a tricky balance with ADUs when trying to accommodate growing housing needs while preserving the historic identity of a community. The group discussed shared versus separate dwelling access scenarios, as well as occupancy restrictions. Councilwoman Fillmore said she believes Code requirements regarding ADUs need clarification at the State level. Councilman McEwan said he is concerned about awareness and enforcement of equal opportunity housing requirements, and a responding comment was made that Fair Housing requirements do not apply if one of the units is owner occupied.

Councilwoman Mecham said she thinks people will be concerned about how many people would be living in an ADU and how many vehicles would be added to a neighborhood. Councilwoman Ivie said she knows of residents who want to be able to have an ADU that is compliant with the law. Councilman McEwan expressed concern with the impact ADUs might

1 have on property values, and stated there is a certain expectation regarding environment when
2 individuals buy into a single-family neighborhood. Councilwoman Fillmore pointed out the need
3 to balance property rights with the other concerns expressed. Mr. Snyder commented that for
4 most people, the single largest investment is their home. ADUs provide an opportunity for
5 property owners to adapt their investment to different needs at different stages of life. ADUs
6 can also provide an opportunity for a diverse population to integrate. Councilman McEwan said
7 he wants to be inclusionary, but he wants to respect the rights of those who paid for the stability
8 of a certain type of neighborhood.
9

10 Councilwoman Fillmore expressed a desire to have sufficient data to make an informed
11 decision. Councilman McEwan responded that for most individuals their perception of reality is
12 reality, regardless of data. Councilman McEwan stated he would hope for a minimum standard
13 building code for ADUs from the State level for communities to work with. Senator Weiler
14 encouraged the Council to tell the Legislators what the impediments are and recommend
15 changes.
16

17 **ADJOURNMENT**
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19 The work session was adjourned at 6:56 p.m.
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24 _____
Mackenzie Wood, City Recorder

Date Approved

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28 _____
29 Katie Rust, Recording Secretary

CENTERVILLE

Staff Backup Report 10/2/2018

Item No. 2.

Short Title: Renew Street Sweeping Contract

Initiated By: Dave Walker, Drainage Utility Supervisor

Scheduled Time: 7:10

SUBJECT

RECOMMENDATION

Renew street sweeping contract with Jacketta Sweeping for FY 2019 at the same prices as in the expired contract--with the option to extend another year for FY 2020 at the City's discretion if Jacketta agrees to continue holding their unit prices.

BACKGROUND

The attached email from Kevin Campbell, City Engineer, and memo from Dave Walker, Drainage Utility Supervisor, explain the City's efforts in recent years to obtain bids from street sweeping contractors. They recommend the City Council approve the renewal of a contract with Jacketta Sweeping for another year at the same prices as in the expired contract. The City Manager recommends the Council also include the option to extend the new contract through FY 2020 *if* Jacketta agrees to hold its prices for that year as well.

The bid tabulation from 2015 is attached, showing the unit prices the City has paid since 2010. The prices in the 2015 bid have been used in a contract with Jacketta for FY 2016, FY 2017 and FY 2018. These same prices would be effective in FY 2019 if the Council agrees to renew the contract with Jacketta.

The City Manager believes it is most cost-effective for the City to continue contracting for street sweeping services rather than buying, maintaining and operating its own street sweeper. This is based on his experience in another community as the city manager--where the city owned two street sweepers.

ATTACHMENTS:

Description

- ☐ Kevin Campbell Email
- ☐ Dave Walker Memo
- ☐ 2015 Bid Tabulation

Steve Thacker

From: Kevin Campbell <Kevin.Campbell@esieng.com>
Sent: Thursday, July 26, 2018 4:02 PM
To: Dave Walker
Cc: Steve Thacker
Subject: Street Sweeping Contract Status
Attachments: 00 51 00 Notice of Award 2017-2018.pdf; Bid Tabulation 2015-2016.pdf

Dave,

The Street Sweeping Contract was last bid in 2015. The contract was awarded for 2015-2016 and then renewed in both 2016-2017 and 2017-2018. So this contract is up for re-bid this year.

One issue that we have had the last two times the project was bid (in 2012 and in 2015) is that we have only received one bid (from Jacketta). In 2010 we received two bids (from Jacketta and Sweep "N" Utah).

It would be nice to see if we could extend the contract for possibly longer than three years if the contractor is willing to hold their unit prices and if you are satisfied with their work. What are your thoughts?

Kevin

Kevin Campbell, P.E.
Centerville City Engineer

Kevin Campbell, P.E.
ESI Engineering, Inc
3500 S. Main St.
SLC, Ut 84115
801.263.1752

Memorandum

To: Steve Thacker

From: Dave Walker, Drainage Utility Division

RE: Street Sweeping Contract

Historically we have seen a very limited selection of bidders for our Street Sweeping Contract. It has generally consisted of one to two bidders with one exception about five years ago where we had a third. Jacketta Sweeping and Sweeping Utah consistently have bid with Jacketta producing the best price consistently.

