Minutes of the Centerville **City Council** meeting held Tuesday, June 21, 2016 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Tamilyn Fillmore
	William Ince
	Stephanie Ivie
	George McEwan
	Robyn Mecham
STAFF PRESENT	Steve Thacker, City Manager
	Blaine Lutz, Finance Director/Assistant City Manager
	Jacob Smith, Assistant to the City Manager
	Lisa Romney, City Attorney
	Cory Snyder, Community Development Director
	David Miller, Centerville Justice Court Judge
	Lisa Summers, Youth Council Advisor
	Katie Rust, Recording Secretary
VISITORS	Interested citizens (see attached sign-in sheet)
PLEDGE OF ALLEGIANCE	
PRAYER OR THOUGHT	Councilwoman Fillmore

RECOGNITION OF JUDGE MILLER

Mayor Cutler recognized that Judge David Miller was named Justice Court Judge of the Year for the State of Utah.

YOUTH CITY COUNCIL

Lisa Summers, Youth Council Advisor, introduced new members of the 2016-2017 Youth City Council. Judge Miller swore in new Youth City Council members and those returning for a new two-year term.

New Youth Council Members

Zachary Barton	Hana Pertab
Sami Freeman	Joshua Pitt
Kathrine Kimball	Lindsey Richards
Mica McKee	

OPEN SESSION

James Dix – Mr. Dix reminded the Council that his reptile rescue organization is unique in the State of Utah, providing valuable safety training and animal rescue service. He is not paid for the services he provides. He stated that, although it has been necessary for a time, it is not his intention to house the organization in a residential neighborhood. He said he is trying to find another location to house the animals, and would like to open a park where they can be enjoyed by the public. Mr. Dix stated he has never had an escapee or an injury. He asked the Council to bear with him as he looks for another location. He stressed that the animals are a necessary

tool for his trade. He said his home has been inspected by the Division of Wildlife Resources (DWR) and Davis County Animal Control. Mr. Dix emphasized the importance of the service he provides, and showed a document containing more than 2,000 signatures of Utah citizens supporting what he does.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the May 31, 2016 work session and June 7, 2016 work session and regular Council meeting were reviewed. Lisa Romney, City Attorney, and Councilwoman Ivie requested changes to the June 7th work session minutes. Councilman Ince made a **motion** to accept the May 31, 2016 work session minutes, the June 7, 2016 regular meeting minutes, and the June 7, 2016 work session minutes as amended. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ZONE MAP AMENDMENT (REZONE) – 142 AND 144 EAST 1200 SOUTH – ORDINANCE NO. 2016-18

On May 25, 2016, the Planning Commission reviewed and recommended for approval the proposed rezone of the subject property (142 and 144 East 1200 South) from Residential-Medium (R-M) to Commercial-High (C-H). Cory Snyder, Community Development Director, explained that the property has been used for commercial purposes, yet has remained empty for the past two years and, therefore; the grandfathered non-conforming right for commercial use has now expired, and is required to convert to the current zoning classification. The property was originally zoned commercial, but became R-M when the current Zoning Map was approved in 2003. Staff believes this may have been an oversight, since the lot was clearly commercial in 2003. Mr. Snyder stated the site shares a parking lot with the property to the west, located within Bountiful, and would therefore be more appropriate to remain commercial and be rezoned to C-H. The property is served by Bountiful Power and pays property taxes to Bountiful, but receives water from Centerville. Mr. Snyder reported there is some uncertainty regarding city boundary lines at that location, with the County records differing from other records. Councilwoman Fillmore stated switching to commercial makes the most sense, but asked if Commercial-Medium (C-M) was considered rather than C-H. Mr. Snyder responded that the neighboring property is C-H, and the Planning Commission only considered C-H. Councilwoman Fillmore commented she feels C-M would be a better buffer for the adjacent residential neighborhood. Councilwoman Ivie agreed that C-M would be more appropriate than C-H. Mr. Snyder confirmed that office uses would conform with C-M requirements.

At 7:38 p.m. the Mayor Cutler opened a public hearing.

Alice Giauque – Ms. Giauque stated she and her husband own the property directly to the west of the subject property. She said their biggest concern is the lack of parking provided for the subject property. No parking agreement exists, and considering the minimal amount of parking available for their property, they would not be able to allow tenants of the subject property to use their parking spaces. Her husband pointed out on a map the location of parking specific to the subject property.

