

1 Minutes of the Centerville **City Council meeting** held Tuesday, August 16, 2016 at 7:00 p.m. at
2 Centerville City Hall, 250 North Main Street, Centerville, Utah.

3
4 **MEMBERS PRESENT**

5 Mayor Paul A. Cutler
6
7 Council Members Tamilyn Fillmore
8 William Ince
9 Stephanie Ivie
10 George McEwan
11 Robyn Mecham
12

13 **STAFF PRESENT**

14 Steve Thacker, City Manager
15 Lisa Romney, City Attorney
16 Jacob Smith, Assistant to the City Manager
17 Bruce Cox, Parks and Recreation Director
18 Cory Snyder, Community Development Director
19 Kathy Streadbeck, Recording Secretary
20

21 **VISITORS**

22 Interested Citizens
23

24 **PLEDGE OF ALLEGIANCE**

25
26 **PRAYER OR THOUGHT** Steve Thacker
27

28 **OPEN SESSION**
29

30 John Marsh, Bountiful resident, said he attended Centerville City's 4th of July Parade and
31 he was shocked and appalled that the Jeep Posse was proudly flying a confederate flag. He said
32 this is grossly inappropriate and wanted to make sure the City Council was aware that this is not
33 acceptable.
34

35 Mayor Cutler said the City is aware and does not condone this behavior and agrees it was
36 inappropriate. He said when the parade entrant was verified the confederate flag was not part of
37 the submittal. The flag was added after review and without permission. He said the entrant has
38 been prohibited from participating in next year's parade.
39

REPORT – 4th of July Celebration Report - 4th of July Committee Co-Chairs

Kris and Steve Green, 4th of July Committee Co-Chairs, shared their report of the 2016 4th of July Celebration and responded to questions from the Council. This year's activities carried on traditional events, added some new innovations, and enjoyed favorable financial results. Mr. and Mrs. Green thanked all committee members who helped with this year's celebration, shared a financial summary, reviewed events and successes, and provided recommendations for next year.

The Council discussed ideas to increase the amount of floats and bands in the parade and discussed costs for band participation. Council members said they would like to see more of both in future parades.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the July 19, 2016 work session were reviewed and amended. Councilman McEwan made a **motion** to approve the minutes as amended. The motion was seconded by Councilwoman Ivie and passed by unanimous vote (5-0).

The minutes of the August 2, 2016 Centerville City work session were reviewed. Councilman McEwan made a **motion** to approve the minutes as written. The motion was seconded by Councilwoman Ivie and passed by unanimous vote (5-0).

The minutes of the August 2, 2016 Centerville City meeting were reviewed and amended. Councilman Ince made a **motion** to approve the minutes as amended. The motion was seconded by Councilwoman Fillmore and passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

- a. Approve Facilities Use Agreements for use of City sports fields
 - 1) Ute Conference, Inc. (youth football league)
 - 2) Ascent Futbol Club (BOCA)
 - 3) South Davis Soccer Association dba FORZA
- b. Terminate warranty period for Pastures Phase 1
- c. Approve purchase of a Kubota (Ventrac) multi-use tractor and accessories from RMT Equipment in the amount of \$29,216.00

Bruce Cox, Parks and Recreation Director, discussed how the fields are scheduled and explained that all fields are open to all on a first come first serve basis when not reserved for games. He said he has been working with South Davis Recreation in allowing them to use Centerville's fields in coming soccer seasons. Councilman McEwan requested staff continue to work with South Davis Recreation.

1 Councilwoman Ivie made a **motion** to approve items a, b, and c on the Summary Action
2 Calendar. The motion was seconded by Councilwoman Fillmore and passed by unanimous vote
3 (5-0).
4

5 **PUBLIC HEARING - TRANSFER OF REAL PROPERTY TO SOUTH DAVIS**
6 **METRO FIRE SERVICE AREA - FIRE STATION NO. 83 - Consider transfer of**
7 **approximately 0.74 acres of real property for Fire Station No. 83 located at 125 South Main**
8 **Street to the South Davis Metro Fire Service Area - Parcel Nos. 02-102-0012 and 02-102-**
9 **0013**
10

