Minutes of the Centerville **City Council** meeting held Tuesday, December 17, 2019, at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Clark Wilkinson
Council Members	Tamilyn Fillmore William Ince Stephanie Ivie George McEwan Robyn Mecham
STAFF PRESENT	Brant Hanson, City Manager Lisa Romney, City Attorney Leah Romero, City Recorder Jacob Smith, Administrative Services Director Paul Child, Centerville Police Chief Lt. Robison, Centerville Police Cory Snyder, Community Development Director Kevin Campbell, City Engineer
VISITORS	Marcus Arbuckle, Keddington & Christensen Interested Citizens
PRAYER OR THOUGHT	Lee Hawkes
PLEDGE OF ALLEGIANCE	led by Mike Hepworth

OPEN SESSION

Ernie Gardner, representing the Centerville Small Arms Association, thanked the City for continued use of the gun range property. He asked the Council for leniency regarding the Centerville Small Arms Association escrow payment, and asked the Council to consider halving the escrow amount owed by the Association going forward so they have funds to make improvements and continue the program.

AUDIT REPORT

Marcus Arbuckle, the City's contract CPA, introduced Jeff Bauer with Hinton Burdick, present via phone, who presented the FY 2019 Independent Auditor's Report. Hinton Burdick issued a clean opinion for FY 2019. Mr. Arbuckle presented a financial report for FY 2019, and answered questions from the Council.

PUBLIC HEARING – ZONING MAP AMENDMENT – DEVORE PROPERTY REZONE FROM AGRICULTURAL-LOW TO RESIDENTIAL-LOW

On November 13, 2019, the Planning Commission reviewed and recommended for approval the proposed Zoning Map Amendment of the DeVore Property consisting of approximately 16.75 acres from Agricultural-Low (A-L) to Residential-Low (R-L). Cory Snyder, Community Development Director, explained the requested rezone, and explained that a traffic

memo was submitted by Symphony Homes since the public hearing held at the last Council meeting.

Russel Wilson with Symphony Homes introduced Paul Peterson, Traffic Engineer with WCEC Engineers. Mr. Peterson explained that since the initial traffic memo dated November 25, WCEC Engineers spent more time evaluating existing traffic counts and school traffic in the area. The traffic counts were collected at three locations along 2025 North. Mr. Peterson explained how traffic counts were calculated and answered questions from the Council. Councilmember Mecham commented that Wasatch Front Regional Council published traffic information specific to the Wasatch Front. Mr. Peterson stated it would be difficult to accurately predict the impact of the proposed development to the level of service on Main Street and the Frontage Road with the high volume of traffic on Main Street and the Frontage Road, but said he does not believe the impact would be significant. Mr. Peterson said there is a queuing along Main Street in the morning for the elementary school, but said that is to be expected. He stated that during their period of observation, the crossing guard functioned well at the intersection, and nothing stood out to the traffic engineers as significant. A formal traffic study will be compiled with the data collected.

Kevin Anderson, Land-use Attorney with Symphony Homes, spoke to the Council regarding the importance of private property rights, and emphasized that the General Plan contemplates eventual R-L use for the subject property. Mr. Anderson spoke of the synergy possible with development of the full seventeen acres together. He pointed out that both Staff and the Planning Commission recommended approval. Mr. Anderson suggested four main reasons for approval of the requested rezone: the rezone would respect and protect bedrock property rights; would ensure the City Council is acting with fundamental fairness in consideration of private property rights; the City would avoid claims that actions were arbitrary and capricious, and demonstrates the City is proceeding with fundamental fairness; would help solve some of the problems and concerns raised by neighbors. Mr. Anderson said the School District indicated they have excessive capacity of approximately 200 slots at the neighboring elementary school. Symphony Homes intends to develop the entire property in one phase.

