

Minutes of the Centerville **City Council** meeting held Tuesday, November 1, 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
Jacob Smith, Assistant to the City Manager
Cory Snyder, Community Development Director
Paul Child, Centerville Police Chief
Randy Randall, Public Works Director
Katie Rust, Recording Secretary

STAFF ABSENT

Lisa Romney, City Attorney
Blaine Lutz, Finance Director/Assistant City Manager

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

Councilwoman Ivie

RECOGNITION

Mayor Cutler recognized winners of a drawing taken from residents who participated in the recent Island View Park renovation survey.

OPEN SESSION

Baely Smith – Ms. Smith said she lives on Jennings Lane not far from the intersection on the agenda for discussion. She is a mother of four young children. Ms. Smith said Chief Child has been very helpful when she has talked to him about the intersection. She stated the intersection is part of the Reading Elementary SNAP plan, and she is in favor of a four-way stop. She said that, without a stop sign for through traffic, cars fly through the intersection, making it dangerous for children. Ms. Smith said she knows her neighbors support the four-way stop. She said she feels fixing the curb and gutter to improve visibility is a great idea.

Kathleen Gilbert – Ms. Gilbert stated she is a member of the CenterPoint Legacy Theatre (CPT) Board. She recognized there are many organizations the City could support with RAP Tax funds, and asked the Council to keep CPT in mind. She stated the Board is careful with the money entrusted to them, always trying to keep the budget under control. Funds are needed to continue with the goal to maintain the facility and add new technology to continue attracting patrons. She thanked the Council for their consideration.

Sunny Larsen – Ms. Larsen said she lives on Jennings Lane close to the intersection listed for discussion on the agenda. She said she is in favor of a four-way stop, but not in favor of adding yellow striping down the middle, which she feels would increase speed. Ms. Larsen also spoke in favor of mountain bike trails. She said she knows of other communities that have built mountain bike trails, and she would like to see the same done in Centerville. Her family

1 drives all the way to Park City to mountain bike. She suggested it could be an Eagle Scout
2 project, and said she would be happy to help organize the effort. Mayor Cutler commented that
3 citizens passed Proposition One last year, which includes money for trails. He encouraged Ms.
4 Larsen to also talk to the County. As Council liaison to the Trails Committee, Councilwoman
5 Mecham added that the Trails Committee has a new member with a background in biking.

6 7 **MINUTES REVIEW AND ACCEPTANCE**

8
9 The minutes of the August 25, 2016 joint City Council/Trails Committee meeting and the
10 October 18, 2016 City Council meeting were reviewed. Councilman McEwan made a **motion** to
11 reapprove the minutes of the August 25, 2016 joint meeting. Councilman Ince seconded the
12 motion, which passed by unanimous vote (5-0). Councilman Ince made a **motion** to approve
13 the October 18, 2016 regular meeting minutes. Councilwoman Fillmore seconded the motion,
14 which passed by unanimous vote, (5-0).

15 16 **SUMMARY ACTION CALENDAR**

- 17
18 a. Assignment Agreement for Legacy Crossing Development Agreement (Lots 2 & 3)
19 b. Commence two-year warranty period for Park Hills Phase 3 Subdivision
20 c. Terminate warranty period for Pine Hills Subdivision

21
22 Councilman McEwan made a **motion** to approve all three items on the Summary Action
23 Calendar, with a note that the warranty period for the Park Hills Phase 3 Subdivision is for two-
24 years. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

25 26 **PUBLIC HEARING – ZONING CODE AMENDMENT – RECEPTION CENTER IN I-H** 27 **ZONE**

28
29 Cory Snyder, Community Development Director, explained the requested Zoning Code
30 Amendment to allow a reception center as a conditional use in the Industrial-High (I-H) Zone.