In speaking to surrounding communities, there has been a shift in the way they are handling their street sweeping. It is more common now for cities to purchase their own machines, staff them, and take over the maintenance and expenses connected with such equipment. The purchase of a new machine alone would exceed the amount set aside each year for sweeping. In the event a reasonably priced used machine were available, the unforeseen maintenance and operational costs, coupled with the strain it would put on the current workforce would deem that option unreasonable.

Riverdale City recently sought pricing for sweeping services from various contractors. They received two responses, Jacketta Sweeping and Sweeping Utah. The price he indicated from Jacketta was over 10% higher than we currently pay and it was stated that Sweeping Utah was "significantly higher" than the price from Jacketta. Millville City recently solicited pricing and received one bid. Jacketta was able to offer them a competitive price whereas no other companies responded. This was also the case for several other cities in Utah County. I too reached out to Sweeping Utah to find out their interest in submitting a price to which they have not responded.

Jacketta Sweeping has provided a great service for our city over the years. This, coupled with their willingness to hold their very competitive price, are why I recommend renewing the Street Sweeping Contract with Jacketta Sweeping for another year.



BID TABULATION FOR CENTERVILLE CITY

Street Sweeping Project 2015-2016 - Project #15-126									
Item	Description	Amounts	Units	Jacketta Sweeping (2015 Bid)		Jacketta Sweeping (2012 Bid)		Jacketta Sweeping (2010 Bid)	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	City wide Street Sweeping w/ Elgin Crosswind Vacuum Truck or equivalent (approximately 80 hours per city wide street sweep) - includes up to 5 mobilizations and traffic control as needed.	400	Hours	\$109.00	\$43,600.00	\$105.00	\$42,000.00	\$100.00	\$40,000.00
2	Emergency call out sweeping including mobilization and traffic control as needed	8	Hours	\$125.00	\$1,000.00	\$105.00	\$840.00	\$120.00	\$960.00
	Total				\$44,600.00		\$42,840.00		\$40,960.00

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/2/2018**

Item No. 3.

Short Title: Public Hearing - Zoning Text Amendments - Sign Ordinance Amendments to Allow Murals - CZC 12.54

Initiated By: Becca Clason, Applicant

Scheduled Time: 7:15

SUBJECT

Consider the proposed Zoning Code Amendments to CZC 12.54 (Signs) to allow murals on buildings.

RECOMMENDATION

Approve Ordinance No. 2018-22 amending CZC 12.54.060 defining and allowing murals on commercial buildings in the Commercial-Medium (C-M) Zone.

BACKGROUND

On September 12, 2018, the Planning Commission reviewed and recommended approval of proposed amendments to CZC 12.54.060 allowing murals on commercial buildings in the Commercial-Medium (C-M) Zone. The Staff Transmittal Report for this application is attached.

ATTACHMENTS:

Description

- 10-2-18 CC Transmittal Report Signs Murals
- Ordinance No. 2018-22 - CZC 12.54.060 - Murals
- 9-12-18 PC Staff Report Text Amendment Signs Murals
- 9-12-18 Murals Backup Material

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

CITY COUNCIL TRANSMITTAL REPORT

APPLICANT: **BECCA CLASON**
 1212 N WINSTON DRIVE, KAYSVILLE
 BECCACLASON@GMAIL.COM

APPLICATION: **TEXT AMENDMENT – 12.54 SIGNS TO ALLOW MURALS**

STAFF RECOMMENDATION: **RECOMMEND APPROVAL TO CITY COUNCIL**

Background

Ms. Becca Clason owns a graphic design and marketing company that operates out of an office at 12 North Main. The building is a Local Significant Site and has been painted white. The applicant wishes to enliven this wall space by painting an inspirational mural on the side of the building, but under our current zoning code, murals would fall under the definition of graffiti, as an “unauthorized painting”, or potentially could fall under our sign code regulations, limiting the mural to 15% of the wall.

Many other cities in Utah have a strong presence of murals in their streetscape, including Ogden, Provo, South Salt Lake, and Salt Lake City. [See backup materials for many examples of murals around the Wasatch Front.] Most of these cities do not regulate murals in any capacity, as they are considered art and protected under First Amendment rights of free speech. In these cities, the property owner has the right to petition any work of art for their building with a non-commercial message.

The applicant’s specific desire is for an inspirational message on the side of her already white painted building.



Figure 2 The applicant's office at 12 N Main

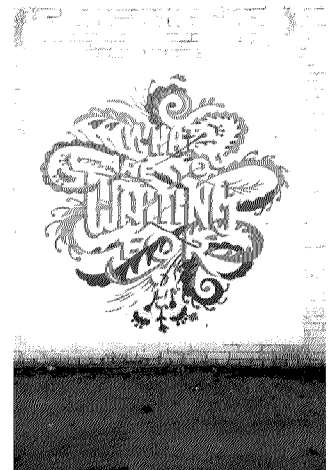


Figure 1 An example of work by local artist Jill de Haan

CZC SIGN CODE

Definition of Signs: CZC 12.12.