Mr. Anderson answered questions from the Council. Lisa Romney, City Attorney, stated that traffic matters are generally addressed at the subdivision level, but may be considered in a general sense during a rezone decision under the question of adequacy of facilities. Councilmember Mecham said she wants to see the subject property developed, but said she would prefer the control provided by a planned development overlay (PDO) to ensure desired lot sizes. Councilmember Mecham said she believes traffic should be directed from the proposed development straight to the Frontage Road. She said she viewed for herself the water on the property and emphasized that drainage is a big issue. Mr. Anderson responded that because the drainage is such a significant issue, it would be a benefit to the City to have the subject property developed as an aggregated parcel with a single drainage system.

Bruce Robinson with Symphony Homes explained that the long, narrow shape of the subject property limits possible road and drainage system configurations. He commented that smaller lots are guaranteed on the west side of the property because it would be foolish to put million-dollar homes next to the freeway. He explained some of the changes made by the State to drainage standards, and emphasized that the drainage would have to be addressed with either zoning. He stated Symphony Homes fully expects to be held accountable all the way through the process to make sure the project is done correctly.

Kevin Campbell, City Engineer, agreed with the statement that traffic level of service would be minimally impacted by the proposed development. He said his biggest concerns are the Market Place/Parrish Lane intersection and the 400 West/Parrish Lane intersection, which are both scheduled for improvement in coming years. He explained that "level of service" is based on expected traffic delay. Councilmember Ince commented that actual experience does not always match traffic study projections. Councilmember Fillmore emphasized the importance of basing zoning decisions on data and standardized protocols.

Police Chief Paul Child stated the Police Department has closely monitored traffic in the subject area for a few years. The intersection at 2025 North and 400 West has been a source of complaints, and restriping was done in an effort to improve the situation. Two crossing guards would be needed if the decision to add more crossing guards is made. Chief Child stated he believes the need for two crossing guards at that intersection should be included in the next budget cycle. He stated pedestrian access would be provided from the school property directly to the proposed development, reducing the need for students in the proposed development to use the 2025 North/400 West intersection. Chief Child said he thought the traffic numbers provided in the traffic memo were low. He said he would suggest a direct connection from the proposed development to the Frontage Road, but acknowledged there may be complications. Chief Child said that he had directed his Officers to place a speed monitor on 2025 North to *collect speed and traffic volume data. Ms. Romney stated that developers are not expected to* solve existing traffic problems.

Councilmember Ivie said some of the public comments submitted by email were not forwarded to the Council by the City until 5:00 p.m. prior to the Council meeting, and she had not had a chance to review them. Leah Romero, City Recorder, responded that all public comment forwarded to the Council on December 17th were received by the City after 5:00 p.m. on Friday, December 13. Councilmember Mecham expressed concern that some of the public comment sent was not received by the City because of a problem with the system. She said she believed the City owed it to the citizens to continue receiving public comment via email.

Councilmember McEwan made a **motion** to table the issue to the first scheduled Council meeting in January 2020, and accept electronic public comment until 5:00 p.m. on December 20, 2019. Councilmember Ince seconded the motion, which passed by unanimous vote (5-0). Councilmembers apologized to citizens for the problem with the public comment submission system.

GUN RANGE LEASE AGREEMENT – AMENDMENT NO. 2 – LEASE EXTENSION

On December 24, 2013, the City and the Centerville Small Arms Association entered into a five-year Gun Range Lease Agreement for the use and operation of a gun range on property owned by the City. On December 4, 2018, the City extended the Gun Range Lease Agreement for an additional one-year term set to expire on December 31, 2019. Ms. Romney explained that the City only granted a one-year extension of the Gun Range Lease Agreement due to the pending study of the foothills management plan. The Centerville Small Arms Association has requested renewal of the Gun Range Lease Agreement for an additional five years. Staff recommends approval of the five-year extension of the Lease.

Jim Stephens, Centerville Small Arms Association President, commented that the gun range has been on the hillside in Centerville since 1965. The Centerville Gun Range is an asset to the City and the many law enforcement entities who use the range for practice. Mr. Stephens asked for the Council's continued support in approval of the Lease Extension.