31
32 Jaden Malan, agent for the applicant, explained the desire to convert an industrial
33 building that was previously converted for office use, to use for a reception center. He said he
34 feels the reception center would add diversity to the city, and offset daytime traffic with mostly
35 evening use. Indoor recreation and entertainment is already permitted in the I-H Zone, which is
36 not too different from the proposed use. The applicant is currently in business in North Salt
37 Lake accommodating private events and parties, and is looking to expand in Centerville.

38
39 Councilwoman Mecham asked how late at night events would occur, and whether or not
40 alcohol would be involved. Mr. Malan responded that events would most likely occur between
41 the hours of 5:00 p.m. and 1:00 a.m. Mr. Snyder stated the conditional use process would
42 examine the hours of use and necessary mitigation, which might include security. The State
43 regulates the ability to serve alcohol at an event. Luz Estrada, applicant, stated that an alcohol
44 permit is required only if alcohol is sold on site. Customers can provide their own alcohol, and
45 the facility can provide a certified bartender.

46
47 Mayor Cutler opened a public hearing at 7:26 p.m., and closed the public hearing seeing
48 that no one wished to speak. Councilwoman Fillmore said she feels the proposed use is closely
49 tied to the already permitted use of indoor recreation and entertainment. She said she feels a
50 mix of uses in that area is a good thing, and she is in favor of approving the request.
51 Councilman Ince said to him it seems it would be a non-issue in that neighborhood – a use that
52 will not bother anyone – and he is not sure why the request would need to be subject to the

1 conditional use process. Mr. Snyder responded that, given the change would apply to all I-H
2 Zones, the Planning Commission felt a conditional use permit was appropriate.

3
4 Councilwoman Fillmore made a **motion** to approve Ordinance No. 2016-33 amending
5 Section 12.36.030 of the Centerville Zoning Code regarding Table of Uses for Public and Civic
6 Uses to allow "Reception Center" as a conditional use in the I-H Zone. Councilman Ince
7 seconded the motion. Councilwoman Ivie expressed her concern that adding a new use to an
8 area that does not already have use during those hours increases the need for security and
9 adds pressure to the Police Department, which is already under a lot of pressure. She
10 commented that a reception center would affect how the officers patrol the area. Councilwoman
11 Ivie said she would like to see more information before making a decision. Councilwoman
12 Fillmore agreed, but pointed out that introducing activity where there is not any may have the
13 opposite effect. Councilman McEwan pointed out that the conditional use process will allow
14 input from the Police Chief. Councilwoman Ivie stated she is not willing to give the Planning
15 Commission full responsibility for determining if an impact on the Police Department is fully
16 mitigated. Councilwoman Fillmore pointed out the I-H Zone already has potential for similar
17 activities and use with the indoor recreation and entertainment.

18
19 Police Chief Child arrived at the meeting at 7:35 p.m. He stated the alcohol aspect can
20 be problematic, but if it is served in a responsible manner to adults it is generally not a problem.
21 Chief Child said he is not concerned about traffic in the area, and stated that, with his current
22 knowledge of the proposal, the use would probably not be that big of an impact. Councilwoman
23 Ivie pointed out that several elements have been added to the community that will occasionally
24 require police presence, and she feels it is short sighted to continue adding elements without
25 acknowledging the overall impact on the Police Department. Chief Child said it is a combination
26 of everything that is happening that creates an impact. On its own, a reception center would
27 probably not be a large impact. The motion passed by majority vote (4-1), with Councilwoman
28 Ivie dissenting.

29
30 **PUBLIC HEARING – ZONING CODE AMENDMENT- CLIMATE CONTROLLED**
31 **STORAGE**

32
33 The applicant desires to amend the City's Zoning Ordinance to add "Climate Controlled
34 Storage" to the Zoning Code Definitions and Table of Uses to allow this use in the Commercial-
35 High (C-H) Zone. The applicant owns the Parrish Square Shopping Center just west of Dick's
36 Market, and would like to establish a climate control storage facility in one of the suites. Mr.
37 Snyder explained the request and the Planning Commission's recommendation. Climate
38 controlled storage would be allowed at the subject location in the C-H Zone as a conditional
39 use, but would not be allowed in other C-H Zones. Councilman Ince said he supports the
40 request, but he is concerned this is the type of action that causes a lot of complaint and concern
41 from citizens.