Sign: Any object, device, display, or structure, or a part thereof, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or a projected image, but not including the lawful display of merchandise, approved artificial landscaping, or approved structures which are lighted for the purpose of providing illumination to parking areas, sidewalks or streets. The term “sign” shall include the sign structure, supports, lighting system and any attachments, ornaments or other features used to attract attention.

Sign, Wall: A sign displayed upon or against the wall of a building, where the exposed face of the sign is parallel to the wall and extends not more than 15 inches horizontally from the face of the wall.

Graffiti means any form of *unauthorized* painting, writing, spraying, scratching, affixing, marking or inscribing on the property of another, whether public or private, regardless of the content or nature of the material used in the commission of the act. [CMC 7.04.030]

Applicant proposed definition and limitations:

- 1) Mural: A hand-painted design on the exterior wall of a building that does not contain a commercial message
- 2) Mural can be changed or removed at five years if community does not find it desirable in their area, but if the mural is accepted and enjoyed the mural can stay on the building
- 3) Size restriction is that it takes up to no more than 50% of the wall space
- 4) Murals will only be allowed in the South Main Street Corridor Zone
- 5) Murals cannot be painted on a historic building unless that building has already been painted

APPROVAL STANDARDS FOR ZONING CODE AMENDMENTS

A decision to amend the Zoning Code or the Zoning Map is a matter within the legislative discretion of the City Council as described in CZC 12.21.060(a). In making an amendment, the following factors should be considered:

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 Overlay Plan

12-480-7

Growth and revitalization efforts or strategies ought to encourage infill and redevelopment in balance with the community's desire to highlight Centerville's Main Street. The South Main Street Corridor can and will thrive if included in the design framework of this area is a scheme that provides various alternatives to purely an automobile-oriented street. Pedestrian-friendly amenities, alternative forms of transportation, proper architectural and building design, and other similar concepts need to be considered in designing the South Main Street South Corridor District. Redevelopment and enhancements need to focus on such concepts to create a stronger, more vibrant, Main Street environment.

Staff Analysis:

Murals and artwork are considered tools for revitalizing and beautifying a neighborhood that not only foster a sense of community but also improve the streetscape for pedestrians and customers of these businesses. Murals contribute to revitalization, enhancements, and the creation of a more "vibrant" Main Street environment, and therefore align with the General Plan for the Main Street commercial area and Overlay Plan.

Murals can be a great tool for placemaking and community identity, activating otherwise underused or dead spaces in the city. It adds interest to the streetscape, making it more enjoyable and interesting for pedestrians and customers of these businesses. For example, South Salt Lake's Arts Council recently promoted a Mural Fest for small businesses within their arts district. The businesses owners love their commissioned art and some stated that it has increased business due to the attention the murals have received. It makes their building recognizable and makes those who walk or drive by curious about the businesses inside, benefiting not only the public but the business owners bottom line.

As the Commission and the Council continue to deliberate how to revitalize Main Street, allowing business owners to activate their own space by allowing their right to creative expression and artwork on their building may progress the revitalization efforts on this corridor.

Because of the request of the applicant, the focus on revitalizing Main Street at the City level, and the small scale of the local businesses in this zone, staff believes that the Commercial Medium zone is an acceptable place to allow murals on commercial buildings. Size and height limitations in this zone ensure the building are smaller and to scale with the surrounding environment. From our studies, we know that most businesses are locally owned. Creating local works of art on small store front would enliven the streetscape of this corridor and foster a sense of community in this small business zone.

By mandating a permit for a mural, like that of a sign permit, staff could ensure the mural was approved by the property owner, and that it would not contain any commercial message or obscene imagery before the artwork was painted onto the building.

PLANNING COMMISSION RECOMMENDATION

On September 12th, 2018, the Planning Commission made a motion to amend the Centerville Zoning Code, Chapter 12.54, as follows:

12.54.060

Sign area calculations shall include all signs located on a lot or parcel unless under the provisions of this Chapter or another chapter of this Title a particular type of sign:

- A. Is expressly excluded from the calculation of total sign area; or*
- B. Has a separate basis for calculating sign area; or*
- C. Is not regulated by the provisions of this Chapter.*
- D. Except Murals See 12.54.060 (m).*

ADD Subsection (m) *The Zoning Administrator shall approve a mural under the following provisions:*

- 1. A mural is recognized as a one of a kind, hand painted, hand tiled or digitally printed image on the exterior wall of a building that does not contain any logos, trademarks, company slogans, or obscene images or messages.*
- 2. Murals shall be allowed on commercial buildings located within the Commercial Medium zone*
- 3. Murals may not be painted on buildings that are on the National Register of Historic Places, unless such building is already painted.*
- 4. Murals must receive a permit as set forth in 12.21.160*
- 5. Applicant must submit proof of the property owner's approval and permission*

FINDINGS:

- a) Allowing murals is consistent with the General Plan for the Main Street Commercial area. [12-430-2 and 12-480-7]*
- b) The purpose of our sign code is to improve the visual appearance of the City in a way that is consistent with Constitutional guarantees and the City's goals of public safety and aesthetics. [12.54.010]*
- c) Allowing murals on commercial building is not inconsistent with the purpose of the Commercial Medium Zone. [12.30.020]*