11 Lisa Romney, City Attorney, explained the agreements that have been made with
12 numerous entities to create the South Davis Metro Fire Service Area (SDMFSA). As part of the
13 creation of the SDMFSA, Centerville City has entered into an Interlocal Agreement with
14 SDMFSA and the other entities for the provision of fire suppression and emergency medical
15 services. In accordance with Section 12 of the Interlocal Agreement, Centerville City is obligated
16 to transfer ownership of the land owned by Centerville City for Fire Station No. 83 to SDMFSA
17 no later than September 1, 2016. This obligation of the City to transfer ownership of the land for
18 Fire Station No. 83 is consistent with the current obligation of the City to transfer such land
19 under the existing Lease Agreement entered into by the City and the South Davis Metro Fire
20 Agency. Section 7 of the Lease Agreement provides that the City will transfer all right, title and
21 interest in the real property improvements for Fire Station No. 83 to the successor special district
22 of the South Davis Metro Fire Agency within 60 days of commencement of operations as a
23 special district. Based on these prior arrangements and contractual obligations staff recommends
24 approval.
25

26 Mayor Cutler opened the public hearing. Seeing no one wishing to comment, he closed
27 the public hearing.
28

29 Councilwoman Ivie asked if there is any possibility of this property becoming surplus in
30 the future and questioned if there is a way to allow Centerville first right to the property in such a
31 situation.
32

33 Jeff Bassett, Fire Chief, said it not likely that Fire Station No. 83 will ever move or
34 become irrelevant. He said they have already prepared plans to remodel this station in the near
35 future. He said Centerville is narrow and this is a good central location. He said their response
36 times are appropriate for the city from this location. He said the only option for a greater facility
37 would be to move west where there is open land, but response times would be unacceptable from
38 the west side of I-15.
39

40 Ms. Romney said she chose not to include a reversionary clause because it seemed
41 unlikely and to maintain clarity of all the documents and agreements involved. In addition, all

proceeds from the reversal would have to be used for fire agency purposes. However, she said a reversionary clause could be added to the agreements if the Council feels it is necessary.

Councilman McEwan made a **motion** to approve the transfer of approximately 0.74 acres of real property for Fire Station No. 83 located at 125 South Main Street to the South Davis Metro Fire Service Area and authorize Mayor Cutler to sign and execute a special warranty deed transferring the land; Parcel Nos. 02-102-0012 and 02-102-0013. The motion was seconded by Councilman Ince which passed by unanimous vote (5-0).

PUBLIC HEARING - GENERAL PLAN AMENDMENTS - WEST CENTERVILLE NEIGHBORHOOD PLAN - REMOVING INDUSTRIAL VERY-HIGH ZONING DISTRICT - SECTION 12-480-6 - Consider General Plan Amendments regarding Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I., removing the I-VH (Industrial Very-High) Zoning District from the extreme southeast area of the Centerville Business Park District - Ordinance No. 2016-23

Cory Snyder, Community Development Director, reported the Planning Commission and City Council have been concerned with uses allowed within the Industrial-Very High (I-VH) Zone not being in harmony with the future of the West Centerville Neighborhood and set a goal to revisit the West Neighborhood Plan. The Commission has recommended approval of a General Plan Amendment to eliminate I-VH from the West Centerville Neighborhood. Mr. Snyder explained this is only step one of the process. Step two would include a Zone Map amendment. The Commission was only comfortable approving the General Plan amendment. They were not comfortable amending the zoning map until a better plan for the future is established. The General Plan is a policy not an ordinance and eliminating the I-VH Zone from the General Plan simply shows a desire for future planning; it does not set a zoning map regulation. Mr. Snyder provided the history of the I-VH Zone and how it was amended in 2008 to allow Syro Steel to continue their use in a way that would eliminate some of the concerns related to their manufacturing process. In addition, the 2008 amendments provided for commercial uses and brought about the current mixture of uses on the west side, thus changing the essence of the neighborhood. He said it is now the Council's job to review the proposed General Plan amendment and decide if the Commission should move forward with a Zone Map amendment.

Mr. Snyder reviewed the few current uses located within the I-VH Zone. He said to his knowledge and according to the definition of an I-VH use, none of the businesses are actually performing an I-VH operation at this time. He said Syro Steel has currently put their manufacturing processes on hold and are only warehousing products. However, this does not mean they won't restart their manufacturing processes in the future. He explained a General Plan amendment will not render any of these uses nonconforming, that would come with the Zone Map amendment.

