Minutes of the Centerville **City Council** meeting held Tuesday, September 6, 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 Lisa Romney, City Attorney Jacob Smith, Assistant to the City Manager Cory Snyder, Community Development Director Paul Child, Centerville Police Chief Bruce Cox, Parks and Recreation Director Randy Randall, Public Works Director Katie Rust, Recording Secretary
VISITORS	Jeff Bassett, South Davis Metro Fire Chief Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Rev. Lyn Briggs, Episcopal Church of the Resurrection

RECOGNITION OF EMERGENCY RESPONDERS

Police Chief Child recognized Utah Highway Patrol Sgt. Chamberlain Neff, Centerville Police and South Davis Metro Fire Agency personnel, and Leah Elam and Cecilia Elam for the roles they played in saving the life of a child on July 12, 2016 at the Pineae Gardens swimming pool.

OPEN SESSION

Blaine Randall – Mr. Randall expressed his love for Centerville. He said he feels there is evidence that the former Police Chief was involved in covering up crimes committed by his brother at his father's request. He described a situation involving a City Public Works employee and stated he feels the City should have a better way for receiving and handling complaints from citizens regarding City employees. Mr. Randall stated that Police Chief Child, City Manager Thacker, and Mayor Cutler have been very responsive when he has contacted them.

Lisa Sommer, Whitaker Museum Director – Ms. Sommer invited the Council members to an evening with Mabel Devore at The Whitaker on September 13th.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the August 16, 2016 work session and regular Council meeting, and the August 25, 2016 joint Trails Committee/City Council meeting were reviewed. Councilwoman Fillmore requested an amendment to the August 16 regular meeting minutes, and made a **motion** to accept the August 16 work session minutes, the August 16 regular Council meeting

minutes as amended, and the August 25 joint meeting minutes. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

a. Approve Recording Secretary Agreement
b. Approve addition of Police Department Evidence Technician/Emergency Management Assistant Position to the Centerville City Position Pay Grade Schedule – Ordinance No. 2016-23
c. Approve Amendment No. 1 to Interlocal Cooperation Agreement with Davis County regarding CDBG Program – Resolution No. 2016-23

Councilwoman Ivie made a **motion** to approve item (b) on the Summary Action Calendar, including Ordinance No. 2016-23. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0). Councilwoman Fillmore made a **motion** to approve items (a) and (c) on the Summary Action Calendar, including Resolution No. 2016-23. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

GENERAL PLAN AMENDMENTS – BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS AND TRAILS MASTER PLAN MAP

On August 26, 2016, the Council met in a joint work session with the Trails Committee to discuss proposed General Plan amendments regarding trails and bikeways. As part of that meeting, the groups discussed the City Attorney proposed edits to the language in the General Plan and agreed to these edits as well as another change to make reference to two maps: (1) a map showing the current existing trails and bikeways; and (2) a map showing future proposed trails and bikeways.

Steve Thacker, City Manager, explained changes to the two maps recommended by staff to improve the accuracy and clarity of the maps. The Council and staff discussed equestrian use of roadways and trails. Bruce Cox, Parks and Recreation Director stated he feels equestrian use is not compatible with paved cycling/pedestrian trails. Space for equestrian use is provided along side the paved Legacy Parkway Trail. Lisa Romney, City Attorney, said she is not aware of any prohibition of equestrian use of City streets. Councilman McEwan made a **motion** to table approval of Ordinance No. 2016-21 pending revised maps from City staff. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

FINANCIAL REPORT

Blaine Lutz, Finance Director, presented a financial report (unaudited) for the fiscal year ending June 30, 2016, and answered questions from the Council.

ACCESSORY BUILDING SETBACKS AND FLAG LOT ORDINANCE AMENDMENTS

Cory Snyder, Community Development Director, asked for direction from the Council regarding accessory building setbacks and the flag lot ordinance. Discussions of these two topics – and potential code amendments – are among the short-term goals the Council agreed upon in their March goal-setting session. Since these topics are addressed in the Zoning Code, any amendments would have to be considered by the Planning Commission before coming back to the Council for formal approval. Responding to a question from Councilman Ince, Mr. Snyder explained that in the past the zoning process was more involved with asking for direct neighbor input and consent. The process has been generalized to a public notice system with input received at public hearings. Councilwoman Mecham expressed concern with potential impact of flag lots on neighborhood privacy. Councilwoman Fillmore stated she understands

the value of having clean and simple ordinances as much as possible, but with the flag lot ordinance she feels the Planning Commission really tackled some of the difficulties that come with flag lots. She said she feels when it came back to the Council it was taken to the most simple and basic level without considering the deeper issues. Councilwoman Fillmore said she is not comfortable with the flag lot ordinance as it is, and would be comfortable with either eliminating flag lots as an option, or really analyzing the difficulties to achieve a detailed ordinance. Mr. Snyder said, from his point of view, the flag lot discussion was initiated as an infill tool, but he questions the validity of using it as an infill tool if setbacks are increased.