Commissioner	Yes	No	Not Present
Hayman (Chair)	X		
Hirst	X		
Johnson			X
Daly	X		
Hintze			X
Wright			X
Helgesen	X		

ORDINANCE NO. 2018-22

AN ORDINANCE AMENDING SECTION 12.54.060 OF THE CENTERVILLE ZONING CODE REGARDING SIGNS TO ALLOW MURALS ON COMMERCIAL BUILDINGS IN THE COMMERCIAL-MEDIUM (C-M) ZONE

WHEREAS, the City Council desires to amend Section 12.54.060 of the Zoning Code to allow murals on commercial buildings in the Commercial-Medium (C-M) Zone as more particularly set forth herein; and

WHEREAS, the proposed amendments to the Zoning Code allowing murals on commercial buildings in the Commercial-Medium (C-M) Zone have been reviewed by the Planning Commission with a recommendation of approval to the City Council; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code to allow murals on commercial buildings in the Commercial-Medium (C-M) Zone are in the best interest of the City and the public and will improve the visual appearance of the City in a way that is consistent with Constitutional guarantees and the City's goals of public safety and aesthetics; 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 12.54.060 of the Centerville Zoning Code regarding General Provisions for Signs is hereby amended to amend Subsection (a) and add a new Subsection (m) to read as follows:

12.54.060 General Provisions

- (a) Sign Area Computation. The measured area of a sign shall be the entire area within the smallest square, circle, rectangle, or triangle enclosing the extreme limits of a writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the sign display.
 - (1) The supports, uprights, or structure on which any sign is supported shall not be included in determining sign area unless such supports, uprights, or structure are designed in such a manner as to form an integral part of the sign display.
 - (2) When a sign has two opposite display faces, the area of only one face shall be included in determining the sign area.

- (3) Sign area calculations shall include all signs located on a lot or parcel unless under the provisions of this Chapter or another chapter of this Title a particular type of sign:
 - (A) Is expressly excluded from the calculation of total sign area; or
 - (B) Has a separate basis for calculating sign area; ~~or~~
 - (C) Is not regulated by the provisions of this Chapter; or
 - (D) Is a mural (See, Subsection (m), below).

* * *

(m) Murals. The Zoning Administrator shall approve a mural under the following provisions:

- (1) A mural is recognized as a one of a kind, hand painted, hand tiled, or digitally printed image on the exterior wall of a building that does not contain any logos, trademarks, or company slogans, or any obscene message or images.
- (2) Murals shall be allowed on commercial buildings located within the Commercial-Medium (C-M) Zone.
- (3) Murals may not be painted on buildings that are on the National Register of Historic Places, unless such buildings are already painted.
- (4) Murals must receive a permit in accordance with CZC 12.21.160.
- (5) Applicants must submit proof of the property owner's approval and permission.

Section 2. Findings. The City Council makes the following findings regarding the Zoning Code Amendments adopted herein:

- (a) The City Council finds that allowing murals is consistent with the General Plan for the Main Street Commercial Area. [Sections 12-430-2 and 12-480-7]
- (b) The City Council finds the purpose of the City Sign Code is to improve the visual appearance of the City in a way that is consistent with Constitutional guarantees and the City's goals of public safety and aesthetics. [CZC 12.54.010]
- (c) The City Council finds that allowing murals on commercial buildings is not inconsistent with the purpose of the Commercial-Medium (C-M) Zone.
- (d) The City Council finds that the proposed amendments meet the approval standards set forth in CZC 12.21.080(e).

Section 3. 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 4. 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 5. 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 2nd DAY OF OCTOBER, 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 1**

APPLICANT: **BECCA CLASON**
1212 N WINSTON DRIVE, KAYSVILLE
BECCACLASON@GMAIL.COM

APPLICATION: **TEXT AMENDMENT – 12.54 SIGNS TO ALLOW MURALS**

STAFF RECOMMENDATION: **RECOMMEND APPROVAL TO CITY COUNCIL,
AS MODIFIED BY STAFF**

Background

Ms. Becca Clason owns a graphic design and marketing company that operates out of an office at 12 North Main. The building is a Local Significant Site and has been painted white. The applicant wishes to enliven this wall space by painting an inspirational mural on the side of the building, but under our current zoning code, murals would fall under the definition of a sign, as a “large display directing attention to a business”, and would fall under our sign code regulations, limiting the mural to 15% of the wall.

Many other cities in Utah have a strong presence of murals in their streetscape, including Ogden, Provo, South Salt Lake, and Salt Lake City. [See backup materials for many examples of murals around the Wasatch Front.] Most of these cities do not regulate murals in any capacity, as they are considered art and protected under First Amendment rights of free speech. In these cities, the property owner has the right to petition any work of art for their building with a non-commercial message.

The applicant’s specific desire is for an inspirational message on the side of her already white painted building.



Figure 2 The applicant's office at 12 N Main



Figure 1 An example of work by local artist Jill de Haan

CZC SIGN CODE

Definition of Signs: CZC 12.12.