42
43 Steve Tate, applicant, said he cares about the community, and he understands
44 Councilman Ince's concerns. He said he understands that granting the request for the property
45 may bring up questions. Mr. Tate explained difficulties associated with the awkward shape of
46 the shopping center. He said climate controlled storage has become a more requested service,
47 especially in urban markets. He said he knows it would not be very profitable, but it would solve
48 a difficult problem for him as a property owner, and solve a parking issue for the whole square.

49
50 Mayor Cutler opened a public hearing at 8:04 p.m., and closed the public hearing seeing
51 that no one wished to comment. Councilman McEwan said he does not see a down side to this
52 request, and if someone were to approach the Council about wanting to do the same thing in
53 the old Dick's Market location he would be willing to discuss it. Councilman McEwan made a

1 **motion** to approve Ordinance No. 2016-32 amending Section 12.12.040 of the Centerville
2 Zoning Code adding a definition of climate controlled storage and amending Section 12.48.080
3 of the South Main Street Corridor Overlay to exempt the Parrish Square Shopping Center from
4 the South Main Street Corridor provisions and allow climate controlled storage as a conditional
5 use. Councilwoman Ivie seconded the motion. Councilwoman Fillmore pointed out the
6 Planning Commission made it clear they do not feel comfortable with this use in C-H in general.
7 She said as much as she wants to see all retail spots filled, she feels this is more about the
8 process than the end result. She repeated Councilman McEwan's comment from the work
9 session earlier in the evening that it is not the Council's job to make sure a business is
10 successful and is able to make a certain amount of money. It is the Council's job to be as
11 consistent as possible with what is allowed. Councilwoman Fillmore said, if the Planning
12 Commission is not comfortable with this use in C-H in general, she is all the more uncomfortable
13 adding it to the Main Street Corridor because of the proximity to residential neighborhoods.
14 Because of the gymnastics involved to accomplish this, Councilwoman Fillmore said she would
15 consider it to be spot zoning. Councilwoman Ivie stated that, having personally enjoyed the use
16 of climate controlled storage in the past, she does not have a problem with adding this use to a
17 shopping center. The motion to approve passed by majority vote (4-1), with Councilwoman
18 Fillmore dissenting.

19
20 **GENERAL PLAN AMENDMENTS – WEST CENTERVILLE NEIGHBORHOOD PLAN –**
21 **REMOVING INDUSTRIAL VERY-HIGH ZONING DISTRICT – SECTION 12-480-6**

22
23 Councilman McEwan made a **motion** to table this issue to another meeting.
24 Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

25
26 **CITIZEN PRESENTATION REGARDING GENERAL PLAN**

27
28 Council members Mecham and Ince requested that Marti Money and Heather Strasser,
29 Centerville citizens, be allowed time to make a presentation. Ms. Money and Ms. Strasser
30 quoted portions of the General Plan emphasizing a desire for low-density residential
31 development in the City. Ms. Money stated she views the approval of the climate controlled
32 storage in Parrish Square as an indicator that the City is moving away from that goal. Ms.
33 Strasser said she views the General Plan to be the citizens' contract with the community, and
34 she continues to be confused about why high-density continues to be part of the community.
35 She stated that Centerville cannot solve the growth problems along the Wasatch Front. They
36 recommended that high-density residential be eliminated from the General Plan, and requested
37 that the Council strengthen the language of the General Plan to preserve the quality of life
38 outlined therein.

