

1 Minutes of the Centerville City Council meeting held Wednesday, November 17, 2020, at 7:00  
2 p.m. with participants present electronically via Zoom and streamed on YouTube due to  
3 infectious disease COVID-19.

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5 **MEMBERS PRESENT**

6  
7 Mayor Clark Wilkinson

8  
9 Council Members Tamilyn Fillmore  
10 William Ince  
11 Stephanie Ivie  
12 George McEwan  
13 Robyn Mecham

14  
15 **STAFF PRESENT**

16 Brant Hanson, City Manager  
17 Lisa Romney, City Attorney  
18 Janet Denison, City Recorder  
19 Jacob Smith, Administrative Services Director  
20 Cory Snyder, Community Development Director  
21 Mackenzie Wood, Assistant Planner  
22 Paul Child, Centerville Police Chief

23  
24 **VISITORS**

25 Russell Wilson, Symphony Homes  
26 Bruce Robinson, Symphony Homes  
27 Justin Manning, Extreme Auto Service

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29 **DETERMINATION**

30 Mayor Wilkinson read aloud a determination regarding  
31 electronic meetings without an anchor location due to  
32 COVID-19

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34 **PRAYER OR THOUGHT**

35 Mayor Wilkinson

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37 **PLEDGE OF ALLEGIANCE**

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39 **OPEN SESSION**

40 Mayor Wilkinson opened the open session, and closed the open session seeing that no  
41 one wished to comment.

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43 **SUMMERHILL LANE SUBDIVISION – ZONING MAP AMENDMENT AND PDO**  
44 **CONCEPTUAL PLAN**

45 On October 20, 2020, the City Council reviewed the application and conducted a public  
46 hearing for the requested Zoning Map Amendment and PDO Conceptual Plan for the  
47 Summerhill Lane Subdivision. The Council then tabled action and directed the applicant to  
48 consider several changes.

49 Russell Wilson, Land Manager with Symphony Homes, presented a revised conceptual  
50 plan for the Summerhill Lane Subdivision, including a direct connection to Frontage Road and  
51 adjusted lot sizes compared to the previous application, with a proposed 63 units and an overall  
52 density of 3.5 units per acre. Bruce Robinson with Symphony Homes said he believed the  
53 newest proposal was a better product than previously proposed, and said he was glad the  
Council had pushed Symphony to look harder at the possibilities. He said he believed the

1 frontages proposed would contribute to the aesthetics of the development. Mr. Robinson stated  
2 that following additional adjustments by Symphony Homes staff, the minimum lot size would be  
3 5,800 square feet.  
4

5 Responding to a question from Councilmember Fillmore, Mr. Robinson said they did not  
6 yet have all front elevation images prepared. He explained that the minimum lot width would  
7 need to be 65 feet for a two-car garage to not exceed 40% of the front width of a home, as  
8 suggested by Councilmember Fillmore, and added that the minimum lot width would need to be  
9 96-98 feet to accommodate a three-car garage that did not exceed 40%. Mr. Robinson said he  
10 understood the intent would be to ensure quality homes, but stated a 40% maximum would  
11 greatly limit the project. Councilmember Fillmore said she had suggested the 40% maximum as  
12 a trade-off with the setback adjustments previously requested.  
13

14 Councilmember Ivie said she appreciated the change in setback distance. She asked for  
15 further explanation of the extended length of 400 West. Mr. Russell said the extension would  
16 dead-end at the north project boundary.  
17

18 Mr. Snyder explained suggested changes to the ordinance. Councilmember McEwan  
19 thanked Symphony Homes for their response to the requests made. Councilmember Mecham  
20 said she believed Symphony Homes had really listened to the Council and residents. She asked  
21 about the 12-foot access easement to the Packer property suggested by the Planning  
22 Commission as a condition for approval. City Attorney Lisa Romney responded that a condition  
23 requiring an access easement was not recommended by Staff. She expressed the opinion that  
24 the access issue was a private matter to be resolved by the individual property owners. She  
25 said she was concerned about the City's legal ability to require the access from Symphony  
26 Homes. Ms. Romney stated that streets included in the proposed plan followed the City's Street  
27 Master Plan.  
28