Sign: Any object, device, display, or structure, or a part thereof, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or a projected image, but not including the lawful display of merchandise, approved artificial landscaping, or approved structures which are lighted for the purpose of providing illumination to parking areas, sidewalks or streets. The term “sign” shall include the sign structure, supports, lighting system and any attachments, ornaments or other features used to attract attention.

Sign, Wall: A sign displayed upon or against the wall of a building, where the exposed face of the sign is parallel to the wall and extends not more than 15 inches horizontally from the face of the wall.

Applicant proposed definition and limitations:

- 1) Mural: A hand-painted design on the exterior wall of a building that does not contain a commercial message
- 2) Mural can be changed or removed at five years if community does not find it desirable in their area, but if the mural is accepted and enjoyed the mural can stay on the building
- 3) Size restriction is that it takes up to no more than 50% of the wall space
- 4) Murals will only be allowed in the South Main Street Corridor Zone
- 5) Murals cannot be painted on a historic building unless that building has already been painted

APPROVAL STANDARDS FOR ZONING CODE AMENDMENTS

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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 Overlay Plan

12-480-7

Growth and revitalization efforts or strategies ought to encourage infill and redevelopment in balance with the community's desire to highlight Centerville's Main Street. The South Main Street Corridor can and will thrive if included in the design framework of this area is a scheme that provides various alternatives to purely an automobile-oriented street. Pedestrian-friendly amenities, alternative forms of transportation, proper architectural and building design, and other similar concepts need to be considered in designing the South Main Street South Corridor District. Redevelopment and enhancements need to focus on such concepts to create a stronger, more vibrant, Main Street environment.

Staff Analysis:

Murals and artwork are considered tools for revitalizing and beautifying a neighborhood that not only foster a sense of community but also improve the streetscape for pedestrians and customers of these businesses. Murals contribute to revitalization, enhancements, and the creation of a more "vibrant" Main Street environment, and therefore align with the General Plan for the Main Street commercial area and Overlay Plan.

Murals can be a great tool for placemaking and community identity, activating otherwise underused or dead spaces in the city. It adds interest to the streetscape, making it more enjoyable and interesting for pedestrians and customers of these businesses. For example, South Salt Lake's Arts Council recently promoted a Mural Fest for small businesses within their arts district. The businesses owners love their commissioned art and some stated that it has increased business due to the attention the murals have received. It makes their building recognizable and makes those who walk or drive by curious about the businesses inside, benefiting not only the public but the business owners bottom line.

As the Commission and the Council continue to deliberate how to revitalize Main Street, allowing business owners to activate their own space by allowing their right to creative expression and artwork on their building may progress the revitalization efforts on this corridor.

Because of the request of the applicant, the focus on revitalizing Main Street at the City level, and the small scale of the local businesses in this zone, staff believes that the Commercial Medium zone is an acceptable place to allow murals on commercial buildings. Size and height

limitations in this zone ensure the building are smaller and to scale with the surrounding environment. From our studies, we know that most businesses are locally owned. Creating local works of art on small store front would enliven the streetscape of this corridor and foster a sense of community in this small business zone.

Staff Recommendations (*Two Options*)

I hereby make a motion for the Planning Commission to recommend approval to the City Council for the amendments to CZC 12.54 as follows:

MOTION ONE OPTION – To recommend the zone text amendment with the language as submitted by the applicant:

12.54.060 (m)

- a) A hand-painted design on the exterior wall of a building that does not contain a commercial message*
- b) Mural can be changed or removed at five years if community does not find it desirable in their area, but if the mural is accepted and enjoyed the mural can stay on the building*
- c) Size restriction is that it takes up to no more than 50% of the wall space*
- d) Murals will only be allowed in the South Main Street Corridor Zone*
- e) Murals cannot be painted on a historic building unless that building has already been painted*

MOTION TWO OPTION – To recommend the zone text amendment with the language as amended by Staff.

12.54.060

Sign area calculations shall include all signs located on a lot or parcel unless under the provisions of this Chapter or another chapter of this Title a particular type of sign:

- A. Is expressly excluded from the calculation of total sign area; or*
- B. Has a separate basis for calculating sign area; or*
- C. Is not regulated by the provisions of this Chapter.*
- D. Except Murals See 12.54.060 (m).*

ADD Subsection (m) The Zoning Administrator shall approve a mural under the following provisions:

- 1. A mural is recognized as a one of a kind, hand painted, hand tiled or digitally printed image on the exterior wall of a building that does not contain any commercial message.*
- 2. Murals shall be allowed on commercial buildings located within the Commercial Medium zone*
- 3. Murals shall contain no commercial message, including logos, trademarks, or company slogans, or any obscene message or images.*

4. *Murals may not be painted on buildings that are on the National Register of Historic Places*
5. *Murals must receive a permit as set forth in 12.21.160*
6. *Applicant must submit proof of the property owner's approval and permission*

FINDINGS:

- a) *Allowing murals is consistent with the General Plan for the Main Street Commercial area. [12-430-2 and 12-480-7]*
- b) *The purpose of our sign code is to improve the visual appearance of the City in a way that is consistent with Constitutional guarantees and the City's goals of public safety and aesthetics. [12.54.010]*
- c) *Allowing murals on commercial building is not inconsistent with the purpose of the Commercial Medium Zone. [12.30.020]*

Centerville Mural Definition and Goals

Our Goal and Vision

The purpose of bringing murals to Centerville is to add art and interest into public spaces. This allows spaces that are otherwise neglected or void of character to be more comfortable and walkable. Murals have the potential to create places of gathering, share the cities culture, and create a stronger community and sense of history.