Mayor Cutler said he feels it is a property rights issue – do people have the right to use their property in the way they see fit, or does the Council want to heavily regulate? He said he believes it is a useful tool if the Council agrees with allowing people to make use of larger properties. It is difficult to balance personal property rights with community feel. Councilman Ince stated he is torn between the right of a property owner to develop, and the right of those who have lived next to a property for years to continue to enjoy their property in the fashion they are used to. Councilman McEwan said he believes there has to be some consideration given to the peaceful coexistence in a community. He said he tends to lean toward peaceful coexistence and existing infrastructure. Councilwoman Ivie said she struggles with property rights as well, but feels the Council should keep the existing expectations of neighbors in mind. She said she is in favor of eliminating the flag-lot option at this time.

Councilwoman Ivie made a **motion** to recommend to the Planning Commission that flag lots be eliminated as an option. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0). Councilwoman Fillmore made a **motion** to direct the Planning Commission to revisit accessory building requirements, specifically appropriate setbacks and appropriate heights, and the relationship between the two. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

SIDEWALK ANALYSIS AND RELATED ACTIONS

Mr. Thacker referred to the Centerville City Sidewalk Inventory and recommended the Council authorize staff to proceed with the correction of sidewalk faults at the eight locations with vertical faults over three inches, at an estimated cost of $25,000. The cost estimate includes removal of trees next to the faults in the public right-of-way, as well as removal of trees behind the sidewalk on private property on three lots. Randy Randall, Public Works Director, said he has spoken with one of the three property owners, who indicated he would not remove the tree himself, but would allow the tree to be removed at the City's expense. Councilwoman Fillmore suggested an appeals process would allow property owners to be more involved. Mayor Cutler said he is comfortable proceeding if property owners give permission. Ms. Romney suggested the City move forward with fixing the eight recommended locations, using the experience as a test case scenario – helping the property owners understand the need, and not setting a precedent that the City will always pay, but working on options and taking time to adopt a formal written policy over the next several months. Councilwoman Fillmore suggested involving an arborist to assess age and growth stage of the trees. Mayor Cutler suggested that offering a replacement option might help property owners accept the necessary action. Councilman McEwan suggested allowing property owners to "buy" the affected sidewalk pieces and assume responsibility and liability if they want the trees to remain. Councilwoman Fillmore suggested there should be uniform options for all property owners.

Mayor Cutler said he would like to have an open house to fully inform property owners of the risks and needs. Councilman McEwan agreed, and said it should be soon. The Council discussed possible options to present to property owners, and agreed to schedule an open house for Wednesday, October 5th at 6:00 p.m. An arborist will be invited to participate in the open house.

Councilwoman Ivie made a **motion** to authorize staff to proceed with the correction of sidewalk faults and tree removal at the eight locations with faults over three inches, at an estimated cost of $25,000 funded from the Transportation Fund. If a property owner does not give permission to remove a tree on private property that has been identified by staff as causing damage, staff will notify the Council. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

The Council took a break at 9:04 p.m., returning at 9:11 p.m.