Councilmember Ince ***moved*** *to approve Amendment No. 2 to the Gun Range Lease* Agreement authorizing renewal of the Gun Range Lease for five years. Councilmember Ivie seconded the motion, which passed by unanimous vote (5-0). Ms. Romney explained requirements associated with the Remediation Fund for the gun range property.

ADOPT ANNUAL MEETING SCHEDULE FOR 2020

The Council reviewed a proposed meeting schedule for the next calendar year. Councilmember Ince made a **motion** to amend the proposed meeting schedule by moving the meeting scheduled for March 3, 2020 to March 4, 2020, and the meeting scheduled for November 3, 2020 to November 4, 2020. Councilmember McEwan seconded the motion to amend the proposed meeting schedule, which passed by unanimous vote (5-0).

APPOINTMENT TO SEWER DISTRICT BOARD

Councilmember McEwan **moved** to table this issue to the January 7, 2020 Council meeting. Councilmember Ivie seconded the motion, which passed by unanimous vote (5-0).

MINUTES REVIEW AND ACCEPTANCE

The minutes of the December 3, 2019 Joint Work Session with the Tree Board and regular City Council meeting were reviewed. Councilmember Ince made a **motion** to accept the minutes of the December 3, 2019 regular Council meeting. Councilmember Fillmore seconded the motion, which passed by unanimous vote (5-0). Councilmember Ivie **moved** to table the December 3, 2019 Joint Work Session minutes. Councilmember Mecham seconded the motion, which passed by unanimous vote (5-0).

CITY MANAGER'S REPORT

Mr. Hanson thanked the Mayor, City Council and all City Staff for their support.

ADJOURNMENT AND CLOSED MEETING

At 9:28 p.m., Councilmember McEwan made a **motion** to adjourn the regular Council meeting and move to a closed meeting in Council chambers to discuss character and competency of an individual as allowed by State law, with no intent to return to regular meeting. Councilmember Ivie seconded the motion, which passed by unanimous vote (5-0). In attendance at the closed session: Clark Wilkinson, Mayor; Councilmembers Fillmore, Ince, Ivie, McEwan, and Mecham; Brant Hanson, City Manager; Lisa Romney, City Attorney.

Leah Romero, City Recorder

January 7, 20
Date Approved

Katie Rust, Recording Secretary

CENTERVILLE CITY, INC. 1848 CORPORATE SEAL

CENTERVILLE CITY

OFFICE OF THE CITY RECORDER

250 North Main • Centerville, Utah 84014 • (801) 295-3477

AFFIDAVIT OF CLOSED MEETING

I, Clark Wilkinson (Name), as the Mayor (Title) of Centerville, after being duly sworn, affirm and state as follows:

I was the officer of Centerville City presiding over a closed meeting held at Centerville City Hall on 17th, day of Dec, 2019, at 9:21 a.m./p.m. This closed meeting was held pursuant to Utah Code § 52-4-205 to discuss:

- ☑ The character, professional competence, or physical or mental health of an individual; and/or
- ☐ The deployment of security personnel, devices, or systems.

I hereby affirm that the closed meeting was held and the only subject matter discussed in the meeting was the above-referenced items.

Dated this 17th day of December, 2019.

Clark Wilkinson
Signature

Mayor
Title

State of Utah)
: ss.
County of Davis)

On the 17th day of December, 2019, personally appeared before me Clark Wilkinson, the signer of the foregoing instrument who duly acknowledged to me that he/she executed the same.

