Minutes of the Centerville **City Council** meeting held Tuesday, July 16, 2013 at 7:02 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Council Members	Ronald G. Russell, Mayor Ken S. Averett John T. Higginson Sherri Lyn Lindstrom Lawrence Wright
MEMBER ABSENT	Justin Y. Allen
STAFF PRESENT	Steve Thacker, City Manager Blaine Lutz, Finance Director/Assistant City Manager Lisa Romney, City Attorney Cory Snyder, Community Development Director Katie Rust, Recording Secretary
VISITORS	Fred Philpot, Lewis Young Robertson Burningham (LYRB) Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Councilman John Higginson

OPEN SESSION

No one wished to comment.

MINUTES REVIEW AND APPROVAL

The minutes of the Tuesday, July 2, 2013 Council meeting were reviewed. Councilwoman Lindstrom requested an addition, and made a **motion** to accept the minutes as amended. Councilman Higginson seconded the motion, which passed by unanimous vote (4-0).

SUMMARY ACTION CALENDAR

a. Approve Assignment and Assumption Agreement for Legacy Crossing Lot 4
b. Award bids for MTC Lot 2 waterline to Ferguson Enterprises in the amount of $14,906 for materials (with tax) and to Kilgore Contracting in the amount of $42,769 for labor

Councilman Wright made a **motion** to approve both Summary Action Calendar items. Councilman Averett seconded the motion, which passed by unanimous vote (4-0).

PUBLIC HEARING – CHITOSE JOHNSON SUBDIVISION FINAL PLAT (REDIVISION OF LOT 2 BANGERTER SUBDIVISION) – 200 EAST 1200 SOUTH

Cory Snyder, Community Development Director, explained the proposed redivision of Lot 2 of the Bangerter Subdivision at 200 East and 1200 South. The Planning Commission recommends the Council approve the final subdivision plat and plans. The right-of-way is defined on the plat in a manner that would allow extension of the right-of-way in the future to accommodate a cul-de-sac if the owners decide to further subdivide the land.

At 7:09 p.m. Mayor Russell opened a public hearing. Seeing that no one wished to comment, the Mayor closed the public hearing.

Steve Thacker, City Manager, asked who will be responsible for the maintenance of the paved, temporary turn-around that will not be constructed to City street standards. Mr. Snyder responded that maintenance responsibility could be included on a plat note. Ron Marshall, a representative of the owners, stated the owners intend to take care of the turn-around as any responsible owner would.

Councilman Averett made a **motion** to approve the final subdivision plat and plans for Lot #2 of the Bangerter Subdivision, located at 200 East 1200 South, with the recognition that the non-standard public road turn-around area will not be installed or maintained by the City, but will be installed and maintained by the property owners until such time that the access point becomes a legal street improved to City standards and is extended further into the project area, and including the conditions and findings of the Planning Commission. Councilman Wright seconded the motion, which passed by unanimous vote (4-0).

Conditions:

1. The street right-of-way shall be dedicated the entire distance (215 feet), not just the first 125 feet that is shown.
2. The subdivision shall install the full set of public street improvements the first 125 feet. However, the hammerhead shall be constructed in accordance with the City & Fire Code Requirements for an all-weather access.
3. There is up to 15 feet of excess private land with associated utility easements on each side of the right-of-way (i.e., the first 125 feet of road). The plans shall be corrected to address how this will be maintained (e.g. landscaping) and a plat note shall disclose that all maintenance will be the responsibility of the applicable lot owner (no remnant parcel is to be created).
4. All required utility provider sheets shall be received by the City staff.
5. City Engineer shall determine sufficiency of easement for Lot #2 along front lot line.
6. The applicant shall provide the correct address for the new lots, as deemed acceptable by the Zoning Administrator.

Findings:

a. The Planning Commission finds that the subdivision for two lots is consistent with the goals of the Centerville City General Plan concerning development within Neighborhood 1, Southeast Centerville known as Extreme South Main Street Area [Section 12-480-2.d].
b. The Planning Commission finds that the property is currently zoned Residential-Medium (R-M) and that the subdivision, with the directives, could meet the applicable development standards found in Chapter 12-32 of the Zoning Ordinance in regard to layout and proper street frontage.
c. The Planning Commission finds, with the directives, that the requirements for subdividing will be addressed and satisfied [Title 15-Subdivisions].

APPROVE UTA RAIL CORRIDOR USE AGREEMENT FOR D&RGW TRAIL

For the benefit of the audience, Steve Thacker, City Manager, explained the history of the Denver and Rio Grande Western Trail (D&RGW Trail), which has been largely funded with

Federal funds, with a small match required from each city along the length of the trail. Construction of the Centerville portion is set to begin in September of 2013. The project requires an agreement between Centerville and UTA assigning maintenance of the trail to the city, similar to the maintenance agreement for the Legacy Parkway trail. Councilman Averett asked if volunteer groups can help with the maintenance of the trails, and if a sponsor program has been considered. Mr. Thacker responded that there is a steady stream of groups that volunteer to help within the city. The Trails Committee has discussed the possibility of an "adopt a trail" program, but has not considered it necessary. Denise Cox, a member of the Trails Committee, added that citizens have been careful to keep the trails clean. Councilman Wright asked about the environmental liability portion of the agreement. Lisa Romney, City Attorney, responded that UTA is mandating these changes be in the contract. She suggested staff contact the City's insurance carrier to ensure that the environmental liability clauses and indemnification obligations can be covered under the City's insurance. Councilman Wright suggested the city have the D&RGW trail area tested for contamination in the absence of information regarding past spills. Mr. Thacker stated that a portion of the existing Legacy Parkway trail in Centerville is already on the D&RGW corridor, and no environmental liability issues have come up. Ms. Romney has discussed the matter with UTA and was not informed of any known spill that occurred in the Centerville portion. Mr. Thacker added that testing would most likely be very expensive. Railroad beds have been converted to trails throughout the country. Councilman Averett stated that any incident would require prolonged exposure, and he feels the risk is negligible. Mr. Thacker agreed the risk is low.