39
40 **PROPOSAL FOR SAFETY IMPROVEMENTS AT JENNINGS LANE/400 WEST**
41 **INTERSECTION**

42
43 Police Chief Child explained the proposed safety improvements for the intersection at
44 Jennings Lane and 400 West, and expressed the high degree of concern of residents in the
45 area. A recent traffic study showed traffic flows to be fairly equal on each leg, and a four-way
46 stop was recommended. Randy Randall, Public Works Director, explained the recommendation
47 to change the radius of the northwest corner of the intersection before doing the four-way stop.
48 He said the improvements could be made within a week or two. Councilwoman Fillmore agreed
49 with the earlier comment that yellow striping is not necessary, but said she supports the
50 shoulder striping. Mr. Thacker said the project would be funded by the Transportation Fund.

1 Councilman Ince asked how the Jennings Lane intersection is different from the Chase
2 Lane and 400 West intersection. Mr. Randall responded that the Chase Lane intersection is not
3 skewed in the same way. Mr. Thacker also explained that the volume of traffic in the
4 north/south direction is much greater than east/west, whereas it is equally balanced on all four
5 legs at the Jennings/400 West intersection. Councilman McEwan made a **motion** to approve a
6 budget not to exceed \$10,000 for safety improvements to the Jennings Lane/400 West
7 intersection. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
8 Councilwoman Mecham said she would like to see if there are projects within the city that could
9 be funded with State SNAP funds.

10 **DAVIS COUNTY NATURAL HAZARD PRE-DISASTER MITIGATION PLAN**

11
12
13 DeeEll Fifield, a consultant hired by Davis County, gave a presentation summarizing the
14 process and content of the 2016 Davis County Natural Hazard Pre-Disaster Mitigation Plan, and
15 answered questions from the Council. Chief Child pointed out that a lot of work has been done
16 in the city since the 2009 Pre-Disaster Mitigation Plan was put in place and goals were set.

17
18 Councilman Ince made a **motion** to approve Resolution No. 2016-26 approving the
19 2016 Davis County Natural Hazard Pre-Disaster Mitigation Plan. Councilwoman Mecham
20 seconded the motion. At 8:58 p.m. Mayor Cutler opened a public hearing.

21
22 Priscilla Todd, former Centerville Mayor – Ms. Todd asked if FEMA allows homes to be
23 built within 10 feet of the fault lines. She said at the time she was in office the city was told it
24 does not have the authority to regulate distance of homes from fault lines. Mr. Fifield responded
25 he does not think FEMA regulates that at all. He said determining where the fault runs can be
26 very difficult. Ms. Todd suggested the City at least consider applying pressure to have some
27 authority to do mitigation where documentation and proof is available.

28
29 Mr. Thacker responded that he remembers staff saying that development cannot occur
30 within 50 feet of the determined fault line. Councilwoman Fillmore said she would be interested
31 in more factual information regarding what the City is allowed to regulate. Mayor Cutler closed
32 the public hearing at 9:04 p.m. The motion to approve passed by unanimous vote (5-0).

33 **PROFESSIONAL SERVICES AGREEMENT RELATING TO ISLAND VIEW PARK** 34 **RENOVATION CONCEPTUAL PLANNING PHASE**

35
36
37 Lynn Keddington, Parks and Recreation Committee Chair, explained the request for
38 approval of a professional services agreement relating to the Island View Park Renovation. The
39 Parks Committee has held the first focus group with citizens, and made progress regarding what
40 is wanted at Island View Park. The Parks Committee would like to apply for Federal grant funds
41 allocated by the State to help with the project, and a realistic budget will be necessary to submit
42 an application. Mr. Thacker and Mayor Cutler expressed confidence in the professional ability
43 of Dan Sontagg, landscape architect with MGB+A.