For our own personal mural on the historic ZCMI building on Main and Center street we want to create interest and inspiration to a wall that is very visible. Our line of work is to create videos/images/art that create wonder and inspiration. We see the positivity and fun this brings to our viewers and would like to share those same feelings with our own community.

Proposed Mural Definition and Limitations:

- A hand-painted design on the exterior wall of a building that does not contain a commercial message.
- Mural can be changed or removed at five years if community does not find it desirable in their area, but if the mural is accepted and enjoyed, the mural can stay on the building.
- Size restriction is that it can take up to no more than 50% of the wall space.
- Murals will only be allowed in the South Main Street Corridor Zone.
- Murals cannot be painted on a historical building unless that building has already been painted.
- Murals could be written into the city laws as exempt from sign regulations.

In Salt Lake City, murals are written as exempt from sign regulations like this:

21A.46.040: EXEMPT SIGNS

The following signs and sign related activities are exempt from all regulations in this chapter, subject to the following provisions:

(...)

M. Murals: All or any portion of painted artwork which would not constitute a sign under this chapter.

In an excerpt from an article printed in the Salt Lake Tribune in 2015, Nick Norris, Salt Lake City planning manager, stated, " The ordinance—which exempts murals from the city sign regulations—has been in place for more than a decade, and Norris said he's unaware of any enforcement problems that have arisen."

MAKING A CASE FOR MURALS

The Los Angeles Mural Ordinance defines an Original Art Mural as:

**“A one-of-a-kind, hand-painted, hand-tiled,
or digitally printed image on the
exterior wall of a building that does not
contain any commercial message.”**

Having been in our office building for a few months now on the corner of Main Street and Center Street, we noticed how visible the building's wall is, with plenty of foot traffic and a busy road next to us. We love the community we work in and would like to give back in a way that we feel will benefit and uplift those who live and work near us, as well as those passing by throughout the day. We feel we can accomplish this through a beautiful and inspirational mural.

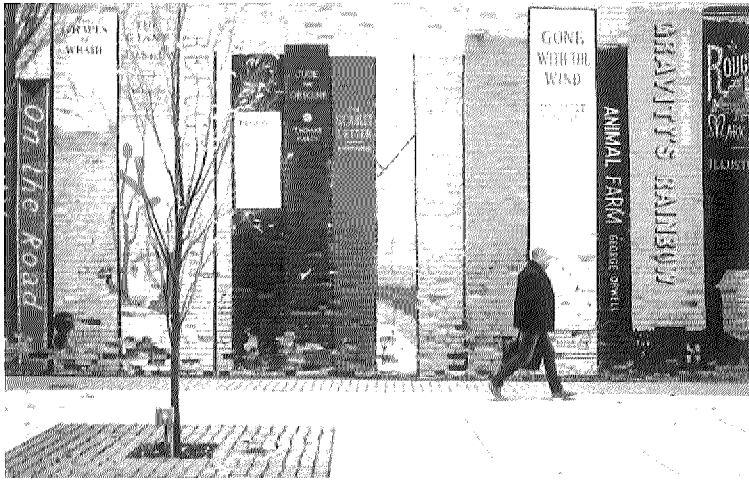
Portland Street Art Alliance has listed reasons why murals help to bring a community together, we've listed them below, because we feel murals can benefit Centerville as well:

- Murals improve the quality of public space for everyone to enjoy.
- Murals create a unique sense of place and community identity.
- Murals support the local economy, especially if the muralist is a local artist.
- Murals foster neighborhood pride, build neighborhood identity, and are respected by neighbors.

Another reason murals are beneficial to cities, is because adding them to cities has succeeded in lessening the chances of graffiti. In the particular spot where we envision the mural being painted there are signs of graffiti that has since been painted over. Hopefully with the mural in place that won't happen again.

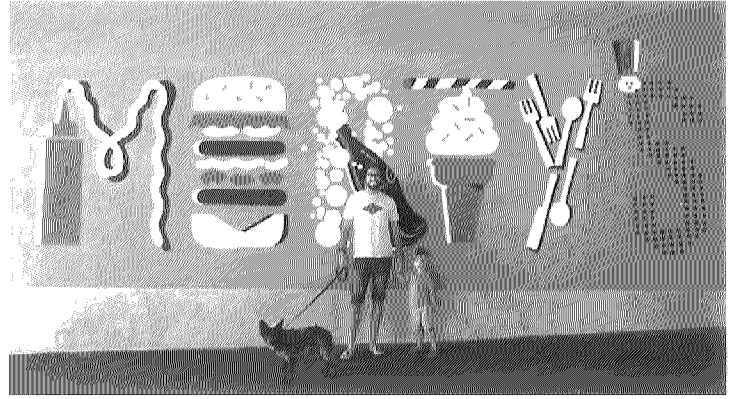
There are many cities in Utah that allow and enjoy murals in their community. On the following pages, we have included a list along with images of the murals in Utah that have become iconic and loved by the community in which they reside.

