

Minutes of the Centerville City Council meeting held Tuesday, March 5, 2013 at 7:06 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor Ronald G. Russell

Council Members Ken S. Averett
John T. Higginson
Sherri Lyn Lindstrom
Lawrence Wright

MEMBERS ABSENT Justin Y. Allen

STAFF PRESENT Steve Thacker, City Manager
Blaine Lutz, Finance Director/Assistant City Manager
Lisa Romney, City Attorney
Randy Randall, Public Works Director
Cory Snyder, Community Development Director
Katie Rust, Recording Secretary

VISITORS Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Councilman John Higginson

OPEN SESSION

No one wished to comment.

REPORT FROM MUSEUM BOARD RE REOPENING OF WHITAKER HOME MUSEUM

Spencer Packer, Chair of the Whitaker Museum Board, informed the Council of recent situations and events at the Whitaker Home Museum. The Museum Board has focused heavily on fundraising with an overwhelmingly positive response. Since August of 2012 nine Eagle Scout projects have occurred at the Museum, and five Eagle projects occurred before that time. Ten volunteers have been trained to act as guides at the Museum. Mr. Packer estimates that more than 4,000 volunteer hours have been donated within the last year to help the grand opening happen. He explained a missed opportunity for certain grant funds due to the Centerville Community Foundation having its 501(c)3 status suspended by the IRS. Mr. Packer feels a great deal has been accomplished with very little, and with the approach of a new budget year he mentioned the need to make improvements outside the building. He feels the Board has proven themselves and hopes the Council will feel the Museum is worthy of continued funding. The grand opening of the Museum will occur on Friday, March 8th. Councilman Wright asked about the possibility of the Museum having its own 501(c)3 for grant purposes. Councilman Wright congratulated the Board on what they have accomplished and expressed a hope that the Council will support improving the grounds. The Whitaker Home Museum will be open to the public on Tuesdays from 10:00 – 6:00, or by appointment. Mayor Russell expressed his appreciation and congratulations. Mr. Packer recognized Board Member Nancy Smith for her exceptional vision and drive in helping the Board to achieve its goals.

SUMMARY ACTION CALENDAR

- a. Approve Agreement between Centerville City and Centerville Deuel Creek Irrigation Co. for construction of irrigation line within Chase Lane in connection with City street rebuild and culinary waterline project
- b. Bid Awards for Chase Lane Culinary and Irrigation Waterlines Project
 - 1) Materials – from Ferguson in the amount of \$56,557.34 plus tax for City culinary waterline and to Mountain States Supply in the amount of \$36,775.82 plus tax for the Deuel Creek irrigation waterline
 - 2) Labor – AAA Excavation in the amount of \$102,162.70 for City culinary waterline and \$80,067.50 for Deuel Creek irrigation waterline (total bid \$182,230.20)
- c. Bid Awards for Waterline Construction for Chapel Ridge Cove Subdivision to Mountain States Supply in the amount of \$23,319.52 plus tax for materials and to Kapp Construction in the amount of \$26,538.70 for labor
- d. Award bid to Young Automotive Fleet Sales in the amount of \$35,499.70 for a Chevrolet 3500 truck with a service body, fully setup light bar, hitch, Rhino bed lining and trailer receptacle for the Water Department

Steve Thacker, City Manager, explained that item (b) on the Summary Action Calendar should include the condition mentioned in the staff report. Councilman Averett made a **motion** to approve Summary Action items (a) through (d) including the condition on item (b) that the City receives the required funds for the irrigation line portion of the project from Centerville Deuel Creek Irrigation Co. by close of business on March 8, 2013. Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (4-0).

APPOINT CITY OFFICIAL TO REPRESENT CENTERVILLE CITY AT THE PARRISH CREEK IRRIGATION COMPANY SPECIAL SHAREHOLDERS MEETING

Mr. Thacker explained that the incorporation status of the Parrish Creek Irrigation Company expired last year. The Parrish Creek Irrigation Company owns water rights in Parrish Creek, with 68% of the shares held by Deuel Creek Irrigation and 19% of the shares held by Centerville City, the remaining shares held by individuals. The City needs to appoint a representative to attend an upcoming shareholder meeting. Robert Byrnes explained that directors will be elected and a decision made regarding whether or not to reincorporate the Parrish Creek Irrigation Company at the shareholders meeting on March 7th. Mayor Russell suggested appointing Randy Randall, Centerville Public Works Director, as the City's representative. Lisa Romney, City Attorney, explained that all elected directors must personally hold a share in the Company. With the hope that the representative would be elected to the board, it is possible for the City to enter into an option agreement with the representative, with the condition that the share be returned upon leaving the position. Ms. Romney pointed out the advantage that Mr. Randall could potentially serve as a representative for more than a four-year term (compared to an elected official).