LEAH ROMERO
Notary Public State of Utah
My Commission Expires on:
August 8, 2023
Comm. Number: 707659

Leah Romero
Notary Public

MAKING Life BETTER
Centerville City

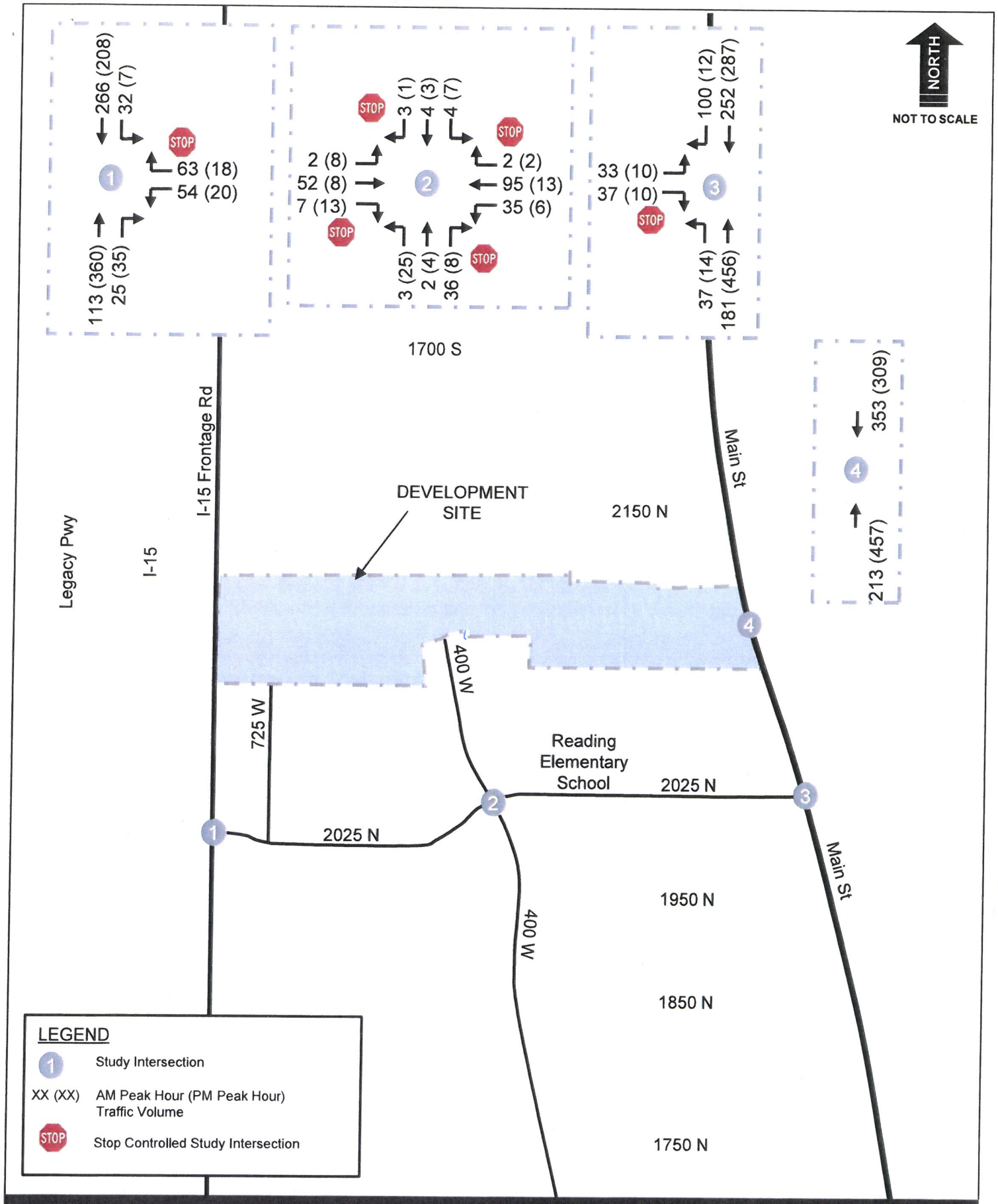

Figure 2
Existing Peak Hour Volumes

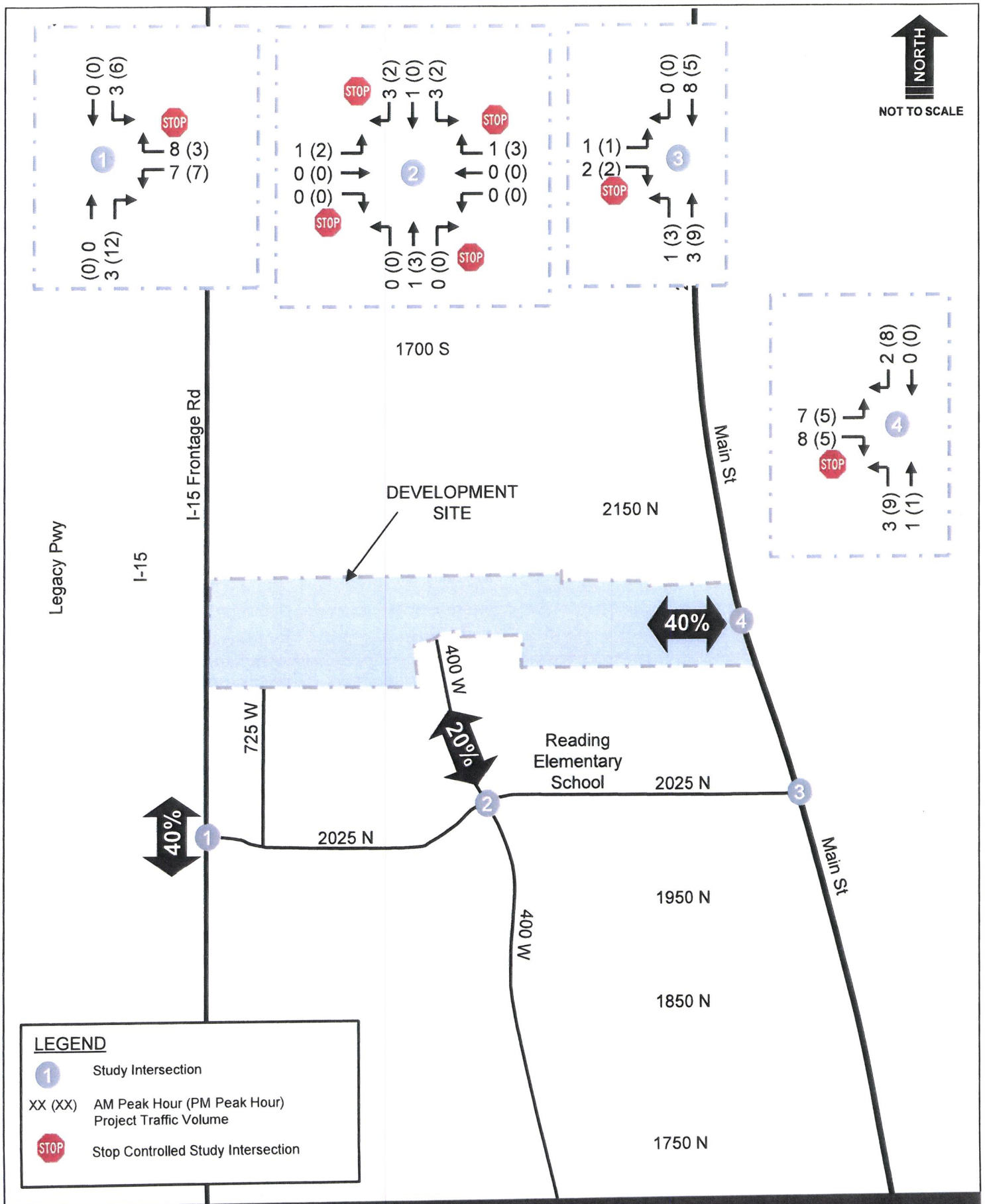

Figure 3