SALT LAKE CITY, UTAH

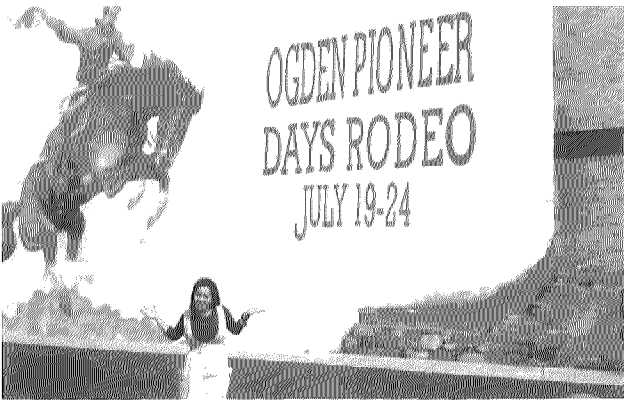


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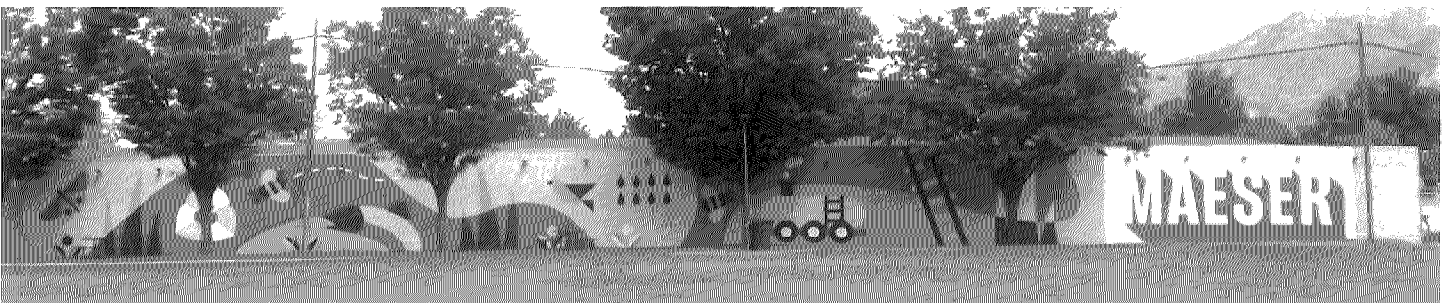
LOGAN, UTAH



OGDEN, UTAH

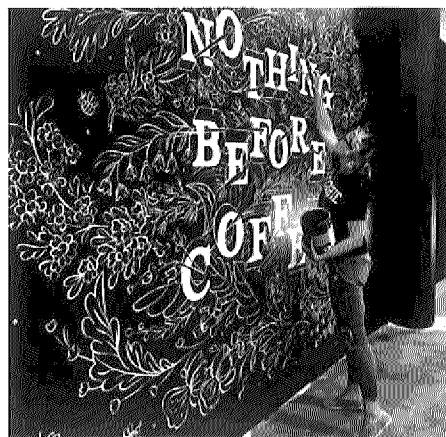
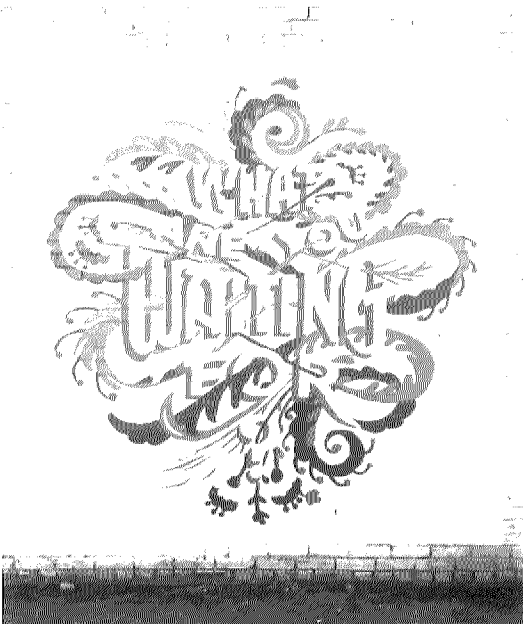
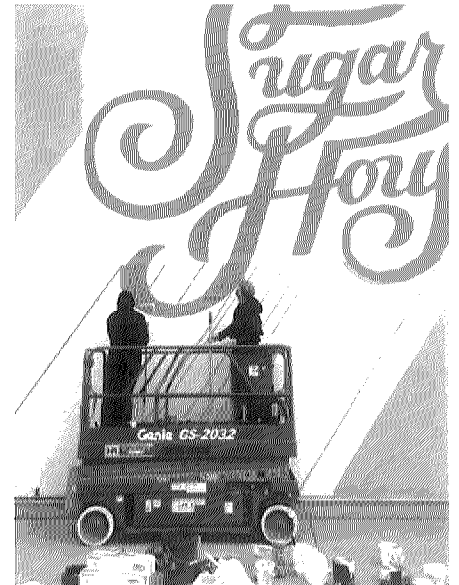
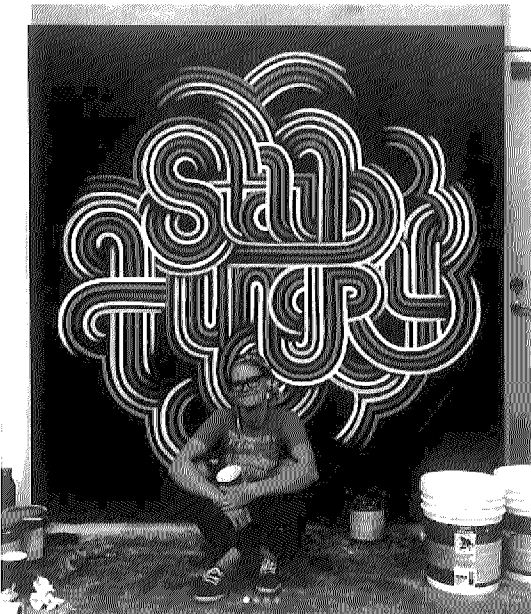