Mayor Cutler closed the public hearing at 7:43 p.m. Mr. Snyder stated that any user coming in would be subject to current zone requirements to utilize the buildings. The number of required parking stalls is based on use and not just square footage. The subject property contains one building with two small suites. Ms. Romney commented that the applicant has requested C-H, and suggested the Council could table the rezone to allow the applicant to respond to the C-M suggestion. Councilman McEwan stated he thinks the City should consider annexation of the portion of the parcel outside of City limits.

Councilwoman Fillmore made a **motion** to table the issue and direct staff to contact the applicant for feedback regarding the suggested rezone to C-M rather than C-H. Councilwoman Ivie seconded the motion. Mr. Snyder commented that location of the city boundary line would need to be confirmed before pursuing any possible annexation. He also mentioned that in order to annex the neighboring property, the Centerville Council would need to make the request of Bountiful City. Councilman McEwan responded he would want to annex to clean up the boundary line, not necessarily to annex property obviously in Bountiful. Ms. Romney commented that the property tax issue should also be cleared up. Councilwoman Fillmore **withdrew the motion** to table, and made a **motion** to change proposed Ordinance No. 2016-18 to state Commercial-Medium (C-M) instead of Commercial-High (C-H), including findings 1-5. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). Mr. Snyder said he will work with the property owner regarding business license and property taxes.

Findings:

1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
2. The proposed Zone Map Amendment meets the goals and objectives of the General Plan concerning Neighborhood 1 [Section 12-480-2].
3. Adequate facilities and services to serve the property are located along 1200 South [Section 12-21-080(e)(5)].
4. Historic Zoning Maps indicate this property to have been zoned commercial as far back as 1961 until 2003. In addition, the use found on the property has also been commercial since the property was developed.
5. The property is rezoned to C-M rather than C-H to provide a buffer for adjacent residential properties.

FY 2016 BUDGET

Blaine Lutz, Finance Director, presented a financial report for the eleven month period ending May 31, 2016. He explained proposed amendments to the FY 2016 Budget. At 8:15 p.m. Mayor Cutler opened a public hearing, and closed the public hearing seeing that no one wished to comment.

Councilman McEwan made a **motion** to adopt Resolution No. 2016-16 amending FY 2016 Budget of Funds, including a one-time payment to Macquarie from Council Contingency. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

FY 2017 BUDGET

Following brief discussion of the FY 2017 Budget, the following actions were taken:

- Councilman McEwan made a **motion** to adopt Resolution No. 2016-17 adopting the Certified Tax Rate for FY 2017. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).
- Councilman Ince made a **motion** to approve Ordinance No. 2016-19 adopting the Employee Compensation Plan. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).
- Councilman McEwan made a **motion** to adopt Resolution No. 2016-18 approving compensation for the Justice Court Judge. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
- Councilwoman Ivie made a **motion** to approve Prosecutor Agreements as presented in the Council packet. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