Trip Distribution and Weekday Peak Hour Project Trips

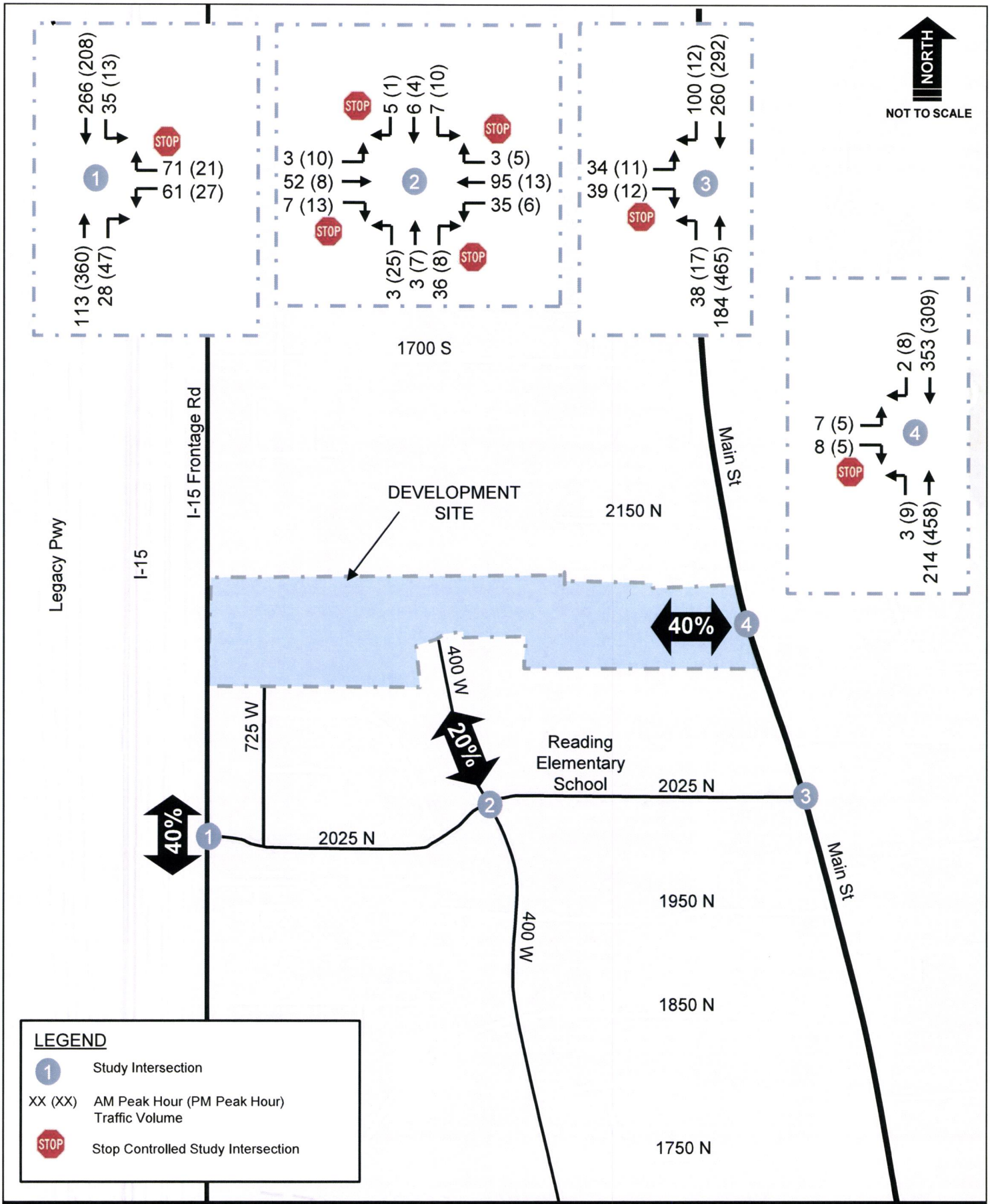

Figure 4

Existing + Project Trips Peak Hour Volumes