Councilman Wright made a **motion** to appoint Randy Randall to represent the City's shares at the March 7 Special Shareholders Meeting of the Parrish Creek Irrigation Company, authorizing the Mayor to enter into an option agreement on behalf of the City transferring the necessary shares to allow Mr. Randall to serve on the Board, with the condition that the share(s) be returned to the City when he is no longer involved. Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (4-0).

PUBLIC HEARING – REZONING PROPERTY FROM A-L (AGRICULTURAL-LOW) TO R-L (RESIDENTIAL-LOW)/PLANNED DEVELOPMENT AND CONCEPTUAL SUBDIVISION PLAN FOR THE WOODS PARK SUBDIVISION, LOCATED AT APPROXIMATELY 2250 NORTH 800 WEST (TABLED FROM FEBRUARY 19 MEETING – TO BE CONTINUED TO MARCH 19 MEETING)

Steve Thacker reported that more time is needed to draft a development agreement between the City and the developer, at least until the March 19 meeting and possibly a later meeting. Councilman Wright made a **motion** to table the public hearing to the Council meeting on March 19th. Councilman Higginson seconded the motion, which passed by unanimous vote (4-0).

REVIEW AND APPROVE CONCEPTUAL DEVELOPMENT PLAN FOR LOT 201 OF THE CENTERVILLE CORPORATE PARK SUBDIVISION, AMENDED

David Broadbent, representing Dayton West, presented the site plan and conceptual development plan for Lot 201 of the Centerville Corporate Park Subdivision, which includes a new office building and a covered two-level parking structure. The plans exceed City landscaping requirements, and provide approximately four parking stalls per thousand square feet in the development. Scott Hendricksen and Clio Rayner of GSBS Architects explained the plans for the appearance of the new office building, which will have three stories with approximately 54,000 square feet. It has been designed to compliment, but not mirror, the existing office building. Mr. Hendricksen also explained the planned appearance of the parking structure. Councilman Averett suggested that a fascia would help prevent light pollution and protect vehicles during inclement weather as well as add to the structure aesthetically. Ms. Rayner explained that a fascia will be included. The parking structure roof will have sky lights to take advantage of natural lighting. Artificial lighting will only come on when insufficient natural light is available, keeping light pollution to a minimum. The concrete floor will have a textured finish, with an internal drain system on the upper level to prevent water from draining onto the lower level. Councilman Wright asked how the structure will handle Centerville's heavy winds. Mr. Hendricksen responded that the roof will be rated for 120 mile per hour winds. Councilwoman Lindstrom asked about pedestrian access through the development from 400 West to the Frontage Road. Mr. Broadbent pointed out multiple planned pedestrian routes.

Councilman Wright made a **motion** to approve the conceptual site plan and proposed development for the office building and parking structure for Lot 201 of the Centerville Corporate Park Subdivision, Amended, subject to issues outlined in the Staff Report dated March 5, 2013. Councilman Higginson seconded the motion, which passed by unanimous vote (4-0).

REVIEW AND APPROVE CONCEPTUAL DEVELOPMENT PLAN FOR LOT 202 OF THE CENTERVILLE CORPORATE PARK SUBDIVISION, AMENDED

Ryan Robinson, representing Chick-Fil-A, explained the conceptual development plan for Lot 202 of the Centerville Corporate Park Subdivision. The plan is compliant with City ordinances regarding parking and setbacks, and complies with Parrish Gateway development requirements. He showed renderings of the proposed building and explained how traffic will flow on the property.

Councilwoman Lindstrom made a **motion** to approve the conceptual site plan and proposed development for the Chick-Fil-A restaurant for Lot 202 of the Centerville Corporate Park Subdivision, Amended, subject to issues outlined in the Staff Report dated March 5, 2013. Councilman Wright seconded the motion, which passed by unanimous vote (4-0).

RDA MEETING

At 8:24 p.m. Councilman Wright made a **motion** to move into a meeting of the Redevelopment Agency of Centerville. The motion was seconded by Councilman Higginson and passed by unanimous vote (4-0). In attendance were: Ronald G. Russell, Chair; John T. Higginson, Vice Chair; Directors Averett, Lindstrom, and Wright; Steve Thacker, Executive Director; Blaine Lutz, Finance Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.