44
45 Councilwoman Ivie said she feels the city is rushing and not looking at the whole picture.
46 She said Centerville has a massive cemetery problem, and until the Council decides whether
47 some of the park space will be used for cemetery space, professional services seem premature.
48 Mr. Keddington responded that Island View Park has already benefited from Land and Water
49 Grant funds, which restricts uses of the property. Existing park use cannot change without
50 running the risk of having to refund previous grant funds. Mr. Keddington added that a portion
51 of the Park could be exempted from the application if desired. He offered to obtain clarification
52 of the requirements of previous grants. Moving forward now would allow the city to be ready to
53 submit an application in February of next year, although a grant award decision would not be

1 made until about a year later, according to Mr. Keddington. Councilman Ince asked if cemetery
2 space could be integrated into the grant application. The Council discussed the desire to visit
3 Island View Park and other potential property for cemetery expansion.

4
5 The professional services agreement would be funded by RAP Tax revenue.
6 Councilwoman Fillmore made a **motion** to approve an agreement for landscape architect
7 services with MGB+A, in the amount of \$5,900, for preparation of a schematic site plan and cost
8 estimate. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

9
10 The Council took a break at 9:18 p.m. and returned at 9:33 p.m.

11
12 **CONTINUE DISCUSSION REGARDING POTENTIAL USES OF RAP TAX REVENUE**

13
14 Councilwoman Fillmore made a **motion** to table discussion of potential uses of RAP Tax
15 revenue to the next Council meeting. Councilman McEwan expressed a preference to discuss
16 RAP Tax revenue use, since the funds are currently being used in a nickel and dime fashion.
17 The motion died for lack of a second. Mr. Thacker said he presumes the Council is willing to go
18 forward with the next two phases of the Community Park Expansion. Councilman Ince
19 responded that the biggest decision that needs to be made is whether or not to borrow money
20 internally to complete the work sooner. He said he can see a substantial benefit to doing the
21 work sooner rather than later. Mayor Cutler said he intends to request a low-interest loan from
22 the South Davis Recreation Board. Mr. Thacker stated that staff can evaluate and make a
23 recommendation regarding the possibility of internal loans. Councilman McEwan commented
24 that organizations are waiting to hear how the money will be allocated. Councilwoman Fillmore
25 said she is comfortable with the numbers suggested by Councilman Ince at the last discussion.
26 Mayor Cutler said he would like the allocation to have a little flexibility, tentatively going with
27 85% for parks and trails, up to 10% for various performing arts organizations and facilities, and
28 up to 5% for the Whitaker Capital Improvement Plan. Councilman McEwan said he would
29 approve 85% for parks and trails, 10% for the Whitaker Museum, and 5% for CenterPoint. Mr.
30 Thacker reported to the Council that CenterPoint did not receive a RAP Tax grant from Bountiful
31 City. Mayor Cutler said he would like to see the Council make a significant commitment that
32 reflects a desire to keep the theatre facility in great shape. Councilwoman Fillmore pointed out
33 that visitors to the theatre facility help pay for the building by spending money in the community
34 and increasing RAP Tax collection. She said the Whitaker Museum is valuable to the
35 community, but the Council needs to do an impartial analysis taking the value of the buildings
36 and the number of people reached into account to justify the allocation.

37
38 Councilman McEwan said he feels the Council should look at it in terms of priorities –
39 the park is free access to everyone, the theatre is not. Councilman Ince asked if CenterPoint
40 could be encouraged to host some kind of free event for Centerville residents. Mayor Cutler
41 commented that Centerville Junior High is allowed to produce performances at the facility,
42 recognizing that it is a public facility. The Mayor also commented that the Fairytale Festival is
43 viewed as a gift to the community. Councilman McEwan stated that parks are the highest
44 priority. The theatre is viable, and the Whitaker Museum has been on hold while the theatre has
45 received RAP Tax funds. Councilwoman Ivie said she feels it is important to address the
46 safety/liability concerns at the Whitaker Museum right away. The Council discussed possible
47 allocation formulas.