MAYOR'S REPORT

- A joint work session with the Planning Commission regarding the SMSC Public Space Plan will be held on September 7th.
- A Volunteer Recognition Dinner will be held on September 26th.
- A ribbon cutting ceremony for the pedestrian bridge is scheduled for October 8th.
- Mayor Cutler reported that UDOT has indicated a genuine willingness to talk about improving crosswalks on Main Street within established limits. He explained the idea of having a HAWK pedestrian crossing in front of Centerville Junior High instead of the two existing crossings. As a crossing guard at the Junior High, Councilwoman Mecham expressed safety concerns, and said she would not recommend a HAWK crossing. A majority of the Council agreed. UDOT has approved use of crossing flags and curb markers behind the curb at crosswalks on Main Street. Councilwoman Fillmore made a **motion** to authorize up to $2,000 from the Transportation Fund for crosswalk improvements for the two Centerville Junior High crosswalks and the crosswalk near Don's Meats (55 South Main Street). Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
- Mayor Cutler updated the Council on UTA plans for bus stops.
- The Mayor presented community information released by the Health Department.
- Mayor Cutler informed the Council about the Circles Program offered by the Family Connection Center, a nonprofit group operating locally out of the Bountiful Community Church.
- In the past the informal City policy has been to include information from non-profit organizations associated in some way with local government in the utility bill mailer or the City newsletter. Councilman Ince has brought up some concerns. Ms. Romney advised that the City should objectively stick to a set policy, and suggested limiting inclusion to public information from an entity related to the City. Councilman McEwan stated he feels inclusion of CenterPoint Theatre notices in City utility mailers should be recognized financially as an in-kind donation for better transparency. Councilman Ince suggested three levels: (1) a list of charities/groups allowed to include information in a utility mailer up to four times per year; (2) other charities allowed to include information in a utility mailer for a fee; (3) commercial advertising/information included in utility mailer for $1,000. Councilwoman Mecham stated she would not want to include commercial information in City mailings because of the possible appearance of endorsement. Councilwoman Fillmore said she feels the existing arrangement has worked fine and there is nothing to fix. Councilwoman Ivie agreed with the suggestion that inclusion of CenterPoint inserts in City mailers should be formally recognized as an in-kind donation. Councilman McEwan emphasized the City should be careful about what is endorsed in official communications. Responding to a question from Mr. Thacker regarding a request from the Family Connection Center, Ms. Romney said she does not think the Family Connection Center would qualify as being related to the City. Mayor Cutler said he feels the Family Connection Center insert would be beneficial to include in a City mailer for community awareness. Councilman Ince agreed, and added that the

phrase "inclusion of this does not constitute endorsement by the City" could be added to inserts. Councilwoman Fillmore suggested that, if taxpayer money goes to support an organization, or if a Council member sits on an organization's board as a City representative, that organization's information would qualify for inclusion. Council members McEwan and Ivie requested a recommendation from the City Attorney regarding the framework of a written policy regarding information that could be included in the City utility bill, newsletter, and website.

CITY MANAGER'S REPORT

- The Council reviewed proposed agendas for the September 13th RDA/ACB meeting, and the September 20th work session with the Youth City Council.
- City Manager Thacker updated the Council on a recent meeting with UDOT regarding eventual replacement of the I-15 interchange at Parrish Lane—i.e. potential ways to improve traffic flow, including conceptual designs for future replacement of the interchange.
- A concern has been raised regarding possible vehicle use of the pedestrian bridge. Staff recommends placing signage at the east and west ends of the pedestrian bridge to indicate that usage is limited to bicyclists and pedestrians, and continuing to monitor use before resorting to the expense of installing bollards. A majority of the Council indicated approval for giving staff flexibility.

MISCELLANEOUS BUSINESS

Jake Smith, Assistant to the City Manager, reported on efforts to improve the reliability and/or quality of video streaming and audio recording of Council meetings.

ADJOURNMENT AND CLOSED MEETING

At 10:20 p.m. Councilman Ince made a **motion** to adjourn the regular meeting and move to a closed session for the purpose of discussing the character and competency of individuals.

Marsha L. Morrow, City Recorder

9-20-2016
Date Approved

Katie Rust, Recording Secretary

CENTERVILLE CITY CORPORATE SEAL

CENTERVILLE CITY COUNCIL MEETING

Tuesday, September 6, 2016
7:00 p.m.

NAME (PLEASE PRINT)	ADDRESS**
Lyn Buzzo	Episcopal Church of the Resurrection
Brian Tornavacca	395 S. 700 E Centerville
Brenden Tornavacca	395 S. 700 E. Centerville
Carter COSPL	68 S. 200 E. Centerville
Gregory Tornavacca	395 S 700 E Centerville
Don Haney	112 E. JENNINGS LANE
Beth Rendon	
Marilyn Tornavacca	1437 Willow Valley Dr., Cntrvl.
Bruce Cox	364 W 1375 N. Cent.
MARK DIMOND	120 W 925 N Cent
STEVE ALLEN	133 ROCK MANOR
Lisa Somma	2212 No. Main St.

** 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.