1 Mayor Cutler opened the public hearing.
2

3 Bob Mason, Masco Property, said he is one of those businesses owners located in the I-
4 VH Zone. He said he started his business in east Centerville in the 1970's but was later pushed to
5 the west side due to a City rezone. He agreed the future of West Centerville does not include
6 industrial uses but said he does not want his ability to do business limited. He said there is no
7 plan or vision for the future of this area and he believes it is premature for the City to make
8 changes until that plan is established. He said if there is no vision then the zone should be left
9 alone. He said the market should dictate the change, not the City. He said Syro Steel may only be
10 warehousing at this time but if a change in use is on the horizon it may push them to restart their
11 manufacturing processes in order to maintain their rights. He said he is okay with a General Plan
12 amendment but is strongly opposed to a Zone Map amendment. He said he has been told the
13 Zone Map amendment will not happen, but he is skeptical. He believes the whole process would
14 be better received if a full plan was established. He said a zone change will only limit property
15 rights. He said once a plan is established then the City could look for a developer that is
16 interested which in turn would bring about the zoning change. He said the City is trying to make
17 a change in hopes of a new vision, which he believes is not the best approach.
18

19 John Marsh, Bountiful resident, discussed air quality issues with regard to industrial uses.
20 He said citizens rely on the permit and zoning process to ensure air quality. He said he is not in
21 favor of high industrial uses within city boundaries.
22

23 Seeing no one else wishing to comment, Mayor Cutler closed the public hearing.
24

25 Lisa Romney, City Attorney, read the definition for Industrial-High and Industrial Very-
26 High and reviewed both the permitted and conditional uses in each zone. She explained the
27 General Plan is a visionary document and will not change the zoning designation. This means
28 those uses that currently exists within the I-VH Zone can continue within a conforming status
29 with a General Plan amendment. If and when a Zone Map amendment is completed, then the I-
30 VH uses would become nonconforming, thus changing the right.
31

32 Councilwoman Fillmore said this General Plan amendment will provide a vision for
33 future ordinances. She said considering the neighbors in the West Neighborhood area and
34 concerns that have been voiced with regard to density, industrial uses, and possible residential
35 expansion this seems like an easy first step.
36

37 Councilwoman Fillmore made a **motion** to approve Ordinance No. 2016-23 amending
38 the General Plan to eliminate the I-VH Zone. The **motion died** for lack of a second.
39

40 Councilman Ince said he is not sure how he feels about this amendment and he would
41 like some more time to research the issue and call the effected property owners. He said it seems

1 dramatically unfair to ask these long standing current businesses to move out. He said he is
2 uncomfortable with the idea of taking away their current rights and he is not ready to vote on this
3 issue.

4
5 Councilwoman Ivies said some residents have stated they would rather have Syro Steel
6 than more high-density housing in this area. She agreed more research is warranted.

7
8 Councilman McEwan said the City must be conscientious of those already in the
9 community. He said this feels like encroachment on current businesses. He said he would like to
10 see a planning processes that provides a cohesive direction for all of Centerville, not just north
11 Centerville, south Centerville, or West Centerville.

12
13 Mayor Cutler said, it is his opinion, the City Council is responsible to set a vision and
14 establish that vision in the General Plan. He believes it is appropriate to set a long-term goal
15 within the General Plan that there should be a different direction for the West Neighborhood. He
16 agreed there are challenges on how to proceed but believes the General Plan is a good place to
17 start. He agreed I-VH uses are not envisioned for the future of West Centerville. He also agreed
18 that holding off on a Zone Map amendment at this time is appropriate.

19
20 Councilwoman Fillmore said the City Council set a goal to look at the West Centerville
21 Neighborhood. She too agreed that a Zone Map amendment does not need to be immediate, but
22 that the General Plan amendment is acceptable.

23
24 Councilman Ince made a **motion** to table this item until the September 20, 2016 City
25 Council meeting to allow time for further research and discussion. The motion was seconded by
26 Councilman McEwan and passed by unanimous roll-call vote (5-0).