48
49 Councilman McEwan made a **motion** to approve the following distribution of RAP Tax
50 revenue: 85% to parks and trails, 5% to Whitaker Museum with emphasis on safety issues, 5%
51 to theatre facility-related projects, and 5% for general contingency on a project-to-project basis.
52 Councilman Ince seconded the motion, which passed by unanimous vote (5-0). Mr. Thacker

commented that the HVAC service contract for the theatre facility is equal to approximately 5% of estimated RAP Tax revenue.

MAYOR'S REPORT

- Mayor Cutler informed the Council that a helpful video is available online explaining the proposed Davis County property tax increase.
- The Mayor complimented Jacob Smith, Assistant to the City Manager, for his efforts in putting together the most recent metrics packet.

CITY MANAGER'S REPORT

Mr. Thacker presented two preliminary concept designs for the Parrish Lane and I-15 interchange, and described measures suggested by UDOT that might improve traffic congestion along the Parrish Lane corridor in the short term.

MISCELLANEOUS BUSINESS

The Council discussed the idea of putting a mausoleum on the east side of the cemetery, along the 700 East right-of-way. The Council discussed the proposed fieldtrip to Island View Park and other potential property for cemetery expansion, and expressed a desire to meet in a work session to discuss the cemetery prior to the regular meeting on November 15th.

APPOINTMENTS

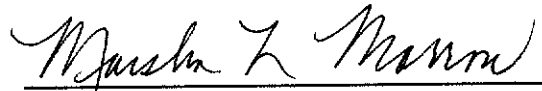
Mayor Cutler recommended the Council reappoint Lynn Keddington to the Parks and Recreation Committee. Councilwoman Fillmore made a **motion** to reappoint Lynn Keddington to the Parks and Recreation Committee. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

Mayor Cutler recommended reappointing Jeannie Randall to the Landmarks Commission, contingent on her willingness to serve another term. Councilwoman Ivie made a **motion** to reappoint Jeannie Randall to the Landmarks Commission, contingent on her willingness to serve another term. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

Mayor Cutler recommended the Council appoint Kathy Helgeson to the Planning Commission. Councilwoman Ivie expressed a desire to meet with Ms. Helgeson prior to approving the appointment. Councilwoman Fillmore said she respects the Mayor's role in choosing appointees, and made a **motion** to appoint Kathy Helgeson to the Planning Commission. Councilman Ince seconded the motion. Councilwoman Ivie repeated that she would rather meet Ms. Helgeson first. Councilman McEwan asked if the appointment could be tabled to allow Council members time to be confident in their role of "advice and consent". Mayor Cutler said he is uncomfortable setting a precedent that candidates need to appear and make their case before the Council. The Council discussed the recommended appointment. Mayor Cutler suggested Council members speak with Ms. Helgeson independently. The motion failed (2-3), with Council members Fillmore and Ince in favor and Council members Ivie, McEwan, and Mecham abstaining. The recommended appointment will be reconsidered at a future meeting.

ADJOURNMENT

At 10:41 Councilwoman Ivie made a **motion** to adjourn the meeting. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-0).


Marsha L. Morrow, City Recorder

11-15-2016
Date Approved


Katie Rust, Recording Secretary



CENTERVILLE CITY COUNCIL MEETING

Tuesday, NOVEMBER 1, 2016
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

LYNN SESSIONS

MARTI MOORE

Dale McIntyre

Heather Strasser

Cathleen Gilbert

John Kitchin

DeeAnn Feltner

Bruce Smith

Jill Morris

Sunny Larson

STEVE ALLEN

Tiffany Wallis

John Hollinger

Dustin Wallis

788 N. Main

938 N 500 W.

258 E. 200 S.

434 S. 600 W.

826 N Ridge Drive

506 Broadway

222 Edgemoor F.H.

191 W. Jennings

333 W. Valley Drive

87 W. Jennings

133 E Rock Manor Dr

456 Valley Dr Centerville

456 Valley Dr

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