Councilwoman Lindstrom made a **motion** to approve the Trail License Agreement between UTA and Centerville City for the use and maintenance of the public pathway and trail system within the D&RGW Corridor, subject to the review and approval of the City's insurance company regarding the environmental liability clauses and coverage. Councilman Averett seconded the motion, which passed by unanimous vote (4-0).

RDA MEETING

At 7:40 p.m. Councilman Wright made a **motion** to move to a meeting of the Centerville Redevelopment Agency. Councilwoman Lindstrom seconded the motion, which 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, RDA Executive Director; Blaine Lutz, Finance Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.

The Council returned to regular meeting at 8:15 p.m.

CONSIDERATION OF ORDINANCE NO. 2013-09 AND RESOLUTION NO. 2013-18

The RDA approved the Barnard Creek Community Development Project Area Plan and Interlocal Cooperation Agreement in its meeting. Councilman Higginson made a **motion** to adopt Ordinance No. 2013-09 as approved by the RDA, approving the Barnard Creek Community Development Area Plan. Councilman Wright seconded the motion, which passed by unanimous vote (4-0).

Councilman Higginson made a **motion** to adopt Resolution No. 2013-18 approving an Interlocal Cooperation Agreement between the Redevelopment Agency of Centerville City and Centerville City for the collection and remittance of incremental property taxes collected from property within the Barnard Creek Community Development Area. Councilman Wright seconded the motion, which passed by unanimous vote (4-0).

REVIEW CULINARY WATER IMPACT FEE FACILITIES PLAN/ANALYSIS

Fred Philpot with LYRB explained the process and methods involved in developing impact fees. He presented data regarding current and future culinary water capacity in Centerville. The City has not increased its water impact fee since the mid-1990's when it was set at $1,200 for a ¾ inch connection. It is recommended the Culinary Water Impact Fee be increased to $2,027 to meet the needs of new development. Councilman Wright asked if the analysis could be made available to the public prior to the planned public hearing. A statement on the next water bill will refer citizens to the City website for access to the Analysis.

MAYOR'S REPORT

- The Fire District has hired a new Fire Chief, Jeff Bassett. Mayor Russell expressed confidence in Chief Bassett's level of experience and abilities.
- Mayor Russell commented on the success of the recent 4th of July celebration.

CITY MANAGER'S REPORT

- An RDA/ACB meeting will be held on August 20, prior to the regular Council meeting.
- The Council approved including an insert regarding elections in the upcoming utility bill.
- Mr. Thacker provided the Council with an information sheet prepared by the Public Works Director regarding the safety of City pump houses.
- Mr. Thacker distributed copies of the agenda used at the recent candidate orientation meeting.
- Due to research completed and submitted by Management Assistant Jacob Smith, the population census estimate used for Centerville for 2012 has increased to 16,203. This number will be used in the distribution of sales tax income.

MISCELLANEOUS BUSINESS

Councilwoman Lindstrom made a **motion** to approve the appointment of the poll workers listed in the staff report and authorize Davis County to appoint additional poll workers that may be needed in case of an emergency. Councilman Higginson seconded the motion, which passed by unanimous vote (4-0).

CLOSED MEETING

At 9:10 p.m. Councilman Wright made a **motion** to move into a closed meeting to discuss the competency of an individual. Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (4-0). In attendance were: Ronald G. Russell, Mayor; and Council members Averett, Higginson, Lindstrom, and Wright. The Council returned to open session at 9:32 p.m., at which time Blaine Lutz and Katie Rust returned to the Council chambers.

CITY MANAGER COMPENSATION

Councilman Wright made a **motion** to approve a $500 bonus for City Manager Thacker. The motion was not seconded. Mayor Russell stated that a different action had been discussed in the closed meeting. Councilwoman Lindstrom made a **motion** to approve a 1.5% salary increase and a one-time bonus of $500 for City Manager Thacker. Councilman Averett seconded Councilwoman Lindstrom's motion, which passed by majority vote (3-1), with Councilman Wright dissenting.

ADJOURNMENT

At 9:35 p.m. Councilwoman Lindstrom made a **motion** to adjourn the Council meeting. The motion was seconded by Councilman Higginson and passed by unanimous vote (4-0).

Marsha L. Morrow, City Recorder

8-6-13
Date Approved

Katie Rust, Recording Secretary

CENTERVILLE CITY CORPORATE SEAL

CENTERVILLE CITY COUNCIL MEETING

Tuesday, July 16, 2013

7:00 p.m.

NAME (PLEASE PRINT)	ADDRESS**
Josh Freeman	
Preston Bonnley	
[illegible]	
Eric Storie	
Jamie Stevenson	
[illegible]	
Carrie Hamilton	
Connor McBride	
McKay Cox	
Jacob Silva	
Elizabeth [illegible]	
David Gardy	
Stephanie Ivie	
Rick Jensen	
Craig Salmon	
John Smith	

** 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.