27
28 **MAYOR'S REPORT**

29
30 Mayor Cutler used this time to update the City Council on several items including the
31 South Davis Metro Fire Service Area, the Tour of Utah Stage 5, and the UTOPIA/UIA financial
32 reports.

33
34 **CITY COUNCIL LIAISON REPORT – Councilwoman Ivie liaison report of the**
35 **Landmarks Commission and the Whitaker Museum Board**

36
37 Councilwoman Ivie used this time to update the Council on recent meetings and activities
38 of the Landmarks Commission and the Whitaker Museum Board.

1 **CITY MANAGER'S REPORT**

2
3 Steve Thacker, City Manager, used this time to schedule a work session for the Planning
4 Commission and the City Council to be held on September 7, 2016 at 7:00 p.m. to discuss the
5 South Main Street Public Space Plan. The Council directed staff to contact (via two forms) all
6 property and business owners that are within the City Center and Traditional Districts. Mr.
7 Thacker informed the Council that staff will be meeting with UDOT this week to participate in a
8 brainstorming session about the Parrish Lane Interchange. Mr. Thacker said he would discuss the
9 Operational Metrics at a future meeting.

10
11 **MISCELLANEOUS BUSINESS**

12
13 Mayor Cutler encouraged Council members to register and attend the upcoming Utah
14 League of Cities and Towns convention. He also asked the Council to consider a full 2% merit
15 increase for the City Manager as discussed at a previous meeting.

16
17 Councilman Ince made a **motion** to approve a full 2% merit increase for Steve Thacker,
18 City Manager, retroactive to July 3, 2016. The motion was seconded by Councilwoman Fillmore
19 and passed by unanimous vote (5-0).

20
21 Steve Thacker, City Manager, requested the Council authorize additional crack seal work
22 for parking lots and asphalt trails. He explained the crack seal is a prudent and timely action in
23 advance of slurry seal next year. He explained the cost and funding mechanisms for the work.

24
25 Councilman McEwan made a **motion** to authorize the expenditure of no more than
26 \$15,000 for crack seal work as discussed to be funded from the RAP Tax Fund and General Fund
27 Contingency budget as appropriate. The motion was seconded by Councilwoman Ivie and passed
28 by unanimous vote (5-0).

29
30 Councilwoman Fillmore said she has heard from those that have tried to listen to the
31 recordings of past meetings and have found it to be difficult because of problems with the audio
32 system and equipment. She suggested the Council look at options to replace the audio system in
33 Council Chambers. Mayor Cutler agreed and requested the IT Steering Committee look at
34 options and estimate costs for a new audio system. A majority of the Council agreed.

35
36 **CLOSED MEETING & ADJOURNMENT**

37
38 At 9:47 p.m., Councilman McEwan made a **motion** to adjourn the regular Council
39 meeting and go into a closed meeting with a specific purpose to discuss the character and
40 competency of individuals. The motion was seconded by Councilman Ince and passed by
41 unanimous vote (5-0).

1 At 9:50 p.m. The City Council held a closed meeting for reasons allowed by state law,
2 including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public
3 Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. §
4 78B-1-137, as amended. Those present included Paul A. Cutler, Mayor; Council members
5 Fillmore, Ince, Ivie, McEwan, and Mecham; and Lisa Romney, City Attorney.

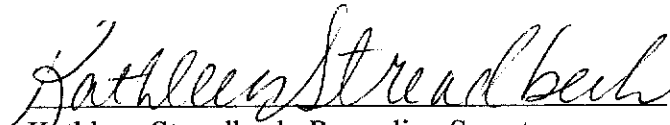
6
7 The meeting was adjourned at 9:50 p.m.
8
9

10 
11

12 Marsha Morrow, City Recorder

9-6-2016

Date Approved

13
14 
15

16 Kathleen Streadbeck, Recording Secretary

CENTERVILLE CITY COUNCIL MEETING

Tuesday, August 16, 2016
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Kris and Steve Green

97 Adams Circle

Jon Marsh

3679 S. 775 W. 13441

Bob Masul

46250 675 W

Bruce Cox

364 W. 1375 N. (STAFF)

Diomar Holliday & Matthew H.

655 Churchill Dr.

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the City Council meeting.