- Councilman Ince made a **motion** to adopt Resolution No. 2016-19 increasing culinary water rates. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0). Councilman McEwan stated that, while painful, the increases are necessary to maintain a quality water system and avoid getting behind a "power curve". Mr. Thacker emphasized that the Council has chosen to go with a more aggressive rate increase structure to avoid borrowing for the water projects.
- The Council discussed the desire to have further discussion before moving forward with the two new staff positions, the decant building, and the speed sign included in the Budget. Councilman McEwan made a **motion** to adopt Resolution No. 2016-20 adopting the Centerville City FY 2017 Budget of Funds with an effective date of July 1, 2016. Councilman Ince seconded the motion. Councilwoman Fillmore asked the Council to discuss where funds might be found to complete the City Hall foyer project all at once, and to discuss tagging a percentage of the roads budget for Complete Streets. Councilman McEwan said he would prefer to handle the foyer project with the amount included in the Budget, with additional funds from Council Contingency if needed when a final decision is made. Councilwoman Fillmore made a **motion to amend** the motion to add the FY 2016 Council Contingency balance of $6,000 to the $5,000 allocated for this purpose in FY 2016 and carried over to the FY 2017 Budget. The motion died for lack of second. Councilwoman Fillmore said she liked Councilman Ince's idea to use funds from the Justice Court for the foyer project, since the foyer is used heavily by the Court. Mr. Lutz explained that Court revenues are part of the General Fund. Mayor Cutler said he likes the idea of having something in the budget for safety and Complete Streets, but pointed out that Department Heads would prefer to have control of their budgets. Councilwoman Ivie stated she is reluctant to tag streets money for safety, since she feels safety projects should be funded by the General Fund. Councilwoman Mecham agreed. Mayor Cutler commented that safety is an appropriate use of transportation funds. Councilwoman Fillmore responded that all citizens pay into the transportation funds, so the Council should be obligated to consider all users of the roads. Councilman Ince commented that, while he recognizes the benefit of Councilwoman Fillmore's proposal, he has a hard time with irresponsible pedestrian and bicycle users of the roads. He said the roads are critical infrastructure, and he has a hard time with taking money away from road maintenance for other elements. Councilwoman Fillmore made a **motion** to allocate 5% of the Transportation Fund in FY 2017 for Complete Street elements. Councilwoman Mecham pointed out that the City will still do the sidewalks and other projects without the suggested allocation, and she would not want to tie up a specific amount that may be needed for a different purpose. Councilwoman Fillmore said she feels there is value in tying up the funds, because the way a budget is set up speaks to priorities. She said one of her priorities has been to do quality street projects and to consider all users. Councilman McEwan commented that the City cannot financially keep up with street needs with the current 100-year street plan. He said he does not disagree with the importance of safety, but asked if 5% is a meaningful number. Councilman McEwan said he would be more willing to talk about what property taxes need to look like in the future to address ongoing issues such as safety. Councilwoman Fillmore responded that the first step is to have the allocation become part of the culture and continue to evaluate what is needed over time. Councilwoman Ivie commented that the City has a history of property owners paying part or all of the sidewalk costs, and she would not want to set a precedent of the City paying for sidewalks or trees. The motion to allocate 5% of the Transportation Fund died for lack of second. The motion to adopt Resolution No. 2016-20 passed by unanimous vote (5-0).

RDA MEETING

At 8:50 p.m. Councilman McEwan made a **motion** to adjourn to a meeting of the Redevelopment Agency. Councilman Ince seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Chair; Stephanie Ivie, Vice-Chair; Directors Fillmore, Ince, McEwan, and Mecham; Steve Thacker, Executive Director; Blaine Lutz, Finance Director; Lisa Romney, City Attorney; Jacob Smith, Assistant to the City Manager; and Katie Rust, Recording Secretary.

The Council returned to regular meeting at 9:05 p.m. following a short break.

PUBLIC HEARING – CENTERVILLE ZONING CODE AMENDMENTS – TITLE 12 – ZONING CODE – ORDINANCE NO. 2016-20

As part of the FY 2016 Budget, the Council approved funding to transition the Municipal Code, Zoning Code and General Plan to an online version to be hosted by Municipal Code Online, Inc. The Zoning Code is the first "book" to be uploaded onto the online platform and a sample beta version of the online code is now available for the City to review. Ms. Romney explained that a number of formatting, renumbering, code references, and other changes have been made as part of the transition to the online version of the Zoning Code.

At 9:20 p.m. Mayor Cutler opened a public hearing.

Steve Allen – Mr. Allen complimented Ms. Romney for her professional manner and the work that she does for the City.

Councilman McEwan made a **motion** to adopt Ordinance No. 2016-20 amending, renumbering and recodifying Title 12 of the Centerville Municipal Code regarding the Centerville Zoning Code. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

MAYOR'S REPORT

- City Manager Thacker recommended the Council cancel the July 5, 2016 Council meeting for lack of pressing agenda items. Councilman Ince made a **motion** to cancel the July 5, 2016 Council meeting, with the condition that a meeting could be called if necessary. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
- The Council discussed South Davis Metro Fire Agency staffing and financial reports.
- Mayor Cutler reported on a UTA presentation given at a recent Davis County COG meeting.

CITY COUNCIL LIAISON REPORT

Councilman McEwan presented UTOPIA financial data, and updated the Council regarding Mosquito Abatement District projects.

CITY MANAGER'S REPORT

Mr. Thacker informed the Council that the Parrish Lane pedestrian bridge fencing project will soon be completed. The Council discussed the possibility of holding a ribbon-cutting for the pedestrian bridge on July 2nd at 9:00 a.m.

MISCELLANEOUS BUSINESS

Councilman McEwan made a **motion** to terminate the warranty period for Sonic Drive-In, effective June 21, 2016. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 10:01 p.m. Councilwoman Ivie made a **motion** to adjourn the meeting. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-0).

Marsha L Morrow
Marsha L. Morrow, City Recorder

7-19-2016
Date Approved

Katie Rust
Katie Rust, Recording Secretary