29 Mr. Snyder said the Planning Commission debated the 1,200-foot block length  
30 requirement, and recommended approval of the proposed 1,300-foot block length with the PDO.  
31 He spoke of the Code provision that would allow the Council to require a walkway for pedestrian  
32 access through any development exceeding 800 feet in block length, and commented on the  
33 "graying line" of the farm access requirement recommended by the Planning Commission. Mr.  
34 Snyder said he agreed with Ms. Romney's assessment that the access issue should be settled  
35 by the property owners.  
36

37 Councilmember Ivie spoke of potential problems if the access issue were not resolved  
38 adequately, and said she did not want to feel responsible for allowing a negative situation to  
39 develop. Councilmember McEwan said he believed it would be unethical for the City to bias one  
40 property owner toward another. Councilmember Fillmore said she understood the concern  
41 regarding possible isolation of the Packer property, but stated that the concern voiced by  
42 Councilmember McEwan, in her opinion, outweighed the concern regarding possible isolation.  
43 Councilmember Ince referred to a property situation he considered similar, and said he felt it  
44 was important to prevent the problem from happening again.  
45

46 Councilmember McEwan moved to adopt Ordinance No. 2020-13 with a structural edit  
47 to Condition 5(i), addition of Condition 5(iv), and excluding Condition 13. Councilmember  
48 Fillmore seconded the motion.  
49

50 Conditions:  
51

- 52 1. A Zone Map Amendment of the 17.24 +/- acres from A-L to R-L/PD.

2. The **PDO Development shall be limited to 17.24 +/- acres**, as depicted on the submitted PDO Conceptual Plans, as received by the City.
3. All **Final Development Approvals for Summerhill Lane** shall substantially comply with the PDO Conceptual Plan submittals received by the City, including the alterations submitted specifically to the City Council, unless otherwise amended by the City.
4. The **approved R-L Rezone and associated PDO Conceptual Plan** shall consist of the following:
  - i. The proposed Overall Conceptual Development Plan, Sheet C1;
  - ii. The Preliminary Utility Plan, Sheets C3, C3.1.
5. The **Land Uses Approved** shall consist of the following:
  - i. Single-family Uses – Maximum number of dwellings is 63 units.
  - ii. Single-family Home, Building Heights – Primary/main buildings shall comply with the applicable regulations and codes of the Zoning Ordinance, as outlined in the provisions of the R-L Zone.
  - iii. Accessory Buildings and Uses – All allowed accessory buildings and uses shall comply with the applicable regulations and codes of the Zoning Ordinance, as outlined in the provisions of the R-L Zone.
  - iv. Minimum lot size of 5800 square feet.
6. The **Summerhill Lane Development** shall be subject to **obtaining Preliminary and Final Subdivision Approvals**, which shall be subject to the following:
7. All other development regulations and codes that have NOT been modified by the R-L Rezone and PDO Conceptual Plan Approval.
8. The plan for construction and maintenance of necessary Stormwater and applicable groundwater management systems.
9. The plan and execution methods for the elimination of remnant properties without approved public purposes.
10. The securement and approval for development of a secondary water system from the applicable secondary water service provider.
11. The **Subdivision Improvement Construction** shall be prepared as one development site to support the development in its entirety. However, construction activities regarding actual homes may be phased as independent lots, subject to applicable state and local codes and ordinances.
12. The **Development Variations Allowed** for the Summerhill Lane Development are limited to the following:
  - i. CZC 12.32, Development Standards Regarding Lot Width and Setbacks  
Some variations to the lot widths and setbacks are allowed, as depicted on the amended PDO Conceptual Plan submitted to the City Council. However, required track perimeter setbacks are required and have been referenced on the plan sheets.