PROVO, UTAH



JILL DE HAAN

These are examples of work done by local lettering artist and muralist, Jill Dehaan.
She is the mural artist we hire to create the mural on our building.



CENTERVILLE

Staff Backup Report 10/2/2018

Item No. 4.

Short Title: Discuss Potential Amendments to South Main Street Corridor Overlay Zone Affecting Fire Station Project

Initiated By: Council Members Ince and McEwan

Scheduled Time: 7:45

SUBJECT

RECOMMENDATION

BACKGROUND

Councilmen Bill Ince and George McEwan have requested this matter be added to the October 2 Council meeting agenda. They are asking the City Council to consider a directive to the Planning Commission to initiate amendments to the South Main Street Corridor Overlay Zone that would affect the fire station project. The nature of the amendments is described in the attached email from the Fire Chief to Councilman Ince.

ATTACHMENTS:

Description

▯ Fire Chief Email

----- Original Message -----

From: Jeff Bassett <JBassett@sdmetrofire.org>

To: "bill.ince@comcast.net" <bill.ince@comcast.net>

Date: September 18, 2018 at 5:13 PM

Subject: fire station

Bill

Here is the information related to the plaza issue. Basically the code only allows for 15feet between buildings, from the south end of the fire station building to the property line we are at 30 feet. If we create a plaza space we can get pass this code requirement. So we are now required to install a plaza space on the south end of the building that ties into the front apron of the station. It also requires us to create a plaza feel on the front apron by using colored cement or scoring. Council agreed with me not to do the colored cement so we have to do the scoring, which will create more costs in maintenance because the weight of the fire engines and the scoring of the cement is not contusive and will create cracks and breaks in the cement more so than if we did standard cement pour.

I have attached the design and you can see the scoring marks and on the south corner the marker for the sign.

Thanks

Jeff Bassett

Fire Chief

South Davis Metro Fire

Office 801-677-2400



CENTERVILLE

Staff Backup Report 10/2/2018

Item No. 5.

Short Title: Reports re training at ULCT annual conference

Initiated By: Mayor Wilkinson

Scheduled Time: 8:00

SUBJECT

RECOMMENDATION

Allow Mayor Wilkinson, Councilwoman Fillmore and Councilman Ince to report on the training received at the recent ULCT annual conference.

BACKGROUND

In light of the relatively short agenda for this council meeting, Mayor Wilkinson decided this would be a good meeting in which to share with the entire Council the training received at the recent annual conference of the Utah League of Cities and Towns, held in Salt Lake City. The Mayor and two Council Members attended.

CENTERVILLE

**Staff Backup Report
10/2/2018**

Item No. 6.

Short Title: Mayor's Report

Initiated By: Mayor Wilkinson

Scheduled Time: 8:45

SUBJECT

RECOMMENDATION

Mayor Wilkinson will report on matters of City interest.

BACKGROUND

CENTERVILLE

Staff Backup Report 10/2/2018

Item No. 7.

Short Title: Discuss Process for Recruiting New City Manager

Initiated By: Council Members Ince and Mecham

Scheduled Time: 8:50

SUBJECT

RECOMMENDATION

BACKGROUND

The current City Manager recently provided notice of his retirement effective the end of March 2019. Subsequently, Council Members Ince and Mecham requested this matter be added to the agenda.

CENTERVILLE

Staff Backup Report

10/2/2018

Item No. 8.

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

At this time staff are not aware of a need for a closed meeting, but the agenda allows for that possibility.

BACKGROUND

CENTERVILLE

**Staff Backup Report
10/2/2018**

Item No. 9.

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