The Council returned to regular meeting at 8:43 p.m.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the February 5, 2013 Council meeting were reviewed. The Council discussed how to phrase the condition placed on Centerville's participation in the UTOPIA OpEx assessment regarding the Baldrige method on page nine of the minutes, as well as Resolution No. 2013-06. Mr. Thacker expressed a concern that, from the point of view of the city managers in other UTOPIA cities, the exacting conditions the Council placed are offensive, considering Centerville is the most built-out city in UTOPIA and is only responsible for 3.5% of the debt. He encouraged the Council to not be too exacting. Councilman Wright expressed concern that others would be upset that Centerville is requiring sound business principles to be used. Mr. Thacker responded the offense is from the manner in which it has come down. Councilman Wright added the Council could have taken the approach suggested by Councilman Averett to not contribute any further funds. City Manager Thacker clarified that the idea itself is not offensive, but the manner of conditioning assessment participation upon compliance is. The other conditions included do not cause offense, just the Baldrige condition. He feels it would come across better if the condition were not attached to the assessment. Councilman Wright feels the assessment should be connected to the condition. The Council decided to use the phrase "or a similar program" on lines 25 and 38 of page nine of the minutes, and to conform the Resolution to the minutes. Councilwoman Lindstrom requested an amendment to page 2 of the minutes.

Councilman Wright made a **motion** that the minutes of the February 5, 2013 meeting be approved including the change that lines 25 and 38 of page nine state "initiate the Baldrige methods or a similar program" and that Resolution No. 2013-06 be corrected to conform with the minutes, and including Councilwoman Lindstrom's amendment to page two. Councilman Higginson seconded the motion, which passed by unanimous vote (4-0).

The minutes of the February 19, 2013 Council meeting were reviewed. Councilman Wright made a **motion** to approve the minutes. Councilman Higginson seconded the motion, which passed by unanimous vote (4-0).

MAYOR'S REPORT

Mayor Russell recommended that Paul Smith be reappointed to the Whitaker Museum Board. Councilwoman Lindstrom made a **motion** to reappoint Paul Smith to the Whitaker Museum Board. Councilman Wright seconded the motion, which passed by unanimous vote (4-0).

CITY MANAGER'S REPORT

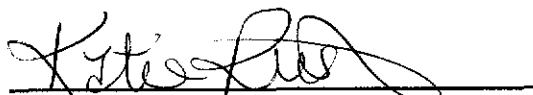
- Council members will receive an ICMA 360° assessment to fill out for Steve Thacker's performance as City Manager. This process is a requirement to continue his status as an ICMA "Credentialed Manager."
- Staff provided the Council with General Plan decision making guidelines, prepared by the City Attorney.
- Mr. Thacker recommends the Council act on increasing the Energy Sales and Use Tax from 5% to the maximum limit of 6%. He indicated that all other cities in the County except one already assess the maximum limit. The increase would generate an estimated \$140,000 per year that could be applied to streets maintenance, which would bring the budget close to the amount spent in previous years for streets maintenance (approximately \$700,000). The increase can only be effective on the first day of any quarter, and the decision to increase must be submitted to the State Tax Commission at least 90 days prior to the start of the quarter. Mr. Thacker feels there is justification to seek and put an increase in place. He referred to the FY 2014 Budget Calendar and recommended the agenda for the March 19 Council meeting show the matter for consideration and public comment. The increase could be acted on at that point or postponed until the March 26 work session in order to have the increase effective July 1, 2013. The Council indicated approval for putting the item on the March 19 agenda.
- A few changes were made to the 2013 Goal-Setting Calendar.
- Mr. Thacker explained that liability issues and interference with general public use has become apparent in the scheduling of events on the Legacy Parkway Trail. A document addressing policies, procedures, and authority will be drafted by the city managers and presented to their Councils. Mayor Russell feels the County would be the most appropriate choice for managing the Trail events.
- The Bamberger Parkway Trail has been abused by dog owners who do not clean up after their pets. An appeal has been made directly to the homeowners' associations in the area, a request has been included in the recent utility bill, and an enforcement presence will be in the area to try and resolve the problem.
- Mr. Thacker informed the Council of personnel changes that have taken place in the Police Department.

ADJOURNMENT

At 9:27 p.m. Councilwoman Lindstrom made a **motion** to adjourn the meeting. Councilman Higginson seconded the motion, which passed by unanimous vote (4-0).


Marsha L. Morrow, City Recorder

3-19-13
Date Approved


Katie Rust, Recording Secretary



CENTERVILLE CITY COUNCIL MEETING

Tuesday, March 5, 2013
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

SPENCER TACKER

581 VALLEY DR.

Ryan Robinson

500 N. Market Place Dr.

Robert Byrnes

883 N Poplar

Ethan Horvath

218 N 700 E

Glen GARNER

140 W 11th Ave CT N&L

** 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.