Reasons for Action:

- a. The City Council finds that proposed rezone for low-density residential uses is consistent with the Northwest Neighborhood Plan.
- b. The City Council finds the PDO request meets the following:
  - i. The proposed development does not conflict with any applicable policy of the General Plan.
  - ii. The proposed development meets the purpose and intent Zoning Ordinance, as set forth in CZC 12.41.010.
  - iii. The proposed development allows integrated planning and design of the property and, on the whole, better development than would be possible under conventional zoning regulations.

- 1           iv.    The proposed development meets the use and development limitations and  
2               other requirements of the zone with which the PDO Zone is combined, except  
3               as otherwise allowed by the PDO provisions.  
4       c.   Lastly, the City Council finds that PDO rezone provides an enhanced tool to address  
5           any development related concerns and maximize the development opportunities for  
6           the entire site, and more specifically with regards to concerns raised by the public  
7           about storm water and ground water management.

8  
9           Responding to a question from Councilmember Ince, Ms. Romney spoke of a  
10          conversation she had with a property ombudsman, and emphasized that the Packer property  
11          was already land-locked without development of the Symphony Homes property. Ms. Romney  
12          added that property to the north of the Packer property was undeveloped. She advised the  
13          Council to not require farm access if the motivation were solely to solve a private dispute.

14  
15          Emphasizing that he believed the access issue to be a private matter, Mr. Robinson  
16          explained that if a 12-foot access easement to the Packer property were granted, the easement  
17          would remain in place until such time as 400 West was extended north and the Cutler and  
18          Packer properties were developed.

19  
20          Responding to a question from Councilmember Ivie, Mr. Snyder explained that requiring  
21          a stub road in the Sheffield Downs Subdivision to existing commercial was in the City's best  
22          interest in planning for future development. Councilmember McEwan emphasized that he was  
23          willing to approve the longer block length in exchange for the lower density proposed.  
24          Councilmember Ivie said there were many things she liked about the proposed development,  
25          but said she was uncomfortable allowing development to continue without guarantee that the  
26          access dispute would be resolved. Councilmember McEwan repeated that he believed the  
27          Council was very limited in what it could legally do regarding the access issue.

28  
29          The **motion to approve** Ordinance No. 2020-13 **passed** by majority vote (3-2), with  
30          Councilmembers Fillmore, Ince, and McEwan in favor, and Councilmembers Ivie and Meham  
31          dissenting. Councilmember Ince said he was still very concerned about standing water on the  
32          Packer property.

33  
34          **STORM DRAIN EASEMENT – EXTREME AUTO SERVICE – 6060 NORTH 1000**  
35          **WEST**

36  
37          On September 23, 2020, the Planning Commission approved a Final Site Plan for  
38          Extreme Auto Service located at approximately 606 North 1000 West. Extreme Auto Service  
39          leased the property from the property owner, Jed R. Taylor. As a condition of Final Site Plan  
40          approval, the property owner was required to provide a Storm Drain Easement on the north part  
41          of the property in order to accommodate existing and proposed storm drain improvements in the  
42          area. Ms. Romney presented a Storm Drain Easement prepared for the property.

43  
44          Councilmember Ince **moved** to accept the Storm Drain Easement for Extreme Auto  
45          located on property owned by Jed R. Taylor at approximately 6060 North 1000 West, also  
46          known as Lot 6 of the H&H Commercial Subdivision. Councilmember Meham seconded the  
47          motion, which passed by unanimous vote (5-0).

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49          **PERSONNEL POLICIES AMENDMENTS – CHAPTER 16 (SEPARATIONS)**

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51          Ms. Romney explained the recommended addition of a new Chapter 16 for the  
52          Personnel Policies to address various types of separations of employment, such as voluntary  
53          termination, involuntary termination, retirement, reclassification, and reduction in force, and

1 answered questions from the Council. Councilmember McEwan suggested adding the option to  
2 terminate employment if a position were abandoned, and suggested requiring disclosure of  
3 particular disabilities to allow reasonable accommodation by the City.  
4

5 Councilmember Fillmore **moved** to approve Resolution No. 2020-33 amending the  
6 Personnel Policies to add a new Chapter 16 (Separations). Councilmember Ivie seconded the  
7 motion, which passed by unanimous vote (5-0). Ms. Romney said she would work with  
8 Councilmember McEwan regarding his suggestions, and bring back an amendment if needed.  
9

#### 10 **APPOINTMENT OF CITY RECORDER**

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12 City Manager Brant Hanson introduced new City Recorder Janet S. Denison.  
13 Councilmember Ince **moved** to approve Resolution No. 2020-32 appointing Janet S. Denison  
14 as the new City Recorder for Centerville City. Councilmember Mecham seconded the motion,  
15 which passed by unanimous vote (5-0).  
16

#### 17 **CARES ACT FUNDING DISCUSSION**

18  
19 Jacob Smith, Administrative Services Director, updated the Council on CARES Act  
20 Funding received from the State, already purchased items and upgrades, and purchases  
21 pending. Mr. Hanson reported that approval was confirmed for use of CARES Act Funding for  
22 public safety payroll. He recommended the Council move City funds originally budgeted for  
23 Police Department payroll to a reserve account until after the City's audit. Mr. Smith stated all  
24 CARES Act Funding received by Centerville City from the State would be used.  
25

26 Councilmember Ince made a **motion** of Council support for Staff to proceed with the  
27 schedule presented in the manner outlined. Councilmember Ivie seconded the motion, which  
28 passed by unanimous vote (5-0).  
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#### 30 **SUMMARY CALENDAR**

- 31  
32 a. Purchase two replacement police vehicles  
33 b. Rigby Court Subdivision – Bond Reduction and End of Warranty  
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35 Councilmember Ince **moved** to approve both items on the Summary Calendar.  
36 Councilmember Ivie seconded the motion, which passed by unanimous vote (5-0).  
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#### 38 **MINUTES REVIEW AND ACCEPTANCE**

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40 Minutes of the November 4, 2020 Work Session and Council Meeting were reviewed.  
41 Councilmember Fillmore requested an amendment. Councilmember Mecham **moved** to accept  
42 the minutes as amended. Councilmember McEwan seconded the motion, which passed by  
43 unanimous vote (5-0).  
44

#### 45 **CITY COUNCIL REPORT**

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47 Councilmember Mecham reported that UTOPIA had a 43% take-rate in Centerville.  
48

#### 49 **MAYOR'S REPORT**

- 50  
51 • Mayor Wilkinson commented that thoughts and well-wishes could be sent to the  
52 South Davis Metro Fire Agency for former Fire Chief Jeff Bassett. He reported that  
53 Dane Stone was appointed Fire Chief at a recent Fire Board meeting.

- The Mayor reported that a new Veterans Park had been completed in Bountiful.

### CITY MANAGER'S REPORT

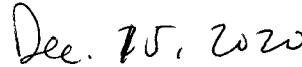
- Mr. Hanson expressed gratitude for the City's incredible employees, and thanked the Council for their leadership.
- Councilmember Ince suggested Staff arrange an opportunity for the Council to meet the new Fire Chief during a future Council meeting.

### ADJOURNMENT

At 9:14 p.m., Councilmember McEwan moved to go into a closed session via Zoom to discuss the deployment of security personnel, devices, or systems, with no intent to return to open meeting. Councilmember Ince seconded the motion, which passed by unanimous vote (5-0). In attendance at the closed session were: Clark Wilkinson, Mayor; Councilmembers Fillmore, Ince, Ivie, McEwan, and Mecham; Brant Hanson, City Manager; Lisa Romney, City Attorney; and Janet Denison, City Recorder.



Janet Denison, City Recorder



Date Approved



Katie Rust, Recording Secretary

